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U. S. Congress.

UNITED STATES



OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 76th CONGRESS
THIRD SESSION

VOLUME 86—PART 1

JANUARY 3, 1940, TO FEBRUARY 7, 1940
(PAGES 1 TO 1204)



OF AMERICA

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 76th CONGRESS, THIRD SESSION

SENATE

WEDNESDAY, JANUARY 3, 1940

The 3d of January being the day prescribed by the Constitution of the United States for the annual meeting of Congress, the third session of the Seventy-sixth Congress commenced this day.

The Senate assembled in its Chamber at the Capitol.

JOHN N. GARNER, of Texas, Vice President of the United States, called the Senate to order at 12 o'clock meridian.

The Chaplain, Rev. Z. Barney T. Phillips, D. D., of the city of Washington, offered the following

PRAYER

O Thou, who art from everlasting to everlasting, whose years fail not, and without whom, as our Eternal Refuge, we do but bring our years to an end, as it were, "a tale that is told": Help us, we beseech Thee, to face the veiled mystery of life and duty, pledging a nobler dedication and a more devoted service to our country, knowing that though today we may be stranded in the shallows or adrift upon the uncharted waste of waters, nevertheless tomorrow Thy love will be the same great deep and the same steady light revealed unto Thy children through all the yesterdays of time.

Bless Thou our Nation, O Ruler of Nations; give wisdom and strength to our President, Vice President, and the Members of the Congress; sanctify our noble purposes and the moral fiber of our lives; may every citizen of our beloved land turn unto God and find, even without knowledge of it, that goodness and strength grow together through all life's changing days.

We pray that Thou wilt overcome in us the sin that doth so easily beset us, that out of our thought and our desire may be woven such a plea for peace on the earth as will bring men out of the shadow into the very presence of God and under the rule of the Prince of Peace, in whose name we offer up our imperfect prayer. Amen.

LIST OF SENATORS BY STATES

Alabama.—John H. Bankhead and Lister Hill.
Arizona.—Henry F. Ashurst and Carl Hayden.
Arkansas.—Mrs. Hattie W. Caraway and John E. Miller.
California.—Hiram W. Johnson and Sheridan Downey.
Colorado.—Alva B. Adams and Edwin C. Johnson.
Connecticut.—Francis T. Maloney and John A. Danaher.
Delaware.—John G. Townsend, Jr., and James H. Hughes.
Florida.—Charles O. Andrews and Claude Pepper.
Georgia.—Walter F. George and Richard B. Russell.
Idaho.—William E. Borah and D. Worth Clark.
Illinois.—Scott W. Lucas and James M. Slatery.
Indiana.—Frederick Van Nuys and Sherman Minton.
Iowa.—Guy M. Gillette and Clyde L. Herring.

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Kansas.—Arthur Capper and Clyde M. Reed.
Kentucky.—Alben W. Barkley and A. B. Chandler.
Louisiana.—John H. Overton and Allen J. Ellender.
Maine.—Frederick Hale and Wallace H. White, Jr.
Maryland.—Millard E. Tydings and George L. Radcliffe.
Massachusetts.—David I. Walsh and Henry Cabot Lodge, Jr.
Michigan.—Arthur H. Vandenberg and Prentiss M. Brown.
Minnesota.—Henrik Shipstead and Ernest Lundeen.
Mississippi.—Pat Harrison and Theodore G. Bilbo.
Missouri.—Bennett Champ Clark and Harry S. Truman.
Montana.—Burton K. Wheeler and James E. Murray.
Nebraska.—George W. Norris and Edward R. Burke.
Nevada.—Key Pittman and Patrick A. McCarran.
New Hampshire.—Styles Bridges and Charles W. Tobey.
New Jersey.—William H. Smathers and W. Warren Barbour.
New Mexico.—Carl A. Hatch and Dennis Chavez.
New York.—Robert F. Wagner and James M. Mead.
North Carolina.—Josiah William Bailey and Robert R. Reynolds.
North Dakota.—Lynn J. Frazier and Gerald P. Nye.
Ohio.—Vic Donahey and Robert A. Taft.
Oklahoma.—Elmer Thomas and Josh Lee.
Oregon.—Charles L. McNary and Rufus C. Holman.
Pennsylvania.—James J. Davis and Joseph F. Guffey.
Rhode Island.—Peter G. Gerry and Theodore Francis Green.
South Carolina.—Ellison D. Smith and James F. Byrnes.
South Dakota.—W. J. Bulow and Chan Gurney.
Tennessee.—Kenneth McKellar and Tom Stewart.
Texas.—Morris Sheppard and Tom Connally.
Utah.—William H. King and Elbert D. Thomas.
Vermont.—Warren R. Austin and Ernest W. Gibson.
Virginia.—Carter Glass and Harry Flood Byrd.
Washington.—Homer T. Bone and Lewis B. Schwellenbach.
West Virginia.—Matthew M. Neely and Rush D. Holt.
Wisconsin.—Robert M. La Follette, Jr., and Alexander Wiley.
Wyoming.—Joseph C. O'Mahoney and Harry H. Schwartz.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.
 The VICE PRESIDENT. The clerk will call the roll.
 The Chief Clerk (John C. Crockett) called the roll, and the following Senators answered to their names:

Adams	Byrd	Ellender	Hayden
Ashurst	Byrnes	Frazier	Herring
Austin	Capper	George	Hill
Bankhead	Chandler	Gibson	Holman
Barbour	Chavez	Gillette	Hughes
Barkley	Clark, Idaho	Glass	Johnson, Calif.
Bilbo	Clark, Mo.	Green	Johnson, Colo.
Borah	Connally	Guffey	King
Brown	Danaher	Gurney	Lee
Bulow	Davis	Harrison	Lucas
Burke	Downey	Hatch	Lundeen

McCarran
McNary
Maloney
Mead
Miller
Minton
Murray

Neely
Pittman
Radcliffe
Reynolds
Russell
Schwartz
Schwellenbach

Sheppard
Slattery
Taft
Thomas, Utah
Tobey
Townsend
Truman

Tydings
Vandenberg
Wagner
Walsh
Wheeler
White
Wiley

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Arkansas [Mrs. CARAWAY] are absent from the Senate because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from North Carolina [Mr. BAILEY], the Senator from Ohio [Mr. DONAHEY], the Senator from West Virginia [Mr. HOLT], the Senator from Tennessee [Mr. McKELLAR], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Louisiana [Mr. OVERTON], the Senator from Florida [Mr. PEPPER], the Senator from New Jersey [Mr. SMATHERS], the Senator from South Carolina [Mr. SMITH], and the Senator from Tennessee [Mr. STEWART] are unavoidably detained.

The Senator from Oklahoma [Mr. THOMAS] is absent on official business for the Committee on Appropriations.

Mr. AUSTIN. I announce that the Senator from Kansas [Mr. REED] is necessarily detained, and that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent on official business of the Senate.

Mr. TOBEY. I regret to announce the necessary absence of the senior Senator from New Hampshire [Mr. BRIDGES] due to the serious illness of a member of his family.

The VICE PRESIDENT. Seventy-two Senators have answered to their names. A quorum is present.

NOTIFICATION TO THE PRESIDENT

Mr. BARKLEY submitted the following resolution (S. Res. 197), which was read, considered by unanimous consent, and agreed to:

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. McNARY the committee on the part of the Senate.

NOTIFICATION TO THE HOUSE

Mr. McNARY submitted the following resolution (S. Res. 198), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

HOURLY OF DAILY MEETING

Mr. MINTON submitted the following resolution (S. Res. 199), which was read, considered by unanimous consent, and agreed to:

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian unless otherwise ordered.

RECESS

Mr. BARKLEY. Mr. President, it is contemplated that later a resolution will come over from the House of Representatives inviting the Senate to participate in a joint session of the two Houses at 2 o'clock p. m. to listen to the President's message. It takes some time for the House to ascertain the presence of a quorum, and there is nothing for us to do until the hour of 2 o'clock approaches.

I therefore move that the Senate take a recess until 1:40 o'clock p. m. today.

The VICE PRESIDENT. The question is on the motion of the Senator from Kentucky.

The motion was agreed to; and (at 12 o'clock and 12 minutes p. m.) the Senate took a recess until 1 o'clock and 40 minutes p. m., when it reassembled, and the Vice President resumed the chair.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Callo-way, one of its reading clerks, informed the Senate that a

quorum of the House of Representatives had assembled, and that the House was ready to proceed with business.

The message also informed the Senate that a committee of three members had been appointed by the Speaker on the part of the House of Representatives to join with the committee on the part of the Senate to notify the President of the United States that a quorum of each House had assembled and that Congress was ready to receive any communication that he might be pleased to make, and that the Speaker had appointed Mr. RAYBURN, Mr. DOUGHTON, and Mr. MARTIN of Massachusetts the members of the committee on the part of the House of Representatives.

The message announced that the House had agreed to a concurrent resolution (H. Con. Res. 38) providing that the two Houses of Congress assemble in the Hall of the House of Representatives on Wednesday, the 3d day of January 1940, at 2 o'clock in the afternoon, for the purpose of receiving such communications as the President shall be pleased to make to them, in which it requested the concurrence of the Senate.

REPORT OF COMMITTEE TO NOTIFY THE PRESIDENT

Mr. BARKLEY and Mr. McNARY advanced in the center aisle, and Mr. BARKLEY said: Mr. President, the committee appointed on the part of the Senate to act in conjunction with a similar committee on the part of the House to notify the President that the Congress is now in session and ready for business has discharged its duty, and the President has indicated that he will address a joint session of the two Houses of the Congress at 2 o'clock p. m. today.

JOINT MEETING OF THE TWO HOUSES

The VICE PRESIDENT. The Chair lays before the Senate a concurrent resolution from the House of Representatives, which will be read.

The concurrent resolution (H. Con. Res. 38) was read, considered by unanimous consent, and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Wednesday, the 3d day of January 1940, at 2 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

Mr. BARKLEY. Mr. President, I think probably we have plenty of time, and it might be well to have a quorum call. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk (Emery L. Frazier) called the roll, and the following Senators answered to their names:

Adams	Connally	Holman	Reynolds
Ashurst	Danaher	Hughes	Russell
Austin	Davis	Johnson, Calif.	Schwartz
Bankhead	Downey	Johnson, Colo.	Schwellenbach
Barbour	Ellender	King	Sheppard
Barkley	Frazier	Lee	Slattery
Bilbo	George	Lucas	Taft
Borah	Gibson	Lundeen	Thomas, Utah
Brown	Gillette	McCarran	Tobey
Bulow	Glass	McNary	Townsend
Burke	Green	Maloney	Truman
Byrd	Guffey	Mead	Tydings
Byrnes	Gurney	Miller	Vandenberg
Capper	Harrison	Minton	Wagner
Chandler	Hatch	Murray	Walsh
Chavez	Hayden	Neely	Wheeler
Clark, Idaho	Herring	Pittman	White
Clark, Mo.	Hill	Radcliffe	Wiley

The VICE PRESIDENT. Seventy-two Senators have answered to their names. A quorum is present.

Mr. PITTMAN. Mr. President, in accordance with the terms of the concurrent resolution heretofore agreed to, I move that the Senate proceed to the Hall of the House of Representatives.

The motion was agreed to; and (at 1 o'clock and 48 minutes p. m.) the Senate, preceded by the Sergeant at Arms [Chesley W. Jurney], the Vice President, and the Secretary [Edwin A. Halsey], proceeded to the Hall of the House of Representatives.

ANNUAL ADDRESS BY THE PRESIDENT OF THE UNITED STATES

The address of the President of the United States, this day delivered at a joint meeting of the two Houses of Congress, is printed on page 7 of the CONGRESSIONAL RECORD.

PROGRAM FOR THE WEEK

The Senate having returned to its Chamber (at 2 o'clock and 45 minutes p. m.), it reassembled, and the Vice President took the chair.

Mr. BARKLEY. Mr. President, for the information of the Senate I desire to state that I am advised that the President's message on the Budget will be sent to the Congress tomorrow to be read to the two Houses. Therefore it is my purpose to move that the Senate adjourn until tomorrow. So far as I can see now, tomorrow we shall adjourn until Monday; and on Monday I hope we may have the calendar called for the consideration of unobjected-to bills.

Therefore, if there is nothing further to be considered today, I move that the Senate adjourn.

The motion was agreed to; and (at 2 o'clock and 47 minutes p. m.) the Senate adjourned until tomorrow, January 4, 1940, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 3, 1940

This being the day fixed by the twentieth amendment of the Constitution for the annual meeting of the Congress of the United States, the Members of the House of Representatives of the Seventy-sixth Congress met in their Hall, and at 12 o'clock noon were called to order by the Speaker, Hon. WILLIAM B. BANKHEAD, a Representative from the State of Alabama.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following

PRAYER

Eternal God, our Father, infinite in goodness and wisdom, we approach Thy altar of prayer. We thank Thee for that love which sings through the ages and whose tremendous comfort we may feel as the years pass by. We pray for that guidance which enables us to weave in the great loom of life characters which shall stand the judgment of time. In these perilous days hush our souls to meet the shocks of this mad world, wearying along in sands and thorns and in the bitterness of unbridled passion. O for that peace which Thou hast promised! We look upon the mountain and it is not there; upon the valley and it is dark; upon the horizon and we see the faintest star. O lift and strengthen Thy right hand in the darkness that the high arms of the tyranny of war may be broken. Inspire us with the hardy, adventurous souls that first christened the hillsides and plains of our young Republic. Grant that hope, faith, and courage may burn with living fire along the faltering paths of our country until it finds its full fruition in the spirit of the Master. By worth and service, by fortitude and patriotism, may the Congress earn the right to stand erect among the underscored servants of our free land. In the folds of divine care, in the embrace of a Father's love, bless and guide our President, our Speaker, the Members, and officers and employees.

Our Father of mercy and glory, how frail and transitory our span of life; our ranks are appallingly broken. They toiled and felt the rugged ways of time and passed on with the pledge of Thy power that death is just a phase of life that flows on and on. They are now where they behold the unforgotten faces and where the lost ones speak again. In our dear Redeemer's name. Amen.

CALL OF THE ROLL

The SPEAKER. The Clerk will call the roll to ascertain if there is a quorum present.

The Clerk called the roll, and the following Members answered to their names:

[Roll No. 1]

Alexander	Andrews	Barry	Bloom
Allen, Ill.	Angell	Barton	Boehne
Allen, La.	Arends	Bates, Ky.	Boland
Allen, Pa.	Arnold	Bates, Mass.	Bolles
Andersen, H. Carl	Austin	Beckworth	Boren
Anderson, Calif.	Ball	Bender	Boykin
Anderson, Mo.	Barden	Blackney	Bradley, Mich.
Andresen, A. H.	Barnes	Bland	Bradley, Pa.

Brewster	Flannery	Kunkel	Rockefeller
Brooks	Folger	Lambertson	Rodgers, Pa.
Brown, Ga.	Ford, Leland M.	Landis	Rogers, Mass.
Brown, Ohio	Ford, Miss.	Lanham	Rogers, Okla.
Bryson	Ford, Thomas F.	Larrabee	Romjue
Buck	Fries	Lea	Routhohn
Buckler, Minn.	Fulmer	Leavy	Rutherford
Bulwinkle	Gamble	Lemke	Ryan
Burch	Garrett	Lesinski	Sabath
Burdick	Gartner	Lewis, Colo.	Sacks
Burkin	Gathings	Luce	Sandager
Byrne, N. Y.	Gavagan	Ludlow	Sasser
Byrns, Tenn.	Gearhart	McAndrews	Satterfield
Byron	Gehrmann	McCormack	Schaefer, Ill.
Caldwell	Gerlach	McDowell	Schafer, Wis.
Camp	Geyer, Calif.	McGranery	Schiffler
Cannon, Mo.	Gibbs	McKeough	Schuetz
Carlson	Gifford	McLaughlin	Schulte
Carter	Gilchrist	McLean	Scruggam
Cartwright	Gille	McLeod	Secombe
Case, S. Dak.	Gore	McMillan, John L.	Shanley
Casey, Mass.	Gossett	Maas	Shannon
Chapfield	Graham	Maclejewski	Sheppard
Church	Grant, Ala.	Mahon	Short
Clark	Grant, Ind.	Maloney	Simpson
Clason	Green	Marcantonio	Smith, Conn.
Claypool	Gregory	Marshall	Smith, Ill.
Clevenger	Gross	Martin, Ill.	Smith, Maine
Cluett	Guyer, Kans.	Martin, Iowa	Smith, Ohio
Cochran	Gwynne	Martin, Mass.	Smith, Va.
Coffee, Nebr.	Hall, Leonard W.	Mason	Smith, Wash.
Coffee, Wash.	Halleck	Massingale	Smith, W. Va.
Cole, Md.	Hancock	May	Snyder
Cole, N. Y.	Hare	Michener	Somers, N. Y.
Collins	Harness	Miller	South
Colmer	Harrington	Mills, Ark.	Sparkman
Connery	Hart	Mitchell	Spence
Cooley	Harter, N. Y.	Monkiewicz	Springer
Cooper	Harter, Ohio	Monroney	Starnes, Ala.
Corbett	Hartley	Moser	Steagall
Costello	Havener	Mott	Stearns, N. H.
Courtney	Hawks	Mouton	Stefan
Cox	Hendricks	Mundt	Sullivan
Cravens	Hennings	Murdock, Ariz.	Sumner, Ill.
Crawford	Hess	Murray	Sumners, Tex.
Creal	Hill	Myers	Sutphin
Crosser	Hinshaw	Nelson	Sweeney
Crowe	Hobbs	Nichols	Taber
Crowther	Hoffman	Norrell	Talle
Culkin	Hook	Norton	Tarver
Cullen	Hope	O'Brien	Taylor
Curtis	Horton	O'Connor	Tenerowicz
D'Alesandro	Houston	O'Day	Terry
Darden	Hull	O'Leary	Thill
Darrow	Hunter	Oliver	Thomas, N. J.
Delaney	Izac	O'Neal	Thomas, Tex.
Dempsey	Jacobsen	Osmers	Thorkelson
DeRouen	Jarman	O'Toole	Tibbott
Dickstein	Jeffries	Pace	Tinkham
Dingell	Jenkins, Ohio	Parsons	Tolan
Dirksen	Jenks, N. H.	Patman	Treadway
Disney	Jensen	Patrick	Van Zandt
Ditter	Johns	Patton	Vincent, Ky.
Dondero	Johnson, Ill.	Pearson	Vinson, Ga.
Doughton	Johnson, Ind.	Peterson, Fla.	Voorhis, Calif.
Douglas	Johnson, Luthera.	Peterson, Ga.	Vorys, Ohio
Dowell	Johnson, Lyndon	Pfeifer	Vreeland
Doxey	Johnson, Okla.	Pierce, N. Y.	Wadsworth
Drewry	Johnson, W. Va.	Pierce, Oreg.	Wallgren
Duncan	Jones, Ohio	Pittenger	Walter
Dunn	Jones, Tex.	Plumley	Ward
Durham	Kean	Poage	Warren
Dworshak	Kee	Polk	Weaver
Eaton	Keefe	Powers	Welch
Eberhart	Kefauver	Rabaut	Wheat
Edmiston	Keller	Ramspeck	Wheelchel
Elliott	Kelly	Randolph	White, Idaho
Ellis	Kennedy, Martin	Rankin	White, Ohio
Elston	Kennedy, Michael	Rayburn	Whittington
Engel	Kennedy, Md.	Reece, Tenn.	Williams, Del.
Englebright	Keogh	Reed, Ill.	Williams, Mo.
Evans	Kerr	Reed, N. Y.	Winter
Faddis	Kilday	Rees, Kans.	Wolcott
Fay	Kinzer	Rich	Wolfenden, Pa.
Fenton	Kirwan	Richards	Wolverton, N. J.
Ferguson	Kitchens	Risk	Woodruff, Mich.
Fish	Knutson	Robertson	Woodrum, Va.
Fitzpatrick	Kocalkowski	Robinson, Utah	
Flannagan	Kramer	Robson, Ky.	

The SPEAKER. On this roll call 386 Members have answered to their names. A quorum is present.

REPRESENTATIVES-ELECT

The SPEAKER laid before the House the following communication from the Clerk of the House:

JANUARY 3, 1940.

The SPEAKER,
House of Representatives, Washington, D. C.

My DEAR MR. SPEAKER: Certificates of election in due form of law of the following Representatives-elect to the Seventy-sixth Congress to fill vacancies have been filed in this office, viz:

District and State	Representative-elect	Predecessor
First South Carolina.....	Clara G. McMillan....	Thomas S. McMillan.
Thirty-fourth New York.....	Edwin Arthur Hall....	Bert Lord.
Fourth Pennsylvania.....	John Sheridan.....	J. Burrwood Daly.

The Clerk also has received a certificate signed by the Governor of Puerto Rico, showing the appointment of Bolívar Pagán as Resident Commissioner of Puerto Rico, to fill the vacancy caused by the death of Santiago Iglesias.

Very respectfully,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

SWEARING IN OF NEW MEMBERS

The SPEAKER. If the Members-elect, along with the Commissioner-elect of Puerto Rico, will come into the Well of the House, the Chair will administer the oath of office.

Mrs. McMILLAN, Mr. EDWIN ARTHUR HALL, Mr. JOHN SHERIDAN, and Mr. BOLÍVAR PAGÁN appeared at the bar of the House and took the oath of office prescribed by law.

ORDER OF BUSINESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that during the day it may be in order to move that the House stand in recess.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMITTEE TO NOTIFY THE PRESIDENT OF THE UNITED STATES

Mr. RAYBURN. Mr. Speaker, I offer the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 327

Resolved, That a committee of three Members be appointed by the Speaker on the part of the House of Representatives to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and Congress is ready to receive any communication that he may be pleased to make.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

The Chair appointed Mr. RAYBURN, Mr. DOUGHTON, and Mr. MARTIN of Massachusetts as a committee to notify the President.

NOTIFICATION TO THE SENATE

Mr. DOUGHTON. Mr. Speaker, I offer the following resolution, which I send to the desk.

The Clerk read as follows:

House Resolution 328

Resolved, That the Clerk of the House inform the Senate that a quorum of the House has appeared and that the House is ready to proceed with business.

The resolution was agreed to.

DAILY HOUR OF MEETING

Mr. SABATH. Mr. Speaker, I offer the following resolution, which I send to the desk.

The Clerk read as follows:

House Resolution 329

Resolved, That until otherwise ordered the daily hour of meeting of the House of Representatives shall be at 12 o'clock meridian.

The resolution was agreed to.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed the following resolutions:

Senate Resolution 197

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

The message also announced that pursuant to the foregoing resolution the Vice President had appointed Mr. BARKLEY and

Mr. McNARY as members of the committee on the part of the Senate.

Senate Resolution 198

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

RESIGNATION

The SPEAKER. The Chair lays before the House the following communication:

The Clerk read as follows:

JANUARY 2, 1940.

HON. WILLIAM B. BANKHEAD,

Speaker, House of Representatives, Washington, D. C.:

For the purpose of accepting the office of mayor of Memphis, Tenn., I have this day notified the Governor of Tennessee of my resignation as Representative in Congress from the Ninth Tennessee District and hereby confirm such resignation. Permit me to express deep and lasting appreciation of your fine cooperation and manifold courtesies during my service in the House of Representatives.

Very sincerely yours,

WALTER CHANDLER.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

ELECTION CONTEST—BYRON N. SCOTT AGAINST THOMAS M. EATON

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives, which was read by the Clerk and referred to the Committee on Elections No. 2, and ordered printed:

JANUARY 3, 1940.

THE SPEAKER,

House of Representatives, Washington, D. C.

SIR: I have the honor to lay before the House of Representatives the contest for a seat in the House of Representatives for the Seventy-sixth Congress of the United States for the Eighteenth Congressional District of the State of California, Byron N. Scott against Thomas M. Eaton, notice of which has been filed in the office of the Clerk of the House; and also transmit herewith original testimony, papers, and documents relating thereto.

In compliance with the act approved March 2, 1887, entitled "An act relating to contested-election cases," the Clerk has opened and printed the testimony in the above case, and such portions of the testimony as the parties in interest agreed upon or as seemed proper to the Clerk, after giving the requisite notices, have been printed and indexed together with the notices of contest and the answers thereto, and original papers and exhibits have been sealed up and are ready to be laid before the Committee on Elections.

Two copies of the printed testimony in the aforesaid case have been mailed to the contestant and the same number to the contestee which, together with the briefs of the parties, will be laid before the Committee on Elections to which the case shall be referred.

Yours respectfully,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

ELECTION CONTEST—ALBERT F. SWANSON AGAINST VINCENT F. HARRINGTON

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives, which was read by the Clerk and referred to the Committee on Elections No. 3 and ordered printed:

JANUARY 3, 1940.

THE SPEAKER,

House of Representatives, Washington, D. C.

SIR: I have the honor to lay before the House of Representatives the contest for a seat in the House of Representatives for the Seventy-sixth Congress of the United States for the Ninth Congressional District of the State of Iowa, Albert F. Swanson against Vincent F. Harrington, notice of which has been filed in the office of the Clerk of the House; and also transmit herewith original testimony, papers, and documents relating thereto.

In compliance with the act approved March 2, 1887, entitled "An act relating to contested-election cases," the Clerk has opened and printed the testimony in the above case, and such portions of the testimony as the parties in interest agreed upon or as seemed proper to the Clerk, after giving the requisite notices, have been printed and indexed, together with the notices of contest, and the answers thereto and original papers and exhibits have been sealed up and are ready to be laid before the Committee on Elections.

Two copies of the printed testimony in the aforesaid case have been mailed to the contestant and the same number to the contestee, which, together with the briefs of the parties, will be laid before the Committee on Elections, to which the case shall be referred.

Yours respectfully,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

THE LATE HON. SANTIAGO IGLESIAS

The SPEAKER laid before the House the following communication from Hon. Pedro Martinez Fraga, Ambassador from Cuba:

EMBAJADA DE CUBA,
Washington, December 6, 1939.

HON. WILLIAM B. BANKHEAD,

Speaker of the House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I wish to convey to you, and through you to the House of Representatives, in the name of the Cuban Government and in my own, the expression of deepest and most sincere sympathy in the passing of the distinguished Resident Commissioner of Puerto Rico, Hon. Santiago Iglesias.

Believe me, my dear Mr. Speaker,
Very sincerely yours,

PEDRO MARTINEZ FRAGA,
Ambassador.

REPORT OF COMMITTEE TO NOTIFY THE PRESIDENT

Mr. RAYBURN. Mr. Speaker, your committee appointed on the part of the House to join a like committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled and is ready to receive any communication he may make, has performed that duty. The President of the United States requested the committee to state that he would communicate with the Congress in person today at 2 o'clock p. m.

JOINT SESSION OF THE HOUSE AND SENATE

Mr. RAYBURN. Mr. Speaker, I offer a resolution, which I send to the desk.

The Clerk read as follows:

House Concurrent Resolution 38

Resolved by the House of Representatives (the Senate concurring). That the two Houses of Congress assemble in the Hall of the House of Representatives on Wednesday, the 3d day of January 1940, at 2 o'clock in the afternoon, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

The resolution was agreed to.

REPORT OF SELECT COMMITTEE OF THE HOUSE OF REPRESENTATIVES TO INVESTIGATE UN-AMERICAN ACTIVITIES

The SPEAKER laid before the House a report from the Select Committee of the House to Investigate Un-American Activities, which was referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

ANNOUNCEMENT

The SPEAKER. Before the joint meeting of the two Houses is held, the Chair wishes to state that the three front rows of the Chamber have been reserved for Members of the Senate. Those places have not been marked "reserved" as usual, and the Chair requests all Members of the House not to occupy the three front rows in the Chamber.

EXTENSION OF REMARKS

Mr. GAVAGAN. Mr. Speaker, I ask unanimous consent to insert in the RECORD a eulogy on our late colleague, Dr. William I. Sirovich.

The SPEAKER. Without objection, the request is granted. There was no objection.

Mr. FULMER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short editorial.

Mr. RAYBURN. Mr. Speaker, I wish to state that the House will be in session after the President of the United States delivers his address. I think it will probably be more appropriate to have these requests at that time.

Mr. FULMER. Mr. Speaker, I withdraw the request.

The SPEAKER. The gentleman from South Carolina withdraws the request.

RECESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the House stand in recess subject to the call of the Chair.

The SPEAKER. Without objection, it is so ordered. There was no objection.

Thereupon, at 12 o'clock and 42 minutes p. m., the House stood in recess, subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House (at 1 o'clock and 52 minutes p. m.) was called to order by the Speaker.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Frazier, its legislative clerk, announced that the Senate had agreed without amendment to a concurrent resolution of the House of the following title:

H. Con. Res. 38. Concurrent resolution providing for a joint session of Congress for the purpose of receiving the President's message.

JOINT MEETING OF THE SENATE AND HOUSE

At 1 o'clock and 54 minutes p. m., the Doorkeeper, Mr. J. J. Sinnott, announced the Vice President of the United States and the Members of the United States Senate.

The Members of the House rose.

The Senate, preceded by the Vice President and by their Secretary and Sergeant at Arms, entered the Chamber.

The Vice President took the Chair at the right of the Speaker, and the Members of the Senate took the seats reserved for them.

The SPEAKER. The Chair appoints, on behalf of the House, the following Members to escort the President into the Chamber to deliver his address: The gentleman from Texas [Mr. RAYBURN], the gentleman from North Carolina [Mr. DOUGHTON], and the gentleman from Massachusetts [Mr. MARTIN].

The VICE PRESIDENT. On behalf of the Senate, the Chair appoints the Senator from Kentucky [Mr. BARKLEY], the Senator from Nevada [Mr. PITTMAN], and the Senator from Oregon [Mr. McNARY] as a like committee on the part of the Senate.

At 1 o'clock and 56 minutes p. m. the Doorkeeper announced the Cabinet of the President of the United States.

The members of the Cabinet of the President entered the Chamber and took the seats reserved for them in front of the Speaker's rostrum.

At 2:02 o'clock p. m. the President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House and stood at the Clerk's desk amidst prolonged applause.

The SPEAKER. Senators and Representatives, I have the distinguished honor of presenting the President of the United States.

ADDRESS OF THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 528)

The PRESIDENT. Mr. Vice President, Mr. Speaker, Members of the Senate and of the House of Representatives: As the Congress reassembles, the impact of wars abroad makes it natural to approach "the state of the union" through a discussion of foreign affairs.

But it is important that those who hear and read this message should in no way confuse that approach with any thought that our Government is abandoning, or even overlooking, the great significance of its domestic policies.

The social and economic forces which have been mismanaged abroad until they have resulted in revolution, dictatorship, and war are the same as those which we here are struggling to adjust peacefully at home.

You are well aware that dictatorships—and the philosophy of force which justifies and accompanies dictatorships—have originated in almost every case in the necessity for drastic action to improve internal conditions where democratic action for one reason or another has failed to respond to modern needs and modern demands.

It was with farsighted wisdom that the framers of the Constitution brought together in one magnificent phrase three great concepts—"common defense," "general welfare," and "domestic tranquility."

More than a century and a half later we still believe with them that our best defense is the promotion of our general welfare and domestic tranquility.

In previous messages to the Congress I have repeatedly warned that, whether we like it or not, the daily lives of American citizens will, of necessity, feel the shock of events on other continents. This is no longer mere theory for it has been definitely proved by the facts of yesterday and today.

To say that the domestic well-being of 130,000,000 Americans is deeply affected by the well-being or the ill-being of

the populations of other nations is only to recognize in world affairs the truth we all accept in home affairs.

If in any local unit—a city, county, State, or region—low standards of living are permitted to continue, the level of the civilization of the entire Nation will be pulled downward.

The identical principle extends to the rest of a civilized world. But there are those who wishfully insist, in innocence or ignorance, or both, that the United States of America as a self-contained unit can live happily and prosperously, its future secure, inside a high wall of isolation, while outside the rest of civilization and the commerce and culture of mankind are shattered.

I can understand the feelings of those who warn the Nation that they will never again consent to the sending of American youth to fight on the soil of Europe. But, as I remember, nobody has asked them to consent, for nobody expects such an undertaking.

The overwhelming majority of our fellow citizens do not abandon in the slightest their hope and expectation that the United States will not become involved in military participation in the war.

I can also understand the wishfulness of those who oversimplify the whole situation by repeating that all we have to do is to mind our own business and keep the Nation out of war. But there is a vast difference between keeping out of war and pretending that this war is none of our business.

We do not have to go to war with other nations, but at least we can strive with other nations to encourage the kind of peace that will lighten the troubles of the world, and by so doing help our own Nation as well.

I ask that all of us everywhere think things through with the single aim of how best to serve the future of our own Nation. I do not mean merely its future relationship with the outside world. I mean its domestic future as well—the work, the security, the prosperity, the happiness, the life of all the boys and girls of the United States, as they are inevitably affected by such world relationships. For it becomes clearer and clearer that the future world will be a shabby and dangerous place to live in—even for Americans to live in—if it is ruled by force in the hands of a few.

Already the crash of swiftly moving events over the earth has made us all think with a longer view. Fortunately, that thinking cannot be controlled by partisanship. The time is long past when any political party or any particular group can curry and capture public favor by labeling itself the "peace party" or the "peace bloc." That label belongs to the whole United States and to every right-thinking man, woman, and child within it.

For out of all the military and diplomatic turmoil, out of all the propaganda and counterpropaganda of the present conflicts, there are two facts which stand out and which the whole world acknowledges.

The first is that never before has the Government of the United States done so much as in our recent past to establish and maintain the policy of the good neighbor with its sister nations.

The second is that in almost every nation in the world today there is a true public belief that the United States has been, and will continue to be, a potent and active factor in seeking the reestablishment of peace.

In these recent years we have had a clean record of peace and good will. It is an open book that cannot be twisted or defamed. It is a record that must be continued and enlarged.

So I hope that Americans everywhere will work out for themselves the several alternatives which lie before world civilization, which necessarily includes our own.

We must look ahead and see the possibilities for our children if the rest of the world comes to be dominated by concentrated force alone—even though today we are a very great and a very powerful nation.

We must look ahead and see the effect on our own future if all the small nations throughout the world have their independence snatched from them or become mere appendages to relatively vast and powerful military systems.

We must look ahead and see the kind of lives our children would have to lead if a large part of the rest of the world were

compelled to worship the god imposed by a military ruler, or were forbidden to worship God at all; if the rest of the world were forbidden to read and hear the facts—the daily news of their own and other nations—if they were deprived of the truth which makes men free.

We must look ahead and see the effect on our future generations if world trade is controlled by any nation or group of nations which sets up that control through military force.

It is, of course, true that the record of past centuries includes destruction of small nations, enslavement of peoples, and building of empires on the foundation of force. But wholly apart from the greater international morality which we seek today, we recognize the practical fact that with modern weapons and modern conditions, modern man can no longer live a civilized life if we are to go back to the practice of wars and conquests of the seventeenth and eighteenth centuries.

Summing up this need of looking ahead, and in words of common sense and good American citizenship, I hope that we will have fewer American ostriches in our midst. It is not good for the ultimate health of ostriches to bury their heads in the sand.

Only an ostrich would look upon these wars through the eyes of cynicism or ridicule.

Of course, the peoples of other nations have the right to choose their own form of government. But we in this Nation still believe that such choice should be predicated on certain freedoms which we think are essential everywhere. We know that we ourselves will never be wholly safe at home unless other governments recognize such freedoms.

Twenty-one American republics, expressing the will of 250,000,000 people to preserve peace and freedom in this hemisphere are displaying a unanimity of ideals and practical relationships which gives hope that what is being done here can be done on other continents. We in all the Americas are coming to the realization that we can retain our respective nationalities without at the same time threatening the national existence of our neighbors.

Such truly friendly relationships, for example, permit us to follow our own domestic policies with reference to our agricultural products, while at the same time we have the privilege of trying to work out mutual-assistance arrangements for a world distribution of world agricultural surpluses.

And we have been able to apply the same simple principle to many manufactured products—surpluses of which must be sold in the world export markets if we would continue a high level of production and employment.

For many years after the World War blind economic selfishness in most countries, including our own, resulted in a destructive mine field of trade restrictions which blocked the channels of commerce among nations. This policy was one of the contributing causes of existing wars. It dammed up vast unsalable surpluses, helping to bring about unemployment and suffering in the United States and everywhere else.

To point the way to break up the log jam, our Trade Agreements Act was passed, based upon a policy of equality of treatment among nations and of mutually profitable arrangements of trade.

It is not correct to infer that legislative powers have been transferred from the Congress to the executive branch of the Government. Everybody recognizes that general tariff legislation is a congressional function, but we know that, because of the stupendous task involved in the fashioning and passing of a general law, it is advisable to provide at times of emergency some flexibility to make the general law adjustable to quickly changing conditions.

We are in such a time today. Our present trade-agreement method provides a temporary flexibility and is, therefore, practical in the best sense. It should be kept alive to serve our trade interests, agricultural and industrial, in many valuable ways during the existing wars.

But, what is more important, the Trade Agreements Act should be extended as an indispensable part of the foundation of any stable and durable peace.

The old conditions of world trade made for no enduring peace; and when the time comes, the United States must

use its influence to open up the trade channels of the world in order that no nation need feel compelled in later days to seek by force of arms what it can well gain by peaceful conference. For this purpose we need the Trade Agreements Act even more than when it was passed.

I emphasize the leadership which this Nation can take when the time comes for a renewal of world peace. Such an influence will be greatly weakened if this Government becomes a dog in the manger of trade selfishness.

The first President of the United States warned us against entangling foreign alliances. The present President of the United States subscribes to and follows that precept.

But trade cooperation with the rest of the world does not violate that precept in any way.

Even as through these trade agreements we prepare to cooperate in a world that wants peace, we must likewise be prepared to take care of ourselves if the world cannot attain peace.

For several years past we have been compelled to strengthen our own national defense. That has created a very large portion of our Treasury deficits. This year, in the light of continuing world uncertainty, I am asking the Congress for Army and Navy increases which are based not on panic but on common sense. They are not as great as enthusiastic alarmists seek. They are not as small as unrealistic persons claiming superior private information would demand.

As will appear in the annual Budget tomorrow, the only important increase in any part of the Budget is the estimate for national defense. Practically all other important items show a reduction. Therefore, in the hope that we can continue in these days of increasing economic prosperity to reduce the Federal deficit, I am asking the Congress to levy sufficient additional taxes to meet the emergency spending for national defense.

Behind the Army and Navy, of course, lies our ultimate line of defense—"the general welfare" of our people. We cannot report, despite all the progress we have made in our domestic problems—despite the fact that production is back to 1929 levels—that all our problems are solved. The fact of unemployment of millions of men and women remains a symptom of a number of difficulties in our economic system not yet adjusted.

While the number of the unemployed has decreased, while their immediate needs for food and clothing—as far as the Federal Government is concerned—have been largely met, while their morale has been kept alive by giving them useful public work, we have not yet found a way to employ the surplus of our labor which the efficiency of our industrial processes has created.

We refuse the European solution of using the unemployed to build up excessive armaments which eventually result in dictatorships. We encourage an American way—through an increase of national income which is the only way we can be sure will take up the slack. Much progress has been made; much remains to be done.

We recognize that we must find an answer in terms of work and opportunity.

The unemployment problem today has become very definitely a problem of youth as well as of age. As each year has gone by hundreds of thousands of boys and girls have come of working age. They now form an army of unused youth. They must be an especial concern of democratic government.

We must continue, above all things, to look for a solution of their special problem. For they, looking ahead to life, are entitled to action on our part and not merely to admonitions of optimism or lectures on economic laws.

Some in our midst have sought to instill a feeling of fear and defeatism in the minds of the American people about this problem.

To face the task of finding jobs faster than invention can take them away is not defeatism. To warble easy platitudes that if we will only go back to ways that have failed everything will be all right is not courage.

We met a problem of real fear and real defeatism in 1933. We faced the facts with action, not with words.

The American people will reject the doctrine of fear, confident that in the thirties we have been building soundly a new order of things different from the order of the twenties. In this dawn of the decade of the forties, with our program of social improvement started, we must continue to carry on the processes of recovery so as to preserve our gains and provide jobs at living wages.

There are, of course, many other items of great public interest which could be enumerated in this message—the continued conservation of our natural resources, the improvement of health and of education, the extension of social security to larger groups, the freeing of large areas from restricted transportation discriminations, the extension of the merit system, and many others.

Our continued progress in the social and economic field is important not only for the significance of each part of it but for the total effect which our program of domestic betterment has upon that most valuable asset of a nation in dangerous times—its national unity.

The permanent security of America in the present crisis does not lie in armed force alone. What we face is a set of world-wide forces of disintegration—vicious, ruthless, destructive of all the moral, religious, and political standards which mankind, after centuries of struggle, has come to cherish most.

In these moral values, in these forces which have made our nation great, we must actively and practically reassert our faith.

These words—"national unity"—must not be allowed to become merely a high-sounding phrase, a vague generality, a pious hope, to which everyone can give lip service. They must be made to have real meaning in terms of the daily thoughts and acts of every man, woman, and child in our land during the coming year and the years that lie ahead.

For national unity is, in a very real and deep sense, the fundamental safeguard of all democracy.

Doctrines which set group against group, faith against faith, race against race, class against class, fanning the fires of hatred in men too despondent, too desperate to think for themselves, were used as rabble-rousing slogans on which dictators could ride to power. And once in power they could saddle their tyrannies on whole nations, and on their weaker neighbors.

This is the danger to which we in America must begin to be more alert. For the apologists for foreign aggressors, and equally those selfish and partisan groups at home who wrap themselves in a false mantle of Americanism to promote their own economic, financial, or political advantage, are now trying European tricks upon us, seeking to muddy the stream of our national thinking, weakening us in the face of danger by trying to set our own people to fighting among themselves. Such tactics are what have helped to plunge Europe into war. We must combat them as we would the plague if American integrity and security are to be preserved. We cannot afford to face the future as a disunited people.

We must as a united people keep ablaze on this continent the flames of human liberty, of reason, of democracy, and of fair play as living things to be preserved for the better world that is to come.

Overstatement, bitterness, vituperation, and the beating of drums have contributed mightily to ill-feeling and wars between nations. If these unnecessary and unpleasant actions are harmful in the international field, they are also hurtful in the domestic scene. Peace among ourselves would seem to have some of the advantage of peace between us and other nations. And in the long run history amply demonstrates that angry controversy surely wins less than calm discussion.

In the spirit, therefore, of a greater unselfishness, recognizing that the world—including the United States of America—passes through perilous times, I am very hopeful that the closing session of the Seventy-sixth Congress will consider the needs of the Nation and of humanity with calmness, tolerance, and cooperative wisdom.

May the year 1940 be pointed to by our children as another period when democracy justified its existence as the best instrument of government yet devised by mankind.

Thereupon, at 2 o'clock and 40 minutes p. m., the President retired from the Hall of the House.

At 2 o'clock and 42 minutes p. m. the Speaker announced that the joint session was dissolved.

Thereupon the Vice President and the Members of the Senate returned to their Chamber.

REFERENCE OF PRESIDENT'S MESSAGE

The SPEAKER. Without objection, the message of the President will be referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

There was no objection.

The SPEAKER. The Chair will now recognize Members to submit unanimous-consent requests.

PERMISSION TO ADDRESS THE HOUSE

Mr. SNYDER. Mr. Speaker, I ask unanimous consent that on Tuesday next, at the conclusion of the legislative program for the day, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

EXTENSION OF REMARKS

Mr. FULMER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to insert therein a short editorial.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my remarks on three items.

First, that I be allowed to extend my own remarks and to include an editorial from the Washington Post on the passing of Robert Fechner.

My second request is to extend my own remarks and to include an editorial from the New York Times on old-age insurance.

My third request is to extend my own remarks and to include a short speech I made on Christmas Eve.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. NELSON. Mr. Speaker, I desire to submit two unanimous-consent requests:

First, to extend my own remarks by including an editorial from the Globe-Democrat on the life and work of Robert Fechner in connection with the Civilian Conservation Corps. Second, I desire to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ANNOUNCEMENT

Mr. SHANNON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute to make an announcement.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SHANNON. Mr. Speaker, my colleague the gentleman from Missouri, Mr. BELL, is detained because of serious illness. I am glad to state, however, that I have a report he is now convalescing and hopes to be here shortly.

EXTENSION OF REMARKS

Mr. PEARSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered by President Roosevelt on Christmas Eve in the city of Washington.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BUCK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include two editorials.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. BUCK]?

There was no objection.

Mr. MURDOCK of Arizona. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arizona [Mr. MURDOCK]?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a speech delivered by Robert Yellowtail, superintendent of the Crow Indian Reservation, and, second, to include an editorial appearing in the Big Timber Pioneer, of Big Timber, Mont., dedicated to the pioneers of that locality, written by the Honorable Jerome Williams, editor of the Big Timber Pioneer.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. O'CONNOR]?

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article appearing in the Saturday Evening Post.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. SHANLEY]?

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two different items, one a eulogy in behalf of the late Robert Marshall, and, second, a eulogy on behalf of the late F. A. Silcox, and also to include brief newspaper articles in reference thereto.

The SPEAKER. Is there objection to the request of the gentleman from Washington [Mr. COFFEE]?

There was no objection.

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short editorial from the Sioux City Tribune.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. HARRINGTON]?

There was no objection.

Mr. LEWIS of Colorado. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a eulogy by the gentleman from Vermont [Mr. PLUMLEY].

The SPEAKER. Is there objection to the request of the gentleman from Colorado [Mr. LEWIS]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on tomorrow at the conclusion of all legislative business and any other special orders heretofore made, I may be permitted to proceed for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a memorial from the chambers of commerce of eastern Idaho and eastern Oregon on the question of sugar.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

LEAVE OF ABSENCE

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent that my colleague, the gentleman from Michigan, Mr. SHAFER, may be excused from today's session, as he is out of the city on public business.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOODRUFF]?

There was no objection.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech delivered at the National Convention by the Farm Union by Wheeler McMillan, editor of the Farm Journal.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOODRUFF]?

There was no objection.

Mr. SHORT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a recent article by Harlan Miller.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. SHORT]?

There was no objection.

Mr. PITTINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in connection with the Russian attack on Finland and to include therein certain short quotations.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. PITTINGER]?

There was no objection.

Mr. YOUNGDAHL asked and was given permission to extend his own remarks in the RECORD.

PERMISSION TO ADDRESS THE HOUSE

Mr. BURDICK. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes on next Tuesday, after the disposition of business on the Speaker's table and at the conclusion of any special orders heretofore made.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota [Mr. BURDICK]?

There was no objection.

EXTENSION OF REMARKS

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article entitled "Americanism," by K. L. Brown, Scout Executive of the Boy Scouts of America.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. ALEXANDER]?

There was no objection.

Mr. O'BRIEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech delivered by the patriotic and very distinguished newspaperman, Mr. Gannett.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. O'BRIEN]?

There was no objection.

LEAVE OF ABSENCE

Mr. DITTER. Mr. Speaker, I ask unanimous consent that my colleagues the gentlemen from Pennsylvania, Mr. DARROW and Mr. JARRETT, may be excused on account of illness.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. DITTER]?

There was no objection.

EXTENSION OF REMARKS

Mr. OLIVER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a statement by a distinguished citizen of my district in commemoration of the one hundred and sixtieth anniversary of the birth of the United States Marine Corps.

The SPEAKER. Is there objection to the request of the gentleman from Maine [Mr. OLIVER]?

There was no objection.

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a quotation from the Articles of Confederation of the Constitution.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. THORKELSON]?

There was no objection.

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include quotations from newspapers in New York and Washington.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. THORKELSON]?

There was no objection.

COMMITTEE ON APPROPRIATIONS—SUBCOMMITTEE ON AGRICULTURE

Mr. CANNON of Missouri. Mr. Speaker, a number of Members have asked when they can be heard by the Committee on Appropriations on the agricultural appropriation bill. Hearings by the Department have been concluded. All Members who desire to be heard by the committee should file their names with the committee clerk not later than Monday.

EXTENSION OF REMARKS

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including therein sentiments expressed by Mr. Guhin, of Aberdeen, S. Dak.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief resolution and a short news item thereon.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. FERNANDEZ (at the request of Mr. MOUTON) on account of important business.

To Mr. DEROUEN (at the request of Mr. MOUTON) on account of business.

To Mr. JARRETT (at the request of Mr. RUTHERFORD) for 10 days on account of illness.

To Mr. CURLEY, for an indefinite period, on account of illness.

To Mr. MERRITT, for an indefinite period, on account of illness.

To Mr. SCHWERT, for an indefinite period, on account of illness.

To Mr. McARDLE, for an indefinite period, on account of the death of his father.

To Mr. GRIFFITH, for 15 days, on account of official business.

ANNOUNCEMENT

Mr. LEWIS of Ohio. Mr. Speaker, I should like the RECORD to show that I did not answer to the roll call because I came into the Chamber just at the conclusion of the roll call after attending to business at the office of the Army engineers with the gentleman from Ohio [Mr. SECREST].

THE LATE J. WILL TAYLOR

Mr. REECE of Tennessee. Mr. Speaker, after 20 years of close association with him, it now becomes my sad duty to announce the death of my friend and colleague, the Honorable J. WILL TAYLOR, late a Representative from the State of Tennessee. As you know, he was a great fighter, and like a great fighter, when his work was done—and well done it was—and he received his summons from the Supreme Commander, he answered the summons with subservience, tranquillity, and complete resignation, in the assurance that a public servant who had led a righteous life and had devoted his energies and abilities to advancing the interests of his country and his fellow men would receive a full and satisfying reward.

At a later date I shall seek opportunity to speak more fully on the life and character of this great American, who by reason of his long and faithful service and fine qualities of heart and mind endeared himself to his colleagues on both sides of the aisle as he did to his constituents in his own district and the people of the whole State. At that time, others

of his colleagues will also have an opportunity to speak their feelings in regard to him.

Mr. Speaker, I send to the Clerk's desk a resolution and ask its immediate consideration.

The Clerk read as follows:

House Resolution 330

Resolved, That the House has heard with profound sorrow of the death of Hon. J. WILL TAYLOR, a Representative from the State of Tennessee.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

THE LATE SANTIAGO IGLESIAS

Mr. RAYBURN. Mr. Speaker, I offer a resolution.

The Clerk read as follows:

House Resolution 331

Resolved, That the House has heard with profound sorrow of the death of Hon. SANTIAGO IGLESIAS, Resident Commissioner of Puerto Rico.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

THE LATE CARL E. MAPES

Mr. WOODRUFF of Michigan. Mr. Speaker, it becomes my sad duty to announce to the House the death of the dean of the Michigan delegation, a man who has served this House and this country through that service for the past 27 years. I refer to the Honorable CARL E. MAPES, a man known, I would say, to every Member of the House as one of the finest type of men and legislators who has come to this House.

Mr. Speaker, my beloved colleague died in the harness, as he had wished to die. At the time of his death he was on duty in the city of New Orleans with the committee of which he was a member, a subcommittee of the Committee on Interstate and Foreign Commerce, for the study of the question of petroleum. It was while he was there, on the 12th day of December, that he passed on.

Mr. Speaker, I shall not today attempt to detail the high character or the type of service this gentleman gave to his country, but at a later day I, as well as other Members of the House, will have that opportunity.

Mr. Speaker, I offer a resolution and ask its immediate consideration.

The Clerk read as follows:

House Resolution 332

Resolved, That the House has heard with profound sorrow of the death of Hon. CARL E. MAPES, a Representative from the State of Michigan.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

THE LATE WILLIAM I. SIROVICH

Mr. SULLIVAN. Mr. Speaker, I offer a resolution, which I send to the desk.

The Clerk read as follows:

House Resolution 333

Resolved, That the House has heard with profound sorrow of the death of Hon. WILLIAM I. SIROVICH, a Representative from the State of New York.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

THE LATE JOHN A. MARTIN

Mr. TAYLOR. Mr. Speaker, on behalf of the Colorado delegation, I announce with deep regret the death in Washington, D. C., on December 23, 1939, of our colleague, Hon. JOHN A. MARTIN, Representative from the Third Congressional District of Colorado.

Mr. MARTIN and I came to the Congress together on March 4, 1909. He served here 4 years and then retired voluntarily. He came back to the House in 1933 and has served here ever since.

Mr. Speaker, our State has lost one of our finest citizens and Congress has lost one of its most efficient and hard-

working Members. Every day of his life his whole heart beat for common humanity. The underprivileged people of our country have lost one of the most loyal, devoted, courageous, and conscientious friends they ever had. I knew him well for nearly a half century. He was indeed a noble character and our beloved Commonwealth will revere his memory for many years to come. At an appropriate later date I hope to deliver a more extended tribute to his life, character, and public services to our country and to Colorado.

Mr. Speaker, I offer a resolution which I send to the desk.

The Clerk read as follows:

House Resolution 334

Resolved, That the House has heard with profound sorrow of the death of Hon. JOHN A. MARTIN, a Representative from the State of Colorado.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

THE LATE WILLIAM A. ASHBROOK

Mr. CROSSER. Mr. Speaker, with great sorrow I find it necessary to announce to the House the passing of our late colleague, Hon. WILLIAM A. ASHBROOK.

Mr. ASHBROOK began his service in the House in 1906, and although his service was not continuous he served in the House many years. It was my pleasure to know him for a period of 27 years. All who knew him recognized in him a genuine man, a man who always discharged his duties conscientiously, and one who rendered real service to his fellow man.

I shall not at this time discuss further the sterling qualities of Mr. ASHBROOK as a public man and as a private citizen, but at a later date I shall seek the opportunity to discuss at length the merits of our deceased friend.

Mr. Speaker, I send to the desk a resolution and ask its favorable consideration.

The Clerk read as follows:

House Resolution 335

Resolved, That the House has heard with profound sorrow of the death of Hon. WILLIAM A. ASHBROOK, a Representative from the State of Ohio.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

THE LATE GEORGE H. HEINKE

Mr. STEFAN. Mr. Speaker, it becomes my sad mission this afternoon to announce to the membership of the House the death of the Honorable GEORGE H. HEINKE, a Member of the House from the State of Nebraska.

Mr. HEINKE died following an automobile accident which occurred while he was on his way to Washington to attend the last session of the Seventy-sixth Congress.

Mr. HEINKE is known all over the State of Nebraska. During his short service in the House he rendered valuable service to his country, his State, and his district, and during that service he endeared himself to a great majority of the Members of the House on both sides of the aisle.

At some later date, Mr. Speaker, I shall seek an opportunity to tell more of the valuable services of this able Member from my State and also say something about his wonderful character and his useful life. I know also that the entire Nebraska delegation will join me in paying a further tribute to the life, character, and public service of the late GEORGE H. HEINKE, of Nebraska.

Mr. Speaker, I send a resolution to the Clerk's desk and move its immediate adoption.

The Clerk read as follows:

House Resolution 336

Resolved, That the House has heard with profound sorrow of the death of Hon. GEORGE H. HEINKE, a Representative from the State of Nebraska.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, as a further mark of respect to the deceased Members, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 3 o'clock and 7 minutes p. m.) the House adjourned until tomorrow, Thursday, January 4, 1940, at 12 o'clock meridian.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1112. A letter from the Clerk of the House of Representatives, transmitting list of reports to be made to Congress by public officers during the Seventy-sixth Congress (H. Doc. No. 538); to the Committee on Accounts and ordered to be printed.

1113. A letter from the Acting Secretary of the Federal Home Loan Board, transmitting the Seventh Annual Report of the Federal Home Loan Board for the period July 1, 1938, to June 30, 1939 (H. Doc. No. 535); to the Committee on Banking and Currency and ordered to be printed, with illustrations.

1114. A letter from the Chairman of the Securities and Exchange Commission, transmitting chapter IV of part 3 of the Commission's over-all report on the study of investment trusts and investment companies, made pursuant to section 30 of the Public Utility Holding Company Act of 1935 (H. Doc. No. 279); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

1115. A letter from the Chairman of the Reconstruction Finance Corporation, transmitting a report covering the Corporation's operations for the third quarter of 1939 and for the period from the organization of the Corporation on February 2, 1932, to September 30, 1939, inclusive (H. Doc. No. 532); to the Committee on Banking and Currency and ordered to be printed.

1116. A letter from the Chairman, Federal Communications Commission, transmitting a report requesting additional time to complete a proposed report to Congress which was scheduled for December 31, 1939; to the Committee on Merchant Marine and Fisheries.

1117. A letter from the Secretary of State, transmitting from the Nobel Committee of the Norwegian Parliament copies of its circular with reference to proposals of candidates for the Nobel peace prize for the year 1940; to the Committee on Foreign Affairs.

1118. A letter from the Secretary of War, transmitting a statement of appropriations of the preceding fiscal year (1939) for the War Department, showing the amount appropriated under each specific head of appropriation, the amount expended under each head, the amount covered into the surplus fund of the Treasury, the balance in the Treasury and in the hands of disbursing officers on June 30, 1939, together with the estimated outstanding obligations and the estimated unobligated balances as of June 30, 1939; to the Committee on Expenditures in the Executive Departments.

1119. A letter from the Secretary of War, transmitting a letter from the Chief of Ordnance, United States Army, dated November 27, 1939, forwarding statements of the cost of manufacture at the armory and arsenals named therein for the fiscal year ended June 30, 1939; to the Committee on Expenditures in the Executive Departments.

1120. A letter from the Secretary of War, transmitting a report of expenditures for the observance of the seventy-fifth anniversary of the Battle of Gettysburg, Pa., from June 29 to July 6, 1938; to the Committee on Expenditures in the Executive Departments.

1121. A letter from the Acting Secretary of Commerce, transmitting a report of the sale of executive papers for \$753.79 in accordance with recommendations of the Joint Committee on the Disposition of Executive Papers; to the Committee on the Disposition of Executive Papers.

1122. A letter from the Acting Secretary of Commerce, transmitting a report of the sale of 8,424 pounds of executive

papers for \$7.58 in accordance with recommendations of the Joint Committee on the Disposition of Executive Papers; to the Committee on the Disposition of Executive Papers.

1123. A letter from the Acting Secretary of the Navy, transmitting a report covering the sales of vessels and materials of the Navy during the fiscal year ending June 30, 1939; to the Committee on Expenditures in the Executive Departments.

1124. A letter from the Acting Secretary of the Interior, transmitting a copy of various legislation passed by the Municipal Council of St. Thomas and St. John; to the Committee on Insular Affairs.

1125. A letter from the Acting Secretary of the Interior, transmitting a copy of various legislation passed by the Municipal Council of St. Croix; to the Committee on Insular Affairs.

1126. A letter from the Acting Secretary of the Navy, transmitting a report giving the names of the vessels stricken from the Navy register and the dates when they were stricken from said register; to the Committee on Naval Affairs.

1127. A letter from the President of the Commission on Licensure, District of Columbia, transmitting a report showing the activities of the Commission for the fiscal year ended June 30, 1939; to the Committee on the District of Columbia.

1128. A letter from the Chairman of the Public Utilities Commission of the District of Columbia, transmitting a report of the Commission's official proceedings for the year ended December 31, 1938, with other information relating to the regulation and operation of the public utilities in the District of Columbia; to the Committee on the District of Columbia.

1129. A letter from the Secretary of the Interior, transmitting a report showing the amount of moneys credited to such helium-production fund and the amount of disbursements made therefrom during the preceding fiscal year, and the unexpended and unobligated balances on hand in such fund as of the end of such fiscal year; to the Committee on Military Affairs.

1130. A letter from the Assistant Secretary of Commerce, transmitting part 2 of the Annual Report of the Commissioner of Lighthouses for the fiscal year ended June 30, 1939, containing a list of purchases made by private contract or in the open market, and with the said reasons for such method for purchases, during the fiscal year 1939; to the Committee on Merchant Marine and Fisheries.

1131. A letter from the Administrator of the Federal Security Agency, transmitting a detailed report of the receipts and expenditures made during the fiscal year ending June 30, 1939, from the working-capital fund established for the operation of the industrial activities at the United States Public Health Service Hospitals, Lexington, Ky., and Fort Worth, Tex.; to the Committee on Expenditures in the Executive Departments.

1132. A letter from the Acting Secretary of Agriculture, transmitting a draft of a proposed bill to amend the Insecticide Act of 1910; to the Committee on Interstate and Foreign Commerce.

1133. A letter from the Secretary of the Interior, transmitting a draft of a bill for the relief of the Gallup Mercantile Co., of Gallup, N. Mex., in the sum of \$245.30, representing the balance due on account of supplies furnished for the benefit of certain Indians; to the Committee on Claims.

1134. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to set aside certain lands for the Minnesota Chippewa Tribe in Minnesota, and for other purposes; to the Committee on Indian Affairs.

1135. A letter from the Acting Secretary of Agriculture, transmitting the draft of a proposed bill for the relief of certain disbursing officers of the Division of Disbursement, Treasury Department; to the Committee on Claims.

1136. A letter from the Secretary of the Interior, transmitting a report covering expenditures made from the appropriation "Education of natives of Alaska, 1938-40," for the relief of destitution of natives of Alaska during the fiscal

year 1939; to the Committee on Expenditures in the Executive Departments.

1137. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill authorizing the payment of \$450 to Edward Smith; to the Committee on Claims.

1138. A letter from the Chairman of the Federal Trade Commission, transmitting a report of the Federal Trade Commission for the fiscal year ended June 30, 1939; to the Committee on Interstate and Foreign Commerce.

1139. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to regulate the making of gifts and bequests of personal property to the United States, and for other purposes; to the Committee on Ways and Means.

1140. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill authorizing appropriations to be made for the disposition of the remains of personnel of the Navy and Marine Corps and certain civilian employees of the Navy, and for other purposes; to the Committee on Naval Affairs.

1141. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to amend the act of March 4, 1917, entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1918, and for other purposes"; to the Committee on Naval Affairs.

1142. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to provide an additional sum for the payment of a claim under the act entitled "An act to provide for the reimbursement of certain personnel or former personnel of the United States Navy and United States Marine Corps for the value of personal effects destroyed as a result of a fire at the Marine Barracks, Quantico, Va., October 27, 1938," approved June 19, 1939; to the Committee on Claims.

1143. A letter from the Secretary of War, transmitting 885 reports of inspections of disbursement made by officers of the Army, which inspections were made by the inspector generals during the fiscal year ended June 30, 1939; to the Committee on Expenditures in the Executive Departments.

1144. A letter from the Attorney General, transmitting the draft of a proposed bill to provide for the registration of certain firearms, the taxation of the transfers thereof, and for other purposes; to the Committee on Ways and Means.

1145. A letter from the national president, American War Mothers, transmitting the report of the American War Mothers, October 1, 1937, to October 1, 1939; to the Committee on World War Veterans' Legislation.

1146. A letter from the chairman, Federal Communications Commission, transmitting its report on the subject of whether or not any new wire or radio communication legislation is required better to insure safety of life and property; to the Committee on Merchant Marine and Fisheries.

1147. A letter from the Attorney General, transmitting the draft of a proposed bill to amend subsection (c) of section 35 of the Criminal Code, as amended; to the Committee on the Judiciary.

1148. A letter from the President, Electric Home and Farm Authority, transmitting the Fourth Annual Report of the Electric Home and Farm Authority covering operations from July 1, 1938, to June 30, 1939; to the Committee on Banking and Currency.

1149. A letter from the Postmaster General, transmitting a report of all special contracts made with railroad companies for the transportation of the mails, and the terms and the reasons therefor; to the Committee on the Post Office and Post Roads.

1150. A letter from the Public Printer, transmitting the report of the Public Printer covering the work of the Government Printing Office for the fiscal year ended June 30, 1939; to the Committee on Printing.

1151. A letter from the Administrator of Veterans' Affairs, Veterans' Administration, transmitting the Annual Report of the Administrator of Veterans' Affairs for the fiscal year ended June 30, 1939; to the Committee on World War Veteran's Legislation.

1152. A letter from the Attorney General, transmitting an amendment to the Rules of Civil Procedure for the District Courts of the United States; to the Committee on the Judiciary.

1153. A letter from the Secretary of the Treasury, transmitting an itemized report of expenditures made in connection with Pershing Hall in Paris, France; to the Committee on Expenditures in the Executive Departments.

1154. A letter from the Comptroller General of the United States, transmitting a report showing delinquent administrative office accounts; to the Committee on Expenditures in the Executive Departments.

1155. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the fiscal year ending June 30, 1940, totaling \$271,999,523, consisting of \$119,999,842 for the War Department, \$146,049,256 for the Navy Department, \$1,475,000 for the Federal Bureau of Investigation, Department of Justice, and \$4,475,425 for the Coast Guard, Treasury Department (in addition, the estimates for the Navy Department provide for the granting of a contract authorization in the amount of \$2,450,000) (H. Doc. No. 533); to the Committee on Appropriations and ordered to be printed.

1156. A letter from the Chairman of the Tennessee Valley Authority, transmitting the Sixth Annual Report of the Tennessee Valley Authority (H. Doc. No. 534); to the Committee on Military Affairs and ordered to be printed, with illustrations.

1157. A letter from the Chairman of the National Munitions Control Board, transmitting a report for the year ending December 31, 1939, and for the month of December 1938 (H. Doc. No. 536); to the Committee on Foreign Affairs and ordered to be printed.

1158. A letter from the Chairman of the United States Tariff Commission, transmitting the Twenty-third Annual Report of the United States Tariff Commission (H. Doc. No. 503); to the Committee on Ways and Means and ordered to be printed.

1159. A letter from the Postmaster General, transmitting a report of operations of the Postal Savings System for the fiscal year ended June 30, 1939 (H. Doc. No. 537); to the Committee on the Post Office and Post Roads and ordered to be printed.

1160. A letter from the executive officer of the National Capital Park and Planning Commission, transmitting a list of land acquisitions for parks, parkways, and playgrounds, cost of each tract, and method of acquisition for the fiscal year ending June 30, 1939; to the Committee on Public Buildings and Grounds.

1161. A letter from the Clerk of the House of Representatives, transmitting a report for the period from July 1, 1938, to June 30, 1939, both inclusive, giving names of statutory and contingent-fund employees of the House and their respective compensations, including clerks to Members; the expenditures from the contingent fund and from certain specific appropriations; to the Committee on Accounts.

1162. A letter from the Secretary of War, transmitting the annual report of the sale of war supplies, covering the disposal of surplus property in the possession of the War Department within the United States during the period October 15, 1938, to October 15, 1939, inclusive; to the Committee on Expenditures in the Executive Departments.

1163. A letter from the Attorney General, transmitting a list of suits arising under the act of March 9, 1920, authorizing suits against the United States in admiralty involving merchant vessels; to the Committee on Claims.

1164. A letter from the Attorney General, transmitting a list of suits arising under the Public Vessel Act of March 3, 1925; to the Committee on Claims.

1165. A letter from the Attorney General, transmitting the Annual Report of the Department of Justice for the fiscal year ended June 30, 1939; to the Committee on the Judiciary.

1166. A letter from the Secretary of the Interior, transmitting a report of the War Minerals Relief Commission covering the period December 1, 1937, to November 30, 1939, inclusive;

to the Committee on Expenditures in the Executive Departments.

1167. A letter from the Acting Secretary of the Interior, transmitting a report covering the fiscal year 1939 submitted for the National Park Trust Fund Board; to the Committee on the Public Lands.

1168. A letter from the Chairman of the Board of the Tennessee Valley Authority, transmitting a report of expenditures to November 30, 1939, of funds derived from the sale of bonds under section 15c of the Tennessee Valley Authority Act of 1933 as amended; to the Committee on Military Affairs.

1169. A letter from the Acting Secretary of the Treasury, transmitting a report showing refunds of internal revenue in excess of \$500 approved by the Bureau of Internal Revenue during the fiscal year ended June 30, 1939; to the Committee on Expenditures in the Executive Departments.

1170. A letter from the legislative representative, Veterans of Foreign Wars of the United States, transmitting the official report, and letter of transmittal thereof, by the quartermaster general, of the Veterans of Foreign Wars of the United States, giving the activities of the organization for the last fiscal year; to the Committee on Military Affairs.

1171. A letter from the Acting Secretary of the Treasury, transmitting reports from the Department of Commerce, the Department of the Interior, Federal Works Agency, United States Civil Service Commission, and the War Department relative to money received during the fiscal year ended June 30, 1939; to the Committee on Expenditures in the Executive Departments.

1172. A letter from the Chief Clerk, Court of Claims of the United States, transmitting a statement of all judgments rendered by the Court of Claims for the year ended December 2, 1939, the amount thereof, the parties in whose favor rendered and a brief synopsis of the nature of the claims; to the Committee on Claims.

1173. A letter from the national legislative director, the American Legion, transmitting a report of the treasurer, indicating that the external auditors have already approved the set-up of the special Pershing Hall memorial fund trust in the accounts of the American Legion at the national headquarters; to the Committee on World War Veterans' Legislation.

1174. A letter from the national legislative director, the American Legion, transmitting the financial statement of the American Legion, for the first 10 months of 1939; to the Committee on World War Veterans' Legislation.

1175. A letter from the Clerk of the House of Representatives, transmitting the contest for a seat in the House of Representatives for the Seventy-sixth Congress of the United States for the Ninth Congressional District of the State of Iowa, *Albert F. Swanson v. Vincent F. Harrington* (H. Doc. No. 540); to the Committee on Elections No. 3 and ordered to be printed.

1176. A letter from the Clerk of the House of Representatives, transmitting the contest for a seat in the House of Representatives for the Seventy-sixth Congress of the United States for the Eighteenth Congressional District of the State of California, *Byron M. Scott v. Thomas M. Eaton* (H. Doc. No. 539); to the Committee on Elections No. 2 and ordered to be printed.

1177. A letter from the Clerk of the House of Representatives, transmitting the annual report of the Columbia Institution of the Deaf for the period ended June 30, 1939; to the Committee on the District of Columbia.

1178. A letter from the Secretary of the Interior, transmitting the third annual report under the Bituminous Coal Act of 1937, made pursuant to the provisions of sections 2 (a) and 14 of the Bituminous Coal Act of 1937 (Public, No. 48, 75th Cong., approved Apr. 26, 1937) (H. Doc. No. 541); to the Committee on Ways and Means and ordered to be printed.

1179. A letter from the chairman of the Disabled American Veterans of the World War, transmitting proceedings of the Nineteenth National Convention of the Disabled American Veterans of the World War (H. Doc. No. 530); to the Committee on World War Veterans' Legislation and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. STARNES of Alabama: Special Committee to Investigate Un-American Activities. House Resolution 26. Resolution authorizing the Special Committee to Investigate Un-American Activities, appointed under authority of House Resolution 282, Seventy-fifth Congress, to continue its investigation during the Seventy-sixth Congress; with amendment (Rept. No. 1476). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 7629. A bill to authorize a preliminary examination and survey of Garden Creek, Mathews County, Va., for flood control, for run-off and water-flow retardation, and for soil-erosion prevention; to the Committee on Flood Control.

By Mr. HOOK:

H. R. 7630. A bill to authorize the Secretary of the Treasury to negotiate a loan to the present recognized Government of Finland for use to meet that country's general requirements; to the Committee on Ways and Means.

H. R. 7631. A bill for the refund of interest of the Finland debt; to the Committee on Ways and Means.

By Mrs. ROGERS of Massachusetts:

H. R. 7632. A bill to extend the time within which applications for benefits under the World War Adjusted Compensation Act, as amended, may be filed; to the Committee on Ways and Means.

By Mr. SNYDER:

H. R. 7633. A bill prescribing tolls to be paid for the use of locks on all rivers in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. DIMOND:

H. R. 7634. A bill to provide that fines for failure to pay license taxes in Alaska shall be disposed of as provided for the disposition of such taxes; to the Committee on the Judiciary.

By Mr. ALEXANDER:

H. R. 7635. A bill authorizing employment of engineers and/or architects in private practice for Government projects; to the Committee on Public Buildings and Grounds.

By Mr. BARRY:

H. R. 7636. A bill to provide for the local delivery rate on certain first-class mail matter; to the Committee on the Post Office and Post Roads.

By Mr. BLAND:

H. R. 7637. A bill relative to liability of vessels in collision; to the Committee on Merchant Marine and Fisheries.

H. R. 7638. A bill to authorize a bridge, roads and approaches, supports and bents, or other structures across, over, or upon lands of the United States within the limits of the Colonial National Historical Park at or near Yorktown, Va.; to the Committee on the Public Lands.

H. R. 7639. A bill to provide for the examination of civilian nautical schools and for the inspection of vessels used in connection therewith, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CALDWELL:

H. R. 7640. A bill to provide for furnishing the national flag to be used for draping the coffin of deceased members of the Officers' Reserve Corps of the Army; to the Committee on Military Affairs.

By Mr. CROWE:

H. R. 7641. A bill to appropriate \$15,000,000 for the acquisition of forest lands during the fiscal year ending June 30, 1941; to the Committee on Appropriations.

By Mr. DOXEY:

H. R. 7642. A bill for the erection of a public building at Tutwiler, Tallahatchie County, Miss.; to the Committee on Public Buildings and Grounds.

H. R. 7643. A bill to facilitate and simplify national-forest administration; to the Committee on Agriculture.

H. R. 7644. A bill to provide that Federal grants for old-age assistance shall match State contributions 2 for 1 up to \$10 and equal State contributions in excess of \$10; to the Committee on Ways and Means.

By Mr. VOORHIS of California:

H. R. 7645. A bill to provide revenue, equalize taxation, and for other purposes; to the Committee on Ways and Means.

By Mr. FLANNERY:

H. R. 7646. A bill regulating the hours of service of postal employees; to the Committee on the Post Office and Post Roads.

H. R. 7647. A bill granting annual and sick leave to postal employees; to the Committee on the Post Office and Post Roads.

H. R. 7648. A bill granting sick leave for postal employees while under quarantine; to the Committee on the Post Office and Post Roads.

By Mr. GUYER of Kansas:

H. R. 7649. A bill to provide for the erection of a monument at Kansas City, Kans., to commemorate the landing of the Lewis and Clark Expedition at that point on the Missouri River; to the Committee on the Library.

By Mr. HOBBS:

H. R. 7650. A bill to provide that the aid to the several States in making toll bridges free shall be extended to bridges on highways becoming a part of the Federal-aid system prior to March 3, 1942; to the Committee on Roads.

By Mr. KEAN:

H. R. 7651. A bill to provide for convening Congress whenever a national emergency is declared; to the Committee on the Judiciary.

By Mr. McANDREWS:

H. R. 7652. A bill to grant pensions and increase of pensions to widows and dependents of certain deceased members or former members of the military or naval service; to the Committee on Invalid Pensions.

By Mr. McCORMACK:

H. R. 7653. A bill to extend the time within which applications for benefits under the World War Adjusted Compensation Act, as amended, may be filed; to the Committee on Ways and Means.

By Mr. RANDOLPH:

H. R. 7654. A bill to authorize the construction of a parade field, swimming pools, stadium, and other recreational facilities in section F, Anacostia Park, in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. RUTHERFORD:

H. R. 7655. A bill to extend the times for commencing and completing the construction of a bridge across the Delaware River between the village of Barryville, N. Y., and the village of Shohola, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. SHANLEY:

H. R. 7656. A bill to provide Government protection to widows and children of deceased World War veterans; to the Committee on World War Veterans' Legislation.

By Mr. SHEPPARD:

H. R. 7657. A bill to amend United States Code, title 19, section 1201, paragraph 1798; to the Committee on Ways and Means.

By Mr. SMITH of Connecticut:

H. R. 7658. A bill to provide for the protection and preservation of domestic sources of iron and steel; to the Committee on Military Affairs.

By Mr. SMITH of Washington:

H. R. 7659. A bill to suspend payments on the debt owed by the Republic of Finland and to reloan payments heretofore made; to the Committee on Ways and Means.

By Mr. SUMNERS of Texas:

H. R. 7660. A bill to amend section 35-B of the United States Criminal Code to prohibit purchase or receipt in

pledge of clothing and other supplies issued to veterans maintained in Veterans' Administration facilities; to the Committee on the Judiciary.

By Mr. SUTPHIN:

H. R. 7661. A bill for a complete survey of the physical-education resources existing within the United States now in use as outdoor recreative and competitive areas, gymnasia, stadia, swimming pools, parks, etc., and for other purposes; to the Committee on Education.

By Mr. SWEENEY:

H. R. 7662. A bill to increase the salaries of city and village letter carriers and clerks in first- and second-class post offices; to the Committee on the Post Office and Post Roads.

H. R. 7663. A bill providing for sick leave for substitute postal employees; to the Committee on the Post Office and Post Roads.

By Mr. TENEROWICZ:

H. R. 7664. A bill to extend the time within which applications for benefits under the World War Adjusted Compensation Act, as amended, may be filed; to the Committee on Ways and Means.

By Mr. VINSON of Georgia:

H. R. 7665. A bill to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes; to the Committee on Naval Affairs.

By Mr. VOORHIS of California:

H. R. 7666. A bill to amend the Omnibus Flood Control Act of June 22, 1936; to the Committee on Flood Control.

By Mr. BOLLES:

H. J. Res. 397. Joint resolution to discontinue diplomatic relations with Soviet Russia; to the Committee on Foreign Affairs.

By Mr. DOXEY:

H. J. Res. 398. Joint resolution making an appropriation for loans, grants, and relief to needy farmers in flood- and drought-stricken farm areas; to the Committee on Appropriations.

By Mr. LESINSKI:

H. J. Res. 399. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. McLAUGHLIN:

H. J. Res. 400. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. MONKIEWICZ:

H. J. Res. 401. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. ENGEL:

H. J. Res. 402. Joint resolution authorizing the President of the United States to proclaim October 11, 1940 as General Pulaski Memorial Day; to the Committee on the Judiciary.

By Mr. McDOWELL:

H. Res. 337. Resolution providing for the appointment of a select committee of the House of Representatives to inquire and investigate the powers of the President under any national emergency proclamation; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. SHEPPARD:

H. R. 7667. A bill for the relief of Floyd Wilday and Vera Wilday; to the Committee on Claims.

By Mr. BLAND:

H. R. 7668. A bill for the relief of Elizabeth Buxton Hospital; to the Committee on Claims.

By Mr. BROWN of Ohio:

H. R. 7669. A bill for the relief of the estate of Joseph Glaser; to the Committee on Claims.

H. R. 7670. A bill for the relief of George Geis; to the Committee on Claims.

By Mr. BUCK:

H. R. 7671. A bill to refund to John Clauss income tax unjustly and erroneously collected; to the Committee on Claims.

By Mr. BUCKLEY of New York:

H. R. 7672. A bill to record the lawful admission to the United States for permanent residence of Albert Perez; to the Committee on Immigration and Naturalization.

By Mr. CARTWRIGHT:

H. R. 7673. A bill for the relief of Albert D. Castleberry; to the Committee on Military Affairs.

By Mr. DEMPSEY:

H. R. 7674. A bill for the relief of Mr. and Mrs. Juan Ramirez; to the Committee on Claims.

By Mr. DIMOND:

H. R. 7675. A bill authorizing payment to the heirs of Edward Mather, deceased, late of Ketchikan, Alaska, for services rendered as native policeman in Alaska; to the Committee on Indian Affairs.

By Mr. GILLIE:

H. R. 7676. A bill granting a pension to Adele Evans; to the Committee on Invalid Pensions.

By Mr. GUYER of Kansas:

H. R. 7677. A bill for the relief of Charles P. Shipley Sadlery & Mercantile Co.; to the Committee on War Claims.

H. R. 7678. A bill for the relief of Lloyd Eugene Deister; to the Committee on World War Veterans' Legislation.

By Mr. GRAHAM:

H. R. 7679. A bill for the relief of J. E. Dambach; to the Committee on Claims.

By Mr. HARTER of New York:

H. R. 7680. A bill to correct the record of Michael Angello; to the Committee on Naval Affairs.

By Mr. HESS:

H. R. 7681. A bill for the relief of Emelie Witzenbacher; to the Committee on Claims.

By Mr. KEE:

H. R. 7682. A bill to provide for the advancement of John L. Hines on the retired list of the Army; to the Committee on Military Affairs.

By Mr. RANDOLPH:

H. R. 7683. A bill to provide for the advancement on the retired list of the Army of John L. Hines; to the Committee on Military Affairs.

H. R. 7684. A bill for the relief of Clay A. Wilcox; to the Committee on Claims.

By Mr. REED of Illinois:

H. R. 7685. A bill for the relief of Steve Kalisz and Stella Lakomski; to the Committee on Patents.

By Mr. REED of New York:

H. R. 7686. A bill for the relief of Hazen G. Chamberlain, M. D., and Cuba Memorial Hospital; to the Committee on Claims.

By Mr. ROBSION of Kentucky:

H. R. 7687. A bill for the relief of Hughey Parsley; to the Committee on Claims.

By Mrs. ROGERS of Massachusetts:

H. R. 7688. A bill to correct the record of Ralph Everett Crawshaw; to the Committee on Naval Affairs.

By Mr. RUTHERFORD:

H. R. 7689. A bill granting an increase of pension to Alice E. Bailey; to the Committee on Invalid Pensions.

H. R. 7690. A bill granting an increase of pension to Adah M. Locklin; to the Committee on Invalid Pensions.

H. R. 7691. A bill for the relief of Oliver G. Johnson; to the Committee on Military Affairs.

LXXXVI—2

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5865. By Mr. CARLSON: Petition of E. Weaver and 13 other citizens of Holyrood, Kans., requesting enactment of House bill 1, the Patman bill; to the Committee on Ways and Means.

5866. Also, petition of C. H. Gawstrap and 17 other citizens of Salina, Kans., requesting enactment of House bill 1, the Patman bill; to the Committee on Ways and Means.

5867. By Mr. HOPE: Petition of Richard Blake and 53 other citizens of Kingman, Kans., urging the enactment of House bill 1; to the Committee on Ways and Means.

5868. Also, petition of Charles W. Ragland and 17 other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5869. Also, petition of T. S. Powell and nine other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5870. Also, petition of Thomas Pickerill and 18 other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5871. Also, petition of E. Blackburn and seven other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5872. Also, petition of Terry L. Foltz and 13 other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5873. Also, petition of D. C. Potter and nine other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5874. Also, petition of Ray A. Olson and three other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5875. Also, petition of E. W. Hopkins and 17 other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5876. Also, petition of Scott Clark and 16 other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5877. Also, petition of C. W. Stevens and four other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5878. Also, petition of C. E. Wheeler and three other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5879. Also, petition of J. S. Sanders and seven other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5880. Also, petition of Frank Suttle and seven other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5881. Also, petition of M. E. Stone and 22 other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5882. Also, petition of W. A. Burris and 18 other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5883. Also, petition of Kenneth Eisiminger and five other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5884. Also, petition of Ira L. King and four other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5885. Also, petition of George E. Hipple and seven other citizens of Hutchinson, Kans., urging the enactment of the

chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5886. Also, petition of Don F. Innis and 10 other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5887. Also, petition of H. E. Rowland and two other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5888. Also, petition of W. S. Neel and three other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5889. Also, petition of Mrs. H. E. Hall and two other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5890. Also, petition of W. L. LacKamp and six other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5891. Also, petition of T. J. Ryan, Jr., and 13 other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5892. Also, petition of Earl P. Bellwood and three other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5893. Also, petition of Don C. Greever and nine other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5894. Also, petition of Leo McNerney and four other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5895. Also, petition of Ralph P. Williams and 11 other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5896. Also, petition of Edith Gresham and 17 other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5897. Also, petition of Joe Wright and 36 other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5898. Also, petition of Grant Hoener and 24 other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5899. Also, petition of Walter McCoy and eight other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5900. Also, petition of Ruth Rickenbrode and 18 other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5901. Also, petition of Leffa M. Hayes and three other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5902. Also, petition of J. W. Morrison and 12 other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5903. Also, petition of Frank Jackson and five other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5904. Also, petition of L. B. Cox and 80 other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5905. Also, petition of Fred Yoakam and 20 other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5906. Also, petition of A. R. Crick and 60 other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5907. Also, petition of Vern Moon and 27 other citizens of Hutchinson, Kans., urging the enactment of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

5908. By Mr. HOUSTON: Petition of 12 citizens of Sumner County, Kans., urging enactment of House bill 1 to impose on persons operating 10 or more retail stores under the same general management a graduated excise tax; to the Committee on Ways and Means.

5909. Also, petition of 19 citizens of Lindsborg, Kans., urging enactment of House bill 1 to impose on persons operating 10 or more retail stores under the same general management a graduated excise tax; to the Committee on Ways and Means.

5910. Also, petition of 42 citizens of McPherson County, Kans., urging enactment of House bill 1 to impose on persons operating 10 or more retail stores under the same general management a graduated excise tax; to the Committee on Ways and Means.

5911. Also, petition of 57 citizens of Valley Center, Kans., urging enactment of House bill 1 to impose on persons operating 10 or more retail stores under the same general management a graduated excise tax; to the Committee on Ways and Means.

5912. Also, petition of 584 citizens of Wichita, Kans., urging enactment of House bill 1 to impose on persons operating 10 or more retail stores under the same general management a graduated excise tax; to the Committee on Ways and Means.

5913. By Mr. KEOGH: Petition of the American Petroleum Institute, New York City, to create an office of petroleum conservation; to the Committee on Interstate and Foreign Commerce.

5914. Also, petition of the Chamber of Commerce of the State of New York, concerning the St. Lawrence Canal and water-power project; to the Committee on Foreign Affairs.

5915. Also, petition of the National Maritime Union of America, New York City, concerning the transfer of registry of any American vessel to any other nationality; to the Committee on Foreign Affairs.

5916. Also, petition of the United Federal Workers of America, favoring the passage of House bill 960; to the Committee on the Civil Service.

5917. By Mr. PFEIFER: Petition of the National Kindergarten Association, New York City, urging support of House bill 6474 and Senate bill 2510; to the Committee on Education.

5918. Also, petition of the New York State League of Savings and Loan Associations, New York City, urging support of House bill 6971; to the Committee on Banking and Currency.

5919. Also, petition of C. H. Pearson & Son Hardwood Co., Inc., Brooklyn, N. Y., concerning the importation of manufactured lumber and lumber products from Cuba; to the Committee on Foreign Affairs.

5920. By Mr. REES of Kansas: Petition of W. H. Hervey and 112 other citizens of Junction City, Kans., supporting House bill 1; to the Committee on Ways and Means.

5921. Also, petition of R. A. Martin and 39 other citizens of Junction City, Kans., supporting House bill 1; to the Committee on Ways and Means.

5922. By the SPEAKER: Petition of the International Union United Automobile Workers of America, Lansing, Mich., petitioning consideration of their resolution with reference to the laws and rulings of the National Labor Relations Board; to the Committee on Labor.

5923. Also, petition of the National Maritime Union of America, New York, N. Y., petitioning consideration of their resolution with reference to the transfer of registry of any American vessel to any other nationality; to the Committee on Merchant Marine and Fisheries.

5924. Also, petition of the Workers Alliance of Summit County, Akron, Ohio, petitioning consideration of their resolution with reference to keeping America out of war; to the Committee on Foreign Affairs.

5925. Also, petition of the Los Angeles Industrial Union Council, California, petitioning consideration of their resolution with reference to expansion of United States housing program; to the Committee on Banking and Currency.

5926. Also, petition of the New York State Congress of Parents and Teachers, Inc., Poughkeepsie, N. Y., petitioning consideration of their resolution with reference to war and peace; to the Committee on Foreign Affairs.

5927. Also, petition of the Woman's Christian Temperance Union, Pasadena, Calif., petitioning consideration of their resolution with reference to Senate bill 280, the motion-picture bill; to the Committee on Interstate and Foreign Commerce.

5928. Also, petition of the Nebraska Federation of Women's Clubs, Omaha, Nebr., petitioning consideration of their resolution with reference to Senate bill 280, the motion-picture bill; to the Committee on Interstate and Foreign Commerce.

5929. Also, petition of the Hilo Industrial Union Council, 1383 Kamehameha Avenue, Hilo, Hawaii, petitioning consideration of their resolution with reference to any European or Asiatic conflicts; to the Committee on Foreign Affairs.

5930. Also, petition of the Los Angeles Industrial Union Council, Los Angeles, Calif., petitioning consideration of their resolution with reference to the expansion of United States Housing Program; to the Committee on Banking and Currency.

5931. Also, petition of the Consumers Union of United States, Inc., petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

5932. Also, petition of the Window Trimmers and Display-men's Union, New York, N. Y., petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

5933. Also, petition of the county of Yamhill, department of education, McMinnville, Oreg., petitioning consideration of their resolution with reference to traffic in munitions of war or in commodities that might be used in the manufacture of any instrument of war; to the Committee on Foreign Affairs.

5934. Also, petition of the American Legion and the Junior Chamber of Commerce, Anniston Post, No. 26, Anniston, Calhoun County, Ala., petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

5935. Also, petition of the National Woman's Party, Washington, D. C., petitioning consideration of their resolution with reference to Commissioner Iglesias, Puerto Rican Delegate in the United States Congress; to the Committee on Memorials.

5936. Also, petition of the United States Patriotic Society, New York, petitioning consideration of their resolution with reference to Dies committee; to the Committee on Rules.

5937. Also, petition of the American Defense Society, Inc., New York, N. Y., petitioning consideration of their resolution with reference to un-American activities in the United States of America; to the Committee on Rules.

5938. Also, petition of the ninth executive district of the Republican Bergen County committee in River Edge, N. J., petitioning consideration of their resolution with reference to the Dies committee on un-American activities; to the Committee on Rules.

5939. Also, petition of the United Electrical, Radio and Machine Workers of America, Newark, N. J., petitioning consideration of their resolution with reference to un-American activities; to the Committee on Rules.

5940. Also, petition of the Allendale Post, No. 204, of the American Legion, Allendale, N. J., petitioning consideration of their resolution with reference to Dies committee; to the Committee on Rules.

5941. Also, petition of the Michigan Good Roads Federation, Michigan section, petitioning consideration of their resolution with reference to the Michigan Good Roads Federation extending its sympathy to the family of Congressman Carl E. Mapes; to the Committee on Memorials.

5942. Also, petition of the United Shoe Workers of America, New York, N. Y., petitioning consideration of their resolution with reference to Dies committee; to the Committee on Rules.

5943. Also, petition of the South Jersey Port Commission, Camden, N. J., petitioning consideration of their resolution with reference to the United States Army engineers; to the Committee on Military Affairs.

5944. Also, petition of the Chamber of Commerce, Houston, Tex., petitioning consideration of their resolution with reference to the Federal oil control; to the Committee on Interstate and Foreign Commerce.

5945. Also, petition of the American Petroleum Institute, New York, N. Y., petitioning consideration of their resolution with reference to House bill 7372, also the trade agreement with Venezuela; to the Committee on Ways and Means.

5946. Also, petition of the California State Industrial Union Council, San Francisco, Calif., petitioning consideration of their resolution with reference to expansion of United States Housing Program; to the Committee on Banking and Currency.

5947. Also, petition of the California State Industrial Union Council, San Francisco, Calif., petitioning consideration of their resolution with reference to Federal funds for transient relief; to the Committee on Ways and Means.

5948. Also, petition of the National Association of Retail Meat Dealers, Inc., Chicago, Ill., petitioning consideration of their resolution with reference to meat-packers' inspection marking; to the Committee on Agriculture.

5949. Also, petition of the city of Cambridge, in city council, petitioning consideration of their resolution with reference to neutrality legislation; to the Committee on Appropriations.

5950. Also, petition of the Independent Petroleum Association of America, Washington, D. C., petitioning consideration of their resolution with reference to the tariff on imports of petroleum and its products; to the Committee on Ways and Means.

5951. Also, petition of the National Sojourners, Inc., Columbus Chapter, No. 10, Columbus, Ohio, petitioning consideration of their resolution with reference to the National Defense Act of Congress, June 20, 1920, as amended; to the Committee on Military Affairs.

5952. Also, petition of Los Angeles Newspaper Guild, petitioning consideration of their resolution with reference to the expansion of the United States housing program; to the Committee on Banking and Currency.

5953. Also, petition of the Utah Congress of Parents and Teachers, Salt Lake City, Utah, petitioning consideration of their resolution with reference to peace in the United States; to the Committee on Foreign Affairs.

5954. Also, petition of the Honolulu Chapter, the Inter-Professional Association, Honolulu, Hawaii, petitioning consideration of their resolution with reference to the neutrality of the United States; to the Committee on Foreign Affairs.

5955. Also, petition of the California State Industrial Union Council, San Diego, Calif., petitioning consideration of their resolution with reference to Bill of Rights holiday; to the Committee on the Judiciary.

5956. Also, petition of California State Industrial Union Council, San Diego, Calif., petitioning consideration of their resolution with reference to expansion of United States housing program; to the Committee on Banking and Currency.

5957. Also, petition of the Congress of Industrial Organizations, Washington, D. C., petitioning consideration of their resolution with reference to technological unemployment; to the Committee on Ways and Means.

5958. Also, petition of the State, County and Municipal Workers of America, Local 46, Philadelphia, Pa., petitioning consideration of their resolution with reference to the actions of the Dies committee; to the Committee on Rules.

SENATE

THURSDAY, JANUARY 4, 1940

The Chaplain, Rev. Zebarny T. Phillips, D. D., offered the following prayer:

Eternal God and Heavenly Father, we bow before Thee in deep humility and tender penitence, for that Thou, being very high exalted above all worlds, beholdest the proud afar off yet condescendest to make the contrite heart Thy dwelling. In this moment of silence we invoke Thy presence to put away our sin; enter into our souls deeper than we have

ever known; let Thy glory dawn upon our sight clearer than ever before, and do Thou light the flame upon the altar of our lives, that our prayer may be set forth in Thy sight as the incense.

Grant in the rush and pressure of our modern life, when feverish activity is made the measure of all things, that we may be replenished with gifts of silence and rivers of peace, using them not to escape from our duty but that, seeing it more clearly, we may be the better enabled to do it as unto Thee. We ask it in the name of Jesus Christ our Lord. Amen.

ATTENDANCE OF SENATORS

CHARLES O. ANDREWS, a Senator from the State of Florida, WILLIAM H. SMATHERS, a Senator from the State of New Jersey, and FREDERICK VAN NUYS, a Senator from the State of Indiana, appeared in their seats today.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, January 3, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. J. Will Taylor, late a Representative from the State of Tennessee, and transmitted the resolutions of the House thereon.

The message also communicated to the Senate the intelligence of the death of Hon. Santiago Iglesias, late a Resident Commissioner of Puerto Rico, and transmitted the resolutions of the House thereon.

The message further communicated to the Senate the intelligence of the death of Hon. Carl E. Mapes, late a Representative from the State of Michigan, and transmitted the resolutions of the House thereon.

The message also communicated to the Senate the intelligence of the death of Hon. William I. Sirovich, late a Representative from the State of New York, and transmitted the resolutions of the House thereon.

The message further communicated to the Senate the intelligence of the death of Hon. John A. Martin, late a Representative from the State of Colorado, and transmitted the resolutions of the House thereon.

The message also communicated to the Senate the intelligence of the death of Hon. William A. Ashbrook, late a Representative from the State of Ohio, and transmitted the resolutions of the House thereon.

The message further communicated to the Senate the intelligence of the death of Hon. George H. Heinke, late a Representative from the State of Nebraska, and transmitted the resolutions of the House thereon.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Connally	Hughes	Russell
Andrews	Danaher	Johnson, Calif.	Schwartz
Ashurst	Davis	Johnson, Colo.	Schwellenbach
Austin	Downey	King	Sheppard
Bankhead	Ellender	Lee	Slattery
Barbour	Frazier	Lucas	Smathers
Barkley	George	Lundeen	Taft
Bilbo	Gibson	McCarran	Thomas, Utah
Borah	Gillette	McNary	Tobey
Brown	Green	Maloney	Townsend
Bulow	Guffey	Mead	Truman
Burke	Gurney	Miller	Tydings
Byrd	Harrison	Minton	Vandenberg
Byrnes	Hatch	Murray	Van Nuys
Capper	Hayden	Neely	Wagner
Chandler	Herring	Pittman	Wheeler
Chavez	Hill	Radcliffe	White
Clark, Idaho	Holman	Reynolds	Wiley

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE], the Senator from Arkansas [Mrs. CARAWAY], and the Senator from Missouri [Mr. CLARK] are absent from the Senate because of illness.

The Senator from North Carolina [Mr. BAILEY], the Senator from Ohio [Mr. DONAHEY], the Senator from Virginia [Mr. GLASS], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Florida [Mr. PEPPER], the Senator from South Carolina [Mr. SMITH], and the Senator from Tennessee [Mr. STEWART] are unavoidably detained.

The Senator from Tennessee [Mr. McKELLAR], the Senator from Louisiana [Mr. OVERTON], and the Senator from Massachusetts [Mr. WALSH] are detained on important public business.

The Senator from Oklahoma [Mr. THOMAS] is absent on official business for the Committee on Appropriations.

Mr. AUSTIN. I announce that the Senator from Kansas [Mr. REED] is necessarily detained, and that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent on official business of the Senate.

Mr. TOBEY. I regret to announce the necessary absence of the senior Senator from New Hampshire [Mr. BRIDGES] due to the serious illness of a member of his family.

The VICE PRESIDENT. Seventy-two Senators have answered to their names. A quorum is present.

ORDER FOR ADJOURNMENT TO MONDAY

Mr. BARKLEY. I ask unanimous consent that when the Senate concludes its business today it stand adjourned until 12 o'clock on Monday next.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

THE BUDGET (H. DOC. NO. 529)

The VICE PRESIDENT laid before the Senate a message from the President of the United States, transmitting the Budget of the United States Government for the fiscal year ending June 30, 1941, which was read, referred to the Committee on Appropriations, and ordered to be printed.

For Budget message of the President, see page 47 of the CONGRESSIONAL RECORD.

FELICITATIONS FROM NATIONAL LEGISLATIVE ASSEMBLY OF EL SALVADOR

The VICE PRESIDENT laid before the Senate a cablegram from Francisco A. Reyes, Speaker of the National Legislative Assembly of El Salvador, addressed to the Senate, stating (translation) "During their stay in this capital we have had the pleasure of greeting the Senators on mission to Panama as a token of respect and an expression of good will toward the American Senate," which was ordered to lie on the table.

TRIBUTES TO HON. SANTIAGO IGLESIAS

The VICE PRESIDENT laid before the Senate resolutions adopted by the Council of Deans of the University of Puerto Rico, Rio Piedras, P. R., and the Biennial Conference of the National Woman's Party, at Washington, D. C., as tributes to the memory of Hon. Santiago Iglesias, late Resident Commissioner of Puerto Rico, which were ordered to lie on the table.

REGENT OF THE SMITHSONIAN INSTITUTION

The VICE PRESIDENT. The Chair appoints the Senator from Missouri [Mr. CLARK] as a Regent of the Smithsonian Institution to succeed the late Senator Logan, of Kentucky.

NEW YORK WORLD'S FAIR, 1940—CONGRESSIONAL DAY

The VICE PRESIDENT laid before the Senate a letter from the chairman of the board of the New York World's Fair, 1940, suggesting the "setting aside a day at the fair to be known as Congressional Day, at which time we hope we may have the privilege of bringing to the exposition the Members of the House and Senate and their wives as guests of the fair," which was referred to the Committee on Commerce.

UNITED STATES CORONADO EXPOSITION COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Governor of Oklahoma stating that, pursuant to law, he had appointed John Frank Martin, of Oklahoma City, chairman; Fred Coogan, of Sayre; Everett Murphy, of Kingfisher;

Earl Gilson, of Guymon; and Dr. Fowler Border, of Mangum, as the Oklahoma representatives on the United States Coronado Exposition Commission, which was ordered to lie on the table.

NOBEL PEACE PRIZE

The VICE PRESIDENT laid before the Senate a letter from the Secretary of State, transmitting a copy of a circular issued by the Nobel Committee of the Norwegian Parliament relative to the proposal of candidates for the 1940 Nobel Peace Prize, which, with the accompanying paper, was referred to the Committee on Foreign Relations.

PERSHING HALL, PARIS, FRANCE, EXPENDITURE REPORT

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Treasury, transmitting, pursuant to law, an itemized report of expenditures made in connection with Pershing Hall, in Paris, France, fiscal year 1939, which, with the accompanying report, was referred to the Committee on Military Affairs.

REPORT OF THE DEPARTMENT OF JUSTICE

The VICE PRESIDENT laid before the Senate a letter from the Attorney General, transmitting, pursuant to law, the annual report of the Department of Justice for the fiscal year ended June 30, 1939, which, with the accompanying report, was referred to the Committee on the Judiciary.

AMENDMENT OF THE RULES OF CIVIL PROCEDURE

The VICE PRESIDENT laid before the Senate a letter from the Attorney General, transmitting, pursuant to law, an amendment to rule 81 (a) (6) of the Rules of Civil Procedure for the District Courts of the United States, which was referred to the Committee on the Judiciary.

SUITS ARISING UNDER PUBLIC VESSEL ACT

The VICE PRESIDENT laid before the Senate a letter from the Attorney General, transmitting, pursuant to law, a list of suits arising under the Public Vessel Act of March 3, 1925, in which final decrees were entered, exclusive of cases on appeal, which was referred to the Committee on the Judiciary.

SUITS IN ADMIRALTY AGAINST THE UNITED STATES

The VICE PRESIDENT laid before the Senate a letter from the Attorney General, transmitting, pursuant to law, a list of suits arising under the act of March 9, 1920, authorizing suits against the United States in admiralty involving merchant vessels, in which final decrees were entered against the United States, exclusive of cases on appeal, which, with the accompanying papers, was referred to the Committee on the Judiciary.

REPORT OF NATIONAL FOREST RESERVATION COMMISSION (S. DOC. NO. 141)

The VICE PRESIDENT laid before the Senate a letter from the Secretary of War, as president of the National Forest Reservation Commission, transmitting, pursuant to law, the annual report of the Commission for the fiscal year ended June 30, 1939, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry and ordered to be printed with the accompanying illustration.

SPECIAL RAILWAY MAIL TRANSPORTATION CONTRACTS

The VICE PRESIDENT laid before the Senate a letter from the Postmaster General, transmitting, pursuant to law, a statement relative to special contracts made with the following railroad companies for the transportation of mails, which, with the accompanying statement, was referred to the Committee on Post Offices and Post Roads, viz:

Denver & Rio Grande Western Railroad Co., between Thistle and Marysvale, Utah;

Rio Grande Southern Railroad Co., Cass M. Herrington, receiver, between Ridgway and Durango, Colo.;

The Alaska Railroad, between Seward and Fairbanks, Alaska;

Pacific & Arctic Railway & Navigation Co., between Skagway and White Pass, Alaska;

Hudson & Manhattan Railroad Co., between Hudson Terminal Station, New York, N. Y., and Journal Square, Jersey City, N. J.; and

Copper River & Northwestern Railway Co., between Cordova and Kennecott, Alaska, discontinued from May 31, 1939.

SALES OF NAVY VESSELS AND MATERIALS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Navy, transmitting, pursuant to law, a report covering the sales of vessels and materials of the Navy during the fiscal year ended June 30, 1939, which, with the accompanying report, was referred to the Committee on Naval Affairs.

VESSELS STRICKEN FROM THE NAVY REGISTER

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Navy, transmitting, pursuant to law, a report giving the names of the vessels stricken from the Navy Register during the fiscal year ended June 30, 1939, which, with the accompanying report, was referred to the Committee on Naval Affairs.

SPECIAL HELIUM-PRODUCTION FUND

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting, pursuant to law, the annual report of the Secretary showing credits, disbursements, and the balance on hand in the special helium-production fund for the fiscal year ended June 30, 1939, which was referred to the Committee on Military Affairs.

DESTITUTE NATIVES OF ALASKA

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting, pursuant to law, a report covering expenditures made from the appropriation "Education of Natives of Alaska, 1938-40," for the relief of destitution of natives of Alaska during the fiscal year 1939, which, with the accompanying report, was referred to the Committee on Territories and Insular Affairs.

PROPOSED LEGISLATION FOR THE INTERIOR DEPARTMENT

The VICE PRESIDENT laid before the Senate letters from the Secretary of the Interior, transmitting drafts of proposed legislation, which, with the accompanying papers, were referred to the Committee on Indian Affairs, as follows:

A draft for the relief of the Gallup Mercantile Co., of Gallup, N. Mex.;

A draft to set aside certain lands for the Minnesota Chippewa Tribe in the State of Minnesota; and

A draft to authorize the payment of \$450 to Edward Smith, an Indian residing under the jurisdiction of the Tomah Indian Agency.

REPORT OF WAR MINERALS RELIEF COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, submitting, pursuant to law, the report of the War Minerals Relief Commission from December 1, 1937, to November 30, 1939, inclusive, which was referred to the Committee on Mines and Mining.

ANNUAL REPORT OF THE NATIONAL PARK TRUST FUND BOARD

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting, pursuant to law, the annual report of the National Park Trust Fund Board for the fiscal year ended June 30, 1939, which was referred to the Committee on Public Lands and Surveys.

LAWS OF VIRGIN ISLANDS

The VICE PRESIDENT laid before the Senate two letters from the Acting Secretary of the Interior, transmitting, pursuant to law, copies of legislation passed by the municipal councils of St. Croix, and St. Thomas and St. John, respectively, which, with the accompanying papers, were referred to the Committee on Territories and Insular Affairs.

INSECTICIDE ACT OF 1910

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Insecticide Act of 1910 so as to include rodenticides under the provisions of the act, which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry.

ANNUAL REPORT OF THE PUBLIC PRINTER

The VICE PRESIDENT laid before the Senate a letter from the Public Printer, transmitting, pursuant to law, the annual report of the operations of the Government Printing Office for the fiscal year ended June 30, 1939, which, with the accompanying report, was referred to the Committee on Printing.

CLAIM OF MORRISON-KNUDSEN CO., INC., AND W. C. COLE

The VICE PRESIDENT laid before the Senate a letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report and recommendation concerning the claim of Morrison-Knudsen Co., Inc., and W. C. Cole against the United States, which, with the accompanying paper, was referred to the Committee on Claims.

DELINQUENT ACCOUNTS OF FEDERAL OFFICERS

The VICE PRESIDENT laid before the Senate a letter from the Comptroller General of the United States, transmitting, pursuant to law, a report showing officers and administrative offices of the Government delinquent in rendering or transmitting their accounts to the proper offices in Washington during the fiscal year ended June 30, 1939, and whether the delinquency was waived, together with a list of officers who, upon final settlement of their accounts, were found to be indebted to the Government and had failed to pay the same into the Treasury of the United States, which, with the accompanying report, was referred to the Committee on Claims.

REPORT OF FEDERAL TRADE COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, the annual report of the Commission for the fiscal year ended June 30, 1939, which, with the accompanying report, was referred to the Committee on Interstate Commerce.

REPORT OF NATIONAL MUNITIONS CONTROL BOARD

The VICE PRESIDENT laid before the Senate a letter from the National Munitions Control Board, transmitting, pursuant to law, the report of the Board for the month of December 1938 and for the calendar year ended December 31, 1939, which was referred to the Committee on Foreign Relations.

Manuscript copy of report sent to House of Representatives.

REPORT OF THE TENNESSEE VALLEY AUTHORITY

The VICE PRESIDENT laid before the Senate a letter from the Board of Directors of the Tennessee Valley Authority, transmitting, pursuant to law, the Sixth Annual Report of the Board, covering the activities of the Authority during the fiscal year ended June 30, 1939, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry.

EXPENDITURE OF FUNDS DERIVED FROM SALE OF TENNESSEE VALLEY AUTHORITY BONDS

The VICE PRESIDENT laid before the Senate a letter from the chairman of the Board of Directors of the Tennessee Valley Authority, transmitting, pursuant to law, a report of expenditure to November 30, 1939, of funds derived from the sale of bonds under the Tennessee Valley Authority Act of 1933, as amended, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry.

REPORT OF COMMISSION ON LICENSURE, HEALING ARTS PRACTICE ACT, DISTRICT OF COLUMBIA

The VICE PRESIDENT laid before the Senate a letter from the president of the Commission on Licensure, Healing Arts Practice Act, of the District of Columbia, transmitting, pursuant to law, a report of the Commission's activities for the fiscal year ended June 30, 1939, which, with the accompanying report, was referred to the Committee on the District of Columbia.

REPORTS OF RECONSTRUCTION FINANCE CORPORATION

The VICE PRESIDENT laid before the Senate two letters from the Chairman of the Reconstruction Finance Corporation, transmitting, pursuant to law, reports on the Corpo-

ration's operations and expenditures for the third quarter of the calendar year 1939 and for the period from the organization of the Corporation on February 2, 1932, to September 30, 1939, inclusive, and also for the month of October 1939, which, with the accompanying reports, were referred to the Committee on Banking and Currency.

JUDGMENTS RENDERED BY THE COURT OF CLAIMS (S. DOC. NO. 140)

The VICE PRESIDENT laid before the Senate a letter from the Chief Clerk of the Court of Claims, transmitting, pursuant to law, a statement of all judgments rendered by the Court of Claims for the year ended December 2, 1939, the amount thereof, the parties in whose favor rendered, and a brief synopsis of the nature of the claims, which, with the accompanying statement, was referred to the Committee on Appropriations and ordered to be printed.

STUDY OF INVESTMENT TRUSTS AND INVESTMENT COMPANIES

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, chapter IV of part 3 of the Commission's report on investment trusts and investment companies, entitled "Problems in Connection With Shifts in Control, Mergers, and Consolidations of Management Investment Companies," which, with the accompanying report, was referred to the Committee on Interstate Commerce.

REPORT ON PROPOSED WIRE AND RADIO COMMUNICATION LEGISLATION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Federal Communications Commission, transmitting, pursuant to law, its report on the subject of whether or not any new wire- or radio-communication legislation is required better to insure safety of life and property, which was referred to the Committee on Interstate Commerce.

REPORT OF ELECTRIC HOME AND FARM AUTHORITY

The VICE PRESIDENT laid before the Senate a letter from the President of the Electric Home and Farm Authority, transmitting, pursuant to law, the annual report of the Authority for the fiscal year ended June 30, 1939, which, with the accompanying report, was referred to the Committee on the Judiciary.

ANNUAL REPORT OF THE VETERANS' ADMINISTRATION

The VICE PRESIDENT laid before the Senate a letter from the Administrator of Veterans' Affairs, transmitting, pursuant to law, a report of the activities of the Veterans' Administration for the fiscal year ended June 30, 1939, which, with the accompanying report, was referred to the Committee on Finance.

REPORT ON CLAIMS SETTLED BY MARITIME COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the United States Maritime Commission, transmitting, pursuant to law, a report on claims arbitrated or settled by the Commission for the period from October 16, 1938, to October 15, 1939, which, with the accompanying report, was referred to the Committee on Commerce.

REPORT OF TARIFF COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the United States Tariff Commission, transmitting, pursuant to law, the Commission's annual report for the fiscal year ended June 30, 1939, which, with the accompanying report, was referred to the Committee on Finance.

RADIO REQUIREMENTS FOR SHIPS NAVIGATING INLAND WATERS

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Federal Communications Commission stating that the Commission desires additional time within which to report on a special study of the radio requirements necessary or desirable for safety purposes for ships navigating the Great Lakes and the inland waters of the United States, which was referred to the Committee on Commerce.

ANNUAL REPORT OF DISTRICT OF COLUMBIA PUBLIC UTILITIES COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Public Utilities Commission of the District of Columbia, transmitting, pursuant to law, a report of the Commission's official proceedings and other statistical data for the year ended December 31, 1938, which, with the accompanying report, was referred to the Committee on the District of Columbia.

REPORT OF THE NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Smithsonian Institution, transmitting, pursuant to law, the annual report of the National Society of the Daughters of the American Revolution for the year ended April 1, 1939, which, with the accompanying report, was referred to the Committee on Printing.

REPORT OF AMERICAN WAR MOTHERS

The VICE PRESIDENT laid before the Senate a letter from the national president of the American War Mothers, transmitting, pursuant to law, the report of the organization for the period from October 1, 1938, to October 1, 1939, which, with the accompanying report, was referred to the Committee on Military Affairs.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution adopted by the board of governors of the American Good Government Society, Washington, D. C., suggesting means to balance the Federal Budget in the approaching fiscal year, which was referred to the Committee on Appropriations.

He also laid before the Senate a resolution adopted by the convention of the California State Industrial Council, San Francisco, Calif., endorsing the so-called Voorhis bill granting Federal funds for transient relief, which was referred to the Committee on Appropriations.

He also laid before the Senate a resolution adopted by the Commissioners' Court of Motley County, Tex., favoring an increase in W. P. A. assistance in the drought-stricken area of West Texas, which was referred to the Committee on Appropriations.

He also laid before the Senate a resolution adopted by Columbus Chapter No. 10, National Sojourners, Inc., of Columbus, Ohio, favoring the training of not less than 50,000 young men each year in the C. M. T. C. throughout the Nation, which was referred to the Committee on Appropriations.

He also laid before the Senate a resolution adopted by the National Electrical Contractors' Association, New York City, N. Y., urging the discontinuance of W. P. A. construction and the substitution thereof of a continuing program of construction of useful public works erected by private industry under a contract system, which was referred to the Committee on Appropriations.

He also laid before the Senate a letter from Dr. Leoncio T. Davis, mayor, Vieques, P. R., relative to the economic situation of the Island of Vieques, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry.

He also laid before the Senate a resolution of the International Fishermen and Allied Workers of America, adopted at Bellingham, Wash., favoring an appropriation of \$350,000 to the so-called La Follette Civil Liberties Committee to investigate further the question of civil liberties on the Pacific Coast, which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

He also laid before the Senate a resolution adopted by the Southern Jersey Port Commission, Camden, N. J., favoring continuance of the functions of the Corps of Engineers of the United States Army in conducting surveys, planning, and execution of work in connection with rivers and harbors, and so forth, which was referred to the Committee on Commerce.

He also laid before the Senate a resolution of the U. A. W.-C. I. O., Central Council, Lansing, Mich., suggesting in part that the "United States Government refrain from any and all purchases from the Ford Motor Co. until such time

as this corporation obeys the laws of the land as interpreted by the courts," which was referred to the Committee on Education and Labor.

He also laid before the Senate a resolution adopted at the annual meeting of the Independent Petroleum Association of America, Fort Worth, Tex., favoring the imposition of an adequate tariff on imports of petroleum and its products, etc., which was referred to the Committee on Finance.

He also laid before the Senate a resolution adopted by the annual meeting of the Newport Harbor Yacht Club, of Balboa, Calif., favoring the severance of all diplomatic and other relations with the Government of Soviet Russia, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a resolution adopted by the Honolulu chapter, the Interprofessional Association, of Honolulu, T. H., requesting that the United States keep out of the European war, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a resolution of Webfoot Grange, No. 718, of Yamhill County, Oreg., requesting that at the expiration of the present commercial treaty with Japan no treaty permitting traffic in munitions of war and in commodities useful in promoting war be made with Japan, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a resolution adopted by the Chamber of Commerce of Houston, Tex., opposing the extension of Federal control over the oil industry, which was referred to the Committee on Interstate Commerce.

He also laid before the Senate a resolution adopted by the Colorado Progressive Federation, Denver, Colo., condemning the proceedings of the so-called Dies committee investigating un-American activities, which was referred to the Committee on the Judiciary.

He also laid before the Senate a resolution adopted by Dinter Post, No. 3, American Legion, of Cuero, Tex., endorsing and approving the investigation and methods of the so-called Dies committee investigating un-American activities, which was referred to the Committee on the Judiciary.

He also laid before the Senate a resolution adopted by the State department of New Jersey, Disabled American Veterans of the World War, favoring continuation of the activities of the so-called Dies committee investigating un-American activities, which was referred to the Committee on the Judiciary.

He also laid before the Senate a resolution adopted by the Central Labor Union, of Boston, Mass., favoring continuation of the activities of the so-called Dies committee investigating un-American activities, which was referred to the Committee on the Judiciary.

He also laid before the Senate a resolution adopted by Court Reina Christina, No. 51, Catholic Daughters of America, of Bridgeport, Conn., favoring continuation of the activities of the so-called Dies committee investigating un-American activities; which was referred to the Committee on the Judiciary.

He also laid before the Senate a resolution adopted by the Biennial Conference of the National Woman's Party, Washington, D. C., favoring prompt report and favorable action on the so-called equal-rights amendment to the Constitution, which was referred to the Committee on the Judiciary.

He also laid before the Senate a resolution adopted by the Pittsburgh (Pa.) Central Labor Union favoring the enactment of the so-called Mead-Connelly longevity pay bills for the Postal Service, which was referred to the Committee on Post Offices and Post Roads.

He also laid before the Senate a resolution adopted by the National Reclamation Association, Denver, Colo., concerning the necessity of enlarging the personnel of the Washington office of the Bureau of Reclamation in order to administer adequately the present program, which was referred to the Committee on Public Lands and Surveys.

He also laid before the Senate a resolution adopted by the National Reclamation Association, Denver, Colo., concerning demands from the West for the enactment of

legislation to provide for the progressive, orderly expansion of the production of beet sugar within the United States and to maintain the beet-sugar industry on a reasonable income basis by quota regulations, etc., which was referred to the Committee on Finance.

He also laid before the Senate a resolution adopted by the National Committee of the Young Democratic Clubs of America, at Dayton, Ohio, commending the policies of the President and the Congress looking toward the strengthening of the national defense, which was ordered to lie on the table.

He also laid before the Senate a resolution adopted by the National Committee of the Young Democratic Clubs of America, at Dayton, Ohio, endorsing the congress organized in Florida on "education for democracy," in which the young Democrats of that State participated, which was referred to the Committee on Education and Labor.

He also laid before the Senate resolutions of the New York State Congress of Parents and Teachers, of Poughkeepsie; the Workers Alliance of Summit County, of Akron, Ohio; the National Founders Association, of Chicago, Ill.; and the West Virginia Woman's Christian Temperance Union, of Bluefield, W. Va., favoring keeping the United States out of war, which were ordered to lie on the table.

PROGRAM FOR AGRICULTURE

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD resolutions adopted by a group of western Kansas farmers at a meeting at Leoti, Kans., December 18, 1939. I may say that the program embodied in this resolution expresses the sentiments of a great many farmers of the western part of Kansas.

There being no objection, the resolutions were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Resolutions adopted by a group of farmers assembled in Leoti, Kans., December 18, 1939:

Be it hereby resolved by this group assembled, First, that we hereby approve the present agricultural program and believe that it should be continued without material change.

Second. We recommend that parity payments on our major crops be continued and that some method such as the processing tax be developed to finance such payments.

Third. We recommend that commodity loans be continued on all special commodities and that no material change be made in this program.

Fourth. We favor the continuation of the Federal crop-insurance program, but recommend that more equitable yields and rates be worked out.

CHAS. F. DURHAM,
President, Wichita County Farm Bureau.
R. F. REAM,
County Grange Deputy.
A. E. ANDERSON,
Chairman, County Agricultural County
Conservation Committee.

EXPRESSION OF SYMPATHY FOR FINLAND BY YANKEE DIVISION VETERANS' ASSOCIATION

Mr. MALONEY. Mr. President, I ask unanimous consent to have printed in the RECORD as part of my remarks a resolution adopted by the Yankee Division Veterans' Association, Department of Connecticut, expressing sympathy for the plight of Finland. I am fully in accord with that expression of sympathy.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

[Yankee Division Veterans' Association, Department of Connecticut, 1939-40]

DECEMBER 29, 1939.

HON. FRANCIS T. MALONEY,

Room 354, Senate Office Building, Washington, D. C.

Whereas the Yankee Division fought and left its dead on the battlefields of France in defense of the principles of freedom and democracy; and

Whereas the Republic of Finland, a Government of free people, meeting its obligations to other nations, and one of the few remaining democracies in Europe, is now fighting for its life and the preservation of its democracy: Therefore be it

Resolved, That the Yankee Division Veterans' Association, convened at the State armory at Ansonia, on December 10, 1939, extend a vote of sympathy to the people of Finland through our Representatives and Senators at Washington.

This is to certify that the above resolution was unanimously passed by the Department of Connecticut, Yankee Division Veterans' Association.

CLYDE G. BEDWITH, State Secretary.

PROHIBITION OF CERTAIN RADIO ADVERTISING

Mr. MALONEY. Mr. President, I also ask that there be printed in the RECORD as part of my remarks a resolution adopted by the Connecticut Grand Lodge, International Order of Good Templars, urging support of the so-called Johnson bill, Senate bill 517, with whose objectives I am in sympathy.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

[Connecticut Grand Lodge, International Order of Good Templars; office of grand secretary and treasurer, Victor Carlson, 16 Crane Street]

Whereas the liquor industry is using the national broadcasting over the radio to advertise; and

Whereas we find it repugnant to many families who desire to bring up their children in a wholesome, Christian atmosphere; and

Whereas there is a bill introduced by the Honorable EDWIN C. JOHNSON, Senator from Colorado, known as Senate bill No. 517, which has for its aim the prohibiting of this kind of advertising: Be it therefore

Resolved, That we, the Connecticut Grand Lodge of the International Order of Good Templars, petition our honorable Senators and Congressmen to use their voice and vote in support of said bill; and be it further

Resolved, That a copy of this resolution be sent to each Senator and Congressman from the State of Connecticut.

Connecticut Grand Lodge this date assembled in New Britain, Conn., September 10, 1939.

By CARL W. TALLBERG,
Grand Chief Templar.

VICTOR CARLSON,
Grand Secretary and Treasurer.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MEAD:

S. 3019. A bill providing for sick leave for substitute postal employees; to the Committee on Post Offices and Post Roads.

By Mr. HAYDEN:

S. 3020. A bill to assist the States in the improvement of highways; to the Committee on Post Offices and Post Roads.

S. 3021. A bill for the relief of A. A. Ramsay; to the Committee on Claims.

By Mr. McNARY:

S. 3022. A bill for the relief of Grover C. Conger; and

S. 3023. A bill for the relief of Clarence E. Enders and Gertrude Ray Enders; to the Committee on Claims.

S. 3024. A bill for the relief of Marion C. Hunter; to the Committee on Finance.

S. 3025. A bill granting an increase of pension to Anna M. Morgan; to the Committee on Pensions.

S. 3026. A bill authorizing the Secretary of the Treasury to convey a certain tract of land to the State of Oregon for use as a public park and recreational site; and

S. 3027. A bill prohibiting the charging or collection of fees for admission to certain historic and archaeological sites, buildings, and properties; to the Committee on Public Lands and Surveys.

By Mr. WILEY:

S. 3028. A bill for the relief of R. Stern; to the Committee on Claims.

By Mr. MILLER:

S. 3029. A bill to amend section 48 of the Judicial Code (U. S. C., title 28, sec. 109); to the Committee on the Judiciary.

By Mr. CONNALLY:

S. 3030. A bill to provide a larger Federal contribution for old-age assistance; to the Committee on Finance.

By Mr. SMATHERS:

S. 3031. A bill for the relief of the city of Perth Amboy, N. J.; to the Committee on Claims.

By Mr. SLATTERY:

S. 3032. A bill for the relief of Ethel F. O'Connor; to the Committee on Finance.

By Mr. CAPPER:

S. 3033. A bill granting an increase of pension to Anna Perkins; to the Committee on Pensions.

By Mr. KING:

S. 3034. A bill providing for an investigation under the Reclamation Project Act of 1939; to the Committee on Public Lands and Surveys.

(Mr. SCHWARTZ introduced Senate bill 3035, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

(Mr. DAVIS introduced Senate bill 3036, which was referred to the Committee on Commerce, and appears under a separate heading.)

By Mr. MALONEY:

S. 3037. A bill to protect the domestic iron and steel industry of the United States in the interest of the national defense; to the Committee on Military Affairs.

By Mr. NEELY:

S. 3038. A bill to provide for the advancement of John L. Hines on the retired list of the Army; to the Committee on Military Affairs.

By Mr. ELLENDER:

S. J. Res. 190. Joint resolution relating to the apportionment of shares of the sugar crop for 1940; to the Committee on Agriculture and Forestry.

By Mr. MALONEY:

S. J. Res. 191. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

CERTAIN APPOINTMENTS TO MILITARY ACADEMY

Mr. SCHWARTZ. Mr. President, existing law provides that 40 selections for cadetships at West Point shall be made from among the sons of officers or enlisted men who were in the World War and died prior to July 1, 1921. By reason of the lapse of time it will be impossible, of course, to find young men of the proper age after 1943, and for the last 4 or 5 years it has been possible to secure only a very few to fill that quota. At this time there exists, of course, the necessity of filling the authorized quota at West Point. I make these remarks because I contemplate being out of the city for a few days. I introduce a bill providing that the 40 cadetships referred to may be filled one-half from the enlisted men of the United States Army and one-half from enlisted men in the National Guard.

The bill (S. 3035) authorizing certain appointments to the United States Military Academy to fill cadetships heretofore created was read twice by its title and referred to the Committee on Military Affairs.

Mr. SCHWARTZ. In connection with the bill just introduced by me I ask to have printed in the RECORD, as part of my remarks, a letter from the distinguished chairman of the Military Affairs Committee of the Senate, the Senator from Texas [Mr. SHEPPARD], and one from the Secretary of War. The letters are in favor of the proposal contained in the bill.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JUNE 21, 1939.

Maj. Gen. E. S. ADAMS,

The Adjutant General, War Department, Washington, D. C.

DEAR GENERAL ADAMS: I desire to invite your attention to the report of the Board of Visitors to the United States Military Academy, which is printed in the CONGRESSIONAL RECORD of June 19, 1939, commencing on page 7397.

I especially wish to bring to your notice the comments of the Board on the authorized number of cadets, viz:

"Authorized number of cadets: Of the 1,960 cadets authorized, it was brought to the attention of the Board that the allotted number of 40 authorized for appointment from sons of officers and enlisted men who died in the World War has not been filled and that in the near future there will be no applicants under this category and that this allotment of 40 should be reallocated to other sources of appointment in order that the maximum capacity of the Academy might be reached."

I would appreciate your recommendation and draft of legislation if reallocation is proper at this time.

Very sincerely,

MORRIS SHEPPARD, *Chairman.*

AG 351.11 West Point (June 21, 1939), Executive.

WAR DEPARTMENT,
Washington, November 10, 1939.

HON. MORRIS SHEPPARD,

*Chairman, Committee on Military Affairs,
United States Senate.*

DEAR SENATOR SHEPPARD: Your letter of June 21, addressed to Maj. Gen. E. S. Adams, The Adjutant General, in which you invite attention to the comments made by the Board of Visitors to the United States Military Academy, relative to an appropriate reallocation of the 40 cadetships now authorized to be filled by the admission of candidates selected from among the sons of officers and enlisted men who lost their lives during the World War, has been brought to my attention. I note with appreciation your suggestion that the Department consider this question, and if deemed proper at this time, that draft of legislation be submitted with the Department's recommendation in the premises. Accordingly, I directed that the situation be studied in accordance with your suggestion and that of the Board of Visitors to the Military Academy.

Several bills have been introduced during the Seventy-fifth and the Seventy-sixth Congresses with the object of continuing these 40 cadetships, which, as explained to the Board of Visitors, will lapse in 1943 unless legislative provision is made for their continuation. This is due to the fact that the limiting date, July 2, 1921, prior to which the fathers of eligible candidates must have died, coupled with the statutory age of 22 years for admission to West Point, automatically eliminates this source of appointment. Most of the bills that have heretofore been introduced contemplate allocating these cadetships to the sons of men who were wounded during the World War, and one was designed to allocate them to the sons of those who had been decorated for gallantry. These measures all appear to be so very difficult of administration that the War Department has not favored their enactment, although recognizing the spirit in which they have been introduced and sharing the desire of their sponsors to provide some means whereby the dependents of World War veterans might continue to share in the benefits provided by the original act.

Careful study of the entire situation, in the light of your request, has led to the conclusion that possibly the most equitable manner in which these 40 cadetships might be reallocated, would be to divide them equally between two sources of appointment—the Regular Army and the National Guard—heretofore authorized. Existing law provides for a total of 180 cadetships to be divided as nearly equal as practicable among enlisted men of the Regular Army and the National Guard between the ages of 19 and 22 years, who have served as enlisted men for not less than 1 year. If the 40 cadetships provided by the act approved June 8, 1926, be reallocated to this other source of appointment, first admitting each year those candidates selected from among the sons of deceased veterans, filling the remaining vacancies from the list of qualified soldiers and National Guardsmen, no increase in the authorized strength of the Corps of Cadets would be necessary, and these unfilled vacancies could be provided with qualified candidates of a high order. Moreover, as the Department has pointed out in its reports on bills heretofore introduced, sons of World War veterans, whether living or dead, could acquire eligibility for the vacancies by enlisting in either the Regular Army or the National Guard for the requisite period of 1 year. Thus a source of appointment would remain open to these young men which otherwise would fall within the next 3 years, as hereinbefore explained. Furthermore, no criticism could be leveled at this proviso on the ground that it is class legislation, inasmuch as all other worthy and eligible young men throughout the country would be privileged to seek appointment from this source.

In the event that this suggestion meets with your approval, there is inclosed a draft of a proposed bill, which would, it is believed, carry the idea into effective operation if passed by the Congress and approved.

In preparing this proposed draft I have purposely omitted reference to the fact that the original act approved June 8, 1926, also affected the United States Naval Academy, at Annapolis, providing, as it did, for 40 additional midshipmen at that institution. This was done advisedly, since the War Department is not in a position to comment upon or recommend for the needs of the Naval Academy.

Should any further information in connection with this matter be desired I shall be most happy to supply it to you upon request.

This report and attached draft of bill were submitted to the Bureau of the Budget, which advises that there would be no objection to the submission of the proposed legislation to your committee.

Sincerely yours,

HARRY H. WOODRING,
Secretary of War.

1 inclosure: Draft of bill in triplicate.

DELAWARE RIVER BRIDGE, PENNSYLVANIA AND NEW YORK

Mr. DAVIS. Mr. President, at the request of I. Lamont Hughes, Pennsylvania's secretary of highways, I introduce a

bill in behalf of the New York-Pennsylvania Joint Interstate Bridge Commission, which desires to replace the present inadequate bridge over the Delaware River between the village of Shohola, Pike County, Pa., and the village of Barryville, Sullivan County, N. Y., with a new, modern structure.

The act of Congress approved June 19, 1936, authorized the commission to construct this new bridge. Circumstances beyond the control of the commission prevented commencing actual construction work within the required time, and an extension of time was secured by the act of Congress approved August 23, 1937. Again circumstances prevented commencing the work within the time limit. Therefore this proposed new legislation is required.

The bill (S. 3036) to extend the times for commencing and completing the construction of a bridge across the Delaware River between the village of Barryville, N. Y., and the village of Shohola, Pa., was read twice by its title and referred to the Committee on Commerce.

ARRANGEMENTS FOR INAUGURATION OF PRESIDENT-ELECT

Mr. NEELY. Mr. President, I submit for appropriate reference a concurrent resolution, and I invite the attention of the 40 officers and Members of the Senate who are active candidates for the Presidency and the 50 Members who are receptive candidates for the same office to the fact that this resolution provides for the creation of a committee to arrange for the inauguration of the next President of the United States.

The concurrent resolution (S. Con. Res. 32) was referred to the Committee on Rules, as follows:

Resolved by the Senate (the House of Representatives concurring). That a joint committee consisting of three Senators and three Representatives, to be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively, is authorized to make the necessary arrangements for the inauguration of the President-elect of the United States on the 20th day of January 1941.

PRODUCTION COSTS OF CRAB MEAT, CRAB PASTE, AND CRAB SAUCE

Mr. RADCLIFFE submitted the following resolution (S. Res. 200), which was referred to the Committee on Finance:

Resolved, That the United States Tariff Commission is hereby directed to investigate, for the purposes of section 336 of the Tariff Act of 1930, the differences in the cost of production between the domestic article and the foreign article, and to report at the earliest date practicable, upon crab meat, fresh or frozen (whether or not packed in ice), or prepared or preserved in any manner, including crab paste and crab sauce.

LIMITATION ON COST OF RIVER AND HARBOR AND FLOOD-CONTROL WORKS

Mr. MALONEY submitted the following resolution (S. Res. 201), which was referred to the Committee on Rules:

Resolved, That hereafter the Committee on Commerce shall not report any bill relating to works of improvement of rivers, harbors, and other waterways, or relating to flood-control projects, containing any amendment which authorizes the prosecution of any such work or project the total cost of which will exceed \$5,000,000; and if a bill is reported to the Senate containing any such amendment, a point of order may be made against the bill, and if the point of order is sustained the bill shall be recommitted to the Committee on Commerce.

INVESTMENT OF EXCESS SAVINGS IN NATIONAL HIGHWAY SYSTEMS

Mr. DOWNEY. Mr. President, I submit a resolution calling for the appointment of a committee of seven Senators to investigate the possibility of investing the excess savings of the Nation in the highway systems of the United States. The proposed investigation would deal primarily with the disposition of excess savings, although, of course, it would involve the investigation of the construction of highway systems in the United States. Since the resolution involves primarily and more importantly the disposition of excess savings, I would appreciate its reference to the Committee on Banking and Currency, which I think is the proper committee to which to refer it.

The PRESIDENT pro tempore. Without objection, the resolution submitted by the Senator from California will be referred to the Committee on Banking and Currency.

The resolution (S. Res. 202) was referred to the Committee on Banking and Currency, as follows:

Resolved, That a special committee of seven Senators to be appointed by the President of the Senate, not more than four of whom shall be from the same political party, is hereby authorized and directed to make a full and complete investigation and study with respect to (1) the establishment of an integrated system of supersafety highways in the United States for the purpose of promoting the public safety, providing additional facilities for the national defense, stimulating business recovery through the use of excess national savings not needed or used for working capital or business expansion, and aiding in the relief of unemployment; (2) the advisability of creating an agency, consisting at least in part of representatives of various industrial, financial, commercial, and other business enterprises, to formulate plans and provide for the construction and administration of such supersafety highway system and to determine the best methods of making such excess national savings available therefor; (3) the most feasible ways of amortizing the cost of construction of such highways and of placing the highways so constructed upon a self-supporting basis as soon as practicable; and (4) any other matters which in the opinion of the committee will aid in accomplishing the purposes of this resolution.

For the purposes of this resolution, the committee or any duly authorized subcommittee thereof is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Seventy-sixth and succeeding Congresses, to employ such experts and such clerical and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed \$25,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

The committee shall report to the Senate, as soon as practicable, the results of its investigation and study, together with its recommendations, if any, for necessary legislation.

The various departments and agencies in the executive branch of the Government are hereby requested to cooperate with the committee to the fullest practicable extent in furnishing services, information, facilities, and personnel in connection with the investigation and study authorized by this resolution.

COOPERATION OF RELIGIOUS ORGANIZATIONS FOR PEACE

[Mr. WAGNER asked and obtained leave to have printed in the RECORD certain letters addressed by the President of the United States to the Pope, to Dr. George A. Buttrick, and to Rabbi Cyrus Adler, their replies to the President, and a recent address of the pope to the College of Cardinals, all having to do with the question of world peace, which appear in the Appendix.]

ADDRESS BY THE PRESIDENT AT LAYING OF CORNERSTONE OF JEFFERSON MEMORIAL

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD the address delivered by the President of the United States on the occasion of the laying of the cornerstone of the Jefferson Memorial, Washington, D. C., November 15, 1939, which appears in the Appendix.]

ADDRESS BY THE PRESIDENT AT LAYING OF CORNERSTONE OF ROOSEVELT LIBRARY

[Mr. MEAD asked and obtained leave to have printed in the RECORD the address delivered by the President of the United States on the occasion of the laying of the cornerstone of the Franklin D. Roosevelt Library, Hyde Park, N. Y., November 20, 1939, which appears in the Appendix.]

ADDRESS BY SENATOR BURKE ON LIFE INSURANCE AND THE MONOPOLY INVESTIGATION

[Mr. BURKE asked and obtained leave to have printed in the RECORD an address delivered by him on December 21, 1939, at Omaha, Nebr., before the Association of Life Underwriters, on the subject Life Insurance and the Monopoly Investigation, which appears in the Appendix.]

ADDRESS BY SENATOR BURKE ON THE NATIONAL HEALTH ACT

[Mr. BURKE asked and obtained leave to have printed in the RECORD an address delivered by him on December 6, 1939, before the Chicago Medical Society, on the subject of the National Health Act, which appears in the Appendix.]

WAR, PEACE, AND THE AMERICAN FARMER—ADDRESS BY SECRETARY HULL

[Mr. LUCAS asked and obtained leave to have printed in the RECORD an address, entitled, "War, Peace, and the American

Farmer," delivered by Hon. Cordell Hull, Secretary of State, before the American Farm Bureau Federation at its annual convention in Chicago on December 4, 1939, which appears in the Appendix.]

IN DEFENSE OF DEMOCRACY—ADDRESS BY ATTORNEY GENERAL MURPHY

[Mr. MINTON asked and obtained leave to have printed in the RECORD an address on the subject, In Defense of Democracy, delivered by Hon. Frank Murphy, Attorney General of the United States, which appears in the Appendix.]

ADDRESS BY HON. JAMES A. FARLEY ON POLITICS AS A PROFESSION FOR BUSINESSMEN

[Mr. WAGNER asked and obtained leave to have printed in the RECORD an address on the subject, Politics as a Profession for Businessmen, delivered by Hon. James A. Farley, chairman of the Democratic National Committee, before the Wharton School of Finance, University of Pennsylvania, at Philadelphia, Pa., December 4, 1939, which appears in the Appendix.]

TEMPORARY CUSTODY OF MAGNA CARTA BY LIBRARY OF CONGRESS

[Mr. MURRAY asked and obtained leave to have printed in the RECORD the remarks of Lord Lothian, British Ambassador to the United States, and of the Librarian of Congress, Mr. Archibald MacLeish, on the occasion of the deposit in the Library of Congress, on November 28, 1939, of the Magna Carta, which appear in the Appendix.]

COST OF GOVERNMENT—ADDRESS BY ALFRED H. STONE

[Mr. HARRISON asked and obtained leave to have printed in the RECORD an address delivered by Hon. Alfred H. Stone, president of the National Tax Association, before the San Francisco Conference, on October 16, 1939, which appears in the Appendix.]

THE THIRD TERM—EDITORIAL FROM BALTIMORE SUN

[Mr. TYDINGS asked and obtained leave to have printed in the RECORD an editorial entitled "The Third Term" published in the Baltimore Sun of January 3, 1940, which appears in the Appendix.]

TRIBUTE TO THE LATE REPRESENTATIVE SIROVICH, OF NEW YORK, BY HARRY H. SCHLACHT

[Mr. MEAD asked and obtained leave to have printed in the RECORD a tribute to the late Representative Sirovich, of New York, by Harry H. Schlacht, published in the East Side News of New York City, December 23, 1939, which appears in the Appendix.]

ADDRESS BY GEORGE C. TAYLOR ON THE HATCH ACT

[Mr. HATCH asked and obtained leave to have printed in the RECORD an address delivered by George C. Taylor at a dinner meeting of the New Mexico Business and Government Conference, held at the University of New Mexico, December 8, 1939, which appears in the Appendix.]

THE FAITH THAT IS AMERICA—ARTICLE BY WENDELL L. WILLKIE

[Mr. BURKE asked and obtained leave to have printed in the RECORD an article from the Reader's Digest entitled "The Faith That Is America," by Wendell L. Willkie, published originally in the North American Review, which appears in the Appendix.]

EXECUTIVE SESSION

The PRESIDENT pro tempore. Morning business is closed. The consideration of the calendar under rule VIII is in order.

Mr. BARKLEY. Mr. President, a number of resolutions have come over from the House of Representatives. The resolutions relate to the death of Members of the House.

The PRESIDENT pro tempore. The Chair will state that there have been received from the President messages dealing with certain nominations. Of course, those are matters which should be handled in executive session. The resolutions to which the Senator from Kentucky refers deal with the death of Members of the House since adjournment of the extraordinary session of Congress, and it is customary to consider such resolutions at the conclusion of the day's session.

Mr. BARKLEY. Yes. I thought the Senate was about to conclude its labors for today.

The PRESIDENT pro tempore. The Chair suggests that there are a number of messages from the President which require action.

Mr. BARKLEY. I think it would be in order to have an executive session unless the matters can be disposed of as in executive session.

Mr. President, I ask unanimous consent that, as in executive session, the nominations by the President be appropriately referred.

Mr. McNARY. Mr. President, the ordinary procedure is to finish the morning hour, and then go into executive session, when the nominations may be read and properly referred.

The PRESIDENT pro tempore. The morning business has been completed.

Mr. McNARY. The Senate, however, is not in executive session.

The PRESIDENT pro tempore. The Senate is not in executive session.

Mr. McNARY. I insist that the nominations be handed down in the regular course, in the ordinary way.

Mr. BARKLEY. Mr. President, I ask that the Senate proceed to the consideration of executive business, if it is necessary that such a request be made.

Mr. ADAMS. Mr. President, I understand the Senate will return to legislative session as soon as the executive business shall have been concluded?

Mr. BARKLEY. Yes.

The PRESIDENT pro tempore. Without objection, the Senate will proceed to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate the nomination of Frank Murphy, of Michigan, to be an Associate Justice of the Supreme Court of the United States, vice Pierce Eutler, deceased, and also sundry other nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

ORDER FOR REFERENCE OF NOMINATIONS AND TREATIES

On motion by Mr. BARKLEY, it was

Ordered, That on calendar days of the present session of Congress, when no executive session is held, nominations or treaties received from the President of the United States may, where no objection is interposed, be referred, as in executive session, to the appropriate committees by the Presiding Officer of the Senate.

ORDER FOR CONSIDERATION OF CALENDAR BILLS

The Senate resumed legislative session.

Mr. BARKLEY. Mr. President, in order that Senators may have notice, I ask unanimous consent that on Monday next, at the conclusion of the morning business, the Senate proceed to consider unobjected-to bills on the calendar.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

DEATH OF REPRESENTATIVE J. WILL TAYLOR

The PRESIDENT pro tempore laid before the Senate the following resolution (H. Res. 330) from the House of Representatives, which was read:

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,

January 3, 1940.

Resolved, That the House has heard with profound sorrow of the death of Hon. J. WILL TAYLOR, a Representative from the State of Tennessee.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. BARKLEY. Mr. President, on behalf of the two Senators from Tennessee [Mr. McKELLAR and Mr. STEWART], I send to the desk a resolution, which I ask to have read and considered at this time.

The PRESIDENT pro tempore. The resolution will be read.

The resolution (S. Res. 203) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. J. WILL TAYLOR, late a Representative from the State of Tennessee.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

DEATH OF RESIDENT COMMISSIONER SANTIAGO IGLESIAS

The PRESIDENT pro tempore laid before the Senate the following resolution (H. Res. 331) from the House of Representatives, which was read:

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
January 3, 1940.

Resolved, That the House has heard with profound sorrow of the death of Hon. SANTIAGO IGLESIAS, Resident Commissioner of Puerto Rico.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. BARKLEY. Mr. President, I submit a resolution, which I ask to have read and immediately considered.

The PRESIDENT pro tempore. The resolution will be read. The resolution (S. Res. 204) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. SANTIAGO IGLESIAS, late Resident Commissioner from Puerto Rico.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

DEATH OF REPRESENTATIVE CARL E. MAPES

The PRESIDENT pro tempore laid before the Senate the following resolution (H. Res. 332) from the House of Representatives, which was read:

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
January 3, 1940.

Resolved, That the House has heard with profound sorrow of the death of Hon. CARL E. MAPES, a Representative from the State of Michigan.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. VANDENBERG. Mr. President, I offer a resolution, which I ask to have read and considered at this time.

The PRESIDENT pro tempore. The resolution will be read. The resolution (S. Res. 205) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. CARL E. MAPES, late a Representative from the State of Michigan.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

DEATH OF REPRESENTATIVE WILLIAM I. SIROVICH

The PRESIDENT pro tempore laid before the Senate the following resolution (H. Res. 333) from the House of Representatives, which was read:

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
January 3, 1940.

Resolved, That the House has heard with profound sorrow of the death of Hon. WILLIAM I. SIROVICH, a Representative from the State of New York.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. MEAD. Mr. President, I submit a resolution, which I ask to have read and immediately considered.

The PRESIDENT pro tempore. The resolution will be read.

The resolution (S. Res. 206) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. WILLIAM I. SIROVICH, late a Representative from the State of New York.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

DEATH OF REPRESENTATIVE JOHN A. MARTIN

The PRESIDENT pro tempore laid before the Senate the following resolution (H. Res. 334) from the House of Representatives, which was read:

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
January 3, 1940.

Resolved, That the House has heard with profound sorrow of the death of Hon. JOHN A. MARTIN, a Representative from the State of Colorado.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. ADAMS. Mr. President, I send to the desk a resolution, which I ask to have read, and for which I ask present consideration.

The PRESIDENT pro tempore. The resolution will be read.

The resolution (S. Res. 207) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. JOHN A. MARTIN, late a Representative from the State of Colorado.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

DEATH OF REPRESENTATIVE WILLIAM A. ASHBROOK

The PRESIDENT pro tempore laid before the Senate the following resolution (H. Res. 335) from the House of Representatives, which was read:

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
January 3, 1940.

Resolved, That the House has heard with profound sorrow of the death of Hon. WILLIAM A. ASHBROOK, a Representative from the State of Ohio.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. TAFT. Mr. President, I submit a resolution which I ask to have read and immediately considered.

The PRESIDENT pro tempore. The resolution will be read.

The resolution (S. Res. 208) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. William A. Ashbrook, late a Representative from the State of Ohio.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

DEATH OF REPRESENTATIVE GEORGE H. HEINKE

The PRESIDENT pro tempore laid before the Senate the following resolution (H. Res. 336) from the House of Representatives, which was read:

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
January 3, 1940.

Resolved, That the House has heard with profound sorrow of the death of Hon. GEORGE H. HEINKE, a Representative from the State of Nebraska.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. BURKE. Mr. President, I offer the resolution which I send to the desk, and I ask that the resolution may be read and considered at this time.

The PRESIDENT pro tempore. The resolution will be read.

The resolution (S. Res. 209) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. GEORGE HENRY HEINKE, late a Representative from the State of Nebraska.

Resolved, That a committee of two Senators be appointed by the Vice President to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The PRESIDENT pro tempore. The Chair appoints the Senators from Nebraska [Mr. NORRIS and Mr. BURKE] members of the committee.

DEATH OF REPRESENTATIVE WALLACE E. PIERCE

Mr. MEAD. Mr. President, I regret to announce to the Senate the death of Hon. Wallace E. Pierce, late a Representative from the State of New York. Representative Pierce died suddenly yesterday. Therefore a message has not as yet arrived from the House. However, in connection with his death, while we are considering resolutions of this character, I send to the desk a resolution which I ask to have read and for which I ask immediate consideration.

The PRESIDENT pro tempore. The resolution will be read.

The resolution (S. Res. 210) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. WALLACE E. PIERCE, late a Representative from the State of New York.

Resolved, That a committee of two Senators be appointed by the Vice President to join the committee to be appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The PRESIDENT pro tempore. The Chair appoints the Senators from New York [Mr. WAGNER and Mr. MEAD] members of the committee.

Mr. BARKLEY. Mr. President, as a further mark of respect to the memory of the deceased Members of the House I move that the Senate do now adjourn.

The motion was agreed to; and (at 1 o'clock p. m.) the Senate adjourned, the adjournment being under the order previously entered, until Monday, January 8, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 4, 1940

SECRETARY OF THE NAVY

Charles Edison, of New Jersey, to be Secretary of the Navy, to which office he was appointed during the last recess of the Senate.

ATTORNEY GENERAL

Robert H. Jackson, of New York, to be Attorney General.
ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES

Frank Murphy, of Michigan, to be an Associate Justice of the Supreme Court of the United States, vice Pierce Butler, deceased.

ASSISTANT SECRETARY OF STATE

Breckinridge Long, of Missouri, to be an Assistant Secretary of State.

DIPLOMATIC AND CONSULAR SERVICE

John Cudahy, of Wisconsin, now Envoy Extraordinary and Minister Plenipotentiary to Ireland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Belgium; also Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Luxembourg, vice Joseph E. Davies.

George S. Messersmith, of Delaware, now an Assistant Secretary of State, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Cuba, vice J. Butler Wright, deceased.

R. Henry Norweb, of Ohio, now Envoy Extraordinary and Minister Plenipotentiary to the Dominican Republic, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Peru.

James H. R. Cromwell, of New Jersey, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Canada.

Robert M. Scotten, of Michigan, now a Foreign Service officer of class 1 and counselor of embassy at Madrid, Spain, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Dominican Republic, vice R. Henry Norweb.

FOREIGN SERVICE OF THE UNITED STATES

The following-named Foreign Service officers of the classes indicated to be also consuls and secretaries in the Diplomatic Service of the United States of America, to which offices they were appointed during the last recess of the Senate:

CLASS 1

Julean H. Arnold, of California.
Henry M. Bankhead, of Florida.

Alexander V. Dye, of New York.
Thomas L. Hughes, of Kentucky.
Sam E. Woods, of Mississippi.

CLASS 2

William E. Dunn, of Texas.
H. Coit MacLean, of New York.
Lynn W. Meekins, of Pennsylvania.
Lacey C. Zapf, of Tennessee.

CLASS 3

Ralph H. Ackerman, of California.
H. Lawrence Groves, of Pennsylvania.
George C. Howard, of the District of Columbia.
Charles A. Livengood, of Washington.
Thomas H. Lockett, of Kentucky.
Daniel J. Reagan, of New York.
Ashley B. Sowell, of Tennessee.
Earl C. Squire, of Illinois.
Lloyd V. Steere, of California.

CLASS 4

Don C. Bliss, Jr., of Mississippi.
Merwin L. Bohan, of Texas.
Clarence C. Brooks, of New Jersey.
Owen L. Dawson, of Illinois.
Samuel H. Day, of California.
Charles E. Dickerson, Jr., of Massachusetts.
Walter J. Donnelly, of Massachusetts.
Julian B. Foster, of Alabama.
Homer S. Fox, of Michigan.
Erwin P. Keller, of Indiana.
Thormod O. Klath, of Iowa.
Clayton Lane, of California.
Paul G. Minneman, of Ohio.
Albert F. Nufer, of New York.
Paul O. Nyhus, of Wisconsin.
Karl L. Rankin, of New York.
Gardner Richardson, of Connecticut.
James T. Scott, of Georgia.
Clifford C. Taylor, of Virginia.
Jesse F. Van Wickel, of New York.
Frank S. Williams, of Mississippi.

CLASS 5

A. Bland Calder, of New York.
George R. Canty, of Massachusetts.
Archie W. Childs, of Ohio.
Robert G. Glover, of Florida.
Julian C. Greenup, of California.
Malcolm P. Hooper, of Maryland.
Leigh W. Hunt, of the District of Columbia.
Edward B. Lawson, of the District of Columbia.
Charles L. Luedtke, of Minnesota.
Lester D. Mallory, of California.
Oliver B. North, of Connecticut.
Harold M. Randall, of Iowa.
J. Bartlett Richards, of New Jersey.
James Somerville, Jr., of Mississippi.
Paul F. Steintorf, of Virginia.
Robert M. Stephenson, of the District of Columbia.
Howard H. Tewksbury, of Massachusetts.
Osborn S. Watson, of Georgia.

CLASS 6

DuWayne G. Clark, of California.
Basil D. Dahl, of Wisconsin.
John A. Embry, of Florida.
A. Viola Smith, of California.

CLASS 7

Barry T. Benson, of Texas.
Charles E. Brookhart, of Iowa.
Carl E. Christopherson, of Iowa.
Charles H. Ducote, of Massachusetts.
Wilson C. Flake, of North Carolina.
Leys A. France, of Ohio.
Paul S. Guinn, of Pennsylvania.

R. Horton Henry, of Arizona.
 Elizabeth Humes, of Louisiana.
 C. Grant Isaacs, of Tennessee.
 J. Winsor Ives, of Illinois.
 Edward D. McLaughlin, of Arkansas.
 Alton T. Murray, of California.
 Avery F. Peterson, of Idaho.
 Harold D. Robinson, of Utah.
 Donald W. Smith, of the District of Columbia.
 Jule B. Smith, of Texas.
 William P. Wright, of the District of Columbia.

The following-named persons for promotion in the Foreign Service of the United States, to the offices to which they were appointed during the last recess of the Senate, as follows:

From Foreign Service officer of class 2 to Foreign Service officer of class 1:

Walter A. Adams, of South Carolina.
 Joseph W. Ballantine, of Massachusetts.
 Pierre de L. Boal, of Pennsylvania.
 Monnett B. Davis, of Colorado.
 Herschel V. Johnson, of North Carolina.
 John Farr Simmons, of New York.
 S. Pinkney Tuck, of New York.
 George Wadsworth, of New York.

From Foreign Service officer of class 3 to Foreign Service officer of class 2:

George L. Brandt, of the District of Columbia.
 Homer Brett, of Mississippi.
 Joseph Flack, of Pennsylvania.

From Foreign Service officer of class 4 to Foreign Service officer of class 3:

Ralph C. Busser, of Pennsylvania.

From Foreign Service officer of class 5 to Foreign Service officer of class 4:

George Atcheson, Jr., of California.
 J. Rives Childs, of Virginia.
 John Carter Vincent, of Georgia.

From Foreign Service officer of class 6 to Foreign Service officer of class 5:

Maurice W. Altaffer, of Ohio.
 George J. Haering, of New York.
 A. Dana Hodgdon, of Maryland.
 John F. Huddleston, of Ohio.
 Joel C. Hudson, of Missouri.
 Quincy F. Roberts, of Texas.

From Foreign Service Officer of class 7 to Foreign Service officer of class 6:

H. Merrell Benninghoff, of New York.
 Daniel M. Braddock, of Michigan.
 James E. Brown, Jr., of Pennsylvania.
 Gerald A. Drew, of California.
 Kenneth C. Krentz, of Iowa.
 Horace H. Smith, of Ohio.
 Robert S. Ward, of Ohio.
 Archer Woodford, of Kentucky.

From Foreign Service officer of class 8 to Foreign Service officer of class 7:

Robert English, of New Hampshire.
 Willard Galbraith, of California.
 Randolph Harrison, Jr., of Virginia.
 Frederick P. Latimer, Jr., of Connecticut.
 Cecil B. Lyon, of New York.
 John B. Ocheltree, of Nevada.
 Edward Page, Jr., of Massachusetts.
 James K. Penfield, of California.
 John C. Shillock, Jr., of Oregon.
 Stanley C. Slavens, of Texas.
 Gerald Warner, of Massachusetts.

From Foreign Service officer, unclassified, to Foreign Service officer of class 8:

William C. Affeld, Jr., of Minnesota.
 Charles A. Cooper, of Nebraska.
 Theodore J. Hohenthal, of California.
 E. Allan Lightner, Jr., of New Jersey.

H. Gordon Minnigerode, of the District of Columbia.
 John S. Service, of Ohio.

The following-named Foreign Service officers of the classes indicated to be also vice consuls of career and secretaries in the Diplomatic Service of the United States of America, to which offices they were appointed during the last recess of the Senate:

CLASS 8

Fritz A. M. Alfsen, of New York.
 Carl H. Boehringer, of Michigan.
 Frederick J. Cunningham, of Massachusetts.
 B. Miles Hammond, of South Carolina.
 Coldwell S. Johnston, of Nevada.
 George L. Jones, Jr., of Maryland.
 Charles F. Knox, Jr., of New Jersey.
 George E. Miller, of New Jersey.
 Paul H. Pearson, of Iowa.
 Archibald R. Randolph, of Virginia.
 Henry E. Stebbins, of Massachusetts.
 Joe D. Walstrom, of Missouri.
 Rolland Welch, of Texas.

UNCLASSIFIED

John L. Bankhead, of Florida.
 Thomas S. Campen, of North Carolina.
 David M. Clark, of Pennsylvania.
 Edward A. Dow, Jr., of Nebraska.
 John L. Goshie, of New York.
 Theodore J. Hadraba, of Nebraska.
 John P. Hoover, of California.
 Hungerford B. Howard, of California.
 Frederick D. Hunt, of the District of Columbia.
 Donald W. Lamm, of the District of Columbia.
 Mindeed McLean, of Louisiana.
 Eugene A. Masuret, of New Jersey.
 Kathleen Molesworth, of Texas.
 Jack B. Neathery, of Texas.
 Katherine E. O'Connor, of Indiana.
 William L. Smyser, of the District of Columbia.
 Earle C. Taylor, of Pennsylvania.
 Charles O. Thompson, of Alaska.
 William Witman, 2d, of Pennsylvania.
 E. Edward Schefer, of New York.

The following-named persons for appointment as Foreign Service officers, unclassified, vice consuls of career, and secretaries in the Diplomatic Service of the United States of America, to which offices they were appointed during the last recess of the Senate:

Wymberley DeR. Coerr, of Connecticut.
 Adrian B. Colquitt, of Georgia.
 Thomas J. Cory, of California.
 Robert F. Hale, of Oregon.
 Frederick J. Mann, of New York.
 Julian L. Nugent, Jr., of New Mexico.
 Joseph Palmer 2d, of Massachusetts.
 Richard H. Post, of New York.
 Charles H. Whitaker, of Massachusetts.

SOLICITOR GENERAL

Francis Biddle, of Pennsylvania, to be Solicitor General.

ASSISTANT SECRETARY OF THE TREASURY

John L. Sullivan, of Manchester, N. H., to be Assistant Secretary of the Treasury, to fill an existing vacancy.

UNDER SECRETARY OF THE TREASURY

Daniel W. Bell, of Kinderhook, Ill., to be Under Secretary of the Treasury in place of John W. Hanes, resigned.

UNDER SECRETARY OF THE INTERIOR

Alvin J. Wirtz, of Texas, who has been appointed during the recess of the Senate, to be Under Secretary of the Interior, vice Harry Slattery, resigned.

GOVERNOR OF ALASKA

Ernest Gruening, of New York, to be Governor of the Territory of Alaska, now serving under recess appointment; vice John W. Troy, resigned.

REGISTER OF THE LAND OFFICE

George A. Lingo, of Alaska, to be register of the land office at Anchorage, Alaska; reappointment.

COLLECTOR OF INTERNAL REVENUE

John L. Fahs, of Leesburg, Fla., to be collector of internal revenue for the district of Florida. Collector Fahs is now serving under temporary commission issued during the recess of the Senate.

COLLECTORS OF CUSTOMS

James Elliott Heath, of Norfolk, Va., to be collector of customs for Customs Collection District No. 14, with headquarters at Norfolk, Va., to fill an existing vacancy.

Paul R. Leake, of Woodland, Calif., to be collector of customs for Customs Collection District No. 28, with headquarters at San Francisco, Calif., in place of Charles O. Dunbar, deceased.

These officers are now serving under temporary commissions issued during the recess of the Senate.

DEPARTMENT OF AGRICULTURE

Grover Bennett Hill, of Texas, to be Assistant Secretary of Agriculture. (Appointed during the last recess of the Senate.)

Laurence I. Hewes, Jr., of California, to be regional director, Farm Security Administration. (Appointed during the last recess of the Senate.)

Albert G. Black, of Iowa, to be Governor, Farm Credit Administration. (Appointed during the last recess of the Senate.)

DEPARTMENT OF COMMERCE

Charles Stuart Guthrie, of Illinois, to be Special Assistant to the Secretary of Commerce at \$9,000. (Now holding recess appointment.)

Carroll Louis Wilson, of Massachusetts, to be Special Assistant to the Secretary of Commerce at \$7,500. (Now holding recess appointment.)

James W. Young, of New Mexico, to be Director of the Bureau of Foreign and Domestic Commerce. (Now holding recess appointment.)

WORK PROJECTS ADMINISTRATION

Lawrence Westbrook, of Texas, to be regional director, region VI.

Linus C. Glotzbach, of Minnesota, to be regional director, region VII.

S. L. Stolte, of Minnesota, to be Work Projects Administrator for Minnesota.

Paul Edwards, of New York, to be Work Projects Administrator for the District of Columbia.

Lt. Col. Benjamin Marvin Casteel, of Missouri, to be Work Projects Administrator for Missouri.

R. L. MacDougall, of Georgia, to be Work Projects Administrator for Georgia.

Dean W. Miller, of Idaho, to be Work Projects Administrator for Idaho.

(Those named above appointed during the last recess of the Senate.)

RURAL ELECTRIFICATION ADMINISTRATION

Harry Slattery, of South Carolina, to be Administrator of the Rural Electrification Administration for a term of 10 years, to which office he was appointed during the last recess of the Senate.

UNITED STATES PUBLIC HEALTH SERVICE

Passed Asst. Surg. Maurice A. Roe to be surgeon in the United States Public Health Service, to rank as such from February 2, 1940.

Dr. Stanley N. Hilde to be assistant surgeon in the United States Public Health Service, to take effect from date of oath.

Senior Surg. Lon O. Weldon to be medical director, to rank as such from September 16, 1939.

Senior Surg. Howard F. Smith to be medical director, to rank as such from September 18, 1939.

Senior Surg. James G. Townsend to be medical director, to rank as such from December 6, 1939.

Senior Surg. William H. Slaughter to be medical director, to rank as such from December 9, 1939.

Surg. Oswald E. Denney to be senior surgeon, to rank as such from July 1, 1939.

Surg. Oliver C. Wenger to be senior surgeon, to rank as such from September 8, 1939.

Surg. Stephen A. DeMartini to be senior surgeon, to rank as such from September 23, 1939.

Dental Surg. Norman Y. Hooper to be senior dental surgeon, to rank as such from September 29, 1939.

Asst. Surg. John N. Bowden to be passed assistant surgeon, to rank as such from August 1, 1939.

Asst. Surg. Waldo B. Edwards to be passed assistant surgeon, to rank as such from August 1, 1939.

Asst. Surg. Howard D. Fishburn to be passed assistant surgeon, to rank as such from August 1, 1939.

Asst. Surg. Ralph B. Hogan to be passed assistant surgeon, to rank as such from August 1, 1939.

Asst. Surg. Harris Isbell to be passed assistant surgeon, to rank as such from August 1, 1939.

Asst. Surg. James F. Lane to be passed assistant surgeon, to rank as such from August 1, 1939.

Asst. Surg. Robert D. Mansfield to be passed assistant surgeon, to rank as such from August 1, 1939.

Asst. Surg. Theodore L. Perrin to be passed assistant surgeon, to rank as such from August 1, 1939.

Asst. Surg. Rolla R. Wolcott to be passed assistant surgeon, to rank as such from August 1, 1939.

Asst. Surg. David J. Zaugg to be passed assistant surgeon, to rank as such from August 1, 1939.

Asst. Surg. Vernon B. Link to be passed assistant surgeon, to rank as such from November 20, 1939.

Asst. Surg. Charles M. McGill to be passed assistant surgeon, to rank as such from November 20, 1939.

Asst. Surg. Norman H. Topping to be passed assistant surgeon, to rank as such from November 20, 1939.

Asst. Surg. James A. Grider, Jr., to be passed assistant surgeon, to rank as such from December 1, 1939.

Asst. Surg. Byron J. Olson to be passed assistant surgeon, to rank as such from December 18, 1939.

Asst. Surg. Harold R. Sandstead to be passed assistant surgeon, to rank as such from December 21, 1939.

Asst. Dental Surg. Francis A. Arnold, Jr., to be passed assistant dental surgeon, to rank as such from August 1, 1939.

Asst. Dental Surg. William W. Calhoun, Jr., to be passed assistant dental surgeon, to rank as such from September 1, 1939.

Asst. Dental Surg. George E. Waterman to be passed assistant dental surgeon, to rank as such from October 26, 1939.

Dr. Esta R. Allen to be assistant surgeon, to rank as such from November 6, 1939.

Dr. Philip K. Condit to be assistant surgeon, to rank as such from November 6, 1939.

Dr. Allen B. Eschenbrenner to be assistant surgeon, to rank as such from November 6, 1939.

Dr. John B. Holt to be assistant surgeon, to rank as such from November 6, 1939.

Dr. Louis Jacobs to be assistant surgeon, to rank as such from November 6, 1939.

Dr. Jacob J. Robbins to be assistant surgeon, to rank as such from November 6, 1939.

Dr. Haskell B. Rosenblum to be assistant surgeon, to rank as such from November 6, 1939.

Dr. Benjamin Wolfman to be assistant surgeon, to rank as such from November 6, 1939.

Dr. Carl L. Larson to be assistant surgeon, to rank as such from December 26, 1939.

These officers are now serving under temporary commissions issued during the recess of the Senate.

COAST GUARD OF THE UNITED STATES

Admiral Harvey F. Johnson to be Engineer in Chief, with the rank of rear admiral, for a period of 4 years, to rank as such from December 18, 1939.

Ensign Robert J. Lafferty to be a lieutenant (junior grade), to rank as such from June 8, 1939.

Commander Chester H. Jones to be a captain, to rank as such from August 5, 1939.

Prof. (T) Albert A. Lawrence to be a professor, with the rank of lieutenant, to rank as such from August 6, 1937.

Robert E. Reed-Hill to be an ensign (temporary), to rank as such from November 16, 1939.

John Rogers Shuman to be an ensign (temporary), to rank as such from November 16, 1939.

Lt. Comdr. Noble G. Ricketts to be a commander, to rank as such from August 5, 1939.

Lt. Comdr. Harold G. Bradbury to be a commander, to rank as such from August 5, 1939.

Lt. Comdr. Rae B. Hall to be a commander, to rank as such from August 29, 1939.

Charles Abraham Park to be a captain, to rank as such from December 1, 1939.

Ralph Russell Tinkham to be a captain, to rank as such from December 1, 1939.

Frank William Ockenfels to be a lieutenant commander, to rank as such from December 1, 1939.

Carl Field Ganong to be a lieutenant commander, to rank as such from December 1, 1939.

Lawrence Merle Harding to be a lieutenant commander, to rank as such from December 1, 1939.

Morris Gibson Jory to be a lieutenant commander, to rank as such from December 1, 1939.

Anthony Michael Zibilich to be a lieutenant commander, to rank as such from December 1, 1939.

Dwight Atwater Chase to be a lieutenant commander, to rank as such from December 1, 1939.

Frank Ray Bellomy to be a lieutenant commander, to rank as such from December 1, 1939.

Thomas Gorman Byrne to be an ensign, to rank as such from December 1, 1939.

Leslie Glenn Haverland to be an ensign, to rank as such from December 1, 1939.

Roscoe House to be a commander, to rank as such from December 1, 1939.

Frederick Paul Dillon to be a commander, to rank as such from December 1, 1939.

Edward Cressey Merrill to be a commander, to rank as such from December 1, 1939.

Norman Cyril Manyon to be a commander, to rank as such from December 1, 1939.

Guy Burdette Skinner to be a commander, to rank as such from December 1, 1939.

Frederick Charles Hingsburg to be a commander, to rank as such from December 1, 1939.

William Henry Barton to be a commander, to rank as such from December 1, 1939.

Gideon Wesley Hitchens to be a commander, to rank as such from December 1, 1939.

Ray Lyton Hankinson to be a commander, to rank as such from December 1, 1939.

Henry Edward Litchfield to be a lieutenant, to rank as such from December 1, 1939.

William Gordon Wallace to be a lieutenant, to rank as such from December 1, 1939.

Thomas Sampson to be a lieutenant, to rank as such from December 1, 1939.

Henry Benners Haskins to be a lieutenant, to rank as such from December 1, 1939.

Harry Stephen Salzer to be a lieutenant, to rank as such from December 1, 1939.

Verne Cyril Gibson to be a lieutenant, to rank as such from December 1, 1939.

Roswell Gallup Lamb to be a lieutenant, to rank as such from December 1, 1939.

George Casper Balzer to be a lieutenant, to rank as such from December 1, 1939.

Charles da Rocha Monteiro to be a lieutenant, to rank as such from December 1, 1939.

Hugh Donald Wear to be a lieutenant, to rank as such from December 1, 1939.

Daniel Joseph Lucinski to be a lieutenant, to rank as such from December 1, 1939.

George Arthur Piper to be a lieutenant, to rank as such from December 1, 1939.

Harold Libby Durgin to be a lieutenant (junior grade), to rank as such from December 1, 1939.

Joseph Raymond Davis to be a lieutenant (junior grade), to rank as such from December 1, 1939.

Ellis Samuel Gordon to be a lieutenant (junior grade), to rank as such from December 1, 1939.

Myron Wendall Caskey to be a lieutenant (junior grade), to rank as such from December 1, 1939.

Forrest Arnold Tinsler to be a lieutenant (junior grade), to rank as such from December 1, 1939.

Julian Simeon Loewus to be a lieutenant (junior grade), to rank as such from December 1, 1939.

Joseph Anthony Ciccolella to be a lieutenant (junior grade), to rank as such from December 1, 1939.

Ralph Sylvester Feola to be a lieutenant (junior grade), to rank as such from December 1, 1939.

Howard William Schleiter to be a lieutenant (junior grade), to rank as such from December 1, 1939.

Richard Heymes Fairman to be a lieutenant (junior grade), to rank as such from December 1, 1939.

These officers are now serving under temporary commissions issued during the recess of the Senate.

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS IN THE REGULAR ARMY

TO BE WING COMMANDER WITH THE RANK OF BRIGADIER GENERAL

Col. Frank Dorwin Lackland, Air Corps, from December 21, 1939, vice Brig. Gen. Jacob E. Fickel, wing commander (colonel), Air Corps, appointed Assistant to the Chief of the Air Corps.

TO BE COLONELS

Lt. Col. Howard Calhoun Davidson, Air Corps, from August 1, 1939.

Lt. Col. Harvey Steele Burwell, Air Corps, from August 7, 1939.

Lt. Col. Carl Spaatz, Air Corps, from November 7, 1939.

TO BE LIEUTENANT COLONELS

Maj. George Pryor Johnson, Air Corps, from August 7, 1939.

Maj. Clyde Virginius Finter, Air Corps, from September 30, 1939.

Maj. Douglas Johnston, Air Corps, from November 7, 1939.

Maj. Lawrence Pradere Hickey, Air Corps, from December 1, 1939.

TO BE MAJORS

Capt. Arnold Hoyer Rich, Air Corps, from August 15, 1939.

Capt. Charles Dawson McAllister, Air Corps, from September 3, 1939.

Capt. James Thorburn Cumberpatch, Air Corps, from September 5, 1939.

Capt. Don Waters Mayhue, Air Corps, from October 1, 1939.

Capt. Edmund Clarence Langmead, Air Corps, from October 1, 1939.

Capt. David William Goodrich, Air Corps, from October 4, 1939.

Capt. James Milliken Bevans, Air Corps, from October 7, 1939.

Capt. Paul Hanes Kemmer, Air Corps, from November 1, 1939.

Capt. Donald Boyer Phillips, Air Corps, from November 1, 1939.

Capt. Cecil Elmore Archer, Air Corps, from November 7, 1939.

Capt. Louis Meline Merrick, Air Corps, from December 1, 1939.

APPOINTMENTS IN THE REGULAR ARMY

TO BE SECOND LIEUTENANTS WITH RANK FROM AUGUST 15, 1939

Air Corps

Roy William Gustafson	Henry Viccellio
John Noble Carlton	Frederic Colbert Gray, Jr.
Richard Pendleton Carr	Jack Walter Bleasdale
Howard Franklin Bronson, Jr.	Ralph Lowell Wassell
Elbert Helton	Edwin Smith Green
	Sidney Bruce Gimble, Jr.

Osmond Jay Ritland
 Harry Taylor Eidson
 Raymond Paul Salzarulo
 Melvin William Schoephoes-
 ter
 Lucius Griffith Drafts
 Skidmore Neale Garrett
 Jack Adams
 Victor Lenvik Anderson
 Joe Gordon Schneider
 Ormond John Mosman
 Bourne Adkison
 Harold Douglas Courtney
 George Benjamin Greene,
 Jr.
 George Kenneth Crain
 Loring Franklin Stetson, Jr.
 Glendon Philip Overing
 Oscar Allen Heinlein
 William Emanuel Eubank,
 Jr.
 John Peebles Proctor
 Charles Albert Nisbett
 William Edward Creer
 Hubert Zemke
 Edson Eugene Kester
 Charles Edgar Grogan
 Richard Thomas Kight
 William John Bohnaker
 James Crawford McGehee
 Jo Kyle Warner
 John Stephen Chennault
 Graham Warren West
 George Leroy Robinson
 Weldon Halliwell Smith
 Eugene Herbert Snavelly
 Robert Edward Northcutt
 Clarence Arthur Neely
 Donald Waters Macdonald
 Earle Lynn Hormell
 Frank Joseph McGinity
 Howard Alton Cheney
 Richard Dowdy Callaway
 John Allison Pechuls
 Alexander Pritchard Couch
 William Lodge Younkin
 John Lynn Sullivan
 Reesor Mott Lawrence
 Hiette Sinclair Williams, Jr.
 Fred Delaway Stevers
 Glenn Carlyle Nye
 Arthur Columbus Agan, Jr.
 Ernest Gordon Ford
 Lee Bannerman Coats
 Charles Eugene Lancaster,
 Jr.
 Murray William Crowder,
 Jr.
 William Edwin Basye
 George Henry Gutru, Jr.
 Thomas Carl McNeal
 George Albert Hatcher
 Wayne Earl Thurman
 Edwin Miles Ramage
 Don Coupland
 Quentin Timson Quick
 Beverly Howard Warren
 Van Hatton Snyder
 Clarence Edward McPherson
 Guilford Roland Montgom-
 ery
 James Wilbur Anderson, Jr.
 Horace Daniel Aynesworth
 George Wayne Thornbrough
 Clarence Vernon McCauley
 William Erwin Elder

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Lewis William Chick, Jr.
 Harney Estes, Jr.
 Hervey Haydon Whitfield
 William Edgar Davis, Jr.
 Richard Arnold, Jr.
 James Henry Griffin
 Kenneth Hodder Gibson
 Thomas Jay Barrett
 Charles Clark Kegelmann
 Arnold Frederick Adolph
 Kluever
 Albert Benton Edwards, Jr.
 Harold Walter Ohlke
 Donald Thomas Ward
 Robert Vernon DeShazo
 Donald Bream Diehl
 Chester Lee Sluder
 Raoul Joseph Bourgoin
 Joseph Albro Morris
 Donald James French
 Julian Marian Bleyer
 Huntington Kerr Gilbert
 Frank William Jarek
 Marvin Ernest Walseth
 Thomas Fletcher, Jr.
 James Frederick Setchell
 Karl Theodore Barthelmess
 Allan Jackson Sewart, Jr.
 John Philip Stewart
 Donald Stuart Dunlap
 Newton Robert Dick
 Bruce Burns Price
 Duane Louis Kime
 Edward Richard Casey
 David Arnold Tate
 James Fred Starkey
 Allman Tenney Culbertson
 Franklin Emmett Schroeck
 Jack Wesley Hughes
 Charles Ross Greening
 Wilkie Adsit Rambo
 Raymond Leonard Cobb
 David Lowell Lewis
 Howard Walter Gray
 Norman Luellen Ballard
 Robert Clyde Bagby
 Kermit Arpad Harcos
 Leonard Boston Storm
 John Kermit Carr
 Henry Bosworth Darling, Jr.
 Richard Austin Ames
 Homer Morgan Truitt
 Robert Julian Mason
 Richard Paul Fulcher
 William Frank Gilbert, Jr.
 Eugene Terry Yarbrough
 Hugh Boyd Manson, Jr.
 Paul Stanley Emrick
 Arthur James Walker
 A. J. Bird, Jr.
 Philip Gerald Cochran
 Marvin Stoll Zipp
 Thomas Estes Moore
 Edwin Hugh Hawes
 Edgar Wade Hampton
 Harold Newt Chaffin
 Robert Richard Rowland
 Hubert John Konopacki
 John Albert Rouse
 Frank Allen Kurtz
 Ancil David Baker
 William Coombs Clark
 Robert Lee Matthews
 Charles Houston Terhune,
 Jr.
 John DeGraff Bridges

Willard Asa Fountain
 Louis Rector Hughes, Jr.
 James William Chapman,
 Jr.
 David Mudgett Jones
 Richard Warren Philbrick
 Clair Arthur Peterson
 Stanley Anthony Zidiales
 Bingham Trigg Kleine
 William Hubbert Cleveland
 William Benjamin Reed
 Campbell Henderson Gould
 James Dean Berry
 Theron Coulter
 Heman Ward Randall, Jr.
 Clinton Curtis Wasem
 Floyd William Rogers
 Alexander Wilson Bryant
 Franklyn Thomas Green
 Philip Henry Greasley
 Elliott Thomas Pardee
 Cyrus William Kitchens, Jr.
 John Patrick Healy
 Wilbur Grant Miller
 Charles Thaddeus Olmsted
 John Wendel Massion
 Troy Keith
 Cecil Leon Wells
 William Henry Schwartz,
 Jr.
 Raymond Leavitt Curtice
 Walter Bennett Putnam
 Brian O'Neill
 John Timothy Fitzwater
 Gladwyn Earl Pinkston
 Frederick Charles Grambo
 Brewster Ward
 William Pleasant Ragsdale,
 Jr.
 Jack Wilson Berry
 Leonard Clair Lydon
 Oliver George Cellini
 Charles Henry MacDonald
 Joseph Anthony Kelly
 Arthur William Kellond
 Vernon McCauley
 Broadus Beene Taylor
 Monty Duran Wilson
 Otha Bennett Hardy, Jr.
 Arthur Ray DeBolt
 William Edwin Dyess
 Joseph Harold Moore
 Cedric Elston Hudgens
 Frank B. James
 Theodore Wightman Tucker
 Robert Sidney Quinn
 Raymond Frank Rudell
 Ralph William Rodieck
 Norton Harding Van Sicklen
 3d
 James Otis Reed
 John Jacob VanderZee
 Charles Gardner Chandler,
 Jr.
 Albert Vandenberg Endress
 William Sydnor Barksdale,
 Jr.
 Robert Danforth Van Auken
 James Edwin Roberts
 Leland Stanford McGowan
 James Carpenter Averill
 Harvey Joseph Watkins
 Keith Karl Compton
 Jack William Saunders
 William Lane, Jr.

Christopher Otho Moffett
 Delbert Henry Hahn
 John Eugene Dougherty
 Albert Murray Cate
 Paul Christian Droz
 McHenry Hamilton, Jr.
 James Baird Tipton
 Moultrie Powell Freeman
 John Affleck Dunning
 Eugene Lee Strickland
 Dalene Edward Bailey
 Jack Ferguson Todd
 John Edgar Carmack
 Burton Kennedy Voorhees
 Clemens Kieffer Wurzbach
 Pinkham Smith
 John Doyle Whitt
 George Mabin MacNicol
 William David Gilchrist
 Claude C. Sturges, Jr.
 Elmer Earle McKesson
 Richard Dellinger Dick
 Bailey Cavanaugh Cook
 J. C. Bailey
 James Valentine Edmund-
 son
 Hadley Vincent Saehlenou
 Adam Joseph Heintz
 Vincent George Huston
 Harry Joseph Holt
 Philip Lambeth Mathewson
 David Henry Walker
 Ansel James Wheeler
 Guy Hamilton Rockey
 Andre Jacques Dechaene
 Woodrow Wilson Korges
 David Woodson Wallace
 Leo Francis Dusard, Jr.
 John Kenton Hester
 Frank Douglas Sharp
 Charles Lewis Nothstein
 Harry Blake Young
 MacDonald Herbert Hays
 Samuel Eugene Lawrence,
 Jr.
 Horace Milton Wade
 Thomas Edward Gurnett
 William Renwick Nevitt
 Harold Eugene Hammers
 Coleman Hinton
 Roy Murray Loe
 James Giannatti
 George Richard Anderson
 Carlos Conrad Pratt
 William Elton Taylor
 Robert Norton Maupin
 Milton Herbert Ashkins
 Harry J. Bullis
 Jack Simmons Jenkins
 Willis Eugene Beightol
 Frank Henry Mears, Jr.
 Adolph Edward Tokaz
 Lewis Bruno Meng
 David Dickson Terry, Jr.
 John Huie de Russy
 William Rufus Yancey
 Francis Robert Feeney
 John Clinton Bowen
 Louis Charles Adams, Jr.
 Clifford John Heflin
 Kenneth Andrew Cavenah
 William Leete Hayes, Jr.
 George Theodore Chadwell
 James Allison Johnson
 Nathan Hoover Ranck

Harold Jacob Rau
Sam Wilkins Westbrook
Henry Parrott Bacot
Marion Newton Pharr
Earl Herbert Dunham
Melvin Francis McNickle

TO BE SECOND LIEUTENANTS WITH RANK FROM SEPTEMBER 1, 1939

Signal Corps

Frank Halliday Todd
William Isadore Wood

Cavalry

Ira Bertram Richards, Jr. Ralph Longwell Foster
Lemuel Edwin Pope William Frederick Beaty
Stephen Wheeler Downey, Jr. Richard Logan Irby
James Hardesty Critchfield

Field Artillery

Frank Gordon Ratliff William Overton Gall
Sylvan Preston Lay Avery W. Masters
Earl Robert Kindig Frederick William Hassel-
Benson Walker Campbell, Jr. back, Jr.
Vernon Ehlert Rex Rawie Chester Clay Holloway, Jr.
William Henry Hastings Charles Cantrell

Coast Artillery Corps

Harold Otto Johnson Robert Burns Barry, Jr.
John Robert Snow Alan Buck White
Charles Francis Heasty, Jr. Aleck Francis MacDonald
William Louis Thorkelson

Infantry

James Nelson Jean Willys Hicks Pearson
Hubert Denwood Thomte Samuel Ezra Shoemaker
John Sewanee Baskin Louis Robert Moore, Jr.
Eugene Allen Dees Thomas Latta Mann
Donald William Coons Philip Emerson Snyder
Ralph Charles McCrum Thomas Augustine Kenan
Walter Reeve Bruyere, 3d Jonathan Adams Wolcott
Raymond Dunlap Hill Richard Franklin Kent
Vladimir Bohdan Kovac Harold Henkel Smith
James Gleason Foley William Henry Craig
Robert Parrish McQuail Morgan Garrott Roseborough
Lewis Lee Copley Dorsey Elwood McCrory
Johnston Grant Lemmon Howard Dayle Balliett
Sterling Charles Holmes

TO BE SECOND LIEUTENANTS WITH RANK FROM NOVEMBER 18, 1939

Signal Corps

Matthew Charles Mautz

Cavalry

Eugene John White Wilson Maxwell Hawkins
John Wesley Niesz Schulz, Jr. Armistead Robison Harper

Field Artillery

Charles Broderick Huntley Dean Edgar Painter
Walter Emil Barker Max Lee Pitney
Robert Alan MacGregor Cecil Hubbard Strong

Coast Artillery Corps

Allen Bennett Francis Xavier Bradley
James Wright Williams John Ellison Hart

Infantry

Benjamin Hays Vandervoort Patrick Boisseau Watson
Elbert Mack Sleeker Joel McCord Hollis
Elbert Emerson Stickels Robert Nelson Eddy
Harry Walter Stephenson, Jr. Malcolm Ringen Stotts
Donn Wallace Mall Marvin Arnold Kreidberg
Jacob Shacter Robert Lucius Walton
Harry Wilhoit Stulting John Belton O'Connell

TO BE FIRST LIEUTENANTS WITH RANK FROM NOVEMBER 8, 1939

Medical Corps

Charles Arthur Stafford Edward Ross Marshall
Glenn Jesse Collins H. Herbott Kerr
Cannon Armstrong Owen John Thomas Martin
Roger Leslie O'Toole Frank James Shaffer
William Nelson Piper Hanes Mathew Fowler
Madison Aaron Furrh Harry Louis Berman

Harvey Llyons Lloyd
Francis Wilson Regnier
David Edward Thomas
Otis Whittier Snyder
Jose Roberto Vivas

Beverley Eugene Smith
Richard Reynolds
Charles Ellison Melcher
Isaiah Alonzo Wiles

TO BE FIRST LIEUTENANTS WITH RANK FROM NOVEMBER 22, 1939

Dental Corps

James Edward Chipps Walter Judson Newton
James Perry Williams Franklin Smith Lister
Harold John Malan William Joseph McAllister

TO BE FIRST LIEUTENANT WITH RANK FROM DECEMBER 11, 1939

Veterinary Corps

Robert Henry Yager

TO BE CHAPLAINS WITH THE RANK OF FIRST LIEUTENANT WITH RANK FROM NOVEMBER 13, 1939

Rev. Louis James Beasley, of Atlanta, Ga.
Rev. Mitchell William Phillips, of Minerva, Ohio.

TO BE CHAPLAINS WITH THE RANK OF FIRST LIEUTENANT WITH RANK FROM DECEMBER 4, 1939

Rev. Frank Bernard Henry, of Pleasant Gap, Pa.
First Lt. Samuel Everett Donald, Chaplains' Reserve.
Rev. William Curtis Shure, of Watontown, Pa.
First Lt. Carlton Wayne Harrod, Chaplains' Reserve.
First Lt. James Joseph McGoochan, Chaplains' Reserve.
First Lt. John Joseph Jedlowski, Chaplains' Reserve.
First Lt. John Oscar Woods, Chaplains' Reserve.
First Lt. Albin Leonard Fortney, Chaplains' Reserve.
First Lt. Robert Leland Schock, Chaplains' Reserve.
First Lt. Wallace McDougald Hale, Chaplains' Reserve.
First Lt. Norman Gregg Long, Chaplains' Reserve.
First Lt. Ralph Mark Reed, Infantry Reserve.

APPOINTMENTS BY TRANSFER IN THE REGULAR ARMY

TO JUDGE ADVOCATE GENERAL'S DEPARTMENT

Capt. Homer William Jones, Quartermaster Corps, August 25, 1939, with rank from August 1, 1935.

TO QUARTERMASTER CORPS

Maj. Lois Chester Dill, Infantry, September 8, 1939, with rank from August 1, 1935.

Maj. Edward Nicholson Fay, Infantry, December 16, 1939, with rank from August 1, 1935.

Capt. Braxton DeGreves Butler, Infantry, August 8, 1939, with rank from March 1, 1934.

Capt. Thomas Beverley Harper, Infantry, November 4, 1939, with rank from June 30, 1936.

Capt. John Otis Hyatt, Infantry, November 4, 1939, with rank from August 1, 1935.

Capt. James Melvin Lamont, Infantry, November 4, 1939, with rank from June 9, 1938.

Capt. Edward Alfred Mueller, Infantry, November 4, 1939, with rank from August 1, 1935.

Capt. Francis Albert Rudolph, Infantry, December 5, 1939, with rank from June 30, 1936.

First Lt. Howard Hart Reed, Infantry, November 4, 1939, with rank from August 1, 1935.

Second Lt. Merton Singer, Infantry, December 14, 1939, with rank from June 14, 1938.

Second Lt. Eugene Joseph Sweeney, Cavalry, August 16, 1939, with rank from June 14, 1938.

TO CORPS OF ENGINEERS

First Lt. David Campbell Wallace, Field Artillery, August 25, 1939, with rank from June 12, 1938.

TO SIGNAL CORPS

Capt. Nye Kirwan Elward, Infantry, November 9, 1939, with rank from August 1, 1935.

TO CAVALRY

Lt. Col. Byron Quinby Jones, Air Corps, November 7, 1939, with rank from August 1, 1935.

Second Lt. Delk McCorkle Oden, Infantry, November 4, 1939, with rank from June 12, 1937.

TO FIELD ARTILLERY

First Lt. Donald Frank Buchwald, Infantry, September 20, 1939, with rank from August 1, 1935.

TO COAST ARTILLERY CORPS

Lt. Col. Donald Bridgman Sanger, Signal Corps, November 13, 1939, with rank from August 1, 1935.

TO AIR CORPS

First Lt. James Baird Buck, Infantry, August 8, 1939, with rank from June 12, 1938.

Second Lt. Robert Marshall Batterson, Jr., Corps of Engineers, November 28, 1939, with rank from June 14, 1938.

Second Lt. Richard Franklin Bromiley, Infantry, November 28, 1939, with rank from June 14, 1938.

Second Lt. William Hart Hanson, Infantry, November 28, 1939, with rank from July 3, 1937.

PROMOTIONS IN THE REGULAR ARMY

To be colonels

Lt. Col. Douglas Campbell Cordiner, Quartermaster Corps, from August 5, 1939.

Lt. Col. Julian Sommerville Hatcher, Ordnance Department, from August 15, 1939.

Lt. Col. Bernard Robertson Peyton, Field Artillery, from August 15, 1939.

Lt. Col. Everett Collins, Ordnance Department, from August 15, 1939.

Lt. Col. Russell Peter Hartle, Infantry, from August 15, 1939.

Lt. Col. Oswald Hurtt Saunders, Infantry, from August 15, 1939.

Lt. Col. Spencer Ball Akin, Signal Corps, from August 15, 1939.

Lt. Col. John Wesley Hyatt, Infantry, from August 15, 1939.

Lt. Col. Raymond Waite Hardenbergh, Infantry, from August 15, 1939.

Lt. Col. Rigby Dewoody Valliant, Quartermaster Corps, from August 15, 1939.

Lt. Col. George Luberoff, Quartermaster Corps, from August 15, 1939.

Lt. Col. Benjamin Lester Jacobson, Finance Department, from August 15, 1939.

Lt. Col. William Arthur Turnbull, Judge Advocate General's Department, from August 15, 1939.

Lt. Col. Chester Benjamin McCormick, Field Artillery, from August 15, 1939.

Lt. Col. William Alexander Smith, Infantry, from August 15, 1939.

Lt. Col. Joseph Benjamin Pate, Infantry, from August 15, 1939.

Lt. Col. Louis Clarence Wilson, Quartermaster Corps, from August 15, 1939.

Lt. Col. Harry Anton Auer, Judge Advocate General's Department, from August 15, 1939.

Lt. Col. Charles Emmet McCarthy, Infantry, from August 15, 1939.

Lt. Col. Charles Henry Traeger, Ordnance Department, from August 15, 1939.

Lt. Col. William Mellard Connor, Judge Advocate General's Department, from September 1, 1939.

Lt. Col. Sam Inman McCants, Infantry, from September 1, 1939.

Lt. Col. John William Focs, Infantry, from September 1, 1939.

Lt. Col. Roger Taylor, Ordnance Department, from September 1, 1939.

Lt. Col. George Blair, Infantry, from September 1, 1939.

Lt. Col. Elbert Johnston Lyman, Infantry, from September 1, 1939.

Lt. Col. Tom Kennan Price Stilwell, Infantry, from September 1, 1939.

Lt. Col. Robert Kerr Alcott, Infantry, from September 1, 1939.

Lt. Col. Lucius Meriwether Smith, Judge Advocate General's Department, from September 20, 1939.

Lt. Col. Fred Warde Llewellyn, Judge Advocate General's Department, from October 1, 1939.

Lt. Col. Laurence Woodville Young, Infantry, from October 1, 1939.

Lt. Col. Ralph Waldo Wilson, Coast Artillery Corps, from October 1, 1939.

Lt. Col. Fred Mortimer Green, Coast Artillery Corps, from October 1, 1939.

Lt. Col. Delmar Samuel Lenzner, Coast Artillery Corps, from October 1, 1939.

Lt. Col. Roland Wilbur Pinger, Ordnance Department, from October 1, 1939.

Lt. Col. Donald Armstrong, Ordnance Department, from October 1, 1939.

Lt. Col. Franklin Babcock, Coast Artillery Corps, from November 1, 1939.

Lt. Col. Hermann Heinrich Zornig, Ordnance Department, from November 1, 1939.

Lt. Col. Gladeon Marcus Barnes, Ordnance Department, from November 1, 1939.

Lt. Col. Harvey Clark Allen, Coast Artillery Corps, from November 1, 1939.

Lt. Col. Edward Bennett Dennis, Coast Artillery Corps, from November 1, 1939.

Lt. Col. Roger Baldwin Colton, Signal Corps, from November 1, 1939.

Lt. Col. Enrique Urrutia, Jr., Infantry, from November 1, 1939.

Lt. Col. Arturo Moreno, Infantry, from November 1, 1939.

Lt. Col. Oliver Loving Spiller, Coast Artillery Corps, from November 1, 1939.

Lt. Col. James Madison White, Infantry, from November 1, 1939.

Lt. Col. Henry Bailey Barry, Quartermaster Corps, from November 1, 1939.

Lt. Col. John Kay Clement, Ordnance Department, from November 5, 1939.

Lt. Col. Lawrence Hyskell Hedrick, Judge Advocate General's Department, from November 18, 1939.

Lt. Col. Robert John Halpin, Infantry, from November 18, 1939.

Lt. Col. Allen Fletcher, Infantry, from November 28, 1939.

Lt. Col. Bowyer Brockenbrough Browne, Corps of Engineers, from December 1, 1939.

Lt. Col. Arthur Milton Heritage, Chemical Warfare Service, from December 1, 1939.

Lt. Col. Malcolm Elliott, Corps of Engineers, from December 1, 1939.

Lt. Col. Millard Fillmore Waltz, Jr., Infantry, from December 1, 1939.

Lt. Col. Woodell Abner Pickering, Infantry, from December 1, 1939.

Lt. Col. Myron Cady Cramer, Judge Advocate General's Department, from December 1, 1939.

Lt. Col. Seth Harold Frear, Philippine Scouts, from December 1, 1939.

Lt. Col. John Henry Mellom, Quartermaster Corps, from December 1, 1939.

Lt. Col. Herbert Edward Pace, Finance Department, from December 1, 1939.

Lt. Col. John Emmitt Sloan, Field Artillery, from December 1, 1939.

Lt. Col. Alexander Wilson, Chemical Warfare Service, from December 1, 1939.

Lt. Col. Xavier Francis Blauvelt, Infantry, from December 1, 1939.

Lt. Col. Frank Dorwin Lackland, Air Corps (temporary colonel, Air Corps), from December 15, 1939.

To be lieutenant colonels

Maj. John Lester Scott, Finance Department, from August 5, 1939.

Maj. Philip Shaw Wood, Infantry, from August 15, 1939.

Maj. William Henry McCutcheon, Infantry, from August 15, 1939.

Maj. Adlai Cyrus Young, Infantry, from August 15, 1939.

Maj. Clinton Inness McClure, Field Artillery, from August 15, 1939.

Maj. Alva Franklin Englehart, Coast Artillery Corps, from August 15, 1939.

- Maj. Evan Clouser Seaman, Coast Artillery Corps, from August 15, 1939.
- Maj. Henry Rasick Behrens, Coast Artillery Corps, from August 15, 1939.
- Maj. Roy Charles Lemach Graham, Quartermaster Corps, from August 15, 1939.
- Maj. George Ralph Barker, Infantry, from August 15, 1939.
- Maj. John Waldemar Thompson, Infantry, from August 15, 1939.
- Maj. Philip Overstreet, Infantry, from August 15, 1939.
- Maj. Archie Arrington Farmer, Signal Corps, from August 15, 1939.
- Maj. Charles Sabin Ferrin, Field Artillery, from August 15, 1939.
- Maj. John Moultrie Ward, Quartermaster Corps, from August 15, 1939.
- Maj. William Tecumseh Haldeman, Cavalry, from August 15, 1939.
- Maj. William Charles Ocker, Air Corps (temporary lieutenant colonel, Air Corps), from August 15, 1939.
- Maj. William Frederick Volandt, Air Corps (temporary lieutenant colonel, Air Corps), from August 15, 1939.
- Maj. Alexander Newton Stark, Jr., Infantry, from August 15, 1939.
- Maj. Roger Hilsman, Infantry, from August 15, 1939.
- Maj. Holmes Ely Dager, Infantry, from August 15, 1939.
- Maj. Harry Elmer Fischer, Infantry, from August 15, 1939.
- Maj. Roger Williams, Jr., Infantry, from August 15, 1939.
- Maj. Harry Brandley Hildebrand, Infantry, from August 15, 1939.
- Maj. Louis Whorley Hasslock, Field Artillery, from August 15, 1939.
- Maj. Henry Alfred Schwarz, Field Artillery, from August 15, 1939.
- Maj. Frederick Stone Matthews, Infantry, from August 15, 1939.
- Maj. William E. Kepner, Air Corps (temporary lieutenant colonel, Air Corps), from August 15, 1939.
- Maj. Marcus Aurelius Smith Ming, Field Artillery, from August 15, 1939.
- Maj. Walter Raymond Graham, Infantry, from August 15, 1939.
- Maj. Albert Hovey Peyton, Infantry, from August 15, 1939.
- Maj. James Patrick Murphy, Infantry, from August 15, 1939.
- Maj. Jacob Edward Bechtold, Infantry, from August 15, 1939.
- Maj. Neal Creighton Johnson, Infantry, from August 15, 1939.
- Maj. Norman Pyle Groff, Infantry, from August 15, 1939.
- Maj. Glenn Adelbert Ross, Infantry, from August 15, 1939.
- Maj. Francis Augustus Woolfley, Infantry, from August 15, 1939.
- Maj. Nelson Dingley 3d, Coast Artillery Corps, from August 15, 1939.
- Maj. Richard Marshall Winfield, Infantry, from August 15, 1939.
- Maj. Claudius Miller Easley, Infantry, from August 15, 1939.
- Maj. Richard Weaver Hocker, Field Artillery, from August 15, 1939.
- Maj. Joseph Ware Whitney, Infantry, from August 15, 1939.
- Maj. Peter Paul Salgado, Infantry, from August 15, 1939.
- Maj. Pier Luigi Focardi, Corps of Engineers, from August 15, 1939.
- Maj. Irvin Vorus Todd, Finance Department, from August 15, 1939.
- Maj. Horatio Grant Coykendall, Finance Department, from August 15, 1939.
- Maj. Thomas William Doyle, Infantry, from August 15, 1939.
- Maj. Henry Hockwald, Quartermaster Corps, from August 15, 1939.
- Maj. Carroll Morton Gale, Infantry, from September 1, 1939.
- Maj. Odber Merrill Cutler, Infantry, from September 1, 1939.
- Maj. Robert Graham Forsythe, Signal Corps, from September 1, 1939.
- Maj. Orsen Everett Paxton, Infantry, from September 1, 1939.
- Maj. Thomas Courtenay Locke, Quartermaster Corps, from September 1, 1939.
- Maj. George Aloysius Corbin, Infantry, from September 1, 1939.
- Maj. Harry William Osborn Kinnard, Field Artillery, from September 1, 1939.
- Maj. Howard Noah Scales, Infantry, from September 1, 1939.
- Maj. William Arthur McAdam, Infantry, from September 1, 1939.
- Maj. Frederick LeRoy Black, Quartermaster Corps, from September 1, 1939.
- Maj. Bert Marshall Lennon, Infantry, from September 1, 1939.
- Maj. Edward Joseph Rehmann, Infantry, from September 1, 1939.
- Maj. John Henry Nankivell, Infantry, from September 1, 1939.
- Maj. Theodore Porter Heap, Quartermaster Corps, from September 1, 1939.
- Maj. Frank Lockhead, Infantry, from September 1, 1939.
- Maj. Dennis Coburn Pillsbury, Infantry, from September 20, 1939.
- Maj. Charles Anderson Wickliffe, Judge Advocate General's Department, from September 22, 1939.
- Maj. Henry Dickson Bagnall, Infantry, from October 1, 1939.
- Maj. William White Dick, Adjutant General's Department, from October 1, 1939.
- Maj. Thomas Scott Smith, Infantry, from October 1, 1939.
- Maj. Dana Henry Allen, Infantry, from October 1, 1939.
- Maj. Burr Polk Irwin, Infantry, from October 1, 1939.
- Maj. Martin Ackerson, Infantry, from October 1, 1939.
- Maj. William Johnston Bacon, Judge Advocate General's Department, from October 1, 1939.
- Maj. Herbert Edwin Featherstone, Cavalry, from October 1, 1939.
- Maj. Frank Unsworth McCoskrie, Infantry, from October 1, 1939.
- Maj. Edgar Gersham Coursen, Jr., Quartermaster Corps, from October 1, 1939.
- Maj. Edward William Bondy, Infantry, from October 1, 1939.
- Maj. Andrew Jackson McFarland, Infantry, from October 1, 1939.
- Maj. John Miller Fray, Field Artillery, from October 1, 1939.
- Maj. Harold Howard Galliett, Infantry, from November 1, 1939.
- Maj. John Vincil Stark, Infantry, from November 1, 1939.
- Maj. Grover Be Egger, Infantry, from November 1, 1939.
- Maj. Clyde Pickett, Cavalry, from November 1, 1939.
- Maj. Paul Oscar Franson, Infantry, from November 1, 1939.
- Maj. John Neely Hopkins, Infantry, from November 1, 1939.
- Maj. George William Gillette, Corps of Engineers, from November 1, 1939.
- Maj. William Agnew Howland, Infantry, from November 1, 1939.
- Maj. Clifton Augustine Pritchett, Infantry, from November 1, 1939.
- Maj. Luke Donald Zech, Infantry, from November 1, 1939.
- Maj. Lucian Dalton Bogan, Infantry, from November 1, 1939.
- Maj. William Pitt Morse, Infantry, from November 1, 1939.
- Maj. Charles Thomas Phillips, Air Corps (temporary lieutenant colonel, Air Corps), from November 5, 1939.
- Maj. Richard Law Hubbell, Ordnance Department, from November 18, 1939.
- Maj. Roy Eugene Blount, Cavalry, from November 18, 1939.
- Maj. Hubert Vincent Hopkins, Air Corps (temporary lieutenant colonel, Air Corps), from November 18, 1939.
- Maj. Thomas Ralph Miller, Field Artillery, from November 18, 1939.

Maj. Frank Edwin Sharpless, Infantry, from November 28, 1939.
 Maj. Nels Erick Stadig, Infantry, from December 1, 1939.
 Maj. Ben-Hur Chastaine, Infantry, from December 1, 1939.
 Maj. Leigh Bell, Infantry, from December 1, 1939.
 Maj. George Frederick Spann, Quartermaster Corps, from December 1, 1939.
 Maj. John Herman Knuebel, Infantry, from December 1, 1939.
 Maj. Harry Clayton Luck, Infantry, from December 1, 1939.
 Maj. Lewis W. Amis, Infantry, from December 1, 1939.
 Maj. Harry Richardson Simmons, Infantry, from December 1, 1939.
 Maj. Kenneth Frederick Hanst, Infantry, from December 1, 1939.
 Maj. Everett Charles Williams, Field Artillery, from December 1, 1939.
 Maj. Walter Harold Root, Infantry, from December 1, 1939.
 Maj. Fred W. Miller, Infantry, from December 1, 1939.
 Maj. Maurice Clenen Bigelow, Infantry, from December 1, 1939.
 Maj. Ross Ormall Baldwin, Infantry, from December 1, 1939.
 Maj. James Alphonse Kilian, Cavalry, from December 15, 1939.

To be majors

Capt. Hubert Butler Bramlet, Chemical Warfare Service, from August 5, 1939.
 Capt. Edward Ernest Hildreth, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Samuel Gordon Frierson, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Phillips Melville, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. John Gordon Williams, Air Corps, from August 15, 1939.
 Capt. Albert Brown Pitts, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Bernard Scott Thompson, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Willis Ratcliffe Taylor, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Robert Duane Knapp, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Louis Braswell Knight, Infantry, from August 15, 1939.
 Capt. Lowell Allison Elliott, Chemical Warfare Service, from August 15, 1939, subject to examination required by law.
 Capt. James Thomas Curry, Jr., Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Harry Albert Fudge, Quartermaster Corps, from August 15, 1939.
 Capt. Burdette Mase Fitch, Field Artillery, from August 15, 1939.
 Capt. William Bettencourt Souza, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Alfred Lindeburg, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Joseph Alexis Wilson, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Fred Tobias Yount, Quartermaster Corps, from August 15, 1939.
 Capt. Theodore Anton Baumeister, Quartermaster Corps, from August 15, 1939.
 Capt. Clements McMullen, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Ames Scribner Albro, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Milo McCune, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Charles McKinley Robinson, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Benjamin Buckles Cassiday, Air Corps (temporary major, Air Corps), from August 15, 1939.

Capt. Charles Yawkey Banfill, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Myron Ray Wood, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Robert Theodore Cronau, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Rex Walter Minckler, Signal Corps, from August 15, 1939.
 Capt. Frank Charles Peters, Quartermaster Corps, from August 15, 1939.
 Capt. William Joseph Gainey, Quartermaster Corps, from August 15, 1939.
 Capt. Lloyd Chartley Blackburn, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Edward Jenkins, Infantry, from August 15, 1939.
 Capt. William Campbell Goldsborough, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Roscoe Bonham, Philippine Scouts, from August 15, 1939.
 Capt. Walter Raymond Peck, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Leon Aurile White, Coast Artillery Corps, from August 15, 1939.
 Capt. Ephraim Preston Jolls, Coast Artillery Corps, from August 15, 1939.
 Capt. Walter Lee McCormick, Coast Artillery Corps, from August 15, 1939.
 Capt. Arnold Dante Amoroso, Coast Artillery Corps, from August 15, 1939.
 Capt. Clarence Omer Bell, Coast Artillery Corps, from August 15, 1939.
 Capt. Fred Brenning Waters, Coast Artillery Corps, from August 15, 1939.
 Capt. Arthur Girard Hamilton, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Charles Mellis Myers, Coast Artillery Corps, from August 15, 1939.
 Capt. Cyrus Quinton Shelton, Coast Artillery Corps, from August 15, 1939.
 Capt. Frederick Rockwell Chamberlain, Jr., Coast Artillery Corps, from August 15, 1939.
 Capt. Emil Charles Kiel, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Harold Lee George, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Lewis Allegeo Dayton, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Younger Arnold Pitts, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Howard Zabriskie Bogert, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Charles Roderick Mize, Finance Department, from August 15, 1939.
 Capt. Joseph Branson Canfield, Quartermaster Corps, from August 15, 1939.
 Capt. Emile Peter Antonovich, Quartermaster Corps, from August 15, 1939.
 Capt. Hans Christian Jespersen, Infantry, from August 15, 1939.
 Capt. Lyle Meredon Shields, Quartermaster Corps, from August 15, 1939.
 Capt. Harvey James Golightly, Infantry, from August 15, 1939.
 Capt. Charles Hale Dowman, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Leonard Murphy, Infantry, from August 15, 1939.
 Capt. Edgar Baldwin Heylmun, Infantry, from August 15, 1939.
 Capt. Thomas Welch Blackburn, Air Corps (temporary major, Air Corps), from August 15, 1939.
 Capt. Thomas Hayden Davies, Infantry, from August 15, 1939.
 Capt. Claude Weaver Feagin, Cavalry, from August 15, 1939.
 Capt. Harry Francis Hanson, Infantry, from August 15, 1939.

- Capt. Lee Vyvian Harris, Field Artillery, from August 15, 1939.
- Capt. Harry Anton Johnson, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Bob Edward Nowland, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Barney McKinney Giles, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Roy Travis McLamore, Quartermaster Corps, from August 15, 1939.
- Capt. Bernard Joseph Tooher, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Claude Edward Duncan, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Albert Francis Hegenberger, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Max Frank Schneider, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Donald Gardner Stitt, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Richard Pegram Boykin, Quartermaster Corps, from August 15, 1939.
- Capt. Eugene Walter Lewis, Quartermaster Corps, from August 15, 1939.
- Capt. James Brian Edmunds, Quartermaster Corps, from August 15, 1939.
- Capt. Alexander Forest Dershimier, Quartermaster Corps, from August 15, 1939.
- Capt. Oscar William Koch, Cavalry, from August 15, 1939.
- Capt. Helmer Swenholt, Corps of Engineers, from August 15, 1939.
- Capt. John Joseph Gahan, Infantry, from August 15, 1939.
- Capt. James Franklin Greene, Quartermaster Corps, from August 15, 1939.
- Capt. Charles Maze Simpson, Jr., Signal Corps, from August 15, 1939.
- Capt. Albert Milton Pigg, Signal Corps, from August 15, 1939.
- Capt. Arnold Richard Christian Sander, Infantry, from August 15, 1939.
- Capt. Stanley Marshall Prouty, Infantry, from August 15, 1939.
- Capt. Glenn Charles Salisbury, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Harold Ralph Wells, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Samuel Nairn Karrick, Corps of Engineers, from August 15, 1939.
- Capt. Malcolm Stoney Lawton, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Jasper Kemper McDuffie, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Howard Knox Ramey, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Lionel H. Dunlap, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Harold Daniel Smith, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Michael Al Quinn, Quartermaster Corps, from August 15, 1939.
- Capt. Earle J. Carpenter, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. James Pratt Hodges, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. James Alvin Lewis, Infantry, from August 15, 1939.
- Capt. Herbert Edson Willis, Quartermaster Corps, from August 15, 1939.
- Capt. Frank Lauderdale Cook, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Bradford W. Kunz, Quartermaster Corps, from August 15, 1939.
- Capt. Adel Curry Harden, Finance Department, from August 15, 1939.
- Capt. Oakley George Kelly, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Bernard Tobias Castor, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. James Alexander Mollison, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Harold Webster Beaton, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Lawrence Brownlee Savage, Quartermaster Corps, from August 15, 1939.
- Capt. Richard Clark Jacobs, Jr., Infantry, from August 15, 1939.
- Capt. Charles Stricklen Shadle, Chemical Warfare Service, from August 15, 1939.
- Capt. Edwin Thomas May, Infantry, from August 15, 1939.
- Capt. Stephen Bowen Elkins, Finance Department, from August 15, 1939.
- Capt. Edgar Eugene Glenn, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Joseph Jones Yeats, Infantry, from August 15, 1939.
- Capt. William Henry Buechner, Infantry, from August 15, 1939.
- Capt. John William Monahan, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Cortlandt Spencer Johnson, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Andrew Reid Duvall, Infantry, from August 15, 1939.
- Capt. Henry Walter Ulmo, Coast Artillery Corps, from August 15, 1939.
- Capt. Charles Carl Chauncey, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Julian Meredith MacMillan, Infantry, from August 15, 1939.
- Capt. Raymond Dailey, Quartermaster Corps, from August 15, 1939.
- Capt. Homer Barron Chandler, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Carl Weston Pyle, Air Corps (temporary major, Air Corps), from August 15, 1939.
- Capt. Frederick Eugene Coyne, Jr., Finance Department, from August 15, 1939.
- Capt. John Myers McCulloch, Air Corps (temporary major, Air Corps), from August 24, 1939.
- Capt. Richard Kemp LeBrou, Finance Department, from September 1, 1939.
- Capt. Charles Wesley Sullivan, Air Corps (temporary major, Air Corps), from September 1, 1939.
- Capt. George Moseley Chandler, Quartermaster Corps, from September 1, 1939.
- Capt. William Jacob Kunzmann, Infantry, from September 1, 1939.
- Capt. Handy Vernon Brown, Infantry, from September 1, 1939.
- Capt. Ernest Arthur DeWitt, Quartermaster Corps, from September 1, 1939.
- Capt. Neal Dow Franklin, Judge Advocate General's Department, from September 1, 1939.
- Capt. Harold Ogier Godwin, Quartermaster Corps, from September 1, 1939.
- Capt. Harold W. Smith, Coast Artillery Corps, from September 1, 1939.
- Capt. Everett Roy Wells, Signal Corps, from August 15, 1939.
- Capt. Henry Joachim Boettcher, Infantry, from September 1, 1939.
- Capt. Lonnie Otis Field, Field Artillery, from September 1, 1939.
- Capt. Melvin B. Asp, Air Corps (temporary major, Air Corps), from September 1, 1939.
- Capt. Maurice Stewart Kerr, Infantry, from September 1, 1939.
- Capt. Robert Burdette Woolverton, Signal Corps, from September 1, 1939.
- Capt. Orley DeForest Bowman, Coast Artillery Corps, from September 1, 1939.
- Capt. George Clement McDonald, Air Corps (temporary major, Air Corps), from September 1, 1939, subject to examination required by law.

Capt. Thomas Judson Weed, Quartermaster Corps, from September 1, 1939.

Capt. Peter Emanuel Skanse, Air Corps (temporary major, Air Corps), from September 1, 1939.

Capt. Malcolm Nebeker Stewart, Air Corps (temporary major, Air Corps), from September 1, 1939.

Capt. James Austin Gilruth, Infantry, from September 1, 1939.

Capt. Henry Clyde Clark, Judge Advocate General's Department, from September 1, 1939.

Capt. Arthur George Liggett, Air Corps (temporary major, Air Corps), from September 1, 1939.

Capt. Jacob Herman Osterman, Quartermaster Corps, from September 1, 1939.

Capt. Westside Torkel Larson, Air Corps (temporary major, Air Corps), from September 5, 1939.

Capt. Andrew Daniel Hopping, Quartermaster Corps, from September 20, 1939.

Capt. Edward Herendeen, Field Artillery, from September 22, 1939.

Capt. Newton Longfellow, Air Corps (temporary major, Air Corps), from October 1, 1939.

Capt. Lloyd Barnett, Air Corps (temporary major, Air Corps), from October 1, 1939.

Capt. John Arthur Laird, Jr., Air Corps (temporary major, Air Corps), from October 1, 1939.

Capt. Charles William Steinmetz, Air Corps (temporary major, Air Corps), from October 1, 1939.

Capt. John Myrddin Davies, Air Corps (temporary major, Air Corps), from October 1, 1939.

Capt. William Norris White, Field Artillery, from October 1, 1939.

Capt. Walter Thomas Meyer, Air Corps (temporary major, Air Corps), from October 1, 1939.

Capt. Wendell Brown McCoy, Air Corps (temporary major, Air Corps), from October 1, 1939.

Capt. James Edward Duke, Jr., Air Corps (temporary major, Air Corps), from October 1, 1939.

Capt. Martinus Stenseth, Air Corps (temporary major, Air Corps), from October 1, 1939.

Capt. Rex Kirkland Stoner, Air Corps (temporary major, Air Corps), from October 1, 1939.

Capt. James Bernard Carroll, Air Corps (temporary major, Air Corps), from October 1, 1939.

Capt. Thomas Lonnie Gilbert, Air Corps (temporary major, Air Corps), from October 1, 1939.

Capt. James Douglas Givens, Air Corps (temporary major, Air Corps), from October 1, 1939.

Capt. Oliver Williams DeGruchy, Finance Department, from October 1, 1939.

Capt. Harold DeLancey Stetson, Quartermaster Corps, from October 1, 1939.

Capt. William Cushman Farnum, Air Corps (temporary major, Air Corps), from October 1, 1939.

Capt. Charles Milton Cummings, Air Corps (temporary major, Air Corps), from October 1, 1939.

Capt. William Turnbull, Air Corps (temporary major, Air Corps), from October 1, 1939.

Capt. Joseph Williams Benson, Air Corps (temporary major, Air Corps), from October 1, 1939.

Capt. Frederick Dan Lynch, Air Corps (temporary major, Air Corps), from October 1, 1939.

Capt. James Atwater Woodruff, Air Corps (temporary major, Air Corps), from October 1, 1939.

Capt. Robert Wallace Burke, Infantry, from October 1, 1939.

Capt. Lester James Maitland, Air Corps (temporary major, Air Corps), from October 9, 1939.

Capt. John Andrews MacLaughlin, Chemical Warfare Service, from October 12, 1939.

Capt. William Warren Welsh, Air Corps (temporary major, Air Corps), from October 29, 1939.

Capt. Arthur Ignatius Ennis, Air Corps (temporary major, Air Corps), from November 1, 1939.

Capt. Caleb Vance Haynes, Air Corps (temporary major, Air Corps), from November 1, 1939.

Capt. Jean Edens, Infantry, from November 1, 1939.

Capt. Emil Frederick Kollmer, Quartermaster Corps, from November 1, 1939.

Capt. LeRoy William Yarborough, Infantry, from November 1, 1939.

Capt. Edward Bernard Schlant, Judge Advocate General's Department, from November 1, 1939.

Capt. Richard Francis Stone, Quartermaster Corps, from November 1, 1939.

Capt. James Norwood Ancrum, Infantry, from November 1, 1939.

Capt. William Wallace Brier, Jr., Infantry, from November 1, 1939.

Capt. John Brandon Franks, Quartermaster Corps, from November 1, 1939.

Capt. John Joseph Turner, Field Artillery, from November 1, 1939.

Capt. Richard James Sothern, Field Artillery, from November 1, 1939.

Capt. Orville Ervin Davis, Quartermaster Corps, from November 1, 1939.

Capt. John Thomas McKay, Quartermaster Corps, from November 1, 1939.

Capt. Percival Adams Wakeman, Signal Corps, from November 1, 1939.

Capt. Herman Jackson Crigger, Field Artillery, from November 1, 1939.

Capt. Floyd Thomas Gillespie, Signal Corps, from November 1, 1939.

Capt. Hal C. Bush, Infantry, from November 1, 1939.

Capt. Charles Homer Martin, Cavalry, from November 1, 1939.

Capt. William Henry Speidel, Infantry, from November 1, 1939.

Capt. Robert Owen Montgomery, Field Artillery, from November 1, 1939.

Capt. James Leonard Hogan, Coast Artillery Corps, from November 1, 1939.

Capt. Sidney Frank Wharton, Infantry, from November 1, 1939.

Capt. Stephen Eugene Bullock, Field Artillery, from November 1, 1939.

Capt. Dayton Locke Robinson, Infantry, from November 1, 1939.

Capt. Homer Banister Pettit, Corps of Engineers, from November 1, 1939.

Capt. James Yancey Le Gette, Field Artillery, from November 1, 1939.

Capt. Sherman Edgar Willard, Coast Artillery Corps, from November 5, 1939.

Capt. Howard Samuel Paddock, Signal Corps, from November 18, 1939.

Capt. Harold Arthur Bartron, Air Corps (temporary major, Air Corps), from November 18, 1939.

Capt. John Spalding Miller, Infantry, from November 18, 1939.

Capt. Joseph Albert Sullivan, Field Artillery, from November 18, 1939.

Capt. James Bryan McDavid, Quartermaster Corps, from November 18, 1939.

Capt. Lloyd Henry Gibbons, Infantry, from November 18, 1939.

Capt. Henry Elmer Sowell, Field Artillery, from November 18, 1939.

Capt. William Stilwell Conrow, Cavalry, from November 18, 1939.

Capt. James Webb Newberry, Infantry, from November 18, 1939.

Capt. John Frederick Whiteley, Air Corps (temporary major, Air Corps), from November 18, 1939.

Capt. Edward Clay Johnson, Infantry, from November 19, 1939.

Capt. John Carson Grable, Signal Corps, from November 28, 1939.

Capt. Guy Lewis McNeil, Air Corps (temporary major, Air Corps), from December 1, 1939.

Capt. Landon Johnson Lockett, Infantry, from December 1, 1939.

Capt. Columbus Bierce Lenow, Finance Department, from December 1, 1939.

Capt. Charles Henry Calais, Infantry, from December 1, 1939.

Capt. William Thomas Johnson, Finance Department, from December 1, 1939.

Capt. Clarence Prescott Talbot, Air Corps (temporary major, Air Corps), from December 1, 1939.

Capt. Charles Deans Calley, Field Artillery, from December 1, 1939.

Capt. Alfred Liljevalch Jewett, Air Corps (temporary major, Air Corps), from December 1, 1939.

Capt. Loyd Daniel Bunting, Infantry, from December 1, 1939.

Capt. Elam LaFayette Stewart, Quartermaster Corps, from December 1, 1939.

Capt. Louie Clifford Mallory, Air Corps (temporary major, Air Corps), from December 1, 1939.

Capt. Bob Childs, Infantry, from December 1, 1939.

Capt. Lewis Selwyn Webster, Air Corps (temporary major, Air Corps), from December 1, 1939.

Capt. Virgil Grover Allen, Infantry, from December 1, 1939.

Capt. William Edward Smith, Quartermaster Corps, from December 1, 1939.

Capt. William Andrew Smith, Quartermaster Corps, from December 1, 1939.

Capt. Roy William Camblin, Air Corps (temporary major, Air Corps), from December 1, 1939.

Capt. Ray Eric Cavenee, Infantry, from December 1, 1939.

Capt. Wade Darragh Killen, Infantry, from December 1, 1939.

Capt. Andrew Jackson Schriver, Jr., Infantry, from December 1, 1939.

Capt. Frank James Lawrence, Infantry, from December 1, 1939.

Capt. Dorrance Scott Roysdon, Infantry, from December 1, 1939.

Capt. Hyatt Floyd Newell, Infantry, from December 1, 1939.

Capt. John Easton McCammon, Infantry, from December 1, 1939.

Capt. Winfield Scott Hamlin, Air Corps (temporary major, Air Corps), from December 6, 1939.

Capt. Jules Verne Sims, Infantry, from December 15, 1939.

Capt. Charles Carlton, Infantry, from December 17, 1939.

To be captains with rank from September 4, 1939

First Lt. George Elston Price, Air Corps.

First Lt. Richard Clark Lindsay, Air Corps.

First Lt. John Gordon Fowler, Air Corps.

First Lt. John Lyle Nedwed, Air Corps.

First Lt. Fred Stuart Stocks, Air Corps.

First Lt. Paul Thomas Cullen, Air Corps.

First Lt. George Graham Northrup, Air Corps.

First Lt. Thomas Sarsfield Power, Air Corps.

First Lt. Lloyd Harold Watnee, Air Corps.

First Lt. Philip David Coates, Air Corps.

First Lt. Talma Watkins Imlay, Air Corps.

First Lt. John Herold Bundy, Air Corps.

First Lt. Mills Spencer Savage, Air Corps.

First Lt. Harold Webb Bowman, Air Corps.

First Lt. Lorry Norris Tindal, Air Corps.

First Lt. Merlin Ingels Carter, Air Corps.

First Lt. John Walker Sessums, Jr., Air Corps.

First Lt. Charles Kenneth Moore, Air Corps.

First Lt. Austin August Straubel, Air Corps.

First Lt. Wycliffe Eugene Steele, Air Corps.

First Lt. George Frederick Kehoe, Air Corps.

First Lt. Roy Henry Lynn, Air Corps.

First Lt. Robert Bruce Davenport, Air Corps.

First Lt. Donald Leander Putt, Air Corps.

First Lt. William Ball, Air Corps.

First Lt. Carl Rose Storrie, Air Corps.

First Lt. Merrill Davis Burnside, Air Corps.

First Lt. Hollingsworth Franklin Gregory, Air Corps.

First Lt. Eugene Harold Beebe, Air Corps.

First Lt. Harold Winfield Grant, Air Corps.

First Lt. Kenneth Alfred Rogers, Air Corps.

First Lt. Reuben Columbus Hood, Jr., Air Corps.

First Lt. Leslie Oscar Peterson, Air Corps.

First Lt. Irving Remsburg Selby, Air Corps.

First Lt. Floyd Bernard Wood, Air Corps.

First Lt. Theodore Mathew Bolen, Air Corps.

First Lt. Norman Delbert Sillin, Air Corps.

First Lt. Flint Garrison, Jr., Air Corps.

First Lt. James Leroy Jackson, Air Corps.

First Lt. Chester Price Gilger, Air Corps.

First Lt. Hugh Arthur Parker, Air Corps.

First Lt. Thomas David Ferguson, Air Corps.

First Lt. Thomas Lawson Thurlow, Air Corps.

First Lt. William Basil Offutt, Air Corps.

First Lt. John Hugh Fite, Air Corps.

First Lt. James Arthur Ronin, Air Corps.

To be first lieutenants with rank from October 1, 1939

Second Lt. Charles Berton Root, Air Corps.

Second Lt. William Melville Brown, Air Corps.

Second Lt. Herman Alfred Schmid, Air Corps.

Second Lt. Lloyd Pauahi Hopwood, Air Corps.

Second Lt. James Arthur DeMarco, Air Corps.

Second Lt. Joseph Day Lee, Jr., Air Corps.

Second Lt. Leslie Raybold, Air Corps.

Second Lt. Wilbur Walter Aring, Air Corps.

Second Lt. James Oscar Guthrie, Air Corps.

Second Lt. Charles Phillip Hollstein, Air Corps.

Second Lt. Jack Lindley Randolph, Air Corps.

Second Lt. Homer Astley Boushey, Jr., Air Corps.

Second Lt. Don Orville Darrow, Air Corps.

Second Lt. Harold Austin Gunn, Air Corps.

Second Lt. Francis Leslie Rivard, Air Corps.

Second Lt. Frederic Henry Miller, Jr., Air Corps.

Second Lt. Donald Robert Hutchinson, Air Corps.

Second Lt. John Allen Hilger, Air Corps.

Second Lt. Lawrence Clinton Coddington, Air Corps.

Second Lt. Frank Richardson Cook, Air Corps.

Second Lt. George Everill Pierce, Air Corps.

Second Lt. Paul Engberg Todd, Air Corps.

Second Lt. Louis William Proper, Air Corps.

Second Lt. Ralph Charles Rockwood, Air Corps.

Second Lt. Tom Jefferson Cunningham, Air Corps.

Second Lt. William Henry Gist, Jr., Air Corps.

Second Lt. Potter Brooks Paige, Air Corps.

Second Lt. William Ross Robertson, Jr., Air Corps.

Second Lt. Joseph Stanley Holtner, Air Corps.

Second Lt. James Clyde Selser, Jr., Air Corps.

Second Lt. Douglas Ellsworth Williams, Air Corps.

Second Lt. Lewis Leo Mundell, Air Corps.

Second Lt. Brooke Empie Allen, Air Corps.

Second Lt. Oliver Edwin Ford, Jr., Air Corps.

Second Lt. John Beaumont Cornett, Air Corps.

Second Lt. John Hal Jeffus, Air Corps.

Second Lt. Boyd Hubbard, Jr., Air Corps.

Second Lt. Lawrence Worthington Greenbank, Air Corps.

Second Lt. Norman Lewis Peterson, Air Corps.

Second Lt. Victor Raymond Haugen, Air Corps.

Second Lt. Hilmer Cannon Nelson, Air Corps.

Second Lt. William Parker Fisher, Air Corps.

Second Lt. Robert Windeck Hall, Air Corps.

Second Lt. Paul Howard Dane, Air Corps.

Second Lt. Graves Hubbard Snyder, Air Corps.

Second Lt. Chester Witten Cecil, Jr., Air Corps.

Second Lt. John Markward Reynolds, Air Corps.

Second Lt. Ralph MacKenzie Kellogg, Air Corps.

MEDICAL CORPS

To be lieutenant colonel

Major Walter Clifton Royals, Medical Corps, from October 4, 1939.

To be captains

First Lt. Ralph Leon Marx, Medical Corps, from July 1, 1939.

First Lt. Alton Herbert Saxer, Medical Corps, from July 1, 1939.

First Lt. Paul Charles Sheldon, Medical Corps, from July 1, 1939.

First Lt. Roosevelt Cafarelli, Medical Corps, from October 5, 1939.

First Lt. Orval Thomas Needels, Medical Corps, from October 21, 1939.

First Lt. Jack Percy Scott, Medical Corps, from November 1, 1939.

First Lt. Laurence Alexander Bilotta, Medical Corps, from November 8, 1939.

First Lt. Theodore Cleveland Bedwell, Jr., Medical Corps (appointed during the recess of the Senate), from November 8, 1939.

First Lt. William Harry Amspacher, Medical Corps (appointed during the recess of the Senate), from November 8, 1939.

First Lt. Philip Wallace Mallory, Medical Corps, from December 20, 1939.

DENTAL CORPS

To be colonels

Lt. Col. Samuel John Randall, Dental Corps, from November 13, 1939.

Lt. Col. Don Gordon Moore, Dental Corps, from November 13, 1939.

Lt. Col. Oscar George Skelton, Dental Corps, from November 14, 1939.

Lt. Col. Robert Beeghly Tobias, Dental Corps, from November 14, 1939.

Lt. Col. Harry Clothey Peavey, Dental Corps, from November 14, 1939.

To be majors

Capt. Grant Arthur Selby, Dental Corps, from September 25, 1939.

Capt. Leland Stanford Mabry, Dental Corps, from October 26, 1939.

To be captains

First Lt. Edward Goodwin Austin, Dental Corps, from September 15, 1939.

First Lt. Robert Bruce Loos, Dental Corps, from October 8, 1939.

First Lt. Stuart E. Hays, Jr., Dental Corps, from October 8, 1939.

First Lt. Cephas William Gary, Dental Corps, from October 22, 1939.

First Lt. Wayne Alden Hayes, Dental Corps, from October 22, 1939.

First Lt. William Victor Hill, Dental Corps, from October 22, 1939.

First Lt. Robert Virgil Nelson, Dental Corps, from November 5, 1939.

First Lt. Harold Edward Dilley, Dental Corps, from November 5, 1939.

First Lt. Paul Wilson Holter, Dental Corps, from November 5, 1939.

First Lt. Ellsworth Kessler Kelly, Dental Corps, from November 5, 1939.

First Lt. Walter John Reuter, Dental Corps, from November 5, 1939.

First Lt. Maurice Cooper Harlan, Dental Corps, from December 10, 1939.

VETERINARY CORPS

To be colonels

Lt. Col. Jacob Edward Behney, Veterinary Corps, from September 3, 1939.

Lt. Col. Jesse Daniel Derrick, Veterinary Corps, from September 7, 1939.

Lt. Col. Raymond Alexander Kelser, Veterinary Corps, from September 7, 1939.

Lt. Col. Clell Bricker Perkins, Veterinary Corps, from September 10, 1939.

Lt. Col. Horace Samuel Eakins, Veterinary Corps, from September 10, 1939.

Lt. Col. Isaac Owen Gladish, Veterinary Corps, from September 10, 1939.

Lt. Col. Jean Rossman Underwood, Veterinary Corps, from September 10, 1939.

Lt. Col. Clifford Caswell Whitney, Veterinary Corps, from September 10, 1939.

Lt. Col. Harold Edward Egan, Veterinary Corps, from September 10, 1939.

Lt. Col. Christian William Greenlee, Veterinary Corps, from November 26, 1939.

Lt. Col. William Henry Houston, Veterinary Corps, from November 27, 1939.

To be lieutenant colonel

Maj. Jack Glendon Fuller, Veterinary Corps, from November 20, 1939.

To be majors

Capt. Charles Stunkard Greer, Veterinary Corps, from October 10, 1939.

Capt. John Lloyd Owens, Veterinary Corps, from October 29, 1939.

To be captain

First Lt. Don L. Deane, Veterinary Corps, from November 30, 1939.

MEDICAL ADMINISTRATIVE CORPS

To be captain

First Lt. Paul Nixon, Medical Administrative Corps, from December 12, 1939.

To be first lieutenants

Second Lt. Eli Egbert Daman, Medical Administrative Corps, from November 23, 1939.

Second Lt. Everett Walter Partin, Medical Administrative Corps, from December 21, 1939.

Second Lt. Andy Vaughan Little, Medical Administrative Corps, from December 21, 1939.

Second Lt. Richard Case, Medical Administrative Corps, from December 21, 1939.

Second Lt. Omar Kenneth Andrews, Medical Administrative Corps, from December 21, 1939.

CHAPLAINS

To be chaplain with the rank of colonel

Chaplain Alexander Daniel Sutherland (lieutenant colonel), United States Army, from November 25, 1939.

To be chaplains with the rank of lieutenant colonel

Chaplain Mylon Dickinson Merchant (major), United States Army, from September 1, 1939.

Chaplain Maurice William Reynolds (major), United States Army, from September 8, 1939.

Chaplain Henry Russell Westcott, Jr. (major), United States Army, from September 27, 1939.

Chaplain Albert Floyd Vaughan (major), United States Army, from October 2, 1939.

Chaplain Gynther Storaasli (major), United States Army, from October 11, 1939.

Chaplain Ivan Gochner Martin (major), United States Army, from November 6, 1939.

Chaplain Edwin Burling (major), United States Army, from December 28, 1939.

To be chaplains with the rank of captain

Chaplain Edward Francis Dougery (first lieutenant), United States Army (appointed during the recess of the Senate), from November 13, 1939.

Chaplain Morris Eugene Day (first lieutenant), United States Army, from December 2, 1939.

APPOINTMENTS IN THE REGULAR ARMY

To be brigadier general

Col. James Eugene Chaney, Air Corps, from January 1, 1940, vice Brig. Gen. Robert C. Foy, United States Army, retired December 31, 1939.

To be The Quartermaster General with the rank of major general for a period of 4 years from date of acceptance, with rank from April 1, 1940

Col. Edmund Bristol Gregory, Quartermaster Corps, vice Maj. Gen. Henry Gibbins, The Quartermaster General, whose term of office expires March 31, 1940.

To be Assistant The Adjutant General with the rank of brigadier general for the period of 4 years beginning December 28, 1939, with rank from December 28, 1939

Col. James Alexander Ulio, Adjutant General's Department, vice Brig. Gen. Frank C. Burnett, Assistant The Adjutant General, whose term of office expired December 27, 1939.

To be Assistant to the Chief of the Air Corps with the rank of brigadier general for the period of 4 years beginning December 21, 1939, with rank from December 1, 1939

Brig. Gen. Jacob Earl Fickel, wing commander (colonel), Air Corps, vice Brig. Gen. Walter G. Kilner, Assistant to the Chief of the Air Corps, retired November 30, 1939.

To be Assistant to the Surgeon General with the rank of brigadier general for the period of 4 years beginning December 28, 1939, with rank from December 28, 1939

Col. Shelley Uriah Marietta, Medical Corps, vice Brig. Gen. Wallace De Witt, Assistant to the Surgeon General, whose term of office expired December 27, 1939.

Chief of the National Guard Bureau of the War Department

Col. John Francis Williams, Field Artillery (National Guard of Missouri), National Guard of the United States, to be Chief of the National Guard Bureau of the War Department, with the rank of major general, for a period of 4 years from date of acceptance, with rank from January 31, 1940, vice Maj. Gen. Albert H. Blanding, Chief of the National Guard Bureau, whose term of office expires January 30, 1940.

NATIONAL GUARD OF THE UNITED STATES

GENERAL OFFICERS

To be major general, National Guard of the United States

Maj. Gen. James Ezekiel Edmonds, Louisiana National Guard, from January 5, 1940.

Maj. Gen. Edward Martin, Pennsylvania National Guard, from November 8, 1939.

Maj. Gen. Clifford Ross Powell, New Jersey National Guard, from November 8, 1939.

To be brigadier general, National Guard of the United States

Brig. Gen. William Hamilton Sands, Virginia National Guard, from November 8, 1939.

To be brigadier general, Adjutant General's Department, National Guard of the United States

Brig. Gen. Reginald Beardsley DeLacour, Adjutant General's Department, Connecticut National Guard, from November 7, 1939.

Brig. Gen. Lawrence Virgil Regan, Adjutant General's Department, Illinois National Guard, from November 7, 1939.

APPOINTMENTS AND PROMOTIONS IN THE NAVY

Rear Admiral Samuel M. Robinson to be Engineer in Chief and Chief of the Bureau of Engineering in the Department of the Navy, with the rank of rear admiral, for a term of 4 years.

Naval Constructor Alexander H. Van Keuren to be Chief Constructor and Chief of the Bureau of Construction and Repair in the Department of the Navy, with the rank of rear admiral, for a term of 4 years.

Capt. Frank Jack Fletcher to be a rear admiral in the Navy, to rank from the 1st day of November 1939.

Capt. Milo F. Draemel to be a rear admiral in the Navy, to rank from the 8th day of December 1939.

Commander William H. P. Blandy to be a captain in the Navy, to rank from the 23d day of September 1939.

The following-named commanders to be captains in the Navy, to rank from the 1st day of July 1939:

John W. Reeves, Jr.

John W. McClaran.

John J. Brown.

Commander Francis E. M. Whiting to be a captain in the Navy, to rank from the 1st day of August 1939.

Lt. Comdr. Augustus J. Wellings to be a commander in the Navy, to rank from the 1st day of July 1939.

Lt. Comdr. Frederick W. McMahon to be a commander in the Navy, to rank from the 1st day of August 1939.

Lt. Comdr. John Meyer to be a commander in the Navy, to rank from the 1st day of July 1938.

The following-named lieutenants to be lieutenant commanders in the Navy, to rank from the 1st day of July 1939:

Ernest S. L. Goodwin

Troy N. Thweatt

Albert E. Dupuy

Stockard R. Hickey

Earle C. Peterson

Hugh D. Lyttle

James E. Nolan

Jesse G. Johnson

George H. Hasselman

Thomas G. Richards

Paul J. Register

Bernard J. Skahill

Peter J. Neimo

Louis D. Libenow

Edwin R. Duncan

George W. Allen

Philip M. Boltz

Herrmann G. Page

Joseph I. Taylor, Jr.

Harold B. Edgar

Redfield Mason

Hugh J. Martin

Ove P. O. Hansen

George K. G. Reilly

Ralph W. Bowers

Malcolm D. MacGregor

Nelson H. Eisenhardt

Reinhard C. Moureau

Haskell C. Todd

Rhea S. Taylor

Clarence V. Conlan

Edward J. Milner

Elmon B. Guernsey

James B. McVey

Samuel M. Bailey

John E. Spahn

The following-named lieutenant commanders to be commanders in the Navy, to rank from the 1st day of July 1939:

Charles R. Jeffs

James M. Fernald

Earl LeR. Sackett

Sam L. LaHache

John B. Longstaff

Robert Bolton, Jr.

The following-named lieutenants to be lieutenant commanders in the Navy, to rank from the date stated opposite their names:

Justin S. Fitzgerald, June 23, 1938.

Edwin T. Layton, January 1, 1939.

Joseph P. Thew, February 13, 1939.

Herman Sall, February 13, 1939.

William W. Weeden, Jr., June 1, 1939.

The following-named lieutenants to be lieutenant commanders in the Navy, to rank from the 1st day of July 1939:

Ira H. Nunn

Eugene T. Seaward

Robley W. Clark

Harry E. Hubbard

Paul C. Warner

William Hartenstein

Howard R. Shaw

William J. Slaterry

Herbert A. Anderson

William H. Meyer

John L. Graham

Rony Snyder

John S. Hawkins

Rudolph Oeser

Paul G. Wrenn

Clarence L. Waters

Albert R. Buehler

Albert M. Van Eaton

Joseph E. Jackson

Forrest A. Rhoads

George M. Dusingberre

Clarence J. Ballreich

Van Fitch Rathbun

Charles S. Beightler

Francis Taylor

Beverly A. Hartt

William P. Hepburn

Solomon S. Isquith

Rintoul T. Whitney

Adolph H. Bamberger

Joseph G. Pomeroy

Phil L. Haynes

Edwin W. Schell

John F. Grube

Llewellyn J. Johns

Wayne A. McDowell

Carl H. Reynolds, Jr.

David E. Carlson

Marion C. Thompson

James B. Voit

Buell F. Brandt

Raymond D. Edwards

William L. Ware

Arthur LeR. Hamlin

Ehrwald F. Beck

Hubbard F. Goodwin

Owen Rees

Robert C. Strong, Jr.

David W. Hardin

Walter W. Rockey

Henry D. Wolleson

Francis D. Hamblin

Frank H. Newton, Jr.

Richard P. McDonough

Wallace E. Guitlar

Dominic J. Tortorich, Jr.

Philip H. Jenkins

Henry F. Mulloy

Paul L. F. Weaver

Edmund W. Whitehead

Audley L. Warburton

Robert S. Carr

Thomas S. Cameron

Gerald B. Ogle

Dennis L. Francis

Lewis Wallace

Willis A. Lent

John L. Melgaard

Elmer C. Buerkle

Frederick B. Warder

The following-named lieutenants to be lieutenant commanders in the Navy, to rank from the date stated opposite their names:

Cecil B. Gill, July 1, 1939.

Richard E. Elliott, July 1, 1939.

James A. McNally, July 22, 1939.
 Franklin W. Slaven, August 1, 1939.
 Bruce D. Kelley, August 1, 1939.
 Franklin D. Karns, Jr., August 1, 1939.
 Morton C. Mumma, Jr., September 1, 1939.
 David A. Hurt, September 23, 1939.
 Stirling P. Smith, October 1, 1939.
 Russell J. Bellerby, July 1, 1939.
 William C. Latrobe, August 1, 1939.

Lt. (Jr. Gr.) Byron L. Gurnette to be a lieutenant in the Navy, to rank from the 1st day of February 1939.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the 1st day of July 1939:

Robert R. Sampson	Leland G. Shaffer
Lloyd M. Mustin	James B. Vredenburg
Marshall T. Martin	Francis W. Hoyer
Josef M. Gardiner	William J. Giles, Jr.
William K. Parsons	Alvin F. Richardson
George DeMetropolis	David L. Roscoe, Jr.
Joseph C. Toth	Douglas T. Hammond
Emerson E. Fawkes	Robert D. King
Gilbert H. Mitchell	John W. Byng
Edward A. Ruckner	Lester O. Wood
Charles L. Frazer	John C. Hollingsworth
Harold E. Baker	Ernest E. Evans
Odale D. Waters, Jr.	Joseph B. Swain
Harry Sosnoski	Richard S. Andrews
Alfred G. Ward	Clifton Iverson
Edwin W. Hurst	Hylan B. Lyon
William W. Brown	Joseph D. Black
Joseph A. Jaap	Andrew J. Hill
John G. Urquhart, Jr.	Andrew J. Smith
Joe McA. Whitaker	Augustus H. Alston, Jr.
James A. Woodruff, Jr.	Francis M. Peters, Jr.
James M. Peters	Raymond H. Jacobs
Madison Hall, Jr.	Robert F. Jones
Kinloch C. Walpole	Ernest W. Longton
John C. Parham, Jr.	Thomas B. Payne
George G. Molumphy	William A. Dunn
Francis J. Foley	Joseph E. O'Brien
Orrin F. Black	Edward J. O'Neill
Edward F. Ferguson	John A. Myer
Edwin A. McDonald	Hiram Cassidy
Charles S. Vaughn	Alcorn G. Beckmann
Edward S. Burns	Thomas E. Gillespie
Robbins W. Allen	George P. Huff
John S. Reese	Jerry C. South
Frank G. Gould	Thomas C. Phifer
Norman E. Smith	Richard W. Peterson
Ronald J. Woodaman	Robert W. Cooper
Horace Myers	Noah Adair, Jr.
Willis O. Johnson	Carleton E. Mott
Edward H. Allen	Floyd B. T. Myhre
Hepburn A. Pearce	Jesse H. Motes, Jr.
Francis A. Van Slyke	Donald W. Todd
Charles M. Keyes	Reginald R. McCracken
Ward Bronson	Raymond H. Bass
Richard H. Crane	Forsyth Massey
Richard C. Steere	Eugene S. Lytle, Jr.
William B. Sieglaff	Henry H. Hale
Sinclair B. Wright	Robert W. Mackert
Harry M. S. Gimber, Jr.	Alvin A. Jones
John A. Fitzgerald	Andrew P. Stewart
John D. Crowley	Ralph G. Gillette
James T. Smith	Francis T. Williamson
Benjamin Ghetzler	Carson Hawkins
Thomas W. Hogan, Jr.	Justin A. Miller
Walter C. Bailey	Samuel H. Porter
Charles M. Howe 3d	Rathel L. Nolan, Jr.
Arthur A. Cumberland	Justin L. Wickens
John R. Moore	Frederick J. Brush
Daniel A. Stuart	Karl E. Jung
Louis J. Bellis	Michael G. O'Connor
Harrington M. Drake	Lawrence B. Cook
Charles T. Straub	William V. McKaig

William P. Woods
 Julius E. Smith, Jr.

William C. Norvell
 John S. McCain

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the date stated opposite their names:

Francis B. Merkle, June 30, 1938.
 Ronald K. Smith, October 1, 1938.
 John T. Wulff, October 1, 1938.
 Robert B. Heilig, October 1, 1938.
 William R. Lefavour, November 1, 1938.
 Lucian F. Dodson, November 1, 1938.
 Lawson P. Ramage, January 12, 1939.
 John B. Fellows, Jr., April 1, 1939.
 Louis A. Bryan, July 22, 1939.
 Henry G. Munson, August 1, 1939.
 Thomas K. Bowers, August 1, 1939.
 Porter Lewis, August 1, 1939.
 Harry Hull, August 1, 1939.
 Sheldon W. Brown, August 1, 1939.
 William D. Kelly, August 1, 1939.
 Dale R. Frakes, August 1, 1939.
 David D. Scott, September 1, 1939.
 Frank H. Brumby, Jr., September 8, 1939.
 Chauncey S. Willard, September 23, 1939.
 John H. Morse, Jr., September 27, 1939.
 David F. Kinert, October 1, 1939.
 Ernest D. Hodge, October 1, 1939.
 Harry L. Reiter, Jr., October 1, 1939.
 Morton Sunderland, October 1, 1939.
 Ernest P. Abrahamson, October 1, 1939.
 Ronald L. Wilson, November 1, 1939.
 Richard H. Lambert, November 1, 1939.
 Fred L. Ruhlman, November 1, 1939.
 Robert H. Weeks, November 1, 1939.
 John G. Spangler, November 1, 1939.
 Walter D. Coleman, December 8, 1939.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the 1st day of July 1939:

Arnold H. Holtz	Elwin L. Farrington
Evan W. Yancey	James H. Davis
Frederick J. Becton	Winsor C. Gale

The following-named ensigns to be lieutenants (junior grade) in the Navy, to rank from the 4th day of June 1939:

William N. Price	Webster C. Johnson
John F. Ryder	Thomas S. King, Jr.
Ellis B. Orr	James S. Gray, Jr.
Harry A. Barnard, Jr.	Carl W. Heywood
George H. Whiting	David C. Richardson
John K. Fyfe	Sydney S. Sherby
Samuel G. Shilling	James J. Southerland 2d
Frank C. Graham	Walter B. Bayless
Thomas W. Samuel	Charles S. Manning, Jr.
Chester W. Nimitz, Jr.	James H. Barnard
Raymond W. Vogel, Jr.	Henry A. Romberg
Clinton McKellar, Jr.	Ernest W. Humphrey
Donald W. Wilson	Ralph W. Arndt
Thomas K. Kimmel	Theodore C. Lyster, Jr.
Fitzhugh L. Palmer, Jr.	Hoyt D. Mann
Marshall F. Thompson	William A. Small
Frank E. Hayler	Donald G. Gumz
Renfro Turner, Jr.	Charles E. Houston
William B. Parham	Richard R. Pratt
Robert H. Caldwell, Jr.	James W. McCauley
William M. Kaufman	Richard W. Meyers
John D. Blitch	John C. Hunter
Earl R. Crawford	Richard S. Bull, Jr.
James C. Shaw	James W. O'Grady
John P. Preston	Harlan G. Kirkpatrick
Harlan R. Dickson	Bennett C. Oelheim
Donald E. Willman	Harry F. Holmshaw, Jr.
George M. Winne	William T. Hulson
Sydney R. Miller, Jr.	Donald G. Dockum
Dallas M. Laizure	Richard L. Fowler
Jewett O. Phillips, Jr.	Merrill M. Sanford

Edward J. Huxtable, Jr.
Ormond G. Sexton
Ralph A. Embree
Van Ostrand Perkins

Marion J. Reed
William E. Lewis
Francis M. Traynor
Richard Gray

Medical Inspector John Harper to be a medical director in the Navy, with the rank of captain, to rank from the 1st day of August 1939.

Medical Director David C. Cather to be a medical director in the Navy with the rank of rear admiral, to rank from the 1st day of July 1936.

Medical Inspector Paul Richmond, Jr., to be a medical director in the Navy, with the rank of captain, to rank from the 1st day of August 1939.

The following-named passed assistant surgeons to be surgeons in the Navy, with the rank of lieutenant commander, to rank from the 1st day of July 1939:

Charles W. Stelle
John P. Wood

Passed Asst. Surg. Hubert H. Carroll to be a surgeon in the Navy with the rank of lieutenant commander, to rank from the 1st day of July 1939.

The following to be assistant surgeons in the Navy with the rank of lieutenant (junior grade), to rank from the 16th day of December 1939:

Frederick L. Eagleston, Jr.	John H. Moser
Delphos O. Coffman	Harold D. LeBlond
John W. Metcalfe	

The following to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), to rank from the 28th day of August 1939:

James T. Mudler	Robert D. Wyckoff
Robert L. Eller, Jr.	Jack L. Mauk
Harold G. Davies	Aaron N. Bowers, Jr.
Jack N. Lane	Charles W. Holly, Jr.
John V. Borden	William B. Johnson, Jr.
William M. Woodard	Sidney C. Liedman
John P. Jarabak	John W. Rice
Vincent C. Maslowski	Richard J. H. Stanton
Herman K. Rendtorff	Wilson P. Kemp

The following-named assistant dental surgeons to be passed assistant dental surgeons in the Navy, with the rank of lieutenant, to rank from the 1st day of July 1939:

Wilbur N. Van Zile
Alvin H. Grunewald
Lewis M. Smylie

Chaplain Edgar W. Davis to be a chaplain in the Navy, with the rank of commander, to rank from the 1st day of July 1939.

Civil Engineer Floyd C. Bedell to be a civil engineer in the Navy, with the rank of commander, to rank from the 1st day of July 1939.

The following-named assistant civil engineers to be civil engineers in the Navy, with the rank of lieutenant, to rank from the 1st day of July 1936:

Albert J. Fay
Howard F. Ransford
Horace B. Jones

Passed Assistant Paymaster Joseph L. Herlihy to be a paymaster in the Navy, with the rank of lieutenant commander, to rank from the 1st day of July 1939.

The following-named assistant paymasters to be passed assistant paymasters in the Navy, with the rank of lieutenant, to rank from the 1st day of July 1939:

John F. Castree	Arnold J. Carlson
Bryant A. Chandler	Frederick DeB. Witzel
Frederick A. Kinzie	Warren W. Whitside, Jr.
Edward P. Trenholme	Harry R. Godbey
Bernhard Tieslau	George A. Johnson
Francis B. Risser	William E. Moring

Assistant Paymaster Sidney A. Ernst to be a passed assistant paymaster in the Navy with the rank of lieutenant, to rank from the 1st day of August 1939.

The following-named passed assistant paymasters to be paymasters in the Navy, with the rank of lieutenant commander, to rank from the 1st day of July 1939:

Lloyd H. Thomas
John E. Wymond

The following-named assistant paymasters to be passed assistant paymasters in the Navy, with the rank of lieutenant, to rank from the 1st day of July 1939:

John F. Just	Charles L. Keithley
Robert M. Bowstrom	Walter R. Wright

The following to be assistant paymasters in the Navy, with the rank of ensign, to rank from the 10th day of August 1939:

Conrad T. Budny	Franklin W. Ott
Charles M. Christensen	Eben M. Standish
Ralph W. Clark	William G. Tonner, Jr.
William A. Cochran	James G. Walsh
Edward T. Dobbyn, Jr.	Robert L. Watson
William B. Durant, Jr.	Kenneth R. Wheeler
Allan J. Fisher	Clifford W. Wilson
Robert S. Hill	Edwin W. Winnett
James L. Lambrecht	Harold H. Hunt
Daniel F. Logan	Frank J. Roberts
Charles L. Loring	Edward R. Joshua, Jr.
Crandall T. Nefzger	

Chaplain Thornton C. Miller to be a chaplain in the Navy, with the rank of commander, to rank from the 1st day of July 1939.

Boatswain Robert M. Whelpley to be a chief boatswain in the Navy, to rank with but after ensign, from the 2d day of July 1939.

Machinist Charles R. Banks to be a chief machinist in the Navy, to rank with but after ensign, from the 15th day of June 1939.

The following-named gunners to be chief gunners in the Navy, to rank with but after ensign, from the date stated opposite their name:

William P. Baron, July 2, 1939.
William T. Hall, October 25, 1939.
Engene F. Marker, October 25, 1939.

The following-named electricians to be chief electricians in the Navy, to rank with but after ensign, from the 25th day of October 1939:

Ralph E. Deckwa
Charles B. Brinkley
Robert G. Nichols
David R. Sword

Radio Electrician Wallace Mayo to be a chief radio electrician in the Navy, to rank with but after ensign, from the 25th day of October 1939.

The following-named machinists to be chief machinists in the Navy, to rank with but after ensign, from the date stated opposite their name:

Raymond A. Cutlip, October 25, 1939.
Olen C. Woodroof, October 25, 1939.
Elmer M. Doan, October 25, 1939.
Herbert J. West, October 25, 1939.
Frank L. Dawley, October 25, 1939.
Walter E. Burke, December 2, 1939.
John W. Kuhl, January 2, 1940.

The following-named carpenters to be chief carpenters in the Navy, to rank with but after ensign, from the 2d day of November 1939:

Hubert W. Fisher
James Dyer

Pharmacist Paul S. Gault to be a chief pharmacist in the Navy, to rank with but after ensign, from the 25th day of October 1939.

Boatswain Earl W. Brown to be a chief boatswain in the Navy, to rank with but after ensign, from the 25th day of October 1939.

The following-named boatswains to be chief boatswains in the Navy, to rank with but after ensign, from the date following their name:

John W. Freeborn, October 25, 1939.
Luther Maynard, October 25, 1939.
Adnah N. Caldin, October 25, 1939.
Forrest L. VanCamp, November 2, 1939.

Gunner Theodore R. Brown to be a chief gunner in the Navy, to rank with but after ensign, from the 2d day of March 1939.

The following-named lieutenant commanders to be lieutenant commanders in the Navy, to rank from the date stated opposite their names to correct the date of rank as previously nominated and confirmed:

Hallsted L. Hopping, July 1, 1938.
Joseph A. Callaghan, August 1, 1938.
John W. C. Brand, September 1, 1938.
William V. Davis, Jr., September 8, 1938.
John N. Opie, 3d, September 22, 1938.
Edwin R. Wilkinson, October 1, 1938.
William D. Brown, November 1, 1938.
Warren D. Wilkin, November 2, 1938.
Wayne N. Gamet, November 24, 1938.
Willis E. Cleaves, December 1, 1938.
Adolph H. Oswald, January 1, 1939.
Frederick R. Furth, January 12, 1939.
Robert L. Swart, January 20, 1939.
Frank C. Layne, January 26, 1939.
Dale Harris, February 1, 1939.
Bertrand D. Quinn, February 13, 1939.
Stephen R. Bedford, March 1, 1939.
John D. Hayes, March 28, 1939.
Harold P. Smith, April 1, 1939.
Austen V. Magly, April 18, 1939.
Preston V. Mercer, May 1, 1939.
Ethelbert Watts, June 1, 1939.

The following-named lieutenants to be lieutenants in the Navy, to rank from the date stated opposite their names to correct the date of rank as previously nominated and confirmed:

Berton A. Robbins, Jr., June 30, 1938.
Lee A. Ellis, July 1, 1938.
Eugene Tatom, July 24, 1938.
Ashton B. Jones, Jr., August 1, 1938.
Damon M. Cummings, August 1, 1938.
Walter P. Schoeni, September 1, 1938.
George K. MacKenzie, Jr., September 1, 1938.
Maxim W. Firth, September 8, 1938.
George K. Williams, September 21, 1938.
Willis M. Thomas, October 1, 1938.
Rudolph J. Fabian, October 1, 1938.
Frank G. Raysbrook, November 1, 1938.
Oscar E. Hagberg, November 2, 1938.
Norman M. Miller, November 24, 1938.
Elliott M. Brown, December 1, 1938.
Clifford T. Janz, December 10, 1938.
Edward M. Blessman, January 1, 1939.
Henry A. Renken, January 1, 1939.
Henry Mullins, Jr., January 20, 1939.
Louis F. Volk, January 26, 1939.
Richard R. Hay, February 1, 1939.
James R. Z. Reynolds, February 13, 1939.
Frederick U. Weir, March 1, 1939.
Donald V. Daniels, March 1, 1939.
Howard J. Abbott, March 28, 1939.
Archie D. Fraser, April 1, 1939.
George E. Peckham, April 18, 1939.
Edward L. Robertson, Jr., May 1, 1939.
Claude V. Hawk, May 1, 1939.

Comdr. William G. Greenman to be a captain in the Navy, to rank from the 1st day of July 1939.

Lt. Comdr. Emmet P. Forrestel to be a commander in the Navy, to rank from the 1st day of July 1939.

Lt. William A. P. Martin, Jr. to be a lieutenant commander in the Navy, to rank from the 1st day of July 1939.

The following-named medical inspectors to be medical directors in the Navy, with the rank of captain, to rank from the 1st day of August 1939:

Walter A. Vogelsang
Elphege A. M. Gendreau

Assistant Paymaster Paul W. Clarke to be a passed assistant paymaster in the Navy, with the rank of lieutenant, to rank from the 1st day of July 1939.

MARINE CORPS

Brig. Gen. Thomas Holcomb to be a major general in the Marine Corps from the 1st day of October 1939.

Col. Holland M. Smith to be a brigadier general in the Marine Corps from the 14th day of August 1939.

Col. Philip H. Torrey to be a brigadier general in the Marine Corps from the 21st day of August 1939.

Col. Ross E. Rowell to be a brigadier general in the Marine Corps from the 1st day of October 1939.

Col. John Marston to be a brigadier general in the Marine Corps from the 1st day of October 1939.

Col. Samuel M. Harrington to be a brigadier general in the Marine Corps from 1st day of January 1940.

The following-named majors to be lieutenant colonels in the Marine Corps from the 14th day of August 1939:

Fred S. Robillard	Leland S. Swindler
Blythe G. Jones	Ford O. Rogers
Robert C. Kilmartin, Jr.	Walter G. Farrell
Edward A. Craig	Ralph R. Robinson
Bernard Dubel	Frederick E. Stack

Capt. John D. Muncie to be a major in the Marine Corps from the 1st day of August 1939.

The following-named captains to be majors in the Marine Corps from the 14th day of August 1939:

William E. Burke	William G. Manley
Robert G. Hunt	Albert D. Cooley
James E. Kerr	Theodore A. Holdahl

The following-named captains to be captains in the Marine Corps to correct the dates from which they take rank as previously nominated and confirmed:

William K. Enright, from the 1st day of July 1938.
Marion A. Fawcett, from the 1st day of September 1938.
Robert O. Bisson, from the 5th day of September 1938.

The following-named first lieutenants to be captains in the Marine Corps from the 1st day of July 1939:

James G. Smith	David S. McDougal
James F. Climie	William A. Kengla

Second Lt. Ralph L. Houser to be a first lieutenant in the Marine Corps from the 1st day of July 1938.

Second Lt. Charles S. Todd to be a first lieutenant in the Marine Corps from the 1st day of September 1938.

Second Lt. Charles J. Seibert, 2d, to be a first lieutenant in the Marine Corps from the 1st day of July 1939.

The following-named citizens to be second lieutenants in the Marine Corps from the 1st day of July 1939:

James W. Keene, a citizen of Florida.
William C. Kellum, a citizen of California.
John F. Kinney, a citizen of Washington.
Roger C. Power, Jr., a citizen of the District of Columbia.
Richard K. Schmidt, a citizen of Virginia.

Marine Gunner Walter M. Henderson to be a chief marine gunner in the Marine Corps, to rank with but after second lieutenant, from the 5th day of August 1939.

Quartermaster Clerk Carl M. McPherson to be a chief quartermaster clerk in the Marine Corps, to rank with but after second lieutenant, from the 15th day of June 1939.

Quartermaster Clerk Clyde T. Smith to be a chief quartermaster clerk in the Marine Corps, to rank with but after second lieutenant, from the 20th day of November 1939.

Pay Clerk George R. Frank to be a chief pay clerk in the Marine Corps, to rank with but after second lieutenant, from the 12th day of August 1939.

Pay Clerk John H. Rath to be a chief pay clerk in the Marine Corps, to rank with but after second lieutenant, from the 7th day of November 1939.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 4, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Great art Thou, O Lord, and greatly to be praised; great is Thy power, and of Thy wisdom there is no end. We thank Thee for the blessed boon of life with all its hopes and promises. The value of this world to Thee, O God, is not in silver and gold but in good men. Another of our own has fallen. The sands of life run swiftly; we know not when the silver cord shall be loosed, the golden bowl broken. Heavenly Father, we rejoice that it is reasonable to trust the power that has made a mother. So—

I know not where His islands lift
Their fronded palms in air;
I only know I cannot drift
Beyond His love and care.

So I sit beside the silent sea
And wait the muffled oar.
No harm from Him can come to me
On ocean or on shore.

Through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

THE LATE WILLIAM I. SIROVICH

Mr. BLAND. Mr. Speaker, I desire to ask unanimous consent to introduce into the RECORD at this point a resolution of sympathy on the death of Congressman SIROVICH unanimously adopted this morning by the Committee on Merchant Marine and Fisheries.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The resolution is as follows:

Whereas during the recent recess of Congress this committee has suffered the loss of one of its members who has contributed materially to its work in the past and has rendered most valuable assistance in the success of the committee's legislative program: Now, therefore, be it

Resolved, First, that the Committee on Merchant Marine and Fisheries of the Seventy-sixth Congress records its appreciation of the splendid service on the committee of Hon. WILLIAM I. SIROVICH, former ranking Democratic member of the committee and late a Member of the Seventy-sixth Congress of the United States from the Fourteenth Congressional District of New York;

Second, that this committee realizes that in the death of Hon. WILLIAM I. SIROVICH the Nation has lost one of its most patriotic and loyal citizens, the House of Representatives of the United States has lost a wise, highly cultured, and industrious Member, and this committee has lost a zealous, courageous, and enthusiastic champion and supporter of legislation for the upbuilding and preservation of the American merchant marine, the improvement of working conditions on board ships, and the best interest of all of the various subjects coming within the scope of the jurisdiction of this committee;

Third, that the committee will miss the assistance and guidance of Dr. SIROVICH in its deliberations;

Fourth, that the chairman of this committee is hereby authorized to request that a copy of this resolution be made a part of the CONGRESSIONAL RECORD; and

Fifth, that the clerk of the committee is hereby directed to make this resolution a part of the records of the committee, and to transmit a copy of this resolution to the family of the deceased. (Adopted by the Committee on Merchant Marine and Fisheries January 4, 1940.)

EXTENSION OF REMARKS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my remarks in two instances: First, to include a radio speech I made on December 20; and, second, to include a letter addressed to me and a resolution by the Marine Firemen, Oilers, and Water Tenders in connection with the death of Dr. Sirovich.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MICHAEL J. KENNEDY. Mr. Speaker, I ask unanimous consent to include in the RECORD an editorial from the New York Inquirer on the appointment of Myron C. Taylor to the Vatican.

The SPEAKER. Is there objection?

There was no objection.

Mr. ALLEN of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein an editorial from the Washington Post this morning on reciprocal-trade agreements.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent that on Wednesday next, at the conclusion of the legislative business of the day, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

EXTENSION OF REMARKS

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject, Should the Un-American Activities Committee Be Continued?

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks and include an article by Mr. Ackerman on wool importations under reciprocal treaties.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a statement made to the Joint Congressional Committee on Forestry.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent that on today, after the regular business of the day and any other special orders, I may be allowed to proceed for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

EXTENSION OF REMARKS

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include quotations from newspapers and reports from Foundations of Leninism.

The SPEAKER. Is there objection?

There was no objection.

Mr. VREELAND. Mr. Speaker, I ask unanimous consent to extend my own remarks and include an address given by the Governor of Colorado and one by myself over station WNEW.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix and to include a large portion of an address made by me over the Columbia Broadcasting System; also a further request to extend my remarks and include an address delivered over the National Broadcasting System.

The SPEAKER. Without objection, the requests are granted.

There was no objection.

Mr. HESS. Mr. Speaker, I ask unanimous consent to insert in the Appendix three short editorials on the question of stream pollution.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks relative to reciprocal-trade agreements.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent to extend my own remarks on the subject of the present neutrality situation.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DIMOND. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution adopted by the Juneau Chamber of Commerce relative to the late F. A. Silcox, Chief Forester of the United States.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my own remarks and include an address that I gave at Hancock, Mich.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief address by Prof. J. Pope Dyer, of Chattanooga, Tenn.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. KEFAUVER]?

There was no objection.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

There was no objection.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—THE BUDGET (H. DOC. NO. 529)

The Chair laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Appropriations and ordered printed.

To the Congress of the United States:

I transmit herewith the Budget of the United States Government for the fiscal year ending June 30, 1941. Estimated expenditures at \$8,424,000,000 are down \$675,000,000 from the fiscal year 1940. Estimated normal receipts at \$5,548,000,000 are up \$382,000,000 from the fiscal year 1940. Recovery of excess capital funds from Government corporations is estimated at \$700,000,000. The net deficit is estimated at \$2,176,000,000, as compared with an estimated \$3,933,000,000 in the fiscal year 1940. If the tax recommendations totaling \$460,000,000 herein made are adopted, the deficit will be further decreased to \$1,716,000,000. Appropriations, excluding those for debt retirement, as distinguished from actual expenditures, are estimated at \$8,101,000,000, as contrasted with \$8,889,000,000 in the fiscal year 1940.

REVIEW OF FISCAL POLICY

The Budget of the United States Government is a statement that reflects in money terms what the Government does for the people and what the people contribute to the Government.

In these figures over a course of years are mirrored the changing attitudes of the people toward the growing needs which they expect their Government to meet. The relatively low and constant level of expenditures throughout the 1920's accurately reflected the relatively minor role played by the Government in those years. The substantial increase in the past decade is a reflection of the degree to which the country, in response to changing economic and international conditions and changing attitudes, has turned to the Government to meet social needs recognized by our citizenship. Nowhere are our democratic processes so faithfully depicted.

In the early thirties—prior to 1933—fiscal policy was exceedingly simple in theory and extraordinarily disastrous in practice. It consisted in trying to keep expenditures as low as possible in the face of shrinking national income. Persistence in this attempt came near to bankrupting both our people and our Government.

Following 1933 the fiscal policy of the Government was more realistically adapted to the needs of the people. All about were idle men, idle factories, and idle funds, and yet the people were in desperate need of more goods than they had the purchasing power to acquire. The Government deliberately set itself to correct these conditions by borrowing idle funds to put idle men and idle factories to work.

The deliberate use of Government funds and of Government credit to energize private enterprise—to put purchasing power in the hands of those who urgently needed it and to create a demand for the products of factory and farm—had a profound effect both on Government and on private incomes. The national income in 4 years rose 69 percent, from \$42,000,000,000 in 1933 to \$72,000,000,000 in 1937, the largest absolute rise for any 4-year period in our history, not even excepting the rise during the World War. Tax revenues rose from \$2,000,000,000 in the fiscal year 1933 to over \$5,000,000,000 in the fiscal year 1937, primarily because the people had more income out of which to pay taxes. The people paid \$3,000,000,000 more in taxes, but they had nearly 10 times more than that, or \$30,000,000,000, to spend on other things. This statement deserves a headline.

Rapid progress was made toward a balanced Budget. By the calendar year 1937 excess of Government cash outgo over Government cash income had dropped to \$331,000,000.

Unfortunately, just at the time when it seemed that the Federal Government would be able safely to balance its Budget on the basis of a national income of approximately \$75,000,000,000, maladjustments in the economic system began to appear and caused a recession in economic activity. The recession was due to a variety of causes stemming in the main from overoptimism which led the Government to curtail its net expenditures too abruptly, and business to expand production and raise prices too sharply for consumers' purchasing power to keep pace. A large volume of unsold goods piled up.

If the recession were not to feed on itself and become another depression, the buying power of the people, which constitutes the market for the products of industry and agriculture, had to be maintained. To this end, in the spring of 1938, I recommended a further use of Government credit and the Congress acted on my recommendation.

The soundness of this realistic approach to a fiscal policy related to economic need was again strikingly demonstrated. In place of the \$42,000,000,000 decline in national income that occurred from 1929 to 1932, the decline from 1937 to 1938 scarcely exceeded \$8,000,000,000. In place of a 4-year period of liquidation and deflation, productive activity turned up within 9 months. By 1939, in terms of dollars, the national income closely approached, and, in terms of real production and consumption, making allowance for the lower level of prices, was equal to that of 1937.

The experience of 1938–39 should remove any doubt as to the effectiveness of a fiscal policy related to economic need. The wise exercise of such a fiscal policy imposes grave responsibility on the Government. Government must have the wisdom to use its credit to sustain economic activity in periods of economic recession and the courage to withhold it and retire debt in periods of economic prosperity. And let us not forget that the withholding of Government credits in time of need for political advantage is no less reprehensible than its profligate use at any time.

In approaching the Budget for the fiscal year 1941 I have sought, as in the past, to relate fiscal policy to probable economic necessities. As the Budget is being prepared we are achieving the highest levels of production and consumption in our history. The extent to which recovery has progressed, and the degree to which speculation and price increases have, on the whole, been kept in check, have made it possible for

us to consider a substantial lessening of Government expenditures on activities not immediately essential for national defense.

On the other hand, employment still lags considerably below the levels of 1929. Many of our younger workers have not found employment, and many others have been displaced by the machine. We must not only guard the gains we have made but we must press on to attain full employment for those who have been displaced by machines as well as for the 5,000,000 net addition to the labor force since 1929. We must, therefore, avoid the danger of too drastic or too sudden a curtailment of Government support.

Against this background of aims substantially but not fully attained I propose in the field of fiscal policy that we adopt the following course: We should count upon a natural increase in receipts from current taxes and a decrease in emergency expenditures, and we should try to offset the unavoidable increase in expenditures for national defense by special tax receipts, and thus hope to secure, for the over-all picture, a gradual tapering off rather than an abrupt cessation of the deficit.

In the proposed Budget I have tried to interpret the wishes of our people. They want to strengthen our national defenses and are prepared to pay additional taxes for this purpose. They wish to attain, if possible, an over-all decrease in expenditures. They would like to see a reduction in the deficit but not of a magnitude that would imperil the progress of recovery.

EXPENDITURES

To translate the consideration of the Budget from forensics to national needs, I submit a summary for the fiscal year 1941 of approximate expenditures required to meet these needs:

National defense	\$1,800,000,000
Work-relief programs	1,300,000,000
Agricultural programs	900,000,000
Public works and investments	1,100,000,000
Pensions, retirements, and assistance	1,200,000,000
Interest on the public debt	1,100,000,000
Regular operating	1,000,000,000
Total	8,400,000,000

This table presents, in a simple form which any layman can understand, the principal divisions into which Government expenditures fall. I constantly marvel at the glib generalities to the effect that if one has but the will to do so anybody can reduce Government expenditures by vast sums sufficient immediately to "balance the Budget." It costs nothing to make such statements, and they can be decorated to fit into the applause of many audiences.

But it is the old, old story of the man who loves to utter generalities and changes the subject abruptly when he is pinned down to hard facts.

In these headings, for example, I do not believe that the majority of the people in this country want to reduce the budgeted estimate of \$1,800,000,000 for national defense. This is an increase, of course, over the current year, but it is far less than many experts on national defense think should be spent, though it is, in my judgment, a sufficient amount for the coming year.

I do not believe that the majority of people in this country want to see the work-relief programs for the coming year reduced below \$1,300,000,000. This sum, in itself, covering the activities of the Work Projects Administration, the National Youth Administration, the Civilian Conservation Corps, and grants of the Farm Security Administration represents a large—perhaps too large—reduction of current expenditures.

I do not believe that the majority of people feel that the agricultural programs should be reduced below the figure of \$900,000,000, because this figure, in itself a large reduction below the current year, will be barely sufficient to carry out soil protection and surplus removal operations.

I do not believe that the majority of people think the item for public works and investments of \$1,100,000,000 can be

further reduced, because this amount contains practically no money for new projects in any part of the country.

I do not believe that the majority of people feel that the Government can possibly reduce, by any substantial sum, the figure of \$1,200,000,000 for pensions, retirements, and assistance of many kinds, including public-health work, aid for dependent children and the blind, and veterans' benefits.

The item of \$1,100,000,000 for interest on the public debt cannot, of course, be reduced at all, and we should remember that the rate of interest paid by the Government is today one-third lower than it was in 1929.

All of these items amount to estimated expenditures of \$7,400,000,000, and there remains only one other item of \$1,000,000,000—12 percent of the total—for the operating costs of the regular departments of the Government. These are down to the bedrock of the activities and functions ordered by the Congress. If further savings are to be made in these operating costs, the Congress will have to direct by statute the elimination of many functions. And even if they should do so, the amount saved in this Budget could only be a small percentage of the total.

Therefore, those who call for further cuts should have the courage and the honesty to specify where they should be made.

National defense: These estimates represent expenditures needed to develop and maintain our normal defense preparations. They also include, in view of the current world situation, the emergency expenditures required for the War and Navy Departments, the Coast Guard, Department of Justice, and the Panama Canal.

In order that these emergency requirements may be clearly shown I have segregated them for both the fiscal years 1940 and 1941. They call for supplemental appropriations of \$272,000,000 in the fiscal year 1940, and appropriations of \$302,000,000 in the fiscal year 1941. Expenditures are estimated at \$160,000,000 and \$300,000,000 in these 2 years. This segregation will, I hope, help to focus attention on our emergency defense expenditures, and the problem of financing them. It will also facilitate the return to a normal defense program when the current emergency has passed.

Work-relief programs: For the purpose of this summary I have included the activities of the Work Projects Administration, the National Youth Administration, the Civilian Conservation Corps, and the grants of the Farm Security Administration.

In submitting estimates for these agencies I have taken into consideration the current improvement in business conditions. The first effects of increased business activity have not resulted in a proportionate reduction in relief needs. This is because the increase in employment has affected principally those who have had casual or part-time work. But there is reason to hope that a continued expansion of business would diminish relief requirements substantially.

While the estimates are appreciably less than those for the current year, I am hopeful that they will prove adequate. The Work Projects Administration will be able to provide employment for an average of 1,350,000 persons. The National Youth Administration can employ an average of nearly 600,000 American youth, and the Civilian Conservation Corps will operate 1,227 camps and provide for a monthly average of 230,000 enrollees. The Farm Security Administration will operate on about 80 percent of its 1940 level. Relief expenditures should be closely geared to actual needs. If conditions fail to meet our hopes additional funds may be necessary. I may, therefore, submit revised estimates later in the session.

Agricultural programs: Under the broad heading of agricultural programs I have included agricultural adjustment benefits, the surplus removal program and parity payments arising from 1940 appropriations.

Despite a gratifying general increase in farm income, agriculture is still not receiving its proper share of the national income. I am, therefore, proposing to continue substantially undiminished the various agricultural programs.

I have not, however, included estimates for new appropriations for parity payments in 1941. I am influenced by the hope that next year's crops can be sold by their producers for at least 75 percent of parity. I do not suggest in any way abandonment of the policy of parity payments heretofore adopted, and future events may call for some appropriation to this end. I note, however, in passing, that the Congress has failed to make any provision for the financing of these payments already made or obligated for 1938 and 1939 crops.

Public works and investments: This broad class of expenditure represents the use of Federal capital for investment in useful public works, for ship construction, and for loans largely for aid to agriculture.

While the expenditures for these purposes in 1941 remain large, a substantial portion of them arises from existing appropriations or takes the form of reimbursable loans.

The estimated expenditure for the general public-works program is \$641,000,000, but the proposed new appropriation for this item to carry on already authorized projects is only \$498,000,000. To obtain this relatively low figure the starting of important new projects has had to be postponed and the purchase of additional land has had rigidly to be limited. This action brings the public-works program down to the minimum goal of \$500,000,000 a year suggested by me on several previous occasions, and conserves the reservoir of public projects for a time when private construction declines.

Last year, in the interests of more accurate and intelligible statements of the financial operations of the Government, I invited the attention of the Congress to the desirability of capitalizing certain capital expenditures of the Government that have proved to be self-liquidating. I renew that recommendation at this time. As before, I would confine this principle to projects that are definitely capable of yielding revenues sufficient to defray, with interest, their cost of construction. In accordance with this principle, I propose that the requirements for new self-liquidating loans of the Rural Electrification Administration be met through funds advanced by the Reconstruction Finance Corporation instead of by direct appropriation.

Pensions, retirements, and assistance: This category includes grants to the States under the Social Security Act for old-age assistance, for maternal and child welfare, for public health work, and for aid to dependent children and the blind, as well as veterans' benefits, railroad retirement benefits, and contributions to Federal employee retirement funds. It does not include insurance benefits paid out of the old-age and unemployment trust funds. This general category affects the individual security and health of millions of citizens. Its growth reflects mainly the beginning of a comprehensive social-security program.

Interest on the public debt: Obviously no reduction in this item can be made in the next year. The average interest rate paid on the public debt for the fiscal year 1929 was 3.9 percent. The present computed rate is 2.6 percent.

Regular operating expenses: This item represents the basic financial requirements of the Government. Blue pencil inroads are not easy to make. In the face of large and appealing requests for increases I have held appropriations and estimates of expenditures generally to the 1940 level or below. Where legislation has added new activities I have offset the cost by reductions in old activities.

I have carefully checked the individual estimates under these broad categories and I am satisfied that no lower figures can be attained except at the expense of impairing the efficiency with which laws are administered or of working undue hardship on individuals and economic groups. I refuse to accept the responsibility of adopting either alternative.

THE OTHER SIDE OF THE BUDGET

Revenue estimates: Total tax revenues are estimated at \$6,151,000,000. Tax revenues, after deducting appropriations to the old-age security fund, are estimated at \$5,548,000,000. Although net revenue collections for the fiscal year 1941 are

estimated to exceed by \$382,000,000 the estimated collections for the fiscal year 1940, the increase is not as large as some might have expected. This is owing partly to the inevitable lag of tax collections behind increasing incomes, and also partly, it is feared, to an impairment of the productiveness of the tax base arising from the revisions in 1938 and 1939 of corporate and individual income and capital-gains taxes.

Return of surplus funds from Government corporations: At various times in the past as emergencies have arisen the Federal Government has established credit corporations and has invested substantial amounts in their capital structures. Although these expenditures were nonrecurring and extraordinary costs, they were reflected in the annual Budgets as charges against current receipts and increased the deficits of prior years. With the lessening need for loans in some cases and the growing surpluses in other cases, it appears that some of these corporations will have excess capital funds. Currently, in response to Senate Resolution 150, Seventy-sixth Congress, a comprehensive survey and appraisal of assets of Government corporations is being carried out. On the basis of preliminary studies, I estimate that it will prove feasible to reduce the capital funds of some of these corporations by an aggregate figure of \$700,000,000, without in any way impeding their operations.

In the case of certain lending agencies, any funds received from the retirement of stock will be credited to revolving funds in the Treasury and will be available for new subscriptions to stock when, as, and if needed. In these cases payments to the Treasury will appear as credits under certain expenditure items. In other cases payments will be reflected in miscellaneous receipts.

National-defense taxes: I am convinced that specific tax legislation should be enacted to finance the emergency national-defense expenditures. Although these expenditures appear unavoidable, they will not increase the permanent wealth-producing capacity of our citizens. I believe that it is the general sense of the country that this type of emergency expenditure be met by a special tax or taxes. Moreover, this course will make for greater assurance that such expenditures will cease when the emergency has passed.

I strongly recommend to the Congress, therefore, that additional taxes be imposed to yield in the fiscal year 1941 at least enough to cover the emergency national-defense expenditures in the fiscal years 1940 and 1941. In seeking additional sources of revenue I hope that the Congress will follow the accepted principle of good taxation of taxing according to ability to pay and will avoid taxes which decrease consumer buying power.

The deficit: The deficit for the fiscal year 1941 is estimated at \$2,176,000,000, as contrasted with \$3,933,000,000 for the fiscal year 1940. It is expected that these deficits will be met in normal course partly by additional tax collections, partly by carrying lower balances, and partly by borrowing. If the Congress adopts my recommendations with reference to taxes, the deficit for 1941 will be reduced to \$1,716,000,000.

Financing the maintenance cost of certain services: I have always believed that many facilities made available to our citizens by the Government should be paid for, at least in part, by those who use them. For example, I believe that in the case of parks, national forests, historic monuments, and so forth, small fees, as low as 5 or 10 cents per person, should be charged to those who enjoy them. A start on this policy has been made. In such a way a substantial part of the annual cost of maintenance of roads, trails, and grounds in forests and parks will come back to the Treasury and reduce the annual cost of government. Another example is the \$50,000,000 the Government spends annually in the maintenance of dredged channels, buoys, lighthouses, lifesaving stations, and so forth. It would seem reasonable that some portion of these annual expenditures should come back in the form of small fees from the users of our lakes, channels, harbors, and coasts. If the Congress would make a special study of the further possibilities along these lines, I will be glad to make available for such a study material from various departments.

FEDERAL ADMINISTRATION

Effective execution of the Federal program for the fiscal year 1941 and the prospect of economies to be reflected in the estimates for future years is directly related to the quality of Federal administration. The economies reflected in the 1941 estimates are the result of the cooperative effort of the entire administrative service.

Generally, we are prepared to move forward on reduced rations. In several management agencies I have recognized a condition of definite undernourishment. I have, for example, provided increases for the Bureau of the Budget and the Civil Service Commission. I believe in each we will be making a modest investment which will in future years pay large dividends. Furthermore, as I have suggested in my annual message, it is important for good administration that large numbers of positions now exempt should be placed under the requirements of the civil service.

Reorganization has proceeded in accordance with plans I and II. As a result, \$11,000,000 of savings already have been impounded this year and deducted from the estimate base for 1941. With further readjustment in the machinery and business practices of the Government, additional savings will be realized. Reorganization has also brought the Bureau of the Budget into the Executive Office. With the additional appropriation for this Bureau, our budgetary procedure can be greatly strengthened. We are beginning to get more effective review of estimates. With the help of Congress we can make further progress in improving our accounting and appropriation procedures. This is a necessary prelude to better budgetary control. The Bureau of the Budget is preparing itself to be increasingly helpful in the supplying of information to the appropriation committees of the Congress.

THE PUBLIC DEBT

There has been so much discussion about the public debt that I feel that some concluding observations thereon would be very appropriate at this time.

There is no subject on which there is more conscious or unconscious deception than the public debt. People who would never dream of assessing their own position solely in terms of their liabilities do so continually in discussing the Government's position.

Those who state baldly that the Government's debt is \$42,000,000,000—and stop there—are stating a deceptive half truth calculated to make our people apprehensive. For one thing, it would clarify the public mind if it were pointed out that of the \$42,000,000,000 figure, the amount incurred between June 30, 1933, and December 31, 1939, is just over \$19,000,000,000. For another thing, it would be more honest and more honorable for them to say that while one line in the National Budget shows a national debt of \$42,000,000,000, other lines indicate that the Government has \$7,000,000,000 of cash, gold available for debt redemption, and proprietary interest in Government corporations, which reduces the net debt to \$35,000,000,000.

In addition, of course, there are the billions of dollars' worth of durable, tangible assets constructed or purchased by the Government that are a real offset to the debt, though never listed as such.

During the period between June 30, 1933, and June 30, 1940, nearly \$14,000,000,000 of Federal funds will have gone into recoverable loans and investments and durable improvements.

Furthermore, during the same period, the burden of the combined total of public and private debts has decreased. The interest on the public debt alone in the calendar year 1939 constituted only 1.45 percent of the national income as contrasted with a corresponding percentage of 1.62 percent for the year 1933. The increase in the national income over 1932 for the year 1939 alone is far in excess of the total increase in the debt for the whole period since 1933. The credit of the Federal Government has never been higher.

The debt accumulated since 1933 represents a far more prudent and productive use of our people's savings than much of the enormous private debts piled up in the twenties.

The billions that were borrowed for speculation, for foreign loans, for second and third mortgages on overproduced commercial construction, hardly represented the most prudent use of our people's savings.

It is true that isolated debts can be defaulted without great harm to the general economy. But this is not true when, as in 1933, a large part of our private debt was in danger of default, and the savings of the whole community, as well as the general credit of industry and agriculture, were imperiled.

A part of the existing public debt and of agency loans is in fact accounted for by the necessary assumption by the Government—through the familiar "bailing out" process—of private debts on the verge of default.

In considering the growth of the Federal debt, it must finally be borne in mind that in recent years the Federal Government has had to take over some of the burdens which had theretofore fallen upon our States and municipalities. By 1933 the strain of the depression upon the finances of local governments had become unbearable. From June 1929 to June 1933, States and municipalities had to increase their net debt by over \$4,000,000,000 and their credit in many cases had approached the breaking point. By 1933 there was an insistent demand that the National Government come to the financial aid of local governments.

Consequently, between June 1933 and June 1940, the Federal Government will have made available for local relief, work relief, and local public works the sum of \$17,000,000,000. In addition, during this same period, the Federal Government increased its grants for public roads by \$1,000,000,000 over the preceding 7 years.

By reason of these Federal expenditures it became possible for the States and municipalities during this period to rehabilitate their credit, and even to reduce slightly their aggregate indebtedness. If they had continued to discharge the responsibilities that were formerly theirs to a degree commensurate with the Federal Government's effort, the aggregate indebtedness of our States and municipalities would have been increased by not less than \$18,000,000,000 and their taxes would have been enormously increased.

Debt, whether individual, corporate, or governmental, cannot be judged in a vacuum; it must be considered in light of earnings, assets, and credit standing. When the increase in the national debt is viewed against the background of what was accomplished by the growth of useful physical assets, and of effective national earning power, and by the strengthening of the Nation's credit and morale, there is no economic ground for anxiety, so far as the national debt is concerned, as to the Nation's future. And if our citizens understand the capacity of the Nation to produce increased national income and act thereon with all possible faith and practical energy, they will be in a position to anticipate balanced budgets without curtailing essential social programs.

FRANKLIN D. ROOSEVELT.

JANUARY 3, 1940.

SPECIAL ORDER

The SPEAKER. Under a special order of the House heretofore made, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

UNEMPLOYMENT RELIEF IN MICHIGAN

Mr. HOFFMAN. Mr. Speaker, I want to appeal to the membership of the House this morning to do something to help us in Michigan with reference to our industries. Unless help is given Detroit will lose not a few, but many, of its industrial plants. The Detroit area, whether you know it or not, gives employment to more men than any other like area in the United States, and I except none. The Detroit area employs more men than Pittsburgh, Philadelphia, New York, or any of those large centers.

Mr. EBERHARTER. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. I thought most of the employees in the Detroit area, according to the gentleman from Michigan, were out of work.

Mr. HOFFMAN. I said nothing of the kind. Many of the employees have been out of work because of strikes. I should perhaps revise my statement and say that Detroit offers more employment at higher wages than any other area in the United States. But since the C. I. O. came in, while we had 54 days of strike in the Chrysler plant and 44 days in General Motors at Flint, the men have not been able to work as usual and they have not been able to pay the dues that John L. Lewis and the C. I. O. would like to have them pay. However, the work is there, the wages are higher there than anywhere else in the country, but the men cannot work because we will not amend the National Labor Relations law to give them protection.

Mr. EBERHARTER. Will the gentleman yield?

Mr. HOFFMAN. For a question only.

Mr. EBERHARTER. Does not the gentleman believe that perhaps the reason there is less unemployment in Pittsburgh on account of strikes is because the employer looks on the subject of the relations between employee and employer in a more reasonable manner and there are not as many industrial disputes?

Mr. HOFFMAN. No. There is not near the amount of employment in the Pittsburgh area that there is in the Detroit area, in spite of the efforts of the C. I. O. Our wages on the average are higher and the employment is more continuous.

Beginning with Henry Ford, who pioneered by establishing \$5 as a minimum daily wage, the employers of Detroit have always been as liberal or more liberal, paid higher wages, and given shorter hours than any group of men employing a like number of workers.

Detroit, until the coming of Murphy, the C. I. O., and the New Deal was remarkably free from labor trouble. Murphy's attempt, backed by the President of the United States, to deliver over to John L. Lewis the industrial workers of Michigan, brought about our major labor disputes.

Mr. Speaker, I am asking the House to do what almost every Member of the House knows we should do—that is, amend the N. L. R. A. so that it is fair and reasonable.

Mr. WALTER. Will the gentleman yield?

Mr. HOFFMAN. I refuse to yield.

Mr. Speaker, the A. F. of L. sponsored that law. The C. I. O. used it in its organizing campaigns. Both of those organizations, and industry, as well as people generally, now condemn the law. Therefore, why should we keep it on the statute books in its present form?

In view of the fact that the man, Frank Murphy, who denied the protection of the State and Federal Constitution to hundreds, yes, to thousands of the citizens of Michigan, has been appointed to the Supreme Court of the United States; in view of the fact that he disregarded his oath of office as Governor of the State of Michigan—we hope he will keep it as a Justice of the United States Supreme Court—we should make our laws so plain that there will be no opportunity for that Court or any other court or any board to refuse longer to carry out the will of the Congress—to protect the individual worker.

THE WRECKERS EXPOSED—WHY PERMIT A FURTHER DESTRUCTION OF INDUSTRY, A LEVYING OF TRIBUTE UPON EMPLOYEES?

Mr. Speaker, speaking figuratively but accurately, and I will speak descriptively in a moment, the Labor Board has been caught sucking eggs, robbing the hen roost, and stealing sheep.

Correctly described, its activities have aided in the destruction of more than one industrial enterprise; in bringing hundreds of thousands of men under the monopolistic yoke and tribute-levying jurisdiction of John L. Lewis and his C. I. O.

It may be that in the future, as in the past, contributions collected from the workers through fraud, coercion, intimidation, and violence by Lewis and his "goon" squads; from employees whose civil liberties are denied to them, may be urgently needed by the New Deal in its 1940 campaign fund, and that this need is an incidental reason for the Labor Board's aid to Lewis' organizations.

Why the delay in amending this law which all must now admit is not accomplishing the purpose for which it was enacted?

There is only one thing I can think of. There is only one reason for delay. Everyone knows that while strikes continue and while industrial strife is carried on the men are being forced into the C. I. O., with the result that initiation fees are collected and dues are paid. We know that Lewis, in November of last year, proclaimed that he was going to collect a campaign fund of over \$3,000,000. We know that he levied an assessment of \$800,000 on the mine workers. The only apparent reason for your refusal to amend this law within a reasonable time is that you hope once again to get your cut of the money that he collects through the assessments levied on the workers. I see certain gentlemen smiling. In the 1936 campaign you got \$1,700,000 plus. From the United Mine Workers you got \$470,000. Are you going to be a party to the levying of this tribute on the Pittsburgh workers and other workers throughout the country so that they will contribute to the New Deal campaign fund in 1940? Is that not a sweet proposition? Is there anything more wicked, more vicious, and more destructive of our form of government?

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Yes; I yield to the gentleman from Pennsylvania.

Mr. GROSS. Does the gentleman know that in the Berkshire strike at Reading the Labor Board fomented a strike? They had a picket line, and they asked for a national boycott on the Berkshire plant.

Mr. HOFFMAN. In the Berkshire case they certainly did, and they sent out pamphlets of the C. I. O. to the customers of the Berkshire Mills. They did the same thing in the way of fostering strikes in the Midland Steel case.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. No; not now.

Mr. COX. I do not want to make a speech. I am supporting the gentleman.

Mr. HOFFMAN. No; I decline to yield.

It may be accurately stated that some of the activities of the N. L. R. B. have directly aided the C. I. O. in its organizing campaigns. It cannot be denied that the Board, sometimes by its acts, sometimes by its failure to act, has deliberately and effectively deprived employees of the right to bargain collectively—a right guaranteed to them by section 7 of the act.

Four times has the Board or one of its employees denied the right of free speech, a free press, guaranteed by the first amendment to the Constitution. In two cases against Ford and the Ford Motor Co. it has been held that the declaration by Ford that no man need pay tribute to any labor organization to secure or hold a job in his factory was an unfair labor practice.

On one occasion—the Muskin Shoe Co. case, Westminster, Md.—the Board held that the giving to employees of a speech made on the floor of Congress was an unfair labor practice. On another occasion a representative of the Board held that the distribution of the same speech by a company employee on company property was an unfair labor practice. (Eagle & Phenix Mills, Columbus, Ga.)

The Board, or its employees, on one occasion (Inland Steel), according to the testimony before the Smith committee, actually encouraged and fostered a strike, attempted to manufacture a case.

In the Berkshire Knitting Mills case, although the union had around 500 members out of 6,000 hosiery workers in the county, the Board timed its efforts, as it did in the Inland Steel Co. case, to coincide with the drive and strike of the union, and in this Berkshire case Edwin Smith, a Board member, according to the record of his own committee, sent the hosiery union's boycott pamphlets to one of the company's customers; so in this instance, at least, we find the Board aiding in a secondary boycott.

Mr. COX. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. HOFFMAN. Yes; at the request of the gentleman from Georgia I will yield.

Mr. COX. I think in a general way I agree with the gentleman in what he says with reference to the National Labor Relations Board, but with reference to amending the act, does not the gentleman feel that we should wait until the Smith committee has completed its investigation?

Mr. HOFFMAN. Now, may I answer that?

Mr. COX. Yes.

Mr. HOFFMAN. All right. The Senate and House Committees on Labor held hearings during the last regular session. There is no one who wants to be advised about the Wagner law who does not know about it now. As I understand, the Smith committee was appointed to investigate the activities of the Board, and the committee has shown that the Board's operation of that law is rotten from start to finish. There is no question about that.

Mr. COX. I agree with the gentleman.

Mr. HOFFMAN. We know that; so what is the use? If they want to continue until every "doubting Thomas" is thoroughly convinced that we ought to get rid of the Board, that is all right; but the trouble is not only with the Board; the trouble is with the law itself. We know that appearing before these hearings you have had Padway, general counsel for the A. F. of L., and representatives of the C. I. O. You have had representatives of all the big labor organizations over there. We know now in our own minds what we want. We want a fair and just law; that is all.

For almost 2 years the Board deliberately failed to call an election in the General Motors plants to determine a bargaining representative. Undoubtedly it delayed the election in order to give the C. I. O. opportunity to organize the automobile workers, to force them into the C. I. O., so that initiation fees and membership dues might be collected to fatten its treasury.

March 29, 1939, an election was held in Midland Steel. The C. I. O. was defeated. Recently the Labor Board ordered another election to determine the bargaining agent. How often will the Board hold these elections? For almost 2 years it refused to call an election in General Motors. Here, at the request of the C. I. O., another election is ordered in less than a year.

When the Board called an election of the employees of the Alpena Garment Co. at Alpena, Mich., before the union was ready, though it had had ample time to force the employees into the union, the secretary of the Board, Nathan Witt, made a memorandum that Dubinsky, head of the International Ladies Garment Workers' Union, phoned him that "isn't what we pay our money for," thus indicating that Dubinsky at least assumed that the \$1,700,000 campaign contributions of unions to the New Deal had brought complete subservience.

In the Alpena Garment Co. case there were factories at Rogers City, Alpena, and Onaway. The plants at Onaway and Rogers City have been closed and those who worked there will no longer receive checks and the company is out of business in those two cities. Alpena is still open, but unless conditions change that factory, too, will close its doors permanently.

Aided by the Senate so-called Civil Liberties Committee—a committee which has utterly failed to take cognizance of the thousands of instances where workers have been deprived of their civil liberties by the wrecking crews of Lewis and the Communists—and by the omissions of the Board to act, hundreds of thousands of men have been deprived of employment and have lost wages amounting to more than \$100,000,000.

The Board, acting in the interests of the C. I. O., in the interests of the Communist, Harry Bridges, and his violence-breeding organizations, deliberately established an election unit and certified a bargaining representative, when it knew or, if possessed of common sense, should have known that the inevitable result would be the destruction of the A. F. of L. labor unions which had been established for many years.

The Board, with its eyes open and its purpose apparent to all who cared to ascertain the facts, set its seal of approval

upon an organizer who was a Communist, penalized an employer who exposed that fact, and delivered over to the tender mercies of the Bridges organization hundreds of loyal A. F. of L. members on the Pacific coast.

The Board, in furtherance of its plan to force employees into the C. I. O., has pauperized businessmen—men who were providing jobs and meeting pay rolls. It has driven industrial plants from one city to another. As illustrations, I cite Akron, Ohio, and Detroit, Mich.

It has caused hundreds of men to lose their jobs and fall behind on their payments for insurance, furniture, and homes. It has interfered with economical mass production, which has benefited everyone, as in the rubber and automobile industries.

It has stood behind, encouraged, and furthered the activities of those who have brought industrial strife and warfare to hundreds of thousands who were engaged in peaceful, gainful pursuits.

The Labor Board and its employees have aided Lewis, his C. I. O., and the Communists within its ranks in their efforts to establish a monopoly of labor; to enslave the men who must earn a livelihood by their toil, so that a dictator over labor might sell the toil of human beings as other men sell merchandise.

You may laugh, you may sneer at this statement, or you may dismiss it as without foundation, but the truth is that, if the Wagner law be continued as it exists today; if it be administered in the future as it has been administered in the past, such will be the result; and labor, warned as it was when this law was enacted—and one instance of that warning you will find in the United States News—of the danger of being enslaved, will find itself chained to the officials of one labor organization.

If you doubt this statement, you have but to read the decision handed down day before yesterday by the Supreme Court of the United States in the case of American Federation of Labor, and others, against National Labor Relations Board.

That case establishes no new doctrine. On the floor of this House time and again your attention was called by me to the fact that the Board was depriving employees of the right to bargain collectively; that there was no appeal from the Board's decision establishing a bargaining unit certifying representatives for collective bargaining.

The decision by the Supreme Court on Tuesday was in accord with its own previous decisions and with more than a dozen previous decisions of circuit courts of appeal.

The vicious practices of the Board, the injustices of the Labor Act itself, of the sit-down and other strikes, were pointed out on this floor by me on some 92 occasions. Yet throughout the last regular session, throughout the special session, we sat here and refused to amend this strife-producing act—this act which increased the causes of labor disputes rather than diminished them.

While we were in special session the Chrysler strike began. It lasted 54 days. It was conceived and carried on by those who, because of the Wagner Act and the manner in which it has been administered by the Board, believed they could compel the Chrysler Corporation to employ only members of its union and to collect from those members dues and special assessments fixed by the international executive committee.

That strike, lasting, as stated, 54 days, threw out of work some 58,000 Chrysler employees and some 92,000 men in allied industries. It was a slow-down strike, in which a few workers, listening to racketeers, refused to deliver the work for which they received pay—in short, a slow-down strike, which has become the fashion.

The Chrysler workers gained an increase in pay which is equivalent to \$3,654,000 in 12 months. They and the other 92,000 idle workers who were thrown out of their jobs by the strike lost, in less than 2 months, \$48,600,000. Throughout the country, the length and breadth of this land, automobile dealers, garage men, and their employees lost wages and profits which they otherwise would have made.

General Motors may soon be faced with another strike. Are we to sit here idle in Congress, permit the administration to dismiss two of the members of the present Board as

burnt offerings to appease the wrath, the justifiable public indignation, which has grown out of the nefarious activities of this Board?

Or are we to take up our responsibilities like true representatives of the people, abolish the Board, and proceed, within the next week or two, to consider the long overdue amendments to the Wagner law?

Extensive hearings were held before the Senate and House Labor Committees during the last regular session. Much testimony was taken. Experience has demonstrated that the application of the law, instead of answering its purpose, that is, diminishing the causes of labor disputes which affect interstate and foreign commerce, has increased such disputes. Everyone who cared to advise himself was well aware of that fact before the hearings before the Labor Committees began.

A knowledge of the law's defects, of the pernicious effect of the law, is so widespread that more than 75 percent of our people who have any knowledge of the subject advocate its amendment.

Sponsored by the A. F. of L., the result of the application of the law has been so unjust that it now threatens the very existence of its creator.

The law is so rotten that the chief beneficiary of the Board's activities, the C. I. O., now condemns some of the activities of its administrative body.

We now know that the public generally, that those who give employment, that those who work who are not members of unions, that the members of the A. F. of L. and many of the members of the C. I. O. demand changes in this law.

Just why should we longer delay? What excuse have we for permitting the continuance of this destructive force? Why not do what we can here to prevent, if possible, another strike in General Motors, the impending strike in Midland Steel; to end the 52 strikes which were in existence in the Detroit area alone when the Chrysler strike was settled last November?

Why wait for the report of the Smith committee? Continued hearings will but show further evidences of unfairness, of bias, of prejudice, of acts depriving citizens of their civil liberties.

That committee has already spread upon the record from the files of the Board itself evidence sufficient to utterly destroy all confidence in the present Board; to show that the law must be amended.

Will we not be remiss in our duties if we permit the present situation to continue; more industries to be forced to the wall; more factories to be driven from one city to another; more men, some now not too well paid, to be compelled to part with a portion of their earnings to some labor organization?

Why not call upon the Labor Committee to bring in a bill, or, failing in that, by petition take from the clerk's desk the bill which I introduced at the last session; amend it as the House sees fit and without delay pass a fair and just labor law? [Applause.]

[Here the gavel fell.]

The SPEAKER. Under a previous special order of the House, the gentleman from Pennsylvania [Mr. RICH] is recognized for 10 minutes.

EXPENDITURES OF THE GOVERNMENT

Mr. RICH. Mr. Speaker, first I want to wish each and every Member of the House of Representatives the most prosperous and happy New Year he has had in all his life.

Second, I wish to give the Members of the House of Representatives this admonition, "Where are you going to get the money?" [Laughter and applause.]

Mr. Speaker, I have just listened to the address of the President of the United States on the Budget, read by the Clerk of the House. While he stated in his closing remarks that we should have no anxiety regarding our national debt, it seems to me we are in bad shape now. When the President of the United States says that we should have no anxiety in regard to our national debt, as far as the executive branch of this Government is concerned, it is a pity for the American

people. Has Mr. Roosevelt forgotten all of his pre-election promises made to the American people in 1932? Has Mr. Roosevelt forgotten the statements he made regarding a balanced Budget the first 2 years as President? Why the change of attitude? Why the change of mind? He has never explained either to the American people. Instead he has completely changed. In other words he has fallen over backwards. He has repudiated his promises of 1932. No truer words were ever uttered than these by Mr. Roosevelt at Pittsburgh, Pa., October 19, 1932.

The credit of the family depends chiefly upon whether that family is living within its income. And that is equally true of the Nation. If the Nation is living within its income, its credit is good.

If Government lives beyond its income for a year or two, it can usually borrow temporarily at reasonable rates. But if, like a spendthrift, it throws discretion to the winds and is willing to make no sacrifice at all in spending; if it extends its taxing to the limit of the people's power to pay and continues to pile up deficits, then it is on the road to bankruptcy. (Speech, Pittsburgh, Pa., October 19, 1932.)

I want to call your attention first to a statement made by the President of the United States at Sioux City, Iowa, on September 29, 1932, and I ask unanimous consent, Mr. Speaker, to insert the statement in the RECORD at this point.

The SPEAKER pro tempore (Mr. COLE of Maryland). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The statement referred to follows:

We are not getting an adequate return for the money we are spending in Washington; or, to put it another way, we are spending altogether too much money for Government services that are neither practical nor necessary. And then, in addition to that, we are attempting too many functions. We need to simplify what the Federal Government is giving to the people.

I accuse the present administration of being the greatest spending administration in peacetime in all our history. It is an administration that has piled bureau on bureau, commission on commission, and has failed to anticipate the dire needs and the reduced earning power of the people. Bureaus and bureaucrats, commissions and commissioners have been retained at the expense of the taxpayer. (Speech, Sioux City, Iowa, September 29, 1932.)

Mr. RICH. This was a sound, sane, sensible statement made as a pre-election promise to the American people by Mr. Roosevelt. His record is three times as bad as the one he was criticizing.

Mr. Speaker, I also wish to call attention to a charge of the President of the United States, made in his address to the Members of Congress on March 10, 1933, and I quote from the President's remarks:

And on my part I ask you very simply to assign to me the task of reducing the annual operating expenses of our National Government. We must move with a direct and resolute purpose now. The Members of Congress and I are pledged to immediate economy. When a great danger threatens our basic security, it is my duty to advise Congress of the way to preserve it. In so doing I must be fair not only to the few but to the many. It is in this spirit that I appeal to you. If the Congress chooses to vest me with this responsibility, it will be exercised in a spirit of justice to all, of sympathy to those who are in need, and of maintaining inviolate the basic welfare of the United States.

The Members of Congress and the country at large know what has transpired since the President of the United States made that address in 1933. You know and I know that we have set up more bureaus of government than had been set up in any five administrations previous to the present occupant of the White House, and Mr. Franklin D. Roosevelt is the greatest spender and splurger of any President ever to occupy the White House.

Let me now call your attention to just what the national deficit has been, notwithstanding the address that was just read by the Clerk a few minutes ago, wherein the President stated that we only have a national debt of some \$35,000,000,000. He is wrong again. Let me call your attention to the statement made by Mr. Morgenthau, Secretary of the Treasury, and an appointee of the President. In the Government statement, issued on December 28, Mr. Morgenthau shows that our national deficit is \$41,935,122,825.52.

Now, how can you reconcile those figures of the Secretary of the Treasury with the statement made by the President?

I also wish to call the attention of the Members of the House to the deficit that has been created by the present occupant of the White House, Mr. Franklin D. Roosevelt, notwithstanding the fact he was going to reduce the number of bureaus and cut down the operating costs of government.

GREATEST DEFICIT OF ANY PRESIDENT

In 1933 Mr. Roosevelt put the country in the red \$892,000,000; in 1934 the deficit was \$3,409,000,000; in 1935 the deficit was \$2,938,000,000; in 1936 the deficit was \$4,361,000,000; in 1937 the deficit was \$2,707,000,000; in 1938 the deficit was \$1,459,000,000; and last year, 1939, the deficit was \$3,685,000,000; while up to December 28 of this year, beginning July 1, which is less than half a year, we went in the red \$1,991,884,000. This shows that by the end of the present fiscal year, closing on June 30, 1940, we will be about \$4,000,000,000 in the red. This will make a debt created by Mr. Roosevelt of over \$23,000,000,000.

This is a sad picture for the American people to face, and as the President stated in his Budget message a few minutes ago, regarding his accomplishments, if all those things he has given to the American people had been paid for we might look upon that as a real achievement, but when we realize that every dollar of this indebtedness has been created as a national debt and that we are looking to the future generations to pay the bills of this administration, then it is indeed a sad, sad picture. When I think of trying to take from the generations that are to follow payment for the things that this administration has created, it seems nothing more or less than highway robbery. It is nothing more or less than stealing from future generations in order to pay the obligations that the Roosevelt New Deal administration has been creating.

I have not heard anything said by the responsible heads of the administration, outside of the President, about reduction of the national debt. Where is the Speaker, the majority leader, the chairman of Appropriations, and the chairmen of other committees? Why not have them assume some obligation or responsibility?

Last year we had several reorganization bills here, and the President of the United States gave as the reason he wanted such reorganization bills passed was because of efficiency in government and also the fact that we could save from \$10,000,000 to \$20,000,000 a year by putting them into effect, but let me call your attention to the fact that the pay roll of the executive branch of the Government in the month of April of last year was \$132,426,000.

For the month of August, after the reorganization, the executive overhead was \$141,670,000, or an increase in that month of \$8,244,000. That shows that we will be in the red for the executive branch of the Government alone about \$100,000,000 a year, and that is the reorganization that we put into effect last year to effect economy. That is terrible to think about, when the President stated his real object in changing was to effect an efficiency and economy in Government. This is what he said when he requested the reorganization—and I quote the President's words from his message to Congress on April 25, 1939:

The reduction of administrative expenditures which is probable will be brought about by the taking effect of the reorganizations as specified in this plan is estimated, as early as may be, at between \$15,000,000 and \$20,000,000 annually, a substantial lowering of the existing overhead. Certain of these economies can be brought about almost immediately, others will require a painstaking and a gradual readjustment in the machinery and business practices of the Government.

He led you to believe that he was going to reorganize for the purpose of economy, and now you find out that the first month shows that the deficit for the executive branch alone of the Government will be \$100,000,000 a year more. It is almost unbelievable. It is a national tragedy to have such Government operation, such supervision. We have a statute on the books prohibiting an increase in the national debt of over \$45,000,000,000. You are about up to that point now. Somebody has to extend that limitation, or the Secretary of the Treasury of the United States is going to find he will be

disobeying the law, or else functions of government will cease, and we will go into a dictatorship. It is going to be your responsibility to do it. Members of Congress should hesitate to do this until they know that the President, who gave the assurance and made the assertions in preelection campaign speeches to do certain things in respect to economy, will do what he said at that time. They should determine whether he is going to do that or pass the buck—and he did when he sent up this Budget message read to you in the House a few minutes ago. It should be studied, it should be acted upon in an intelligent manner. We should do this:

First. Take away from the President the power that Congress granted him that should remain in the hands of Congress.

Second. Take the Government out of business and keep it out.

Third. Put all relief measures in the hands of the States to administer directly on a 25- to 75-percent basis, Government and State.

Fourth. Protect American agriculture, labor, and manufacturers with a protective tariff and do away with the reciprocal-trade agreements; keep the best markets in the world for our own farmers and labor.

Fifth. Cut out many of the recently set up New Deal Government agencies, which should take from the Government pay rolls many of the political plums.

Sixth. Change the Wagner Act and the National Labor Relations Board, granting labor and capital equal rights.

Seventh. Encourage industry which will give twice the employment that the Government can to its citizens.

Eighth. Decrease expenses or increase taxes before the crash. This will restore confidence, put capital to work, and restore us to a sound working basis for economic security and will continue to perpetuate our form of government and our national security. Do it before it is too late.

The SPEAKER pro tempore (Mr. COLE of Maryland). The time of the gentleman from Pennsylvania has expired.

FLORIDA TANGERINES

Mr. PETERSON of Florida. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. PETERSON of Florida. Mr. Speaker, through the courtesy of the Florida Citrus Commission I have had placed in the cloak rooms some tangerines and some sacks, called Tangey Claus sacks, a novelty put forth during the Christmas holidays. Candor requires me to admit that while a great number of the tangerines were raised in my district, some were also raised in the district of my colleague [Mr. HENDRICKS]. I hope gentlemen will enjoy the tangerines.

"WE WON'T BE OVER THERE"

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. ARENDS. Mr. Speaker, last fall Congress was called into special session for the express purpose of amending the Neutrality Act. The act was amended in an effort to best serve the purposes of the United States in a sincere desire to maintain a strict neutrality.

The expression of the Congress then, that we never again intend to send another American boy to foreign fields to fight, struck a chord of like determination and hope on the part of our entire population.

There remains, however, one thing which the people of our country fear may cause us to alter our best intentions, and that is the force and effect of propaganda. In order that we shall not again be lead into the paths of 1917-18, we must be always alert and awake to the dangers of this evil.

One of the best declarations of the thought and feeling on the part of all of us has been summed up, I think, in a new song recently written by two constituents of mine. You will recall the force and effect during the World War of the song *Over There*, as it rolled from the throats and lips of our

patriotic citizens. That song served its desired purpose. Now there is another song, which I hope will become as popular, and will be soon sung throughout the length and breadth of this land. This song is entitled "We Won't Be Over." Listen as I read the words—

Verse:

It's in the air, it's in the air; we can hear the bugle calling over there. But—

(1) Chorus:

We won't be over, we won't be over;
No; we won't be over 'til it's over, over there.
We won't be over, we won't be over,
'Til it's over, over there.
Tell the gals in gay Paree;
The boys in Leicester Square,
We think they're swell
We wish them well
But we just won't be there.
Oh, we helped to lick the Kaiser,
Now we're sadder but we're wiser
And we won't be over
'Til it's over, over there.

(2) Chorus:

We won't be over, we won't be over
No; we won't be over 'til it's over, over there.
We won't be over, we won't be over,
'Til it's over, over there.
If you want to float a loan
We'll shake your hands and say
That we no speak the English,
We no parlez vous Français.
Once we sang "ol' Tipperary,"
Now we're singing "cash and carry"
And we won't be over
'Til it's over, over there.

(3) Chorus:

We won't be over, we won't be over
No; we won't be over 'til it's over, over there.
We won't be over, we won't be over,
'Til it's over, over there.
We'll stay at home and mind our own
For we've a job to do
We'll lick the "isms," one by one,
For "old red, white, and blue."
We'll sit on our veranda,
And we'll read your propaganda
But we won't be over 'til it's over, over there.

(4) Chorus:

We won't be over, we won't be over
No; we won't be over 'til it's over, over there.
We won't be over, we won't be over,
'Til it's over, over there.
Not a single mother's son
We'll send to face a gun
We have our share in Flanders Field,
We loved them, every one.
We've a million gold-star mothers
And we don't want any others
So we won't be over 'til it's over, over there.

EXTENSION OF REMARKS

Mr. LEMKE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

DEATH OF REPRESENTATIVE WALLACE E. PIERCE

Mr. REED of New York. Mr. Speaker, it is my sad duty to announce the death of Hon. WALLACE E. PIERCE, a Member of the House of Representatives from the State of New York. At a later date I shall ask the House to set aside a day on which tribute may be paid to the life, character, and public services of our distinguished colleague. At this time I offer the resolution which I send to the desk.

The Clerk read as follows:

House Resolution 339

Resolved, That the House has heard with profound sorrow of the death of Hon. WALLACE E. PIERCE, a Representative from the State of New York.

Resolved, That a committee of four Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provision of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER pro tempore. The Chair announces the following committee, which the Clerk will report.

The Clerk read as follows:

Mr. CULKIN, Mr. ROCKEFELLER, Mr. LEONARD W. HALL, Mr. MONKIEWICZ.

The SPEAKER pro tempore. The Clerk will report the remainder of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 1 o'clock and 14 minutes p. m.), in accordance with the order heretofore made, the House adjourned until Monday, January 8, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON NAVAL AFFAIRS

There will be a hearing Monday, January 8, 1940, at 10:30 a. m., before the Committee on Naval Affairs, on H. R. 7665, to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m., on the following dates on the matters named:

Tuesday, January 9, 1940:

H. R. 7420, to amend laws for preventing collisions of vessels. (Relating to anchorage lights.)

H. R. 7339, to exempt sail vessels from the provisions of section 13 of the act of March 4, 1915, as amended, requiring the manning of certain merchant vessels by able seamen, and for other purposes.

Tuesday, January 16, 1940:

H. R. 6130, to provide for mandatory or compulsory inspection and permissive or voluntary grading of fish, fishery products, fishery byproducts, shellfish, crustacea, seaweeds, and all other aquatic forms of animal and vegetable life, and the products and byproducts thereof, and for other purposes.

Tuesday, January 23, 1940:

H. R. 200, to amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 ed., title 46, sec. 316).

Thursday, January 25, 1940:

The following hearing was at first scheduled for Friday, January 5; however, it has since been postponed until the above date, Thursday, January 25, at 10 a. m.:

H. R. 7357, to amend section 4472 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 465) to provide for the safe carriage of explosive or other dangerous or semidangerous articles or substances on board vessels; to make more effective the provisions of the International Convention for Safety of Life at Sea, 1929, relating to the carriage of dangerous goods; and for other purposes.

Tuesday, February 6, 1940:

H. R. 7527, to make effective the provisions of the Minimum Age (sea) Convention (revised), 1936, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1180. A letter from the Secretary of the Navy, transmitting the draft of a proposed bill to authorize the sale of fuel, electric current, and water at isolated naval stations; to the Committee on Naval Affairs.

1181. A letter from the Chairman, United States Maritime Commission, transmitting a report on claims arbitrated or settled between October 16, 1938, and October 15, 1939; to the Committee on Merchant Marine and Fisheries.

1182. A letter from the Acting Comptroller General of the United States, transmitting report and recommendation to Congress concerning the claim of Morrison-Knudsen Co., Inc., and W. C. Cole, against the United States with request that you lay the same before the House of Representatives; to the Committee on Claims.

1183. A letter from the Acting Secretary of the Interior, transmitting a statement of the fiscal affairs of all Indian tribes for whose benefit expenditures from public or tribal funds were made during the fiscal year ended June 30, 1939; to the Committee on Indian Affairs.

1184. A letter from the Secretary of War, transmitting the Annual Report of the Secretary of War for 1939; to the Committee on Military Affairs.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 7577) granting a pension to Isabel Lawhorn, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER:

H. R. 7692. A bill for the relief of the Republic of Finland; to the Committee on Ways and Means.

H. R. 7693. A bill granting pensions and increase of pensions to certain soldiers, sailors, and marines who served in the Philippine uprisings and campaigns from July 5, 1902, to December 31, 1913, and for other purposes; to the Committee on Pensions.

By Mr. BLAND:

H. R. 7694. A bill to amend section 4311 of the Revised Statutes of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. CARTWRIGHT:

H. R. 7695. A bill to assist the States in the improvement of highways; to the Committee on Roads.

By Mr. DIRKSEN:

H. R. 7696. A bill to amend the United States Grain Standards Act to provide for the grading of soybeans, and for other purposes; to the Committee on Agriculture.

By Mr. ENGEL:

H. R. 7697. A bill to provide for extending the time limit for filing suit on yearly renewable term insurance; to the Committee on World War Veterans' Legislation.

By Mr. GEARHART:

H. R. 7698. A bill to provide for the payment of adjusted-service credit to veterans' dependents in one sum; to the Committee on Ways and Means.

By Mr. EDWIN A. HALL:

H. R. 7699. A bill to prohibit certain political contributions by labor unions, and for other purposes; to the Committee on the Judiciary.

By Mr. JONES of Texas:

H. R. 7700. A bill creating the American Lighter-Than-Air Ship Corporation; to the Committee on Interstate and Foreign Commerce.

H. R. 7701. A bill for Federal cooperation in the construction and operation of commercial lighter-than-air craft; to the Committee on Interstate and Foreign Commerce.

By Mr. KRAMER:

H. R. 7702. A bill to provide for the refund of inspection fees paid with respect to certain motor vehicles in the District of Columbia; to the Committee on the District of Columbia.

By Mr. RANKIN:

H. R. 7703 (by request). A bill to amend the World War Veterans Act, 1924, as amended; to the Committee on World War Veterans' Legislation.

H. R. 7704 (by request). A bill to compensate disabled World War veterans who suffered the anatomical loss or the loss of the use of one foot, or one hand, or one eye; to the Committee on World War Veterans' Legislation.

H. R. 7705 (by request). A bill to provide minimum ratings for service-connected disabilities incurred during the World War; to the Committee on World War Veterans' Legislation.

H. R. 7706 (by request). A bill to provide for the payment of compensation or pension based upon a post-mortem rating, and for other purposes; to the Committee on World War Veterans' Legislation.

H. R. 7707 (by request). A bill to make temporary disability ratings of World War veterans permanent after 10 years; to the Committee on World War Veterans' Legislation.

By Mr. SABATH:

H. R. 7708. A bill authorizing employees in the Veterans' Administration and other Government agencies, to accept or reject quarters and subsistence furnished by the Government; to the Committee on Expenditures in the Executive Departments.

By Mr. VINCENT of Kentucky:

H. R. 7709. A bill to amend section 2803 (c) of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. DOUGLAS:

H. J. Res. 403. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. LUDLOW:

H. J. Res. 404. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. MALONEY:

H. J. Res. 405. Joint resolution relating to the apportionment of shares of the sugar crop for 1940; to the Committee on Agriculture.

By Mr. CURTIS:

H. J. Res. 406. Joint resolution to authorize compacts or agreements between the States of Nebraska, Colorado, and Kansas with respect to the control and distribution of the waters of the Republican River and its tributaries; to the Committee on Flood Control.

By Mr. DICKSTEIN:

H. Res. 338. Resolution to create a select committee of the House of Representatives to investigate unemployment; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Ohio, memorializing the President and the Congress of the United States with reference to the defense of the nations of the North American Continent; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOEHNE:

H. R. 7710. A bill granting a pension to Gladys Terry; to the Committee on Invalid Pensions.

H. R. 7711. A bill granting an increase of pension to Ida I. Goldman; to the Committee on Invalid Pensions.

By Mr. DIMOND:

H. R. 7712. A bill for the relief of Vernon Hilliker and William Torgramsen; to the Committee on Claims.

By Mr. DUNCAN:

H. R. 7713. A bill for the relief of Joseph J. McMahon; to the Committee on Military Affairs.

By Mr. GILLIE:

H. R. 7714. A bill granting a pension to Roy L. Garr; to the Committee on Pensions.

By Mr. EDWIN A. HALL:

H. R. 7715. A bill for the relief of Dominic Quercia; to the Committee on Claims.

By Mr. SABATH:

H. R. 7716. A bill for the relief of Alois Hlad; to the Committee on Immigration and Naturalization.

By Mr. SNYDER:

H. R. 7717. A bill granting a pension to Hiram Russell Griffith; to the Committee on Invalid Pensions.

By Mr. SUTPHIN:

H. R. 7718. A bill for the relief of the city of Perth Amboy, N. J.; to the Committee on Claims.

By Mr. MACIEJEWSKI:

H. R. 7719. A bill extending the benefits of the Emergency Officers' Retirement Act to Hugo J. Kulicek; to the Committee on Military Affairs.

By Mr. MALONEY:

H. R. 7720. A bill for the relief of the Equitable Equipment Co., Inc., of New Orleans, La.; to the Committee on Claims.

By Mr. POLK:

H. R. 7721. A bill granting an increase of pension to Anna Deiwert Davidson; to the Committee on Invalid Pensions.

By Mr. VINCENT of Kentucky:

H. R. 7722. A bill granting a pension to Roscoe Johnson; to the Committee on Pensions.

H. R. 7723. A bill for the relief of Barnet Warren; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5959. By Mr. SUTPHIN: Petition of the South Jersey Port Commission, praying for the retention in the Corps of Engineers of the United States Army, because of its long, honorable, and highly competent service and experience therewith, the function and duty of conducting surveys, planning and execution of work connected with improvement and use of navigable waterways of the United States; also, to remove, from any existing statutory authorizations, planning agencies or extra departmental superboards that have in recent years attempted to usurp the functions of the experts of the War Department in furnishing to Congress the information requested by Congress with respect to the improvement of navigable waterways, flood control, stream pollution, and all other allied matters; to the Committee on Rivers and Harbors.

5960. Also, petition of the National Convention of the Descendants of the American Revolution, urging the President to appoint a commission of eminent citizens to engage in a genuine fact-finding investigation of subversive movements designed to overthrow our democratic institutions; to the Committee on Rules.

5961. Also, petition of the New Jersey State Grange and New Jersey Farm Bureau, urging that funds for land-grant colleges remain on the present continuing basis rather than be revised, as proposed, to be put on an annual basis; to the Committee on Appropriations.

5962. Also, petition of the Fur Dressers and Dyers' Union, Local 140, urging the discontinuance of the Dies committee; to the Committee on Rules.

5963. By Mr. THOMAS of New Jersey: Resolution of the Blue Ridge Post, No. 164, American Legion, Hackettstown, N. J., congratulating the Dies committee on their splendid work and urging the Congress to appropriate funds for continuance of the committee; letter from the American Legion

Auxiliary, Bergen County, N. J., organization, earnestly requesting support of the Dies committee and its continuance for the period and duration of un-American activities; resolution adopted by New Jersey State Association of Chiefs of Police, urging Congress to continue the life of the Dies committee to the end that it may continue to bring to light subversive activities inimical to our Nation, our people, and our institutions; and resolution passed by the board of trustees of the American Defense Society, petitioning each Member of Congress to continue the work of the Dies committee, with ample authority and sufficient means during the coming year; to the Committee on Rules.

5964. Also, resolution of the United States Patriotic Society, New York City, endorsing the activities of the Dies committee and urging that the committee be continued with sufficient appropriation, and a letter from the Fur Dressers and Dyers' Union, Local 140, Newark, N. J., setting forth opposition to the continuance of the Dies committee; to the Committee on Rules.

5965. Also, resolution adopted by the ninth executive district of the Republican Bergen County Committee, River Edge, N. J., requesting that every effort be made for the continuance of the Dies committee for at least another year; resolution passed by the Washington Camp, No. 78, Patriotic Order Sons of America, Frenchtown, N. J., commending Hon. Martin Dies and his committee on their fine work, and urging that everything possible be done to insure the continuance of the committee for another year; resolution adopted by the Allendale Post, No. 204, the American Legion, Allendale, N. J., recommending to Congress that the Dies committee be made a permanent body to be financed in such manner and to such extent as the House may authorize and provide for in such legislation; and a letter from Washington Camp, No. 108, Patriotic Order Sons of America, Quakertown, N. J., commending splendid work of Dies committee and requesting Congress to appropriate whatever funds are necessary for the continuance of the committee; to the Committee on Rules.

5966. By the SPEAKER: Petition of the Newport Harbor Yacht Club, Balboa, Calif., petitioning consideration of their resolution with reference to nefarious propaganda in this country; to the Committee on the Judiciary.

5967. Also, petition of the International Union, United Automobile Workers of America, Detroit, Mich., petitioning consideration of their resolution with reference to the Ford Motor Co.; to the Committee on Labor.

5968. Also, petition of the University of Puerto Rico, Rio Piedras, P. R., petitioning consideration of their resolution with reference to the death of the Honorable Santiago Iglesias; to the Committee on Memorials.

5969. Also, petition of the National Electrical Contractors' Association, New York City, N. Y., petitioning consideration of their resolution with reference to the public-works program; to the Committee on Appropriations.

5970. Also, petition of United Electrical, Radio, and Machine Workers of America (Congress of Industrial Organizations), Jersey City, N. J., petitioning consideration of their resolution with reference to un-American activities; to the Committee on Rules.

5971. Also, petition of American Legion, Turner-Brandon Post, No. 7, Clearwater, Fla., petitioning consideration of their resolution with reference to un-American activities; to the Committee on Rules.

5972. Also, petition of the United Brotherhood of Carpenters and Joiners of America, Columbus, Ga., petitioning consideration of their resolution with reference to un-American activities; to the Committee on Rules.

5973. Also, petition of the United Photographic Employees, Long Island Union 415, New York, petitioning consideration of their resolution with reference to un-American activities; to the Committee on Rules.

5974. Also, petition of the Knights of Pythias Civic Association, Washington, D. C., petitioning consideration of their

resolution with reference to un-American activities; to the Committee on Rules.

5975. Also, petition of the Cleaners, Dyers, Pressers, Drivers, New York, N. Y., petitioning consideration of their resolution with reference to un-American activities; to the Committee on Rules.

5976. Also, petition of the Cooks, Pastry, and Assistants Union of New York, petitioning consideration of their resolution with reference to un-American activities; to the Committee on Rules.

5977. Also, petition of the Central Labor Union of Boston and Vicinity, Boston, Mass., petitioning consideration of their resolution with reference to un-American activities; to the Committee on Rules.

5978. Also, petition of the Watch Tower Chapter, Maplewood, N. J., petitioning consideration of their resolution with reference to un-American activities; to the Committee on Rules.

5979. Also, petition of Bakery and Confectionery Workers, Brooklyn, N. Y., petitioning consideration of their resolution with reference to un-American activities; to the Committee on Rules.

5980. Also, petition of the American Communications Association, Telegraph Local 61, Baltimore, Md., petitioning consideration of their resolution with reference to un-American activities; to the Committee on Rules.

5981. Also, petition of the Pan-Cyprian Brotherhood of America, Inc., New York, N. Y., petitioning consideration of their resolution with reference to un-American activities; to the Committee on Rules.

5982. Also, petition of the National Maritime Union of American, New York, N. Y., petitioning consideration of their resolution with reference to un-American activities; to the Committee on Rules.

5983. Also, petition of the United Retail and Wholesale Employees of America, Local 104, New York, N. Y., petitioning consideration of their resolution with reference to un-American activities; to the Committee on Rules.

5984. Also, petition of the Machine and Instrument Local, No. 1227, Long Island City, N. J., petitioning consideration of their resolution with reference to un-American activities; to the Committee on Rules.

5985. Also, petition of the Co-ordinating Committee Against Profiteering, New York, N. Y., petitioning consideration of their resolution with reference to un-American activities; to the Committee on Rules.

5986. Also, petition of the Suit Case, Bag, and Portfolio Makers' Union, New York, N. Y., petitioning consideration of their resolution with reference to un-American activities; to the Committee on Rules.

5987. Also, petition of the Furniture Workers Union, Local 76-B, New York, N. Y., petitioning consideration of their resolution with reference to un-American activities; to the Committee on Rules.

5988. Also, petition of the General Society of Mayflower Descendants, New York, N. Y., petitioning consideration of their resolution with reference to un-American activities; to the Committee on Rules.

5989. Also, petition of the American Legion, Canarsie Post, No. 573, New York, petitioning consideration of their resolution with reference to un-American activities; to the Committee on Rules.

5990. Also, petition of the Ridgewood Unit of Republican Women, Inc., Ridgewood, N. J., petitioning consideration of their resolution with reference to un-American activities; to the Committee on Rules.

5991. Also, petition of Young Philippines, Manila, P. I., petitioning consideration of their resolution with reference to plebiscite and elections; to the Committee on Insular Affairs.

5992. Also, petition of A. Kipp and others, of Trenton, N. J., petitioning consideration of their resolution with reference to Jewish refugees; to the Committee on Foreign Affairs.

SENATE

MONDAY, JANUARY 8, 1940

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

O God of Grace, whose righteousness ruleth even in the darkness, the darkness that so oft bewilders us with its phantoms of doubt and denial: Be Thou our abiding calm assurance that at the heart of life goodness reigns; that Thy ways are true and righteous altogether; and that Thy dwelling place is light without the shadow of a cloud. Revive in us a true appreciation of the beauty of our world in its natural and moral order, in the works of men whom Thou inspirest, in the deeds of men who seem to have a genius for virtue, that, in conformity to Thy will, we may show forth the love that blesses him who gives and him who doth receive. Be with us here through all life's changes; nourish in us the life immortal, and lead us in the way everlasting, that from our last mortal change we may wake to life in its full fruition with Thee, our Father, and with Him who died for us, over whom death hath no more dominion, Jesus Christ, Thy Son, our Lord. Amen.

ATTENDANCE OF SENATORS

JOSIAH W. BAILEY, a Senator from the State of North Carolina; VIC DONAHEY, a Senator from the State of Ohio; PETER G. GERRY, a Senator from the State of Rhode Island; FREDERICK HALE, a Senator from the State of Maine; RUSH D. HOLT, a Senator from the State of West Virginia; GERALD P. NYE, a Senator from the State of North Dakota; CLYDE M. REED, a Senator from the State of Kansas; HENRIK SHIPSTEAD, a Senator from the State of Minnesota; and ELMER THOMAS, a Senator from the State of Oklahoma, appeared in their seats today.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 4, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. WALLACE E. PIERCE, late a Representative from the State of New York, and also announced that the Speaker had appointed a committee of the House to join with the committee of the Senate heretofore appointed to attend the funeral of the deceased Representative.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	Hughes	Russell
Andrews	Donahey	Johnson, Calif.	Schwellenbach
Ashurst	Downey	Johnson, Colo.	Sheppard
Austin	Frazier	King	Shipstead
Bailey	Gerry	Lee	Smathers
Bankhead	Gibson	Lucas	Taft
Barbour	Gillette	Lundeen	Thomas, Okla.
Barkley	Glass	McCarran	Thomas, Utah
Bilbo	Green	McNary	Tobey
Borah	Guffey	Miller	Tydings
Brown	Gurney	Minton	Vandenberg
Bulow	Hale	Murray	Van Nuys
Byrd	Harrison	Neely	Walsh
Byrnes	Hatch	Nye	White
Capper	Hayden	Pittman	Wiley
Chandler	Herring	Radcliffe	
Chavez	Holman	Reed	
Danaher	Holt	Reynolds	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE], the Senator from Arkansas [Mrs. CARA-

WAY], the Senator from Missouri [Mr. CLARK], and the Senator from Tennessee [Mr. STEWART] are absent from the Senate because of illness.

The Senator from New York [Mr. WAGNER] has been called to New York to attend a funeral and is therefore absent.

The Senator from Nebraska [Mr. BURKE], the Senator from Idaho [Mr. CLARK], the Senator from Texas [Mr. CONNALLY], the Senator from Louisiana [Mr. ELLENDER], the Senator from Georgia [Mr. GEORGE], the Senator from Alabama [Mr. HILL], the Senator from Connecticut [Mr. MALONEY], the Senator from Tennessee [Mr. McKELLAR], the Senator from New York [Mr. MEAD], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Louisiana [Mr. OVERTON], the Senator from Florida [Mr. PEPPER], the Senator from Illinois [Mr. SLATTERY], the Senator from Wyoming [Mr. SCHWARTZ], the Senator from South Carolina [Mr. SMITH], the Senator from Missouri [Mr. TRUMAN], and the Senator from Montana [Mr. WHEELER] are detained on important public business.

Mr. AUSTIN. I announce that the Senator from Kansas [Mr. REED] is necessarily detained, and that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent on official business of the Senate.

Mr. TOBEY. I regret to announce the necessary absence of the senior Senator from New Hampshire [Mr. BRIDGES] due to the serious illness of a member of his family.

The VICE PRESIDENT. Sixty-nine Senators have answered to their names. A quorum is present.

REPORT OF THE FEDERAL FIRE COUNCIL

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with the accompanying paper, referred to the Committee on Public Buildings and Grounds:

To the Congress of the United States:

I transmit herewith for the information of the Congress the Third Annual Report of the Federal Fire Council.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 8, 1940.

REPORT OF NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Naval Affairs:

To the Congress of the United States:

In compliance with the provisions of the act of March 3, 1915, establishing the National Advisory Committee for Aeronautics, I transmit herewith the Twenty-fifth Annual Report of the Committee covering the fiscal year ended June 30, 1939.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 8, 1940.

[NOTE: Report accompanied similar message to the House of Representatives.]

REPORT OF THE CIVIL SERVICE COMMISSION

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Civil Service:

To the Congress of the United States:

As required by the act of Congress to regulate and improve the civil service of the United States, approved January 16, 1883, I transmit herewith the Fifty-sixth Annual Report of the Civil Service Commission for the fiscal year ended June 30, 1939.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 8, 1940.

[NOTE: Report accompanied similar message to the House of Representatives.]

REPORT OF THE ALLEY DWELLING AUTHORITY FOR THE DISTRICT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on the District of Columbia:

To the Congress of the United States:

In accordance with the provisions of section 5 (a) of the District of Columbia Alley Dwelling Act, approved June 12, 1934, I transmit herewith for the information of the Congress the report of the Alley Dwelling Authority for the District of Columbia for the fiscal year ended June 30, 1939.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 8, 1940.

[NOTE.—Report accompanied similar message to the House of Representatives.]

REPORT OF COMMISSION ON THE ERECTION OF MEMORIALS, ETC., ARLINGTON MEMORIAL AMPHITHEATER

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with the accompanying paper, referred to the Committee on Military Affairs:

To the Congress of the United States:

In compliance with the requirements of the act of Congress of March 4, 1921, I transmit herewith the Annual Report of the Commission on the Erection of Memorials and Entombment of Bodies in the Arlington Memorial Amphitheater for the fiscal year ended June 30, 1939.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 8, 1940.

REPORT OF THE PRESIDENT OF THE PHILIPPINES

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Territories and Insular Affairs:

To the Congress of the United States:

As required by paragraph (3) of section 7 of the act of Congress approved March 24, 1934, entitled "An act to provide for the complete independence of the Philippine Islands, to provide for the adoption of a constitution and a form of government for the Philippine Islands, and for other purposes," I transmit herewith for the information of the Congress the Third Annual Report of the President of the Philippines to the President and the Congress of the United States covering the calendar year ended December 31, 1938.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 8, 1940.

[NOTE.—Report accompanied similar message to the House of Representatives.]

REPORT OF ADMINISTRATOR OF THE WAGE AND HOUR DIVISION (S. DOC. NO. 142)

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Department of Labor, to which he calls the attention of the Senator from Utah [Mr. THOMAS].

Mr. THOMAS of Utah. I move that the report transmitted by the communication be referred to the Committee on Education and Labor and that it be printed as a Senate document, with illustrations.

In order that the Senate may understand this rather peculiar request, I ask that the letter which I send to the desk may be made a part of the RECORD.

The VICE PRESIDENT. Without objection, the report will be printed, with illustrations, and referred to the Committee on Education and Labor, as requested by the Senator from Utah, and, without objection, the letter will be printed in the RECORD.

The letter referred to is as follows:

UNITED STATES DEPARTMENT OF LABOR,
WAGE AND HOUR DIVISION,

Washington, January 5, 1940.

HON. ELBERT D. THOMAS,

Chairman, Committee on Education and Labor,

United States Senate, Washington, D. C.

DEAR SENATOR THOMAS: Attached hereto is a mimeographed copy of the First Annual Report of the Administrator of the Wage and Hour Division for the calendar year 1939. I am wondering whether it would be possible and appropriate for you to introduce a Senate resolution providing that the report be printed as a Senate document. We desire to have the report in printed form, available for distribution to Members of the Congress as soon as possible, in view of their general interest in the administration of the Fair Labor Standards Act and the proposed amendments thereto, now pending in the Senate and the House.

The Wage and Hour Division is unable to have the report printed by the Public Printer by reason of the language contained in section 4 (d) of the Fair Labor Standards Act, reading as follows:

"The Administrator shall submit annually in January a report to the Congress covering his activities for the preceding year and including such information, data, and recommendations for further legislation in connection with the matters covered by this Act as he may find advisable."

Section 4 (d) has been construed to require that the Annual Report of the Administrator of the Wage and Hour Division be submitted in January for the preceding calendar year. The appropriations made to the various departments may not be used for printing an annual report unless the proofs therefor are furnished to the Public Printer in accordance with section 108 of title 5, United States Code, which provides as follows:

"The appropriations made for printing and binding shall not be used for any annual report or the accompanying documents unless the manuscript and proof therefor is furnished to the Public Printer in the following manner: Manuscript of the documents accompanying such annual reports on or before the 1st day of November of each year; manuscript of the annual reports on or before the 15th day of November of each year; complete revised proofs of the accompanying documents on the 1st day of December of each year, and of the annual reports on the 10th day of December of each year; and all of said annual reports and accompanying documents shall be printed, made public, and available for distribution not later than within the first 5 days after the assembling of each regular session of Congress. The provisions of this section shall not apply to the annual reports of the Smithsonian Institution, the Commissioner of Patents, the Comptroller of the Currency, or the Secretary of the Treasury."

Section 108 was obviously based upon the assumption that the annual reports of the various departments should be rendered on a fiscal-year basis rather than on a calendar-year basis. However, inasmuch as the statutory requirement of section 4 (d) of the Fair Labor Standards Act and the provisions of section 108 quoted above may not be complied with in this instance, it is hoped that the Annual Report of the Administrator may be printed as a Senate document so that it will be available for distribution.

Your favorable consideration of this request will be deeply appreciated by me.

Sincerely yours,

HAROLD D. JACOBS, *Administrator.*

REPORT OF THE SECRETARY OF THE TREASURY

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Treasury, transmitting, pursuant to law, his annual report on the state of finances for the fiscal year ended June 30, 1939, which was referred to the Committee on Finance.

REPORT OF THE SURGEON GENERAL, PUBLIC HEALTH SERVICE

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Treasury, transmitting, pursuant to law, the Annual Report of the Surgeon General of the Public Health Service for the fiscal year ended June 30, 1939, which, with the accompanying report, was referred to the Committee on Commerce.

EXPENDITURE OF COURT OF CUSTOMS AND PATENT APPEALS

The VICE PRESIDENT laid before the Senate a letter from the Attorney General, transmitting, pursuant to law, a statement for the fiscal year ended June 30, 1939, of expenditures under appropriations for the United States Court of Customs and Patent Appeals, which, with the accompanying statement, was referred to the Committee on the Judiciary.

APPROPRIATIONS FOR FOREST ROADS AND TRAILS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Agriculture, transmitting, pursuant to law, a report on appropriations for forest roads and trails for the fiscal year ended June 30, 1939, which, with the accompanying report, was referred to the Committee on Post Offices and Post Roads.

REPORT OF THE FEDERAL SURPLUS COMMODITIES CORPORATION

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of Agriculture, transmitting, pursuant to law, the report of the Federal Surplus Commodities Corporation for the fiscal year ending June 30, 1939, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry.

EXPENDITURES AND ACTIVITIES OF REGIONAL RESEARCH LABORATORIES

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of Agriculture, transmitting, pursuant to law, a report of the activities of, expenditures by, and donations to, the regional research laboratories established pur-

suant to section 202 of the Agricultural Adjustment Act of 1938, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry.

REPORT OF THE SECRETARY OF COMMERCE

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Commerce, transmitting, pursuant to law, the annual report of the Department of Commerce for the fiscal year ended June 30, 1939, which, with the accompanying report, was referred to the Committee on Commerce.

REPORT OF THE COMPTROLLER GENERAL

The VICE PRESIDENT laid before the Senate a letter from the Acting Comptroller General, transmitting, pursuant to law, the Annual Report of the Comptroller General of the United States for the fiscal year ended June 30, 1939, with recommendations for certain legislation, which, with the accompanying report, was referred to the Committee on Appropriations.

REPORT OF INTERSTATE COMMERCE COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Interstate Commerce Commission, transmitting, pursuant to law, the Fifty-third Annual Report of the Commission, which, with the accompanying report, was referred to the Committee on Interstate Commerce.

FINAL VALUATIONS OF PROPERTIES OF CERTAIN CARRIERS

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Interstate Commerce Commission, transmitting, in compliance with the provisions of section 19a of the Interstate Commerce Act, copies of the final valuations of properties of Texas Pipe Line Co., International Pipe Line Co., Ajax Pipe Line Co., Humble Pipe Line Co., Great Lakes Pipe Line Co., Gulf Pipe Line Co. of Oklahoma et al., Texas-Empire Pipe Line Co. et al., Bradford Transit Co., Tidal Pipe Line Co., Standish Pipe Line Co., Detroit Southern Pipe Line Co. et al., Sun Oil Line Co., Sun Pipe Line, Inc., and Susquehanna Pipe Line Co., which, with the accompanying papers, was referred to the Committee on Interstate Commerce.

INVESTMENT TRUSTS AND INVESTMENT COMPANIES

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, chapter V of part 3 of the Commission's report on investment trusts and investment companies entitled "Problems in Connection with Capital Structure," which, with the accompanying report, was referred to the Committee on Interstate Commerce.

REPORT OF NATIONAL MEDIATION BOARD

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the National Mediation Board, transmitting, pursuant to law, the Annual Report of the Board for the fiscal year ended June 30, 1939, including the report of the National Railroad Adjustment Board, which, with the accompanying report, was referred to the Committee on Interstate Commerce.

REPORT ON THE PUBLIC ROADS ADMINISTRATION

The VICE PRESIDENT laid before the Senate a letter from the Administrator of the Federal Works Agency, transmitting, pursuant to law, a report on work done by the Public Roads Administration under the provisions of the Federal Highway Act in the fiscal year ended June 30, 1939, and recommendations concerning future work, which, with the accompanying report, was referred to the Committee on Post Offices and Post Roads.

NOVEMBER REPORT OF RECONSTRUCTION FINANCE CORPORATION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Reconstruction Finance Corporation, transmitting, pursuant to law, a report of the Corporation's activities and expenditures for the month of November 1939, which, with the accompanying report, was referred to the Committee on Banking and Currency.

REPORT OF CIVIL AERONAUTICS AUTHORITY

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Civil Aeronautics Authority, transmit-

ting, pursuant to law, the annual report of the Civil Aeronautics Authority for the fiscal year ended June 30, 1939, with an account of additional activities to November 1, 1939, which, with the accompanying report, was referred to the Committee on Commerce.

REPORT OF NATIONAL LABOR RELATIONS BOARD

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the National Labor Relations Board, transmitting, pursuant to law, the Board's annual report for the fiscal year ended June 30, 1939, together with volumes VIII to XIII, inclusive, of the decisions of the Board, and a list of personnel, which, with the accompanying report, was referred to the Committee on Education and Labor.

REPORT OF THE GORGAS MEMORIAL LABORATORY

The VICE PRESIDENT laid before the Senate a letter from the President of the Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc., transmitting, pursuant to law, the annual report of the Gorgas Memorial Laboratory for the fiscal year ended June 30, 1939, which, with the accompanying report, was referred to the Committee on Inter-oceanic Canals.

CONSOLIDATION OF DISTRICT FIRE STATIONS

The VICE PRESIDENT laid before the Senate a letter from the president of the Board of Commissioners of the District of Columbia, transmitting, pursuant to law, a report and supplemental report of the District of Columbia Fire Survey Board on the consolidation of District of Columbia fire stations, dated December 1 and December 15, 1939, respectively, which, with the accompanying reports, was referred to the Committee on the District of Columbia.

REPORT OF CHESAPEAKE & POTOMAC TELEPHONE CO.

The VICE PRESIDENT laid before the Senate a letter from the president of the Chesapeake & Potomac Telephone Co., of Washington, D. C., transmitting, pursuant to law, a report of the company's operations for the year 1939, the results of the operations for December of that year being estimated, which, with the accompanying report, was referred to the Committee on the District of Columbia.

REPORT OF THE ARCHIVIST

The VICE PRESIDENT laid before the Senate a letter from the Archivist of the United States, transmitting, pursuant to law, his annual report for the fiscal year ended June 30, 1939, which, with the accompanying report, was referred to the Committee on the Library.

USELESS PAPERS IN DEPARTMENTS AND AGENCIES

The VICE PRESIDENT laid before the Senate two letters from the Archivist of the United States, transmitting, pursuant to law, lists of papers in various departments and agencies recommended for disposition which have no permanent value or historical interest, and which the respective agencies have been empowered by him to dispose of in any manner prescribed by law, which, with the accompanying papers, were referred to the Committee on the Library.

DISPOSITION OF EXECUTIVE PAPERS

The VICE PRESIDENT laid before the Senate two letters from the Archivist of the United States, transmitting, pursuant to law, lists of papers and documents in the files of the Department of the Treasury and the Department of Justice, which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition, which, with the accompanying papers, were referred to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BABKLEY and Mr. GIBSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a letter in the nature of a petition from American Legion Post, No. 33, of Beaumont, Tex., praying for the appropriation of necessary funds to continue the work of the so-called Dies committee investigating un-American activities, which was referred to the Committee on the Judiciary.

He also laid before the Senate a resolution adopted by the Women's Republican Club, of Flushing, Long Island, N. Y., favoring an additional appropriation to carry forward the work of the so-called Dies committee investigating un-American activities, which was referred to the Committee on the Judiciary.

He also laid before the Senate the petition of William P. Deppé, of New York City, N. Y., praying for a redress of grievances as set forth in his petition in connection with the case of Deppé against the General Motors Corporation, as shown in No. 532, October term, 1938, United States Supreme Court, which, with the accompanying papers, was referred to the Committee on the Judiciary.

He also laid before the Senate resolutions adopted by the Alamo National Farm Loan Association and the San Antonio National Farm Loan Association, both in the State of Texas, urging that the Farm Credit Administration be restored to the status of an independent bureau, and that the operations of the Federal land banks and the national farm-loan associations and other units of the Farm Credit Administration be placed under the supervision of a nonpolitical board, which were referred to the Select Committee on Government Organization.

He also laid before the Senate a letter in the nature of a memorial from Mr. and Mrs. William F. Koonsen, of East Douglas, Mass., remonstrating against the appointment of Myron C. Taylor as envoy of the President to the Vatican, which was referred to the Committee on Foreign Relations.

Mr. VANDENBERG presented memorials of sundry citizens of Ann Arbor, Mich., remonstrating against the Russian invasion of Finland and expressing sympathy toward the cause of Finland, which were referred to the Committee on Foreign Relations.

Mr. HOLT presented a resolution of the West Virginia Bar Association endorsing and approving the bill (S. 915) to provide for the more expeditious settlement of disputes with the United States, and for other purposes, which was ordered to lie on the table.

RECIPROCAL-TRADE AGREEMENT WITH VENEZUELA

Mr. CAPPER. Mr. President, I desire to call the attention of the Senate to a grave injustice perpetrated upon the American oil producers, and upon thousands of men employed in that industry, through the recently negotiated reciprocal-trade agreement with Venezuela.

I have stated to the Senate repeatedly that the reciprocal-trade agreements, while undoubtedly made in the best of faith and with the best of intentions by Secretary of State Hull and his associates, have, upon the whole, done much injury to American agriculture.

It stands to reason that if foreign countries are to be encouraged to negotiate such agreements, they must be granted concessions in the way of reductions in tariff duties, for the purpose of increasing their exports into the United States.

Every unit of a commodity produced abroad and imported into the United States means there is an American market for that much less of the same commodity produced in the United States. In other words, one purpose of the reciprocal-trade agreements is to increase imports, thereby contracting the American market for American products. This is working a particular hardship upon the American farmer, who sees an ever-increasing part of the domestic market turned over to foreign producers.

But, Mr. President, agriculture is not the only American industry which is being punished by these reciprocal-trade agreements. I have just received a set of resolutions from the Kansas Independent Oil and Gas Association, calling attention to the grave injustice worked upon this industry by the trade agreement with Venezuela. I desire to call the attention of the Senate to the fact that that agreement cut in two the excise tax placed by Congress on imports of crude petroleum and its derivatives in order to promote increased importations of oil from Venezuela.

From a legal viewpoint, I believe this provision of the Venezuelan agreement is even more reprehensible than the

concessions which have been granted on imports of farm commodities. I do not believe it was ever the intention of Congress that the power to grant tariff concessions on imports from abroad should include reductions in excise duties. The tax on crude-oil imports is not a tariff duty but is specifically an excise tax. I say this provision of the Venezuelan treaty should be abrogated by Executive order, the abrogation to be effective at the earliest possible date.

In the trade agreement with Venezuela the United States reduced the import excise tax on crude petroleum and fuel oil from one-half cent per gallon to one-fourth cent per gallon on an annual quota not to exceed 5 percent of the amount of oil refined domestically in the preceding year. This will amount annually to about 60,000,000 barrels of oil which should be produced in the United States and refined in the United States for the benefit of American producers and American labor.

Those supporting the agreement have made the claim that it will result in increased exports of American farm products to Venezuela. I do not see how they reach that conclusion, nor has anyone produced anything in support of such a claim except the statement of it. In this agreement Venezuela granted us 96 concessions; 19 of which were on agricultural products. These included lard, apples, grapes, pears, and canned and dried fruits, on which reductions of 25 percent of the tariff duties were granted; there was a 40 percent reduction on wheat flour; and some other items were bound at existing rates. But the records show that farm products do not constitute a considerable part of our export trade with Venezuela. In 1929 the total was \$44,856,000, of which \$6,335,000, or 14.1 percent, were agricultural products. In 1937 total exports were \$46,229,000, of which only \$3,831,000, or 8.3 percent, were agricultural products.

This agreement does a serious injury to the domestic oil industry. It does not help agriculture. It is in line with many other such agreements in this respect.

Mr. President, I ask unanimous consent to have printed as part of my remarks the accompany resolutions, adopted by the executive committee of the Kansas Independent Oil and Gas Association at a meeting in Wichita, Kans., held on December 13, 1939.

The VICE PRESIDENT. Is there objection?

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

**RESOLUTION ADOPTED BY KANSAS INDEPENDENT OIL AND GAS ASSOCIATION
AT WICHITA, DECEMBER 13, 1939**

Whereas the excise tax on petroleum imports were imposed by Congress in order to grant some measure of protection to the American petroleum industry against competition with foreign oil produced by cheap labor; and

Whereas the oil-producing States and the domestic petroleum industry have found these taxes an important factor in the constructive national efforts to balance supply with demand in the interests of conservation: Therefore be it

Resolved by the Kansas Independent Oil and Gas Association that we hereby protest to the President of the United States and to the Secretary of State against the reduction of these taxes under the Venezuela trade agreement recently promulgated, for the reason that this reduction in the excise taxes will enable importers who are also large purchasers of domestic crude to further reduce the crude price which is already below a proper level, thereby seriously affecting the incomes of thousands of employees, operators, and the general public in the thousands of communities where the production of oil constitutes their major industry; and that this reduction in the excise taxes actually constitutes a rebate granted to importers of foreign oil at the expense of the United States Treasury and to the harm of the domestic petroleum industry; and we also protest on the ground that Congress did not authorize any reduction in these excise taxes through any reciprocal-trade agreement; that the benefit of the reduced taxes will not go to the Republic of Venezuela nor to the people Venezuela but to a few American importing companies which, with others, control Venezuelan oil resources. This condition also applies to other nations named in the recent proclamation setting out certain import quotas which are to be allowed at the reduced tax; and be it further

Resolved, That we request the President of the United States to give formal notice, according to law, of the discontinuance of that portion of the Venezuelan trade agreement which pertains to petroleum or its products at the earliest date possible, and cancellation of the quotas outlined in his recent proclamation; and be it further

Resolved, That we petition the Congress of the United States to take appropriate steps to restore these excise taxes to full force and effect.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MURRAY:

S. 3039. A bill for the relief of Twila Snyder; and

S. 3040. A bill for the relief of the Johnson Flying Service, Inc.; to the Committee on Claims.

By Mr. THOMAS of Utah:

S. 3041. A bill for the relief of George H. Crow; to the Committee on Claims.

S. 3042. A bill to amend the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes," approved June 28, 1937, as amended; to the Committee on Education and Labor.

(Mr. THOMAS (by request) also introduced Senate bill 3043, which was referred to the Committee on Patents, and appears under a separate heading.)

By Mr. HATCH:

S. 3044. A bill for the relief of Nadine Sanders; to the Committee on Claims.

S. 3045. A bill to prohibit the solicitation of contributions from Federal employees for political purposes; and

S. 3046. A bill to extend to certain officers and employees in the several States and the District of Columbia the provisions of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939; to the Committee on Privileges and Elections.

By Mr. WILEY:

S. 3047. A bill to amend the Fair Labor Standards Act of 1938 with respect to its application to certain employees; and

S. 3048. A bill to amend section 13 (b) of the Fair Labor Standards Act of 1938 so as to exempt certain employees from the maximum-hours requirement of such act; to the Committee on Education and Labor.

By Mr. JOHNSON of California:

S. 3049. A bill for the relief of Raymond Stephenson; to the Committee on Claims.

S. 3050. A bill for the relief of John Ermerins; to the Committee on Naval Affairs.

S. 3051. A bill to authorize the cancelation of deportation proceedings in the case of Joseph Tortolini; to the Committee on Immigration.

By Mr. McNARY:

S. 3052. A bill for the relief of Dollie C. Pichette; to the Committee on Claims.

By Mr. THOMAS of Oklahoma:

S. 3053. A bill for the relief of the surviving dependents of Ernest N. Brownfield; to the Committee on Claims.

By Mr. CAPPER:

S. 3054. A bill providing for the payment of an annuity out of the civil-service retirement and disability fund to May V. Taylor; to the Committee on Civil Service.

By Mr. BYRNES:

S. 3055. A bill relating to the eligibility of certain persons for admission to the Civil Service; to the Committee on Civil Service.

By Mr. CHAVEZ:

S. 3056. A bill for the relief of the Gallup Mercantile Co. of Gallup, N. Mex.; to the Committee on Indian Affairs.

By Mr. VANDENBERG:

S. 3057. A bill granting an increase of pension to Barbara Nixon (with accompanying papers); to the Committee on Pensions.

By Mr. NEELY:

S. 3058. A bill granting an increase of pension to Samuel L. Haynes; to the Committee on Pensions.

S. 3059. A bill for the relief of Velvie W. Smith; to the Committee on Claims.

S. 3060. A bill to authorize the acquisition of land for cemetery purposes in the vicinity of Grafton, W. Va.; to the Committee on Military Affairs.

By Mr. SCHWELLENBACH:

S. 3061. A bill for the relief of Andrew Olson; and

S. 3062. A bill for the relief of the Rodgers Tile Co.; to the Committee on Claims.

S. 3063. A bill for the relief of the Snoqualmie Tribe of Indians of the State of Washington; to the Committee on Indian Affairs.

S. 3064. A bill authorizing the appointment of Kenneth S. McPherson as a lieutenant (junior grade) in the United States Navy; to the Committee on Naval Affairs.

By Mr. WALSH:

S. 3065. A bill authorizing the sale of fuel, electric current, and water at isolated naval stations;

S. 3066. A bill to regulate the making of gifts and bequests of personal property to the United States, and for other purposes;

S. 3067. A bill authorizing appropriations to be made for the disposition of the remains of personnel of the Navy and Marine Corps and certain civilian employees of the Navy, and for other purposes; and

S. 3068. A bill to provide an additional sum for the payment of a claim under the act entitled "An act to provide for the reimbursement of certain personnel or former personnel of the United States Navy and United States Marine Corps for the value of personal effects destroyed as a result of a fire at the Marine Barracks, Quantico, Va., on October 27, 1938," approved June 19, 1939; to the Committee on Naval Affairs.

By Mr. BROWN:

S. 3069. A bill to provide for certain loans to the Republic of Finland by the Reconstruction Finance Corporation; to the Committee on Banking and Currency.

By Mr. BARKLEY:

S. 3070. A bill for the relief of Barnet Warren; to the Committee on Claims.

By Mr. BROWN:

S. J. Res. 192. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. WILEY:

S. J. Res. 193. Joint resolution authorizing the President to proclaim October 11, 1940, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

AMENDMENT AND CONSOLIDATION OF ACTS RESPECTING COPYRIGHT

Mr. THOMAS of Utah. Mr. President, I am introducing, by request, a bill which I ask to have referred to the Committee on Patents.

There is upon the Executive Calendar a convention governing copyrights throughout the world. That little convention has been held up pending studies in regard to a bill which those interested in the convention have been promised would be introduced and considered before the convention is taken up for consideration. I therefore ask that in connection with my remarks this bill be printed, and that the cross-references be printed with the bill, and also that the letter of explanation be printed. There are a great number of conflicts in regard to this very intricate matter, and this document will be studied not only by the Committee on Patents but by all those interested in the law. Therefore I think this request is not out of order.

The VICE PRESIDENT. Is there objection to the request of the Senator from Utah? The Chair hears none.

The bill (S. 3043) to amend and consolidate the acts respecting copyright (introduced by Mr. THOMAS of Utah, by request) was read twice by its title, referred to the Committee on Patents, and ordered to be printed in the RECORD, as follows:

S. 3043

An act to amend and consolidate the acts respecting copyright

Be it enacted, etc., That—

SECTION 1. This act shall be known as the Copyright Act of 1940.

CHAPTER I—RIGHTS

SEC. 2. Subject to the provisions of this act and for the term hereinafter provided, authors shall have copyright in all of their writings, whether pub-

Sec. 2. Copyright granted. This act is built upon the constitutional provision that—
The Congress shall have power * * * to promote the prog-

S. 3043—continued

lished or unpublished, from and after the creation thereof, without compliance with any conditions or formalities.

SEC. 3. For the purposes of this act, "library" means a collection of books gathered and administered by the following nonprofit organizations for nonprofit purposes: the National, State, county, or municipal governments; universities, colleges, schools, archives offices, museums; literary, educational, professional, scientific, fine arts, or religious societies. "Person" shall include natural persons, firms, corporations, and associations. "Publication" means the authorized manufacturing and issuing of copies of a work for distribution to the public: *Provided, however,* That an exhibition, performance, or oral delivery of any work, including the distribution of copies thereof for the purpose of such exhibition, performance, or oral delivery shall not be deemed publication. "Publisher" means the person authorized by an author or other owner of a work to manufacture or cause copies thereof to be manufactured and to issue such copies for distribution to the public. "Statutory damages" means such damages as are provided for in section 19 (d) (3) and section 19 (e). "United States," when used in a geographical sense, includes the several States and Territories, the insular possessions of the United States (including the Philippine Islands), the Canal Zone, and the District of Columbia. The word "work" or "works" is synonymous with "writings."

SEC. 4. Copyright under this act shall consist of the exclusive right to do and to authorize the doing of all or any of the acts specified in the following subsections in any form or manner and by any method or means now or hereafter known or devised:

(a) To print, publish, copy, vend, complete, execute, translate, alter, adapt, arrange, edit, abridge, dramatize, novelize, convert, or transform the work into any other mode, form, or version;

(b) To make a motion picture with or without sound;

(c) To make or procure the making of any transcription, record, film, wire, disc, or other device or instrumentality, in which the thought of an author may be recorded, and by, from, or by means of which, in whole or in part, the work may in any manner or by any method now or hereafter known or devised be read, exhibited, performed, represented, produced, reproduced, or otherwise communicated or disseminated;

(d) To perform, represent, exhibit, or deliver it publicly, if it be a dramatic, or dramatico-musical work; to perform, represent, or deliver it publicly for profit if it be any other work;

NOTES AND COMMENTS—continued
ress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries (art. I, sec. 8).

While formalities and conditions for the acquisition of copyright are abolished under this section, attention is directed to section 14, concerning deposit of copies. Recordation of rights to use copyright works is provided in section 16, permissive registration in section 17.

Sec. 3. Definitions:

This section is placed third in order that there may be no confusion of ideas because, in the sections that follow, "work" and "works" are used synonymously with "writings."

Sec. 4. Author's exclusive rights.

This section reorganizes and amends section 1 of the law of 1909.

(a), (b), and (c) cover exclusive rights applicable to all kinds of works; these relate particularly to copying and reproducing a work in the same form in which it was created by any method or mode of reproduction or copying and the right of transformation of a work. These exclusive rights were covered by section 1 (a) and 1 (b) of the act of 1909 and partly by section 1 (d).

(d), (e), (f), (g), and (h) are provisions for specific classes of works, and they correspond to subsections (c), (d), and (e) of section 1 of the act of 1909.

S. 3043—continued

(e) To exhibit or perform the work, if it be a motion picture with or without sound: *Provided, however,* That such copyright shall not include the right of public performance for profit of any musical composition which is a part of a motion picture when the right of public performance for profit shall be owned by others;

(f) To complete, execute, or finish the work if it be a model, plan, or design for a work of art or of architecture: *Provided, however,* That copyright therein shall not extend to processes or methods of construction;

(g) To perform the copyrighted work publicly for profit, to synchronize it for use in motion pictures, to make any arrangement or setting of it or its melody in any system of notation or in any form of record in which the thought of an author may be recorded and from which it may be read or reproduced, if it be a musical composition: *Provided,* That, subject to the provisions of subsection (d) of section 47, the provisions of this act so far as they secure copyright controlling the parts of instruments serving to reproduce mechanically a musical composition shall include only compositions published and copyrighted after July 1, 1909;

(h) To make grants of all or any rights in copyright as provided in this act: *Provided, however,* That a copyright, in a motion picture shall not include the right to grant the use of its accompanying sound track apart from a visual exhibition of the motion picture, but nothing herein shall be deemed to permit the unauthorized use by any person of any such sound track with or without the accompanying visual exhibition of the motion picture.

(i) The words "in any form or manner and by any method or means now or hereafter known or devised" shall be deemed to include, but shall not be limited to, communication by wired or wireless-radio broadcasting, rebroadcasting, facsimile reproduction, telephony, television, or any other means of transmitting or communicating lines, words, points, images, or sounds.

Sec. 5. (1) Nothing in this act, nor any election to have copyright under this act, shall be deemed to alter or in any manner impair any legal or equitable right or remedy of an author under common law or statutory law other than this act, to claim the paternity of his work as well as the right to object to every deformation, mutilation, or other modification of the said work which may be prejudicial to his honor or to his reputation;

(2) Nothing in this act shall be deemed to limit or otherwise affect any present or future valid contract or waiver in respect of the subject matter of subdivision (1) of this section.

Sec. 6. The term for which copyright shall subsist shall be the life of the author and a period of 50 years after his death: *Provided,* That:

NOTES AND COMMENTS—continued

S. 3043—continued

(a) Copyright in a work of joint authorship shall subsist during the life of the author who first dies and for a term of 50 years after his death, or during the life of the author who dies last, whichever period is longer;

(b) When the author of a work is not a natural person, copyright shall subsist for a term of 50 years after the date of creation of such work;

(c) Copyright in a published pseudonymous or anonymous work shall expire 50 years from the date of first publication, unless within said period there is recorded in the Copyright Office the pseudonym, if any, under which the work was published, the true name of the author, the then address of the author, and the title of the work, and unless within said period there is deposited a copy of the work in the Copyright Office;

(d) In the case of a work of an alien author not resident or domiciled in the United States at the time of creation or first publication of the work, the term of copyright shall in no case exceed the term which would have been granted in the country of which such author was a national at the time the work was created or first published.

Sec. 7. (1) The protection of this act shall extend to works of an author who is a national of a foreign country: *Provided,* That

(a) Such author shall be resident or domiciled in the United States at the time of the creation of the work; or

(b) The foreign country of which the author is a national affords, at the time of the creation of the work either by treaty, convention, agreement, or law, to citizens of the United States, the benefits of copyright on substantially the same basis as to its own citizens; or

(c) The foreign country of which the author is a national is, at the time of the creation of the work, an adhering party to the Convention for the Protection of Literary and Artistic Works or to an Inter-American Convention for the Protection of Literary and Artistic Works and the United States is, at the same time, an adhering party.

(2) The existence or cessation of reciprocal conditions in any foreign country under subdivision 1 (b) shall be determined by the President of the United States by proclamation made from time to time, after the effective date of this act, and in making such proclamation, the President shall give due consideration to whether (a) the foreign country involved actually fulfills its obligations under any such treaty, convention, or agreement, and (b) the principle of reciprocity is in fact carried out by such foreign country in its copyright laws, in the enforcement of such laws, and in the real and actual protection afforded authors. The President may at any time terminate any such proclamation in whole or in part.

Sec. 5. Moral rights of authors.

This section is included in the law in order to make clear to civil-law countries that in the United States the author enjoys protection of his "moral right" under common law, and that he may renounce this right by contract. Election to have statutory copyright is provided in section 45.

Sec. 6. Term of copyright.
The fixation of the term of copyright to the life of the author and 50 years after his death conforms to the nearly universal practice of all countries at the present time.

NOTES AND COMMENTS—continued

Paragraph (a) provides for term of copyright for works of joint authorship; while

(b) provides a shorter term for works of legal entities;

Paragraph (c) makes special provisions for posthumous, pseudonymous, and anonymous works;

Paragraph (d) designates the term for works of nonresident alien authors first published in a foreign country.

Sec. 7. Alien authors.

Subdivision (1) embodies in effect the provisions of section 8 of the law of 1909.

Subsection (b) covers aliens entitled to the benefits of the International Copyright Convention and Inter-American Conventions to which the United States may be a party.

Subdivision (2) adds a provision authorizing the President to revoke any proclamation under subdivision 1 (b) whenever the copyright protection enjoyed by United States citizens is curtailed or less than was enjoyed when the proclamation was issued.

S. 3043—continued

(3) In the event that in any foreign country the rights accorded under the provisions of any copyright convention are limited or restricted by legislation, regulation, interpretation, or otherwise, then such limitations or restrictions may apply reciprocally to any rights granted under this act to nationals of such foreign country not resident or domiciled in the United States of America at the time of the creation of the work, and the President of the United States may by proclamation declare the existence of such limitations or restrictions in such foreign country and the suspension of corresponding rights by the United States with respect to such nationals of such foreign country. The President may at any time terminate any such proclamation in whole or in part.

(4) In the event that any foreign country not a party to a treaty, convention, or agreement with the United States for the protection of literary or artistic works accords to the nationals of the United States treatment that is substantially equivalent to that accorded by such a treaty, convention, or agreement to which the United States is party, the President may by proclamation accord to the nationals of such country the privileges enjoyed in the United States by the nationals of any country party to such treaty, convention, or agreement. The President may at any time terminate any such proclamation in whole or in part.

(5) For the purposes of this act any author who has no status as a national of any country shall have the rights provided by this act as though such author were a citizen or subject of the country of domicile at the time of the creation of the work.

Sec. 8. Subject to the provisions of this act, the author of a work shall be the first owner of copyright therein: *Provided*, That—

(a) The word "author" shall include an employer in the case of works made in the course of employment for hire at the instance of an employer, pursuant to a bona fide contract of service, in the absence of any agreement to the contrary, but subject to any legal or equitable rights in the work theretofore granted to any other person of which such employer had notice: *Provided, however*, That an agreement for a work or works upon special commission or order shall be prima facie evidence that such agreement is not one of employment within the meaning of this section, unless such agreement otherwise specifically provides to the contrary and a master and servant relationship exists between the parties.

Sec. 9. Copyright is distinct from the property in the material object copyrighted, and the sale or conveyance, by gift or otherwise, of the material object shall not of itself constitute a transfer of the copyright or of any right therein; nor shall a grant of the copyright or of any right therein constitute a transfer of the title to the material

NOTES AND COMMENTS—continued

Subdivision (3) is designed to retain reciprocal relations in case any nation party to a copyright convention makes reservations thereto.

Subdivision (5) is designed to define the status of the work of stateless authors.

Sec. 8. Ownership of copyright. This section declares that the author is the first owner of a copyrighted work, and provides for certain exceptions. It is suggested as a compromise between two conflicting views. The authors were basically opposed to the proviso creating authorship artificially by making the test solely one of employment. Motion-picture producers, radio broadcasters, and music publishers insist upon the retention of the present definition of author in section 62 of the act of 1909 or upon similar language. They suggest as an alternative language such as the following:

In the absence of agreement to the contrary, where any work is created by an employee within the scope of his employment, his employer shall be considered the author of the work. This provision shall not apply to works created under special commission where there is no relation of employer and employee, unless the parties agree otherwise.

Sec. 9. Material objects and copyright.

This section parallels section 41 of the act of 1909.

S. 3043—continued

object. Nothing in this act shall be deemed to forbid, prevent, or restrict the transfer of any copy of a copyrighted work, the possession of which has been lawfully acquired.

Sec. 10. Compilations, abridgments, adaptations, arrangements, dramatizations, translations, or other versions of works in the public domain, or of copyrighted works when produced with the written consent of the owner of the appropriate right in any such work, or works republished with new matter, shall be regarded as new works copyrighted under the provisions of this act; but copyright in any such new works shall be subject to and shall not affect the force or validity of any subsisting copyright upon the matter employed in or forming any part thereof, nor shall it imply an exclusive right to such use of the original works, or to extend copyright in such original works.

The copyright secured by this act shall protect all of the copyrightable component parts of the work.

Sec. 11. Copyright under this act shall not extend to:

(a) Works in the public domain in the United States upon the effective date of this act, except as provided for in section 46 (b);

(b) Any work of the United States Government; nor shall the United States Government be deemed entitled to exercise any right secured by this act without the written consent of the owner thereof: *Provided, however*, That any use by the United States Government with such consent of any work in which copyright subsists shall not be deemed to cause any abridgment or annulment of such copyright or authorize any use or appropriation by others of any right in such copyrighted work without the consent of the owner of such right.

Sec. 12. No remedies shall be available under this act in the following cases:

(a) The performance of a copyrighted musical composition, with or without words, by a recognized bona fide charitable, religious, or educational organization: *Provided*, That the entire proceeds thereof, after deducting the actual reasonable cost of presenting the same, are devoted exclusively to charitable, religious, or educational purposes: *And provided further*, That no part of the proceeds of such performance shall be for the private gain of any promoter, or similar participant in the enterprise.

(b) The incidental and not reasonably avoidable infringement of a copyrighted work in the depiction or representation of current news events made or taken at, or disseminated from, the scene or location thereof at the time of the occurrence; and the user shall have the burden of proving that such infringement comes within this subsection (b): *Provided*, That this exemption shall not extend to

NOTES AND COMMENTS—continued

Sec. 10. Compilations and new versions.

This section is nearly identical with section 6 of the act of 1909.

The second paragraph retains the principle of the first paragraph of section 3 of the act of 1909. The latter portion of that section is omitted, since compulsory registration as a condition of enjoying copyright protection is abolished.

Sec. 11. Public domain and Government publications.

This section parallels section 7 of the act of 1909.

Subsection (a) contains the proviso "subject to the provisions of section 46 (b)" on transitory provisions, to which attention is directed.

Subsection (b) rewords the part of old section 7 concerning Government publications.

Sec. 12. Noninfringing uses of copyrighted works.

This section indicates certain uses of a work which are not deemed to constitute infringement.

Provisions similar to (a) were included in section 28 of the law of 1909.

(b) makes special exemption for the reporting of news events. It expresses the views of the users. Authors have suggested that the section read:

"(b) The incidental and not reasonably avoidable use of a copyrighted work in the depiction or representation of current news events made or taken at, or disseminated from, the scene or location thereof at the time of the occurrence, if permission of the copyright owner could not have been obtained in advance with the use of reasonable diligence; and the user shall have the burden of proving

S. 3043—continued
any use for advertising purposes.

(c) The making, distribution, publication, exhibition, or dissemination by any method or means now or hereafter known or devised of photographs, motion pictures, photographic, and television images, paintings, illustrations, or other representations of a work of architecture, which are not in the nature of architectural models, designs, or plans; and the owner of the copyright shall not be entitled to obtain an injunction restraining the construction, substantially begun, or use, of an infringing building, or an order for its demolition or seizure.

(d) The making, distribution, publication, exhibition, or dissemination incidental to and as part of the depiction of a public scene by any method or means now or hereafter known or devised of photographs, motion pictures, or photographic or television images of a work of art visible from a public place.

(e) The recording in any manner by a broadcaster or television for private file and reference purposes of such broadcaster or television only of any matter or material broadcast or televised by such broadcaster or television.

(f) Private translation for purposes of private study or research when such translation for private file and reference purposes only are incidental to the use of the work in private study or research.

(g) The making of single copies of an unpublished work lawfully acquired by a library if such copies are made and used for study or research only and not for sale or hire.

(h) The making by a library of one copy of a published work for research purposes and not for sale, exchange, or hire: *Provided*,

(i) such work has publicly been offered for sale in a published, limited or general, edition by or with the consent of the author or owner of the particular publication right, at a publication price under such circumstances as to pass title in and to the physical copies thereof; and

(ii) the publication and distribution of said edition has been discontinued and the library has offered by registered mail to purchase a copy from, and tendered the retail publication price plus carriage to, the Register of Copyrights on behalf of the owner of said publication right and such owner thereupon failed for a period of 30 days after written notice from the Register of Copyrights addressed to the owner's last known address either to send a copy of said published edition to such library or to return or direct the Register of Copyrights to return the tendered payment, accompanied by a designation of a place where such copy can lawfully be secured at said price; and

NOTES AND COMMENTS—continued
that such infringement comes within this subsection (b): *Provided*, That this exemption shall not extend to any use for trade or advertising purposes."

(c) limits the remedies in relation to possible infringement of architectural works.

(c) and (d) safeguard the taking of pictures of works of art and architecture when visible from a public place.

(e) recognizes diverse methods of keeping memorandum for private filing.

(f) permits translation for private study or research.

(g) purports to serve the interests of research and study of manuscripts in libraries.

(h) applies in the case of a work out of print and specifies the conditions under which libraries may copy such works.

S. 3043—continued

(iii) such owner has not filed with the Register of Copyrights a notice of intention to publish a new edition of such work and such edition has not been published within 6 months from the filing of such notice; and

(iv) the payment tendered by libraries as hereinabove provided shall be deposited with the Register of Copyrights, who shall promulgate regulations for the carrying out of this subsection.

(v) there is hereby created in the Treasury of the United States a trust fund to be known as the copyright trust fund. The Register of Copyrights shall deposit in such fund all moneys received by him from libraries as hereinbefore provided in trust for the persons entitled thereto. At least once each year the Register of Copyrights shall certify to the Secretary of the Treasury for payment through the Division of Disbursement from the copyright trust fund to each person entitled thereto all amounts theretofore received in trust for such person and not previously paid to such person. The copyright trust fund shall be subject to the provisions of section 20 of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1233; U. S. C., title 31, sec. 725s), governing the funds listed in subsection (c) thereof.

SEC. 13. (1) Any right or rights secured to the author or other owner under this act, or any chose in action for infringement thereof, to the extent of the interest of such author or other owner:

(a) May be granted by way of assignment, conveyance, transfer, license, mortgage, pledge, or other alienation or disposition thereof, either wholly or partially; and any such grant may be general, restricted, assignable, nonassignable, exclusive, non-exclusive, limited in time, or for a specified place or territory, for one or more works;

(b) shall, upon the death or incompetence of the owner thereof, devolve or be administered under the laws applicable to personal property.

(2) No such grant or agreement to grant shall be valid unless it or a note or memorandum thereof is in writing signed by the author or other owner of the right in respect of which the grant or agreement is made or by a duly authorized agent of such author or other owner: *Provided, however*, That in any action, suit, or proceeding for alleged infringement by radio or television broadcasting, other than a broadcast of a dramatic or a dramatico-musical work or a dramatized version of any other work;

(a) the author or other owner of the right infringed shall have no remedy for such infringement if the defendant shall establish that he obtained either a written or oral license from a person duly authorized in writing or otherwise to grant the same;

(b) Paragraph "(a)" shall not be deemed to give the defendant in any such action, suit, or proceeding any rights in the work itself, and the exemption from remedies provided in para-

NOTES AND COMMENTS—continued

Sec. 13. Grants of copyright and rights therein.
This section replaces section 42 of the act of 1909.
Subdivision (1) particularly establishes the divisibility of copyright.

Sec. 13. Grants of copyright and rights therein.

This section replaces section 42 of the act of 1909.

Subdivision (1) particularly establishes the divisibility of copyright.

Subdivision (2) requires a writing for any grant.

Subdivision (2) requires a writing for any grant.

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graph "(a)" shall apply in favor of such defendant only, and shall not be assignable.

(3) When the property of a debtor in reorganization, receivership, or insolvency proceedings or of a bankrupt includes the copyright in any work or any right or interest in such copyright, and the debtor or bankrupt is liable to pay to the author of the work royalties or a share of the profits, or specified payments in respect thereof, the trustee, receiver, or liquidator in such proceedings or bankruptcy shall not be entitled to exercise or authorize the exercise of any of the several rights secured under this act in such work, except upon the terms of paying to the author such sums by way of royalty or share of the profits or other payments as may be due as well as those which would have been payable by the debtor or bankrupt, nor shall such trustee, receiver or liquidator, without the consent of the author, be entitled to assign or otherwise dispose of such rights or any interest therein by license or otherwise, except upon terms which will secure to the author payments by way of royalty or a share of profits or other payments whether past due or otherwise, at a rate not less than that which the debtor or bankrupt was originally liable to pay: *Provided, however,* That nothing in this section shall be deemed to make assignable contracts of a personal nature or contracts which provide that they are not assignable.

(4) At the end of 25 years after the date of the making of a grant of a right or rights in any work by an author who is a natural person, notwithstanding any agreement to the contrary, the right or rights so granted shall revert to the author, if living, or if the author be not living, as directed in his will, or if there be no will, then in the order named, to the author's widow or widower, to the children, to the parents, and the grantee or other persons claiming through the said grantee shall have no interest therein: *Provided, however,* That to the extent that the grant is of a right to publish the said work under an agreement to pay royalties and the grantee is not in default in the performance of the agreement, the said grantee may, if the grant so provide, continue in the exercise of the publication right to the end of the term of said grant, so long as said grantee shall have copies of said work available for sale, and so long as the said grantee shall continue to perform the terms of said agreement.

CHAPTER II—REGULATIONS CONCERNING DEPOSIT OF COPIES, RECORDATION OF GRANTS, AND PERMISSIVE REGISTRATION

Sec. 14. (1) The publisher of any work specified in section 29 (1) hereof, copies of which are offered for sale in the United States, shall at the expense of the publisher, and within 90 days after such work is offered for sale therein, deposit in the Copyright Office two copies of

NOTES AND COMMENTS—continued

Subdivision (3) is designed to safeguard the author when a grantee of any copyright or right or rights therein becomes a debtor or bankrupt.

Subdivision (4) without the proviso is desired by authors. Copyright users are opposed to the entire subdivision and would prefer to delete it. Should the subdivision be retained, however, the users (music publishers, motion-picture producers, and broadcasters, in particular) wish the proviso changed to read:

Provided, however, That if the grant of any such work is under an agreement to pay royalties and the grantee is not in default in the performance of such agreement, the grantee may, in the absence of any agreement to the contrary, continue in the exercise of the rights granted to the end of the term of said grant, so long as said grantee shall have copies of, or material objects based on, the work, available for sale or distribution, or in the case of a grant of performing rights, so long as the grantee shall continue to give performances of the work, and in either case, so long as the grantee shall continue to perform the terms of such agreement.

Sec. 14. Deposit of copies.

This section intends to preserve the public purpose served by the deposit of published works.

Permissive publication with notice and registration thereof is provided in section 17 of this act.

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such work and of every subsequent printing of such work containing a revision thereof, or a substantial addition thereto, or a material change in the text or in the format of such work; and in the case of copies of works required to be printed in the United States under section 29 (1) of this act, unless the name and location of the printer thereof is imprinted upon every copy of such work, the publisher shall file in the Copyright Office an affidavit of compliance with the provisions of section 29 (1), declaring that all copies of the deposited work have been printed as provided for in section 29 (1) and stating the name and location of the plant of the printer in which the work has been printed.

(a) In the event the publisher of such publication shall knowingly make a false affidavit with respect to compliance with the above conditions relating to printing any works specified in section 29 (1), such person shall be denied all right to recover statutory damages.

(b) In the event of the failure to make such deposit of copies with the said affidavit or in lieu thereof to deposit such copies with said imprint thereon within the time limit, then if written demand to make such deposit is made by the Register of Copyrights within 2 years after the date of such first offering for sale (which demand shall be appropriately indexed in the records of the Copyright Office), the publisher shall within 90 days after the receipt of such demand either comply therewith or file with the Register of Copyrights in lieu thereof a written relinquishment and dedication of the publication right signed by the author of the work or the grantee or grantees of the publication rights.

(c) In the event of the failure to make such deposit and file such affidavit or to imprint upon such copies the name and location of the printer, or to file such written relinquishment and dedication within the time and after the demand herein specified, the publisher shall be subject to a penalty of \$100 to be paid to the Register of Copyrights and recoverable at the suit of the United States.

(2) The author of any work protected under this act, whether published or unpublished, or the owner of any exclusive rights therein, may deposit in the Copyright Office a complete copy or manuscript of such work.

(3) If the copy of any work to be so deposited by reason of its character, bulk, fragility, or because of its dangerous ingredients, cannot expediently be kept on file by the Register of Copyrights, there may be deposited in lieu of a copy of such work such identifying photograph or prints or such written, typewritten, or printed descriptions of the work as shall be sufficient to identify it.

(4) (a) In the absence of timely deposit of copies of any published work, the publisher shall not be entitled to statutory

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damages with respect to any infringement occurring subsequent to the expiration of the 90-day period specified in subsection (1) (a) of this section and prior to the date of deposit.

(b) In the absence of the deposit of a copy or manuscript of a completed unpublished work within 90 days after completion, the person or persons permitted to make such deposit under subdivision (2) hereof, shall not be entitled to recover statutory damages with respect to infringement occurring subsequent to the expiration of such 90-day period and prior to the date of deposit, unless the owner of the right infringed shall establish that the infringement is willful.

(5) At the time of making such deposit, registration of the work may be secured upon filing an application therefor and paying the registration fee as provided for in this act.

SEC. 15. When any application is made for deposit of copy or copies of a work under section 14, or to register a claim of copyright under section 17 (2) of this act, application for such deposit shall specify whether the work is published or unpublished, and to which of the following classes the work in which copyright is claimed belongs:

(a) Books, pamphlets, composite works, encyclopedic works, directories, gazeteers, and other compilations;

(b) Periodicals, including newspapers and similar serial publications containing miscellaneous matter and issued at regular intervals of less than one year;

(c) Lectures, sermons, addresses, and works of similar nature prepared for oral delivery;

(d) Dramatic or dramaticomusical compositions and dramatizations;

(e) Musical compositions with or without words;

(f) Drawings, plans, sketches, or plastic works of a scientific or technical character; maps and geographical charts;

(g) Works of art, drawings, paintings, engravings, sculptural works; models or designs for works of art; and reproductions thereof;

(h) Photographs;

(i) Prints, pictorial illustrations, and lithographs;

(j) Scenarios and continuities for motion pictures;

(k) Motion pictures, with or without sound;

(l) Scenarios, continuities, programs, and other works prepared for radio broadcasting, radio facsimile, wired radio, telephony, television, or any other means of transmitting or communicating the same;

(m) Works of architecture, or models, or designs for architectural works, insofar as they embody artistic character and are not processes or methods of construction;

(n) Choreographic works and pantomimes, the scenic arrangement and acting form of which is fixed in writing: *Provided, nevertheless, That the above*

NOTES AND COMMENTS—continued

SEC. 15. Classification for deposit and registration.

This section 15 parallels section 5 of the act of 1909. Although under this act registration of copyright is merely permissive, it seems advisable to provide for a definite classification of the works that are to be recorded or registered under the following sections 16 and 17.

Subsections (a) to (e) are parallel to sections 5 (a) to (e) of the law of 1909.

(f) is a combination of section 15 (f) and (i) of the law of 1909.

(g) is a combination of section 5 (g) and (h) of the law of 1909.

(i) is section 5 (k) of the law of 1909 with the addition of lithographs.

(j), (l) and (m) and (n) are new subsections providing for inclusion of works that were not provided for in the law of 1909.

(k) is a combination of section 5 (l) and (m) of the law of 1909.

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specifications shall not be held to limit the subject matter of copyrightable works, nor shall any error in classification invalidate or impair the copyright protection secured under this act.

SEC. 16. (1) The Register of Copyrights, upon receipt of the fee hereinafter specified, shall record in the Copyright Office any written grant of copyright, or of any right or rights therein, and any other written instrument signed by the grantor or by the duly authorized agent of the grantor, and shall return such grant or instrument to the person submitting the same with a certificate of recordation attached under the seal of the Copyright Office.

(2) Such grant or other instrument shall contain the names of the author or grantor, and the grantee, a statement whether it includes any rights in works thereafter to be created or owned by the author or grantor, the nature of the grant, the date of beginning and duration of such grant, and when the grant itself specifically enumerates individual works, a description of the work or works included in such grant, such as the title or titles and the nature thereof, and when the grant includes specific rights in any or all works of a particular author or owner, such facts shall be stated in such instrument. Every such grant or other instrument executed in a foreign country shall be acknowledged by the grantor before an officer authorized to administer oaths or perform notarial acts, or before an American consul in such country, and the certificate of such officer executed under seal shall be prima facie evidence of the execution of such grant or other instrument.

(3) No recordation of any grant of copyright or of any right or interest therein shall be required, but any person may submit for recordation and the Register of Copyrights shall record any such grant or other instrument submitted by any such person in compliance with subsections (1) and (2) of this section.

(4) For the purposes of this act, a recordation shall be deemed to put all persons upon notice of the grant or other written instrument recorded as above provided to the extent of the statements therein contained. *Provided, That* such grant or other written instrument contains such sufficient statement therein for the purpose of indexing under section 37 of this act that if fully indexed by the Register of Copyrights as therein provided the recordation of such grant or other written instrument would be revealed upon reasonable search of the indices and records of the Copyright Office. A grantee, for a valuable consideration who records a grant or other written instrument in good faith and without notice of a prior conflicting grant, shall prevail from and after the date of the recordation thereof over the grantee in any such prior

NOTES AND COMMENTS—continued

SEC. 16. Recordation of grants. This section combines the substance of sections 43-45 of the act of 1909.

Recordation by grantees is voluntary, but will be useful to provide constructive notice. For practical reasons it is necessary to permit recordation of short-form grants or other written instruments in lieu of the original instruments of grant.

This provision in subsection (4) for and definition of constructive notice is necessary since, for practical reasons, grantees may have to record short form grants or other instruments signed by the grantor for recordation purposes, which do not give complete data for purposes of indexing to enable the tracing of certain grants referred to in such instrument, but which do contain sufficient data to enable such recordation to serve as constructive notice of other grants therein. The grantee who desires to record such instrument will thus take the risk of the same being insufficient constructive notice in certain respects.

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conflicting grant regardless of priority as to the date of execution of such grants.

(5) The certificate of recordation issued by the Register of Copyrights or a certified copy thereof shall be admitted in any court as prima facie evidence that such grant or other instrument has been recorded on the date specified therein.

SEC. 17. (1) The Register of Copyrights shall issue a receipt under the seal of the Copyright Office to the person making a deposit as provided in section 14 of this act, containing the name of the depositor, the title and classification of the work, the author thereof, and the date of receipt, and said receipt, or a copy thereof certified under the seal of the Copyright Office, shall be admitted in any court as prima facie evidence of the facts stated therein: *Provided*, That the postmaster to whom are delivered the articles deposited as provided in section 14 of this act shall, if requested give a receipt therefor and shall mail them to their destination without cost to the copyright claimant.

(2) The author or any grantee of any copyright or of any right therein secured by this act may, if so desired by such author or grantee, obtain registration of a work or of any right therein, whether the work be published or unpublished, by filing in the Copyright Office an application for registration in the form hereinafter provided, accompanied by the registration fee provided by this act, and making a deposit of a copy or copies of the work in the manner provided by section 14 of this act, if such deposit has not already been made. Such registration shall thereupon inure to the benefit of the author, the grantees, and any other persons. If a grantee shall apply for registration under this section, there shall, at or prior to the time of making said application, be recorded in the Copyright Office any written instrument or instruments under or through which such grantee claims ownership of such copyright or any right therein.

(a) Each application for registration, and each certificate of registration issued by the Register of Copyrights upon such application, shall specify:

(i) The class under section 15 to which the work belongs;
(ii) the date of creation;
(iii) the title of the work of which registration is claimed; if said work has theretofore been published or registered under other title or titles, a statement designating such title or titles;
(iv) the name of the author;
(v) the country of which the author of the work is a citizen or subject at the time of making the above application;

(vi) the country of which the author was a citizen or subject at the time of creation of the work;

(vii) if the author was an alien domiciled or residing in the United States at the time of the creation or first publication of the work, a statement

NOTES AND COMMENTS—continued

Sec. 17. Receipts for deposit of copies and permissive registration of copyright.

This section 17 is new; it is designed to provide regulations for deposit of copies required in section 14 and to describe the conditions for permissive registration of copyright; it replaces sections 9, 10, 13, 18, 19, and 20 of the act of 1909.

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of such fact, including the time and place of first publication thereof, and the address of such domicile or residence of such alien;

(viii) The name and address of the applicant, and if a corporation, the state of incorporation as well as the address of its principal office or place of business; and

(ix) if the applicant is not the author, an identification of the instruments submitted for recordation and under or through which ownership is claimed.

(b) The certificate of registration, or any copy thereof certified under the seal of the Copyright Office, shall be admitted in any court as prima facie evidence of the facts stated therein:

(3) The failure to register any claim to copyright, or to record a grant, or to publish any work with notice of copyright, shall not affect the validity of any copyright or right therein, nor impair the rights of the author or other owner thereof, except as in this act otherwise expressly provided.

CHAPTER III—REMEDIES

SEC. 18. Any person who willfully and for profit shall infringe any right secured by this act, and who shall knowingly aid or abet such infringement, or who shall insert, impress, or affix any notice of copyright upon any article with knowledge that such notice is false, or any person who shall knowingly issue, publish, sell, distribute, or import into the United States any such article containing such false notice, or who shall remove or alter with fraudulent intent the copyright notice upon any article duly affixed by the person entitled so to do, or who shall register or cause to be registered a pirated work with knowledge that such work is pirated, or who shall record or cause to be recorded a false or fraudulent grant with the knowledge that such grant is false or fraudulent, or who shall knowingly make a false and fraudulent statement in any affidavit or other writing filed in the Copyright Office, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished for each offense by imprisonment for not exceeding one year, or by fine of not less than \$100 nor more than \$1,000, or both such fine and imprisonment.

SEC. 19. The owner of any right secured by this act is entitled to the following remedies against any infringer of such right:

(a) An injunction restraining the infringement.

(b) The delivery upon oath, to be impounded during the pendency of the action, upon such terms and conditions as the court may prescribe, of all articles alleged to infringe a copyright.

(c) The delivery upon oath, for destruction or such other disposition as the court may order, of all the infringing copies, records, rolls, films, prints, disks, and

NOTES AND COMMENTS—continued

Sec. 18. Criminal remedies.

This section combines and revises sections 28 and 29 of the law of 1909.

Sec. 19. Civil remedies.

This section substantially reenacts in principle the provisions of section 25 of the act of 1909 with certain changes (noted, respectively opposite subsections (d) (2), (d) (3), and (e)), concerning determination of profits, changing maximum and minimum limitations of "statutory damages," and limiting liability, upon certain terms and conditions, for multiple statutory damages arising from the production, distribution, and exhibitions of an infringing motion picture and the infringing dissemination of a radio broadcast over a network of stations, when

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other contrivances or devices, as well as all plates, molds, matrices, or other means for making such infringing copies, contrivances, or devices.

(d) The recovery, at the option of the plaintiff, to be exercised at any stage of the proceeding, unless otherwise expressly provided by this section, of either:

(1) Such damages as the owner of the right infringed may have suffered from such infringement, and in the determination of such damages the court may receive opinion or expert testimony, including testimony as to the prices currently paid for similar rights in copyright works of the same or like character, without limiting such damages to the prices so paid; or

(2) All or such part of the profits which the infringer shall have made from such infringement as the court may decree to be just and proper, to be accounted for by the defendant, and in proving profits, the plaintiff shall be required to prove only sales, rentals, license fees, or any other revenue derived from the infringement, and the defendant shall be required to prove every element of costs and other deductions which are claimed by the defendant; or

(3) Such statutory damages which shall not be deemed a penalty, as shall, in the opinion of the court, be sufficient to prevent their operation as a license to infringe and shall be just, proper, and adequate, in view of the circumstances of the case, but in no event to exceed the total sum of \$10,000, nor be less than \$250, except that in the case of a reproduction of a photograph, the said statutory damages shall not exceed \$250, nor be less than \$50, and in the case of infringement of a musical composition by a public performance for profit, the said statutory damages shall not exceed \$2,500, nor be less than \$150: *Provided, however*, That, for the purposes only of subsection (e) of this section, for such similar act of infringement proved to have been committed at a different place by the act of one infringer as hereinafter defined, and under the terms and conditions hereinafter provided in subsection (e) of this section, such minimum statutory damages shall be automatically increased by the sum of \$25, respectively, up to a total minimum sum not in excess of \$2,000, and may, in the discretion of the court, be further increased by any additional sum or sums as the court may deem just and proper but not in excess of a total award of the maximum amount of statutory damages above stated: *Provided further, however*, That the limitations as to the maximum amount of recovery may, in the discretion of the court, be held not to apply where infringer continues to infringe after the commencement of suit.

(e) The following shall be deemed the "act of one infringer" for the purposes of computing statutory damages under subdivision (3) of subsection (d): all infringement involved

NOTES AND COMMENTS—continued

deemed "the act of one infringer" as defined in subsection (e).

Subsections (a), (b), (c), and (f) are the same, respectively, as subsections (a), (c), (d), and the final paragraph of section 25 of the act of 1909 without change.

In regard to subdivision (2), the author groups advocate the language of section 25 (b) of the law of 1909, which provides for the recovery of the profits made by the infringer as well as the damages suffered by the copyright owner. Motion-picture producers and other users wish the first sentence of (2) of this act to read as follows: "The profits justly attributable to the work infringed."

Under subsection (d) (2) the court is no longer required to award "all" the profits of the infringer, regardless of the nature or amount of the infringement or other contributing causes to the profits.

Under subsection (d) (3) the principles of statutory damages of the act of 1909 are retained, except that the maximum is raised from \$5,000 to \$10,000, the minimum is retained at \$250, but in the case of public performance for profit of a musical composition, the minimum is reduced to \$150, and the maximum reduced to \$2,500.

The proviso clause of subsection (d) (3), providing for automatic increase of minimum statutory damages by \$25 sums up to a total minimum of \$2,000, is intended only for those cases deemed "the act of one infringer under subsection (e).

Under subsection (e), defining "the act of one infringer," and specifying the terms and conditions under which such definition is controlled, realistic consideration has been given to the

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in the production of a motion picture, including the making of copies, distribution for exhibition, and all exhibitions thereof, by or on behalf of the producers, distributors, and exhibitors thereof where such motion picture infringes in whole or in part upon another copyrighted work; an unauthorized performance of a copyrighted work by radio broadcasting, transmitted simultaneously by two or more connected stations, and for the purpose of this subsection a single entire identical performance by a connected station rebroadcast within 24 hours after such original broadcast by means of a recording or a rebroadcast of the original performance, where such connected station is unable to transmit the original broadcast, and such rebroadcast is necessary in order to transmit the program to all stations connected with the originating station, shall be regarded as a simultaneous broadcast: *Provided, however*, That the provisions of this subsection (e) in respect of motion pictures and radio broadcasting shall not be regarded as the act of one infringer unless the defendant or intervening defendant as hereinafter provided shall comply with the following terms and conditions:

(1) Within the time limited to answer or address a motion to the complaint filed in any field action arising out of such infringement, the producer in the case of such motion picture or the owner of the originating station in the case of such broadcast shall (unless already a party) specially appear therein as an intervening defendant for the purpose of this subsection (e), and shall file with the court having jurisdiction of the action on assumption under oath of all liability for statutory damages for any and all the infringements committed as above described as the act of one infringer, post a surety company bond satisfactory to the court in an amount equal to the maximum amount of statutory damages specified in subdivision (3) of subsection (d) hereof, and file a statement under oath specifying the then known number of broadcasting stations or theaters, as the case may be, participating in said infringement by any manner or means up to the date of such statement, together with the names and addresses of the owners of such originating and connected stations involved in such broadcast, and of the producer and distributors, of such motion picture, as the case may be.

(2) Within 20 days after the service upon plaintiff or his attorney of a copy of such assumption of liability, bond, and statement, the plaintiff may elect by written notice filed in such court:

(i) To reject such assumption of liability in which event the said assumption of liability and special appearance shall be deemed withdrawn, the bond shall be discharged and canceled, and the plaintiff shall be entitled to proceed with all remedies, suits, and proceedings

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problem of reasonably limiting maximum liability for statutory damages in the case of multiple infringements arising from the production, distribution, and exhibitions of a motion picture plagiarizing upon another work, and in the case of an infringing radio broadcast over a network of stations. The originator of such infringement is permitted to intervene as defendant, post a bond, assume liability for such multiple infringements, etc., upon the terms and conditions specified in the various subdivisions of subsection (e). The plaintiff has the option to reject such intervention and assumption of liability, etc., in which event plaintiff may proceed with various independent actions against all participants for any relief other than statutory damages. If plaintiff elects to accept such intervention, plaintiff has the option to transfer the cause for further proceedings to certain other districts specified in subdivision (2) (ii) of subsection (e). If plaintiff elects to accept such intervention, plaintiff is confined to the recovery of statutory damages (with the minimum automatically raised as provided in subsection (d), (3)), "for the act of one infringer" as defined, but retains all remedies under section 20, other than those for actual damages, profits, or statutory damages, in any other action pending or thereafter commenced for any such infringement.

Radio broadcasters are opposed to minimum statutory damages and ask that subdivision (3) of subsection (d), on the preceding page, and subsection (e), on this page, be deleted, and the following subdivision (3) be inserted in their stead:

(3) To pay, in lieu of the proved damages or profits provided for in subsections (1) and (2) above, in the event that proved damages or profits are impossible of ascertainment, such damages not less than \$150 nor more than \$5,000 for all infringements by any one infringer up to the date of suit, as shall in the opinion of the court be sufficient to prevent their operation as a license to infringe, and as shall be just, proper, and adequate, in view of the circumstances of the case, but in case of a reproduction of a copyrighted photograph such damages shall not exceed the sum of \$200: *Provided, however*, That minimum damages shall not apply to infringements by radio broadcasting or television: *Provided*, That an infringing performance by radio broadcasting or television transmitted simultaneously by two or more stations shall constitute a single infringement and shall be regarded as the act of one infringer.

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under this act against all infringers but shall not be entitled to any award of statutory damages under subdivision (3) of subsection (d) in any such suits or proceedings:

(ii) To accept such assumption of liability and to continue the cause in such court or at the plaintiff's election to transfer the cause to any district court in which the action could have been originally instituted under the venue provisions of this act against the owner of the originating or any connected station in the case of such broadcast, or against the producer or distributors in the case of such motion picture, and any court in which the cause is so pending or to which it shall so be transferred shall have full jurisdiction to grant all remedies for infringement provided by this act, other than those provided by subdivisions (1) and (2) of subsection (d) of this section, for all infringement deemed the act of one infringer as herein defined, and in the event of an award of such statutory damages only the remedies other than those provided in subsection (d) of this section shall be available in any other action then pending or thereafter commenced for any such infringement deemed such act of one infringer: *Provided, however,* That a failure to make any election under this subdivision (2) of subsection (e) of this section within such period, shall be deemed an acceptance of such assumption of liability for statutory damages for the act of one infringer as herein defined.

(f) Rules and regulations for practice and procedure under this act shall be those presently prescribed by the Supreme Court of the United States for copyright causes, or such as may hereafter be adopted.

SEC. 20. In all actions, suits, or proceedings under this act, except when brought by or against the United States or any officer thereof, full costs shall be allowed, and the court may award to the prevailing party a reasonable attorney's fee as part of the costs.

CHAPTER IV—ACTIONS AND PROCEEDINGS

SEC. 21. The grantee of any exclusive right or rights comprised within copyright shall be deemed an owner of copyright to the extent of the interest granted, and the grantor shall continue to be an owner of copyright to the extent of rights owned and not granted. Each such owner, to the extent of the interest of such owner, shall be entitled, in the absence of any agreement to the contrary in the grant or grants by, from, or through the author or other owner of the particular work in which copyright subsists hereunder and under which such grantee claims ownership of such right, to any and all remedies and proceedings given by this act, and to proceed, separately, for and in the name and behalf of such owner,

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SEC. 20. Attorney's fees.
This section is identical with section 40 of the act of 1909.

SEC. 21. Grantee may sue.
Section 21 is new. It provides that a grantee of any right or rights under copyright may be party to a suit to enforce such rights as he may hold.

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without joining in the action or proceedings the author or other owner of such work or any persons claiming under them.

SEC. 22. All actions, suits, or proceedings arising under the copyright laws of the United States shall be originally cognizable by the district courts of the United States, including the District of Columbia, the district courts of Alaska, Hawaii, the Canal Zone, Puerto Rico, and the Virgin Islands; and the courts of first instance of the Philippine Islands. Such courts shall have jurisdiction both at law and in equity: *Provided, That,* when a complaint filed during the existence of a copyright demands an injunction or accounting of profits, such court shall retain jurisdiction in equity to grant any and all remedies provided by the Act.

SEC. 23. Any court given jurisdiction under section 22 of this act may proceed in any action, suit, or proceeding instituted for violation of any provision hereof to enter a judgment or decree enforcing the remedies herein provided.

The proceedings for an injunction, actual damages, statutory damages, and profits and those for the seizure of infringing copies, plates, molds, matrices, and so forth, aforementioned, may be united in one action.

SEC. 24. Civil actions, suits, or proceedings arising under this act may be instituted in the district of which the defendant or his agent is an inhabitant, or in which he may be found.

SEC. 25. Any injunction that may be granted restraining and enjoining the doing of anything forbidden by this act may be served on the parties against whom such injunction may be granted anywhere in the United States, and shall be operative throughout the United States and be enforceable by proceedings in contempt or otherwise by any other court or judge possessing jurisdiction of the defendants.

SEC. 26. The clerk of the court, or judge granting the injunction, shall, when required so to do by the court hearing the application to enforce said injunction, transmit without delay to said court a certified copy of all the papers in said cause that are on file in his office. Where the plaintiff applies for an order to transfer the cause for further proceedings therein to another district court pursuant to the provisions of subdivision (2) (ii) of subsection (e) of section 19, the court then having jurisdiction over the cause shall make an order of transfer in such regard, and the clerk of such court shall thereupon transmit without delay to the clerk of the court to which transfer is directed, all the papers in said cause that are on file in the office of the clerk of said court or any judge thereof.

SEC. 27. The orders, judgments, or decrees of any court mentioned in section 22 of this act arising under the copyright

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SEC. 22. Jurisdiction of courts.
This section is a revision of section 34 of the act of 1909.

SEC. 23. Proceedings.
The first sentence of section 23 is identical with section 26 of the act of 1909; the last sentence with section 27 of the act of 1909 slightly revised.

SEC. 24. Location of civil actions.
Section 24 is identical with section 35 of the act of 1909.

SEC. 25. Injunctions.
This section 25 retains the second half of section 36 of the act of 1909.

SEC. 26. Papers relating to injunctions.
This section 26 is identical with section 37 of the act of 1909.

SEC. 27. Review.
This section 27 is section 38 of the act of 1909 amended.

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laws of the United States, including any award of actual damages, profits, or statutory damages, may be reviewed in the manner and to the extent provided by law for the review of cases determined in said courts, respectively.

Sec. 28. No civil action or criminal proceeding shall be maintained under the provisions of this act unless the same be commenced within 3 years after the cause of action arose: *Provided, however,* That the foregoing limitation shall not affect or impair a right of action, civil or criminal, arising out of acts committed before the effective date of this act, if such action or proceeding is commenced within the period within which it might have been commenced had this section not been enacted: *Provided,* That if the unexpired portion of the limitation of time to commence any such action or proceeding exceed 3 years after the effective date of this act, then such action or proceeding must be commenced within 3 years after said effective date, and all actions and proceedings not so commenced shall be thereafter completely and forever barred.

CHAPTER V—MANUFACTURING AND IMPORTATION

NOTES AND COMMENTS—continued

Sec. 28. Limitation of action. This section 28 is a revision of section 39 of the act of 1909.

This chapter replaces the manufacturing, ad interim and importation provisions of sections 15, 21, 31, 32, and 33 of the act of 1909.

The system of the old law was that foreign works in a language other than English could be freely imported and authors of such works could secure copyright the same as American authors, i. e., with copyright notice and deposit and registration of the copyright. Foreign authors of works in the English language could acquire ad interim copyright within 2 months from publication and had to publish an American edition within 4 months thereafter as a condition to acquiring full copyright. Failure to publish such edition caused the loss of copyright. Copies of foreign works in the English language in which no copyright was obtained could be freely imported.

This system worked hardship to authors of works in the English language who lost their copyright if failing to obtain ad interim copyright within 2 months or to arrange for an American publication within 4 months thereafter. On the other hand, labor's interests were not fully protected. Works in a foreign language could be freely imported and so could works in the English language for which the copyright was lost.

The system proposed by the bill gives a more adequate protection to all interests concerned. The ad interim copyright is abolished since no copyright registration is required for domestic works. The manufacturing requirements are made applicable to all works in any language; they are made to extend to maps and eliminate the exceptions on lithographs and

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NOTES AND COMMENTS—continued

photoengravings of the old act. On the other hand, exceptions are made which take care of all reasonable cases. Subdivision 2 of section 15 covers library copies, personal copies, and authorized foreign translations. Subdivision 3 of the same section makes the important exception of permitted importation of 500 copies of any foreign made work. Thus the author is not required to publish an American edition of his work almost immediately after his publication abroad as under the old act. He may "test the market" in this country by importing 500 copies and if he finds that there is a public demand, he may publish an American edition.

The exception of the importation of 500 copies is not applicable, however, to authors citizens or aliens domiciled in the United States, thus protecting American labor in the case of works of domestic authors. The sanction of the obligation not to import more than 500 copies of a foreign author's work is not the loss of the copyright in general. The author merely has no remedy against the printing, publication, or sale of a domestically manufactured work but he maintains all other rights, for instance, for other versions of his work, for radio communication, for performance. In section 16 the first and third subsections parallel provisions in section 31 of the act of 1909. The second subsection covers the case where the copyright of a foreigner has been assigned to an American citizen or resident and seeks to protect his rights against importations violating his exclusive grant.

Section 31 combines the provisions of sections 32 and 33 of the act of 1909.

Sec. 29. Manufacturing provision.

Subsection (1) is the general manufacturing provision.

SEC. 29. (1) Except as in this act otherwise expressly provided, all copies of any copyrighted work which shall be distributed in the United States in book, pamphlet, map, or sheet form, including any copyrighted illustrations therein, shall be printed from type set within the limits of the United States or its dependencies, either by hand or by the aid of any kind of typesetting machine, or from plates made within the limits of the United States from type set therein; or, if said copies be produced by lithographic, mimeographic, photogravure, or photoengraving, or any kindred process of reproduction now known or hereafter devised, then by type set, or by such process wholly performed, within the limits of the United States or its dependencies, and the printing or other reproduction of said copies, and the binding of any book, pamphlet, collection of maps, or sheets, shall be performed within the limits of the United States or its dependencies.

(2) The aforesaid provisions of this section shall not apply:

(a) to copies imported in personal baggage and not for sale or hire; *Provided,* That no more than one copy of any work is

Subsection (2) covers the cases in which the manufacturing requirements do not apply.

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imported in the baggage of any one person;

(b) to importation through ports of entry or through the mails, of not more than one copy of any work on any one invoice for personal use of the consignee and not for sale or hire; *Provided, however*, That, no person in the United States other than a retail bookdealer shall act as the agent of the consignee in the acquisition of such copy;

(c) to two copies imported for the author's own use;

(d) to copies imported for libraries;

(e) to works which form parts of private collections purchased en bloc in a foreign country and which are not intended for sale or hire;

(f) to foreign newspapers, periodicals, or magazines;

(g) to an authorized translation in a foreign language of a work previously published in the United States;

(h) to works in a foreign language by authors not resident or domiciled in the United States at the time of the creation of the work.

(i) to works in raised characters for the use of the blind;

(j) to illustrations of a scientific work or reproductions of a work of art where the subjects represented are located in a foreign country;

(k) to not more than 12 copies of an unprinted work in manuscript, typescript, mimeographic, or photostatic form.

(l) to motion pictures with or without sound.

(3) Nor shall the provisions of subdivision (1) apply to the first 500 copies, other than copies imported as provided in subdivision (2), of any work imported into the United States through the ports of entry or in the mails: *Provided*, That such number of copies shall not include the copies importation of which is permitted under the provisions of subdivision (2), and that this privilege of importation of such 500 copies shall not extend to works of authors citizens of or aliens resident or domiciled in the United States of America at the time of creation, printing, or first publication: *And further provided*, That:

(a) every such importation is accompanied by a written authorization, specifying the title of the work and the number of copies imported thereunder, signed by the author or the owner of the publication rights for the United States with respect to said work, together with an affidavit of the importer certifying that a duplicate copy of said authorization has been mailed to or deposited with the Register of Copyrights; and that

(b) if copies in excess of 500 are imported except as provided in this section with the consent of the author or any one authorized to act on behalf of the author, then no remedies shall be available under this act for the printing, reprinting, publication, distribution, or vending of copies of such work made by any process set forth in subsection 1.

NOTES AND COMMENTS—continued

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SEC. 30. (1) The importation into the United States without the written consent of the author or any authorized agent to act on behalf of the author of copies of works produced in violation of section 29 of this act is hereby prohibited, and such copies shall be seized by the Customs or Post Office officials.

(2) When an edition of a copyrighted work is manufactured in the United States, pursuant to the provisions of section 29, and is published either by the author, or by the grantee of exclusive publication rights, in the United States pursuant to a written grant recorded in the Copyright Office, then during the period of said exclusive publication rights or the term of copyright therein, whichever terminates sooner, importation of copies in violation of section 29 is prohibited.

(3) The importation into the United States, except as otherwise herein permitted, of a copy of the whole or any part of any copyrighted work, which if published in the United States would infringe such copyright, shall be deemed an infringement and is hereby prohibited.

SEC. 31. Any and all copies of which importation is prohibited by this act brought into the United States from any foreign country shall be seized and forfeited by like proceedings as those provided by law for the seizure and condemnation of property imported into the United States in violation of the customs revenue laws. Such articles when forfeited shall be destroyed in such manner as the Secretary of the Treasury or the court, as the case may be, shall direct: *Provided, however*, That all copies of authorized editions of copyrighted works imported in violation of the provisions of this act may be exported and returned to the country of export whenever it is shown to the satisfaction of the Secretary of the Treasury, in a written application, that such importation does not involve gross negligence or fraud.

The Secretary of the Treasury and the Postmaster General are hereby empowered and required to make and enforce such rules and regulations as shall prevent the importation into the United States through the ports of entry or in the mails of articles importation of which is prohibited under sections 29 and 30 of this act, but the Treasury Department and the Post Office Department, as the case may be, shall not be required to prevent such importation unless the copyright owner or other injured party shall have filed a written claim of copyright pursuant to said rules and regulations.

CHAPTER VI—ADMINISTRATIVE SECTIONS

SEC. 32. There shall be appointed by the Librarian of Congress, a Register of Copyrights, at a salary of _____ dollars per annum, and _____ Assistant Registers of Copyrights, at a salary of _____ dollars per annum, who shall

NOTES AND COMMENTS—continued

Sec. 30. Prohibition of importation.

Subdivision (1) covers the importation of copies manufactured in violation of the manufacturing provisions of section 29 and corresponds to a provision in section 31 of the act of 1909.

Subdivision (2) covers the case where the copyright of a foreigner has been assigned to an American citizen or resident and seeks to protect the rights of the assignee against importation of copies violating the exclusive grant.

Subdivision (3) concerns the importation of piratical copies which was covered by the first sentence in section 31 of the act of 1909.

Sec. 31. Regulations of importation.

This section combines sections 32 and 33 of the act of 1909. The second paragraph relates to section 17 (2) of this act.

Sec. 32. Register of Copyrights.

The first paragraph of this section is identical with section 48 of the act of 1909, except that the amounts to be paid are not named.

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have authority during the absence of the Register of Copyrights to attach the seal of the Copyright Office to all papers issued from the said Office and to sign such certificates and other papers as may be necessary. There shall also be appointed by the Librarian such subordinate assistants to the register as may from time to time be authorized by law.

The Register of Copyrights shall give bond to the United States in the sum of \$20,000, in form to be approved by the Solicitor of the Treasury and with sureties satisfactory to the Secretary of the Treasury, for the faithful discharge of his duties.

Sec. 33. All records and correspondence relating to copyrights required by law to be preserved shall be kept and preserved in the Copyright Office, Library of Congress, District of Columbia, and shall be under the control of the Register of Copyrights, who shall, under the direction and supervision of the Librarian of Congress, perform all the duties prescribed by this act.

Sec. 34. The Register of Copyrights shall be authorized to make rules and regulations not inconsistent with the provisions of this act for the deposit of copies, the recordation of grants, the registration of claims to copyright, and such other administrative acts as are provided herein.

Sec. 35. The Register of Copyrights shall provide and keep such records and record books in the copyright office as are required to carry out the provisions of this act, and, whenever an application to deposit, register, or record has been made in the copyright office under the provisions of this act, the Register of Copyrights shall make entry thereof: *Provided*, That any incorrect entry may be corrected by the filing of a new and correct application, as if it were an original application, accompanied by the required copy, or identifying material, and the fee as in the case of an original application. The application for such corrected entry shall also be accompanied by an affidavit sworn to by the owner of the copyright setting forth the facts upon which the request for the new entry is based. In case of a dispute as to the ownership of copyright, the United States district court having jurisdiction of the parties and after a hearing of the issues involved, upon cause shown, may order the cancellation or correction of any entry. The foregoing shall be subject, however, to the provisions against retroactive liability on the part of any person who relied or acted upon an erroneous entry, as provided for in subsection (b) of section 46.

Sec. 36. (1) The seal provided under the act of July 8, 1870, and at present used in the copyright office, shall continue to be the seal thereof, and by it all papers issued from the copyright office requiring authentication shall be authenticated.

(2) Upon the payment of the fee prescribed by this act the

NOTES AND COMMENTS—continued

The second paragraph is identical with section 50 of the act of 1909.

Sec. 33. Copyright Office.

Section 33 amends section 47 of the act of 1909, by the substitution of "all the duties prescribed by this act" for "registration of copyrights."

Sec. 34. Regulations of the copyright office.

Section 34 parallels section 53 of act of 1909, but is amended to meet provisions of sections 14, 16, and 17.

Sec. 35. Entries and corrections thereof.

This section 35 incorporates the provisions of section 54 of the act of 1909 and adds the proviso permitting the correction of incorrect entries in the copyright office. This proviso was proposed by book publishers.

Sec. 36. Seal of the copyright office.

Subdivision (1) of section 36 is identical with section 52 of act of 1909.

Subdivision (2) incorporates the provisions in regard to cer-

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Register of Copyrights shall furnish to any person requesting the same a copy certified under said seal of any receipt or certificate of recordation or registration issued by the Register of Copyrights, of any grants, application for registration of a claim of copyright or other instrument filed in the copyright office or of any entry in the records or record books of the copyright office, or any extract therefrom. Such copy shall be admitted in any court as evidence with like effect as the original thereof.

Sec. 37. The Register of Copyrights shall fully index all deposits, registrations, grants, and other instruments filed or recorded in the Copyright Office by the following data to the extent disclosed therein: Date of filing, deposit, or recordation; title of the work; names of the author or grantor, and the grantee, a statement whether it includes any rights in works thereafter to be created or owned by the author or grantor, the nature of the grant, the date of beginning and duration of such grant, and when the grant itself specifically enumerates individual works, a description of the work or works included in such grant, such as the title or titles and the nature thereof, and when the grant includes specific rights in any or all works of a particular author or owner, to the end that searches in respect thereof may be readily made by the public. The provisions of this act as to deposits, recordation and registration of copyrighted works shall be exclusive, and the sole place of deposit, recordation, and registration in the United States of America shall be the Office of the Register of Copyrights, Library of Congress, Washington, D. C.

A copy of any record on file or of a grant or other instrument recorded in the Copyright Office, or any extract therefrom, certified by and under the seal of said office shall be admitted in any court as evidence with like effect as the production of the original record, grant, or instrument from which taken.

Sec. 38. The Register of Copyrights shall print a monthly catalog of the records of the Copyright Office together with suitable indexes, and shall print a complete and indexed catalog thereof annually. The monthly catalogs as they are issued shall be promptly distributed by the Copyright Office to the collectors of customs of the United States and to the postmasters of all exchange offices of receipt of foreign mails, in accordance with revised lists of such collectors of customs and postmasters prepared by the Secretary of the Treasury and the Postmaster General, and they shall also be furnished in whole or in part to all parties desiring them at a price to be determined by the Register of Copyrights for each catalog but not to exceed \$10 for all such catalogs issued in one year. The annual catalogs shall also be supplied to all persons

NOTES AND COMMENTS—continued

tified copies under the seal of the copyright office that were in section 45 of the law of 1909.

Sec. 37. Index data and copies thereof.

This section 37 parallels section 56 of the act of 1909. It has been much modified to meet provisions of sections 14, 16, and 17 of this draft.

Sec. 38. Catalogs.

This section parallels section 57 of the law of 1909.

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ordering them at such prices as may be determined to be reasonable, and all subscriptions for the catalogs shall be received by the Superintendent of Public Documents, who shall forward the said publications; and the moneys thus received shall be paid into the Treasury of the United States and accounted for under such laws and Treasury regulations as shall be in force at the time.

SEC. 39. The record books of the Copyright Office, together with the indices to such record books, and all works deposited and retained in the Copyright Office, shall be open to public inspection; and copies may be taken of the copyright entries actually made in such record books, and of any work deposited in the Copyright Office subject to such safeguards and regulations as shall be prescribed by the Register of Copyrights and approved by the Librarian of Congress.

SEC. 40. Of the articles deposited in the Copyright Office under the provisions of the copyright laws of the United States or of this act, the Librarian of Congress shall determine what books and other articles shall be transferred to the permanent collections of the Library of Congress, including the law library, and what other books or articles shall be placed in the reserve collections of the Library of Congress for exchange, or be transferred to other governmental libraries in the District of Columbia for use therein.

SEC. 41. Of any articles undisposed of as above provided, together with all correspondence relating thereto, the Librarian of Congress and the Register of Copyrights jointly shall, at suitable intervals, determine what of these received during any period of years it is desirable or useful to reserve in the permanent files of the Copyright Office, and, after due notice as hereinafter provided, may within their discretion cause the remaining articles and correspondence to be destroyed: *Provided*, That there shall be printed in the Catalog of Copyright Entries from February to November, inclusive, a statement of the years of receipt of such articles and correspondence and a notice to permit any author, copyright owner, or other lawful claimant to claim and remove before the expiration of the month of December of that year anything found which relates to any of the articles and correspondence of such author, owner, or claimant deposited or registered within the period of years stated, not reserved or disposed of as provided for in this act: *And provided further*, That no manuscript of an unpublished work shall be destroyed during the term of copyright without specific notice to the copyright owner, permitting such owner to claim and remove it.

SEC. 42. The Register of Copyrights shall receive, and the persons to whom the services designated are rendered shall pay, the following fees: For recording and certifying any instrument in writing for the

NOTES AND COMMENTS—continued

Sec. 39. Records open to the public.

This section 39 is identical with section 58 of the act of 1909.

Sec. 40. Location of deposited copies.

This section 40 is identical with section 59 of the act of 1909.

Sec. 41. Disposition of articles relating to copyright.

Section 41 is identical with section 60 of the act of 1909, except for making the language uniform.

Sec. 42. Fees.

The fees suggested are low. It is believed that low fees will encourage registration. Income from fees should be sufficient to pay for the costs of the service of the Copyright Office.

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grant of any right included in copyright, as provided in section 16, 50 cents a page or additional fraction thereof; for any copy of a written grant duly certified, \$1 for each Copyright Office record book page, or additional fraction thereof over one-half page for comparing any copy of a written instrument with the record of such instrument in the Copyright Office and certifying the same under seal, \$1; for any requested search of Copyright Office records, indexes, or deposits, \$1 for a fraction of an hour or for the first full hour consumed in making such search and 50 cents an hour thereafter; for depositing copies of a work and issuing a receipt therefor, 50 cents; and for registering a copyright and issuing a certificate of registration, \$1: *Provided*, That only one deposit of registration fee shall be required for several volumes of a book deposited or registered at the same time.

SEC. 43. The Register of Copyrights shall make daily deposits in some bank in the District of Columbia, designated for this purpose by the Secretary of the Treasury as a national depository, of all moneys received by the Copyright Office, and shall make weekly deposits with the Secretary of the Treasury in such manner as the latter shall direct, of all copyright fees actually applied under the provisions of this act, and annual deposits of sums received which it has not been possible to apply as copyright fees or to return to the remitters, and shall also make monthly reports to the Secretary of the Treasury and to the Librarian of Congress of the applied copyright fees for each calendar month, together with a statement of all remittances received, trust funds on hand, moneys refunded, and unapplied balances.

SEC. 44. The Register of Copyrights shall make an annual report to the Librarian of Congress, to be printed in the annual report of the Library of Congress, of all copyright business for the previous fiscal year, including the number and kind of works which have been deposited in the Copyright Office during the fiscal year under the provisions of this act.

CHAPTER VII—FINAL PROVISIONS

SEC. 45. Nothing in this act shall be construed to annul or limit the right of the author or other owner of an unpublished work, at common law or in equity, to prevent the copying, publication, or use of such unpublished work without the consent of such author or other owner, and to obtain damages therefor: *Provided, however*, That when the author or other owner shall have elected to have copyright under this act, the provisions of this act shall be exclusive, and in lieu of and in substitution for any rights and remedies at law or in equity under any other applicable or available common or statutory law of any appropriate jurisdiction as to published and unpublished works. Notwithstanding

NOTES AND COMMENTS—continued

Sec. 43. Disposition of moneys.

Section 43 is identical with section 49 of the act of 1909, with the substitution of the words "by the Copyright Office" for "to be applied as copyright fees."

Sec. 44. Report of the Register of Copyrights.

This section 44 is identical with section 51 of the act of 1909.

Sec. 45. Common-law copyright retained.

This section 45 without the proviso is identical with section 2 of the act of 1909. The proviso is new; it specifies acts by which an author or other owner elects statutory rather than common-law copyright. Motion pictures and broadcasters prefer the entire section 45 to read as follows: "The provisions of this act for published or unpublished works shall be exclusive and in lieu of and in substitution for any rights and remedies at law or in equity, or any other provisions, under any other applicable or available common or statutory law of any appropriate jurisdiction."

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any other provisions of this act, such election shall be deemed to have been exercised by, and shall be binding only upon, an author or other owner who has made or authorized any of the following: A publication of the work, but only in the event of actual publication thereof; a deposit of a copy or copies of the work in the Copyright Office as provided herein; the filing of any application to register the work in the Copyright Office as provided herein; a recordation in the Copyright Office of any grant or other written instrument in respect thereof as provided herein; the commencement of any action or proceeding in any court based upon any claim to copyright under this act; the assertion in writing of any claim to copyright under this act, or of any right to remedies or proceedings for infringement of any such right or rights.

Sec. 46. The provisions of this act shall apply:

(a) To all works copyrighted prior to the effective date of this act and in which copyright subsists at the date of the enactment hereof under the provisions of any prior copyright statute of the United States; the term for which copyright in such works shall subsist is extended for the period provided in section 6 of this act: *Provided, however, That—*

(1) From and after the expiration of 28 years from the date when the copyright was secured under the act of March 4, 1909 (or if the copyright was renewed prior to the effective date of this act, then from and after the expiration of 28 years from the date when such renewal became effective), the copyright and all rights therein for the remainder of the term, as extended by this act, shall be vested in and be owned by the person or persons who would have been entitled to ownership of the renewal effected under sections 23 and 24 of the act of 1909.

(ii) With respect to contributions to periodicals, cyclopedias, and other composite works copyrighted under the act of March 4, 1909, and which contributions were not separately registered by the authors thereof, such authors shall enjoy the renewal right conferred under section 23 of the act of March 4, 1909, when application for such renewal is made during a period of 6 months after the expiration of the original term of copyright secured under the act of March 4, 1909, but such renewal right shall not be conferred in respect of such contributions to periodicals, cyclopedias, and other composite works for which applications for renewals were made prior to the expiration of the original term of copyright; and

(b) to works in respect of which:

(1) A defective notice of copyright had been placed upon a published copy or copies thereof, or a defective registration of the claim to copyright therein had been made or attempted, prior to the effective date of this act; and each such notice or registration is hereby

NOTES AND COMMENTS—continued

Sec. 46. Transitory provisions.

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legalized, confirmed, made valid and effectual as fully as if no defect or error had occurred or existed;

(ii) a corrected entry has been made as provided for in section 35;

(iii) copyright had not been secured in the United States prior to the effective date of any such adherence as may be made to the Convention for the Protection of Literary and Artistic Works, but in which copyright subsisted under such convention upon said effective date of adherence: *Provided, however, That as to the works specified in the above subdivisions (i), (ii), and (iii) of this subsection (b), no right or remedy given pursuant to this act shall prejudice past or future acts, uses, or rights in or in connection with, or the continuance of any undertakings or enterprises which were commenced in respect of said works within the United States prior to the effective date of this act in the case of subdivision (i), the date of the filing or recording of a corrected entry in the Copyright Office in the case of subdivision (ii), and the effective date of adherence in the case of subdivision (iii), and which would otherwise have been lawful within the United States; and the author or other owner of any such right under copyright shall not be entitled to any remedy under this act for any act or use of the type herein described either before or after such date against any persons who, prior to such date, have taken any action or expended labor, money or any other consideration, or incurred any liability in connection with any preparation for, creation, or exploitation of, or in the acquisition of rights, quitclaims, releases, or clearances affecting such work or any right thereunder, or for any act or use of the type described in section 4 of this act or for any other act or use made, in a manner which at the time was not unlawful: *Provided further, That no remedies shall be available under this act for the making for purposes of study or research and not for profit of copies of the works referred to in the above subdivision (iii) of this subsection.**

Sec. 47. (1) This act shall take effect 6 months after its enactment.

(2) All acts or parts of acts relating to copyrights are hereby repealed, as well as all other laws or parts of laws in conflict with the provisions of this act, except as provided in the preceding section; and except that

(a) Nothing in this act shall be construed to annul or limit any vested right of the author or other owner of a statutory copyright during the original term, or any renewal thereof, under the statutes which secured such copyright or renewal, where such vested right subsists on the effective date of this act.

(b) Nothing in this act shall affect causes of action for infringement of copyright committed before the effective date of this act, which shall then be pending in the courts of the

NOTES AND COMMENTS—continued

Sec. 47. Enactment section and repeal of all existing copyright acts.

S. 3043—continued

United States, and any such cause of action shall be prosecuted to a conclusion in accordance with the provisions of law under which it arose;

(c) Any cause of action for infringement of copyright arising out of any acts committed before the effective date of this act for which any action or proceeding is commenced after the effective date of this act, shall be prosecuted to a conclusion in accordance with the provisions of this act;

(d) Sections 1 (e) and 25 (e) of the act of March 4, 1909, as amended relating to the mechanical reproduction of musical works shall continue in full force and effect in respect of musical works lawfully adapted to mechanical instruments before the effective date of this act as to those manufacturers adapting such works to such instruments before said effective date and as to the specific recordings of the work theretofore made.

Sec. 48. If any provision of this act or the application of such provision to any person or circumstance is held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

The letter of explanation presented by Mr. THOMAS of Utah is as follows:

NATIONAL COMMITTEE OF THE UNITED STATES OF AMERICA
ON INTERNATIONAL INTELLECTUAL COOPERATION,
New York, N. Y., December 16, 1939.

Copy of letter-memorandum for Committee on Patents of the Senate and Committee on Patents of the House of Representatives on an act to amend and consolidate the acts respecting copyright.

The committee for the study of copyright submits herewith a draft of a bill to amend and consolidate the acts concerning copyright. This committee was set up in January 1938 by one of the foundations to study ways and means of promoting copyright relations between the United States and foreign countries, particularly Latin-American. Early in its investigations, the committee concluded that the revision of domestic legislation in the United States was a prerequisite to its main objective. The committee accordingly proposed to representatives of various groups of interests concerned in copyright that they attempt an adjustment of their conflicting views and interests through round-table discussions concerning the principles and provisions of a new copyright act.

This proposed bill is the result of such round-table discussions held under the auspices of the committee for the study of copyright extending for nearly 16 months past. At these conferences on copyright legislation the committee gathered together representatives of the following groups and interests concerned in copyright:

Authors' League of America.
American Society of Composers, Authors, and Publishers.
Song Writers' Protective Association.
International Allied Printing Trade Association.
Book Publishers Bureau.
National Publishers' Association.
Librarians.
The Joint Committee on Materials for Research of the Social Science Research Council and the American Council of Learned Societies.
Motion-picture producers and distributors.
Motion-picture theater owners.
Independent Exhibitors' League.
National Association of Broadcasters.
Music Publishers' Protective Association.
Recording companies.

At these conferences the committee sought by the method of discussion and adjustment to arrive at agreements on the various conflicts of interests and views in copyright that have plagued all attempts at revision of the copyright law for more than a decade. This phase of the work took several months. At last, in April, when an agreement appeared to have been reached in principle on nearly all points of conflict, the actual drafting of the various sections of the bill was commenced and continued through by the same method of conference.

The work of drafting has been laborious, especially because, as was to be expected, the representatives of each group of interests desired to make sure that the language used for the various sections conformed to the wishes of the group concerned.

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It is sincerely believed that the proposed bill achieves by the method of democratic process, that is, conference and discussion, and not by imposition or force, an acceptable adjustment of all interests concerned in copyright, and that it attempts to satisfy the general scheme of such interests, particularly the interests of creators of literary and artistic works, those of the users of such works, those of intermediaries and labor, and those of the public.

The bill also seeks to bring the law of the United States into conformity with the International Copyright Convention, especially in view of the fact that Executive Report No. 2 of the Senate Committee on Foreign Relations has recommended that the Senate advise and consent to the accession of the United States to the International Union for the Protection of Literary and Artistic Works, and that the recommendation is on the calendar of the Senate.

It is believed that the bill proposed satisfies the claims and demands of authors and other creators of literary and artistic works as fully as possible and with due consideration to the interests of users and of the public. Particular attention is drawn to the following features of the bill designed to satisfy the claims and interests of authors:

1. Copyright protection is based upon the creation of a literary or artistic work, while deposit and registration are made permissive and are also encouraged through the extension of certain rewards to authors and publishers in sections 14 and 17. This system complies with the Berne Convention in not making these formalities a condition to copyright, and at the same time places national authors on the same footing as foreign authors;

2. Exclusive rights enjoyed by authors under copyright are enumerated under section 4;

3. Moral right of authors as granted under common law is specifically retained in section 5;

4. The duration of copyright is extended for the life of the author and 50 years after his death in section 6. This conforms with the universal practice at the present time. A shorter term would place American authors at a disadvantage as compared with authors in other countries;

5. The rights of authors in their relations with employers are defined in section 8;

6. Divisibility of copyright, which has long been sought by authors, is fully provided for in section 13;

7. The author's copyright is protected in the case of bankruptcy and insolvency proceedings in section 13 (3); and

8. The author's reversionary interest in the case of grants not on the basis of continuing royalties is secured in section 13 (4).

With regard to the claims and demands of users of copyrighted works the following provisions of the bill are particularly mentioned:

1. Recordation of grants to use a copyrighted work on rights therein. The provisions of the bill in this respect are of greater advantage to users than the formalities of the act of 1909 providing for a notice of copyright and deposit and registration. In view of the great variety of uses to which a work may be put at the present time, it is not the original ownership of copyright that is really important but rather a complete record available to the public and to users of rights granted by the author, and this is provided for by the recordation of grants in section 16. It is believed that these provisions are permissible under the Berne Convention, since they are not a condition to acquisition of copyright;

2. Users of copyrighted works receiving grants of rights of the author have copyright with respect to the right granted, and, in section 21, are protected against infringement of such right, and may sue infringers without the necessity of joining the author as a party plaintiff;

3. Users are protected against importation of copies infringing their rights under the grant of the author in section 30;

4. The principle of statutory damages has been retained in section 19, the minimum being lowered, especially, in relation to multiple infringement. The principle of statutory damages as a deterrent to infringement has been supported by all groups except the National Association of Broadcasters, who oppose any minimum statutory damage for infringement by radio broadcasters;

5. Certain noninfringing uses of copyrighted works are permitted in section 12, and it will be vital that these go a long way in protecting public interest;

6. A 3-year limitation of civil and criminal actions is provided for in section 23; and

7. The indexing and publication of a monthly catalog of grants is provided for in section 37.

With regard to the rights of labor the new provisions on manufacturing and importation of sections 29, 30, and 31 are deemed to comply with the stipulations of the Berne Convention without affecting the interests of labor. Indeed, it is believed that these interests are now secured in a fuller manner as is explained in the note preceding chapter IV of the bill.

Lastly, with regard to the interests of the public, attention is drawn to the following features of the bill:

(1) The permission for the performance of musical compositions for charitable purposes;

(2) The permission for the incidental and not reasonably avoidable infringement of a copyrighted work in the depiction or representation of current news events, provided that this exemption shall not be extended to any use for advertising purposes;

(3) The making of microcopies by libraries;

(4) The making of single copies of published and unpublished works for research purposes by libraries;

(5) The protection of moral rights, already referred to, because it secures the social interest of culture; and

(6) Lastly, the transitory provision in section 46 which reserves the right of making copies for research purposes of works created prior to the coming into effect of the bill.

Several bills before Congress in the last few years have sought to extend protection of the Copyright Act to the following subject matters: Renditions, mechanical transcriptions, and designs. The committee has been unable to agree on the inclusion of these subject matters in the present bill.

With regard to renditions, the committee heard a representative of the Association of Performing Artists, and, after much discussion, it reached the conclusion that thought has not yet become crystallized on the subject, and that no way could be found at the present time for reconciling the serious conflicts of interests arising in this field. With regard to designs, while the present procedure of grant of patents in the Patent Office appears cumbersome and obsolete, it is maintained that it is not practicable to bring designs under the present bill. It is believed that we need a regulation simplifying the procedure of registering designs, as is the case in most countries of the world at the present time. In view of the fugitive character of designs, probably the creation of a special bureau for registration of designs should be provided for, while maintaining the necessity of deposit and registration and extending protection for a much shorter term than that granted to copyrighted works.

In regard to acoustic recordings, it should be explained that the Committee for the Study of Copyright and the Conference on Copyright Legislation (with the exception of representatives of record manufacturers) took the position that the "compulsory license clause" and the coin-operated machines exemption of section 1 (e) of the law of 1909 should be omitted from a new copyright bill. It is maintained that the "compulsory license" deprives authors of control of their works through contractual relations as well as being a price-fixing regulation, which has no place in a copyright bill. The exemption of coin-operated machines is held to be unfair both to the authors and to performing artists because the character of coin-operated machines has been so radically altered that the present improved machines diffuse music to the public for profit without paying for it and at the same time compete with performing artists.

The record manufacturers protest this decision.

They also ask that section 46 (a) (ii) be omitted. Concerning this request, the record manufacturers maintain that the clause as it stands is correlated with the omission of the "compulsory license" clause; they wish the benefits of the compulsory clause continued on all existing recordings.

The Committee for the Study of Copyright recognizes that record manufacturers need a regulating provision that shall enable them to control the use of their recordings so that they may not be utilized in radio broadcasting or other diffusion to the public for profit without permission and adequate remuneration. It might be possible under section 13 to add a paragraph stipulating if an author granted the right to use his work to a record manufacturer that manufacturer should have the right to print upon the record "Price—for private use; use for public diffusion for profit only on special arrangement." This regulation should also provide that the owners of work diffused should be paid for their public-performance rights and that performing artists under contract should receive a certain percentage on the public performance of the recordings of their interpretation.

The objection to this suggestion is that such regulation should not be in a copyright bill. The answer of the recording interests is that it is connected with copyright as is the manufacturing clause. In reply it is argued that the manufacturing clause should not be in the bill but it has been there so long that it is difficult to remove it. There is considerable opposition to giving copyright in recordings for they are not commonly creations of literary or artistic works but uses of them.

The problems of mechanical recordings and performers' rights are being widely studied, the latter especially by the International Labor Office. The general view is that such rights are not copyright but related to copyright and that there should be regulating provisions to safeguard these rights.

In conclusion, it should be pointed out that inasmuch as this bill is the result of long discussions, at which all interests concerned presented their views, there would hardly be any desire on the part of the various groups concerned for extended hearings. On the other hand, if the Committees on Patents of the Senate and the House wish explanations on any parts of the bill, the Committee for the Study of Copyright is in possession of copious memoranda submitted by various groups during the drafting of the bill, and would be pleased to communicate these to the congressional committees.

Very sincerely yours,

EDITH E. WARE,
Executive Secretary, Committee for the Study of Copyright.

ADDRESS BY THE PRESIDENT ON ONE HUNDREDTH ANNIVERSARY OF VIRGINIA MILITARY INSTITUTE

[Mr. GLASS asked and obtained leave to have printed in the RECORD an address delivered by the President of the United States on the occasion of the one hundredth anniversary of the founding of Virginia Military Institute, Lexington, Va., which appears in the Appendix.]

TRIBUTES TO SENATOR GLASS ON HIS BIRTHDAY ANNIVERSARY

[Mr. HARRISON asked and obtained leave to have printed in the RECORD addresses delivered at Lynchburg, Va., on the recent birthday anniversary of Senator GLASS, which appear in the Appendix.]

ADDRESS BY SENATOR WHEELER BEFORE NATIONAL ASSOCIATION OF MANUFACTURERS

[Mr. WALSH asked and obtained leave to have printed in the RECORD an address delivered by Senator WHEELER on December 8, 1939, before the National Association of Manufacturers at its annual meeting in New York City, which appears in the Appendix.]

ADDRESS BY SENATOR TAFT ON BALANCING THE BUDGET

[Mr. McNARY asked and obtained leave to have printed in the RECORD the address delivered by Senator TAFT before the Chicago Bar Association on Friday evening, January 5, 1940, on the subject of balancing the Budget, which appears in the Appendix.]

ADDRESS BY SENATOR CAPPER ON OUR CRIPPLED CHILDREN

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address delivered by Senator CAPPER on January 4, 1940, before the Kiwanis Club of Washington, D. C., on the subject Our Crippled Children, which appears in the Appendix.]

ADDRESS BY SENATOR REED ON A NATIONAL TRANSPORTATION POLICY

[Mr. REED asked and obtained leave to have printed in the RECORD an address delivered by him before the National Industrial Traffic League at Chicago, November 21, 1939, on the subject A National Transportation Policy, which appears in the Appendix.]

ORIGIN OF JACKSON DAY DINNERS

[Mr. DAVIS asked and obtained leave to have printed in the RECORD an editorial from the Saturday Evening Post of January 6, 1940, with reference to the origin of Jackson Day dinners, which appears in the Appendix.]

AMERICAN RIGHTS ON THE SEA—ARTICLE BY GENERAL JOHNSON

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article by Gen. Hugh Johnson entitled "The British Racket," published in the Miami (Fla.) Herald, which appears in the Appendix.]

ADDRESS BY SENATOR THOMAS OF UTAH BEFORE THE GERMAN SOCIETY OF PENNSYLVANIA

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an address delivered by Senator THOMAS of Utah before the German Society of Pennsylvania, in Philadelphia on January 7, 1940, which appears in the Appendix.]

PROPOSED JOINT COMMITTEE FOR STUDY OF BUDGET

Mr. HARRISON. Mr. President, I submit a concurrent resolution, which I ask to have read.

The VICE PRESIDENT. The concurrent resolution will be read.

The concurrent resolution (S. Con. Res. 33) was read, as follows:

Resolved by the Senate (the House of Representatives concurring). That there is hereby established a joint congressional committee to be composed of six members of the Senate Committee on Finance and six members of the Senate Committee on Appropriations, to be appointed by the President of the Senate, and six members of the House Committee on Ways and Means and six members of the House Committee on Appropriations, to be appointed by the Speaker of the House of Representatives. The committee is authorized and directed to make a full and complete study and analysis of the Budget of the United States Government for the fiscal year ending June 30, 1941, and the message of the President accompanying the Budget, with a view to assisting the Congress in formulating a comprehensive fiscal program which will tend ultimately and at the earliest practicable date to bring revenues and expenditures into balance.

For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such times and places during the sessions, recesses, and adjourned periods of the third session of the Seventy-six Congress as it deems advisable. The committee shall report to the two Houses of Congress the results of its study, together with its recommendations, not later than the sixtieth day after the establishment of the committee. Such reports shall be referred to the

standing committees of the Senate and House of Representatives from which the membership of the committee established by this resolution was appointed.

The VICE PRESIDENT. Is there objection to the present consideration of the concurrent resolution?

Mr. McNARY. Mr. President, reserving the right to object, I desire to state that on Friday I supplied the able Senator from Mississippi with a copy of a resolution passed by the Republican conference which has for its purpose the expansion of the hearings to include national defense. Under the rule, of course, this concurrent resolution would have to go over for a day. I am not asking that at the present time; but I do want to know what the Senator's attitude will be with respect to the suggestion made by the Republican conference.

Mr. HARRISON. Mr. President, I do not want to delay the matter, because, under the unanimous-consent agreement, bills on the calendar are to be taken up. As I recall the suggestion made by the Republican caucus, it was that the committee should study the question of national defense and appropriations therefor, including a study of prior appropriations for the national defense, and the suggestion laid stress on investigation of the national military policy. In my opinion, if this concurrent resolution should pass the Senate and the House, the special committee certainly ought to look into the question of the national defense and the appropriations which have been made for that purpose and report, for the benefit of the Senate, its opinion as to whether adequate appropriations have been made and are now recommended for national defense. Of course, if the proposed committee are to make, at a practicable date, a report which is to be of any benefit, they could not go into a full investigation of many matters, such as all prior appropriations, but they certainly could make a cursory investigation of the matters set forth in the resolution passed by the Republican caucus.

Mr. McNARY. The Senator has expressed his views of what the joint committee should do. I want to know what they will do.

Mr. HARRISON. If I should have the privilege of being on the committee—for which membership I am not a candidate—in the event the concurrent resolution is passed, I should feel that that would be one of its primary objects, because, as the Senator appreciates, there was requested in the President's message an additional emergency appropriation of some \$460,000,000 for national defense, and the question is presented whether taxes should be raised at this session for that particular purpose. Certainly, therefore, that is one of the major questions which this committee should look into and about which some conclusion should be reached and some recommendation made.

Mr. McNARY. Mr. President, the Senator's statement is pleasing, but it is not quite satisfactory. I want something definite. I want an understanding, not as to what the proposed committee should do but as to what they would be forced to do by virtue of the adoption of the resolution.

I offer as an amendment the following, which is a portion of the resolution adopted by the Republican conference a few days ago:

That the joint congressional committee deal with national defense and appropriations therefor, including an examination of past expenditures, adequacy of results therefrom, and a survey of national military policy.

Will the Senator end this matter by incorporating that language in his concurrent resolution?

Mr. HARRISON. The Senator's resolution also suggested an additional similar joint committee to investigate the matter of national defense. Personally, I should have no objection to it, because all in the world I want is to try to arrive at a meeting of minds so that we can start a program which will ultimately and, as soon as possible, bring receipts and expenditures into balance.

Mr. McNARY. The Senator has a right to modify his resolution. Will he incorporate in it the language which I have just proposed?

Mr. HARRISON. If unanimous consent is granted—

Mr. McNARY. I want to know whether or not the Senator will do so before I grant unanimous consent for the concurrent resolution to come up.

Mr. HARRISON. So far as I am personally concerned I should be perfectly willing to do it, unless it should draw the fire of certain other gentlemen who might object to the inclusion of that language.

Mr. BYRNES. Mr. President, will the Senator from Mississippi yield to me?

Mr. HARRISON. I yield.

Mr. BYRNES. If the Senator does incorporate the amendment, I certainly shall object to the consideration of the concurrent resolution at this time.

Mr. McNARY. If the Senator from Mississippi does not incorporate it, I certainly shall object to its consideration at this time.

The VICE PRESIDENT. Objection is heard.

Mr. HARRISON. One moment. Would not the Senator be willing to let the concurrent resolution go through in its present form? The only prospective opposition I have heard about may come from certain gentlemen in the House who say it may delay appropriation bills. In my humble opinion it will not delay appropriation bills, but will not the Senator offer a separate resolution carrying out the ideas he has expressed?

Mr. McNARY. I think, as the Senator stated a moment ago, that it is very proper and prudent that the provision I have suggested should be in this resolution. I understood the Senator from Mississippi to say he was for it. I am for it. The Republican conference is for it, and I am trying now to represent that conference. I know that this proposal, by itself, would not go through. It would be said that a committee had already been appointed, and that they would touch upon this subject matter. I want it a little more completely touched upon than it probably would be by the committee. Therefore, I shall have to maintain my position at this time.

Mr. HARRISON. I will not make a request for unanimous consent to take up the concurrent resolution at this time, but I hope the Senator from South Carolina [Mr. BYRNES], and other Senators interested can get together with us on the passage of the concurrent resolution.

Mr. AUSTIN. Mr. President—

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Vermont?

Mr. HARRISON. I yield.

Mr. AUSTIN. Before the Senator yields the floor and this subject is passed by, I call attention to the interest the Committee on Military Affairs has in the concurrent resolution now presented. Already it appears that a large part of the proposal for appropriations relates to military affairs, and I merely want to ask the Senator to take into consideration the fact that somehow an inquiry, not an investigation, but an ascertainment of the facts, must be made before the Committee on Military Affairs will authorize any appropriation for additional military establishments. So that if the Senator desires to proceed at an early date with the idea contained in the concurrent resolution, I ask him to take into consideration the fact that the Committee on Military Affairs must know whether the expenditures are synchronized with the past appropriations, whether we are biting off more than we can chew, as it were, or whether the appropriations are adapted to the scheme with which the military plan can be executed. All these facts must be taken into account, as I have indicated, before the Committee on Military Affairs will consent to any more appropriations for military purposes.

Mr. HARRISON. Mr. President, I wish to say, in response to the remarks of the Senator from Vermont, that I think the members of the Committee on Military Affairs as well as the membership of the subcommittee of the Senate Appropriations Committee handling military appropriations should be invited before the special committee, which will be attempting to harmonize any differences which may exist or arise, and their views should be solicited with reference to this subject, inasmuch as it affects the legislative work of the standing committees of which they are members.

Mr. BYRNES and Mr. GLASS addressed the Chair.

The VICE PRESIDENT. Does the Senator from Mississippi yield, and if so, to whom?

Mr. HARRISON. I yield first to the Senator from South Carolina.

Mr. BYRNES. With reference to the statement of the Senator from Vermont, I want it understood that my objection to the consideration of the concurrent resolution at this time was based solely upon the understanding that the suggestion of the Senator from Oregon [Mr. McNARY] was to be incorporated.

As chairman of the subcommittee of the Committee on Appropriations dealing with naval appropriations, about 30 days ago I gave notice that just as soon as Congress met, the subcommittee having charge of the question of naval appropriations would proceed to an inquiry into the status of existing appropriations, and the purposes for which funds were heretofore authorized, and would make a recommendation as to whether or not, in the light of the developments during the present war abroad, there should be any diversion of the funds to some purpose other than the purpose appropriated for 12 months ago; that for the purpose of the prosecution of that inquiry, the most comprehensive investigation should be made.

Pursuant to that determination, on the first day of the session I gave notice that such an investigation would be made, and have conferred with officials of the Navy Department in order to have the Department send before the Committee on Appropriations the individuals having charge of the expenditure of the funds appropriated for this fiscal year. The date at which we would start the investigation I have not indicated, because I have been unable to get in touch with the Senator from Massachusetts [Mr. WALSH], the chairman of the Committee on Naval Affairs, who, by reason of his position as chairman of the legislative committee, is a member of the subcommittee of the Committee on Appropriations having charge of naval appropriations.

In view of these circumstances, before any action was taken by the Senate providing for an investigation of this subject by the suggested committee of 24, I desired to have the Senate acquainted with what the Committee on Appropriations intends to do, and to do immediately, because it is my view that the inquiry should be made at this time in order that the Senate may have the information when it comes to the consideration of the deficiency bill which will be in the Senate within 10 days. If the information is to be of value in the consideration of the expenditure of quite a large sum appropriated, or estimated for, in the deficiency bill, some inquiry ought to be made at this time. I would not want the inquiry delayed, and I believe, too, that it should be made by the committee which made these appropriations, which knows the purposes which were authorized, and, by reason of experience with the subject, can with greater facility make the inquiry.

Mr. GLASS. Mr. President, will the Senator from Mississippi yield?

Mr. HARRISON. I yield to the Senator from Virginia.

Mr. GLASS. I hope that when the concurrent resolution is taken up someone will be prepared to tell us why the Appropriations Committees of the two Houses are to be superseded in their natural work. Every question of appropriations is determined first by one of the subcommittees and then by the full Committee on Appropriations. We do not need any general committee of 24. We have 24 members on the Committee on Appropriations of the Senate, and we are detached from any particular view. We consider matters on their merits, not because the Committee on Naval Affairs or the Committee on Military Affairs wants them considered. I think the matter had better be left to the Committees on Appropriations of the two Houses.

Mr. BORAH. Mr. President, will the Senator from Mississippi yield?

Mr. HARRISON. I yield.

Mr. BORAH. I desire to ask what it is the special committee proposed to be created can do that the regular committees of the House and the Senate are not now authorized or prepared to do. I do not understand why it is necessary

to have a special committee if it is to have no additional powers. For instance, the Committee on Finance of the Senate has under its control the entire subject covered by the concurrent resolution presented by the Senator from Mississippi; it has the same authority with reference to investigating these matters and considering them and discussing them as the special committee would have, according to the concurrent resolution which has been presented. And so with reference to the expenditures for national defense. The question with me is, if the concurrent resolutions are to be agreed to, as indicated here, in the terms in which they are presented, what additional authority will be given which the committees of the Senate do not now have?

Mr. HARRISON. Of course, when I presented the concurrent resolution, I expected to make some preliminary remarks. I hope the Senate will grant me unanimous consent to proceed for 30 minutes.

The VICE PRESIDENT. Without objection, the Senator from Mississippi has 30 minutes.

Mr. HARRISON. Mr. President, while the proposal I have made might devolve more labor upon my shoulders, assuming that I should be appointed on the special committee, and upon the others who might be selected to conduct the proposed study, in my opinion we are at a point where we must promptly begin a fiscal program which will result in a balance between Government expenditures and receipts. The message the President has just submitted to us is one of the most important Budget messages that has come to Congress, resulting in our being confronted with a great many difficult problems to solve.

We all know the condition of the Federal Treasury. We know how Government expenditures have increased during the last 10 or 12 years. We know that the national debt has been increased from some \$19,000,000,000 in 1932 to the point where it is estimated that on June 30, 1941, it will reach almost \$45,000,000,000, the limit fixed by law; and we know, as legislators who are confronted with this problem, that with an \$8,400,000,000 expenditure program recommended, with large reductions in certain items, and with a substantial increase in another item, that of national defense, a recommendation is made to us about enacting taxes at this time to finance the emergency national defense expenditures—all of which presents questions not solely within the jurisdiction of the Committees on Appropriations of the House and the Senate. It presents problems coming within the jurisdiction of other committees.

Of course, the Finance Committee—which in the end must deal with the recommended tax increases or the possibility of an increase in the national debt limitation—can remain quiescent while the total recommended appropriations in the Budget are increased by various groups that might be formed without any effort being made to cooperate in carrying forward a real retrenchment program. I believe sincerely that this proposal is a step in the right direction. We are handed by the President in this message a real effort upon his part toward retrenchment. We should consider it on a broad front of wholehearted cooperation and understanding of what is being done by the committees having to do with expenditures as well as providing the necessary funds. What I suggest in this proposal is that before entering this game, we players agree on a set of signals so that there will be good team work. We want to score a touchdown and see at the earliest practicable date the elimination of Government deficits and a balance of Government revenues and expenditures. There are many States in the Union in which both bodies of the legislature create a committee having jurisdiction over appropriations and at the same time of raising the ways and means for meeting the expenditures. I know that the Senate in my own State of Mississippi has that power and has jurisdiction over both appropriations and taxes.

I have no desire to tread on the toes of the Committee on Appropriations or of any other committee of this body or of the House, but we can invite members of the other committees which might be affected to participate, and, if we act as sensible representatives, we can pull together.

So far as the Committee on Finance, of which I have the honor to be chairman, is concerned, I shall bring to the attention of the full committee every subject that is taken up, and a report of the discussions which take place. The proposed special committee would not have any final jurisdiction. It can only report the results of its study and its recommendations, under the terms of the resolution. It may accomplish nothing, so far as that is concerned. There may be minority reports, there may be three or four different reports; but this is a step in the right direction, a step toward the adoption of a fiscal program which I hope and believe will lead us eventually, and at as early a date as possible, to a real balanced Budget in this country.

Mr. President, I think the President's message was an admirable one. As an individual I may differ with him in respect to certain reductions proposed in his message. But I think we can look at the problem in a broad way and make up our minds that the expenditures of the Government should not exceed a certain amount. The Finance Committee and the Ways and Means Committee, as well as the Appropriations Committees of the two Houses, can get the views of the proposed special committee, and through cooperation we can work out some satisfactory program.

Mr. President, it may be that a difference of opinion exists as to whether or not taxes should be laid for simply one fiscal year, or whether they should be levied for a period of 2 or 3 years in order to spread them out and thus lighten the burden of taxation, or at least not greatly increase the burden placed on the people of the country who have money for investment which might result in giving employment to more people and reduce our large relief appropriations.

Mr. President, there are many angles to the question. The proposal contained in the President's message of reducing by \$700,000,000 the capital funds of certain Government agencies and corporations and crediting the revolving funds in the Treasury with funds received from the retirement of stock in the case of some of the Government lending agencies, are matters which ought to be studied carefully and will be looked into by the proper committees of Congress, I have no doubt.

But, Mr. President, I ask: What harm is there in providing a special committee which might bring about a meeting of minds, and might result in a determined and cooperative effort on the part of all Members of Congress?

Mr. President, I have no pride of opinion with respect to the proposal I have offered. I believe it is a wise one. I think it is constructive, I think it is sound, and I believe the country also has the same thought about it.

Mr. BANKHEAD. Mr. President, will the Senator yield?

Mr. HARRISON. I yield to the Senator from Alabama.

Mr. BANKHEAD. Is it contemplated that the resolution, if it shall be agreed to, may serve to postpone or delay the usual hearings and regular consideration and final action on the various appropriation bills?

Mr. HARRISON. It certainly is not, Mr. President. The resolution provides that action on the part of the proposed special committee shall not be delayed longer than 60 days.

Mr. BANKHEAD. Yes; but 60 days would result in an unusual delay.

Mr. HARRISON. The committee can make its report, if it comes to a conclusion, within 20 days or 30 days, or any time under 60 days. It is not the intention of anyone to hold up any appropriation bills. If the House Appropriations Committee wishes to go ahead, very well, let it go ahead. If I were a Member of the House Appropriations Committee, and such a proposal as this were made to me, I would say that 10 or 15 days' delay in the passage of this appropriation measure or some other appropriation measure would not be destructive, because the Congress must pass the general appropriation bills for the next fiscal year during the present session. Of course, the deficiency appropriation bill is in a somewhat different situation. Notice of this proposal was given as soon as the Budget message and the President's views were submitted to Congress. This is only the beginning of the session. Certainly, if committees have already acted on certain appropriation bills, all of them have not as yet been

finished or are ready to be reported. I do not believe that my proposal will seriously interfere with the work of any committee. My desire is to seek cooperation in attaining the common goal of a sound fiscal program.

Mr. President, the point I wish to make is this: I have no desire in the world to do anything other than try to arrive at a meeting of minds and the accomplishment of a desirable end. I do not wish to cause delay. I wish to see the labors of the present Congress concluded as quickly as possible, so we may get away as early as we can. I am as anxious to have that accomplished as anyone in the Senate. I am ready to go just as far as the Senate is in the matter of amendments which may be proposed to the concurrent resolution. I do not entertain the feeling that all the wisdom was lodged in those who drew up the resolution. However, I do not wish to find myself in the situation where some Senator will object to consideration of the resolution because time is of the essence of this question. I think the committee ought to go to work very quickly if the proposed action is to be taken and accomplished. We can accomplish nothing if the committee must wait until legislation has been enacted.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. HARRISON. I yield to the Senator from Massachusetts.

Mr. WALSH. Does the resolution confine the proposed study merely to the financial problems of Government departments?

Mr. HARRISON. It is proposed to make a study of the whole fiscal policy involved in the recently submitted Budget, as well as the President's message of transmittal.

Mr. WALSH. The press has indicated—I do not find anything in the resolution to that effect, however—that the resolution would propose an investigation or study of the matter of national defense. Is that contemplated by the resolution?

Mr. HARRISON. Mr. President, since the President's message calls for an extraordinary expenditure, an emergency expenditure, of some \$460,000,000, and specifically asks for increased taxes to cover that expenditure, which is for emergency national defense, I think certainly it is pertinent that the proposed committee, if it shall be appointed, should study that question. Necessarily, in studying it, the able and distinguished chairman of the Naval Affairs Committee would be one of the first to be consulted.

Mr. WALSH. Mr. President, I appreciate that, but I think I should take at least occasion to say, if the Senator will permit me, that, as I view it, in the absence of further information from the Navy Department, the problem of national defense from the standpoint of the Navy is largely a matter how large the appropriations for the Navy should be made at this session.

The Congress 2 years ago, in 1938, authorized for the expansion of the Navy an expenditure of about \$1,250,000,000. It was to be a 10-year program, with the expectation that about \$120,000,000 would be spent each year in new construction.

A situation may now exist which requires the speeding up of what was supposed to be a 10-year program. It may be necessary to make that program only a 5-year program, but the authorization is there, and it seems to me that the real issue, so far as the Navy is concerned, is one of how much money we want to expend this year out of what has been authorized for new construction.

Personally, so far as I am now informed, I do not see any occasion for much further authorization of funds for naval defense. However, I have not had an opportunity to confer with the naval authorities or with the President in reference to new undertakings other than those that are already authorized.

I had assumed that the naval problem was largely one of how much beyond that determined during the past should be appropriated each year to speed up our Navy program. I have no objection, I will say, to the Senator's general suggestion or request for a financial study or survey by either a special committee or by the Finance Committee or some other

committee. I think that is desirable, and it is important that every step that may lead to a real effort to balance the Budget be undertaken. But I do think there has been some misunderstanding, so far as the Navy is concerned, as to the matter of additional appropriation for national defense. We must keep in mind the distinction between authorizations and appropriations. I understand that under present laws authority exists to appropriate nearly \$1,000,000,000 for new ships and aircraft.

Mr. HARRISON. Mr. President, of course, the Senator's statement would be very impressive, I am sure, on the minds of the members of the committee, and certainly the committee would welcome the views of the Secretary of the Navy and the distinguished Senator in charge of naval appropriations, the Senator from South Carolina [Mr. BYRNES]. The committee would certainly want to go into all matters relating to national defense, both military and naval, because the Finance Committee, in my opinion, does not want to have to increase taxes for that purpose unless it is absolutely necessary.

But, Senators, beware of this: If we shall continue spending, it means increased taxes, or an increase in the present limitation on the national debt. I wish that by a meeting of minds and by collaboration and cooperation we could reduce these appropriations in such a way as would appeal to Congress to the point where we could avoid any increased taxes or any increase in the national debt. That is all I desire to see accomplished.

Mr. BARKLEY. Mr. President, I do not want to delay the business of the Senate, but inasmuch as this matter is under discussion, I wish to make a very brief observation or two. In the first place, I think it probably would be worth serious consideration on the part of the Congress whether there should be established for the future some sort of coordinating joint committee to consider revenues and expenditures.

The Senate may recall that last June I suggested here on the floor the creation of a joint committee to study the whole tax problem, because at that time it was contemplated that the Congress might be called on at an early date to revise the entire tax structure with a view to making it more systematic, and not have it remain as it has been for many years, a sort of patchwork of taxes levied to meet particular emergencies as the emergencies have arisen. That suggestion came to nothing. I did not at that time contemplate the additional suggestion contained in the resolution of the Senator from Mississippi for consideration of the Budget, because at that time the Budget had not been submitted.

As a permanent policy and for the long future, I think it would be well for the Congress to seek a way to create a joint coordinating committee between the two Houses to work out problems of taxation and expenditures. Whether that can be done wisely in the middle of a session to apply to the particular situation that exists at such a time may be open to question.

I have no objection to the resolution offered by the Senator from Mississippi, and I shall support it, but I do not find myself able to support the suggestion offered by the Senator from Oregon [Mr. McNARY]. The resolution proposes to create a joint committee to investigate the Budget. The Budget contains not only recommendations for national defense, but it contains recommendations with respect to all the other appropriations for all the other departments of the Government, and it suggests, of course, the propriety of raising supplemental taxes to meet the expenditures for national defense. I see no more reason for singling out in this general resolution the question of military policy and adequacy of defense, or the expenditures for defense made by appropriations heretofore enacted, than any other activity of the Government, such as the Public Works Administration, the Civilian Conservation Corps, the W. P. A., or the Agricultural Department. I see no reason for emphasizing an investigation into the national defense, which might throw some cloud upon whether or not we are properly or adequately defended, and leaving all the other activities of

the Government unmentioned. I think the concurrent resolution is broad enough to authorize the committee to investigate the national defense; and I am sure it would do so if it were appointed, because it would be ridiculous to have it investigate the President's Budget and the question of revenues and expenditures with respect to every other department and leave the question of national defense untouched. So there is no doubt that the committee would have the authority to investigate the national defense. I do not see how the Senator from Oregon or any other Senator could seek to require the Senator from Mississippi or any other Senator to bind the committee in advance. The committee is proposed to be made up half of Senators and half of Members of the other House. The committee, of course, would determine its own course. I assume that if it were appointed it could carry out in good faith the instructions in the concurrent resolution, which would include the very thing suggested by the Senator from Oregon.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. DANAHER. When the Senator voices objection to going into the matter of national defense on the ground that it would appear to throw some doubt upon the adequacy of our national defense or the need for additional taxes for national defense, does not the Senator recognize that the President himself did just that in his message? He specifically pointed out the need for additional funds for national defense, and specifically pointed out the method and means for raising taxes to pay for it.

Mr. BARKLEY. He did not specifically point out the method and means for raising taxes. He suggested that the taxes be raised.

The point I make is that there is no more reason in the concurrent resolution to call attention specifically to one item of expenditure and have it investigated and named, than to have other items of expenditure in the Government investigated.

Mr. FRAZIER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. FRAZIER. During the second session of the present Congress, when the neutrality bill was under consideration, I remember making the statement that in the past 6 years we have appropriated an average of more than \$1,000,000,000 annually for the Army and Navy for national defense. If \$1,000,000,000 has been spent annually for the past 6 years, it would seem to some of us that we ought now to have an adequate defense and that it ought not to be necessary to have a larger appropriation for the coming year.

Mr. BARKLEY. For the sake of argument, admitting the correctness of the Senator's attitude, the point is, Why mention a particular item in a general resolution authorizing the creation of a joint committee to consider the entire subject—the whole question of taxation, revenues, and appropriations?

I was interested in the suggestion offered by the Senator from Vermont [Mr. AUSTIN] a while ago, that the Military Affairs Committee would not authorize any additional expenditures for national defense until it had gone thoroughly into the matter and had ascertained to its satisfaction the need for further authorization. Of course, that attitude would be expected of the committee. No matter what happens with respect to the proposed joint committee, it is not my understanding that it is to relieve the individual standing committees of the Senate or House of their responsibility. Regardless of any recommendation made by the joint committee, or any finding of fact, in my judgment, the Committees on Military Affairs and on Naval Affairs, as well as the Appropriations Committees of the two Houses, would go into these matters thoroughly to satisfy themselves that additional authorizations were needed or that appropriations were needed.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. AUSTIN. My observation was made solely for the purpose of avoiding, if possible, duplication of work—that is, having two committees doing the same thing—my idea being

that either the special committee, if one is to be created out of two other committees than the Military Affairs Committee, should leave the subject alone or else the committee itself should be formed in such a way that some members of the Military Affairs Committee would be on the committee, and not merely go before the committee to testify. I think the committee ought to contain members of the standing committees which are especially interested in the inquiry or else it ought to leave the subject alone for the other committees to handle.

Mr. BARKLEY. That raises the question whether the joint committee, if created, should be larger than 24, or whether the representation should be changed so as to include members of the Military Affairs Committees and the Naval Affairs Committees of the 2 Houses. I, myself, do not see how any joint committee larger than 24 could function very efficiently. I think that number is sufficiently large. The question of its composition is a matter for the 2 Houses to determine. However, the point I wish to make is that I do not see any reason, in a general resolution, for singling out the national defense for a special investigation any more than any other particular expenditure or department of the Government, some of which involve a larger amount than is asked for by the President for national defense.

Just one other observation—

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. VANDENBERG. Let me suggest to the Senator the reason why I think heavy and special emphasis should be put at this particular point, as demanded by the able Senator from Oregon. Perhaps the investigation contemplated by the Senator from South Carolina [Mr. BYRNES] would serve the purpose we have in mind. I should be pretty well satisfied with any investigation conducted by the able Senator from South Carolina. However, I think that after we have spent billions and billions and billions of dollars upon national defense, with the unanimous, earnest desire that we shall have a complete and adequate national defense, and with the serial assurance each year that we were meeting every necessity, it is highly discouraging to discover that apparently the national defense is often inadequate in many of its key factors, as we are now frequently told. I think it is time we discovered whether or not we are getting our money's worth out of prior and present appropriations before we proceed further into the field of large additional expenditures.

Since that is the one budgetary point with respect to which, under the President's own program, he himself is exceeding the figures of last year's appropriation, I submit that he has himself put an emphasis upon defense which we cannot evade, and that we in turn are entitled to put the same emphasis upon defense when we try to find out what new burdens shall be placed upon the groaning taxpayers of the country.

Mr. BARKLEY. I will say to the Senator from Michigan that no one objects to ascertaining all the facts which are essential and which are available in regard to our national-defense situation. Certainly I would not for a moment advocate the continuation of an appropriation for any item of national defense unless it were needed and unless it were kept within reasonable bounds, admitting, of course, that in public expenditure we cannot always expect to get a dollar's worth for every dollar we spend. I would not be in favor of spending additional sums unless they were necessary, and I should like to know if there has been any lack of efficiency in the expenditure of the moneys we have already appropriated for national defense. I am wondering whether or not a joint committee of 24, charged with the duty of investigating and reporting within 60 days all the expenditures of all the departments of government could devote sufficient special attention to national defense to ascertain the information which the two legislative committees and the Appropriations Committee can ascertain in the discharge of their duty as standing committees of the House and Senate.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. VANDENBERG. If the Senator will permit one further observation, I think there is much to be said for the point the Senator now submits. The general fiscal subject certainly is so large that 60 days devoted to it by one committee could monopolize that committee's attention without any detours. It is for that reason that it was my original purpose and hope that the joint congressional formula proposed by the Senator from Mississippi [Mr. HARRISON], which I cordially endorse, could be also used in the national-defense field, and that we might have another similar joint committee representing the Military and Naval Affairs Committees of the House and Senate to canvass the whole question in respect to national defense; the whole question as to whether or not we are getting our money's worth out of defense appropriations; the whole question as to whether the defense scheme ought to be changed in the light of latest war experience; and the whole question as to whether or not we need to go to any substantial additional investment in this field if defense, and defense alone, is our objective.

It seems to me that if we could have a joint congressional decision in respect to these fundamental questions, which the people of the United States themselves are asking every day of the year, it would greatly facilitate the work of the Senate and the House, and of the Congress itself, in respect to the ultimate appropriations. I want this country adequately defended and I shall continue to vote all essential appropriations to this end. But I decline to ignore the basic fact that the preservation of a sound public credit is the first of all national-defense necessities, and that a realistic check upon all governmental expenditures is essential to this achievement.

Mr. BARKLEY. Mr. President, I realize the force of the Senator's suggestion. However, in view of the high character of the Committee on Military Affairs, the Committee on Naval Affairs, and the Appropriations Committee, and the ability of the Appropriations Committee to follow along and make appropriations for expenditures which have been previously authorized under the leadership of the legislative committees, I am not willing to admit that the standing committees are either incompetent or unwilling, charged as they are with a specific duty, to ascertain all the facts connected with their particular portion of national defense, to such an extent that we must have an over-all investigating committee on national defense alone in order to supplement the information obtained by the standing committees.

If a separate resolution is offered to create an investigating committee on national defense to supersede in some way the standing committees, we can reach the question when it arises; but I do not think any such amendment ought to be put in the proposed concurrent resolution if it is to be adopted by the Senate.

One other observation, Mr. President. The President submitted his Budget to the Senate and House, and with it he sent a very clarifying message. The reductions which have been made by the President in the Budget are commendable. Whether they could be greater or whether they are too great in some items, Members will have their own individual opinion; but I think it should be stated that unless we keep within the Budget recommendations of the President we shall be confronted with the question either of new taxes or of raising the debt limit above \$45,000,000,000. If we have to meet that situation, Senators and Members of the House of Representatives will probably have to make a choice between the enactment of some sort of new taxes and the increase of the debt limit if we go beyond the Budget recommendations.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TAFT. Does not the Senator recognize a third possibility of reducing expenditures still further?

Mr. BARKLEY. Oh, yes; I recognize that possibility, but I have looked in vain in the statement given out by the Senator the other day to find where we could reduce them to the extent he suggests. I am sympathetic with the general idea that if we can reduce expenditures it ought to be done; but what I am trying to impress upon Congress, if I can, is the responsibility of Congress itself trying to keep appropriations

within the Budget recommendations, because we cannot go very much above them without either levying additional taxes or increasing the debt limit, and, psychologically, one would be about as unpleasant as the other.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. VANDENBERG. The problem is even more challenging than the Senator has indicated, because we cannot escape the debt limit, even under the President's Budget, unless his highly optimistic increase in revenues occurs and unless we restore to the Treasury certain capital funds from the Reconstruction Finance Corporation.

Mr. BARKLEY. The difference between the amount carried in the Budget and the amount necessary to be appropriated in order to exceed the \$45,000,000,000 debt limit is so precarious that we have got to walk a tightrope with all the umbrellas we can carry for balancing purposes in order not to go above the \$45,000,000,000 debt limit in our appropriations and not to require some new form of revenue. That is all I have to say at this time.

Mr. BYRNES. Mr. President, I ask unanimous consent to speak for 5 minutes.

The PRESIDENT pro tempore. Is there objection? The Chair hears none and the Senator from South Carolina will proceed.

Mr. BYRNES. Mr. President, I stated before that I have no objection to the resolution of the Senator from Mississippi [Mr. HARRISON] as submitted by him. I am in hearty accord with the objective because that objective, as I understand it, is set forth in the last three lines of the first paragraph, which suggest an effort "to bring revenues and expenditures into balance."

However, I think we should understand the situation. It has heretofore been proposed that the Congress create a joint committee to be known as the Budget Committee, which committee prior to the convening of the Congress, would meet and determine upon the amount of the Budget. The difficulty that then confronted the Congress was that Members wanted to know how the committee would arrive at the total which was supposed to govern them, and, if the committee was to be nothing but a mere conference, that it should be provided that the Budget as thus agreed upon by the committee should be submitted to the Congress, determined by it, and adopted as to the total amount to be spent by the Congress. That, of course, meant that the Congress would get somewhere, if as a whole it should fix the total amount of the Budget, then apportion the total amount among the various departments, and the Appropriations Committees should then be charged with the duty, after hearings, of determining how the amount for each department would be allotted. That question, however, is not involved in the pending resolution which the Senator from Mississippi says is merely advisory. I said I would have no objection to it because of his statement that he does not contemplate that the appropriation bills will be held up. To my mind, that would not be practicable.

We should realize that Members of the other House left their homes in November and came to Washington to start hearings upon appropriation bills. Long ago the House found that no large committee of 32 members or 24 members could possibly conduct the hearings upon all the appropriation bills. So that the Appropriations Committee of the House is divided up into subcommittees of five members who live with the respective bills which they have in charge all during the year; they devote constant thought to the bills, and in November start hearings on them. Today hearings on the deficiency or supplemental appropriation bill, have been completed, and within a few days that bill will be reported. The hearings have been completed on the independent offices bill, the bill has been marked up, and, it is intended next week to bring that measure before the House for consideration, and then have it come to the Senate. Their program is that each week thereafter an appropriation bill shall be reported to the House. Three such bills are now ready to be reported and others will follow.

It is a practical question. Those men do not take merely a chance view or make a mere survey from a casual statement of the head of a department, but they conduct hearings, just as a court takes testimony, from 10 o'clock in the morning until 5 o'clock in the afternoon. I spent 10 years on that committee, and I know their procedure. For either the naval appropriation bill or the Army appropriation bill or the agricultural appropriation bill the printed testimony will amount to six or seven hundred pages and sometimes to a thousand pages. The subcommittees go into every item, and there is a vigorous minority there challenging the statements made by department heads.

I know, as a factual matter, that if we provide a committee of 24 men to act on all appropriation bills, and they are denied an opportunity of spending a month, say, on a given bill, as would be necessary if they should give the same careful consideration to it which the subcommittee of the House Appropriations Committee gives to it, and which the subcommittee of the Senate Appropriations Committee gives to it, they could consider one of the appropriation bills, either the Army or the Navy or the agricultural bill; but if 24 men attempt to conduct real hearings to determine whether or not a given department should receive from the Congress the amount estimated by the department, and 24 men should ask questions instead of 5 men asking questions, I do not believe that they could finish one bill in the time that 5 Members of the House and five Members of the Senate could finish it. The Appropriations Committee was divided into subcommittees, because it was found impossible with a large committee to make the detailed investigation that should be made in order to determine how much should be appropriated in the case of the respective appropriation bills. The Senator from Mississippi, however, says he does not expect that the proposed committee would go into that in the detailed way in which the Appropriations Committees proceed.

Now, when the independent offices bill comes to the Senate a week from now, the Senator from Virginia [Mr. GLASS], who is chairman of the Appropriations Committee, must start hearings. I happen to be a member of the subcommittee on that bill. For 10 days certainly we must meet at 10 o'clock in the morning and remain in session all day—except for the time when we have to come to the floor of the Senate to answer roll calls—to examine and consider that bill and hold hearings on it; and the other Members are in the same situation. If six members of the Appropriations Committee are to serve on the proposed joint committee to conduct another investigation, I must say that it will be very difficult for them to proceed with the hearings in the Appropriations Committee itself. If 10 days or 2 weeks or a month or the 60 days provided in the resolution should pass, no great harm, I agree, would be done, because the Congress has not got to adjourn in June or at any particular time. If necessary, it could go ahead, but a 24-member committee, in my opinion, would find it difficult to make any detailed investigation of every appropriation bill; and if it should not do so, it would not absolve the subcommittee in charge of the agricultural appropriation bill or the deficiency bill or the naval bill from the duty of going over every item in those bills. That is what they should do.

I do not see why there should be any objection to the resolution, for I do not believe any subcommittee of the Appropriations Committee will object to getting all the advice that it can get about the amount which should be provided in any appropriation bill. I am frank to say that the only objection I see would be the possibility of delaying the appropriation bills. I can imagine, from the experience that the Congress generally has, that if they were held up, as the information was obtained by officials of the executive departments that some reduction in appropriations was to be made and gentlemen in Denver, Atlanta, San Francisco, and Chicago who are interested in securing increases in the appropriations were advised of that fact, they would have about 30 days instead of 10 days within which to set in motion efforts to prevent the reduction. That would make it very difficult to reduce appropriations.

Everyone in this Nation is in favor of economy, provided the Congress does not reduce the appropriations for the items in which he is interested, but whenever we undertake to touch his pet item, a reduction is vigorously resisted. I received a letter from a chamber of commerce in my own city this morning. Up to this time I have received from them about once a month suggestions favoring the balancing of the Budget, but the suggestion now is against reducing the appropriation for the C. C. C. and appropriations for the Agriculture Department as recommended in the Budget submitted by the President. From this day on such mail will increase. The way to accomplish the object the Senator from Mississippi has—and there is no Member of the body who has been more consistent in advocating it—is for the Senate of the United States to determine that they are not going to vote for appropriations in excess of the total amount asked for by the President.

No one is going to ask the Congress to surrender to the President the right to say that a cut shall be made in this item and not in another item, because the Congress has its own views about such matters, but when it comes to the total, the question is whether we are going to stay within it or whether we are going to levy taxes, as the Senator from Mississippi says, or increase the debt limit. My only reason for saying anything at this time is that I want it understood that, if the resolution is adopted, the Appropriations Committee will nevertheless go ahead with its detailed investigation of the bills before it and endeavor, so far as possible, I hope, to keep the appropriations within the Budget.

Mr. McNARY. Mr. President, I ask for the regular order.

Mr. HARRISON. Mr. President, if an objection is to be made to unanimous consent for the consideration of this resolution, will the Senator permit that to be done?

Mr. McNARY. I objected a short time ago.

Mr. HARRISON. I have not requested unanimous consent.

Mr. McNARY. In view of the Senator's attitude, I objected a little while ago, and I persist in my objection. I ask for the regular order.

Mr. HARRISON. The Senator says, "in view of the Senator's attitude." Does he mean my attitude?

Mr. McNARY. I offered a proposal which was the product of the Republican conference, and the Senator did not see fit to incorporate it in his resolution. Therefore, I objected to immediate consideration of the resolution, and I still maintain that position. I ask for the regular order.

The PRESIDENT pro tempore. The Senator from Oregon objects to present consideration of the concurrent resolution.

NAVAL BUDGET

Mr. WALSH. Mr. President, before asking for the regular order, will the Senator yield in order that I may insert in the RECORD some information in connection with the concurrent resolution?

Mr. McNARY. Certainly.

Mr. WALSH. I have prepared a digest of the Budget estimates for the Navy, setting forth the regular appropriations for 1940, the requested regular appropriations for 1941, and the emergency appropriations requested for the 1940 and 1941 fiscal years, with a statement of the various purposes for which the appropriations are asked. The statement is very brief, and summarizes the whole story of the naval appropriations recommended by the Bureau of the Budget. I ask that it be printed in the RECORD in connection with this discussion.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The statement is as follows:

Naval budget (regular)	
Amount of regular appropriations (1940).....	\$720,789,461
Amount of regular estimates for 1941.....	904,540,037
Increase for 1941.....	183,750,576
The major increases for 1941 or 1940 are for:	
(a) Replacement of naval vessels.....	115,395,288
(b) Construction of aircraft.....	20,900,000
(c) Major alterations to naval vessels.....	6,052,000
(d) Bureau of Engineering.....	10,763,700
(e) Bureau of Construction and Repair.....	3,754,500

The major increases for 1941 or 1940—Continued.

(f) Bureau of Supplies and Accounts.....	\$15,339,820
(g) Bureau of Yards and Docks.....	1,283,400
(h) Marine Corps.....	1,386,751

The amount requested in 1941:

For construction of naval vessels.....	369,000,000
For construction of aircraft.....	67,798,000

Emergency funds for the Navy for 1940

The President in his recent message has asked Congress to make additional appropriations for the fiscal year 1940 amounting to approximately \$271,999,523. Of this sum, \$146,049,256 is for the Navy and Marine Corps.

The major items are:

San Diego (Calif.) Naval Training Station.....	\$86,000
Newport (R. I.) Naval Training Station.....	135,000
Norfolk (Va.) Naval Training Station.....	60,600
Great Lakes Naval Training Station.....	80,000

For fitting out vessels for neutrality patrol:

Bureau of Engineering.....	18,818,000
Bureau of Construction and Repair.....	15,514,000
Bureau of Ordnance.....	31,060,000

To cover the expenses of additional personnel:

Bureau of Supplies and Accounts.....	17,915,000
Bureau of Aeronautics.....	34,736,000
Bureau of Yards and Docks.....	971,000
Marine Corps.....	10,022,000
Navy public works.....	7,500,000

Additional or "B" budget for fiscal year 1941

For emergency defense in 1941, in addition to the regular appropriations, the President asked for \$302,151,361, as compared with \$271,999,523 for 1940.

The Navy's share is \$123,932,540.

The major items are as follows:

Office of Secretary.....	\$595,000
Newport (R. I.) Naval Training Station.....	61,000
Great Lakes Naval Training Station.....	47,000
Norfolk (Va.) Naval Training Station.....	115,000
Naval Reserve.....	3,723,000
Bureau of Engineering.....	9,300,000
Bureau of Construction and Repair.....	9,747,000
Bureau of Ordnance.....	26,400,000
Bureau of Supplies and Accounts.....	40,795,000
Bureau of Yards and Docks.....	270,000
Bureau of Aeronautics.....	9,800,000
Marine Corps.....	6,737,140
Navy public works.....	1,235,000

SUMMARY

The present session of the Congress has been asked to appropriate for the Navy the following amounts:

For 1941 fiscal year:

Regular annual appropriation.....	\$904,540,037
Emergency appropriations (1941).....	123,932,540
Navy public works.....	50,000,000

Total..... 1,078,472,577

For 1940 fiscal year (emergency)..... 146,049,256

Grand total..... 1,224,521,833

THE CALENDAR

The PRESIDENT pro tempore. The regular order is called for. If there be no further concurrent or other resolutions, the morning business is concluded. Under the special order heretofore entered, the calendar will now be called for the consideration of unobjected-to bills.

The first business on the calendar was the resolution (S. Res. 58) providing that a calendar day's notice shall suffice in connection with suspension of a rule.

Mr. VANDENBERG. Let the resolution go over.

The PRESIDENT pro tempore. The resolution will be passed over.

The resolution (S. Res. 74) providing for a Committee on Civil Aviation was announced as next in order.

Mr. VANDENBERG. Let the resolution go over.

The PRESIDENT pro tempore. The resolution will be passed over.

The joint resolution (S. J. Res. 45) to amend the act of July 3, 1926, entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in claims which the Crow Tribe of Indians may have against the United States, and for other purposes," was announced as next in order.

Mr. VANDENBERG. Let the joint resolution go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

The bill (S. 783) to amend the act, as amended, entitled "An act to refer the claims of the Delaware Indians to the Court of Claims, with the right of appeal to the Supreme Court of the United States," approved February 7, 1925, was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 790) conferring jurisdiction upon the Court of Claims to hear and determine the claims of the Prairie Band or Tribe of Pottawatomie Indians of Kansas and Wisconsin against the United States was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1222) authorizing an appropriation for payment to the Osage Tribe of Indians on account of lands sold by the United States was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 767) conferring jurisdiction on the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Assiniboine Indians may have against the United States, and for other purposes, was announced as next in order.

Mr. KING. Mr. President, at the last session of Congress a number of so-called Indian bills were reported. They are on the calendar. Objection was made to their consideration. In the meantime the Department of the Interior, which has to do with the claims of Indians against the Government, has made a study of the various bills which are pending, as well as other claims that are now before the Court of Claims; and within the next week or 10 days the Department of Justice will make a submission to a special committee which has been appointed. In the meantime I ask that these Indian bills go over.

The PRESIDENT pro tempore. At the request of the Senator from Utah, Senate bill 767, Senate bill 864, and Senate bill 498 will be passed over.

The bill (S. 1162) to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal, was announced as next in order.

Mr. BARKLEY. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1303) to amend the Agricultural Adjustment Act of 1938, as amended, with respect to cotton, was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 795) to provide for the education of all types of physically handicapped children, to make an appropriation of money therefor, and to regulate its expenditure, was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1681) to amend section 107 of the Judicial Code to create a mountain district in the State of Tennessee, and for other purposes, was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 570) to regulate interstate and foreign commerce in agricultural products; to prevent unfair competition; to provide for the orderly marketing of such products; to promote the general welfare by assuring an abundant and permanent supply of such products by securing to the producers a minimum price of not less than cost of production, and for other purposes, was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The resolution (S. Res. 107) opposing sales of American cotton during the present world crisis to foreign purchasers below the cost of production was announced as next in order.

Mr. BARKLEY. I think that resolution had better go over.

The PRESIDENT pro tempore. The resolution will be passed over.

The bill (S. 1305) to promote the general welfare through appropriation of funds to assist the States and Territories in providing more effective programs of public education was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1265) to establish a Department of Public Works, to amend certain sections of the Social Security Act, and for other purposes, was announced as next in order.

Mr. VANDENBERG and Mr. BARKLEY. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2202) to establish a Public Works Agency was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2203) to amend certain sections of the Social Security Act was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The joint resolution (S. J. Res. 34) for the relief of W. K. Richardson was announced as next in order.

Mr. KING. Let the joint resolution go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

The bill (S. 517) to amend the Communications Act of 1934 to prohibit the advertising of alcoholic beverages by radio was announced as next in order.

Mr. BARKLEY. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1730) to amend the civil-service law to permit certain employees of the legislative branch of the Government to be transferred to positions under the competitive classified civil service was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 289) for the relief of officers and soldiers of the Volunteer Service of the United States mustered into service for the War with Spain was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1650) to promote peace and the national defense through a more equal distribution of the burdens of war by drafting the use of money according to ability to lend to the Government was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

SETTLEMENT OF DISPUTES WITH THE UNITED STATES

The bill (S. 915) to provide for the more expeditious settlement of disputes with the United States, and for other purposes, was announced as next in order.

Mr. BARKLEY. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. KING subsequently said: Mr. President, I am compelled to leave the Chamber to attend a meeting of the Monopoly Committee. When Senate bill 915, known as the Logan bill, was called earlier in the day, objection was made to its consideration. I have just spoken to the majority leader and advised him of the fact that at an early date I shall ask the Senate to take this bill from the calendar and consider it, and, I hope, pass it. I give that notice now so that Senators may be advised of the pendency of the measure and the purpose to call it up for consideration at an early date.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. BARKLEY. There are certain amendments that will be proposed to this measure whenever it shall be under consideration. The amendments are not as yet prepared. I have been collaborating with the Department of Justice with respect to the matter, and I shall be glad to confer with the Senator regarding it at some convenient time. I do not want the bill taken up until the amendments shall be ready to be offered.

Mr. KING. Mr. President, I may say to my leader that the same suggestion was made repeatedly to the late Senator Logan, but the amendments were not tendered. Months have gone by; hearings were conducted by the Judiciary Committee; the subcommittee, including the able Senator from Nebraska, favorably reported the bill to the full committee, and the full committee unanimously reported it to the Senate. Ample opportunity was given by the late Senator Logan and other members of the committee to any person or persons to offer amendments.

I suggest to my friend from Kentucky, if any amendments are to be offered, that he bring them to the attention of the subcommittee at as early a date as possible, so that we may take them into consideration, and if we feel that they are proper, undoubtedly they will be accepted by the committee. I should like to state further to the Senator that I do not think he ought to delay this measure upon the ground that amendments are to be or may be prepared by the Department of Justice and offered to the bill. The same claim was made heretofore, as Senator Logan told me, by officials of the Department.

Mr. BARKLEY. I am not relying altogether on the suggestions of the Department of Justice. There are certain provisions of the bill which I think ought to be very carefully considered. The Senator knows what happened to the measure at the last session, or the session before the last. It is the kind of bill that ought not to be passed on the call of the Consent Calendar, because it involves all the departments of the Government; and there is a question whether the bill will operate as a strait jacket to an extent that would be unwise. That entire subject will be gone into when the bill comes up.

I am not seeking to delay the measure. It is an important one, and certainly when it is considered it ought to be considered on its merits and a full disclosure made of the effect its passage will have upon the agencies of the Government.

Mr. KING. Mr. President, I merely wish to give notice that I shall try to have the bill considered at an early date; and I hope the majority leader will cooperate with me and other members of the committee in that effort.

BILLS AND JOINT RESOLUTIONS PASSED OVER

The bill (S. 457) to amend the World War Adjusted Compensation Act was announced as next in order.

Mr. KING. Let the bill go over. The Senator who introduced the bill is not here to explain it.

The bill (S. 1852) to promote the free flow of domestically produced fishery products in commerce, and for other purposes, was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1740) to promote business and economic research in the United States by establishing and maintaining in connection with State university schools of business administration, research stations to cooperate with the Department of Commerce, was announced as next in order.

Mr. WHITE. Let the bill go over.

Mr. SHEPPARD. Mr. President, as the author of Senate bill 1740, I give notice that at the first opportunity I shall move to have a time set for taking up the bill when it can be properly considered.

The PRESIDENT pro tempore. Objection being made, the bill will be passed over.

The bill (H. R. 6264) authorizing the construction upon and preservation of certain public works on rivers and harbors, and for other purposes, was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2110) to provide for purchase of fish (including shellfish) and products thereof by the Federal Surplus Commodities Corporation was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2259) to amend laws for preventing collisions of vessels, to regulate equipment of certain motorboats on the navigable waters of the United States, and for other purposes, was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The joint resolution (S. J. Res. 145) proposing an amendment to the Constitution of the United States relating to old-age assistance was announced as next in order.

Mr. BARKLEY. Let the joint resolution go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

The bill (S. 1296) to amend paragraphs (b), (c), and (d) of section 6 of the District of Columbia Traffic Act, 1925, as amended by the acts of July 3, 1926, and February 27, 1931, and for other purposes, was announced as next in order.

Mr. BARKLEY. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2264) for the relief of Frank P. Hoyt was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2585) to reimburse the cotton cooperative associations for losses occasioned by the Federal Farm Board's stabilization operations, and for other purposes, was announced as next in order.

Mr. McNARY. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The joint resolution (S. J. Res. 84) proposing an amendment to the Constitution of the United States for a referendum on war was announced as next in order.

Mr. VANDENBERG and Mr. BARKLEY. Let the joint resolution go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

The joint resolution (S. J. Res. 140) proposing an amendment to the Constitution relating to the power of the Congress to declare war was announced as next in order.

Mr. VANDENBERG and Mr. KING. Let the joint resolution go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

The bill (S. 2687) to establish a circuit court of appeals for patents was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 409) to protect American labor and stimulate the employment of American citizens on American jobs was announced as next in order.

Mr. KING. Let the bill go over.

The President pro tempore. The bill will be passed over.

Mr. REYNOLDS subsequently said: Mr. President, at the time the clerk called Senate bill 409 I was looking at another number on the calendar. What was the comment upon that bill?

The PRESIDENT pro tempore. It was objected to.

The bill (H. R. 5643) to invest the circuit courts of appeals of the United States with original and exclusive jurisdiction to review the order of detention of any alien ordered deported from the United States whose deportation or departure from the United States otherwise is not effectuated within 90 days after the date the warrant of deportation shall have become final; to authorize such detention orders in certain cases; to

provide places for such detention; and for other purposes, was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2573) to amend the Agricultural Adjustment Act of 1938, as amended; for the purpose of regulating interstate and foreign commerce in rice and providing for the orderly marketing of rice at fair prices in interstate and foreign commerce, was announced as next in order.

Mr. VANDENBERG and Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2289) for the relief of the Leesburg Welding & Garage Co. was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 6039) to amend laws for preventing collisions of vessels; to regulate equipment of certain motorboats on navigable waters of the United States, and for other purposes, was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The joint resolution (S. J. Res. 101) defining and classifying gratuity expenditures allowable as offsets in favor of the United States and against the Five Civilized Nations or Tribes of Indians, was announced as next in order.

Mr. KING. Mr. President, I think this joint resolution would come within the category of the Indian cases to which I have referred, and that it should be passed over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

The bill (S. 2420) relating to certain inspections and investigation in coal mines for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes, was announced as next in order.

Mr. McNARY. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The joint resolution (S. J. Res. 153) to approve the action of the Secretary of the Interior in defining the collection of certain irrigation charges against lands under the Blackfeet Indian irrigation project, was announced as next in order.

Mr. KING. Mr. President, has that joint resolution been favorably reported?

The PRESIDENT pro tempore. It has been favorably reported from the Committee on Indian Affairs, without amendment.

Mr. KING. Let it go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

The bill (S. 1970) to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes, was announced as next in order.

Mr. TAFT. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 2953) authorizing States owning lands or interest therein acquired from the United States to include the same in certain agreements for the conservation of oil and gas resources was announced as next in order.

Mr. KING. I should like an explanation of that bill.

The PRESIDENT pro tempore. The bill was reported by the Senator from New Mexico [Mr. HATCH].

Mr. VANDENBERG. Let it go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. HATCH subsequently said: Mr. President, during the call of the calendar this morning I was unavoidably detained. I understand that when order of business 943, House bill 2953, was reached, some Senator asked for an explanation of the bill. I am not sure whether the bill was passed over or what happened to it.

Mr. McNARY. Mr. President, when the bill was first called and objection was made there was no one present to explain the bill. The Senator from New Mexico came into the Chamber later, and following that the Senator from Michigan [Mr. VANDENBERG] objected.

Mr. HATCH. The Senator from Michigan not being in the Chamber at this moment, I will not ask that the bill be taken up in his absence.

The bill (S. 2575) to provide pensions, compensating retirement pay, and hospital benefits for certain Reserve officers of the Army of the United States, was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

DEPORTATION OF CRIMINAL ALIENS

The bill (H. R. 6724) to provide for the prompt deportation of aliens engaging in espionage or sabotage, alien criminals, and other undesirable aliens, was announced as next in order.

Mr. DANAHHER and Mr. KING. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. RUSSELL. Mr. President, was objection made to the consideration of this bill? Personally, I heard no objection.

Mr. KING. Mr. President, I objected only for the reason that two persons came to see me this morning in connection with the bill and said they had an amendment to offer. I was busy on the Monopoly Committee and had no opportunity to confer with them, and I told them to see me tomorrow. I have no objection to the consideration of the bill after I shall have received the amendment to which they referred. The amendment may be of such a nature that I would not care to offer it.

Mr. RUSSELL. The bill merely provides for the deportation of aliens who have been guilty of espionage or sabotage and have admitted in writing that they were guilty.

Mr. KING. I am in sympathy with the bill; and if the amendment to which reference has been made does not relate to some other point, I shall not object to the consideration of the bill.

REGISTRATION OF ALIENS

The bill (S. 2830) to provide for the registration of aliens was announced as next in order.

Mr. DANAHHER. Let the bill go over.

Mr. REYNOLDS. Mr. President, I hope the Senator from Connecticut will withdraw his objection. This bill was introduced by the junior Senator from Tennessee [Mr. STEWART] and has been favorably reported, as, of course, the Senator has observed, from the Committee on Immigration. The bill does not call for the fingerprinting of aliens, as does a bill which was introduced by me at the last session. In view of the conditions in the country today, particularly when we are reading so much about sabotage and espionage in the country, we must have some sort of check upon the thousands of aliens who are coming into the country; and the enactment of the bill certainly would be of benefit to the Department of Justice, and particularly the division now interesting itself in running down spies and saboteurs.

If the Senator will briefly glance over the bill—it is very short—I am sure he will withdraw his objection, in view of present conditions. I now see on the floor the Senator from Utah [Mr. KING], a member of the committee, and the Senator from Georgia [Mr. RUSSELL], its chairman; and I think they will bear out what I state in regard to the brevity of the bill.

Mr. KING. Mr. President, will the Senator from North Carolina yield?

Mr. REYNOLDS. I yield.

Mr. KING. A moment ago I made objection to the consideration of order of business 957, upon the ground that a number of persons had called to see me and suggested an amendment, and I assumed they had reference to that bill. But as I now recall, the amendment which these persons desired to have offered was to the bill just reached on the

calendar, and I wish to withdraw my objection to the bill to which I objected a moment ago. In view of the request which has been made, that I receive an amendment which the persons to whom I have referred desire to present, I shall ask that the bill just reached go over in order that I may consider the amendment. In the meantime, I shall be very glad to have the Senate recur to the bill to which I objected a few minutes ago.

Mr. DANAHER. Mr. President, I should like to have an objection noted to order of business 957, House bill 6724.

The PRESIDENT pro tempore. The Senator from Connecticut objects to the present consideration of House bill 6724, and it will go over, as heretofore ordered.

Mr. DANAHER. Mr. President, in answer to the Senator from North Carolina, I may say that I feel that this whole subject is of such a serious and fundamental nature, considering, as we must, the position for which this Nation has always stood, that no such bill should be passed on the Consent Calendar; that such a bill should be taken up and discussed in regular order, when made the order of business; and that it should be thoroughly discussed and its connotations and full import be understood. For these reasons I voice objection at this time.

I may also say that the senior Senator from New York [Mr. WAGNER] notified my office this morning that, due to his unavoidable absence while engaged upon public business, he would appreciate my voicing his objection also to these measures, and I ask that the RECORD so indicate.

Mr. REYNOLDS. Of course, in view of the absence of the senior Senator from New York, and in view of the statement made by the Senator from Connecticut a moment ago, I would not ask for action on the bill just reached on the calendar. But in view of the statement the Senator from Connecticut just made in regard to the importance of such bills, I hope that we may come to some decision in regard to a time when a public hearing, by way of debate, may be had upon these bills in the Senate. Insofar as I personally am concerned, I am sincerely desirous of having a record vote on all these bills, which I deem of particular importance to the American Government and people at the present time.

Mr. DANAHER. I know we all appreciate the deep concern of the junior Senator from North Carolina, and we all share it. I will be glad to join him in expediting consideration in the fullest possible way.

Mr. REYNOLDS. I thank the Senator.

Mr. RUSSELL. Mr. President, I give notice that at the earliest possible date I shall move the consideration of Order of Business 957, House bill 6724. It is almost inconceivable, but at the present time there is no law providing for the mandatory deportation of any person guilty of espionage or sabotage in the United States. This is a very simple bill, only a little over one page in length, and I think, in view of world conditions today, that the bill should be considered at the earliest possible date in order that we may have some statutory provision for ridding this country of those who are convicted of espionage or the destruction of public property.

Mr. REYNOLDS. Mr. President, in that connection I may add, for the information of Senators who are present today, that I have read a report by the Federal Bureau of Investigation to the effect that the number of complaints coming in from all parts of the United States with regard to espionage and sabotage increased over a thousandfold within the past 2 months. At this time I wish to give notice to the Senate that at the earliest possible date I shall move the consideration of Senate bill 2830.

BILLS PASSED OVER

The bill (S. 134) providing for continuing retirement pay under certain conditions of officers and former officers of the Army, Navy, and Marine Corps of the United States was announced as next in order.

Mr. KING. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 6901) granting increase of pensions to certain widows of veterans of the Civil War, was announced as next in order.

Mr. KING. Let that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2510) to promote the general welfare through the appropriation of funds to assist the States and Territories in providing more effective programs of public kindergarten or kindergarten and nursery-school education, was announced as next in order.

Mr. VANDENBERG. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 6687) to authorize the levy of State, Territory, and District of Columbia taxes upon, with respect to, or measured by sales, purchases, or use of tangible personal property or upon sellers, purchasers, or users of such property measured by sales, purchases, or use thereof occurring in United States national parks, military and other reservations or sites over which the United States Government may have jurisdiction was announced as next in order.

Mr. HARRISON. Mr. President, the Senator from Texas [Mr. SHEPPARD] spoke to me about this measure, which is being handled by the Senator from Georgia [Mr. GEORGE], and he asked that it go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 7171) to amend section 22 of the Agricultural Adjustment Act was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

ADDITION OF LAND TO THE SIUSLAW NATIONAL FOREST

The bill (S. 929) to add certain lands to the Siuslaw National Forest in the State of Oregon was announced as next in order.

Mr. McNARY. Mr. President, a bill of similar import has passed the House of Representatives, and I ask unanimous consent that it may be substituted for the Senate bill and acted upon at this time. The bill merely provides for taking property from the public domain and adding it to a national forest, because it is thought it is more suitable for forestry than for agriculture. It affects the watershed of a small community.

The PRESIDENT pro tempore. The Chair is informed that the House bill referred to by the Senator from Oregon is still in the Committee on Public Lands and Surveys of the Senate.

Mr. McNARY. Mr. President, I ask unanimous consent that the Committee on Public Lands and Surveys be discharged from the further consideration of House bill 884, which is a bill of similar import to the Senate bill just reached on the calendar.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Oregon that the Committee on Public Lands and Surveys be discharged from the further consideration of House bill 884, and that it be substituted on the calendar for Senate bill 929 and be now considered?

There being no objection, the Senate proceeded to consider the bill (H. R. 884) to add certain lands to the Siuslaw National Forest in the State of Oregon, which was ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That for the purpose of forest management and municipal watershed protection, the following-described lands, excepting such subdivisions as were revested in the ownership of the United States by the act approved June 9, 1916 (39 Stat. 218), or now are parts of the unappropriated public domain, are hereby added and made a part of the Siuslaw National Forest in the State of Oregon subject to valid existing rights, and all of the added lands owned by the United States shall hereafter be administered subject to all the laws and regulations governing the national forests: All of township 12 south, range 7 west; all of township 12 south, range 8 west; section 19, sections 29 to 32, inclusive, and sections 34 to 36, inclusive, in township 12 south, range 9 west; south half section 10, south half section 13, sections

14 and 15, sections 22 to 27, inclusive, and sections 34 to 36, inclusive, in township 12 south, range 10 west; sections 2 to 11, inclusive, sections 15 to 21, inclusive, and sections 30 and 31 in township 13 south, range 7 west; all of township 13 south, range 8 west; sections 1 to 5, inclusive, east half section 8, sections 9 and 10, north half section 11, sections 12 and 13, north half section 15, sections 16, 17, and 20, north half section 21 and sections 24 and 36 in township 13 south, range 9 west, all Willamette base and meridian.

The PRESIDENT pro tempore. Without objection, Senate bill 929 will be indefinitely postponed.

BILLS PASSED OVER

The bill (S. 1935) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto, was announced as next in order.

Mr. BARKLEY. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2103) to repeal the act entitled "An act to conserve and develop Indian lands and resources; to extend to Indians the right to form business and other organizations; to establish a credit system for Indians; to grant certain rights of home rule to Indians; to provide for vocational education for Indians; and for other purposes," approved June 18, 1934, and the act of June 15, 1935, supplementary thereto, was announced as next in order.

Mr. VANDENBERG. Over.

The PRESIDENT pro tempore. The bill will be passed over.

JOHN P. SHORTER

The Senate proceeded to consider the bill (S. 823) for the relief of John P. Shorter, which had been reported from the Committee on Claims with an amendment, to strike out all after the enacting clause and to insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John P. Shorter, of Newport News, Va., the sum of \$3,500, in full settlement of all claims against the United States for expenses and injuries sustained as a result of a collision involving a United States Civilian Conservation Corps truck, on June 30, 1936: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LYLE L. BRESSLER

The Senate proceeded to consider the bill (S. 2384) for the relief of Lyle L. Bressler, which had been reported from the Committee on Claims with an amendment, to insert a proviso, at the end of the bill, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury, be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lyle L. Bressler the sum of \$124.45, for reimbursement in the payment of his salary disallowed during the months of July, August, and September 1934, while employed in the Grand Teton National Park, Wyo.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ASSISTANCE TO MILITARY AND NAVAL ESTABLISHMENTS OF AMERICAN REPUBLICS

The joint resolution (H. J. Res. 367) to authorize the Secretaries of War and of the Navy to assist the governments of American republics to increase their military and naval establishments, and for other purposes, was announced as next in order.

Mr. KING. Mr. President, I should like to have an explanation of this measure.

The PRESIDENT pro tempore. An explanation is requested.

Mr. BARKLEY. Mr. President, in view of the fact that the joint resolution was reported by the distinguished senior Senator from Nevada, the President pro tempore of the Senate, who is now in the chair, I suggest that it go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

BILLS AND RESOLUTIONS PASSED OVER

The bill (H. R. 5584) to amend the Canal Zone Code was announced as next in order.

Mr. KING. Let that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The resolution (S. Res. 174) for an investigation of negotiations by American citizens with the Mexican Government concerning certain oil sales was announced as next in order.

The PRESIDENT pro tempore. This resolution is reported adversely.

Mr. VANDENBERG. Let it go over.

The PRESIDENT pro tempore. The resolution will be passed over.

The resolution (S. Res. 177) authorizing an investigation of negotiations by American citizens or officials with the Mexican Government concerning certain oil sales was announced as next in order.

The PRESIDENT pro tempore. This resolution was reported adversely.

Mr. VANDENBERG. Let the resolution go over.

The PRESIDENT pro tempore. The resolution will be passed over.

The bill (S. 2773) to authorize the payment of compensation to recess appointees in certain cases was announced as next in order.

Mr. McNARY. I think there should be an explanation of this bill.

Mr. KING. Let it go over.

The PRESIDENT pro tempore. The bill will be passed over.

PROTECTION OF WITNESSES BEFORE GOVERNMENTAL AGENCIES

The bill (H. R. 6832) to provide for the protection of witnesses appearing before any department, independent establishment, or other agency of the United States, or the Congress of the United States, was considered, ordered to a third reading, read the third time, and passed.

KING'S CANYON NATIONAL PARK, CALIF.

The bill (H. R. 3794) to establish the King's Canyon National Park, Calif., to transfer thereto the lands now included in the General Grant National Park, and for other purposes, was announced as next in order.

Mr. BARKLEY. Mr. President, this is a bill in which the senior Senator from Nevada [Mr. PITTMAN] is interested, and as to which I understand he desires to make a statement, but it is impossible for him to do so at this time, as he is at present presiding, and I suggest that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. JOHNSON of California. Mr. President, I think the Senator has confounded the bill with another, a bill to which I objected during the closing days of the last session. I withdrew my objection, after the matter was explained to me. I think it is a bill introduced by Mr. GEARHART, in the other House.

Mr. BARKLEY. Let me inquire of the Chair whether this is the bill which pertains to the King's Canyon National Park.

The PRESIDENT pro tempore. The senior Senator from Nevada objects to the present consideration of order of business 1157, House bill 3794, and it will go over.

INVESTIGATION OF CONDITIONS IN PUERTO RICO

The concurrent resolution (S. Con. Res. 18) providing for an investigation of the social, economic, and industrial conditions in Puerto Rico, was announced as next in order.

Mr. KING. Mr. President, at the last session of Congress this measure was deemed very important, and it may be important now, but I understand that the present Governor of Puerto Rico is in this city, and in view of that fact, and in view of the opportunity to be afforded of conferring with him relative to the importance of this measure at the present time, I ask that it go over.

The PRESIDENT pro tempore. The concurrent resolution will be passed over.

ENLARGEMENT OF ROCKY MOUNTAIN NATIONAL PARK

The resolution (S. Res. 147) authorizing an investigation of the matter of the proposed enlargement of Rocky Mountain National Park was considered and agreed to, as follows:

Resolved, That the Committee on Public Lands and Surveys, or any subcommittee thereof, hereby is authorized to make a thorough investigation of all questions relating to the proposed enlargement of Rocky Mountain National Park in the State of Colorado.

For the purposes of this resolution the said committee, or any subcommittee thereof, is authorized during the Seventy-sixth Congress to hold hearings; to sit and act at such times and places; to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents; to administer such oaths; to take such testimony; and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not exceed 25 cents per hundred words. The expenses of the committee, which shall not exceed \$6,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

INVESTIGATION OF IMMIGRATION OF ALIENS

The resolution (S. Res. 168) providing for an investigation of the immigration of aliens into the United States was announced as next in order.

Mr. DANAHER. Let the resolution go over.

Mr. HOLMAN. Mr. President, I give notice at this time that at the first convenient opportunity I will call up this measure for consideration by the Senate.

The PRESIDENT pro tempore. Objection being heard, the resolution will be passed over.

SICK-LEAVE BENEFITS TO CERTAIN GOVERNMENT EMPLOYEES

The bill (S. 2876) to amend the Annual and Sick Leave Acts of March 14, 1936, was announced as next in order.

Mr. KING. Let us have an explanation.

The PRESIDENT pro tempore. An explanation is requested.

Mr. KING. Let the bill go over.

Mr. BYRD. Mr. President, this bill merely gives to employees of the Navy Yard, the Government Printing Office, and other departments operating on a 5-day schedule the same annual- and sick-leave rights enjoyed by other employees of the Government. It is endorsed by the Civil Service Commission, and I think it is a very meritorious measure.

Mr. KING. I withdraw the objection.

There being no objection, the Senate proceeded to consider the bill, which was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the days of annual leave with pay provided for in the act of March 14, 1936 (49 Stat. 1161), and the days of sick leave with pay provided for in the act of March 14, 1936 (49 Stat. 1162), shall mean days upon which employees would otherwise work and receive pay, and shall be exclusive of Sundays which do not occur within a regular tour of duty, holidays, and all nonwork days established by Federal statute or by Executive or administrative order.

MUNICIPAL AND PUBLIC UTILITY BONDS, ALASKA

The bill (H. R. 5919) to provide for the refunding of the bonds of municipal corporations and public-utility districts in the Territory of Alaska, to validate bonds which have heretofore been issued by a municipal corporation or any public-utility district in the Territory of Alaska, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 282) to provide that State employees employed in connection with programs carried on with the assistance of the Federal Government be selected in accordance with a nonpolitical civil-service plan was announced as next in order.

Mr. MINTON. I ask that the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 7050) for the relief of certain former disbursing officers for the Civil Works Administration was announced as next in order.

Mr. KING. I ask that the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

GDYNIA AMERICA LINE, INC.

The bill (H. R. 3087) for the relief of the Gdynia America Line, Inc., of New York City, N. Y., was considered, ordered to a third reading, read the third time, and passed.

AMERICAN INSURANCE CO.

The bill (H. R. 3363) for the relief of the American Insurance Co. of New Jersey was considered, ordered to a third reading, read the third time, and passed.

JOHN CAULEY

The bill (H. R. 3912) for the relief of the heirs of John Cauley, deceased, was considered, ordered to a third reading, read the third time, and passed.

JOHN L. MORKOVSKY, ETC.

The bill (H. R. 4813) for the relief of the estates of Marie R. Morkovsky and Alphons Morkovsky, both deceased, was considered, ordered to a third reading, read the third time, and passed.

MAJ. NOE C. KILLIAN

The bill (H. R. 5369) for the relief of Maj. Noe C. Killian was considered, ordered to a third reading, read the third time, and passed.

OHIO RIVER FLOOD OF 1937, CAIRO, ILL.

The bill (H. R. 3051) for the relief of certain workers performing emergency work at Cairo, Ill., in the Ohio River flood of 1937, was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 1450) to provide funds for cooperation with school district No. 13, Froid, Mont., for extension of public-school buildings to be available to Indian children, was announced as next in order.

Mr. VANDENBERG. I ask that the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2523) to provide for the construction, extension, equipment, and improvement of public-school facilities at McCurtain, Okla., Haskell County, was announced as next in order.

Mr. VANDENBERG. I ask that the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1671) to provide for the construction, extension, and improvement of public-school buildings in Uintah County, Utah, was announced as next in order.

Mr. VANDENBERG. I ask that the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

INVESTIGATION OF UNEMPLOYMENT AND RELIEF

The resolution (S. Res. 180) continuing the special committee on investigation of unemployment and relief and increasing the limit of expenditures, was considered and agreed to, as follows:

Resolved, That Senate Resolution 36, agreed to June 10, 1937, authorizing a Special Committee to Study, Survey, and Investigate Problems of Unemployment and Relief hereby is extended in full force and effect during the Seventy-sixth Congress and the said committee hereby is authorized to expend from the contingent fund of the Senate the sum of \$10,000 in addition to the amount heretofore authorized for such purpose.

GEORGE E. MILLER

The bill (H. R. 6804) for the relief of George E. Miller, was considered, ordered to a third reading, read the third time, and passed.

NEVADA SILICA SANDS, INC.

The bill (H. R. 7327) for the relief of the Nevada Silica Sands, Inc., was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 5138) to make unlawful attempts to interfere with the discipline of the Army, the Navy, and the Coast Guard; to require deportation of certain classes of aliens; to require the fingerprinting of aliens seeking to enter the United States; and for other purposes, was announced as next in order.

Mr. DANAHER. I ask that the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 4532) to make effective in the District Court of the United States for Puerto Rico rules promulgated by the Supreme Court of the United States, governing pleading, practice, and procedure in the district courts of the United States, was announced as next in order.

Mr. DANAHER. I ask that the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 7293) to amend section 355 of the Revised Statutes, as amended, to make permissive the acquisition of legislative jurisdiction over land or interest in land acquired by the United States, was announced as next in order.

Mr. BARKLEY. Mr. President, I think there ought to be some explanation of that bill. Let it go over.

The PRESIDENT pro tempore. The bill will be passed over. That concludes the calendar.

DEPORTATION OF CRIMINAL ALIENS

Mr. RUSSELL. Mr. President, I move that the Senate proceed to the consideration of House bill 6724, Calendar No. 957.

The motion was agreed to, and the Senate proceeded to consider the bill (H. R. 6724) to provide for the prompt deportation of aliens engaging in espionage or sabotage, alien criminals, and other undesirable aliens, which was read, as follows:

Be it enacted etc., That an alien who entered the United States either from a foreign territory or an insular possession, either before or after the passage of this act, shall be promptly deported in the manner provided in sections 19 and 20 of the Immigration Act of February 5, 1917, as amended, regardless of when he entered, if he—

(1) Has admitted in writing that he has engaged in, or been convicted of, espionage or sabotage for a foreign government since entry into the United States; or

(2) Has at any time after entry been convicted of a violation of, or conspiracy to violate, any narcotic law of the United States, or of any State, Territory, insular possession, or of the District of Columbia; or

(3) Has been lawfully committed to a public or private institution as a habitual user of narcotic drugs.

Mr. RUSSELL. Mr. President, this is an exceedingly brief bill, and passed the House of Representatives unanimously at the last session of the Congress. It was considered by the Committee on Immigration, and favorably reported unanimously by that committee to the Senate Calendar. The bill merely undertakes to add to the classes of offenses for which aliens may be subject to deportation, the crimes of espionage or sabotage for a foreign government since entry into the United States. It therefore makes mandatory the deportation of any alien who has been guilty of either of these two offenses.

It further adds to the classes of deportable aliens those who have admitted in writing that they have engaged in espionage or sabotage. It also adds one other class, Mr. President. It adds to the category of crimes for which aliens are deportable the violation of any of the narcotic laws of the United States or of any of the several States.

Mr. President, I cannot see why there should be any substantial objections to the bill, particularly at the present time, when we are engaged in a great program attempting to bring the armed forces of the United States into such a condition as to enable them to defend this country, when the whole world is filled not only with war but with intrigue, and when attempts are being made to violate those laws

which seek to protect the secrets of the American Government that are essential to our national defense, to enable the industries and the manufacturers of the United States to proceed about their business and give employment to American laborers, and not to be wrecked by aliens who have no right to be here and who are in the employ of a foreign government.

Mr. AUSTIN. Mr. President, will the Senator yield to me for a question?

Mr. RUSSELL. I yield.

Mr. AUSTIN. What is the Senator's interpretation of the word "espionage" as he has used it in his bill?

Mr. RUSSELL. I assume the word "espionage" as used in the bill would have the same meaning as the definition of "espionage" contained in the statutes of the United States.

Mr. AUSTIN. And nothing else?

Mr. RUSSELL. I think under strict interpretation it would go no further than that.

Mr. AUSTIN. Mr. President, assuming that a friendly foreign country through its embassy should maintain a vigilant watch over exportations from our ports in the United States to the ports of a belligerent country with which the first country was at war, would such an activity fall within the Senator's understanding of the word "espionage"?

Mr. RUSSELL. The Senator has submitted a hypothetical case. He is an able lawyer and is undoubtedly more familiar with the laws relating to espionage in this country than I am. I will ask the Senator to answer his own question.

Mr. AUSTIN. Mr. President, I really rose for information. I thank the distinguished Senator for his compliment, but, for information, I wanted the Senator's interpretation of his own language.

Mr. KING. Mr. President, will the Senator yield to me?

Mr. RUSSELL. I yield.

Mr. KING. I should like to ask the Senator from Vermont a question. Suppose that the United States has in Germany, or some other country, a representative of the State Department or of the Department of Justice charged with the responsibility and the duty of investigating to see whether or not persons are conspiring to enter the United States in violation of our immigration laws. If that foreign country had in force a law similar to the proposed measure, would that American representative be guilty of espionage?

Mr. AUSTIN. Mr. President, I do not know.

Mr. KING. The question which the Senator from Vermont asked interested me, and I was wondering what the situation would be if the same sort of bill were enacted into law in some foreign country in respect to the activities of our immigration authorities, and we have some who are, as I am advised, making inquiries to determine whether or not persons in foreign countries are seeking to come to the United States in violation of our law. I was wondering if our officials there could be charged with being guilty of espionage under those circumstances.

Mr. AUSTIN. Mr. President, I cannot answer that question. The thing I noticed about this measure that in part caused my inquiry is the language "engaged in." The language, "has admitted in writing that he has engaged in * * * espionage" broadens the scope of the measure a great deal—far beyond the statutes of the United States defining "espionage," and I am wondering if the Senator from Georgia so interprets it himself.

Mr. RUSSELL. Mr. President, my judgment is that that language, "engaged in," was placed in the bill to enable the deportation of those who were guilty of espionage without the expense and the difficulty of having a trial in the courts. If the persons in question admitted that they were engaged in espionage within the meaning of the statutes of the United States they would be subject to deportation whether or not they had been convicted of that offense.

Mr. AUSTIN. I can consent to that readily, and I am for a bill that calls for deportation if a person has violated a Federal statute of the United States, whether he has been convicted or simply admits it. That is perfectly satisfactory to me.

Mr. RUSSELL. That is the purpose of the bill.

Mr. AUSTIN. That is perfectly satisfactory to me, and if that is the limit of the scope of the bill, I should favor it without any question.

Mr. RUSSELL. That is my construction of the bill, I will say to the Senator.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MINTON. Does not the Senator from Georgia feel that it would be sufficient if it were simply provided in the first paragraph that one should be deportable if he had been convicted of espionage or sabotage? Does not the Senator feel that it lends itself so easily to oppression simply to say that a man may be deported who has admitted in writing that he is engaged in espionage and sabotage? We know how the third degree works. We know that at times there are men in the Federal service who are not averse to using the third degree, and some of them are quite adept in using it. I can very readily visualize a situation where an unfortunate fellow whom they wanted to get rid of, whom they wanted to run out of the country, who probably could not be convicted and never had been convicted, could be high-pressured into signing a written statement that he had been engaged in espionage or sabotage, and perhaps he would not know what they were talking about. So it seems to me that the provision for deportation ought to be confined to a conviction either on the defendant's plea of guilty or after trial.

Mr. RUSSELL. Mr. President, that question, of course, might arise in any deportation case. Undoubtedly there may be times when officers of the law resort to means which we might not condone or approve to procure admissions from those charged with crime or not charged with crime. Such a thing is just as likely to happen in any criminal case as in a deportation proceeding.

Mr. MINTON. Mr. President, will the Senator yield further?

Mr. RUSSELL. I yield.

Mr. MINTON. Is it customary under the immigration laws to deport individuals upon their admission that they have been engaged in some criminal offense? I am asking only for information because I do not know.

Mr. RUSSELL. The immigration laws of this Nation are more badly in need of clarification and revision than any other laws that I know about. But I do not recall any existing provision whereby admission of crime on the part of an individual is sufficient to bring about deportation.

Mr. ADAMS. Mr. President, will the Senator yield for an inquiry?

Mr. RUSSELL. I yield.

Mr. ADAMS. The first and second subsections of the bill seem to me to be entirely in accord with the argument and reasons advanced. That is, they are for the purpose of protecting the Government against hostile aliens. I am wondering whether or not the same argument applies to subsection 3, which provides for the deportation of unfortunate individuals who might become committed to either public or private institutions as users of narcotic drugs. I can conceive of someone who might have come to the United States as a perfectly law-abiding individual, and who, by reason of unfortunate circumstances, might have become a user of drugs. I question whether we should deport such an individual, or whether we should put the burden of deportation upon the Government. I do not see that subsection 3 is supported by the argument advanced in support of subsections 1 and 2.

Mr. RUSSELL. I confess that the statement made by the Senator from Colorado is correct, in that the argument that the bill is necessary to protect the interests of the United States as a nation, from the standpoint of national defense, does not apply to subsection 3. However, Mr. President, in the commission of a crime our laws have always recognized some distinction between an alien who is not a citizen and one who is a citizen of the United States. We have statutes providing for the deportation of aliens who are guilty of porstitution, or other crimes involving moral turpitude. Those same laws, of course, do not apply to citizens of the United States. I assume that the reason for the incorpora-

tion of section 3 into the bill was to avoid the expense which might accrue to taxpayers of the United States who are citizens of the United States, in maintaining at an expensive institution for a long period of time an alien who is a drug addict. He is only deported, however, after a legal proceeding by which he is judicially committed to an institution as a drug addict.

Mr. ADAMS. However, under subsection 3 we would deport one who was amply able to pay his own way, and who was committed to a private institution.

Mr. RUSSELL. Yes. However, we can never have any law which does not work some hardship in individual cases. I cannot believe there will be any great number of aliens deported under this section who are able to defray their own expenses in such an institution.

Mr. TAFT. Mr. President, I should like to ask the Senator from Georgia [Mr. RUSSELL] whether he does not think that the language in the first subsection is ambiguous. As I read it, it might well be read to mean that the alien must admit in writing that he has been convicted. I do not think that is what the Senator intends. The language reads, "has admitted in writing that he has engaged in or been convicted of espionage," and so forth. It would seem that a man who admitted that he had been convicted would be deported, but a man who refused to admit that he had been convicted could not be deported. I feel, as does the Senator from Vermont [Mr. AUSTIN], that the theory of admission is a bad precedent. If agreeable to the Senator from Georgia, I should like to offer an amendment, striking out entirely the words "admitted in writing that he had engaged in, or".

Mr. RUSSELL. I understood that the Senator from Indiana [Mr. MINTON] had already offered that amendment to the bill.

Mr. MINTON. I have not offered it, but I think it ought to be offered.

The PRESIDENT pro tempore. There is no amendment at the desk. The bill is open to amendment.

Mr. TAFT. Mr. President, I offer the amendment which I send to the desk, and ask that it be stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from Ohio will be stated.

The LEGISLATIVE CLERK. On page 1, lines 9 and 10, it is proposed to strike out the words "admitted in writing that he has engaged in, or."

Mr. RUSSELL. Mr. President, I could not accept that amendment. To do so would greatly weaken the bill. In my opinion if a person admits that he has been guilty of violating the laws of the United States pertaining to espionage or sabotage, this country should not then be compelled to go to the expense of a long trial in the courts, which would perhaps result in appeal, the accused being released upon bond and being free to commit other acts of sabotage or espionage. I should be as willing to accept the statement of the Federal officials that no third-degree methods were invoked in a case as to presume that any alien who might admit in writing that he had engaged in espionage or sabotage had been mistreated and forced to sign some expression of guilt of an offense of which he had never heard. I think that if a person has admitted in writing that he is an alien and not a citizen of this country, and that he has been guilty of acts of espionage or sabotage, he should immediately and forthwith be compelled to leave the United States. Otherwise he might be released on bond and might commit some other act of espionage or sabotage. Perhaps he might destroy some great industry engaged in the manufacture of supplies necessary for the national defense. Perhaps he might wipe out hundreds of lives of American citizens, merely because we had been too careful and meticulous in dealing with an alien who had admitted in writing that he had been guilty of a violation of the laws of the land. I hope the Senate will reject the amendment. Our first duty is to protect these United States and our own citizens. This bill will work no hardship on any law-abiding alien. It does not go as far as I would personally like to go in dealing with such cases.

Mr. DANAHER. Mr. President, when this matter was under consideration last summer we discussed it briefly; and at that time I voiced an objection based upon the very language appearing in lines 9 and 10 which has been made the subject of the proffered amendment of the Senator from Ohio [Mr. TAFT].

However, Mr. President, that is not the only thing that is wrong with the bill. If we look at line 4, we find that it provides:

That an alien who entered the United States either from a foreign territory or an insular possession, either before or after the passage of this act, shall be promptly deported.

And so forth, assuming that the alien comes within the later provisions.

The Supreme Court of the United States has held time and again that under our Constitution an alien is entitled to the same protection as a citizen with reference to convictions. If we pass the bill, we shall enact a statute in direct contravention of the provision of our Constitution which inveighs against ex post facto legislation, and increase the penalty with reference to acts committed prior to the passage of the law.

That is the first objection which applies with reference to line 4.

With reference to lines 9 and 10, anyone who has ever been a prosecuting official knows very well that many an accused person will sign a paper purporting to be a confession. The Supreme Court of the United States time and again has had before it cases arising under what is called the action of overzealous officers. Of course, Mr. President, officers seeking convictions will, in their zeal, undertake to obtain deportation of an alien who cannot otherwise be convicted, by getting him to make an admission in writing that he has been guilty—of what? Of what the bill purports to call espionage—not espionage as defined in the act of June 1, 1917, which was our so-called espionage act; not sabotage, which is not defined at all as a matter of Federal statute. Consequently, the bill is open to the objection that it should define an offense within the terms of already existing statutes of the United States.

If we turn to subsection 2 of the bill we find that it provides that an alien may be deported at any time after entry. He may be brought to the United States when he is a month old, or 6 months old. He may be convicted when he is 55 years of age. He may never have heard of the foreign country to which someone undertakes to deport him.

Mr. President, such procedure would be brutal and inhuman. The reports of our circuit courts of appeal are full of decisions in habeas corpus actions brought pursuant to attempts to deport under existing law; and time and again the courts have relieved against the hardships which would be involved if the head of a family were deported for a crime which we define in the United States to be a crime involving moral turpitude. Under subsection 2 we would make automatically deportable anyone who violates the narcotics laws of the United States, or of any State. In the District of Columbia, high-school students have been prosecuted for smoking or possessing marijuana weed. It is perfectly ridiculous to think that such persons, having once been convicted, could be automatically deported.

It seems to me that the objections voiced by the Senator from Colorado [Mr. ADAMS] amply dispose of subsection 3. I dare say there are known to Members of the Senate persons who unfortunately have become addicted to the use of narcotics, and who have, thereafter, been committed to institutions. Under the terms of the bill, such persons, if aliens, would automatically become deportable.

Mr. President, the bill has a number of very vicious provisions, notwithstanding the fact that the declared objective with reference to those who might be properly convicted is highly laudable.

If the bill were limited to deporting after conviction those who actually commit acts of sabotage or espionage as defined by our laws, I still have sufficient faith in our institutions to feel that the rights of all accused would be protected. I be-

lieve that after conviction such persons ought to be deported. The report of the committee says—

While almost inconceivable, the present law does not require deportation of an alien after conviction on espionage or sabotage.

I am willing to correct that defect. I am willing to deport aliens so convicted. However, we know what happens to aliens in time of war or threatened war, or in time of hysteria. Everyone of us can remember what happened to persons of German extraction within our borders in 1917 and 1918. We can remember what hysteria did to them.

We can lose public confidence by the passage of this bill. I believe it should be defeated.

The PRESIDING OFFICER (Mr. MINTON in the chair). The question is on the amendment offered by the Senator from Ohio [Mr. TAFT].

Mr. TAFT. Mr. President, I should like to say that I think the first clause of the second paragraph, as written, seems to be very ambiguous; it can be construed in several ways; but, of course, it could be construed in the way most favorable to the alien, and, if so construed, it seems to me that if he admits in writing that he has been convicted of espionage or sabotage for a foreign government, he can be deported, but when he refuses to admit that has been so convicted he cannot be deported. As I read English, I think the words to which I have referred should be separated or placed in some other connection than they now appear.

I quite agree with the Senator from Vermont [Mr. AUSTIN] and the Senator from Connecticut [Mr. DANAHER] that no alien ought to be deported because in private he admits in writing some act with no opportunity for consultation with an attorney and no opportunity to present his case to a court. If he really, seriously, is willing to make an admission in writing, he ought to be willing to plead guilty, and then there would be no expense connected with his conviction.

So I think if this bill should stand at all, the words I propose to strike out certainly should be eliminated. An alien should only be deported when he is actually convicted after a plea either of guilty or not guilty of espionage or sabotage.

Mr. MILLER. Mr. President, the bill under consideration, in my opinion, should not be acted upon by the Senate today until other action is taken to strengthen deportation machinery, notwithstanding we have agreed to consider it. There is pending on the calendar a bill reported by the Committee on the Judiciary which deals, to a certain extent, with the issue involved in the pending measure.

Last year there were 460 aliens who had been ordered deported from the United States. They had been convicted of conspiracy to violate our narcotic laws, or of other crimes for the commission of which aliens are actually deportable. However, when it comes to deporting them we cannot find any place to which to send them. If we pass this bill, I do not think we would be strengthening the immigration laws, because now, under the act of 1913, the Government has the right to deport any alien convicted of a violation or who admits his connection with the violation of the narcotic laws.

Mr. RUSSELL. Mr. President—

Mr. MILLER. I yield to the Senator from Georgia.

Mr. RUSSELL. I am sure that the able Senator who has considered the bill to which he refers must be aware of the fact that there is not any law anywhere that provides for the deportation of any alien guilty of a violation of any State narcotic act.

Mr. MILLER. Not of a State narcotic act; no.

Mr. RUSSELL. No, sir; nor of a conspiracy to violate the Federal Narcotic Act. The present law merely covers a conviction on a single indictment of an individual alien.

Mr. MILLER. I wish to call the attention of the Senator from Georgia to a provision of the act of February 18, 1931, which is entitled "An act to provide for the deportation of aliens convicted and sentenced for violation of any law regulating traffic in narcotics."

I should like to have my position understood by the Senator from Georgia. I am just as much in favor as is he or anyone else of deporting any alien who does not conform to all our laws; I am willing to go that far. I do not think we have any

room for an alien who violates any kind of American law. I do not care who he may be; if he is an alien, if he cannot come here and abide by our laws let him go back whence he came. But the point I am getting at—and I think it is a serious question—is that we have today in the United States over 460 aliens whom the proper authorities of our country have solemnly adjudged should be deported, and yet they are running loose in this land just as free as any citizen of the United States, and there is no place to which to send them, and nothing to do with them. We cannot even detain them under existing law.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. SCHWELLENBACH. Is it not true that they have prior to this time served a sentence in some penitentiary or prison camp or other institution for the crimes which they committed?

Mr. MILLER. That may be true in some cases; I would not say it is true in all cases. They may have served a term for the violation of some particular law.

Mr. SCHWELLENBACH. And failure to deport them is entirely due to the neglect of the Government to find a place to which to send them?

Mr. MILLER. That is it exactly.

Mr. SCHWELLENBACH. I do not want to get into a discussion of the other bill which has been reported by the Judiciary Committee, but it seems to me, after we have sent aliens to the penitentiary for the commission of crime and then the Government cannot find a place to send them when it wants to deport them that we have no right, in justice, to send them to some concentration camp for the rest of their lives merely because we cannot find a place in a foreign country to which to send them.

Mr. MILLER. Then I submit to the learned Senator, if that be true, why enter an order of deportation against them? That is the point. There are now outstanding, as I have said, many warrants of deportation that cannot be executed.

Mr. REYNOLDS. Mr. President, may I answer the question of the Senator from Washington?

Mr. MILLER. I am glad to yield.

Mr. REYNOLDS. I say enter an order of deportation against alien criminals if they ought to be deported, for the reason that then we will be provided an opportunity to make inquiry of the country from which they came as to whether or not such country will receive the aliens who were formerly their nationals; and if the country from which they came has been absorbed or embodied in a part and portion of another country, as were Czechoslovakia and Austria, then let us make the demand on the present Government of Germany that they take back these criminal aliens.

Mr. MILLER. Then what will we do if they do not take them back?

Mr. REYNOLDS. Then we can bring about negotiations as a result of which, possibly, they would take them back. We might make some arrangements so that they would take them back.

Mr. MILLER. I am more interested in the arrangements than anything else.

Mr. REYNOLDS. There are plenty of means and ways by which we can make foreign countries take back their alien criminals, if we want them to do it. The trouble about it, I will say to the Senator from Arkansas, is that our Government has never made a real effort to make these countries take back their alien criminals.

Mr. SCHWELLENBACH. Mr. President—

Mr. MILLER. I yield to the Senator from Washington.

Mr. REYNOLDS. I am glad to yield, if I may be permitted.

Mr. SCHWELLENBACH. Assuming that the Senator from North Carolina is correct in his statement—and I do not know whether he is correct or not; I am not disputing his statement—and assuming that our Government never made a real effort to get some other government to take back criminal aliens, and there is such an alien who has violated a law and

has been sentenced to the penitentiary for, let us say, 2 years, and then to be deported, in view of the Senator's statement that our Government has not made an effort to return such aliens to the countries whence they came, does he think there is anything fair or just, after that time, because we cannot, through the neglect of our Government, get them into another country, that we should send such aliens further to jail or to concentration camps, whatever they may be called?

Mr. REYNOLDS. I do not think so. I am in thorough accord with what the Senator suggests in regard to that.

Mr. MILLER. Mr. President, I expect to vote for this bill, but I shall vote for it with the consciousness that we are merely adding a list of persons who may become deportable without providing a means of taking care of and enforcing their deportation, and that we are turning loose upon this Nation, under warrant of deportation, men who cannot under existing law and existing arrangements be deported.

The Senator from North Carolina [Mr. REYNOLDS]—a man who has given a great deal of thought to this question—has said that this Nation has not made the proper attempt to persuade foreign countries to grant passports or to take back the persons whom we have found deportable. I do not know about that; but I assume that the Department of Labor and the immigration authorities, under the judgments of the courts of this Nation, have exerted every influence they can. I do not know what the solution of the problem is. I come from a portion of the country where, fortunately, we have very few, if any, men who may be subject to deportation. I do not know what the answer is; but I am convinced that this is a problem to which the Senate should give serious consideration, and that we should not continue to create additional classes of men subject to deportation without providing a means of sustaining the sovereignty of this Nation and actually deporting them.

Mr. RUSSELL. Mr. President, I was very much interested in the remarks of the Senator from Arkansas. I am not familiar with the details of the legislation to which he refers, which provides for some method of handling something like 460 cases of aliens who have been convicted of various crimes which make them subject to deportation, and who, he says, cannot be sent back to the lands whence they came; but I must confess that the argument is most unusual that nothing should be done to increase the classes of deportable aliens, that persons who have taken advantage of the blessings of our Government and who are citizens of other countries may with impunity violate the laws of the United States or of the several States without deportation, merely because a small number of them cannot be sent back to the countries from which they came.

While I have not the figures before me at this time, we have deported each year far more than 460 persons whom we could send back to some countries; and certainly I am not in favor of repealing the law which says that an alien guilty of murder shall be deported merely because, perchance, we have found some one alien who has committed murder, and cannot induce the country from which he came to take him back. I certainly should not be in favor of limiting the classes of crime which subject aliens to deportation merely because this small number have been found who cannot be sent back to the countries from which they came.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Arkansas.

Mr. MILLER. The Senator misunderstood me if he thinks I am opposed to the bill under consideration. I was trying to point out the necessity of strengthening it, if it can be done.

Mr. RUSSELL. I heartily agree with the Senator from Arkansas. I expect to support the bill to which he refers when it comes before the Senate.

Mr. MILLER. But I doubt the advisability of enacting further legislation until we give earnest consideration to the machinery of deportation in this Nation. Notwithstanding my own opinion about that matter, however, I expect to vote for the bill, because, as I have already stated, I should

like to see all aliens who violate laws of any kind sent back to the countries from which they came.

Mr. RUSSELL. I thank the Senator. We will certainly not disagree about that proposition. I entertain similar views.

Mr. President, there has been some criticism of the language contained in section 1. It may be that the language is susceptible to clarification. I have an amendment which I intend to offer when and if the amendment proposed by the Senator from Ohio (Mr. TAFT) shall have been disposed of, and I ask unanimous consent that my amendment be read. I think this language will clarify section 1 so that there can be no misunderstanding about it.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 1 it is proposed to strike out lines 9 and 10 to the word "espionage" and insert:

Has been convicted of or has admitted in writing that he has engaged in—

Mr. AUSTIN. Mr. President, will the Senator yield for a question?

Mr. RUSSELL. I shall be glad to yield.

Mr. AUSTIN. What does the Senator think of adding to that language the following words for the purpose of making specific the meaning which he has already stated this language has, namely:

As defined in the act of June 15, 1917 (40 Stat. 217).

That would make the meaning of this statute, where it uses the word "espionage," the same as stated in the Espionage Act of 1917, which has had interpretation.

Mr. RUSSELL. Mr. President, I do not think the addition is at all necessary, but I have no objection to the proposal.

Mr. AUSTIN. Mr. President, I move to amend the amendment of the Senator from Georgia by adding those words to it, namely:

As defined in the act of June 15, 1917 (40 Stat. 217).

Mr. TAFT. Mr. President, my amendment is pending. The amendment to which the Senator from Vermont is offering an amendment is not yet before the Senate.

The PRESIDING OFFICER. That is correct, as the Chair understands. The amendment of the Senator from Georgia is not before the Senate.

Mr. TAFT. I may say that the amendment offered by the Senator from Georgia meets the objection I made by clearing up the ambiguity. I still am opposed, however, to a provision which permits deportation upon someone's admission in writing that he has done something. I think he ought at least to go as far as pleading guilty before that is done. So I should like to insist on my amendment, and ask the Senate to adopt it, in order that a man may be deported only when he is convicted, and not when he has in some way in private admitted that he is guilty of some crime, perhaps even without the advice of counsel.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio (Mr. TAFT).

Mr. REYNOLDS. Mr. President, I wish to discuss the amendment offered by the Senator from Ohio.

The Senator from Ohio objects to the deportation of any alien who admits that he has been guilty of espionage or sabotage. I desire to say to the Senator from Ohio that the American people are more lenient with aliens than are the people of any other country in the world. Indeed, I may say there are times when our court officials and our law-enforcement officers as a matter of fact lean over backward in order to be able to give the benefit of the doubt to the alien criminal who has been arrested.

In this country we have pampered and coddled aliens. We treat aliens better than they are treated in any other country upon the face of the earth. I am glad of that, because I wish to have the American people maintain their reputation of being big-hearted people, and people who are considerate of their fellow men; but it seems that every time there is brought to the floor of the Senate or the House of Representatives a

bill that would protect the American people against the alien hordes in this country, there is opposition to the passage of any legislation of that sort proposed for the protection of the American people.

Mr. President, if there is in this country any alien who has little enough sense to admit that he has done something that he has not actually done, he ought to be deported. [Laughter.] He ought not to be in this community or any other community of the country. If, by the passage of this measure, we can rid ourselves of the class of aliens who will admit the commission of a crime that they did not commit, it is a good thing to do; for if they have not any more sense than that we do not want them.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. SCHWELLENBACH. I think the Senator from North Carolina will agree that this is probably the first time since I have been in the Senate that I have agreed with him about a bill on this subject; but I do not want the RECORD to show that I am agreeing with the Senator from North Carolina in his last statement as to the right of deportation of aliens.

I wonder if the Senator would not be willing to put the matter on this basis: While it is true that the Department has certain rights with reference to deportation, is it not also true that any alien subject to deportation has a right to go into court to protect himself against the action of the Department?

Is it not also true that, as a practical matter, when Members of Congress are appealed to by aliens in reference to cases where there is feeling that some injustice has been done or is being done to the alien, it is customary to have a bill introduced in Congress, and as a result of such bill to have a very thorough investigation by the appropriate committee in the House or in the Senate? So the rights of aliens are protected. While the language of this particular measure in which it is stated that merely an admission of guilt by the individual is sufficient may seem to be pretty strict and stringent, nevertheless there are ways by which every alien may be protected if he has been overreached by the authorities in signing the statement.

Mr. REYNOLDS. Mr. President, in answer to the statement and inquiry of the Senator, I will say that if under the bill an alien were to admit that he had been guilty of espionage or sabotage, and was thereby, under the terms of the bill, subject to deportation, through the introduction of a private bill in Congress for the relief of that alien relief could be obtained. Numerous bills of that character are on the calendar, having been introduced for the relief of aliens by Members of the Senate and the House.

If an alien in this country admits that he is guilty of espionage, or if an alien admits that he is guilty of sabotage, I say that he ought to be deported; and this bill ought to be enacted in order that our officials may have sufficient authority to bring about the deportation of such an alien criminal.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. HATCH. Before the Senator leaves the point he was discussing a moment ago with the Senator from Washington, I wish to suggest a thought which came to me, and I should like to know whether my understanding is correct. Let us suppose that an alien is forced, by third-degree methods or otherwise, to sign an untrue admission of guilt, and deportation charges are brought against him based on such involuntary, forced admission; has the writ of habeas corpus been suspended in this country?

Mr. REYNOLDS. Not at all.

Mr. HATCH. Could not such an alien secure relief through the courts?

Mr. REYNOLDS. Certainly. He would have a right to avail himself of a writ of habeas corpus.

Mr. HATCH. Suppose such a showing as I have assumed should be made in any court in the land, would relief be denied?

Mr. REYNOLDS. It would not be denied. In addition to that, the man affected would be provided with the same relief

which has been suggested by the able Senator from Washington.

In view of the fact that we are going to vote on this measure today, according to my understanding, I should like to have the RECORD show that this bill has been designed for the deportation of aliens engaged in espionage or sabotage, alien criminals, and other undesirable aliens. I ask at this time that the bill be printed in the RECORD in full, and I also ask that it be followed by the report submitted by the junior Senator from Georgia [Mr. RUSSELL], the chairman of the Committee on Immigration of the Senate.

There being no objection, the bill and report were ordered to be printed in the RECORD, as follows:

H. R. 6724

Be it enacted, etc., That an alien who entered the United States either from a foreign territory or an insular possession, either before or after the passage of this act, shall be promptly deported in the manner provided in sections 19 and 20 of the Immigration Act of February 5, 1917, as amended, regardless of when he entered, if he—

(1) Has admitted in writing that he has engaged in, or been convicted of, espionage or sabotage for a foreign government since entry into the United States; or

(2) Has at any time after entry been convicted of a violation of, or conspiracy to violate, any narcotic law of the United States, or of any State, Territory, insular possession, or of the District of Columbia; or

(3) Has been lawfully committed to a public or private institution as a habitual user of narcotic drugs.

[Report No. 918]

The Committee on Immigration, to whom was referred the bill H. R. 6724, to provide for the prompt deportation of aliens engaging in espionage or sabotage, alien criminals, and other undesirable aliens, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of this bill is to strengthen the deportation laws and especially to expedite deportation of aliens engaged in espionage or sabotage, alien criminals, and other undesirable aliens.

GENERAL INFORMATION

While almost inconceivable, the present law does not require deportation of an alien after conviction on espionage or sabotage. Said deportation is at this time a matter of discretion with the Secretary of Labor, who must take affirmative action against the alien after conviction before any deportation can be had.

There is no authority at this time for the deportation of any alien who has been convicted of a violation of our narcotic laws unless such alien was convicted of violation of certain phases of these laws and then only after an affirmative order by the Secretary of Labor.

The committee feel that aliens guilty of violations of our laws against espionage, sabotage, or of our narcotic law should be automatically deported. This bill provides such automatic deportation as well as the deportation of those aliens lawfully committed as habitual users of narcotic drugs.

It was pointed out that such legislation as contained in this bill was necessary in order to provide for the prompt deportation of the classes of aliens specified in the bill, not always possible under the present law.

After a thorough discussion of the provisions of the bill and the present procedure under existing law, the bill was ordered reported favorably, with recommendation that the bill do pass.

Mr. REYNOLDS. Mr. President, a report was submitted on this bill in the House of Representatives by Mr. POAGE, from the Committee on Naturalization and Immigration, and the bill was passed in the House on July 6, 1937. The report reads:

The Committee on Immigration and Naturalization, to whom was referred the bill (H. R. 6724) to provide for the prompt deportation of aliens engaging in espionage or sabotage, alien criminals, and other undesirable aliens, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of this bill is to strengthen the deportation laws and especially to expedite deportation of aliens engaged in espionage or sabotage, alien criminals, and other undesirable aliens.

I should like to call this especially to the attention of the junior Senator from Arkansas [Mr. MILLER].

Mr. MILLER. I am following the Senator.

Mr. REYNOLDS. I call attention to the report made to the House, to the effect that under the present law we have a right to deport aliens who have been convicted of certain provisions of the Narcotics Act, but before they can be de-

ported there must be an order issued by the Secretary of Labor.

Under the bill now under consideration, as reported by the Senator from Georgia [Mr. RUSSELL], I understand no order will have to be issued by the Secretary of Labor.

The report to the House proceeds:

GENERAL INFORMATION

While almost inconceivable, the present law does not require deportation of an alien after conviction on espionage or sabotage. Said deportation is at this time a matter of discretion with the Secretary of Labor, who must take affirmative action against the alien after conviction before any deportation can be had.

There is no authority at this time for the deportation of any alien who has been convicted of a violation of our narcotic laws unless such alien was convicted of violation of certain phases of these laws and then only after an affirmative order by the Secretary of Labor.

The committee feel that aliens guilty of violations of our laws against espionage, sabotage, or of our narcotics laws should be automatically deported. This bill provides such automatic deportation.

Mr. President, the able Senator from Georgia, in addressing the Members of this body a short time ago, brought out the fact that of all times in the history of the Nation, particularly in this time, and the hour, as a matter of fact, when we should give thorough consideration to his bill, and that we should pass his bill, because, as he has stated, sabotage is general throughout the entire land, and our governmental forces centered in the Department of Justice realize that our entire Nation is honeycombed today with spies, even when we are not at war. I ask Senators to imagine what would happen in this country if we were engaged in war. The measure before us, reported by the able Senator from Georgia, looks to the future, as well as to this hour, for the purpose of protecting the American people and the American Nation as a whole.

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. HOLMAN. At this time I remind the Senator from North Carolina of a sentence on page 175 of the hearings before the subcommittee of the Committee on Appropriations of the House of Representatives, a statement by Mr. Shaughnessy, of the Bureau of Immigration:

We have no machinery and no law for keeping constant vigilance over aliens illegally here or aliens legally here.

It seems to me it is high time that a reform of our immigration laws should be effected.

Mr. REYNOLDS. I thank the able Senator for his fine contribution.

Mr. President, let us for a moment, because we can afford to do so, take time to consider that which I am about to bring to the attention of the Senate, because there is no other subject before the American people of greater importance than that of protecting American industries and the American people.

I wish to refer to the subject of sabotage which was discussed by the Senator from Georgia [Mr. RUSSELL] in his statement made a moment ago. I find before me now a copy of the Washington Daily News, issue of Monday, January 8, 1940. There the blazing headline screams across the front page as follows:

G-men probing plot to blast big dam.

The story on the front page in the form of a bulletin is as follows:

Federal agents "have investigated and are now investigating" reports of a plot to blow up Boulder Dam, J. Edgar Hoover, Federal Bureau of Investigation director, said today.

The chief G-man would not discuss what the investigation had disclosed.

He pointed out that G-men, after studying the dam, made certain recommendations for safeguards to protect the dam and its huge power generating equipment. These protective measures were ordered last month.

Mr. Hoover first received rumors of a plot more than a month ago. He sent agents from Washington by airplane to Boulder Dam. These agents made a close study of the project and returned with recommendations deemed necessary for its protection.

John C. Page, Reclamation Commissioner, who has charge of the dam, said to his knowledge the investigation had revealed no basis for the plot rumors. He said there had been no change in precautionary measures taken at the dam site last month. Those precautions included closer surveillance of tourists visiting the dam,

and the placing of a screen 400 yards above the dam on Lake Mead to keep boats or floating objects away.

He pointed out it was impossible to keep people off the dam because the main highway runs over the top of it.

Mr. President, in this connection I wish to say that one can hardly pick up a copy of any daily newspaper now without finding an article which refers to sabotage, or attempted sabotage, or espionage taking place all over the country. The pending measure is designed not only for the protection of the American Government and the American people at a time when we are not at war, but it is designed for the protection of the American people and the American Government in the future, if ever we were to become involved in war.

Shall we pass by lightly the matter of sabotage. I say no. I am one among those Members of the Senate who believe that we could not find anyone who could surpass J. Edgar Hoover as head of the Federal Bureau of Investigation in the Department of Justice. I think he is one of the most efficient men this Government has ever had in its employ, and I think we are fortunate in having Mr. Hoover at the head of the Federal Bureau of Investigation. Therefore I am ready and willing and eager to read everything that comes out of his Bureau, for I know that, whatever it may be, the statement is based upon facts.

I shall read a statement concerning the Federal Bureau of Investigation, as follows:

G-MEN GUARD 430 PLANTS

WASHINGTON.—The Federal Bureau of Investigation, acting at the request of Army and Navy intelligence services, has undertaken precautionary measures to protect 430 key plants working on national defense orders, it has been disclosed.

The protective measures were undertaken because of increased fears of sabotage and espionage.

Federal Bureau of Investigation officials reported that complaints of espionage, sabotage, and other infractions affecting national defense aggregated only 250 during the 1938 fiscal year—

Follow me—

and 1,651 during the 1939 period. However, they are now pouring in at the rate of 214 daily, or about a total of 78,000 annually.

A special general intelligence division has been set up in the Federal Bureau of Investigation to handle the complaints. This body is compiling detailed records on individuals and groups engaged in subversive activities.

Through 10 special field offices established, G-men are inspecting plants, conferring with plant executives, and recommending steps to be taken, such as installing adequate guards and fire-fighting equipment.

Mr. President, I say that the time has arrived when we should take into consideration, first, the interests of the American people, and after their interests have been taken care of by protecting them through the passage of such a measure as that proposed by the Senator from Georgia [Mr. RUSSELL], after we have by such legislation protected the American Government and protected the American people, then let us give consideration to the aliens who are here illegally and to the aliens who are here legally.

I ask why should we longer pamper aliens who are within our midst, who are engaged in espionage, engaged in sabotage, engaged in peddling narcotics, and engaged in other pernicious activities which would not be countenanced for a moment by any other country upon the face of the earth?

There is objection to the passage of the pending measure in its present form. An amendment to it has been offered by the able junior Senator from Ohio [Mr. TAFT]. The contention seems to be made that even though an alien admits, "Yes, I placed dynamite under that plant; I blew it up; I destroyed \$100,000 worth of property and killed only 19 American citizens, and fortunately there were only two children in the lot," he ought not to be deported. The able Senator from Ohio would argue that we ought to take a chance with the lives of American citizens and with American property for fear we might injure the feelings of some alien criminal. Mr. President, I would rather take the chance of injuring the feelings of some alien criminal, who is here to destroy our Government, to kill our people, and to bring about destruction of our property, and who has been guilty of such offenses, I would rather take a chance of

turning his face red than to take a chance on his again committing acts of sabotage. And any alien in this country who is crazy enough, who has no more sense than to admit doing that which he did not do, might by suggestion commit an act of sabotage.

Mr. President, we ought to cooperate with J. Edgar Hoover. We ought to cooperate with the fine enforcement officers of our country. It appalls me when I realize that up until this time we have not brought about the enactment of a law for the immediate deportation of alien criminals who are in the United States and who are costing the Government millions upon millions of dollars annually, even totaling into the billions. The cost of crime annually in this country, as revealed to us by the able former Attorney General of the United States, the Honorable Homer S. Cummings, amounts to \$17,000,000,000. Alien criminals are responsible for a considerable portion of the crime bill. We should quit coddling and pampering criminal aliens in this country. If an alien comes into court and admits that he blew up a plant, or destroyed a railway trestle, or did some other damage to American property, or had been engaged in espionage, why should we put our taxpayers to the cost and put our officials to the trouble of a long-drawn-out trial, when as a matter of fact, by his own admission, he is engaged in sabotage?

As suggested by my colleague and friend from the great State of New Mexico [Mr. HATCH], if a wrong were done, the accused would have recourse through the instrumentality of habeas corpus proceeding, and the wrong would be righted. It certainly would be righted in our courts if the prisoner at the bar and the accused were an alien.

Mr. President, is anyone heard in this forum or in that of the other House yelling his lungs out in defense of American criminals? I have never heard anyone in this Chamber or that of the House rise in defense of the American criminal. I say the time has come when we of America who are interested in the protection and welfare of the American people should devote our time and attention to the defense of Americans, American property, and American government, and quit thinking so much about the poor alien criminal, who in many cases entered the United States illegally for the purpose of wrecking our property, destroying our Nation, and sowing the seeds of radicalism and communism.

Mr. President, I am for the bill as it is; and I hope the Senator from Georgia [Mr. RUSSELL] will ask for a record vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT].

Mr. AUSTIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Davis	Hughes	Russell
Andrews	Donahey	Johnson, Calif.	Schwellenbach
Ashurst	Downey	Johnson, Colo.	Sheppard
Austin	Frazier	King	Shipstead
Bailey	Gerry	Lee	Smathers
Bankhead	Gibson	Lucas	Taft
Barbour	Gillette	Lundeen	Thomas, Okla.
Barkley	Glass	McCarran	Thomas, Utah
Bilbo	Green	McNary	Tobey
Borah	Guffey	Miller	Tydings
Brown	Gurney	Minton	Vandenberg
Bulow	Hale	Murray	Van Nuys
Byrd	Harrison	Neely	Walsh
Byrnes	Hatch	Nye	White
Capper	Hayden	Pittman	Wiley
Chandler	Herring	Radcliffe	
Chavez	Holman	Reed	
Danaher	Holt	Reynolds	

The PRESIDING OFFICER. Sixty-nine Senators have answered to their names. A quorum is present.

The question is on the amendment offered by the Senator from Ohio [Mr. TAFT].

The amendment was rejected.

Mr. DANAHER and Mr. RUSSELL addressed the Chair.

Mr. DANAHER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DANAHER. Is the bill open to further amendment?

The PRESIDING OFFICER. The Chair understands there is pending an amendment offered by the Senator from Georgia [Mr. RUSSELL].

Mr. DANAHER. I did not know that it was pending. I thought the only amendment offered was that of the Senator from Ohio, and that the amendment of the Senator from Georgia would be offered later. Am I correct in that?

The PRESIDING OFFICER. The Chair thinks the Senator from Connecticut is perhaps correct, and that the amendment of the Senator from Georgia was sent to the desk only for the purpose of being stated.

Mr. RUSSELL. Mr. President, I stated at the time that I would ask that the amendment be acted upon immediately after action upon the amendment of the Senator from Ohio.

Mr. DANAHER. Mr. President, I am very willing to yield to the Senator from Georgia in order that he may proceed with his amendment as he contemplated.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. RUSSELL. I ask that the amendment be stated.

The CHIEF CLERK. On page 1, lines 9 and 10, it is proposed to strike out "has admitted in writing that he has engaged in, or been convicted of," and insert "has been convicted of, or has admitted in writing that he has engaged in."

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Georgia [Mr. RUSSELL].

Mr. RUSSELL. Mr. President, I accepted a modification which was suggested by the Senator from Vermont [Mr. AUSTIN].

The PRESIDING OFFICER. The proposed modification will be stated.

The CHIEF CLERK. In line 10, after the word "espionage", it is proposed to insert "as defined in the act of June 15, 1917 (40 Stat. 217)."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Georgia as now modified.

Mr. DAVIS. Mr. President, I wonder if the Senator would add the word "voluntarily" before the word "admitted" so as to read "voluntarily admitted"?

Mr. RUSSELL. I will be glad to accept that modification of the amendment. I do not believe officials of the Federal Government are going around with a blackjack and a rubber hose to beat people into confessing crimes of which they are not guilty. I will be glad to clarify the provision by accepting the modification of the amendment as proposed by the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Georgia accepts the amendment proposed by the Senator from Pennsylvania as a modification of his amendment. The question now is on the amendment of the Senator from Georgia as modified.

The amendment as modified was agreed to.

Mr. AUSTIN. Mr. President, I sent forward to the desk an amendment which I should like to have stated. I will say that I have submitted it to the Senator from Georgia.

The PRESIDING OFFICER. The amendment offered by the Senator from Vermont [Mr. AUSTIN] will be stated.

The CHIEF CLERK. On page 1, in lines 10 and 11, it is proposed to strike out the words "for a foreign government" and insert in lieu thereof "affecting the national defense or the foreign relations of the United States."

Mr. RUSSELL. Mr. President, I certainly have not the slightest objection to that amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Vermont.

The amendment was agreed to.

Mr. DANAHER. Mr. President, I have an amendment to offer with reference to the subject matter appearing on page 2 of the bill. I send it to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Connecticut will be stated.

The CHIEF CLERK. On page 2, line 1, it is proposed to strike out "at any time" and insert "within 5 years"; and, on page 2, to strike out lines 5 and 6.

Mr. DANAHER. Mr. President, speaking briefly on the amendment as offered, let me first state that I feel we have made a serious mistake in accepting the amendment of the Senator from Georgia [Mr. RUSSELL] and in voting down the amendment as offered by the Senator from Ohio [Mr. TAFT]. I feel that this bill should not further be complicated, or further vices in the terms of its legal application be added, by the inclusion of sections 2 and 3 in their present form.

Let me point out, if you please, that already on the calendar, bearing Calendar No. 1189, there is a bill (H. R. 5138) which has been reported by the Committee on the Judiciary, title III of which commences as follows:

SEC. 19. At any time within 5 years after entry, any alien who at the time of entry—

And so forth.

Mr. President, if we do not limit the application of this particular bill to aliens who commit the offense defined within 5 years after entry, we are making a brand-new departure from our settled law. Ever since 1917, when we first undertook to deal with this type of subject, the law has required that in order to render themselves subject to prosecution under it aliens must commit the particular offense or be guilty of an act involving moral turpitude within 5 years after their admission to this country.

If we leave this matter as it is at present, an infant who was brought here when 6, 7, or 8 months of age may commit some offense involving the Narcotics Act at the age of 16 or 17, or in later years, and thereafter be automatically deported under this bill to a country whose language, whose customs, and whose people are completely strange to him. It is a cruel and unusual purported punishment for the particular act as defined.

As the bill is drawn, it might even go further with reference to a violation of the narcotics law, if you please, of some Federal or State jurisdiction than it does with reference to acts involving moral turpitude. It goes further, if you like, than crimes of violence. In other words, if an alien today takes a gun and, with violence or threat to the life or limb of some American citizen, undertakes a hold-up, unless he do it within 5 years after his entry, he is not to be deportable; and yet, under the terms of this bill, we would automatically deport somebody who violates the Narcotics Act. It seems to me that a mere statement of the matter is sufficient to evaluate the injustice and the cruelty and the hardship incident upon the enforcement of the bill as it stands; and enforcement, of course, must automatically follow.

Let me further point out, with reference to section 3 of the bill as it now stands, that it provides that any alien who becomes a habitual user of narcotics and is confined in an institution is automatically deportable, regardless of when he came to this country.

Mr. President, certainly we cannot mean that. There must be persons in this body who know those who have been victims of cancer, if you choose, or some other terrible disease which has baffled all surgical skill and which has resulted in the increasing use of opiates in an effort to reach the pain, to the point that the person becomes a habitual user of narcotics, and perhaps may be institutionalized. Surely persons within this body know individuals who are in that position. To give this bill its full intentment, once any such person is institutionalized, we are going to make him automatically deportable to a country where he may know nobody, where his illness and his pain can mean nothing, where he has no attention, no relatives, not even command of the language necessary to describe his misfortune.

Mr. President, I submit that the Senate cannot mean and will not mean to inveigh against such persons. I ask that at the very least we canvass the whole subject.

The bill known as Calendar 1189, House bill 5138, has been reported out of the Judiciary Committee. It is a bill which has already passed the House. It is a bill which undertakes to deal with this general subject; and, as a matter of fact, it specifically provides for habitual users of narcotics, but within 5 years after the date of their arrival, so that we

have some humane point at which we draw the line. I respectfully submit that that is exactly what we ought to undertake to do in our legislation.

Mr. RUSSELL. Mr. President—

Mr. DANAHER. I yield to the Senator from Georgia.

Mr. RUSSELL. Did the Senator from Connecticut object to House bill 5138 when it was reached upon the calendar a few minutes ago?

Mr. DANAHER. I did. I objected to it, and I will state right here and now that I believe I objected to three others. There are three others, as the Senator doubtless knows—House bill 5643, House bill 6724, and Senate bill 2830—all dealing more or less with the same general subject. I objected to them in the expectation and hope that we could correlate these things, that we could discuss all these subjects together. These are subjects of moment which ought seriously to be considered, not in their apparently dissociated incidence—as we are now, in my opinion, mistakenly considering this bill—but rather should they all be considered together; and in that thought I objected to all of them, that they might all come up together, or reasonably so.

Mr. RUSSELL. Mr. President, which one of the bills does the Senator from Connecticut favor?

Mr. DANAHER. I believe that if we declare a certain objective and strive for it, we can rely upon American institutions, through our courts, to impose conviction as a necessary condition precedent to deportation; that we can recodify, so to speak, our existing legislation under which deportations may follow; that we can properly within the limits of House bill 5138, for instance, write a good bill; and surely there are enough lawyers in this body to write a good bill. It has been suggested that there are too many lawyers here now. Mr. President, there are not enough of them if we are going to overlook the incidence of this type of legislation. It is to those who are not lawyers that I specifically address myself, hoping to call to their attention the iniquity and the vice in principle of this bill.

Mr. RUSSELL. Mr. President—

Mr. DANAHER. I yield to the Senator from Georgia.

Mr. RUSSELL. Do I gather, then, that the Senator from Connecticut is opposed to House bill 5138 as written?

Mr. DANAHER. I am opposed to it as written; yes. I believe, however, that we can redraft it.

Mr. RUSSELL. I was interested in the Senator's argument that because another bill on the calendar which the Senator opposes contains a similar provision which the Senator also opposes, unfavorable action should be taken on the provision of the pending bill. The Senator would seem to be opposed to it whether it is in this bill or in House bill 5138.

Mr. DANAHER. Of course, I am and have been confining my argument to the bill under discussion, and more particularly to the amendment which I have offered.

Mr. President, in order to make the pending bill at the very least consonant with existing law, I believe we ought to amend section 2 by striking out the indeterminate period governing deportation, and insert in lieu thereof "within 5 years," so that the date of entry begins to toll and consequently to affect the deportable status of any alien so to be convicted as a violator of the Narcotics Act. I also believe we could and should strike from the bill completely the section which would remove automatically, as deportable, aliens who are institutionalized because they have become addicts of narcotics.

I believe the amendment should prevail, and submit it to the Senate.

Mr. FRAZIER. Mr. President, I should like to ask the Senator from Connecticut a question.

Mr. DANAHER. I shall be happy to answer it, if possible.

Mr. FRAZIER. How long does the Senator from Connecticut think aliens should live here before they become citizens?

Mr. DANAHER. Of course, that matter is irrelevant to this particular inquiry; but unless an alien has the will to become an American citizen, and to assume the obligations of citizenship, I hope he will never become one.

Mr. FRAZIER. I should like to say that in a case of that kind I think he should be deported.

Mr. DANAHER. Perhaps the Senator is right about that, but I submit that that does not affect the pending amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. DANAHER]. (Putting the question.) By the sound the noes appear to have it.

Mr. DANAHER. I ask for a division.

On a division, the amendment was rejected.

The PRESIDING OFFICER. The bill is still before the Senate and open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time. The bill was read the third time and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Calloway, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. EDWARD W. CURLEY, late a Representative from the State of New York, and transmitted the resolutions of the House thereon.

The message announced that the Speaker had appointed Mr. SULLIVAN, Mr. FITZPATRICK, Mr. BUCKLEY of New York, and Mr. BARTON a committee of the House to be joined with such Members of the Senate as may be appointed to attend the funeral of the deceased Representative.

TRIBUTES TO MEMORY OF MRS. EFFIE CANNING CARLTON

Mr. NEELY. Mr. President, when benefactresses die—

There are no comets seen,

The heavens themselves blaze forth the death of princes.

In view of this astronomical dereliction, let the Senate note that yesterday, in the city of Boston, Mrs. Effie Canning Carlton, one of America's noblest and best-loved women, passed from the fitful land of the living into the silent land of the dead. Mrs. Carlton gave to the world something that is more valuable than the gold of Ophir and more estimable than the diamonds of Golconda. She contributed to humanity that sublime symphony of soothing melody Rock-A-Bye Baby on the Tree Top, with which millions of loved and loving mothers have for more than a half century habitually lulled their little ones to sleep. Let us hope that the immortal spirit of this famous woman is at this hour experiencing every joy of the celestial city that is paved with stars, and that she may blissfully dwell forever and forever in that happy realm of which the poet said:

They need not the moon in that land of delight,

They need not the pale, pale star,

For the sun is bright both by day and by night;

Where the souls of the blessed are.

Mr. DAVIS. Mr. President, the lasting treasures of life frequently come from sources little known to us. How many are indebted to Mrs. Effie Canning Carlton, of Boston, who composed the melody of the world-famous lullaby Rock-A-Bye Baby? So many, in fact, that legion is their name and yet few of us have known her name.

Word comes that she has passed away in Boston's City Hospital in impoverished circumstances. Fortunately, however, her true worth was recognized because a room was provided for her by the American Society of Composers, Authors, and Publishers.

Mrs. Carlton composed the melody to the old Mother Goose rhyme at the age of 15, to lull to sleep the restless baby of a neighbor. Although the song brought great wealth to music publishers, Mrs. Carlton received but little from it. Her reward came in knowing that many thousands of mothers throughout the land have sung this beautiful lullaby to their babies. Walking through Boston Common, Mrs. Carlton could hear her song crooned in love as some mother rocked to sleep the baby in her arms. To all of us this woman of song has brought a priceless treasure.

TRADE AGREEMENTS PROGRAM—LETTER BY SECRETARY HULL

Mr. BARKLEY. Mr. President, I ask unanimous consent to have printed in the RECORD the text of a letter written to the distinguished and able minority leader of the Senate from Oregon [Mr. McNARY] by the Secretary of State, Mr. Hull, on December 16 in regard to some phases of the trade-agreements program.

Mr. McNARY. Mr. President, of course I shall be delighted to have this piece of misinformation in the RECORD. I addressed to the Secretary of State a letter setting forth the true situation as disclosed by the figures affecting the depreciated currencies of the world. I think the letter addressed by me should accompany the Secretary's letter, if the Senator will withhold his request.

Mr. BARKLEY. If the Senator will provide me with a copy of his letter, I shall be glad to put the two in the RECORD together.

Mr. McNARY. Very well. That will make sense; but, in order to have the matters in chronological order, so that the reader may know what the Secretary is talking about, if possible, I desire to have the letter I wrote precede the letter of the Secretary. I have not a copy of my letter with me. Will not the Senator withhold the request until Wednesday?

Mr. BARKLEY. I will withhold my request, in order that the Senator's letter may enable those who read it to understand the Secretary's letter.

Mr. McNARY. I promise to have it in the hands of my colleague, the able Democratic leader, on Wednesday.

ORDER FOR ADJOURNMENT TO WEDNESDAY

Mr. BARKLEY. I ask unanimous consent that when the Senate adjourns today it adjourn to meet on Wednesday next.

The PRESIDING OFFICER. Without objection, the request of the Senator from Kentucky is agreed to.

ASSISTANCE TO FINLAND

Mr. WILEY. Mr. President, I bespeak the indulgence of the Senate for just a few moments.

Not in a spirit of controversy, but rather with a desire to get more light on a subject which apparently is becoming very significant, I am posing these questions:

First. Under international law can the Congress of the United States loan or give money to Finland?

The applicable provisions of international law seem to be as follows:

Thirteenth Hague Convention, 1907:

ART. 6. The supply, in any manner, directly or indirectly, by a neutral power to a belligerent power, of warships, ammunition, or war material of any kind whatever, is forbidden.

Hague Air Rules of 1923:

ART. 44. The supply in any manner, directly or indirectly, by a neutral government to a belligerent power of aircraft, parts of aircraft, or material, supplies, or munitions required for aircraft is forbidden.

Convention on Maritime Neutrality, Havana, 1928:

ART. 15. Of the acts of assistance coming from the neutral states, and the acts of commerce on the part of individuals, only the first are contrary to neutrality.

ART. 16. The neutral State is forbidden:

(a) To deliver to the belligerent, directly or indirectly, or for any reason whatever, ships of war, munitions or any other war material;

(b) To grant it loans, or to open credits for it during the duration of the war.

International Law Association, 1928:

ART. 11. The supply, under any ground whatever, directly or indirectly, by a neutral power to a belligerent power of warships, ammunition, or war material of any kind is forbidden.

Second. Under our constitutional form of government, has the Congress any authority to make a loan of money or a gift to Finland?

The Constitution gives specific powers to the Congress. Besides these specific powers, there are certain implied powers. Certainly the power to loan or give money to another nation while we are at peace and that nation is at war is not conferred upon the Congress of the United States. Should

we attempt to conform the Constitution to our sympathies and our emotions?

Third. Irrespective of international law or constitutional authority, would it be a wise course for the Congress to follow, when this Nation is at peace, to loan or make a gift of money to another nation that is at war? Would it not establish a new foreign policy? Would it not be pregnant with problems for the future if we were to loan money or make a gift of money to Finland at this time—and when I say “we,” I mean the Government as distinguished from individuals. Would the Government not be opening the door for pressure-group demands all down the highway of the future? Today Poland, dismembered and bleeding, has an army in the field in France. There are a great many more Polish people in this country and descendants thereof than there are Finns. The same applies to Czechoslovakia. China, too, has her friends. Would not demands be made for assistance to China, and perhaps for Sweden, Norway, Belgium, and Holland? Then, with the door open—France and England.

Fourth. If no action on the part of this Government, that is, action by Congress appropriating money for Finland, is taken, will that mean injury to the cause of that brave people? The answer to this fourth question will undoubtedly be found in the hearts of the American people. Mr. Hoover is doing noble work, but the American people must respond in such a way that immediately there will be made available such a sum of money as has been talked about as necessary for the Finns. There is quite a difference between action taken by individuals or groups of citizens and action taken by the Government. We here in Congress are trustees of the people's money—trustees with limited powers, because under our Constitution those powers not given to the Congress still belong to the people. It is absolutely up to us to guard not only the liberties of this people but so guard our actions that future generations will not find themselves hamstrung because of our acts. At this time, is it not well for us to realize the form and nature of the Government of which we are a part? Until the people change the fundamental law of the land, Congress can dispose of the people's money only for purposes defined and designated in that fundamental law—the Constitution. If, with reason and judgment, we pursue our course, and do not let emotionalism and hysteria deflect us from the course, we will keep America safe, and we will still find a way, through individuals and groups, to aid those who need succor and assistance. Through individuals and groups we can do that which will not involve America in a violation of international law. Let us once and for all settle this matter so that we will not have pressure groups or perhaps even foreign elements engineering a job on Uncle Sam. If we should do now what is talked of, namely, vote money to Finland, would we not find that next week there would be a group which would want the Government to raise millions of dollars for China, and other groups which would want millions of dollars raised for some of the European countries?

When we were at war, the situation was different. As a war measure, we aided our Allies. But we are not at war now, and if we keep our heads we will not get into war.

I believe that if the people of this country knew tomorrow that our Government would take no action, they would respond as individuals, and respond liberally, to aid Finland.

I am one of the very few Members of this body who have Scandinavian blood in their veins; but I am not a Scandinavian—I am an American; and in approaching this matter by asking these questions, I have my eyes not simply on the present but on the future. When Washington counseled against entangling alliances, did he not know that economic entanglements were as dangerous as political entanglements? Is not the issue as to Finland one for the American people to answer individually with American dollars? Should the American Nation officially commit an overt act in violation of international law and the Constitution?

If individual citizens, or citizen groups, desire to give, then let them give, but let us not open the door that will lead us into Europe again. Let us guard our neutrality. Let us see that there is no Government agency, such as the R. F. C. or

the Export-Import Bank, to open the door to an indirect violation of international law and of the Constitution.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. MINTON in the chair), as in executive session, laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

DEATH OF REPRESENTATIVE EDWARD W. CURLEY

The PRESIDING OFFICER. The Chair lays before the Senate a resolution from the House of Representatives, which will be read.

The Chief Clerk read the resolution (H. Res. 341), as follows:

IN THE HOUSE OF REPRESENTATIVES, January 8, 1940.

Resolved, That the House has heard with profound sorrow of the death of Hon. EDWARD W. CURLEY, a Representative from the State of New York.

Resolved, That a committee of four Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provision of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. BARKLEY. Mr. President, in the absence of the two Senators from New York, on their behalf I offer the resolution which I send to the desk.

The resolution (S. Res. 211) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. EDWARD W. CURLEY, late a Representative from the State of New York.

Resolved, That a committee of two Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The PRESIDING OFFICER. Under the resolution just adopted the Chair appoints the senior Senator from New York [Mr. WAGNER] and the junior Senator from New York [Mr. MEAD] as the committee to represent the Senate at the funeral of the deceased Representative.

Mr. BARKLEY. Mr. President, as a further mark of respect to the memory of the deceased Representative, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 3 o'clock and 20 minutes p. m.) the Senate adjourned, the adjournment being under the order previously entered, until Wednesday, January 10, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 8, 1940

DIPLOMATIC SERVICE

Clarence E. Gauss, of Connecticut, now a Foreign Service officer of class 1 and consul general (counselor of Embassy) at Shanghai, China, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Australia.

RECONSTRUCTION FINANCE CORPORATION

The following-named persons to be members of the Board of Directors of the Reconstruction Finance Corporation for terms of 2 years from January 22, 1940 (reappointments):

Emil Schram, of Illinois.

Carroll B. Merriam, of Kansas.

Charles B. Henderson, of Nevada.

Howard J. Klossner, of Minnesota.

Sam Husbands, of South Carolina.

APPOINTMENT IN THE REGULAR ARMY

Chaplain Alvie Littleton McKnight (captain), Chaplains' Reserve, to be chaplain with the rank of first lieutenant with rank from December 27, 1939.

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY

Maj. Joe Carroll Rogers, Cavalry, to Quartermaster Corps, with rank from August 1, 1935.

PROMOTIONS IN THE REGULAR ARMY

To be colonels

Lt. Col. Joseph Andrews, Field Artillery, from January 1, 1940.

Lt. Col. Albert Samuel Peake, Infantry, from January 1, 1940.

Lt. Col. Floyd D. Carlock, Infantry, from January 1, 1940.

Lt. Col. Arthur Boettcher, Infantry, from January 1, 1940.

Lt. Col. Horace Thurber Aplington, Cavalry, from January 1, 1940.

Lt. Col. Fred Livingood Walker, Infantry, from January 1, 1940.

Lt. Col. Alvan Cullom Gillem, Jr., Infantry, from January 1, 1940.

Lt. Col. Rapp Brush, Infantry, from January 1, 1940.

Lt. Col. Philip Bracken Fleming, Corps of Engineers, from January 1, 1940.

Lt. Col. Joseph Cowles Mehaffey, Corps of Engineers, from January 1, 1940.

To be lieutenant colonels

Maj. Donald Patrick Muse, Air Corps (temporary lieutenant colonel, Air Corps), from January 1, 1940.

Maj. Thomas Ralph Kerschner, Field Artillery, from January 1, 1940.

Maj. Otho Wilder Humphries, Quartermaster Corps, from January 1, 1940.

Maj. Perry Lee Baldwin, Infantry, from January 1, 1940.

Maj. George Thomas Shank, Infantry, from January 1, 1940.

Maj. Thomas Butler Burgess, Infantry, from January 1, 1940.

Maj. Russell Conwell Throckmorton, Infantry, from January 1, 1940.

Maj. Albert Chester Searle, Field Artillery, from January 1, 1940.

Maj. Asa North Duncan, Air Corps (temporary lieutenant colonel, Air Corps), from January 1, 1940.

Maj. Carl Austin Russell, Infantry, from January 1, 1940.

Maj. Will Gillett Gooch, Quartermaster Corps, from January 1, 1940.

To be majors

Capt. Leo George Clarke, Infantry, from December 31, 1939.

Capt. Hugh Carlton Dorrien, Infantry, from January 1, 1940.

Capt. Shirley Randolph Hurt, Field Artillery, from January 1, 1940.

Capt. James Carl Horne, Infantry, from January 1, 1940.

Capt. Werner Watson Moore, Quartermaster Corps, from January 1, 1940.

Capt. Fremont Byron Hodson, Infantry, from January 1, 1940.

Capt. Robert Theodore Zane, Air Corps (temporary major, Air Corps), from January 1, 1940.

Capt. Irving Compton, Infantry, from January 1, 1940.

Capt. Rudolph William Broedlow, Infantry, from January 1, 1940.

Capt. Albert Edmund Rothermich, Infantry, from January 1, 1940.

Capt. Stowe Thompson Sutton, Infantry, from January 1, 1940.

Capt. James Ainsworth Brown, Infantry, from January 1, 1940.

Capt. Elliott Raymond Thorpe, Infantry, from January 1, 1940.

Capt. Douglas Sugg, Infantry, from January 1, 1940.

Capt. Milo Cooper Pratt, Quartermaster Corps, from January 1, 1940.

Capt. Le Roy Allen Walthall, Air Corps (temporary major, Air Corps), from January 1, 1940.

To be captains with rank from January 6, 1940

First Lt. Norman Bert Olsen, Air Corps.
 First Lt. Curtis Emerson LeMay, Air Corps.
 First Lt. Kenneth Ross Crosher, Air Corps.
 First Lt. Louis Ellis Massie, Air Corps.
 First Lt. Stuart Phillips Wright, Air Corps.
 First Lt. William Charles Dolan, Air Corps.
 First Lt. Ivan Lonsdale Farman, Air Corps.
 First Lt. William Alexander Schulgen, Air Corps.
 First Lt. Daniel Beckett White, Air Corps.
 First Lt. Donald Harvey Baxter, Air Corps.
 First Lt. Roy Thomas Wright, Air Corps.
 First Lt. Edward Wharton Anderson, Air Corps.
 First Lt. John Coleman Covington, Air Corps.
 First Lt. Winslow Carroll Morse, Air Corps.
 First Lt. Casper Perrin West, Air Corps.
 First Lt. William Leroy Kennedy, Air Corps.
 First Lt. Jesse Auton, Air Corps.
 First Lt. John Paul Ryan, Air Corps.
 First Lt. Robert Shuter Macrum, Air Corps.
 First Lt. Charles Lawrence Munroe, Jr., Air Corps.
 First Lt. Llewellyn Owen Ryan, Air Corps.
 First Lt. William Richard Morgan, Air Corps.
 First Lt. Philo George Meisenholder, Air Corps.
 First Lt. John Waldron Egan, Air Corps.
 First Lt. Hanlon H. Van Auken, Air Corps.
 First Lt. Robert Oswald Cork, Air Corps.
 First Lt. William Courtney Mills, Air Corps.
 First Lt. Herbert Henry Tellman, Air Corps.
 First Lt. John Koehler Gerhart, Air Corps.
 First Lt. Harold Loring Mace, Air Corps.
 First Lt. Elder Pateson, Air Corps.
 First Lt. Francis Hopkinson Griswold, Air Corps.
 First Lt. Leon Ray Brownfield, Air Corps.
 First Lt. Robert Whitney Burns, Air Corps.
 First Lt. Daniel Webster Jenkins, Air Corps.
 First Lt. William Marshall Prince, Air Corps.
 First Lt. Clarence Frank Hegy, Air Corps.
 First Lt. James Presnall Newberry, Air Corps.
 First Lt. Stoyte Ogleby Ross, Air Corps.
 First Lt. Joseph Wiley Baylor, Air Corps.
 First Lt. William John Clinch, Jr., Air Corps.

To be first lieutenants with rank from February 12, 1940

Second Lt. Vincent Camden Frisby, Corps of Engineers.
 Second Lt. Edmonde Bernard Kelly, Corps of Engineers.
 Second Lt. Robert James Jagow, Corps of Engineers.
 Second Lt. William Perry Jones, Jr., Corps of Engineers.
 Second Lt. Alvin Berthold Auerbach, Corps of Engineers.
 Second Lt. Willard Paul McCrone, Corps of Engineers.
 Second Lt. Dean Edwin Swift, Corps of Engineers.
 Second Lt. Aldo Hector Bagnulo, Corps of Engineers.
 Second Lt. Francis James Loomis, Corps of Engineers.
 Second Lt. Edward Henry Dillon, Corps of Engineers.
 Second Lt. Jackson Graham, Corps of Engineers.
 Second Lt. Christian Hanburger, Corps of Engineers.
 Second Lt. Miles Howlett Thompson, Corps of Engineers.
 Second Lt. James Walter Sloat, Corps of Engineers.
 Second Lt. Karl Fred Eklund, Corps of Engineers.
 Second Lt. Howard James Lowe, Corps of Engineers.
 Second Lt. William Edward Leonhard, Corps of Engineers.
 Second Lt. Henry Wright Hurley, Corps of Engineers.

MEDICAL CORPS

To be captains

First Lt. John Robert McGraw, Medical Corps, from January 4, 1940.

First Lt. John Michael Collins, Medical Corps, from January 4, 1940.

First Lt. Jacob Hal Bridges, Medical Corps, from January 10, 1940.

First Lt. Romeyn James Healy, Jr., Medical Corps, from January 15, 1940.

First Lt. Ralph Townsend Artman, Medical Corps, from January 28, 1940.

DENTAL CORPS

To be lieutenant colonel

Maj. Forest Vernon Bockey, Dental Corps, from January 6, 1940.

To be captains

First Lt. William Harold Day, Dental Corps, from January 1, 1940.

First Lt. Martin Frederick Sullivan, Dental Corps, from January 1, 1940.

First Lt. Richard Henry Carnahan, Dental Corps, from January 10, 1940.

First Lt. James O'Neil Mitchell, Dental Corps, from January 10, 1940.

First Lt. Charles Kenneth Reger, Dental Corps, from January 15, 1940.

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS IN THE REGULAR ARMY

TO BE COLONEL

Lt. Col. Benjamin Grant Weir, Air Corps, from January 1, 1940.

TO BE LIEUTENANT COLONEL

Maj. Shiras Alexander Blair, Air Corps, vice Lt. Col. Benjamin G. Weir, Air Corps, nominated for appointment as temporary colonel, Air Corps.

TO BE MAJORS

Capt. Dudley Warren Watkins, Air Corps, from January 1, 1940.

Capt. Lyman Perley Whitten, Air Corps, vice Maj. Shiras A. Blair, Air Corps, nominated for appointment as temporary lieutenant colonel, Air Corps.

**APPOINTMENT IN THE NATIONAL GUARD OF THE UNITED STATES
GENERAL OFFICER**

Brig. Gen. Guy Nelson Henninger, Adjutant General's Department, Nebraska National Guard, to be brigadier general, Adjutant General's Department, National Guard of the United States.

POSTMASTERS

ALABAMA

Reuben W. Lowe to be postmaster at Clanton, Ala., in place of H. F. Downs, deceased.

Ludwig Lindoerfer to be postmaster at Elberta, Ala., in place of Ludwig Lindoerfer. Incumbent's commission expired July 1, 1939.

Lynn S. Bruner to be postmaster at Fort Deposit, Ala., in place of L. S. Bruner. Incumbent's commission expired July 30, 1939.

Grace C. Spangler to be postmaster at Leighton, Ala., in place of G. C. Spangler. Incumbent's commission expired July 22, 1939.

Hazel M. Thomas to be postmaster at Prichard, Ala., in place of R. F. Hall, removed.

Jeptha H. Blake to be postmaster at Sheffield, Ala., in place of J. H. Blake. Incumbent's commission expired July 22, 1939.

Henry M. McLeod to be postmaster at Tuscaloosa, Ala., in place of A. H. Townsend. Incumbent's commission expired May 29, 1938.

ARIZONA

William D. Washington to be postmaster at Ashfork, Ariz., in place of W. D. Washington. Incumbent's commission expired August 27, 1939.

ARKANSAS

Lucie H. McDonnell to be postmaster at Altheimer, Ark., in place of L. H. McDonnell. Incumbent's commission expired June 26, 1939.

Clyde S. Airheart to be postmaster at Augusta, Ark., in place of C. S. Airheart. Incumbent's commission expired January 15, 1939.

Ross S. Stevens to be postmaster at Blytheville, Ark., in place of Herman Cross. Incumbent's commission expired January 15, 1939.

Lewis E. Smith to be postmaster at Cabot, Ark., in place of L. E. Smith. Incumbent's commission expired March 15, 1939.

William Ritchie Morgan to be postmaster at Camden, Ark., in place of J. M. Lide. Incumbent's commission expired May 10, 1939.

Clyde W. Spiller to be postmaster at Charleston, Ark., in place of C. W. Spiller. Incumbent's commission expired February 15, 1939.

John W. Page to be postmaster at Dover, Ark., in place of J. W. Page. Incumbent's commission expired July 1, 1939.

William S. Sampson, Sr., to be postmaster at Hartford, Ark., in place of J. W. Goolsby, resigned.

John F. Mulligan to be postmaster at Lake Village, Ark., in place of E. B. Dabney. Incumbent's commission expired August 2, 1939.

Leo C. Russell to be postmaster at Lamar, Ark., in place of L. C. Russell. Incumbent's commission expired July 1, 1939.

Marvin E. Newbern to be postmaster at Marianna, Ark., in place of C. R. Jackson. Incumbent's commission expired March 15, 1939.

James W. Burton to be postmaster at Marvell, Ark., in place of J. W. Burton. Incumbent's commission expired June 1, 1938.

Finch McCulloch to be postmaster at New Edinburg, Ark. Office became Presidential July 1, 1938.

William A. Branch to be postmaster at Paragould, Ark., in place of A. S. Snowden. Incumbent's commission expired June 26, 1939.

Herman H. Horst to be postmaster at Stuttgart, Ark., in place of J. M. Drummond. Incumbent's commission expired February 28, 1938.

Eugene W. Deering to be postmaster at Van Buren, Ark., in place of W. A. Bostick, deceased.

Floyd E. Fincher to be postmaster at Waldo, Ark., in place of F. E. Fincher. Incumbent's commission expired July 3, 1939.

Edward H. Dunning to be postmaster at Wilmot, Ark., in place of E. H. Dunning. Incumbent's commission expired August 2, 1939.

CALIFORNIA

Charles W. Spencer to be postmaster at Aptos, Calif., in place of C. W. Spencer. Incumbent's commission expired June 18, 1939.

Will A. Shepard to be postmaster at Auburn, Calif., in place of W. A. Shepard. Incumbent's commission expired March 19, 1939.

Clinton R. Chism to be postmaster at Bellflower, Calif., in place of R. L. Windsor. Incumbent's commission expired February 9, 1939.

R. Bruce Monro to be postmaster at Big Bear Lake, Calif., in place of A. P. Tidwell. Incumbent's commission expired May 1, 1939.

Ica C. Adams to be postmaster at Brawley, Calif., in place of I. C. Adams. Incumbent's commission expired July 27, 1939.

Ira H. Grim to be postmaster at Campbell, Calif., in place of I. H. Grim. Incumbent's commission expired May 13, 1939.

Charles D. Printz to be postmaster at Caruthers, Calif., in place of C. D. Printz. Incumbent's commission expired May 1, 1939.

Ernest S. Bixler to be postmaster at Carmel, Calif., in place of I. C. Cator. Incumbent's commission expired April 12, 1939.

Frank E. Faustino to be postmaster at Castroville, Calif., in place of Alice McNamee. Incumbent's commission expired April 16, 1939.

Manuel W. Lewis to be postmaster at Centerville, Calif., in place of M. W. Lewis. Incumbent's commission expired May 13, 1939.

Walters R. McCutchen to be postmaster at Coachella, Calif., in place of W. R. McCutchen. Incumbent's commission expired August 14, 1939.

Frank Micheletti to be postmaster at Colma, Calif., in place of Frank Micheletti. Incumbent's commission expired May 13, 1939.

William M. Kincaid to be postmaster at Cucamonga, Calif., in place of W. M. Kincaid. Incumbent's commission expired May 13, 1939.

Ruby M. Podva to be postmaster at Danville, Calif., in place of R. M. Podva. Incumbent's commission expired July 24, 1939.

William J. Flowers to be postmaster at Ferndale, Calif., in place of W. J. Flowers. Incumbent's commission expired July 27, 1939.

Grace L. Harris to be postmaster at Holtville, Calif., in place of L. A. Harris, resigned.

Flo C. Wendelken to be postmaster at Idyllwild, Calif., in place of H. R. Wendelken. Incumbent's commission expired July 1, 1939.

Joseph M. Arnold to be postmaster at King City, Calif., in place of J. M. Arnold. Incumbent's commission expired May 13, 1939.

Pauline New to be postmaster at La Crescenta, Calif., in place of Pauline New. Incumbent's commission expired May 13, 1939.

Ada E. Purpus to be postmaster at Laguna Beach, Calif., in place of A. E. Purpus. Incumbent's commission expired May 13, 1939.

George W. McMurry to be postmaster at Loma Linda, Calif., in place of G. W. McMurry. Incumbent's commission expired May 31, 1939.

Oliver G. Miller to be postmaster at Maricopa, Calif., in place of O. G. Miller. Incumbent's commission expired July 27, 1939.

Harry B. Morey to be postmaster at Menlo Park, Calif., in place of H. B. Morey. Incumbent's commission expired April 17, 1939.

Elvin M. Mitchler to be postmaster at Murphys, Calif., in place of E. M. Mitchler. Incumbent's commission expired July 1, 1939.

Thomas H. Cosby to be postmaster at National City, Calif., in place of L. A. Thomas. Incumbent's commission expired March 19, 1939.

William H. Adams to be postmaster at Newport Beach, Calif., in place of W. H. Adams. Incumbent's commission expired August 26, 1939.

Bertha R. Dal Porto to be postmaster at Oakley, Calif., in place of B. R. Dal Porto. Incumbent's commission expired May 31, 1939.

Frances M. C. Enos to be postmaster at Pescadero, Calif., in place of F. M. C. Enos. Incumbent's commission expired April 12, 1939.

Hetty C. Bryans to be postmaster at Pixley, Calif., in place of H. C. Bryans. Incumbent's commission expired July 1, 1939.

Joseph L. Hamilton to be postmaster at Puente, Calif., in place of J. L. Hamilton. Incumbent's commission expired August 9, 1939.

Harold P. Thoreson to be postmaster at San Bernardino, Calif., in place of Ernest Martin, deceased.

Albert G. Stewart to be postmaster at Sanger, Calif., in place of A. G. Stewart. Incumbent's commission expired May 1, 1939.

Wilkin B. Sheldon to be postmaster at San Martin, Calif., in place of W. B. Sheldon. Incumbent's commission expired April 16, 1939.

Phillip T. Hill to be postmaster at Santa Monica, Calif., in place of P. T. Hill. Incumbent's commission expired July 27, 1939.

Eugene J. Cordeau, Jr., to be postmaster at San Ysidro, Calif., in place of E. G. Youmans. Incumbent's commission expired February 20, 1939.

Joseph P. Quinlan to be postmaster at South San Francisco, Calif., in place of J. P. Quinlan. Incumbent's commission expired May 13, 1939.

George H. Gischel to be postmaster at Tracy, Calif., in place of G. H. Gischel. Incumbent's commission expired March 8, 1939.

Myrtle M. Knouse to be postmaster at Westminster, Calif., in place of M. M. Knouse. Incumbent's commission expired July 1, 1939.

E. H. Cain to be postmaster at Westmorland, Calif., in place of E. H. Cain. Incumbent's commission expired August 26, 1939.

Alva A. Wilson to be postmaster at Willits, Calif., in place of A. A. Wilson. Incumbent's commission expired July 27, 1939.

Ollie Beard to be postmaster at Yorba Linda, Calif., in place of Ollie Beard. Incumbent's commission expired July 24, 1939.

Fred C. Alexander to be postmaster at Yosemite National Park, Calif., in place of F. C. Alexander. Incumbent's commission expired March 19, 1939.

Robert H. DeWitt, Jr., to be postmaster at Yreka, Calif., in place of R. H. DeWitt, Jr. Incumbent's commission expired March 19, 1939.

COLORADO

Lena Humiston to be postmaster at Bayfield, Colo., in place of Lena Humiston. Incumbent's commission expired July 22, 1939.

Frank P. January to be postmaster at Cheyenne Wells, Colo., in place of F. P. January. Incumbent's commission expired July 9, 1939.

John B. Schutte to be postmaster at Glenwood Springs, Colo., in place of H. T. Hubbard, deceased.

Zebulon M. Pike to be postmaster at Golden, Colo., in place of Z. M. Pike. Incumbent's commission expired August 1, 1939.

Henry S. McCullough to be postmaster at Ovid, Colo., in place of E. C. Rowland, removed.

CONNECTICUT

Helen O. Gatchell to be postmaster at Andover, Conn., in place of H. O. Gatchell. Incumbent's commission expired July 19, 1939.

Frank E. Hurgin to be postmaster at Bethel, Conn., in place of F. E. Hurgin. Incumbent's commission expired July 19, 1939.

Mary W. Pinney to be postmaster at Bloomfield, Conn., in place of M. W. Pinney. Incumbent's commission expired July 10, 1939.

Francis A. Gagnon to be postmaster at Danielson, Conn., in place of F. A. Gagnon. Incumbent's commission expired July 30, 1939.

Edward J. Champlion to be postmaster at Eagleville, Conn., in place of Edward Champlion. Incumbent's commission expired August 27, 1939.

Charles E. Batayte to be postmaster at Granby, Conn., in place of C. E. Batayte. Incumbent's commission expired August 2, 1939.

Thomas S. White to be postmaster at New Milford, Conn., in place of T. S. White. Incumbent's commission expired July 30, 1939.

Patrick H. McCarthy to be postmaster at Newtown, Conn., in place of P. H. McCarthy. Incumbent's commission expired August 27, 1939.

Louis P. Despelteau to be postmaster at North Grosvenor Dale, Conn., in place of L. P. Despelteau. Incumbent's commission expired August 7, 1939.

Raymond Cuzzocreo to be postmaster at Orange, Conn., in place of W. J. Rourke, resigned.

Francois X. Vadnais to be postmaster at Putnam, Conn., in place of Frank Vadnais. Incumbent's commission expired August 27, 1939.

Joseph H. Fahey to be postmaster at Springdale, Conn., in place of J. H. Fahey. Incumbent's commission expired July 30, 1939.

William B. Hanley to be postmaster at Stafford Springs, Conn., in place of W. B. Hanley. Incumbent's commission expired May 13, 1939.

James O. White to be postmaster at Taftville, Conn., in place of J. O. White. Incumbent's commission expired August 27, 1939.

Nellie U. Schumey to be postmaster at Warehouse Point, Conn., in place of N. U. Schumey. Incumbent's commission expired July 10, 1939.

Samuel Berkman to be postmaster at Yantic, Conn., in place of Samuel Berkman. Incumbent's commission expired July 30, 1939.

DELAWARE

Charles F. Wilson to be postmaster at Harrington, Del., in place of C. F. Wilson. Incumbent's commission expired May 31, 1938.

Charles J. Gormley to be postmaster at Hockessin, Del. Office became Presidential July 1, 1938.

Roland F. Quillin to be postmaster at Laurel, Del., in place of R. F. Quillin. Incumbent's commission expired March 23, 1939.

Inga K. Tubbs to be postmaster at Selbyville, Del., in place of I. K. Tubbs. Incumbent's commission expired February 10, 1938.

Davis H. Bell to be postmaster at Smyrna, Del., in place of R. H. Denney, deceased.

Edwin J. Touhey to be postmaster at Yorklyn, Del., in place of P. E. Touhey. Incumbent's commission expired April 2, 1939.

FLORIDA

William T. Eddins to be postmaster at Bushnell, Fla., in place of W. T. Eddins. Incumbent's commission expired January 17, 1939.

Nadia V. Hall to be postmaster at Center Hill, Fla., in place of N. V. Hall. Incumbent's commission expired January 17, 1939.

Lewis S. Andrews to be postmaster at Cocoa, Fla., in place of L. S. Andrews. Incumbent's commission expired August 9, 1939.

Fay G. Brown to be postmaster at Foley, Fla., in place of F. G. Brown. Incumbent's commission expired January 17, 1939.

William C. Johnson to be postmaster at Jensen, Fla. Office became Presidential July 1, 1938.

Joseph L. Porcher to be postmaster at Melbourne, Fla., in place of J. L. Porcher. Incumbent's commission expired January 17, 1939.

Clifford C. Dooley to be postmaster at Mount Dora, Fla., in place of C. C. Dooley. Incumbent's commission expired January 17, 1939.

Charles E. Powell to be postmaster at Panama City, Fla., in place of W. E. Lee, removed.

Mabel Fast to be postmaster at Penney Farms, Fla., in place of Mabel Fast. Incumbent's commission expired August 22, 1939.

Mildred Hanks to be postmaster at Port Tampa City, Fla., in place of Mildred Hanks. Incumbent's commission expired February 18, 1939.

Obe P. Goode to be postmaster at St. Augustine, Fla., in place of J. H. Manucy. Incumbent's commission expired February 10, 1938.

Henry L. Godwin to be postmaster at St. Cloud, Fla., in place of H. L. Godwin. Incumbent's commission expired January 17, 1939.

Maude E. Hartline to be postmaster at South Bay, Fla. Office became Presidential July 1, 1938.

GEORGIA

Arthur S. Boyett, Jr., to be postmaster at Buena Vista, Ga., in place of H. E. Butt. Incumbent's commission expired January 30, 1938.

Essie T. Patterson to be postmaster at Byromville, Ga., in place of E. T. Patterson. Incumbent's commission expired July 19, 1939.

George S. Gardner to be postmaster at Montezuma, Ga., in place of G. S. Gardner. Incumbent's commission expired May 13, 1939.

Sara K. Polk to be postmaster at Moreland, Ga., in place of S. K. Polk. Incumbent's commission expired August 14, 1939.

Isaac F. Arnow to be postmaster at St. Marys, Ga., in place of I. F. Arnow. Incumbent's commission expired July 1, 1939.

Doddridge K. Houser to be postmaster at Shannon, Ga., in place of D. K. Houser. Incumbent's commission expired July 31, 1939.

HAWAII

Takeo Takeshita to be postmaster at Hanapepe, Hawaii, in place of Takeo Takeshita. Incumbent's commission expired July 30, 1939.

Daniel A. Devine to be postmaster at Hilo, Hawaii, in place of D. A. Devine. Incumbent's commission expired July 30, 1939.

Albert P. Lino to be postmaster at Honolulu, Hawaii, in place of J. H. Wilson, resigned.

Lemon W. Holt to be postmaster at Kahului, Hawaii, in place of L. W. Holt. Incumbent's commission expired July 30, 1939.

Dick C. Pang to be postmaster at Kamuela, Hawaii, in place of D. C. Pang. Incumbent's commission expired July 30, 1939.

Ernest C. Rapozo to be postmaster at Kapaa, Hawaii, in place of Ernest Rapozo. Incumbent's commission expired June 8, 1938.

James G. Takemoto to be postmaster at Naalehu, Hawaii. Office became Presidential July 1, 1938.

Lee Loon to be postmaster at Pahala, Hawaii, in place of Lee Loon. Incumbent's commission expired July 30, 1939.

Margaret C. White to be postmaster at Wahiawa, Hawaii, in place of M. C. White. Incumbent's commission expired July 30, 1939.

Kenichi Oumi to be postmaster at Waiialua, Hawaii, in place of Kenichi Oumi. Incumbent's commission expired July 30, 1939.

IDAHO

Harry L. Yost to be postmaster at Boise, Idaho, in place of H. L. Yost. Incumbent's commission expired May 2, 1939.

Albert H. Hartshorn to be postmaster at Jerome, Idaho, in place of A. H. Hartshorn. Incumbent's commission expired August 26, 1939.

Henry W. Thomas to be postmaster at Malad City, Idaho, in place of H. W. Thomas. Incumbent's commission expired July 27, 1939.

Halo M. Hart to be postmaster at Preston, Idaho, in place of H. M. Hart. Incumbent's commission expired June 18, 1939.

George A. Hoopes to be postmaster at Rexburg, Idaho, in place of G. A. Hoopes. Incumbent's commission expired July 27, 1939.

Willard Adams to be postmaster at Rigby, Idaho, in place of Willard Adams. Incumbent's commission expired March 25, 1939.

Eleanor K. Grimm to be postmaster at Sun Valley, Idaho. Office became Presidential April 1, 1939.

ILLINOIS

Arthur L. Knable to be postmaster at Abingdon, Ill., in place of A. L. Knable. Incumbent's commission expired August 15, 1939.

Richard A. Nelson to be postmaster at Alpha, Ill., in place of A. S. Beirne. Incumbent's commission expired March 18, 1939.

Raleigh C. Gurley to be postmaster at Anna, Ill., in place of L. B. Tuthill. Incumbent's commission expired February 17, 1936.

Floyd Wells to be postmaster at Barry, Ill., in place of Floyd Wells. Incumbent's commission expired July 18, 1939.

Omar W. Ashworth to be postmaster at Bellflower, Ill., in place of O. W. Ashworth. Incumbent's commission expired August 22, 1939.

Everett S. Howell to be postmaster at Bluford, Ill., in place of E. S. Howell. Incumbent's commission expired July 18, 1939.

Singleton W. Ash to be postmaster at Canton, Ill., in place of S. W. Ash. Incumbent's commission expired July 9, 1939.

John E. Jontry to be postmaster at Chenoa, Ill., in place of J. E. Jontry. Incumbent's commission expired August 22, 1939.

William M. Donovan to be postmaster at Clifton, Ill., in place of W. M. Donovan. Incumbent's commission expired January 16, 1939.

Henry W. Lorig to be postmaster at Colfax, Ill., in place of H. W. Lorig. Incumbent's commission expired August 22, 1939.

Emil Rudolph Luebbe to be postmaster at Collinsville, Ill., in place of E. R. Luebbe. Incumbent's commission expired August 22, 1939.

John E. Garrett to be postmaster at Dwight, Ill., in place of J. E. Garrett. Incumbent's commission expired August 13, 1939.

Richard A. McAllister to be postmaster at Fairbury, Ill., in place of R. A. McAllister. Incumbent's commission expired July 9, 1939.

Wayne D. Herrick to be postmaster at Farmer City, Ill., in place of W. D. Herrick. Incumbent's commission expired July 9, 1939.

Ferd H. Gibler to be postmaster at Freeport, Ill., in place of F. H. Gibler. Incumbent's commission expired February 7, 1939.

Byron L. McDow to be postmaster at Jerseyville, Ill., in place of B. L. McDow. Incumbent's commission expired July 26, 1939.

G. Edgar Boyer to be postmaster at Kansas, Ill., in place of T. S. Wright. Incumbent's commission expired March 28, 1939.

Robert E. Gamble to be postmaster at Kirkwood, Ill., in place of R. E. Gamble. Incumbent's commission expired July 18, 1939.

Nellie Sutter to be postmaster at Lisle, Ill., in place of Nellie Sutter. Incumbent's commission expired July 26, 1939.

Eugene Raymond McGee to be postmaster at McHenry, Ill., in place of E. R. McGee. Incumbent's commission expired August 22, 1939.

William D. Milnes to be postmaster at Maroa, Ill., in place of W. D. Milnes. Incumbent's commission expired July 18, 1939.

Leo Edward Kinney to be postmaster at Morrisonville, Ill., in place of L. E. Kinney. Incumbent's commission expired August 26, 1939.

Fay Moyer to be postmaster at Mount Carmel, Ill., in place of Fay Moyer. Incumbent's commission expired August 22, 1939.

Ellis J. O'Daniel to be postmaster at New Lenox, Ill., in place of E. J. O'Daniel. Incumbent's commission expired July 18, 1939.

Thomas B. Raycraft to be postmaster at Normal, Ill., in place of T. B. Raycraft. Incumbent's commission expired July 9, 1939.

Marie C. Marshall to be postmaster at North Aurora, Ill., in place of M. C. Marshall. Incumbent's commission expired August 22, 1939.

Frank H. Morgan to be postmaster at Okawville, Ill., in place of F. H. Morgan. Incumbent's commission expired May 13, 1939.

Herbert H. Cox to be postmaster at Palmyra, Ill., in place of H. H. Cox. Incumbent's commission expired July 26, 1939.

Ossian Rice Jones to be postmaster at Paris, Ill., in place of O. R. Jones. Incumbent's commission expired April 30, 1939.

Floyd J. Hill to be postmaster at Princeville, Ill., in place of M. D. Megan. Incumbent's commission expired February 7, 1939.

Edward J. Hathaway to be postmaster at Rossville, Ill., in place of E. J. Hathaway. Incumbent's commission expired July 26, 1939.

Homer F. Markell to be postmaster at Rushville, Ill., in place of E. R. Chitwood. Incumbent's commission expired May 3, 1938.

Rita O'Neil to be postmaster at Rutland, Ill., in place of Rita O'Neil. Incumbent's commission expired August 22, 1939.

Vernon L. Baie to be postmaster at Shabbona, Ill., in place of V. L. Baie. Incumbent's commission expired March 28, 1939.

Charles C. Klauser to be postmaster at Shelbyville, Ill., in place of James Shoaff, deceased.

Margaret J. Brandt to be postmaster at Sibley, Ill., in place of M. J. Brandt. Incumbent's commission expired August 22, 1939.

William J. Woodard to be postmaster at Sidney, Ill., in place of W. J. Woodard. Incumbent's commission expired January 16, 1939.

Joseph Dixon to be postmaster at Stronghurst, Ill., in place of Joseph Dixon. Incumbent's commission expired August 13, 1939.

William Connell to be postmaster at Tremont, Ill., in place of William Connell. Incumbent's commission expired January 16, 1939.

William M. Jones to be postmaster at Villa Grove, Ill., in place of W. M. Jones. Incumbent's commission expired June 17, 1939.

James F. Carr to be postmaster at Wauconda, Ill., in place of J. F. Carr. Incumbent's commission expired June 27, 1939.

Carl Reeser to be postmaster at Weldon, Ill., in place of Carl Reeser. Incumbent's commission expired July 26, 1939.

Elmer J. Freund to be postmaster at West McHenry, Ill., in place of E. J. Freund. Incumbent's commission expired July 26, 1939.

James V. Husch to be postmaster at Willow Springs, Ill., in place of A. U. Marshall, resigned.

Katharine L. Colwell to be postmaster at Wyoming, Ill., in place of K. L. Colwell. Incumbent's commission expired August 26, 1939.

William E. Berry to be postmaster at Zeigler, Ill., in place of W. E. Berry. Incumbent's commission expired March 18, 1939.

INDIANA

Cary A. Davis to be postmaster at Albion, Ind., in place of C. A. Davis. Incumbent's commission expired July 10, 1939.

Otto N. Hennefent to be postmaster at Alexandria, Ind., in place of O. N. Hennefent. Incumbent's commission expired January 18, 1939.

C. Blanche Webster to be postmaster at Bloomington, Ind., in place of Blanche Webster. Incumbent's commission expired July 22, 1939.

James W. Odell to be postmaster at Chalmers, Ind., in place of J. W. Odell. Incumbent's commission expired March 15, 1938.

Earl W. Miller to be postmaster at Coal City, Ind., in place of E. W. Miller. Incumbent's commission expired May 15, 1939.

Gerald L. Knox to be postmaster at Converse, Ind., in place of G. L. Knox. Incumbent's commission expired July 10, 1939.

Leo W. Kirsch to be postmaster at Decatur, Ind., in place of P. L. Macklin, deceased.

Gordon E. Faupel to be postmaster at East Gary, Ind., in place of G. E. Faupel. Incumbent's commission expired August 26, 1939.

Evan G. Moreland to be postmaster at Hymers, Ind., in place of E. G. Moreland. Incumbent's commission expired July 1, 1939.

Orval E. Monahan to be postmaster at Jonesboro, Ind., in place of O. E. Monahan. Incumbent's commission expired July 27, 1939.

Rowland R. Morgan to be postmaster at Knightstown, Ind., in place of R. R. Morgan. Incumbent's commission expired May 15, 1939.

Harry R. Groat to be postmaster at Lagrange, Ind., in place of H. R. Groat. Incumbent's commission expired July 10, 1939.

George L. Bridenhager to be postmaster at Liberty, Ind., in place of J. E. Stevens. Incumbent's commission expired May 15, 1939.

Samuel S. Foor to be postmaster at Macy, Ind., in place of S. S. Foor. Incumbent's commission expired January 18, 1939.

John R. Smith to be postmaster at Pierceton, Ind., in place of J. C. McCarter. Incumbent's commission expired January 9, 1936.

Gerald W. Strole to be postmaster at Rensselaer, Ind., in place of E. P. Lane. Incumbent's commission expired June 9, 1938.

Hester B. Worden to be postmaster at Rolling Prairie, Ind., in place of H. B. Worden. Incumbent's commission expired August 26, 1939.

William L. Newbold to be postmaster at Rushville, Ind., in place of W. L. Newbold. Incumbent's commission expired May 15, 1939.

Russell L. Hildebrand to be postmaster at Sandborn, Ind., in place of R. L. Hildebrand. Incumbent's commission expired May 15, 1939.

Edward Lee Bliss to be postmaster at Vevay, Ind., in place of E. F. Griffith, deceased.

Sarah I. Crews to be postmaster at West Terre Haute, Ind., in place of S. I. Crews. Incumbent's commission expired August 15, 1939.

IOWA

Kathryn A. Fagan to be postmaster at Ayrshire, Iowa, in place of Kathryn Fagan. Incumbent's commission expired June 18, 1939.

George L. Lorton to be postmaster at Bonaparte, Iowa, in place of G. L. Lorton. Incumbent's commission expired July 30, 1939.

Augustus W. Lee to be postmaster at Britt, Iowa, in place of A. W. Lee. Incumbent's commission expired May 2, 1939.

Carl O. Fatland to be postmaster at Cambridge, Iowa, in place of M. L. Fatland, removed.

William S. Richard to be postmaster at Corydon, Iowa, in place of W. S. Richard. Incumbent's commission expired April 6, 1939.

LeVerne Riggs to be postmaster at Cumberland, Iowa, in place of LeVerne Riggs. Incumbent's commission expired July 19, 1939.

Carl E. N. Jensen to be postmaster at Elk Horn, Iowa, in place of A. N. Jensen. Incumbent's commission expired January 16, 1934.

Blanche M. Olsen to be postmaster at Ellsworth, Iowa, in place of B. M. Olsen. Incumbent's commission expired June 18, 1939.

John B. Murphy to be postmaster at Fairbank, Iowa, in place of J. B. Murphy. Incumbent's commission expired July 19, 1939.

Edward A. Kregel to be postmaster at Garndale, Iowa, in place of E. A. Kregel. Incumbent's commission expired July 19, 1939.

Carl O. Roe to be postmaster at Garner, Iowa, in place of C. O. Roe. Incumbent's commission expired July 30, 1939.

Raymond A. Johnson to be postmaster at Latimer, Iowa, in place of R. A. Johnson. Incumbent's commission expired July 19, 1939.

DeEtta I. Peterson to be postmaster at Manley, Iowa, in place of D. I. Peterson. Incumbent's commission expired June 18, 1939.

Mark A. Trumbull to be postmaster at Manson, Iowa, in place of M. A. Trumbull. Incumbent's commission expired June 18, 1939.

William H. Metzinger to be postmaster at Montrose, Iowa, in place of J. C. Wardlow. Incumbent's commission expired July 9, 1939.

Florence M. White to be postmaster at Riceville, Iowa, in place of F. M. White. Incumbent's commission expired May 31, 1939.

Arend Balster, Jr., to be postmaster at Scotch Grove, Iowa, in place of Arend Balster, Jr. Incumbent's commission expired July 1, 1939.

Chris H. Bokmeyer to be postmaster at Sheffield, Iowa, in place of C. H. Bokmeyer. Incumbent's commission expired May 17, 1939.

Cleveland J. Long to be postmaster at Stanwood, Iowa, in place of C. J. Long. Incumbent's commission expired July 30, 1939.

Augustus J. Oberg to be postmaster at Stockport, Iowa, in place of A. J. Oberg. Incumbent's commission expired August 22, 1939.

Donald H. Grimm to be postmaster at Zearing, Iowa, in place of D. H. Grimm. Incumbent's commission expired August 22, 1939.

KANSAS

Louie Haller to be postmaster at Alma, Kans., in place of Louie Haller. Incumbent's commission expired July 9, 1939.

George S. Frere to be postmaster at Arma, Kans., in place of G. S. Frere. Incumbent's commission expired August 26, 1939.

Zenobia A. Kissinger to be postmaster at Bennington, Kans., in place of Z. A. Kissinger. Incumbent's commission expired July 27, 1939.

Harold F. Mills to be postmaster at Bunkerhill, Kans., in place of G. R. Seitz, removed.

Max Dolan to be postmaster at Clifton, Kans., in place of Max Dolan. Incumbent's commission expired July 9, 1939.

Hubert C. Akers to be postmaster at Dighton, Kans., in place of C. A. Gibson, removed.

Elizabeth L. Betts to be postmaster at Dorrance, Kans., in place of Christian Biesterfeld. Incumbent's commission expired May 16, 1939.

George Leo Dunagan to be postmaster at Douglass, Kans., in place of H. B. Clay, resigned.

Rolen C. Barrett to be postmaster at Frankfort, Kans., in place of R. C. Barrett. Incumbent's commission expired July 27, 1939.

Charles Cicero to be postmaster at Frontenac, Kans., in place of I. J. DeVore. Incumbent's commission expired June 18, 1938.

Bertha E. McClain to be postmaster at Gaylord, Kans., in place of B. E. McClain. Incumbent's commission expired August 26, 1939.

Pauline A. McCann to be postmaster at Hardtner, Kans., in place of P. A. McCann. Incumbent's commission expired July 27, 1939.

Dannie M. Bear to be postmaster at Harper, Kans., in place of W. A. Tihen. Incumbent's commission expired June 9, 1934.

Thomas H. Boyle to be postmaster at Hoisington, Kans., in place of T. E. Murphy, removed.

Matilda E. Albright to be postmaster at Hope, Kans., in place of M. E. Albright. Incumbent's commission expired August 14, 1939.

Alfred M. Nall to be postmaster at Johnson, Kans., in place of A. M. Nall. Incumbent's commission expired August 26, 1939.

Amy Pickrel to be postmaster at Kanorado, Kans., in place of V. T. Pickrel, removed.

William Westling to be postmaster at Marquette, Kans., in place of William Westling. Incumbent's commission expired July 27, 1939.

Leslie Eugene Harvey to be postmaster at Minneapolis, Kans., in place of L. E. Harvey. Incumbent's commission expired July 27, 1939.

Albert Cameron to be postmaster at Mulberry, Kans., in place of Albert Cameron. Incumbent's commission expired July 27, 1939.

Carrie C. Scott to be postmaster at Oxford, Kans., in place of J. E. Hartsell. Incumbent's commission expired June 26, 1939.

Edward J. Neely to be postmaster at Pomona, Kans., in place of E. J. Neely. Incumbent's commission expired August 21, 1939.

Dick A. De Young to be postmaster at Prairie View, Kans., in place of D. A. De Young. Incumbent's commission expired June 18, 1939.

Caroline Doerschlag to be postmaster at Ransom, Kans., in place of Caroline Doerschlag. Incumbent's commission expired May 29, 1938.

Otto T. Kappellmann to be postmaster at White City, Kans., in place of L. W. Stewart, resigned.

Mary Alice Housh to be postmaster at Winchester, Kans., in place of M. R. Housh, resigned.

KENTUCKY

Benjamin F. Bailey to be postmaster at Adairville, Ky., in place of B. F. Bailey. Incumbent's commission expired February 18, 1939.

Thomas E. Cooper to be postmaster at Beaver Dam, Ky., in place of T. E. Cooper. Incumbent's commission expired May 12, 1938.

Thomas L. Gorby to be postmaster at Cave City, Ky., in place of T. L. Gorby. Incumbent's commission expired June 17, 1939.

Ray Flowers to be postmaster at Columbia, Ky., in place of Ray Flowers. Incumbent's commission expired June 26, 1939.

Charles W. Hardin to be postmaster at Crestwood, Ky., in place of C. W. Hardin. Incumbent's commission expired July 18, 1939.

Sidney F. Sprake to be postmaster at Cynthiana, Ky., in place of S. F. Sprake. Incumbent's commission expired August 26, 1939.

Howard L. Cummins to be postmaster at Falmouth, Ky., in place of H. L. Cummins. Incumbent's commission expired July 26, 1939.

William T. Miller to be postmaster at Hawesville, Ky., in place of W. T. Miller. Incumbent's commission expired June 17, 1939.

John M. Farra to be postmaster at Lancaster, Ky., in place of J. M. Farra. Incumbent's commission expired May 10, 1939.

Herman Porter Meredith to be postmaster at Leitchfield, Ky., in place of H. P. Meredith. Incumbent's commission expired June 17, 1939.

Anna Vincent to be postmaster at Martin, Ky., in place of Anna Vincent. Incumbent's commission expired August 21, 1939.

Presley J. Blackburn to be postmaster at Princeton, Ky., in place of P. J. Blackburn. Incumbent's commission expired August 27, 1939.

Mary B. Helm to be postmaster at Stanford, Ky., in place of M. B. Helm. Incumbent's commission expired April 6, 1939.

LOUISIANA

Charles Hugh McGowen to be postmaster at Jeanerette, La., in place of E. E. Steckler. Incumbent's commission expired February 28, 1933.

James W. Paul to be postmaster at Ponchatoula, La., in place of J. R. Parker, removed.

James W. Melvin to be postmaster at Trout, La., in place of E. M. Jones, resigned.

MAINE

Charles L. Ripley to be postmaster at Andover, Maine, in place of C. L. Ripley. Incumbent's commission expired July 19, 1939.

Arthur E. Herrick to be postmaster at Bethel, Maine, in place of A. E. Herrick. Incumbent's commission expired August 6, 1939.

Claude D. Garnache to be postmaster at Biddeford Pool, Maine, in place of C. D. Garnache. Incumbent's commission expired May 17, 1939.

Armand J. Dupont to be postmaster at Chisholm, Maine, in place of T. L. Pineau, removed.

Albert G. Mahar to be postmaster at Dennysville, Maine, in place of A. G. Mahar. Incumbent's commission expired August 6, 1939.

George L. Hawes to be postmaster at East Corinth, Maine, in place of G. L. Hawes. Incumbent's commission expired July 19, 1939.

Earle B. Files to be postmaster at Gorham, Maine, in place of E. B. Files. Incumbent's commission expired June 26, 1939.

Helen L. Swan to be postmaster at Hampden Highlands, Maine, in place of H. L. Swan. Incumbent's commission expired March 18, 1939.

Donald L. Needham to be postmaster at Hebron, Maine, in place of D. L. Needham. Incumbent's commission expired August 13, 1939.

Loton R. Pitts to be postmaster at Naples, Maine, in place of L. R. Pitts. Incumbent's commission expired July 19, 1939.

Henry J. Saucier to be postmaster at Van Buren, Maine, in place of H. J. Saucier. Incumbent's commission expired February 13, 1939.

Thomas J. Donohue to be postmaster at York Beach, Maine, in place of T. J. Donohue. Incumbent's commission expired February 18, 1939.

MARYLAND

Thomas Bayard Crew to be postmaster at Betterton, Md., in place of T. B. Crew. Incumbent's commission expired August 27, 1939.

Margaret T. Johnson to be postmaster at College Park, Md., in place of M. T. Johnson. Incumbent's commission expired June 25, 1939.

Egbert L. Quinn, Jr., to be postmaster at Crisfield, Md., in place of E. L. Quinn, Jr. Incumbent's commission expired August 27, 1939.

James C. Shriver to be postmaster at Cumberland, Md., in place of J. C. Shriver. Incumbent's commission expired July 30, 1939.

Edmund H. Bray to be postmaster at Easton, Md., in place of E. H. Bray. Incumbent's commission expired June 18, 1939.

Claudine M. Friend to be postmaster at Friendsville, Md., in place of C. M. Friend. Incumbent's commission expired July 19, 1939.

Edward J. Donohue to be postmaster at Frostburg, Md., in place of E. J. Donohue. Incumbent's commission expired January 17, 1939.

Herbert C. Estep to be postmaster at Glen Burnie, Md., in place of H. C. Estep. Incumbent's commission expired July 30, 1939.

Showard T. Culver to be postmaster at Hebron, Md., in place of S. T. Culver. Incumbent's commission expired August 27, 1939.

Mary C. Bishop to be postmaster at Queenstown, Md., in place of M. C. Bishop. Incumbent's commission expired August 27, 1939.

John W. Davis to be postmaster at Ridgeley, Md., in place of J. W. Davis. Incumbent's commission expired January 17, 1939.

George L. Edmonds to be postmaster at Rockville, Md., in place of G. L. Edmonds. Incumbent's commission expired June 18, 1939.

Francis H. Blake to be postmaster at Sparks, Md., in place of F. H. Blake. Incumbent's commission expired July 1, 1939.

H. Genevieve Long to be postmaster at Stevensville, Md., in place of H. G. Long. Incumbent's commission expired May 13, 1939.

Millard H. Weer to be postmaster at Sykesville, Md., in place of M. H. Weer. Incumbent's commission expired July 30, 1939.

Herman W. Hurst to be postmaster at Vienna, Md., in place of H. W. Hurst. Incumbent's commission expired August 14, 1939.

Harry W. Barrick to be postmaster at Woodsboro, Md., in place of L. C. Barrick, resigned.

Edward F. Cavey to be postmaster at Woodstock, Md., in place of E. F. Cavey. Incumbent's commission expired July 30, 1939.

MASSACHUSETTS

Frank A. Malley to be postmaster at Adams, Mass., in place of F. A. Malley. Incumbent's commission expired August 27, 1939.

Gertrude A. Davis to be postmaster at Assonet, Mass., in place of G. A. Davis. Incumbent's commission expired August 26, 1939.

Ignatius B. Cleary to be postmaster at Auburn, Mass., in place of I. B. Cleary. Incumbent's commission expired August 27, 1939.

Paul W. Karr to be postmaster at Chatham, Mass., in place of P. W. Karr. Incumbent's commission expired August 27, 1939.

Stephen E. Malone to be postmaster at East Longmeadow, Mass., in place of S. E. Malone. Incumbent's commission expired July 18, 1939.

Augustus Joseph Formhals to be postmaster at Erving, Mass., in place of A. J. Formhals. Incumbent's commission expired August 26, 1939.

James R. Mansfield to be postmaster at Haydenville, Mass., in place of J. R. Mansfield. Incumbent's commission expired June 26, 1939.

Genevieve V. Dion to be postmaster at Linwood, Mass., in place of G. V. Dion. Incumbent's commission expired June 26, 1939.

Charles H. Slowey to be postmaster at Lowell, Mass., in place of C. H. Slowey. Incumbent's commission expired August 27, 1939.

Alliston S. Barstow to be postmaster at Marshfield, Mass., in place of A. S. Barstow. Incumbent's commission expired June 26, 1939.

James L. Ivory to be postmaster at Millbury, Mass., in place of J. L. Ivory. Incumbent's commission expired July 31, 1939.

Thomas F. Coady to be postmaster at North Attleboro, Mass., in place of T. F. Coady. Incumbent's commission expired July 22, 1939.

Franklin G. Cleasby, Jr., to be postmaster at Rehoboth, Mass., in place of F. G. Cleasby, Jr. Incumbent's commission expired August 27, 1939.

William D. Powers to be postmaster at Rockport, Mass., in place of W. D. Powers. Incumbent's commission expired August 27, 1939.

John T. Enneguess to be postmaster at South Acton, Mass., in place of J. T. Enneguess. Incumbent's commission expired July 10, 1939.

Elsie M. Dearborn to be postmaster at South Attleboro, Mass., in place of E. M. Dearborn. Incumbent's commission expired August 26, 1939.

David R. Kinsley to be postmaster at West Acton, Mass., in place of D. R. Kinsley. Incumbent's commission expired July 10, 1939.

Sara H. Jones to be postmaster at West Barnstable, Mass., in place of S. H. Jones. Incumbent's commission expired June 26, 1939.

Amasa W. Baxter to be postmaster at West Falmouth, Mass., in place of A. W. Baxter. Incumbent's commission expired August 26, 1939.

John J. Troy to be postmaster at West Stockbridge, Mass., in place of M. E. Troy, deceased.

Joseph D. Colbert to be postmaster at West Upton, Mass., in place of M. G. Jordan, resigned.

MICHIGAN

Marion E. Shaw to be postmaster at Armada, Mich., in place of A. J. Mackley, resigned.

William B. Horsey to be postmaster at Auburn Heights, Mich., in place of G. S. Shearer. Incumbent's commission expired April 26, 1939.

Robert E. Bradin to be postmaster at Barryton, Mich., in place of R. E. Bradin. Incumbent's commission expired August 26, 1939.

Jack W. Foster to be postmaster at Bellaire, Mich., in place of J. W. Foster. Incumbent's commission expired August 12, 1939.

Ernie T. McGlothlin to be postmaster at Belleville, Mich., in place of E. T. McGlothlin. Incumbent's commission expired August 12, 1939.

Verne R. Moran to be postmaster at Carney, Mich., in place of V. R. Moran. Incumbent's commission expired July 18, 1939.

Roger J. Tobin to be postmaster at Channing, Mich., in place of R. J. Tobin. Incumbent's commission expired July 1, 1939.

Sarah G. Howard to be postmaster at Custer, Mich., in place of S. G. Howard. Incumbent's commission expired April 26, 1939.

James A. McDonald to be postmaster at Detour, Mich., in place of J. A. McDonald. Incumbent's commission expired July 1, 1939.

Darwin Clinton Moore to be postmaster at Durand, Mich., in place of D. C. Moore. Incumbent's commission expired August 26, 1939.

Jennie R. Bingham to be postmaster at Farwell, Mich., in place of J. R. Bingham. Incumbent's commission expired August 26, 1939.

Harry T. McKerring to be postmaster at Flushing, Mich., in place of H. T. McKerring. Incumbent's commission expired April 26, 1939.

Ernest Halfman to be postmaster at Fowler, Mich., in place of R. J. Halfman, deceased.

James McDonnell to be postmaster at Grayling, Mich., in place of James McDonnell. Incumbent's commission expired July 3, 1939.

Daniel A. Holland to be postmaster at Hancock, Mich., in place of D. A. Holland. Incumbent's commission expired July 17, 1939.

Henning R. Sjolander to be postmaster at Ishpeming, Mich., in place of H. R. Sjolander. Incumbent's commission expired March 15, 1939.

Marie L. Yaroch to be postmaster at Kinde, Mich., in place of M. L. Yaroch. Incumbent's commission expired June 17, 1939.

Geraldine M. O'Hearn to be postmaster at Marne, Mich., in place of G. M. O'Hearn. Incumbent's commission expired July 17, 1939.

Elizabeth M. Lynch to be postmaster at Mayville, Mich., in place of E. M. Lynch. Incumbent's commission expired April 26, 1939.

Charles Davidson to be postmaster at Memphis, Mich., in place of Charles Davidson. Incumbent's commission expired August 26, 1939.

Joseph Villemure to be postmaster at Newberry, Mich., in place of Joseph Villemure. Incumbent's commission expired August 26, 1939.

Fred E. Van Atta to be postmaster at Northville, Mich., in place of F. E. Van Atta. Incumbent's commission expired June 17, 1939.

Bert A. Onsted to be postmaster at Onsted, Mich., in place of B. A. Onstead. Incumbent's commission expired July 26, 1939.

Joseph L. Dobbek to be postmaster at Ontonagon, Mich., in place of J. L. Dobbek. Incumbent's commission expired August 12, 1939.

Francis E. Maloney to be postmaster at Osseo, Mich., in place of F. E. Maloney. Incumbent's commission expired August 27, 1939.

Frank L. Brighenti to be postmaster at Ramsay, Mich., in place of F. L. Brighenti. Incumbent's commission expired July 1, 1939.

Frank D. Kruger to be postmaster at Ravenna, Mich., in place of F. D. Kruger. Incumbent's commission expired July 17, 1939.

John L. Lucas to be postmaster at Romeo, Mich., in place of J. L. Lucas. Incumbent's commission expired August 27, 1939.

Edmund L. Ashworth to be postmaster at Shepherd, Mich., in place of E. L. Ashworth. Incumbent's commission expired August 26, 1939.

William A. Hammond to be postmaster at Spring Lake, Mich., in place of J. E. Whitcomb. Incumbent's commission expired April 26, 1939.

Anthony M. Rokose to be postmaster at Standish, Mich., in place of C. E. Weaver, resigned.

Spencer E. Pinckney to be postmaster at Stockbridge, Mich., in place of S. E. Pinckney. Incumbent's commission expired August 26, 1939.

Albert M. Lewis to be postmaster at Swartz Creek, Mich., in place of A. M. Lewis. Incumbent's commission expired April 26, 1939.

Franklin A. Kolb to be postmaster at Unionville, Mich., in place of F. A. Kolb. Incumbent's commission expired August 26, 1939.

Edwin J. Simpson to be postmaster at Walkerville, Mich., in place of C. H. Norton, resigned.

Norman J. Halmich to be postmaster at Warren, Mich., in place of N. J. Halmich. Incumbent's commission expired August 26, 1939.

Julia C. Haynor to be postmaster at Wheeler, Mich., in place of F. G. Street. Incumbent's commission expired April 26, 1939.

MINNESOTA

John L. Anderson to be postmaster at Ada, Minn., in place of W. C. Lee, deceased.

Alphonsus G. Krebsbach to be postmaster at Adams, Minn., in place of J. A. Heimer, removed.

Harry S. Heasley to be postmaster at Annandale, Minn., in place of T. H. Brandon, removed.

Clifford A. Hedquist to be postmaster at Argyle, Minn., in place of C. A. Hedquist. Incumbent's commission expired May 29, 1939.

Alfred Gilbertson to be postmaster at Audubon, Minn., in place of Alfred Gilbertson. Incumbent's commission expired July 27, 1939.

Joseph L. Zimmerman to be postmaster at Aurora, Minn., in place of J. L. Zimmerman. Incumbent's commission expired March 27, 1939.

Roman A. Schmid to be postmaster at Avon, Minn., in place of Colette Wedl. Incumbent's commission expired August 1, 1939.

Mayme E. Alden to be postmaster at Bertha, Minn., in place of N. E. Lewis. Incumbent's commission expired March 12, 1939.

Alvah G. Swindlehurst to be postmaster at Cass Lake, Minn., in place of A. G. Swindlehurst. Incumbent's commission expired March 27, 1939.

John K. Sloan to be postmaster at Coleraine, Minn., in place of J. K. Sloan. Incumbent's commission expired March 12, 1939.

Bernhard Levins to be postmaster at Crookston, Minn., in place of Bernhard Levins. Incumbent's commission expired July 31, 1939.

Helen I. Gervais to be postmaster at Currie, Minn., in place of H. I. Gervais. Incumbent's commission expired March 12, 1939.

Dennis E. Murphy to be postmaster at Dassel, Minn., in place of D. E. Murphy. Incumbent's commission expired March 27, 1939.

John B. Neugebauer to be postmaster at Ellendale, Minn., in place of J. B. Neugebauer. Incumbent's commission expired August 26, 1939.

Ernest O. Howe to be postmaster at Erskine, Minn., in place of G. D. Aakhus. Incumbent's commission expired March 27, 1939.

Frank J. Mason to be postmaster at Excelsior, Minn., in place of F. J. Mason. Incumbent's commission expired July 27, 1939.

Henry J. Widenhoefer to be postmaster at Fisher, Minn., in place of H. J. Widenhoefer. Incumbent's commission expired March 12, 1939.

Ferdie A. Brown to be postmaster at Grygla, Minn., in place of F. A. Brown. Incumbent's commission expired May 29, 1939.

Florence D. Markham to be postmaster at Hopkins, Minn., in place of F. D. Markham. Incumbent's commission expired March 12, 1939.

Harry W. Simpson to be postmaster at Jasper, Minn., in place of H. W. Simpson. Incumbent's commission expired March 12, 1939.

Allan B. Roth to be postmaster at Kasson, Minn., in place of A. B. Roth. Incumbent's commission expired July 27, 1939.

C. Violet Thyren to be postmaster at Kelliher, Minn., in place of C. V. Thyren. Incumbent's commission expired May 29, 1939.

Ora M. Goodfellow to be postmaster at Kenyon, Minn., in place of O. M. Goodfellow. Incumbent's commission expired May 23, 1939.

Hazel W. Brown to be postmaster at La Crescent, Minn., in place of H. W. Brown. Incumbent's commission expired August 1, 1939.

Alvin E. Comstock to be postmaster at Lakefield, Minn., in place of A. E. Comstock. Incumbent's commission expired May 1, 1939.

William C. Ackerman to be postmaster at Lakeville, Minn., in place of W. C. Ackerman. Incumbent's commission expired August 1, 1939.

Aileen R. Ellefson to be postmaster at Lancaster, Minn., in place of A. R. Ellefson. Incumbent's commission expired July 16, 1939.

Herman Olberding to be postmaster at Lismore, Minn., in place of Herman Olberding. Incumbent's commission expired May 29, 1939.

Theodore J. Roemer to be postmaster at Madison Lake, Minn., in place of T. J. Roemer. Incumbent's commission expired July 27, 1939.

Hazel M. Stull to be postmaster at Mazeppa, Minn., in place of H. M. Stull. Incumbent's commission expired July 11, 1939.

Gerald F. Wrucke to be postmaster at Minnesota Lake, Minn., in place of G. F. Wrucke. Incumbent's commission expired May 1, 1939.

Patrick J. Malone to be postmaster at Montgomery, Minn., in place of P. J. Malone. Incumbent's commission expired May 29, 1939.

Jessie B. Reynolds to be postmaster at Motley, Minn., in place of J. B. Reynolds. Incumbent's commission expired May 1, 1939.

Otto E. Schaub to be postmaster at New Brighton, Minn. Office became Presidential July 1, 1938.

Clarence H. Cook to be postmaster at Newfolden, Minn., in place of C. H. Cook. Incumbent's commission expired March 27, 1939.

Conrad B. Diekman to be postmaster at Ogema, Minn., in place of C. B. Diekman. Incumbent's commission expired August 1, 1939.

George W. Gresty to be postmaster at Osakis, Minn., in place of G. W. Gresty. Incumbent's commission expired August 26, 1939.

Lloyd C. Waag to be postmaster at Roseau, Minn., in place of L. C. Waag. Incumbent's commission expired July 27, 1939.

Edwin G. Doyle to be postmaster at Rosemount, Minn., in place of E. G. Doyle. Incumbent's commission expired May 29, 1939.

Virginia B. Flentje to be postmaster at Round Lake, Minn., in place of V. B. Flentje. Incumbent's commission expired March 27, 1939.

John A. Henry to be postmaster at St. Cloud, Minn., in place of J. A. Henry. Incumbent's commission expired March 12, 1939.

Michael W. O'Boyle to be postmaster at St. Paul Park, Minn., in place of Ruth Stevens. Incumbent's commission expired March 6, 1938.

Henry C. Megrund to be postmaster at Shelly, Minn., in place of H. C. Megrund. Incumbent's commission expired March 27, 1939.

John W. Lowe to be postmaster at Slayton, Minn., in place of J. W. Lowe. Incumbent's commission expired August 26, 1939.

Roy Viall to be postmaster at Spring Valley, Minn., in place of Roy Viall. Incumbent's commission expired July 11, 1939.

MISSISSIPPI

Annie S. Langston to be postmaster at Clinton, Miss., in place of A. S. Langston. Incumbent's commission expired August 15, 1939.

George H. Fleming to be postmaster at Crandall, Miss., in place of C. L. Fleming, resigned.

Cleo S. Parker to be postmaster at Cruger, Miss., in place of C. S. Parker. Incumbent's commission expired August 27, 1939.

Josie P. Bullock to be postmaster at Drew, Miss., in place of J. J. Bullock. Incumbent's commission expired August 15, 1939.

Jesse E. Patridge to be postmaster at Duck Hill, Miss., in place of J. E. Patridge. Incumbent's commission expired May 2, 1939.

Joseph Davenport to be postmaster at Port Gibson, Miss., in place of Joseph Davenport. Incumbent's commission expired July 26, 1939.

Vivian Bass to be postmaster at Hazlehurst, Miss., in place of Vivian Bass. Incumbent's commission expired July 26, 1939.

Boyd D. McMillin to be postmaster at Louisville, Miss., in place of B. D. McMillin. Incumbent's commission expired July 18, 1939.

Ethel B. Young to be postmaster at Nettleton, Miss., in place of Ethel Young. Incumbent's commission expired July 18, 1939.

Blanche M. Gallaspy to be postmaster at Pelahatchee, Miss., in place of B. M. Gallaspy. Incumbent's commission expired February 15, 1939.

Thomas R. Pearson to be postmaster at Picayune, Miss., in place of T. R. Pearson. Incumbent's commission expired February 15, 1939.

Mary G. Flowers to be postmaster at Roxie, Miss., in place of M. G. Flowers. Incumbent's commission expired July 18, 1939.

Grace M. Williams to be postmaster at Silver Creek, Miss., in place of G. M. Williams. Incumbent's commission expired May 29, 1939.

Julian E. Morgan to be postmaster at Vardaman, Miss., in place of C. D. Hawkins. Incumbent's commission expired July 18, 1939.

MISSOURI

Francis T. McClure to be postmaster at Alma, Mo., in place of F. T. McClure. Incumbent's commission expired August 27, 1939.

Ethel Maurine Elliff to be postmaster at Anderson, Mo., in place of E. M. Elliff. Incumbent's commission expired May 17, 1939.

William H. Ward to be postmaster at Bonne Terre, Mo., in place of W. H. Ward. Incumbent's commission expired May 9, 1939.

Joe C. Alexander to be postmaster at Branson, Mo., in place of J. C. Alexander. Incumbent's commission expired June 18, 1938.

Fred R. Morrow to be postmaster at Buffalo, Mo., in place of F. R. Morrow. Incumbent's commission expired February 20, 1939.

Robert D. Allen to be postmaster at Butler, Mo., in place of R. D. Holland. Incumbent's commission expired June 18, 1938.

Emmett O. Griffin to be postmaster at Cartersville, Mo., in place of E. O. Griffin. Incumbent's commission expired March 23, 1939.

Gladys I. Smith to be postmaster at Cassville, Mo., in place of G. I. Smith. Incumbent's commission expired June 18, 1938.

George K. Spalding to be postmaster at Chesterfield, Mo., in place of G. K. Spalding. Incumbent's commission expired February 20, 1939.

John E. Moore to be postmaster at Clinton, Mo., in place of J. E. Moore. Incumbent's commission expired August 27, 1939.

Vernon D. Washington to be postmaster at Eldorado Springs, Mo., in place of V. D. Washington. Incumbent's commission expired February 20, 1939.

George T. Barker to be postmaster at Everton, Mo., in place of G. T. Barker. Incumbent's commission expired June 18, 1938.

Thomas A. McQuary to be postmaster at Galena, Mo., in place of T. A. McQuary. Incumbent's commission expired June 26, 1939.

William B. Nivert to be postmaster at Glasgow, Mo., in place of W. B. Nivert. Incumbent's commission expired August 21, 1939.

Zadok C. Miller to be postmaster at Greentop, Mo. Office became Presidential July 1, 1938.

William L. Klein to be postmaster at Harris, Mo., in place of W. L. Klein. Incumbent's commission expired August 27, 1939.

Orion J. L. Brookhart to be postmaster at Harrisonville, Mo., in place of O. J. L. Brookhart. Incumbent's commission expired August 27, 1939.

Melissa M. Wilson to be postmaster at Hartville, Mo., in place of M. M. Wilson. Incumbent's commission expired May 9, 1939.

Buren Napper to be postmaster at Holcomb, Mo., in place of Buren Napper. Incumbent's commission expired July 1, 1939.

Eugene H. Randol to be postmaster at Kennett, Mo., in place of E. H. Randol. Incumbent's commission expired August 21, 1939.

William R. Doss to be postmaster at Kimmswick, Mo., in place of W. R. Doss. Incumbent's commission expired June 25, 1939.

Mary L. Castleberry to be postmaster at Lilbourn, Mo., in place of W. O. Vinson, removed.

John E. Craig to be postmaster at Mansfield, Mo., in place of J. E. Craig. Incumbent's commission expired February 20, 1939.

Myrtle Rauls to be postmaster at Marquand, Mo., in place of Myrtle Rauls. Incumbent's commission expired July 1, 1939.

William T. McMahan to be postmaster at Marshfield, Mo., in place of W. T. McMahan. Incumbent's commission expired May 9, 1939.

Walter E. Evans to be postmaster at Meadville, Mo., in place of W. E. Evans. Incumbent's commission expired August 27, 1939.

Maurice D. Cole to be postmaster at Montrose, Mo., in place of M. D. Cole. Incumbent's commission expired August 27, 1939.

Emma Beardslee to be postmaster at Morley, Mo., in place of C. A. Stallings, deceased.

Tom C. Short to be postmaster at Mountain Grove, Mo., in place of T. C. Short. Incumbent's commission expired April 2, 1939.

James Boulton Settle to be postmaster at New Franklin, Mo., in place of J. B. Settle. Incumbent's commission expired August 7, 1939.

Sadie E. Burnett to be postmaster at Norwood, Mo., in place of S. E. Burnett. Incumbent's commission expired March 19, 1939.

Elmer E. Gentemann to be postmaster at O'Fallon, Mo., in place of H. E. Rothe. Incumbent's commission expired August 2, 1939.

Joseph Wiley Stivers to be postmaster at Piedmont, Mo., in place of G. W. Stivers, deceased.

Leta D. Smith to be postmaster at Pineville, Mo., in place of L. D. Smith. Incumbent's commission expired August 2, 1939.

William H. Bust to be postmaster at Potosi, Mo., in place of W. H. Bust. Incumbent's commission expired May 17, 1939.

Forest C. Muir to be postmaster at Raytown, Mo., in place of F. C. Muir. Incumbent's commission expired August 27, 1939.

Oren Simpson to be postmaster at Richland, Mo., in place of Oren Simpson. Incumbent's commission expired June 5, 1939.

Anna B. Wood to be postmaster at Rosendale, Mo., in place of A. B. Wood. Incumbent's commission expired July 1, 1939.

Zelma S. Northcutt to be postmaster at Seligman, Mo., in place of T. B. Northcutt, deceased.

Merl L. Gamble to be postmaster at Sheldon, Mo., in place of M. L. Gamble. Incumbent's commission expired August 27, 1939.

Abe Paul to be postmaster at South West City, Mo., in place of Abe Paul. Incumbent's commission expired March 19, 1939.

Clyde W. Greenwade to be postmaster at Springfield, Mo., in place of C. W. Greenwade. Incumbent's commission expired August 26, 1939.

Walter E. Burris to be postmaster at Urbana, Mo., in place of M. T. Clymore, transferred.

Jessie B. Smith to be postmaster at Walnut Grove, Mo., in place of J. B. Smith. Incumbent's commission expired August 27, 1939.

MONTANA

Joseph W. Campbell to be postmaster at Absarokee, Mont., in place of J. W. Campbell. Incumbent's commission expired July 30, 1939.

Mearl L. Fagg to be postmaster at Billings, Mont., in place of M. L. Fagg. Incumbent's commission expired July 19, 1939.

Clarence W. Hektner to be postmaster at Dutton, Mont., in place of C. W. Hektner. Incumbent's commission expired March 20, 1939.

Clarence A. Smithey to be postmaster at Hamilton, Mont., in place of C. A. Smithey. Incumbent's commission expired June 4, 1939.

William T. Shaw, Jr., to be postmaster at Lodge Grass, Mont., in place of J. E. Sharp, deceased.

Frank L. Jimerson to be postmaster at Nashua, Mont., in place of H. M. Peterson, resigned.

Mary E. Matthews to be postmaster at Oilmont, Mont., in place of M. E. Matthews. Incumbent's commission expired July 19, 1939.

Sophia J. Guthrie to be postmaster at Reedpoint, Mont., in place of S. J. Guthrie. Incumbent's commission expired July 1, 1939.

Margaret Huppe to be postmaster at Roundup, Mont., in place of Margaret Huppe. Incumbent's commission expired July 30, 1939.

Alice E. Hansen to be postmaster at West Yellowstone, Mont., in place of A. E. Hansen. Incumbent's commission expired August 27, 1939.

Hiram B. Cloud to be postmaster at Wolf Point, Mont., in place of H. B. Cloud. Incumbent's commission expired June 18, 1939.

NEBRASKA

Melvin A. Brinegar to be postmaster at Alexandria, Nebr., in place of M. A. Brinegar. Incumbent's commission expired August 26, 1939.

Francis J. Brennan to be postmaster at Alliance, Nebr., in place of F. J. Brennan. Incumbent's commission expired May 16, 1939.

Alberta L. Walkinton to be postmaster at Bartley, Nebr., in place of Alberta Walkington. Incumbent's commission expired August 27, 1939.

William J. McCorkindale to be postmaster at Bellevue, Nebr., in place of W. J. McCorkindale. Incumbent's commission expired July 1, 1939.

George D. Carroll to be postmaster at Brady, Nebr., in place of G. D. Carroll. Incumbent's commission expired August 27, 1939.

William Fred Hund to be postmaster at Cedar Bluffs, Nebr., in place of W. F. Hund. Incumbent's commission expired August 27, 1939.

Albert Bernard Hassmann to be postmaster at Coleridge, Nebr., in place of A. B. Hassmann. Incumbent's commission expired August 27, 1939.

Fred Ferguson to be postmaster at Deshler, Nebr., in place of Fred Ferguson. Incumbent's commission expired August 16, 1939.

Augusta Z. Bowen to be postmaster at Dunning, Nebr., in place of M. F. Swift, resigned.

Margaret E. Patterson to be postmaster at Gretna, Nebr., in place of M. E. Patterson. Incumbent's commission expired August 26, 1939.

Tom D. Morris to be postmaster at Holdrege, Nebr., in place of H. H. Ellis, resigned.

Ben D. A. Quigley to be postmaster at Indianola, Nebr., in place of B. D. A. Quigley. Incumbent's commission expired August 16, 1939.

George D. Parker to be postmaster at Johnson, Nebr., in place of G. D. Parker. Incumbent's commission expired March 21, 1939.

George L. O'Gara to be postmaster at Laurel, Nebr., in place of G. L. O'Gara. Incumbent's commission expired August 27, 1939.

Frank E. Faling to be postmaster at Maywood, Nebr., in place of F. E. Faling. Incumbent's commission expired August 27, 1939.

Rose T. Fleming to be postmaster at Monroe, Nebr., in place of R. T. Fleming. Incumbent's commission expired July 22, 1939.

Kenneth A. Scofield to be postmaster at Neligh, Nebr., in place of K. A. Scofield. Incumbent's commission expired June 28, 1939.

Albert H. Bahe to be postmaster at Ohiowa, Nebr., in place of A. H. Bahe. Incumbent's commission expired June 18, 1939.

Ben G. Worthing to be postmaster at Overton, Nebr., in place of B. G. Worthing. Incumbent's commission expired June 18, 1939.

Archer E. Ovenden to be postmaster at Pawnee City, Nebr., in place of A. E. Ovenden. Incumbent's commission expired July 24, 1939.

Irene H. Roberts to be postmaster at Paxton, Nebr., in place of I. H. Roberts. Incumbent's commission expired July 10, 1939.

Bruce P. Boyd to be postmaster at Pierce, Nebr., in place of B. P. Boyd. Incumbent's commission expired August 27, 1939.

Adolf E. Kaspar to be postmaster at Prague, Nebr., in place of A. E. Kaspar. Incumbent's commission expired July 1, 1939.

Mary B. Kanaly to be postmaster at Rulo, Nebr., in place of M. B. Kanaly. Incumbent's commission expired July 1, 1939.

Earl W. Isgrig to be postmaster at Tekamah, Nebr., in place of E. W. Isgrig. Incumbent's commission expired August 27, 1939.

Mary E. Corkle to be postmaster at Tilden, Nebr., in place of M. E. Corkle. Incumbent's commission expired August 27, 1939.

William M. Gross to be postmaster at Wisner, Nebr., in place of W. M. Gross. Incumbent's commission expired August 27, 1939.

NEVADA

Mary C. McNamara to be postmaster at Elko, Nev., in place of M. C. McNamara. Incumbent's commission expired May 28, 1938.

Alfred Tambllyn to be postmaster at Ely, Nev., in place of Alfred Tambllyn. Incumbent's commission expired June 18, 1939.

John J. Noone to be postmaster at Goldfield, Nev., in place of J. J. Noone. Incumbent's commission expired August 9, 1939.

Margaret F. Rackliffe to be postmaster at Mina, Nev., in place of M. F. Rackliffe. Incumbent's commission expired August 9, 1939.

NEW HAMPSHIRE

Harleigh C. Brown to be postmaster at Belmont, N. H., in place of H. C. Brown. Incumbent's commission expired August 22, 1939.

Clayton F. Bamford to be postmaster at Center Ossipee, N. H., in place of C. F. Bamford. Incumbent's commission expired August 27, 1939.

Lester N. Plummer to be postmaster at Enfield, N. H., in place of L. N. Plummer. Incumbent's commission expired August 27, 1939.

Sidney F. Downing to be postmaster at Lincoln, N. H., in place of S. F. Downing. Incumbent's commission expired August 15, 1939.

Julia L. Mayo to be postmaster at Lyme, N. H., in place of J. L. Mayo. Incumbent's commission expired July 9, 1939.

John J. Kirby to be postmaster at Milford, N. H., in place of J. J. Kirby. Incumbent's commission expired June 18, 1939.

Glea L. Rand to be postmaster at Plymouth, N. H., in place of G. L. Rand. Incumbent's commission expired July 19, 1939.

NEW JERSEY

George E. Fox to be postmaster at Avenel, N. J., in place of G. E. Fox. Incumbent's commission expired August 26, 1939.

Hattie C. Dixon to be postmaster at Bellemead, N. J., in place of H. C. Dixon. Incumbent's commission expired June 6, 1939.

Frank J. Baker to be postmaster at Carlton Hill, N. J., in place of F. J. Baker. Incumbent's commission expired April 2, 1939.

Emma Metze to be postmaster at Cliffwood, N. J. Office became Presidential July 1, 1938.

Anna B. Craft to be postmaster at Columbus, N. J., in place of A. B. Craft. Incumbent's commission expired August 27, 1939.

Remsen Howard to be postmaster at Gladstone, N. J., in place of Remsen Howard. Incumbent's commission expired August 21, 1939.

Nellie Potter to be postmaster at Glen Gardner, N. J., in place of Nellie Potter. Incumbent's commission expired August 26, 1939.

John J. Dwyer to be postmaster at Grasselli, N. J., in place of J. V. Anders, removed.

Katherine A. Butler to be postmaster at Hampton, N. J., in place of K. A. Butler. Incumbent's commission expired August 26, 1939.

Leo A. Degnan to be postmaster at High Bridge, N. J., in place of V. P. Meade, removed.

John Schuemann, Jr., to be postmaster at Hoboken, N. J., in place of John Schuemann, Jr. Incumbent's commission expired July 18, 1939.

Elizabeth Novak to be postmaster at Keasbey, N. J., in place of Elizabeth Novak. Incumbent's commission expired June 6, 1939.

William R. Creasy to be postmaster at Lebanon, N. J., in place of Carl Shuts, deceased.

Lydia R. Masterson to be postmaster to Minotola, N. J., in place of L. R. Masterson. Incumbent's commission expired August 26, 1939.

Eugene Rambone to be postmaster at Newfield, N. J., in place of Eugene Rambone. Incumbent's commission expired June 6, 1939.

Gunther William Eggers to be postmaster at New Milford, N. J., in place of James Entwistle, Sr., removed.

Charles Ippolito to be postmaster at Orange, N. J., in place of Charles Ippolito. Incumbent's commission expired August 26, 1939.

Thomas L. Kelley to be postmaster at Paterson, N. J., in place of T. L. Kelley. Incumbent's commission expired July 18, 1939.

William H. Armstrong, Jr., to be postmaster at Plainfield, N. J., in place of E. H. Goodwin, removed.

Michael T. O'Brien to be postmaster at Pleasantville, N. J., in place of M. T. O'Brien. Incumbent's commission expired August 26, 1939.

Leander P. Eichorn to be postmaster at Ramsey, N. J., in place of L. P. Eichorn. Incumbent's commission expired August 26, 1939.

Thomas Francis Cummings to be postmaster at Seaside Heights, N. J., in place of J. G. Endres. Incumbent's commission expired May 29, 1934.

Margaret J. Lippincott to be postmaster at Seaside Park, N. J., in place of M. J. Lippincott. Incumbent's commission expired June 6, 1939.

John B. Geary, Jr., to be postmaster at South Plainfield, N. J., in place of J. B. Geary, Jr. Incumbent's commission expired August 26, 1939.

Andrew D. Wilson to be postmaster at Stockton, N. J., in place of A. D. Wilson. Incumbent's commission expired June 7, 1938.

Daniel J. Fitzpatrick to be postmaster at Summit, N. J., in place of D. J. Fitzpatrick. Incumbent's commission expired August 26, 1939.

Arthur M. Kimble to be postmaster at Sussex, N. J., in place of A. M. Kimble. Incumbent's commission expired July 26, 1939.

Elizabeth R. Callahan to be postmaster at Swedesboro, N. J., in place of F. T. Callahan, resigned.

Irwin D. Harris to be postmaster at Union, N. J., in place of I. D. Harris. Incumbent's commission expired December 13, 1932.

Frank A. Robertson to be postmaster at Washington, N. J., in place of F. A. Robertson. Incumbent's commission expired August 27, 1939.

Nora Loughman to be postmaster at Wortendyke, N. J., in place of Nora Loughman. Incumbent's commission expired August 26, 1939.

NEW MEXICO

Frances I. Burch to be postmaster at Alamogordo, N. Mex., in place of F. I. Burch. Incumbent's commission expired May 29, 1939.

James G. Lanier to be postmaster at Aztec, N. Mex., in place of J. G. Lanier. Incumbent's commission expired August 15, 1939.

Paul Nesbitt to be postmaster at Chama, N. Mex., in place of Paul Nesbitt. Incumbent's commission expired April 23, 1939.

Wisdom E. Bilbrey to be postmaster at Fort Bayard, N. Mex., in place of W. E. Brillbrey. Incumbent's commission expired August 15, 1939.

Katherine L. Hall to be postmaster at Hatch, N. Mex., in place of Katherine Hall. Incumbent's commission expired August 15, 1939.

Oliver Jackson Hull to be postmaster at Ruidoso, N. Mex. Office became Presidential July 1, 1938.

Luis A. Trujillo to be postmaster at Taos, N. Mex., in place of F. D. Valdes, resigned.

Higinio M. Vigil to be postmaster at Wagon Mound, N. Mex., in place of H. M. Vigil. Incumbent's commission expired May 29, 1939.

NEW YORK

Andrew D. Peloubet to be postmaster at Athens, N. Y., in place of A. D. Peloubet. Incumbent's commission expired July 24, 1939.

Edward J. Morley to be postmaster at Ballston Spa, N. Y., in place of J. J. O'Brien, resigned.

Arthur J. Gormley to be postmaster at Belfast, N. Y., in place of A. J. Gormley. Incumbent's commission expired August 21, 1939.

Frank M. Hughes to be postmaster at Bolivar, N. Y., in place of M. C. Dellone, removed.

Anna R. Cronin to be postmaster at Brant Lake, N. Y., in place of A. R. Cronin. Incumbent's commission expired July 12, 1939.

Seth B. Howes to be postmaster at Brewster, N. Y., in place of S. B. Howes. Incumbent's commission expired June 25, 1939.

Theodore Thomas Smith to be postmaster at Camden, N. Y., in place of T. T. Smith. Incumbent's commission expired July 24, 1939.

Grace L. Sullivan to be postmaster at Canton, N. Y., in place of G. L. Sullivan. Incumbent's commission expired August 15, 1939.

John J. Diffily to be postmaster at Chester, N. Y., in place of J. J. Diffily, Jr. Incumbent's commission expired August 21, 1939.

Katharine G. Bement to be postmaster at Clifton Springs, N. Y., in place of K. G. Bement. Incumbent's commission expired June 25, 1939.

William J. Rokos to be postmaster at Congers, N. Y., in place of W. J. Rokos. Incumbent's commission expired August 21, 1939.

Ellen Longpre to be postmaster at Copiague, N. Y., in place of Ellen Longpre. Incumbent's commission expired July 24, 1939.

Harrie J. Millsbaugh to be postmaster at Corning, N. Y., in place of H. J. Millsbaugh. Incumbent's commission expired July 24, 1939.

Leo A. Fanning to be postmaster at Cornwall on the Hudson, N. Y., in place of L. A. Fanning. Incumbent's commission expired August 21, 1939.

Jacob Tolosky to be postmaster at Dannemora, N. Y., in place of Jacob Tolosky. Incumbent's commission expired August 2, 1939.

James E. Dailey to be postmaster at Deposit, N. Y., in place of J. E. Dailey. Incumbent's commission expired February 12, 1939.

Frank J. Talbot to be postmaster at Farmingdale, N. Y., in place of F. J. Talbot. Incumbent's commission expired January 22, 1939.

LeRoy K. Kurlbaum to be postmaster at Fonda, N. Y., in place of L. K. Kurlbaum. Incumbent's commission expired August 21, 1939.

Fred T. Frisby to be postmaster at Franklin Square, N. Y., in place of F. T. Frisby. Incumbent's commission expired July 2, 1939.

Ida J. Posten to be postmaster at Greenwood Lake, N. Y., in place of I. J. Posten. Incumbent's commission expired April 6, 1939.

H. Greeley Howland to be postmaster at Hamden, N. Y. Office became Presidential July 1, 1938.

William G. Mollitor to be postmaster at Hicksville, N. Y., in place of W. G. Mollitor. Incumbent's commission expired January 28, 1939.

James A. Wigg to be postmaster at Hyde Park, N. Y., in place of J. A. Wigg. Incumbent's commission expired August 8, 1939.

Clifton R. Ericsson to be postmaster at Kennedy, N. Y., in place of C. R. Ericsson. Incumbent's commission expired June 25, 1939.

Frank J. Ball to be postmaster at Lancaster, N. Y., in place of F. J. Ball. Incumbent's commission expired July 9, 1939.

Wesley Terry Howland to be postmaster at Leonardsville, N. Y., in place of W. T. Howland. Incumbent's commission expired July 18, 1939.

Edward J. Murtaugh to be postmaster at Lockport, N. Y., in place of D. W. Daly, deceased.

Sylvia F. Kenney to be postmaster at Long Eddy, N. Y., in place of S. F. Kenney. Incumbent's commission expired July 24, 1939.

Paul F. Plante to be postmaster at Mooers, N. Y., in place of C. E. Pratt, removed.

Lee H. Starr to be postmaster at Morris, N. Y., in place of L. H. Starr. Incumbent's commission expired August 2, 1939.

Francis T. Callan to be postmaster at Mumford, N. Y. Office became Presidential July 1, 1938.

William H. Miller to be postmaster at Narrowsburg, N. Y., in place of G. W. Seibert, resigned.

Robert F. Talbot to be postmaster at New Berlin, N. Y., in place of R. F. Talbot. Incumbent's commission expired August 21, 1939.

Jay Zimmerman to be postmaster at New Paltz, N. Y., in place of Daniel Shaw, resigned.

Jay W. Lee to be postmaster at New Woodstock, N. Y., in place of J. W. Lee. Incumbent's commission expired August 21, 1939.

John V. Collard to be postmaster at North Collins, N. Y., in place of J. V. Collard. Incumbent's commission expired July 18, 1939.

George R. Hunter to be postmaster at Pine Plains, N. Y., in place of G. R. Hunter. Incumbent's commission expired June 25, 1939.

Anne R. Cardona to be postmaster at Rocky Point, N. Y., in place of A. R. Cardona. Incumbent's commission expired August 21, 1939.

George L. O'Marra to be postmaster at Romulus, N. Y., in place of G. L. O'Marra. Incumbent's commission expired August 2, 1939.

Catherine L. O'Leary to be postmaster at Roslyn Heights, N. Y., in place of C. L. O'Leary. Incumbent's commission expired August 21, 1939.

Archibald O. Abeel to be postmaster at Round Lake, N. Y., in place of A. O. Abeel. Incumbent's commission expired July 2, 1939.

Virginia L. Parish to be postmaster at Sackets Harbor, N. Y., in place of V. L. Parish. Incumbent's commission expired March 23, 1939.

Margaret A. Dowd to be postmaster at Salamanca, N. Y., in place of M. A. Dowd. Incumbent's commission expired July 18, 1939.

Leo B. Bennett to be postmaster at Schenevus, N. Y., in place of L. B. Bennett. Incumbent's commission expired August 2, 1939.

Perry E. Taylor to be postmaster at Schoharie, N. Y., in place of P. E. Taylor. Incumbent's commission expired January 22, 1939.

Augustus D. Seeber to be postmaster at South Dayton, N. Y., in place of A. D. Seeber. Incumbent's commission expired August 21, 1939.

Bernard Keiles to be postmaster at South Fallsburg, N. Y., in place of E. I. Glickman, resigned.

Lewis S. Filkins to be postmaster at Staatsburg, N. Y., in place of L. S. Filkins. Incumbent's commission expired January 22, 1939.

John Newton Post to be postmaster at Stanfordville, N. Y., in place of J. N. Post. Incumbent's commission expired August 21, 1939.

Thomas F. Cunningham to be postmaster at Ticonderoga, N. Y., in place of T. F. Cunningham. Incumbent's commission expired August 27, 1939.

Robert B. Casey to be postmaster at Washingtonville, N. Y., in place of H. F. Maher, resigned.

Gail B. Liner to be postmaster at Wassaic, N. Y., in place of G. B. Liner. Incumbent's commission expired August 21, 1939.

Charles O'Connor to be postmaster at Westbury, N. Y., in place of Charles O'Connor. Incumbent's commission expired February 28, 1939.

Clifford J. Fleckenstein to be postmaster at West Valley, N. Y., in place of C. J. Fleckenstein. Incumbent's commission expired July 9, 1939.

George W. Probasco to be postmaster at Whitesville, N. Y., in place of G. W. Probasco. Incumbent's commission expired August 21, 1939.

Edward B. Buckley to be postmaster at Willard, N. Y., in place of E. B. Buckley. Incumbent's commission expired August 27, 1939.

NORTH CAROLINA

Wiley H. Taylor to be postmaster at Beaufort, N. C., in place of W. H. Taylor. Incumbent's commission expired March 19, 1939.

Clendenon D. Mallonee to be postmaster at Candler, N. C., in place of C. D. Mallonee. Incumbent's commission expired July 27, 1939.

Paul A. Williams to be postmaster at Clayton, N. C., in place of P. A. Williams. Incumbent's commission expired January 16, 1939.

James O. Purnell to be postmaster at Franklinton, N. C., in place of J. O. Purnell. Incumbent's commission expired June 5, 1939.

Claude M. Peeler to be postmaster at Granite Quarry, N. C. Office became Presidential July 1, 1937.

Benjamin H. Mintz to be postmaster at Marble, N. C. Office became Presidential July 1, 1938.

James A. Barnes to be postmaster at Middlesex, N. C., in place of J. A. Barnes. Incumbent's commission expired July 1, 1939.

Frances G. Thompson to be postmaster at Morven, N. C., in place of F. G. Thompson. Incumbent's commission expired July 1, 1939.

Margaret T. Ledbetter to be postmaster at Polkton, N. C., in place of M. T. Ledbetter. Incumbent's commission expired July 1, 1939.

Annie L. Scott to be postmaster at Sanford, N. C., in place of A. L. Scott. Incumbent's commission expired August 16, 1939.

Orlando H. Hodges to be postmaster at Spray, N. C., in place of O. H. Hodges. Incumbent's commission expired August 27, 1939.

Fred M. Mills to be postmaster at Wadesboro, N. C., in place of F. M. Mills. Incumbent's commission expired March 28, 1939.

Eugene J. Johnson to be postmaster at Wallace, N. C., in place of E. J. Johnson. Incumbent's commission expired July 18, 1939.

NORTH DAKOTA

Charles E. Fleck to be postmaster at Arnegard, N. Dak., in place of C. E. Fleck. Incumbent's commission expired July 30, 1939.

Ella M. Nevin to be postmaster at Bathgate, N. Dak., in place of E. M. Nevin. Incumbent's commission expired July 19, 1939.

John A. Knapp to be postmaster at Binford, N. Dak., in place of J. A. Knapp. Incumbent's commission expired March 23, 1939.

Anna C. Connelly to be postmaster at Brocket, N. Dak., in place of A. C. Connelly. Incumbent's commission expired August 27, 1939.

William Stewart to be postmaster at Butte, N. Dak., in place of William Stewart. Incumbent's commission expired June 18, 1939.

Dorothy L. Schultz to be postmaster at Carpio, N. Dak., in place of D. L. Schultz. Incumbent's commission expired June 18, 1939.

Mary M. Farrell to be postmaster at Casselton, N. Dak., in place of M. M. Farrell. Incumbent's commission expired August 21, 1939.

Mary S. Mueller to be postmaster at Douglas, N. Dak., in place of O. J. Haner, transferred.

Frank M. McConn to be postmaster at Fairmount, N. Dak., in place of F. M. McConn. Incumbent's commission expired June 18, 1939.

Louis F. Ellsworth to be postmaster at Forman, N. Dak., in place of R. E. Hurly. Incumbent's commission expired January 13, 1935.

Reuben A. Lehr to be postmaster at Fredonia, N. Dak., in place of R. A. Lehr. Incumbent's commission expired August 21, 1939.

Norbert T. Connery to be postmaster at Gackle, N. Dak., in place of N. T. Connery. Incumbent's commission expired August 16, 1939.

Peter V. Hermes to be postmaster at Glen Ullin, N. Dak., in place of P. V. Hermes. Incumbent's commission expired August 26, 1939.

Mary A. Leavy to be postmaster at Granville, N. Dak., in place of M. A. Leavy. Incumbent's commission expired January 22, 1939.

Leo C. Stein to be postmaster at Harvey, N. Dak., in place of L. C. Stein. Incumbent's commission expired August 26, 1939.

Francis W. Powers to be postmaster at Havana, N. Dak., in place of F. W. Powers. Incumbent's commission expired March 23, 1939.

Helen Morton to be postmaster at Manning, N. Dak. Office became Presidential July 1, 1939.

Donald B. Whiting to be postmaster at Max, N. Dak., in place of W. C. Ney, resigned.

Thomas J. Dougherty to be postmaster at Mohall, N. Dak., in place of T. J. Dougherty. Incumbent's commission expired July 17, 1939.

Walter E. Harke to be postmaster at New Leipzig, N. Dak., in place of W. E. Harke. Incumbent's commission expired June 28, 1939.

Francis A. Gallagher to be postmaster at Oakes, N. Dak., in place of F. A. Gallagher. Incumbent's commission expired May 13, 1939.

John P. Jungers to be postmaster at Regent, N. Dak., in place of J. P. Jungers. Incumbent's commission expired August 22, 1939.

Harry Jerome Mealy to be postmaster at Reynolds, N. Dak., in place of H. J. Mealy. Incumbent's commission expired August 21, 1939.

H. Harold Bugge to be postmaster at Sanish, N. Dak., in place of H. H. Bugge. Incumbent's commission expired August 26, 1939.

Mable G. Howell to be postmaster at Sheldon, N. Dak., in place of C. C. Howell, removed.

Paul Kietzke to be postmaster at Streeter, N. Dak., in place of Paul Kietzke. Incumbent's commission expired August 16, 1939.

Lena Kremer to be postmaster at Sykeston, N. Dak., in place of Lena Kremer. Incumbent's commission expired May 13, 1939.

John D. Leadon to be postmaster at Taylor, N. Dak., in place of J. D. Leadon. Incumbent's commission expired May 29, 1939.

Raymond Long to be postmaster at Upham, N. Dak., in place of Raymond Long. Incumbent's commission expired August 22, 1939.

Richard L. Hawes to be postmaster at Wahpeton, N. Dak., in place of R. L. Hawes. Incumbent's commission expired May 13, 1939.

Lester H. Knowles to be postmaster at Wing, N. Dak., in place of L. H. Knowles. Incumbent's commission expired July 2, 1939.

OHIO

Charles C. Reynolds to be postmaster at Blanchester, Ohio, in place of C. C. Reynolds. Incumbent's commission expired August 1, 1939.

Franklyn W. Thomas to be postmaster at Bowling Green, Ohio, in place of F. W. Thomas. Incumbent's commission expired July 22, 1939.

Raymond C. Ritenour to be postmaster at Cedarville, Ohio, in place of R. C. Ritenour. Incumbent's commission expired July 22, 1939.

Harry M. Walden to be postmaster at Coolville, Ohio, in place of H. M. Walden. Incumbent's commission expired August 27, 1939.

John Z. Lytle to be postmaster at Fredericksburg, Ohio, in place of J. Z. Lytle. Incumbent's commission expired June 17, 1939.

Burl A. Lauderbaugh to be postmaster at Gambier, Ohio, in place of B. A. Lauderbaugh. Incumbent's commission expired August 1, 1939.

Frank A. Loomis to be postmaster at Garrettsville, Ohio, in place of F. A. Loomis. Incumbent's commission expired August 26, 1939.

Herbert L. Gray to be postmaster at Gnadenhutten, Ohio, in place of H. L. Gray. Incumbent's commission expired August 16, 1939.

Bert L. Peer to be postmaster at Groveport, Ohio, in place of B. L. Peer. Incumbent's commission expired August 16, 1939.

Donovan T. Dickerson to be postmaster at Hopedale, Ohio, in place of D. T. Dickerson. Incumbent's commission expired July 2, 1939.

Calvin S. Prater to be postmaster at Kenton, Ohio, in place of C. S. Prater. Incumbent's commission expired June 1, 1939.

Charles Stanley Earnhart to be postmaster at Lebanon, Ohio, in place of C. S. Earnhart. Incumbent's commission expired August 27, 1939.

Frank C. Brown to be postmaster at Logan, Ohio, in place of C. W. Bowen, resigned.

Frank E. Noland to be postmaster at London, Ohio, in place of F. E. Noland. Incumbent's commission expired July 9, 1939.

William A. Cowen to be postmaster at Loudonville, Ohio, in place of W. A. Cowen. Incumbent's commission expired August 16, 1939.

Hoyt Leiter to be postmaster at Lucas, Ohio. Office became Presidential July 1, 1939.

Dell M. D. Waterman to be postmaster at Madison, Ohio, in place of D. M. D. Waterman. Incumbent's commission expired May 13, 1939.

Harry F. Mohr to be postmaster at Mechanicsburg, Ohio, in place of H. F. Mohr. Incumbent's commission expired August 27, 1939.

William Alexander to be postmaster at Miamisburg, Ohio, in place of William Alexander. Incumbent's commission expired July 9, 1939.

Lewis Edgar Clawson to be postmaster at Middle Point, Ohio, in place of L. E. Clawson. Incumbent's commission expired July 2, 1939.

Louis J. Eberle to be postmaster at Nelsonville, Ohio, in place of L. J. Eberle. Incumbent's commission expired July 9, 1939.

Katherine H. Baxter to be postmaster at Newcomerstown, Ohio, in place of K. H. Baxter. Incumbent's commission expired May 13, 1939.

George A. Greenbaum to be postmaster at New Lexington, Ohio, in place of G. A. Greenbaum. Incumbent's commission expired May 2, 1939.

Oscar E. Herring to be postmaster at Oakharbor, Ohio, in place of J. W. Cavalier, removed.

Morton A. Houghton to be postmaster at Oberlin, Ohio, in place of M. A. Houghton. Incumbent's commission expired May 13, 1939.

Anna M. Wannemacher to be postmaster at Ottoville, Ohio, in place of A. F. Wannemacher, deceased.

George J. Munger to be postmaster at Perrysburg, Ohio, in place of G. J. Munger. Incumbent's commission expired May 2, 1939.

Frank F. Wyman to be postmaster at Pioneer, Ohio, in place of F. F. Wyman. Incumbent's commission expired May 13, 1939.

James M. McCrone to be postmaster at Poland, Ohio, in place of J. M. McCrone. Incumbent's commission expired April 25, 1938.

E. Leroy Brown to be postmaster at St. Paris, Ohio, in place of Leroy Brown. Incumbent's commission expired August 1, 1939.

Earl C. Windle to be postmaster at Sebring, Ohio, in place of E. C. Windle. Incumbent's commission expired May 9, 1939.

Robert C. Boylan to be postmaster at Struthers, Ohio, in place of R. C. Boylan. Incumbent's commission expired February 21, 1939.

Walter J. Pinkstone to be postmaster at Swanton, Ohio, in place of W. J. Pinkstone. Incumbent's commission expired August 26, 1939.

Walter A. Strapp to be postmaster at Urbana, Ohio, in place of P. F. Dye. Incumbent's commission expired March 19, 1939.

Charles A. Kempf to be postmaster at West Lafayette, Ohio, in place of C. A. Kempf. Incumbent's commission expired August 16, 1939.

Henry J. Grote to be postmaster at Yellow Springs, Ohio, in place of H. L. Hackett. Incumbent's commission expired February 21, 1939.

OKLAHOMA

John Lester Greene to be postmaster at Broken Arrow, Okla., in place of B. B. Terry. Incumbent's commission expired March 14, 1939.

Jean C. Petty to be postmaster at Caddo, Okla., in place of J. C. Petty. Incumbent's commission expired June 26, 1939.

Eva E. Curry to be postmaster at Chandler, Okla., in place of T. H. Denyer, removed.

Abraham Van Dyke Robinson to be postmaster at Claremore, Okla., in place of A. V. D. Robinson. Incumbent's commission expired August 27, 1939.

Ortho Voorhees Stevens to be postmaster at Collinsville, Okla., in place of O. V. Stevens. Incumbent's commission expired August 27, 1939.

Christopher C. Copeland to be postmaster at Cordell, Okla., in place of C. C. Copeland. Incumbent's commission expired May 28, 1939.

Silas E. West to be postmaster at Disney, Okla. Office became Presidential January 1, 1939.

Jesse W. Haydon to be postmaster at El Reno, Okla., in place of J. W. Haydon. Incumbent's commission expired August 26, 1939.

Audrey Teeter to be postmaster at Grandfield, Okla., in place of Audrey Teeter. Incumbent's commission expired July 26, 1939.

Ruth Gordon to be postmaster at Medford, Okla., in place of G. H. Belcher. Incumbent's commission expired December 16, 1938.

Thomas R. Johnson to be postmaster at Elk City, Okla., in place of T. R. Johnson. Incumbent's commission expired May 28, 1939.

Jessie B. Searle to be postmaster at Redrock, Okla., in place of Anice Sullins. Incumbent's commission expired June 13, 1938.

Shelby T. McNutt to be postmaster at Ringwood, Okla., in place of S. T. McNutt. Incumbent's commission expired June 26, 1939.

Elam A. Davis to be postmaster at Thomas, Okla., in place of E. A. Davis. Incumbent's commission expired July 26, 1939.

Clarence Knappenberger to be postmaster at Watonga, Okla., in place of Clarence Knappenberger. Incumbent's commission expired August 27, 1939.

Ethel N. Anderson to be postmaster at Waurika, Okla., in place of E. N. Anderson. Incumbent's commission expired July 24, 1939.

OREGON

Theodore A. Fleischhauer to be postmaster at Aurora, Oreg., in place of M. E. Reed, removed.

Helen I. Brown to be postmaster at Canby, Oreg., in place of H. I. Brown. Incumbent's commission expired August 27, 1939.

Frank J. Doohar to be postmaster at Cornelius, Oreg., in place of F. J. Doohar. Incumbent's commission expired August 15, 1939.

Blanche M. Brown to be postmaster at Hubbard, Oreg., in place of B. M. Brown. Incumbent's commission expired June 26, 1939.

Clarence C. Miller to be postmaster at Jefferson, Oreg., in place of C. C. Miller. Incumbent's commission expired March 20, 1938.

Maud W. Thomas to be postmaster at Malin, Oreg., in place of M. W. Thomas. Incumbent's commission expired July 9, 1939.

A. Phenton Groblebe to be postmaster at Mill City, Oreg., in place of A. P. Groblebe. Incumbent's commission expired June 26, 1939.

John F. Paden to be postmaster at Newport, Oreg., in place of M. F. Cook, resigned.

Sylvester D. Goshert to be postmaster at Nyssa, Oreg., in place of S. D. Goshert. Incumbent's commission expired April 2, 1939.

Edna M. Jamieson to be postmaster at Port Orford, Oreg., in place of E. M. Jamieson. Incumbent's commission expired August 15, 1939.

Jennie J. Shatto to be postmaster at Scappoose, Oreg., in place of J. J. Shatto. Incumbent's commission expired January 18, 1939.

William P. Fisk to be postmaster at Sherwood, Oreg., in place of W. P. Fisk. Incumbent's commission expired July 27, 1939.

Emil F. Messing to be postmaster at Vernonia, Oreg., in place of E. F. Messing. Incumbent's commission expired March 19, 1939.

William C. Sorsby to be postmaster at Wauna, Oreg., in place of W. C. Sorsby. Incumbent's commission expired June 18, 1939.

Edward F. Kelso to be postmaster at Yoncalla, Oreg., in place of E. F. Kelso. Incumbent's commission expired July 19, 1939.

PENNSYLVANIA

Watson W. Wright to be postmaster at Andalusia, Pa. Office became Presidential July 1, 1936.

Neal B. Fiscus to be postmaster at Apollo, Pa., in place of Nita Eiwood. Incumbent's commission expired June 19, 1939.

John C. Colahan to be postmaster at Ashland, Pa., in place of J. C. Colahan. Incumbent's commission expired July 27, 1939.

Arthur R. Cramer to be postmaster at Bangor, Pa., in place of A. R. Cramer. Incumbent's commission expired August 22, 1939.

Robert W. Baggs to be postmaster at Beaver Falls, Pa., in place of R. W. Baggs. Incumbent's commission expired May 8, 1939.

George Lange to be postmaster at Belle Vernon, Pa., in place of George Lange. Incumbent's commission expired June 19, 1939.

Earl T. Zerby to be postmaster at Bernville, Pa., in place of E. T. Zerby. Incumbent's commission expired June 19, 1939.

Wilson I. Shrader to be postmaster at Berwick, Pa., in place of W. I. Shrader. Incumbent's commission expired June 6, 1938.

Emilie D. Stoneback to be postmaster at Black Lick, Pa., in place of E. D. Stoneback. Incumbent's commission expired February 20, 1938.

Carroll E. Ogden to be postmaster at Boothwyn, Pa., in place of G. W. Goodley, Jr., resigned.

William C. Storer to be postmaster at Brownsville, Pa., in place of W. C. Storer. Incumbent's commission expired March 18, 1939.

J. Russell Clayton to be postmaster at Bryn Athyn, Pa., in place of J. R. Clayton. Incumbent's commission expired June 19, 1939.

Oliver F. Stolz to be postmaster at Carrolltown, Pa., in place of O. F. Stolz. Incumbent's commission expired June 6, 1938.

C. William Boozer to be postmaster at Centre Hall, Pa., in place of C. W. Boozer. Incumbent's commission expired August 22, 1939.

Leonard C. Fitzgerald to be postmaster at Coatesville, Pa., in place of J. B. Roper. Incumbent's commission expired June 6, 1938.

Harry P. Shreiner to be postmaster at Columbia, Pa., in place of H. P. Shreiner. Incumbent's commission expired August 2, 1939.

Coletta D. Patterson to be postmaster at Coudersport, Pa., in place of C. D. Patterson. Incumbent's commission expired August 27, 1939.

Charles H. Reisinger to be postmaster at Dallastown, Pa., in place of C. H. Reisinger. Incumbent's commission expired July 3, 1939.

Harry Tarbotton, Jr., to be postmaster at Darby, Pa., in place of Harry Tarbotton, Sr., removed.

Ann K. Hunt to be postmaster at Darlington, Pa. Office became Presidential July 1, 1938.

Albert Van Horn to be postmaster at Dawson, Pa., in place of Albert Van Horn. Incumbent's commission expired April 6, 1939.

John C. Ellenberger to be postmaster at Dayton, Pa., in place of J. C. Ellenberger. Incumbent's commission expired June 18, 1938.

Charles H. Cullen to be postmaster at Derry, Pa., in place of C. H. Cullen. Incumbent's commission expired August 22, 1939.

Emma R. Smith to be postmaster at Elkland, Pa., in place of E. R. Smith. Incumbent's commission expired July 27, 1939.

Henry Bourns to be postmaster at Ellsworth, Pa., in place of Henry Bourns. Incumbent's commission expired February 9, 1939.

Charles H. Wilson to be postmaster at Fairchance, Pa., in place of C. H. Wilson. Incumbent's commission expired June 18, 1938.

Julia M. Russell to be postmaster at Fredonia, Pa., in place of G. D. McCutcheon, deceased.

Grover C. Myers to be postmaster at Gardners, Pa., in place of G. C. Myers, resigned.

Peter A. Conway to be postmaster at Girardville, Pa., in place of P. A. Conway. Incumbent's commission expired August 22, 1939.

Paul O. Holtz to be postmaster at Hastings, Pa., in place of P. O. Holtz. Incumbent's commission expired June 6, 1938.

Earl W. Montague to be postmaster at Hughesville, Pa., in place of E. W. Montague. Incumbent's commission expired August 22, 1939.

Lee W. Fisler to be postmaster at Hummelstown, Pa., in place of L. W. Fisler. Incumbent's commission expired August 27, 1939.

Margaret G. Cummings to be postmaster at Irwin, Pa., in place of M. G. Cummings. Incumbent's commission expired August 27, 1939.

Frank J. Barrett to be postmaster at Jersey Shore, Pa., in place of J. A. Eckert. Incumbent's commission expired June 6, 1938.

James F. Donahue to be postmaster at Kennett Square, Pa., in place of J. F. Donahue. Incumbent's commission expired August 27, 1939.

John Harry Grube to be postmaster at Landisville, Pa., in place of J. H. Grube. Incumbent's commission expired August 22, 1939.

James Bentley Candy to be postmaster at Langhorne, Pa., in place of J. B. Candy. Incumbent's commission expired June 18, 1938.

Martha L. King to be postmaster at Lawrenceville, Pa., in place of M. L. King. Incumbent's commission expired July 27, 1939.

Clarence L. Schwartz to be postmaster at Littlestown, Pa., in place of L. B. Fink. Incumbent's commission expired June 6, 1938.

Cecil E. Bell to be postmaster at Mapleton Depot, Pa., in place of C. E. Bell. Incumbent's commission expired August 27, 1939.

George C. Dietz to be postmaster at Mechanicsburg, Pa., in place of G. C. Dietz. Incumbent's commission expired June 19, 1939.

William L. Rothermel to be postmaster at Millersburg, Pa., in place of W. L. Rothermel. Incumbent's commission expired August 27, 1939.

Blanche C. Anderson to be postmaster at Monongahela, Pa., in place of B. C. Anderson. Incumbent's commission expired April 6, 1939.

Thomas A. Howe to be postmaster at Morrisdale, Pa., in place of T. A. Howe. Incumbent's commission expired July 3, 1939.

Joseph L. Kelley to be postmaster at Narberth, Pa., in place of J. L. Kelley. Incumbent's commission expired August 27, 1939.

J. Earl Sheaffer to be postmaster at New Bloomfield, Pa., in place of J. E. Sheaffer. Incumbent's commission expired June 18, 1938.

Wilford G. Stauffer to be postmaster at New Holland, Pa., in place of W. G. Stauffer. Incumbent's commission expired August 22, 1939.

Eleanor C. Brennan to be postmaster at Paoli, Pa., in place of E. C. Brennan. Incumbent's commission expired August 22, 1939.

Eli R. Diller to be postmaster at Paradise, Pa., in place of E. R. Diller. Incumbent's commission expired June 6, 1938.

J. Ross Owens to be postmaster at Parkesburg, Pa., in place of J. R. Owens. Incumbent's commission expired April 6, 1939.

Lisle H. Deviney to be postmaster at Pitcairn, Pa., in place of L. H. Deviney. Incumbent's commission expired August 22, 1939.

Jacob S. Williams to be postmaster at Port Matilda, Pa., in place of J. S. Williams. Incumbent's commission expired August 22, 1939.

Frank Canistra to be postmaster at Republic, Pa., in place of Frank Canistra. Incumbent's commission expired August 27, 1939.

Morris A. Smaltz to be postmaster at Richland, Pa., in place of M. A. Smaltz. Incumbent's commission expired August 27, 1939.

Joseph Regis, Jr., to be postmaster at Rimersburg, Pa., in place of Joseph Regis, Jr. Incumbent's commission expired August 22, 1939.

Harold W. Hale to be postmaster at Russell, Pa., in place of H. W. Hale. Incumbent's commission expired June 7, 1939.

Francis M. Smith to be postmaster at Sandy Lake, Pa., in place of F. M. Smith. Incumbent's commission expired August 27, 1939.

Irvin C. Davis to be postmaster at Shavertown, Pa., in place of I. C. Davis. Incumbent's commission expired June 12, 1938.

Jacob W. Sutton to be postmaster at Smithfield, Pa., in place of J. W. Sutton. Incumbent's commission expired June 7, 1939.

Sarah J. Stimmel to be postmaster at Starjunction, Pa., in place of S. J. Stimmel. Incumbent's commission expired August 2, 1939.

John J. Verbos to be postmaster at Steelton, Pa., in place of J. J. Verbos. Incumbent's commission expired February 9, 1939.

Edward M. Hirsch to be postmaster at Tamaqua, Pa., in place of E. M. Hirsch. Incumbent's commission expired August 27, 1939.

Thomas M. Perry to be postmaster at Valencia, Pa., in place of T. M. Perry. Incumbent's commission expired August 27, 1939.

George Ed Reed to be postmaster at Vanderbilt, Pa., in place of G. E. Reed. Incumbent's commission expired June 7, 1939.

Harry Coulson Reece to be postmaster at West Grove, Pa., in place of H. C. Reece. Incumbent's commission expired August 2, 1939.

Frederick G. Staples to be postmaster at White Haven, Pa., in place of F. G. Staples. Incumbent's commission expired June 7, 1939.

Samuel W. Spayd to be postmaster at Womelsdorf, Pa., in place of L. S. Filbert. Incumbent's commission expired January 29, 1939.

Jenny Paterson to be postmaster at Yukon, Pa., in place of Jenny Paterson. Incumbent's commission expired August 26, 1939.

PUERTO RICO

Jenaro Vazquez to be postmaster at Central Aguirre, P. R., in place of Jenaro Vazquez. Incumbent's commission expired April 16, 1939.

Felipe B. Cruz to be postmaster at Vieques, P. R., in place of F. B. Cruz. Incumbent's commission expired February 13, 1939.

RHODE ISLAND

Daniel W. Coggeshall to be postmaster at Bristol, R. I., in place of D. W. Coggeshall. Incumbent's commission expired February 18, 1939.

SOUTH CAROLINA

James R. Thompson to be postmaster at Andrews, S. C., in place of J. R. Thompson. Incumbent's commission expired July 24, 1939.

Dewey Stephens to be postmaster at Dillon, S. C., in place of Dewey Stephens. Incumbent's commission expired January 21, 1939.

Paul M. Davis to be postmaster at Donalds, S. C., in place of P. M. Davis. Incumbent's commission expired March 8, 1939.

John H. Payne to be postmaster at Johnston, S. C., in place of J. H. Payne. Incumbent's commission expired March 8, 1939.

SOUTH DAKOTA

Warren S. Leeper to be postmaster at Blunt, S. Dak., in place of W. S. Leeper. Incumbent's commission expired July 9, 1939.

Joseph H. Coughlin to be postmaster at Carthage, S. Dak., in place of J. H. Coughlin. Incumbent's commission expired August 6, 1939.

James A. Nesby to be postmaster at Dell Rapids, S. Dak., in place of J. A. Nesby. Incumbent's commission expired June 7, 1939.

John H. Francis to be postmaster at Dupree, S. Dak., in place of J. H. Francis. Incumbent's commission expired July 9, 1939.

Otto V. Bruner to be postmaster at Geddes, S. Dak., in place of O. V. Bruner. Incumbent's commission expired June 26, 1939.

Walter Ulmer to be postmaster at Hosmer, S. Dak., in place of Walter Ulmer. Incumbent's commission expired August 27, 1939.

Robert Maley, Sr., to be postmaster at Howard, S. Dak., in place of Robert Maley, Sr. Incumbent's commission expired July 19, 1939.

Jennings H. Harris to be postmaster at Humboldt, S. Dak., in place of J. H. Harris. Incumbent's commission expired July 27, 1939.

Iris I. Engler to be postmaster at Ipswich, S. Dak., in place of I. I. Engler. Incumbent's commission expired June 26, 1939.

Kathleen Kochenderfer to be postmaster at New Underwood, S. Dak., in place of Blanche Keller, resigned.

Henry J. Werner to be postmaster at Ramona, S. Dak., in place of H. J. Werner. Incumbent's commission expired August 27, 1939.

Mary V. Breene to be postmaster at Seneca, S. Dak., in place of M. V. Breene. Incumbent's commission expired February 8, 1939.

Cornelius J. Martin to be postmaster at Tripp, S. Dak., in place of C. J. Martin. Incumbent's commission expired June 7, 1939.

TENNESSEE

Mamie D. Phillips to be postmaster at Brighton, Tenn., in place of M. D. Phillips. Incumbent's commission expired July 1, 1939.

Vance C. Pendleton to be postmaster at Bullgap, Tenn., in place of V. C. Pendleton. Incumbent's commission expired August 12, 1939.

Jere Gardenhire to be postmaster at Carthage, Tenn., in place of Jere Gardenhire. Incumbent's commission expired May 29, 1939.

Ethelbert C. Cross to be postmaster at Clinton, Tenn., in place of E. C. Cross. Incumbent's commission expired January 24, 1939.

James S. Akin to be postmaster at Copperhill, Tenn., in place of J. S. Akin. Incumbent's commission expired July 17, 1939.

Pearl M. Harris to be postmaster at Dandridge, Tenn., in place of P. M. Harris. Incumbent's commission expired July 17, 1939.

William H. Pritchett to be postmaster at Dresden, Tenn., in place of W. H. Pritchett. Incumbent's commission expired August 12, 1939.

Grace G. Shell to be postmaster at Elizabethton, Tenn., in place of G. G. Shell. Incumbent's commission expired August 12, 1939.

John T. Franklin to be postmaster at Gallatin, Tenn., in place of K. B. Dunklin. Incumbent's commission expired March 14, 1938.

Elder M. Ogle to be postmaster at Gatlinburg, Tenn. Office established.

Emmie A. Williams to be postmaster at Green Brier, Tenn., in place of E. A. Williams. Incumbent's commission expired April 26, 1939.

Bertha L. Loy to be postmaster at New Market, Tenn., in place of B. L. Loy. Incumbent's commission expired August 27, 1939.

David H. Ensley to be postmaster at Old Hickory, Tenn., in place of D. H. Ensley. Incumbent's commission expired February 15, 1938.

Moda M. Marcum to be postmaster at Oneida, Tenn., in place of M. M. Marcum. Incumbent's commission expired June 17, 1939.

William E. Hobbs to be postmaster at Petros, Tenn., in place of K. D. Beene. Incumbent's commission expired July 1, 1939.

William T. Christian to be postmaster at Roan Mountain, Tenn., in place of W. T. Christian. Incumbent's commission expired July 1, 1939.

Hugh L. Hicks to be postmaster at Rockwood, Tenn., in place of H. L. Hicks. Incumbent's commission expired August 13, 1939.

Hamilton H. Taylor, Sr., to be postmaster at Rutherford, Tenn., in place of H. H. Taylor, Sr. Incumbent's commission expired August 27, 1939.

TEXAS

Allan H. White to be postmaster at Amherst, Tex., in place of A. H. White. Incumbent's commission expired August 27, 1939.

Edgar W. Burkett to be postmaster at Andrews, Tex., in place of E. W. Burkett. Incumbent's commission expired August 7, 1939.

Richard W. Taylor to be postmaster at Asherton, Tex., in place of R. W. Taylor. Incumbent's commission expired August 7, 1939.

Dorothy Wilson Hancock to be postmaster at Beeville, Tex., in place of D. W. Hancock. Incumbent's commission expired August 26, 1939.

Thomas R. West to be postmaster at Benjamin, Tex., in place of C. C. Moorhouse. Incumbent's commission expired January 25, 1939.

Leon C. Smith to be postmaster at Bishop, Tex., in place of L. C. Smith. Incumbent's commission expired August 26, 1939.

Louise H. Clark to be postmaster at Blossom, Tex., in place of L. H. Clark. Incumbent's commission expired July 18, 1939.

John E. Morris to be postmaster at Borger, Tex., in place of J. E. Morris. Incumbent's commission expired March 15, 1939.

William F. Robinson to be postmaster at Bowie, Tex., in place of W. F. Robinson. Incumbent's commission expired August 7, 1939.

Ephraim B. Hyer to be postmaster at Buckholts, Tex., in place of E. B. Hyer. Incumbent's commission expired June 18, 1939.

Jewell M. Barber to be postmaster at Buda, Tex., in place of J. M. Barber. Incumbent's commission expired August 26, 1939.

Ross H. Johnson to be postmaster at Burnet, Tex., in place of R. H. Johnson. Incumbent's commission expired June 18, 1939.

I. Walton Ingle to be postmaster at Caddo Mills, Tex., in place of Walton Ingle. Incumbent's commission expired August 26, 1939.

Emma C. Brannon to be postmaster at Carthage, Tex., in place of F. D. Fite. Incumbent's commission expired January 25, 1939.

Victor Debbs Brown to be postmaster at Centerville, Tex., in place of V. D. Brown. Incumbent's commission expired August 21, 1939.

Marie W. Smith to be postmaster at Chapel Hill, Tex., in place of M. W. Smith. Incumbent's commission expired August 21, 1939.

Luther H. McCrea to be postmaster at Cisco, Tex., in place of L. H. McCrea. Incumbent's commission expired July 18, 1939.

Roy Leonard Doak to be postmaster at Cleburne, Tex., in place of R. L. Doak. Incumbent's commission expired August 7, 1939.

Alvin L. Bronstad to be postmaster at Clifton, Tex., in place of J. N. Fallis. Incumbent's commission expired April 2, 1939.

Roy B. Miller to be postmaster at Crawford, Tex., in place of R. B. Miller. Incumbent's commission expired July 1, 1939.

Edna Williams to be postmaster at Eden, Tex., in place of Edna Williams. Incumbent's commission expired August 26, 1939.

Thomas R. Bennett to be postmaster at Falfurrias, Tex., in place of W. W. Sloan. Incumbent's commission expired February 12, 1939.

Barbara H. Smith to be postmaster at Floydada, Tex., in place of B. H. Smith. Incumbent's commission expired August 15, 1939.

Alva C. Cotney to be postmaster at Follett, Tex., in place of A. C. Cotney. Incumbent's commission expired June 18, 1939.

Cleo K. Hinton to be postmaster at Forney, Tex., in place of C. K. Hinton. Incumbent's commission expired June 26, 1939.

Cecil H. Tinsley to be postmaster at Gainesville, Tex., in place of G. G. Holman. Incumbent's commission expired February 15, 1939.

Juanita M. Thomas to be postmaster at Gause, Tex., in place of J. M. Thomas. Incumbent's commission expired July 1, 1939.

Elinor M. Thomas to be postmaster at Goose Creek, Tex., in place of F. E. McElhany, removed.

Chevis R. Cleveland to be postmaster at Granbury, Tex., in place of C. R. Cleveland. Incumbent's commission expired August 21, 1939.

Anton C. Mussil to be postmaster at Granger, Tex., in place of A. C. Mussil. Incumbent's commission expired March 21, 1939.

Jeff Gray to be postmaster at Groom, Tex., in place of Jeff Gray. Incumbent's commission expired January 25, 1939.

Blanche J. Bergin to be postmaster at Gruver, Tex., in place of B. J. Bergin. Incumbent's commission expired August 26, 1939.

Hugh E. Minshew to be postmaster at Hawkins, Tex., in place of H. E. Minshew. Incumbent's commission expired January 25, 1939.

Ansley M. Winsett to be postmaster at Higgins, Tex., in place of A. M. Winsett. Incumbent's commission expired August 21, 1939.

Bolivar C. Ivy to be postmaster at Huntington, Tex., in place of B. C. Ivy. Incumbent's commission expired August 27, 1939.

Eunice N. Seale to be postmaster at Jasper, Tex., in place of E. N. Seale. Incumbent's commission expired August 26, 1939.

William R. Seale to be postmaster at Karnes City, Tex., in place of W. R. Seale. Incumbent's commission expired August 7, 1939.

Henry W. Haynie to be postmaster at Kemp, Tex., in place of H. W. Haynie. Incumbent's commission expired July 18, 1939.

James A. Greer to be postmaster at Kopperl, Tex., in place of J. A. Greer. Incumbent's commission expired July 1, 1939.

Alwyn L. Golden to be postmaster at Leonard, Tex., in place of A. L. Golden. Incumbent's commission expired August 21, 1939.

Woster E. Everett to be postmaster at Lometa, Tex., in place of W. E. Everett. Incumbent's commission expired August 21, 1939.

Lucian Everett Wilhite to be postmaster at Lueders, Tex., in place of L. E. Wilhite. Incumbent's commission expired August 7, 1939.

Walter J. Box to be postmaster at Lyford, Tex., in place of J. L. Box, resigned.

E. Otho Driskell to be postmaster at Mansfield, Tex., in place of E. O. Driskell. Incumbent's commission expired March 12, 1939.

Charles C. Canuteson to be postmaster at Moody, Tex., in place of C. C. Canuteson. Incumbent's commission expired August 7, 1939.

Mary N. Winder to be postmaster at Morton, Tex., in place of M. N. Winder. Incumbent's commission expired August 7, 1939.

Floyd Lee Haymes to be postmaster at Munday, Tex., in place of F. L. Haymes. Incumbent's commission expired August 7, 1939.

Clyde H. Prestwood to be postmaster at Navasota, Tex., in place of W. B. King. Incumbent's commission expired June 9, 1938.

Crecy Longmire to be postmaster at Newgulf, Tex., in place of Crecy Longmire. Incumbent's commission expired August 7, 1939.

Cecil R. Coale to be postmaster at Orange, Tex., in place of C. R. Coale. Incumbent's commission expired June 18, 1939.

Jewell H. Smith to be postmaster at Penwell, Tex. Office became Presidential April 1, 1939.

William Eugene Whitley to be postmaster at Pilot Point, Tex., in place of J. L. Noel. Incumbent's commission expired July 18, 1939.

Charlie C. Truitt to be postmaster at Pittsburg, Tex., in place of C. C. Truitt. Incumbent's commission expired June 18, 1939.

Zella Cook to be postmaster at Pleasanton, Tex., in place of Zella Cook. Incumbent's commission expired August 27, 1939.

Manda R. Fields to be postmaster at Ponta, Tex., in place of M. R. Fields. Incumbent's commission expired May 13, 1939.

Bronson C. Howell to be postmaster at Port Neches, Tex., in place of B. C. Howell. Incumbent's commission expired August 27, 1939.

Phil S. Bouchier to be postmaster at Post, Tex., in place of P. S. Bouchier. Incumbent's commission expired August 21, 1939.

Pennie S. Langen to be postmaster at Premont, Tex., in place of P. S. Langen. Incumbent's commission expired May 13, 1939.

Mary S. Henry to be postmaster at Rocksprings, Tex., in place of M. S. Henry. Incumbent's commission expired August 7, 1939.

Wyatt Williamson, Jr., to be postmaster at Royse City, Tex., in place of Wyatt Williamson, Jr. Incumbent's commission expired August 27, 1939.

Marie J. Peterman to be postmaster at Santa Rosa, Tex., in place of John Weaver. Incumbent's commission expired August 26, 1939.

Clarence O. Bruce to be postmaster at Seagoville, Tex., in place of C. O. Bruce. Incumbent's commission expired July 1, 1939.

Louise McElroy to be postmaster at Shepherd, Tex., in place of Louise McElroy. Incumbent's commission expired July 1, 1939.

Bluford W. Dodson to be postmaster at Snyder, Tex., in place of B. W. Dodson. Incumbent's commission expired July 18, 1939.

Marvin S. Chambers to be postmaster at Spearman, Tex., in place of M. S. Chambers. Incumbent's commission expired August 26, 1939.

Mary E. Holtzclaw to be postmaster at Tatum, Tex., in place of M. E. Holtzclaw. Incumbent's commission expired January 25, 1939.

Frank Folsom to be postmaster at Teague, Tex., in place of Frank Folsom. Incumbent's commission expired January 25, 1939.

Andy A. Baker to be postmaster at Tolar, Tex., in place of A. A. Baker. Incumbent's commission expired August 7, 1939.

John M. Strawn to be postmaster at Trent, Tex., in place of J. M. Strawn. Incumbent's commission expired June 26, 1939.

Roy C. Owens to be postmaster at Tyler, Tex., in place of R. C. Owens. Incumbent's commission expired June 18, 1939.

Revis F. Curry to be postmaster at Wellington, Tex., in place of R. F. Curry. Incumbent's commission expired January 25, 1939.

Thomas J. Lilley to be postmaster at Whitewright, Tex., in place of T. J. Lilley. Incumbent's commission expired August 27, 1939.

Robert E. Blair to be postmaster at Windom, Tex., in place of R. E. Blair. Incumbent's commission expired August 26, 1939.

Rowland A. Butler to be postmaster at Winnsboro, Tex., in place of J. B. Gibson, removed.

Harvey O. Jones to be postmaster at Winters, Tex., in place of H. O. Jones. Incumbent's commission expired August 7, 1939.

UTAH

James H. Rampton to be postmaster at Bountiful, Utah, in place of J. H. Rampton. Incumbent's commission expired August 22, 1939.

June W. Black to be postmaster at Delta, Utah, in place of O. P. Fitzgerald, removed.

Anna M. Long to be postmaster at Marysville, Utah, in place of A. M. Long. Incumbent's commission expired March 19, 1939.

Millie N. Lyman to be postmaster at Wendover, Utah. Office became Presidential July 1, 1938.

VIRGINIA

John Owen Lynch to be postmaster at Alexandria, Va., in place of J. O. Lynch. Incumbent's commission expired July 27, 1939.

Utah A. Amburgey to be postmaster at Castlewood, Va., in place of U. A. Amburgey. Incumbent's commission expired June 18, 1938.

Edwin B. Sanders to be postmaster at Chilhowie, Va., in place of E. B. Sanders. Incumbent's commission expired June 1, 1939.

James Tolby Owens to be postmaster at Clintwood, Va., in place of J. T. Owens. Incumbent's commission expired August 27, 1939.

William J. Story to be postmaster at Courtland, Va., in place of W. J. Story. Incumbent's commission expired July 27, 1939.

Thomas B. McCaleb to be postmaster at Covington, Va., in place of T. B. McCaleb. Incumbent's commission expired June 18, 1939.

Margaret T. Daniel to be postmaster at Craigsville, Va., in place of M. T. Daniel. Incumbent's commission expired August 27, 1939.

Samuel H. Dawson to be postmaster at Crozet, Va., in place of S. H. Dawson. Incumbent's commission expired July 27, 1939.

John Wesley Moore to be postmaster at Eastville, Va., in place of J. W. Moore. Incumbent's commission expired August 27, 1939.

Beatrice B. Higginbotham to be postmaster at Forest, Va., in place of B. B. Higginbotham. Incumbent's commission expired July 1, 1939.

Elizabeth L. MacMillan to be postmaster at Glasgow, Va., in place of E. L. MacMillan. Incumbent's commission expired January 18, 1939.

Philip R. Cosby to be postmaster at Grottoes, Va., in place of P. R. Cosby. Incumbent's commission expired July 27, 1939.

Lawrence L. Jacobs to be postmaster at Hanover, Va., in place of L. L. Jacobs. Incumbent's commission expired August 22, 1939.

William B. Owen to be postmaster at Jarratt, Va., in place of W. B. Owen. Incumbent's commission expired July 1, 1939.

James E. Thomas to be postmaster at Marion, Va., in place of J. E. Thomas. Incumbent's commission expired June 26, 1939.

Grover T. Huffman to be postmaster at New Castle, Va., in place of G. T. Huffman. Incumbent's commission expired July 18, 1939.

Pitt M. Watts to be postmaster at Orange, Va., in place of P. M. Watts. Incumbent's commission expired July 9, 1939.

Gladys L. Robinson to be postmaster at Pound, Va., in place of G. L. Robinson. Incumbent's commission expired July 27, 1939.

Edgar W. Sims to be postmaster at Rapidan, Va., in place of E. W. Sims. Incumbent's commission expired July 1, 1939.

Harvey G. McGlothlin to be postmaster at Richlands, Va., in place of H. G. McGlothlin. Incumbent's commission expired March 23, 1939.

Vincent W. Joyner to be postmaster at Smithfield, Va., in place of V. W. Joyner. Incumbent's commission expired June 18, 1938.

Zuleime H. Sealock to be postmaster at Sperryville, Va., in place of Z. H. Sealock. Incumbent's commission expired July 1, 1939.

WASHINGTON

Kenneth K. King to be postmaster at Addy, Wash., in place of K. K. King. Incumbent's commission expired July 1, 1939.

Hannah L. Parker to be postmaster at Alderwood Manor, Wash., in place of H. L. Parker. Incumbent's commission expired July 1, 1939.

Tollie M. Livingston to be postmaster at Bridgeport, Wash., in place of Tollie Livingston. Incumbent's commission expired August 26, 1939.

William W. Woodward to be postmaster at Darrington, Wash., in place of W. W. Woodward. Incumbent's commission expired July 27, 1939.

James C. Weatherford to be postmaster at Dayton, Wash., in place of J. C. Weatherford. Incumbent's commission expired July 27, 1939.

Joseph C. Larin to be postmaster at Eatonville, Wash., in place of J. C. Larin. Incumbent's commission expired August 27, 1939.

Walter A. Gross to be postmaster at Enumclaw, Wash., in place of W. A. Gross. Incumbent's commission expired June 18, 1939.

Dirk C. Thiemens to be postmaster at Ephrata, Wash., in place of D. C. Thiemens. Incumbent's commission expired August 27, 1939.

Walter A. Arend to be postmaster at Friday Harbor, Wash., in place of W. A. Arend. Incumbent's commission expired March 27, 1939.

Mary Mallory to be postmaster at Mansfield, Wash., in place of Mary Mallory. Incumbent's commission expired July 1, 1939.

Leon L. Stock to be postmaster at Marysville, Wash., in place of L. L. Stock. Incumbent's commission expired March 21, 1939.

Gladys E. Gillmore to be postmaster at Medical Lake, Wash., in place of G. E. Gillmore. Incumbent's commission expired March 8, 1939.

Felix P. La Sota to be postmaster at Metaline Falls, Wash., in place of F. P. La Sota. Incumbent's commission expired July 19, 1939.

Roy Emerson to be postmaster at North Bonneville, Wash., in place of Roy Emerson. Incumbent's commission expired August 16, 1939.

David N. Judson to be postmaster at Oak Harbor, Wash., in place of D. N. Judson. Incumbent's commission expired June 6, 1938.

Arthur A. Barnes to be postmaster at Pasco, Wash., in place of A. A. Barnes. Incumbent's commission expired June 25, 1939.

Floyd L. Magill to be postmaster at Randle, Wash., in place of F. L. Magill. Incumbent's commission expired August 26, 1939.

Edwin C. Peddicord to be postmaster at Richland, Wash., in place of C. G. Gehres. Incumbent's commission expired July 27, 1939.

Will H. Lamm to be postmaster at Stevenson, Wash., in place of W. H. Lamm. Incumbent's commission expired July 27, 1939.

William T. Davis to be postmaster at Toppenish, Wash., in place of W. T. Davis. Incumbent's commission expired February 9, 1939.

WEST VIRGINIA

Duncan M. Johnston to be postmaster at Alderson, W. Va., in place of D. M. Johnston. Incumbent's commission expired May 10, 1939.

William Perkins to be postmaster at Bradshaw, W. Va. Office became Presidential July 1, 1938.

Lillie R. Frazier to be postmaster at Buffalo, W. Va., in place of L. R. Frazier. Incumbent's commission expired July 30, 1939.

Virgil W. Knight to be postmaster at Burnsville, W. Va., in place of V. W. Knight. Incumbent's commission expired August 16, 1939.

Franklin J. Maxwell to be postmaster at Clarksburg, W. Va., in place of F. J. Maxwell. Incumbent's commission expired January 29, 1939.

Wilma J. Starcher to be postmaster at Cowen, W. Va., in place of W. J. Starcher. Incumbent's commission expired August 27, 1939.

Frank C. Ellis to be postmaster at Dunbar, W. Va., in place of F. C. Ellis. Incumbent's commission expired May 15, 1939.

Finley A. Carpenter to be postmaster at Fairview, W. Va., in place of F. A. Carpenter. Incumbent's commission expired January 29, 1939.

George C. Sowards to be postmaster at Hurricane, W. Va., in place of G. C. Sowards. Incumbent's commission expired June 18, 1939.

Marion T. Jones to be postmaster at Kimball, W. Va., in place of M. T. Jones. Incumbent's commission expired August 27, 1939.

Gertie Post Rector to be postmaster at Lost Creek, W. Va., in place of G. P. Rector. Incumbent's commission expired July 30, 1939.

Esta B. Combs to be postmaster at Man, W. Va., in place of E. B. Combs. Incumbent's commission expired July 1, 1939.

Clyde M. Rightmire to be postmaster at Mill Creek, W. Va., in place of C. M. Rightmire. Incumbent's commission expired August 27, 1939.

Clyde E. Knapp to be postmaster at Moundsville, W. Va., in place of T. J. Hamilton. Incumbent's commission expired April 6, 1939.

William C. Carter to be postmaster at Mount Hope, W. Va., in place of E. S. Miller. Incumbent's commission expired April 28, 1938.

Alma C. Smith to be postmaster at Omar, W. Va., in place of G. C. Walker, removed.

Okey K. Burdette to be postmaster at Point Pleasant, W. Va., in place of O. K. Burdette. Incumbent's commission expired June 26, 1939.

Paul Pickens to be postmaster at Ravenswood, W. Va., in place of F. D. Fleming. Incumbent's commission expired April 2, 1938.

Lewis H. M. Christie to be postmaster at Renick, W. Va., in place of L. H. M. Christie. Incumbent's commission expired July 1, 1939.

Hugh Dunn to be postmaster at Richwood, W. Va., in place of Hugh Dunn. Incumbent's commission expired July 30, 1939.

Leroy C. Thrasher to be postmaster at Ronceverte, W. Va., in place of B. D. Eagan, resigned.

Oliver C. Barkwill to be postmaster at St. Marys, W. Va., in place of H. E. West, removed.

Russell L. Francis to be postmaster at Smithfield, W. Va., in place of R. L. Francis. Incumbent's commission expired January 29, 1939.

Charles Dillard to be postmaster at Walton, W. Va., in place of Charles Dillard. Incumbent's commission expired July 1, 1939.

William H. Johnson to be postmaster at War, W. Va., in place of W. H. Johnson. Incumbent's commission expired March 15, 1938.

Charles B. McCray to be postmaster at Webster Springs, W. Va., in place of C. B. McCray. Incumbent's commission expired January 29, 1939.

Lee S. Switzer to be postmaster at Weston, W. Va., in place of L. S. Switzer. Incumbent's commission expired August 16, 1939.

WISCONSIN

Joseph A. Kumhera to be postmaster at Almena, Wis., in place of J. A. Kumhera. Incumbent's commission expired January 24, 1939.

Otto Hussa to be postmaster at Bangor, Wis., in place of Otto Hussa. Incumbent's commission expired January 18, 1939.

Roland J. Osborne to be postmaster at Baraboo, Wis., in place of R. J. Osborne. Incumbent's commission expired January 29, 1939.

John V. Kircher to be postmaster at Barton, Wis., in place of John Heindl, deceased.

Selmer M. Alvey to be postmaster at Bruce, Wis., in place of S. M. Alvey. Incumbent's commission expired February 9, 1939.

Louis F. Reuschlein to be postmaster at Burlington, Wis., in place of L. F. Reuschlein. Incumbent's commission expired July 30, 1939.

John Agnew to be postmaster at Cadott, Wis., in place of John Agnew. Incumbent's commission expired February 9, 1939.

William J. Sullivan to be postmaster at Campbellsport, Wis., in place of W. J. Sullivan. Incumbent's commission expired April 2, 1939.

Myrvin C. Hoey to be postmaster at Centuria, Wis., in place of M. C. Hoey. Incumbent's commission expired January 18, 1939.

Lincoln C. Holmes to be postmaster at Clear Lake, Wis., in place of L. C. Holmes. Incumbent's commission expired January 18, 1939.

Oliver R. Weinandy to be postmaster at Cochrane, Wis., in place of O. R. Weinandy. Incumbent's commission expired February 18, 1939.

Mortimer M. Bartley to be postmaster at Columbus, Wis., in place of R. J. Lueders. Incumbent's commission expired May 2, 1939.

Nels O. Neprud to be postmaster at Coon Valley, Wis., in place of N. O. Neprud. Incumbent's commission expired January 24, 1939.

Sherman V. Wolf to be postmaster at Crivitz, Wis., in place of S. V. Wolf. Incumbent's commission expired January 24, 1939.

Josephine M. De Lano to be postmaster at Elm Grove, Wis., in place of G. H. Reinders, resigned.

Samuel M. Hogenson to be postmaster at Ephraim, Wis., in place of S. M. Hogenson. Incumbent's commission expired February 18, 1939.

John H. Poh to be postmaster at Forestville, Wis., in place of J. H. Poh. Incumbent's commission expired January 18, 1939.

Florence M. Kuehl to be postmaster at Genesee Depot, Wis., in place of Florence Kuehl. Incumbent's commission expired February 9, 1939.

August B. Zabolio to be postmaster at Genoa, Wis., in place of A. B. Zabolio. Incumbent's commission expired July 1, 1939.

Joseph W. Sazama to be postmaster at Hatley, Wis., in place of J. W. Sazama. Incumbent's commission expired January 18, 1939.

John P. Peterson to be postmaster at Hawkins, Wis., in place of J. P. Peterson. Incumbent's commission expired January 18, 1939.

William A. Christians, Jr., to be postmaster at Johnson Creek, Wis., in place of W. A. Christians, Jr. Incumbent's commission expired July 30, 1939.

Edgar J. Peters to be postmaster at Juneau, Wis., in place of R. B. Hartzheim, removed.

Alfred C. Grosvenor to be postmaster at Kenosha, Wis., in place of A. W. Fries, removed.

Hallie M. Norris to be postmaster at La Farge, Wis., in place of H. M. Norris. Incumbent's commission expired June 18, 1938.

Hazel I. Hicks to be postmaster at Linden, Wis., in place of H. I. Hicks. Incumbent's commission expired May 2, 1939.

Orin W. Livingston to be postmaster at Livingston, Wis., in place of O. W. Livingston. Incumbent's commission expired January 18, 1939.

Philip A. Kinney to be postmaster at Mason, Wis., in place of P. A. Kinney. Incumbent's commission expired June 18, 1938.

David A. Holmes to be postmaster at Milton, Wis., in place of D. A. Holmes. Incumbent's commission expired June 18, 1939.

Elsie T. Abraham to be postmaster at Minocqua, Wis., in place of G. L. Abraham, deceased.

Norman H. Adams to be postmaster at Minong, Wis., in place of N. H. Adams. Incumbent's commission expired May 13, 1939.

August W. Schiereck to be postmaster at Plymouth, Wis., in place of G. W. Schiereck. Incumbent's commission expired April 6, 1939.

Clifford T. Peterson to be postmaster at Poplar, Wis. Office became Presidential July 1, 1938.

Paul G. Pederson to be postmaster at Prairie Farm, Wis., in place of P. G. Pederson. Incumbent's commission expired June 18, 1938.

William F. Garvin to be postmaster at Rio, Wis., in place of W. F. Garvin. Incumbent's commission expired August 14, 1939.

Agna K. Means to be postmaster at Rothschild, Wis., in place of Agna Means. Incumbent's commission expired January 18, 1939.

Stannie Sigurdson to be postmaster at Sister Bay, Wis., in place of Stannie Sigurdson. Incumbent's commission expired May 13, 1939.

Mae B. McCoy to be postmaster at Sparta, Wis., in place of Mae McCoy. Incumbent's commission expired March 19, 1939.

Laurence Driscoll to be postmaster at Spencer, Wis., in place of Laurence Driscoll. Incumbent's commission expired January 18, 1939.

Ferdinand A. Hirzy to be postmaster at Stevens Point, Wis., in place of F. A. Hirzy. Incumbent's commission expired January 18, 1939.

Pearl E. Boots to be postmaster at Sussex, Wis., in place of J. P. Stier, deceased.

Gaylord Helmick to be postmaster at Three Lakes, Wis., in place of Gaylord Helmick. Incumbent's commission expired January 18, 1939.

Thomas J. Kelley to be postmaster at Tomahawk, Wis., in place of T. J. Kelley. Incumbent's commission expired May 28, 1938.

Nyole E. Creed to be postmaster at Unity, Wis., in place of N. E. Creed. Incumbent's commission expired January 18, 1939.

Harry P. Bowen to be postmaster at Watertown, Wis., in place of H. P. Bowen. Incumbent's commission expired July 9, 1939.

John Michels to be postmaster at Waunakee, Wis., in place of John Michels. Incumbent's commission expired July 30, 1939.

Magnus Magnusson to be postmaster at Washington Island, Wis., in place of Magnus Magnusson. Incumbent's commission expired February 18, 1939.

Harold J. Christ to be postmaster at Wausaukee, Wis., in place of H. J. Christ. Incumbent's commission expired January 18, 1939.

Edmund L. Premeau to be postmaster at Westboro, Wis., in place of L. G. Kaye, resigned.

Carl C. Schlecht to be postmaster at Woodruff, Wis., in place of C. C. Schlecht. Incumbent's commission expired March 19, 1939.

WYOMING

John L. Downs to be postmaster at Douglas, Wyo., in place of W. H. Bolln, deceased.

Lowell O. Stephens to be postmaster at Powell, Wyo., in place of Frank Herrington, deceased.

Robert W. Hale to be postmaster at Thermopolis, Wyo., in place of R. W. Hale. Incumbent's commission expired July 27, 1939.

Percival F. McClure to be postmaster at Worland, Wyo., in place of P. F. McClure. Incumbent's commission expired August 2, 1939.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 8, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

We are grateful, our Heavenly Father, that we still abide within the circle of the Lord of Life. We pray Thee to grant us the wisdom to fashion as we feel, to labor as we know, and bless us with the tranquil light of Thy truth. Just now we are reminded that on the earth the broken arc, in the heaven a perfect round. We rejoice that life is ever lord of death, and love can never lose its own. O Thou who art the center of our hopes and aspirations, be pleased to hear our Saviour's prayer as it falls from the lips of every dear heart: Our Father, who art in heaven, hallowed be Thy name; Thy kingdom come; Thy will be done in earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us; and lead us not into temptation, but deliver us from evil; for Thine is the kingdom, and the power, and the glory forever. Amen.

The Journal of the proceedings of Thursday, January 4, 1940, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had adopted the following resolutions:

Senate Resolution 203

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. J. WILL TAYLOR, late a Representative from the State of Tennessee.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Senate Resolution 204

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. SANTIAGO IGLESIAS, late the Resident Commissioner from Puerto Rico.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Senate Resolution 205

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. CARL E. MAPES, late a Representative from the State of Michigan.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Senate Resolution 206

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. WILLIAM I. SIROVICH, late a Representative from the State of New York.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Senate Resolution 207

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. JOHN A. MARTIN, late a Representative from the State of Colorado.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Senate Resolution 208

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. WILLIAM A. ASHBROOK, late a Representative from the State of Ohio.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Senate Resolution 209

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. GEORGE HENRY HEINKE, late a Representative from the State of Nebraska.

Resolved, That a committee of two Senators be appointed by the Vice President to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Pursuant to the foregoing resolution, the President pro tempore appointed Mr. NORRIS and Mr. BURKE as members of the said committee on the part of the Senate.

Senate Resolution 210

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. WALLACE E. PIERCE, late a Representative from the State of New York.

Resolved, That a committee of two Senators be appointed by the Vice President to join the committee to be appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Pursuant to the foregoing, the President pro tempore appointed Mr. WAGNER and Mr. MEAD as members of the said committee on the part of the Senate.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries.

ELECTION OF MEMBERS TO STANDING COMMITTEES OF THE HOUSE

Mr. BUCK. Mr. Speaker, I offer a resolution, which I send to the desk.

The Clerk read as follows:

House Resolution 340

Resolved, That CHARLES KRAMER, of California, be, and he is hereby, elected chairman of the standing Committee of the House of Representatives on Patents, and that the following-named Members and Resident Commissioner be, and they are hereby, elected members of the standing committees of the House of Representatives, to wit:

Judiciary: ESTES KEFAUVER, of Tennessee.

Public Buildings and Grounds: CLARA G. McMILLAN, of South Carolina.

Election of President, Vice President, and Representatives in Congress: CLARA G. McMILLAN, of South Carolina.

Insular Affairs: CLARA G. McMILLAN, of South Carolina; BOLÍVAR PAGÁN, of Puerto Rico.

Agriculture: BOLÍVAR PAGÁN, of Puerto Rico.

Labor: BOLÍVAR PAGÁN, of Puerto Rico.

Territories: BOLÍVAR PAGÁN, of Puerto Rico.

The resolution was agreed to.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from committees, which was read by the Clerk:

JANUARY 8, 1940.

HON. WILLIAM B. BANKHEAD,
Speaker of the House of Representatives,
Washington, D. C.

DEAR MR. SPEAKER: Having been selected for membership on the Judiciary Committee, I hereby respectfully tender you my resignation from the other committees of which I am at present a member, to wit: Revision of Laws; Claims; Coinage, Weights, and Measures; and Census.

Faithfully yours,

ESTES KEFAUVER.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

THE LATE HONORABLE CHARLES NAGEL

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COCHRAN. Mr. Speaker, Hon. Charles Nagel died Friday afternoon at his home in St. Louis at the age of 90 years. No movement that had for its purpose the betterment of his city, State, or Nation failed to receive his support.

During the administration of President Taft, Mr. Nagel was Secretary of the Department of Commerce and Labor. He did not seek the appointment and often stated it was the outstanding surprise of his life.

Born in Texas in 1849 the son of Dr. Herman Nagel, with his father, a Union sympathizer, he was forced to flee to Mexico during the Civil War. It was in 1864 father and son arrived in St. Louis and from that day to the date of his death that city has been Mr. Nagel's home. He was often referred to as St. Louis' first citizen, and the dean of the city's celebrities. In 1936 he received the distinguished service award for St. Louis because of his work in connection with united charities.

Mr. Nagel's contributions on public questions were always welcomed even among those who did not always agree with him. A staunch supporter of a free press, freedom of speech, freedom of religion, and the right of all citizens to assemble peacefully, his services on the lecture platform were freely given when the cause justified.

It was my pleasure to know Mr. Nagel since boyhood and likewise a pleasure for me to be able to call him my friend.

Mr. Speaker, as part of my remarks I include editorial tributes from the three St. Louis papers—the Post-Dispatch, Globe Democrat, and Star Times—which follow:

[From the St. Louis Post-Dispatch]

CHARLES NAGEL

There is a vacancy in the St. Louis scene where for so long stood the tall figure of Charles Nagel. His was a figure tall not only in physical stature but in the attainments of mind and heart that mark the truly great. Here was a statesman of the law, an earnest devotee of human liberty, a man of unshakably independent thought, a force for constructive action in city, State, and Nation.

The life of Mr. Nagel covered 90 years, an expanse of more than half his country's history, and he bore his four-score and ten with all the hardy vigor of a Roman elder. That, in fact, had been his role in the community in recent years: a revered and distinguished figure, always ready to draw upon his deep learning and experience for the public benefit, an active participant in everyday affairs. Almost until the end he could have used virtually the identical words spoken by Cicero at 84: "The senate-house does not miss my strength, nor the rostra, nor my friends, nor my clients, nor my guests."

It was not ambition that made Charles Nagel prominent in public life, but a sense of duty and an unselfish desire to serve the general welfare. Many more offices might have been his had he sought them, and had he observed the rigid metes of party regularity. But he had no taste for expediency; he would sacrifice no conviction for the sake of political approval. He served his chosen party well but always remained free to criticize and to split his ticket. Often he helped friends to office, but they were never his debtors; to favored judicial candidates he invariably said, "I must never be tendered any appointment at your hands."

Charles Nagel learned his democracy and his tolerance at first hand. His parents had left Germany in the forties to find in America the liberty denied by oppressors at home. As an impressionable boy, the son of union sympathizers in a Texas community, he was forced to flee with his father for personal safety. Convictions thus implanted doubtless inspired him to humanize enforcement of the immigration laws, his great work as Secretary of Commerce and Labor in the Taft Cabinet.

When the World War came closer to America, Mr. Nagel saw the perils it brought to democracy and unity. In those trying days he counseled strict loyalty to his fellows of German descent and warned the public at large against the hyphen hysteria of the day. He lived to see the senseless ban removed, and then to sorrow again for his spiritual brothers across the sea as Hitlerism, the negation of all that Charles Nagel believed, applied its brutal lash.

Mr. Nagel's range of interests and activities was as broad as his life was long. A stimulus to education, a patron of the arts, a friend of the underprivileged, he served the good causes which arose in the community. An advocate of business in his professional life, he saw the need for restraints on overreaching enterprise, and long sought Federal chartering of corporations as a means of establishing control.

In the passing of Charles Nagel, St. Louis loses its first citizen and the Nation a man who contributed valuably to its councils.

[From the St. Louis Globe-Democrat]

CHARLES NAGEL

It has been said, and truly so, that Charles Nagel was the "first citizen" of St. Louis. But what is most remarkable about this designation is that although he was a conspicuous citizen and a national figure for many years his greatest achievements as a civic inspiration were recorded in that period of his long life which followed the three score and ten when the average man might anticipate early retirement from an active life. Mr. Nagel lived to be 90. Until a few weeks before his lamented death, he was engaged at his tasks as a lawyer, his mind keen for professional service, his interest vigorous in the manifold problems confronting the city and its people. Tall, erect, and possessed of physical attractiveness, he was a commanding figure wherever he went.

On his passing it might be said, of course, that the city of his adoption has suffered a loss. He was the dean of the corps of counselors upon whom St. Louis might call for guidance and stimulation. A familiar voice in public affairs is now stilled. But he left a legacy which will not be soon forgotten. In his chosen profession, the law, he was outstanding. Since 1873 he practiced in this city. He served in the old city council. He was a member of the State legislature. He was a member from Missouri of the Republican National Committee and for many years was active in the party, locally and nationally. He served President Taft as Secretary of Commerce and Labor. Since 1892 he was a member of the corporation (board of trustees) of Washington University and

for a time was the board's president. At the time of his death he was president of the Missouri Historical Society. In 1936 he was awarded the civic award as the St. Louisan who had done more for the civic good than any other in the preceding year. The \$1,000 which accompanied the award he promptly contributed to the United Charities which he helped organize.

But this is bare enumeration of some of Mr. Nagel's formal contacts with city and national life. In less-familiar capacities he was a zealous exponent and defender of the best for civic welfare. In him was born a love of freedom. He never lost his zest as an advocate of freedom of speech, freedom of the press, and the right of free assembly. He was liberal without being radical. An ardent Republican, he was not always strictly bound by party lines, especially in city elections. Tragic for him were the World War days when the Germany of his ancestry became public enemy No. 1. He counseled then, as always, tolerance, which he believed was possible without surrendering one whit of loyalty to this country. He lived to see his sentiments justified by public opinion.

It was a rich field of human experience that was cultivated by Mr. Nagel over decades of public life that stretch back to post Civil War days. By the fruitful labors of many years he attained an eminence of affection in St. Louis which justly entitled him to be our "first citizen." His was a life of many years well spent.

[From the St. Louis Star-Times]

FIRST CITIZEN OF ST. LOUIS

Charles Nagel, noted attorney and civic leader who died yesterday, strode through his 90 years in a manner which made him recognized, for at least a generation, as the first citizen of this community.

His achievements were legion. From an humble beginning as the son of an immigrant, he climbed to the top in many fields. He became a distinguished teacher. He was an eminent lawyer. He held many public offices, including that of the Secretary of Commerce and Labor during the Taft administration.

Crowded though his life was, Charles Nagel found time for public welfare, civic needs, and charity. In 1936, at an age far beyond that when many men have gone into retirement, he received the St. Louis award for his "outstanding services to the city." His speeches at public gatherings in behalf of the underprivileged and the needy are memorable.

Mr. Nagel left upon those who came in contact with him the impression of a great and noble character. To people of humble station in life he was understanding and courteous. To young men and women he was a valued adviser. And to St. Louis as a whole he was an outstanding leader whose place will not soon be filled.

CALL OF THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I make a point of order.

The SPEAKER. The gentleman will state it.

Mr. MARTIN of Massachusetts. I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and forty-one Members are present, not a quorum.

Mr. RAYBURN. Mr. Speaker, I move a call of the House. A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 2]

Anderson, Mo.	Ditter	McLaughlin	Schwert
Barton	Duncan	McLean	Seger
Beam	Edmiston	Maciejewski	Short
Bell	Fernandez	Magnuson	Smith, Va.
Bland	Flannery	Maloney	Snyder
Brooks	Fulmer	Martin, Ill.	Sweeney
Celler	Geyer, Calif.	Monkiewicz	Treadway
Chapman	Griffith	Myers	Ward
Clason	Hall, Leonard W.	O'Day	West
Costello	Jarrett	Patrick	White, Ohio
Culkin	Keefe	Rockefeller	Wolcott
Darrow	Keller	Romjue	Woodruff, Mich.
DeRouen	Kleberg	Sacks	
Dies	McArdie	Sandager	

The SPEAKER. On this roll call 361 Members have answered to their names, a quorum.

By unanimous consent further proceedings under the call were dispensed with.

SWEARING IN OF MEMBER

The SPEAKER. The Chair lays before the House the following communication from the Clerk of the House:

JANUARY 8, 1940.

The SPEAKER,
House of Representatives,
Washington, D. C.

DEAR SIR: The certificate of election, in due form of law, of Hon. JOHN JENNINGS, Jr., as a Representative-elect to the Seventy-

sixth Congress, from the Second Congressional District of Tennessee, to fill the vacancy caused by the death of Hon. J. Will Taylor, is on file in this office.

Very truly yours,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

Mr. JENNINGS appeared in the Well of the House and took the oath of office.

PERMISSION TO ADDRESS THE HOUSE

Mr. CROWE. Mr. Speaker, I ask unanimous consent that on tomorrow, after the disposition of business on the Speaker's desk and the legislative program for the day, I be permitted to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

REFORESTATION

Mr. CROWE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CROWE. Mr. Speaker, this morning I addressed a letter to 91 Members of the House who have in their district forest areas suitable for reforestation in which I asked that they appear before the Subcommittee on Appropriations of which the gentleman from Missouri [Mr. CANNON] is chairman. I am renewing that request at this time. I hope and urge all Members interested in the further purchase of forest areas to call on that subcommittee within the next day or two and press their views.

Mr. Speaker, I ask unanimous consent to extend in the RECORD the statement I made before the Committee on Appropriations this morning.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RICH. Mr. Speaker, will the gentleman yield?

The SPEAKER. The time of the gentleman from Indiana has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. BOLLES. Mr. Speaker, I ask unanimous consent that on Thursday, at the conclusion of the legislative program for the day, I may address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein an editorial from the Saturday Evening Post.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE LATE HONORABLE OLIVER W. FREY

Mr. GERLACH. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. The Chair cannot entertain the gentleman's request. The Chair will recognize the gentleman for 1 minute if there be no objection.

There was no objection.

Mr. GERLACH. Mr. Speaker, I ask the privilege of paying tribute to a former Member of this body, a distinguished son of Pennsylvania, whose untimely death was a severe shock to his home city and State. I refer to the Honorable Oliver W. Frey, of Allentown, Pa., who departed this life on Saturday morning, August 26, 1939.

There is no mission more honorable than to be chosen by one's constituents to represent them in the National House of Representatives. The Congress of the United States is the most democratic and representative legislative body in the world and to be a Member of it is an honor that may well be coveted by every American.

To this high office Oliver Frey was elected three times by substantial majorities. His election in the first instance was to fill the unexpired term of the Honorable Henry Winfield Watson.

Mr. Frey represented the Bucks-Lehigh District in this body and was an esteemed and valued member of the Democratic Party in Pennsylvania. In the afternoon of the day he passed away he was scheduled to address a large political rally of the Democratic Party in Lehigh County, and his determination to keep this engagement may have hastened his death many of his friends believe.

By education and experience Oliver Frey was particularly well equipped for congressional service. After leaving high school he entered William and Mary College, from which he graduated with an A. B. degree in 1915. Following his graduation from William and Mary he matriculated at the University of Pennsylvania Law School and received his bachelor of laws degree from that institution in 1920. It was while he was attending law school that the United States entered the World War, and Oliver Frey, patriotically interrupting his studies, was among the first to enlist. He was commissioned a second lieutenant of Infantry on August 15, 1917. Later he was promoted to first lieutenant and also served as acting battalion adjutant. During the greater part of his enlistment he was overseas with the famous Seventy-ninth Division and participated in front-line action in the Avocourt and Troyon defensive sectors and the Meuse-Argonne offensive. On July 2, 1919, he was honorably discharged at Camp Dix, N. J., and resumed the study of law.

Upon graduation from law school he began at once the practice of his chosen profession. Possessed of a keen analytical mind, together with unlimited energy and close application to work, he soon gained a foothold in a rather crowded profession, and ere long was recognized as one of the outstanding members of the Lehigh County bar. His ability and integrity at the bar commanded the regard and esteem of his fellow barristers, and his friends and neighbors loved and respected him for his manly qualities and happy disposition. It is no exaggeration to say that his friends were legion and that one of his greatest virtues was his capacity for making and keeping friends.

With respect to his official duties he was untiring in his efforts to help those whom he was elected to serve. He discharged his congressional duties impartially and with a personal interest that made him beloved by all with whom he came in contact. They recognized in Mr. Frey all those cardinal virtues that make for good citizenship, honesty, loyalty, and sincerity, coupled with a fine mind and a charming personality, and when he answered the last roll call they knew they had lost a true friend and the district a worthy public servant. In fact, the passing of such able and distinguished public men is not only an irreparable loss to their neighbors, friends and constituents but to the Nation as well. Their achievements, however, are the source of much inspiration to us and to future generations. What better record can a man leave than that of the full performance of duty? Such a record denotes not only marked ability but undaunted courage and a high sense of honor. To men of this caliber the Nation is indebted for their tireless energy and devoted service; and to Oliver Frey, soldier, lawyer, statesman, friend, I pay this humble but sincere tribute, fully recognizing that the unblemished record of his private life and public service will ever be his proudest monument.

Thy day has come, not gone;
Thy sun has risen, not set;
Thy life is now beyond
The reach of death or change,
Not ended—but begun.
O noble soul! O gentle heart! Hail and farewell.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech made by myself some time ago.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

COMMITTEE ON THE CIVIL SERVICE

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent that the Committee on the Civil Service be discharged from

consideration of the bill (S. 1618) granting an annuity to William F. Pack, and that the bill be rereferred to the Committee on Military Affairs.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

EXTENSION OF REMARKS

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Christian Science Monitor, a statement by myself, a statement by the Civil Service Commissioners, and a statement by Mr. Burlew, First Assistant Secretary of the Interior.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein an editorial from the magazine Fortune.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address I delivered to the Indianapolis Press Club on December 27.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include speeches delivered by the Right Honorable Alfred Duff Cooper and the Honorable Frank Murphy, Attorney General of the United States, at the National Conference for Palestine, at the Mayflower Hotel, city of Washington, January 17, 1940.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MICHAEL J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an address delivered by Attorney General Murphy in Washington yesterday.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein an editorial from the New York World-Telegram.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ENGEL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered to Maj. Gen. C. M. Wesson, Chief of Ordnance, United States Army, of Chicago, Ill., on the 6th of November last.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE LATE MILTON W. SHREVE

Mr. RODGERS of Pennsylvania. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. RODGERS]?

There was no objection.

Mr. RODGERS of Pennsylvania. Mr. Speaker, it is with a sense of sadness that I arise to announce the passing away of a close personal friend and a Member of this House from my own district for a period of 16 years, the late Honorable Milton W. Shreve, of Erie, Pa., whose death occurred December 23, 1939.

On December 16, 1939, he suffered a cerebral hemorrhage, and death resulted just 1 week later.

Mr. Shreve was born in Venango County, Pa., May 3, 1858, the son of Rev. and Mrs. Cyrus Shreve, his father being a Baptist minister. After graduating from Bucknell University at Lewisburg, Pa., in the class of 1884, he took up the practice

of law, was elected district attorney of Erie County in 1899, and later elected as representative in the Pennsylvania Legislature for three terms, namely, 1907, 1909, 1911, serving a part of the last term as speaker of the house.

Mr. Shreve was elected to Congress in 1913 and served one term. Was reelected in 1919 and served seven consecutive terms. He was a member of the Appropriations Committee and for a time chairman of the subcommittee having charge of appropriations to the Departments of State, Justice, Commerce, and Labor.

He was active in civic and fraternal affairs in his community as well as affairs political. He was a 32° Scottish-rite Mason, past commander of Mount Olivet Commandery, Knights Templar, and a past potentate of Zem Zem Temple, A. A. O. N. M. S. His career in public and civil life attests the esteem and confidence in which he was held by those who knew him best.

His religious profession was that of Presbyterian, being a member of the Church of the Covenant at Erie, Pa., where funeral services were conducted by his pastor on December 26, 1939.

Mr. Shreve's wife, Mary Hill Shreve, preceded him in death about 3 years ago. Their two children survive, Lyman C. Shreve, a prominent lawyer of Erie, Pa., and Mrs. E. B. Hulbey, of South Pasadena, Calif., who, with a host of other relatives and friends, mourn his passing.

EXTENSION OF REMARKS

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein figures relative to the importation of agricultural products.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. BROWN]?

There was no objection.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include in connection therewith an article from the Minnesota Stabilization Council regarding an amendment to the Federal Old Age Pension Act.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. ALEXANDER]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two subjects, and in connection with the latter, the Supreme Court appointments, to include an editorial from a California paper.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from yesterday's New York Times.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. ANDERSON]?

There was no objection.

Mr. BENDER asked and was given permission to extend his own remarks in the RECORD.

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered before the American Petroleum Institute by Paul G. Hoffman, president of the Studebaker Corporation.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. GRANT]?

There was no objection.

MEMBERS OF UNITED STATES TERRITORIAL EXPANSION MEMORIAL COMMISSION

The SPEAKER. Pursuant to the provisions of Public Resolution 32, Seventy-third Congress, the Chair appoints as members of the United States Territorial Expansion Memorial Commission the following Members of the House: Mr. KELLER, Mr. MOUTON, and Mr. WINTER.

MEMBERS OF THE BOARD OF VISITORS OF THE COAST GUARD ACADEMY

The SPEAKER. Pursuant to the provisions of Public Law 183, Seventy-sixth Congress, the Chair appoints as members of the Board of Visitors to the Coast Guard Academy the following Members of the House: Mr. LUDLOW and Mr. TABER.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The SPEAKER laid before the House the following communication from the chairman of the Committee on Merchant Marine and Fisheries, which was read:

JANUARY 5, 1940.

HON. WILLIAM B. BANKHEAD,

Speaker, House of Representatives,

Washington, D. C.

DEAR MR. SPEAKER: Pursuant to the act of April 16, 1937, as amended (Public, No. 38, 75th Cong., 1st sess.) I have appointed the following members of the Committee on Merchant Marine and Fisheries to serve as members of the Board of Visitors to the United States Coast Guard Academy for the calendar year of 1940: Hon. LINDSAY C. WARREN, Hon. EUGENE B. CROWE, Hon. FRANCIS D. CULKIN.

As chairman of the Committee on Merchant Marine and Fisheries, I am authorized to serve as ex officio member of the Board.

Yours very truly,

S. O. BLAND, Chairman.

ANTILYNCHING BILL

The SPEAKER. The Chair recognizes the gentleman from New York [Mr. GAVAGAN].

Mr. GAVAGAN. Mr. Speaker, I call up No. 1 on the Calendar of Motions to Discharge Committees, being motion No. 10, to discharge the Committee on Rules from consideration of House Resolution 103.

The Clerk read the title.

The SPEAKER. Under the rules, the gentleman from New York [Mr. GAVAGAN] is entitled to 10 minutes.

Mr. GAVAGAN. Mr. Speaker, I have agreed to yield 5 minutes of my 10 minutes to the gentleman from New York [Mr. FISH].

The SPEAKER. May the Chair inquire who is expected to control the time in opposition?

Mr. SABATH. Mr. Speaker, I yield 5 minutes of my 10 minutes to the gentleman from Georgia [Mr. COX], a member of the Rules Committee, and 5 minutes to the gentleman from North Carolina [Mr. CLARK].

Mr. GAVAGAN. Mr. Speaker, I now yield 5 minutes to the gentleman from New York [Mr. MARTIN J. KENNEDY].

Mr. MARTIN J. KENNEDY. Mr. Speaker, today is Jackson Day, I believe it a most appropriate day to discuss this important resolution. Andrew Jackson was a courageous and fearless man. Let us be equally courageous in our action on the pending resolution. Before this day is over we Democrats will all be seated around the same festive board—some of us representing the North and some representing the South. We will be cheering and praising the name of that great stalwart of our party, Andrew Jackson. It would be well to consider the pending business in this same feeling of good fellowship and brotherhood. Unfortunately, in the past the debate on this matter resulted in considerable bitterness—sharp and unpleasant language. This proposal deserves to be considered in a most calm, friendly, and dispassionate manner. [Applause.]

On January 3, more than 1 year ago, H. R. 801, known as the antilynching bill, was introduced by the gentleman from New York [Mr. GAVAGAN] and referred to the House Committee on the Judiciary. As the Judiciary Committee failed to take action, a petition to discharge the committee from further consideration of the bill was placed on the Speaker's desk and was promptly signed by 218 Members of this House. The rules of the House allow but 20 minutes of debate on the resolution which will make the antilynching bill the special order of business. It is most important that every Member remain in the Chamber and vote on this issue because it is here only as a result of the persistent efforts of our colleague, the gentleman from New York [Mr. GAVAGAN]. His interest in persecuted minorities has won for him the love and affection of not only the people of the colored race but of every other helpless group, regardless of race or creed, around

whom he would securely place the protecting arm of justice. In my opinion, his untiring efforts throughout the years as a member of the Legislature of the State of New York and as a Member of the Congress of the United States on behalf of the underprivileged and forgotten man establishes the gentleman from New York [Mr. GAVAGAN] as a great liberal and a staunch defender of democracy. [Applause.]

The hope of mankind lies in democracy—and mankind hopes democracy will survive. Democracy proceeds only from tolerance. When mankind realizes all men are brothers—because they are sons of God—mankind will treat all men as brothers. Then will we have tolerance—then only will we have democracy.

Democracy was born in the New World and it was carried by the wind and the waves to the Old World. Great southerners, such as Washington and Jefferson, joined with great northerners, such as Ethan Allen and Adams, in enforcing tolerance and democracy by driving violators of these principles from our shores. The success of their new governmental philosophy inspired the progressive thinkers of Europe to import democracy from America.

Today, Europe looks to us again. We preach democracy; shall we practice it? That question will be answered by the votes on this bill. We condemn oppression abroad; shall we sanction it here?

There is nothing of sectional import about this bill. It simply implements our democracy to protect minorities against mob law wherever it may break out.

The introducer, the gentleman from New York, Representative JOSEPH A. GAVAGAN, is a stalwart, intelligent son of New York, that same New York whose history is linked in so many ways with the spirit of the Southland. In the dark days of the South, after the Civil War, men of New York, who occupied the seats now held in the House by the gentleman from New York [Mr. GAVAGAN] and the others in the New York delegation, rose to the defense of the South and helped it drive out the oppressors.

New York, large, active, seething, has always had time for charity. New York, a city of aggressive competition, has never ignored tolerance. New York, the home of men of all origins and from all places, knows that men of all kinds can live together in peace and understanding.

It is of the nature of New York, that we, its Representatives in the Congress, support this bill. We love with an intensity our democracy. We see in the huddled, forlorn figure of a human body hanging from a tree a mocking question mark on the American scene.

In the early days of the Great West of the United States, when cattlemen and miners were scattered over a huge wild country where policemen and courts were unknown, there were two famous characters who helped to maintain order—"Colonel Colt" and "Judge Lynch." Colonel Colt was the revolver that every man carried for his protection, and Judge Lynch was the rope that was used surely and swiftly to hang those who broke the written or unwritten law of the frontier.

The word "lynch" is said to come from the name of Charles Lynch, an American planter who, during the Revolutionary War, illegally inflicted punishments on Tories.

Lynching, which means the summary punishment of suspected criminals by private individuals and without a regular trial, was almost a necessity in those days, for effective Government organization for the punishment of "bad men" had not caught up with the spread of population. Vigilance committees of citizens, called "vigilantes," enforced the law in the early western gold fields. Lynching is no longer justified. Today it is usually the work of emotionally aroused groups seeking vengeance for some exceptionally savage crime that should and would be punished by the courts. Negroes have been the chief victims of these lawless outbreaks, and in most cases it has proved almost impossible to convict persons who have taken part in these outrages. The Federal Government is powerless to act, because the administration of criminal law is entirely in the hands of the various States. During the World War, President Wilson issued a statement earnestly protesting against such outbursts of lawlessness, saying:

There have been many lynchings, and every one of them has been a blow at the heart of ordered law and human justice. No man who loves America, no man who really cares for her fame and honor and character, or who is truly loyal to her institutions, can justify mob action while the courts of justice are open and the governments of the States and Nation are ready and able to do their duty. I say plainly that every American who takes part in the action of a mob or gives it any sort of countenance is no true man of this great democracy but its betrayer.

The best remedy for lynch law has been discovered to be prompt action by the courts in serious criminal cases and a speedy execution of the sentence imposed on the guilty.

A community outraged at crime need no longer be impatient at the pedestrian pace of the law. Today, with a Nation warring on crime, the law is swift and certain, and no guilty man can escape. There are no frontiers without order and efficient enforcement agencies. The only gap in our scheme is a lack of an antilynching statute. This we hope to cure by the Gavagan bill. Pass it and lynching, the crime against democracy and tolerance, will be "gone with the wind." [Applause.]

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina [Mr. CLARK].

Mr. CLARK. Mr. Speaker, the question upon which you will be called presently to vote will be: Shall the Rules Committee be discharged? I believe it is pretty well understood by the Members of the House that the Rules Committee cannot intelligently proceed or fix the parliamentary procedure as to any proposed legislation until such legislation is in some manner before the committee. This bill has never been before the Rules Committee. The only thing before our committee is a little, short resolution purporting to fix the parliamentary status of a bill actually in the Committee on the Judiciary. It seems to me very unfair to one of the committees of this House to bring us down here and discharge us by a vote of the House from the consideration of a measure we have actually never had an opportunity to consider. However, we are the servant of the House, and you have the power and will soon have the opportunity to adopt that kind of procedure, if you wish to do so.

One thing more: This bill refers for its constitutional basis to the fourteenth amendment, and that, as everyone knows, has always been a field of high controversy as to constitutional questions. Here you have a bill that undoubtedly undertakes to invade the sovereign right of the State to maintain law and order within its own boundaries. No fair-minded man can read it and consider the simple language of the Constitution without being convinced that there is at least a serious constitutional question involved in this proposed legislation; yet we are called upon to proceed without even the advice of our able and distinguished Committee on the Judiciary.

Those of us who speak in opposition to this bill do not advocate lynchings. We stand together, I think, for the enforcement of law and order. This problem, as all well-informed people who will be candid about it must admit, is rapidly solving itself in the right way. Enlightenment, education, is removing the cause of lynchings.

It seems to me peculiarly unfortunate and singularly unwise that in the face of a record of such fine improvement the House of Representatives should be called upon in the very first days of the session to deal with this almost age-old problem. It always engenders bad feeling, ill will, and discord. I maintain that the States have the right under the Constitution to handle this problem; that they are handling it; and that the problem is being rapidly solved in a way that has excited the admiration of thoughtful students of conditions that have and do exist.

Democracy may be on trial. The distinguished gentleman who preceded me made some reference to that. It is anomalous that upon the convening of this important session of Congress, with not only Nation-wide but world-wide problems to be dealt with, we should come here with this slipshod procedure, without even the advice of our own lawyers as to the constitutionality of the measure, and set up a thing like this

to receive the first consideration of this Congress and the country at large. [Applause.]

[Here the gavel fell.]

Mr. GAVAGAN. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, let me say in answer to the gentleman from North Carolina [Mr. CLARK] that we are considering this proposed legislation in accordance with the orderly procedure, parliamentary law, and the rules of the House of Representatives. I make this statement as a member of the Committee on Rules. There is nothing out of the ordinary to bring up for consideration this bill by a motion signed by 218 Members.

I rise to support the motion to discharge the Committee on Rules from further consideration of the antilynching bill. This motion to discharge was signed by 98 Democrats and 117 Republicans, one member of the American Labor Party, and two Progressives. The bill of the gentleman from New York [Mr. GAVAGAN] is identical with the bill I introduced practically at the same time. I assume on the final passage there will be more Republican votes for it than there will be Democratic votes.

I approach this question with malice toward none and charity and friendship toward all. I recognize that there are in the Southern States just as many sincere and able advocates of the Constitution, interpreters and expounders of the Constitution, as in other parts of the Nation. There is no reason to impugn the motives of any Members of the House or indulge in invectives or vilification or personal abuse. This is a matter of dealing with or reflecting a sectional point of view, with those in the South largely on one side and those of the North and the West largely upon the other.

Every time a colored man or woman is lynched or burned at the stake in America it means that the Emancipation Proclamation has been suspended and that their civil and equal rights have been destroyed under the law and the Constitution. I have few colored people in my own district, but I would be derelict to those colored soldiers who served under my command and who paid the supreme sacrifice on the battlefields of France fighting to make the world safe for democracy if I did not raise my voice and do everything in my power to help pass a Federal antilynching bill in order to make America safe for their own people, their families, and sons. [Applause.]

The primary and paramount duty of Congress is to legislate to safeguard the security and lives of the American people and that is the reason for the existence of our government. I have taken an oath of office to support and defend the Constitution, and believe I am defending it when I am trying to protect human lives in America, whether they are white or whether they are colored.

There are still some American ostriches who refuse to recognize the constitutional rights of 13,000,000 free colored Americans, or one-tenth of our entire population, to equal protection and the due process provisions of the fourteenth amendment. There is a definite guaranty in the Federal Constitution that no American, whether he be colored or white, shall be deprived of his life or liberty without a trial by jury or due process of law, and naturally the Congress has the power to enforce such a mandate.

President Roosevelt spoke to Congress on the state of the Nation and of the world, and particularly of conditions in Europe, but failed to mention making democracy work at home by enacting a Federal antilynching law. President Roosevelt does not hesitate to express his views and pass moral judgments on European nations, but why is he so strangely silent on legislation aimed to provide for the security and safety of the lives of our own people?

I agree with the President, when he quotes the preamble to the Constitution and says our best defense is the promotion of our general welfare and domestic tranquillity. Maintaining those views, I ask President Roosevelt to state at the Jackson Day dinner tonight where he stands on the anti-lynching bill and what he proposes to do to secure its

passage in the Congress and help in establishing justice and domestic tranquility in our own country.

A nation that does not protect its own citizens is not worthy of the name. A nation that sits supinely by and permits its own citizens to be destroyed by mob violence is in no position to protest racial injustices and persecution in foreign lands.

I again ask President Roosevelt to help make effective in behalf of 13,000,000 loyal colored people the fine words he uttered to Congress:

We must as a united people, keep ablaze on this continent the flames of human liberty, of reason, of democracy, and of fair play as living things to be preserved for the better world that is to come.

That is precisely what the colored people in America are asking for—human liberty, reason, democracy, justice, and fair play. [Applause.]

Mr. SABATH. Mr. Speaker, I yield the remaining time to the gentleman from Georgia [Mr. COX].

Mr. COX. Mr. Speaker, following the Civil War, while the South lay prostrate with the heel of the soldier upon her neck, Thaddeus Stevens, describing the program which he proposed to impose upon the South said:

Every government is a despotism. * * * The Constitution has nothing to do with it. (The program that he proposed). * * * I propose to deal with you entirely by the laws of war * * * conquered people have no right to appeal to the courts to test the constitutionality of law. * * * The Constitution has nothing to do with them or they with it.

When Thaddeus Stevens said that, he sank, in my opinion, to the uttermost depths to which the arrogance of power may drag men, yet he never sought to do a meaner thing to the South than it is proposed to do in this bill; he never sought to outrage, to injure, or to humiliate the South more than those who urge the enactment of this bill would outrage, injure, and humiliate it, for this measure has in it all the hypocrisy of the villain who daubs his vice with a show of virtue. If this bill were the proposal merely of an ignoramus filled with pride, vanity, and annoyance, "unknowing what he seeks," it might be dismissed as a grotesque absurdity. But, unfortunately, it is no such thing. It is the perfidious and evil product of a mixed group which, under the guise of "due process," and in the name of "equal protection of the law," seeks to use the powers of this great Government to humiliate, infuriate, and manhandle a people who are earnestly doing their best to find the solution of problems which beset them.

This bill, Mr. Speaker, is the expression of hostility—a senseless, venomous, ignorant, unreasoning hostility—that has existed in some quarters against the South for almost a century. At the present moment it represents the combined will and scheming of a radical Negro group that preaches natural rights and social equality; the leftist who wants to remake America into a despotism like that of Stalinist Russia; the Communist who seeks revolution as his opportunity for the spreading of his Godless and filthy doctrines, and who finds the Negro a willing tool in his effort to wreck and ruin society as it is constituted today; the simple idealist who is willing to try anything because he honestly believes that it will work for the social and economic betterment of the colored race; the so-called centralist, who believes in the concentration of power at Washington and the wiping out of every vestige of State sovereignty; those who would eradicate local self-government and nationalize our people and their activities; and more, perhaps, than any of these, the ruthless and self-seeking politician who would be perfectly willing to outrage the virtue of southern womanhood and to mongrelize a great part of his own nation as the price of securing for his own selfish and nefarious purposes the Negro vote.

These, Mr. Speaker, compose in essence the group that conjured up this iniquitous measure and that has kept the agitation for it alive through all these years, because each class of them hoped by its enactment to vitalize their own selfish or mistaken plans.

This bill is full of venom toward an already overabused and overpersecuted people. It was conceived and proposed with

a reckless disregard for the effect it would have upon those it purports to protect. It is an effort on the part of the most of our northern Democratic and Republican brethren to do to the Southland that which a Republican Party, rendered drunk by power and under the control of irresponsible fanatics, sought to do with Federal bayonets during the years of chaos and reconstruction that followed the Civil War.

Mr. Speaker, the South is sick and tired of being treated as a conquered province, and if the party which it has cradled and nurtured and supported all these years permits itself to be used as the instrument for its complete undoing, then you may depend upon its people finding some other means of protecting themselves. And let me remind you that the Democratic Party is in control of this Congress, and that if this bill becomes law, the Democratic Party must take the responsibility for it.

We in the South have lived with the Negro in our midst as a part of our economic and social structure for more than 300 years. The relations that exist between us are good and should not be disturbed. It does not seem possible for the people of the North to know, let alone to feel, the sense of affection and responsibility and care for the Negro that we in the South feel for him in his proper place and in his proper activities.

Mr. Speaker, so far as lynchings are concerned, every Member of this Congress knows that that problem practically is solved in the South. Lynchings never have been the result of any innate, insatiable blood lust on the part of our people. In every case in which a lynching occurred it was necessarily preceded by some outrage. The rapid decline in the number of lynchings in the South does not represent a change of attitude on the part of the whites toward the crimes for which most lynchings occur nor is it to be taken as a relaxation of resistance to the efforts to force race mixture as is in part intended by this bill. It is due largely to the improved conduct of the southern Negro. He has ceased largely to violate the persons of white women and white girls, and as soon as he ceased that he no longer faced the menace of the rope or the bullet at the hands of infuriated people.

It is too thoroughly established as a philosophical fact to require reiteration here that you cannot legislate morals into a people. Morals are a matter of motive and motive is not a matter of legislation; it is a matter of education.

The Negro has his perfectly proper place in the South, just as he has his perfectly proper economic function in the South; and so long as he occupies that place and performs that function he will be treated better there than he is treated in the North, where he can starve to death within the shadow of this Capitol without exciting the tears and the cries of those who would go far South to find objects for their pity. Statistics show that a greater percentage of the Negroes in the South own their homes and farms and other property, that a smaller percentage of them is in prison, and that their crime record is much better than that of the Negroes of the North.

I might remind this House that in other days in the North when individuals or groups undertook to flaunt the law and all the tenets of civilization, and were effectively dealt with by law-abiding citizens, those citizens were not called lynchers. They were called vigilantes, and their memory is revered, their actions in shooting down or stringing up desperadoes are commemorated through the West today by plaques and tablets, and their descendants feel that they are honored because their fathers were numbered among these vigilantes who had the courage to uphold law and order and decency and morality.

But let the same thing happen in the South under the same circumstances and for the same reasons and immediately somebody wants to propose a law against it. Let me remind you, Mr. Speaker, that before the Civil War lynchings of Negroes were unknown; the necessity for this sort of drastic treatment of individuals here and there grew out of the conditions created by the carpetbag rule of northerners who refused to permit native southern whites to participate in the administration of public law.

I do not want to be misunderstood. I deplore lynching as much as any individual in this Nation. Also I deplore the conditions that give rise to lynching as much, and perhaps more, than many others in this Nation. I deplore them the more because I have lived with them. I have seen these conditions arise. The Negro maintaining his proper relationship and performing his rightful functions in the South is assured of a respect and affection that he does not get in the North. Where in the North could any slave child, traded for a horse, have risen to that high position of respect, honor, and affection reached by the eminent scientist, George Washington Carver, who but recently passed on to his reward? The esteem or disesteem in which the Negro is held in the South is not a matter of the color of his skin. It is the question of the kind of character that he has as an individual.

There is no community in the South to which you could go in which you would not find the vast majority of Negro citizens getting along well with their white neighbors, free to accumulate property, free to pursue life, liberty, and happiness, free to pursue an education, free to lift themselves to the greatest heights to which they individually may be capable. Here and there among the Negroes of the South, as among the Negroes of the North, as among the whites of the South and the whites of the North, we find an individual who has no regard for the law, who has no regard for his fellow man, who responds only to the influence of force.

To make a law that can be used to disrupt the social and economic structure of the South simply because here and there an individual renders himself so obnoxious as to require attention is grotesque beyond words, and this proposed act is not conceived in unselfish regard for the Negroes of the South; it is not proposed in the interest of either the white people or the Negroes of the South; it will not operate to the benefit of either the Negroes or the white people of the South; it is a miserably sorry bargaining away of the respect and the integrity of the South for the Negro votes of the North. It is the Harlem district of New York exercising more influence with the party in power than the whole white South.

Though the South possesses a vast percentage of the Nation's natural resources—a third of the land area and the population of the country, yet it owns less than 2½ percent of the total wealth of the Nation, and enjoys but a fraction of the annual national income. Unable though it has been to protect itself against economic exploitation, it has been able to preserve its civilization, and it will protect itself against the deeper purpose of this bill which is the mongrelization of its people.

My colleagues, you might just as well face the fact, and I thank God that it is a fact, that the Federal Government has not the power that can be misused to break down the color line in the South. Revile and abuse my people as you may, it must be said of them that they have done that which no other people under similar circumstances have been able to do in 60 centuries of history. They have made the color line the most important of all national policies, and in so doing, they have kept this Nation white.

Let us examine the bill briefly, Mr. Speaker, and see just what it is.

The first section of the bill declares that it is enacted—

in exercise of the power of Congress to enforce by appropriate legislation the provisions of the fourteenth amendment to the Constitution of the United States, and for the purpose of better assuring by the several States under said amendment equal protection and due process of law to all persons charged with or suspected or convicted of any offense within their jurisdiction.

The fourteenth amendment to the Constitution, after declaring all persons born or naturalized in the United States to be citizens thereof and of the States wherein they reside, reads:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the law.

Under the language of the bill the Federal Government sets up an overlordship over States and pledges itself to the use

of compulsion against States. It is nothing less than the taking away from the people of the States their own government and using it in a manner satisfactory to the Congress, the same as was done in the South during the bitter and tragic years of reconstruction.

Section 2 of the bill defines a mob as—

Any assemblage of three or more persons which exercises or attempts to exercise by physical violence and without authority of law any power of correction or punishment over any citizen or citizens or other person or persons in the custody of any peace officer or suspected of, charged with, or convicted of, the commission of any offense, with the purpose or consequence of preventing the apprehension or trial or punishment by law of such citizen or citizens, person or persons.

It provides that—

Any such violence by a mob which results in the death or maiming of the victim or victims thereof shall constitute "lynching."

This means that if the father and brothers—three kinsmen or friends of a girl whose body had been violated by a fiendish brute—were in the exercise or attempt to exercise any power of correction or punishment to lay their hands in violence upon the culprit with the purpose or consequence of preventing trial or punishment by law they would immediately become mobsters, and if such action of such persons should result in the death or the maiming of the victim they would become lynchers.

Section 3 of the bill states that—

Whenever a lynching occurs, any officer or employee of a State or any governmental subdivision thereof who is charged with the duty or possesses the authority to protect such person or persons from lynching, and neglects or refuses to make all diligent effort to protect such person or persons from lynching, or who has custody of the person or persons lynched and neglects or refuses to make all diligent effort to protect such person or persons from lynching, or who is charged with the duty or possesses the authority to apprehend, keep in custody, or prosecute the members or any member of the lynching mob and neglects or refuses to make diligent effort so to do, shall be guilty of a felony and upon conviction thereof shall be punished by a fine not exceeding \$5,000 or by imprisonment not exceeding 5 years, or by both such fine and imprisonment.

This means that officers of a State, from Governor down, whose duty it is or who have the authority to protect a person from lynching and who neglect or refuse to make all diligent effort so to do, or any officer who has custody of the person lynched and neglects or refuses to make all diligent effort to protect him or fails to apprehend, keep in custody, and prosecute members of the mob, shall be guilty of a felony and shall be subjected to a fine not exceeding \$5,000 or imprisonment not exceeding 5 years, or by both fine and imprisonment.

Under this language, if a Governor, sheriff, constable, town marshal, or any other officer whose duty it is or who has the authority to do any of the things enumerated were, in the opinion of some bureaucrat in Washington responsive to any of the groups hostile to the South supporting this proposed act, to fail to exercise all diligence, then they would become subject to the penalty and punishment provided.

What is meant by "all diligence"? Does it mean, in the case of a Governor, that he shall put aside all other State business and devote all of his time and exert all of the police powers of the State to the defense of one charged with crime? Would the term "all diligence" be satisfied by anything less than the full and complete exercise of all power? Would the Governor be exerting all diligence if he should fail to call out the whole of the National Guard and to summon every police officer of the State? In the case of a sheriff, does "all diligence" mean that he would be compelled to give all his attention to the protection of his prisoner; and, if so, for how long? If he deputized but a part of the male citizenry of the county, would this satisfy the law? In the defense of a prisoner against a mob, does "all diligence" mean that the sheriff shall kill; and, if so, how long and how many must he kill before it can be said that he has exercised all diligence and exerted all power in the effort to prevent a lynching; and does "all diligence" mean, as applied to the Governor, sheriff, constable, and all others, that they shall

exert all of the powers at their command at one and the same time?

This language of the bill places peace officers of a State and all others whose duty it is or who have the authority to protect a person charged with crime against violence at the complete mercy of the Federal Government, which means at the mercy of those same influences which are forcing a politically minded Congress to adopt the bill.

Let me give you an illustration: Take my State—suppose a crime should be committed in Mitchell County, 200 miles removed from Atlanta, the seat of the State government, and say that the Governor should fail to call out the National Guard, or the sheriff of the county should fail to deputize all citizens of the county to protect the perpetrator of the crime, and say that a lynching should follow; the Governor and the sheriff would be subject to prosecution, fine, and imprisonment, provided in the opinion of some bureaucrat in Washington there should have been failure on the part of either to exercise all diligence. What is diligence? What constitutes all diligence? It is whatever the Federal bureaucrat says it is, and this bureaucrat will say whatever is necessary to satisfy the influences back of this bill. It subjects all peace officers to the will of organized Negro groups in the North, who, having the political power to force the adoption of this bill, will have the power to exert at least an attempt at enforcement.

Clause 1 of section 5 provides that all subdivisions of a State—that is, a county, parish, or municipality—shall be civilly liable for any lynching occurring within their jurisdiction or which follows upon the seizure and abduction of the victim by a mob within its territorial jurisdiction, and shall pay to the injured party or to his or her next of kin, if such injury results in death, a sum not less than \$2,000 and not more than \$10,000.

Thus it is seen that the people of a town, city, or county, wholly innocent of wrongdoing, may be compelled to reward a rapist or the family of a rapist for a crime of which they had no knowledge and to prevent which they had no opportunity. If, under the bill, a mob made up in one county takes its victim into an adjoining county and lynches him, the county, parish, or city from which he was taken, as well as the county, parish, or city in which lynching takes place could be compelled to pay up to \$10,000 to the party lynched, or the mob might take their victim across the State line with the same result, or a mob made up in one county might seize their victim in some other county, with the result that the county where the victim was seized could be compelled to pay. So a county in which a lynching occurs, or the county from which the person lynched was taken, is required to pay from \$2,000 to \$10,000 to a person lynched, even though he suffered no greater injury than the loss of a finger or the slitting of an ear, for the Federal Government comes upon them from Washington and compels them to pay.

The bill makes no provision for any sort of relief to the woman or girl that may have been raped, or to the next of kin of such woman or girl who might have been raped and killed. All pay goes to the rapist or to his next of kin. It is a reward paid to the guilty, not to the victim. It is a premium put upon guilt and not innocence. It is equivalent to the case of British agents who during the Revolution paid Indians for the scalps of American men, women, and children. It pays for the raping and killing of the girls and the women of the Nation.

Let me state a case of which I have personal knowledge. In an adjoining county to the one in which I live a man died leaving a tired and worn-out little wife and a pallid little girl child of 11. They were country people, half "croppers," and dreadfully poor. One day this little woman gathered up her eggs, put them in a bucket, and sent her child with them to the neighborhood store, but 2 miles distant, for some small household necessities. The child made her purchase and started back home, but she never arrived. The mother made an outcry and the neighbors came in. They proceeded to search everywhere for the little girl. People for miles distant came to help, but the child could not be found.

Days later, while a neighbor was passing a small pond in a wooded place about half the distance between the mother's house and the store, a little white hand was seen above the water as if appealing to the throne of God for vengeance. The body of the child was recovered from the water. It was found that she had been ravished, her throat cut, and the flimsy little garments that she wore had been torn from her back and a rock fastened around her body to keep it weighted beneath the water. Search for the fiend who had soiled and mutilated this little body was initiated, and quickly resulted in the apprehension and capture of the guilty party; and in the presence of the naked, torn, and lacerated body of the child he confessed, and under these circumstances the people present killed him. These people, under this bill, are made mobsters and lynchers, and for their act the people in the county, including the mother of the dead child, would be made to pay, through taxation, to the next of kin of the fiend a sum up to \$10,000. I could recite case after case equally distressing as this.

If the Federal Government has the power to exert compulsion against subdivisions of a State, then it has the power to exert compulsion against a State, for the subdivisions of the State derive all their powers from the State; and if the Federal Government can exact a penalty of \$10,000 of a town, county, or city, it can exact a penalty of a hundred million against a State, and thus destroy the State.

If the Federal Government can oust a State from the enforcement of one of its criminal laws, it can take jurisdiction from the States over all crime and thus destroy the States. No such power of destruction to the States is delegated or was intended to be delegated to the Federal Government, and effort here would not be made to confer such a power except that it be necessary to serve the political exigencies of unworthy men.

In clause 2 of section 5 of the bill provision is made for the enforcement of claims against subdivisions of States by suits brought in the United States district court by the Attorney General of the United States and prosecuted by him in the name of the United States for the use of the party at interest, and all judgments obtained are to be enforced through the power of contempt, which means that in the event that judgment was obtained against a county, and the commissioners or board of control thereof, because of the lack of authority, failed or refused to levy a tax for its payment, then the Federal judge could hold them in contempt and keep them confined indefinitely or until the judgment should in some wise be satisfied.

Clause 3 of section 5 empowers the judge of the United States court in which the suit is brought for the purpose of trial to shift the suit from division to division of the district over which he presides, which means empowering the Attorney General of the United States, the chief officer of the court, and the counsel for complainant to say in what division of the district a case may be tried. It makes judicial procedure in such cases a matter of political manipulation. It deprives individuals and subdivisions of the State government of the right to have cases brought against them determined by a jury selected from the division of the court in which they reside. It means that individuals, towns, and counties may be taken clear across the State to defend themselves in a suit brought against them by the Attorney General of the United States, the chief officer of the court, and the commanding influence in determining court procedure.

Here you have the whole judicial power of the Federal Government arrayed against a small town marshal, mayor, district constable, county sheriff, town, city, or county, and all for the purpose of compelling a result demanded by a political and sectional law enacted as a price of Negro political support.

Clause 4 of section 5 of the bill provides that—

In any action instituted under this section, a showing either (a) that any peace officer or officers of the defendant governmental subdivision after timely notice of danger of mob violence failed to provide protection for the person subsequently lynched,

or (b) that apprehension of danger of mob violence was general within the community where the abduction or lynching occurred, or (c) of any other circumstance or circumstances from which the trier of fact might reasonably conclude that the governmental subdivision had failed to use all diligence to protect the person or persons abducted or lynched, shall be prima facie evidence of liability.

Here the bill sets up a rule of evidence that shall operate against all peace officers or other officers of a governmental subdivision of a State.

Mr. Speaker, this is my opinion of, and reaction to, this bill as I feel constrained to express that opinion and reaction under the limitation which must necessarily attend discussion under the rule. But let me now, in an attitude of calm and dispassionate analysis, present my views upon this modern force bill.

Officially this bill is designated as "A bill to assure to persons within the jurisdiction of every State due process of law and equal protection of the laws, and to prevent the crime of lynching." Popularly it has been designated as the anti-lynching bill, a title that reflects the astute political duplicity of certain well-known pressure groups maneuvering through paid lobbyists to arouse the imagination and captivate the sympathy of large groups of our citizens and cause them to urge their Representatives in Congress to bring about its enactment into law.

The paid lobbyists and the political-pressure groups who now urge and demand the enactment of this most modern of force bills have calculated with shrewd precision the psychological effect of the popular title by which they have designated this bill. Members of the House do not refer to it as the force bill. The press of the Nation does not designate it as a force bill. Radio news commentators whose voices now are carried into all the homes of the land do not speak of it as a force bill. America would resent the passage of a force bill; but human sympathy and compassion are easily aroused to support the passage of an antilynching bill, spurious as such a title might be.

Mr. Speaker, despite its official designation, despite the spurious title which has been applied to it, this bill is not an antilynching bill. It does not prevent the crime of lynching. It could not by its terms; it cannot by its intent. By its terms this is a punitive measure, not preventive. This bill does not seek to remove the cause of crime; it imposes penalties not for the commission of offenses repugnant to our laws or to our sense of social or moral righteousness, but for the inability of the duly qualified and commissioned officers of our States to cope with emergencies usually beyond their physical power.

But were this the sole vice of this measure, Mr. Speaker, it might be tolerable upon the principle that vice so great would destroy itself. The real vice of this iniquitous measure lies in its sectionalism, its political duplicity, and the power of coercive intimidation which it places in the possession of concentrated groups under the autocratic domination of an unscrupulous and mercenary political leadership.

By its terms this bill is sectional. It excludes all but the rarest of crimes. It arouses sectional hatreds and racial animosities. It revives the racial passion and rekindles the psychological emotions of revenge that were quieted a half century ago and that have been disappearing under the wise leadership that for a time, at least, has come to prevail since then. It is a cheap and despicable bid for the votes of densely populated Negro groups in certain cities of the Republic. It is a force bill in all but name. It would not have been tolerable under Republican sponsorship. It is beneath Democratic sponsorship. It strikes at the unity of the Nation at a time when the Nation should be unified against the subversive forces and influences that but lately have been disclosed as all too numerous and active.

Mr. Speaker, the location of this National Capital by the fathers was the result of a compromise between the two great political parties that have been coeval with the Republic, not merely as reflective of the differences which they sought to resolve at the time. The compromise made then was prophetic of the future and reflected a consciousness of the

geographical divergence which characterizes the United States.

The two original settlements of the Republic were more than fortuitous. As we assemble in this Chamber close upon the placid Potomac, neither North nor South, it should not be difficult to envision the conferences that brought Jefferson and Hamilton into agreement upon the location of this Capital. Today we are but a short automobile drive from the confluence of the Potomac River and the Chesapeake Bay. Along the banks of the Potomac lie broad, fertile lowlands. Along the lower Chesapeake Bay tidal rivers flow along gentle shores, a geographical feature that characterizes the Atlantic coast from the Chesapeake to the Gulf. To these broad lowlands in a temperate clime some of our ancestors came to establish new homes in this new land. Location, climate, accessibility—ineradicable geographical characteristics—gave supremacy to the pursuit of agriculture. Even with the meager facilities of an earlier era the land produced abundantly. We produced enough not merely for ourselves but an excess for export as well. And there existed foreign markets ready and eager to absorb the products of our lowland farms of the South.

North of the Potomac other settlers came. They were bound to us by ties of consanguinity. They were of the same racial stock. They sought the same liberties that we sought. Theirs was a more rigorous clime, less broad their fields, less gentle their shore lines. Whatever their ties of common ancestry, of racial stock, of political and social ideals, their economic life was governed by the immutability of their geographical environment.

This, Mr. Speaker, is but the inevitable result of the natural divergence that prevails in a republic the geographical extent of which stretches from the Atlantic to the Pacific, from Canada to the Gulf.

And it was inevitable that in the course of time, especially when facilities for commercial intercourse were limited, that this geographical divergence should be reflected in economic systems not readily adjustable, with consequent concepts politically as divergent. Mr. Speaker, the fathers of the Republic believed they had solved, in part, at least, the problems which arose out of these circumstances when they drafted the Constitution. Both North and South had met in convention, fully and freely debated their respective problems, and joined finally through ratification into a more perfect union.

That union was the union of compromise. True, a new sovereignty was created—our Federal Government. To that Government were delegated expressly the powers necessary to its function. Later, by judicial interpretation, certain powers were imputed to it as necessarily implied for the functions it was to perform—functions whose tremendous expansion we have witnessed during the past 7 years. But, Mr. Speaker, whatever the express delegation of power, regardless of the imputation of expanded powers by implication and interpretation, certain functions were reserved expressly by the States and certain functions were denied expressly to the Federal Government.

Mr. Speaker, these may appear to be elemental truths to learned Members of the Congress, trained so extensively as they are in the science of law, and schooled in the self-evident truths of American constitutional government. I do not mean to be platitudinous. But, Mr. Speaker, it has been my experience that we of the National Congress are prone at times to overlook the fundamental truths of the Constitution. We legislate as national lawmakers. We assume frequently the absence of constitutional limitation. We have been advised on occasion by high authority to legislate upon a presumption of constitutionality and permit our acts to be interpreted by the courts.

Whatever the fathers may have granted expressly, whatever may have been imputed impliedly, our Federal Constitution never did, nor does it now, contemplate the dissolution of the States. In strictly national relationships we concede the supremacy of our Federal Government. As between the States we recognize and concede the necessary operation of a Federal entity—it is basic to our concept of interstate com-

merce. But within each sovereign State of this Federal Union, Mr. Speaker, there still remain those fundamental rights, those fundamental powers, never granted away by the fathers, expressly reserved against the imputation of implied powers as interpreted by Federal courts, and as vital, potent, effective, and existent today as they were before by compromise we created our Federal Government and endowed it with the forces of self-preservation.

Praise God and the genius of the founding fathers, Mr. Speaker, these still are ours. They have not been delegated; they cannot be impaired by implication; they were not destroyed by the arbitrament of war. They are ours to have and hold so long as this Republic shall endure under God. Surrender them we will not. We shall not permit their invasion. May God pity and help America and the world if ever they shall be denied us; for this is the genius of our American Government.

It was an eventful and tragic day in the history of the Republic when the political genius of the Nation found it impossible to adjust in the councils of the Republic the economic and constitutional differences that emerged from our geographical divergencies. Four years of fratricidal strife took its toll of the resources of the South—of human resources as well as material. The torch of the invader laid low its homes, devastated and destroyed its fields, and left them barren wastes.

Go to Appomattox, Mr. Speaker and Members of the Congress. See there the simple plaque of an even more eventful day in the life of the Republic. Stand in that hallowed spot in the spring of the year and let the vision of an earlier spring come upon you. See still the evidence of war. Here the vanquished forces of the South laid down their arms on that eventful spring day of April 9, 1865. Envision if you can the withdrawal of a valiant military leader from the Capital of the Confederacy, and his long hours of prayerful vigil as he resolved to accept the arbitrament of war. Fall back with him and other brave men in the last retreat, their long thin lines powerless against the concentrated forces of the victor. Envision their privations—almost barefoot, in tattered uniform, hungry, weary, and footsore—they retreated, but to re-form anew if necessary and to fight on. None knew until the dawn of the last day the decision to surrender. Their tearful prayers went with their gallant commander as proudly and nobly he laid down the arms of war.

Two valiant generals met on that day, Mr. Speaker, but they met as Americans. One surrendered the implements of war in order that his people might resume the implements of peace and begin again to rebuild fields and homes and Nation. The other joined in that purpose. Soldiers of the North shared their rations with soldiers of the South. There was no conquest. Appomattox does not symbolize conquest. It does symbolize the cessation of hostilities upon the field of battle. For the South it symbolizes even more. It symbolizes the beginning of a struggle of recovery against almost overwhelming odds.

When the soldier of the South trod his weary way homeward ruin and destruction lay all about him. If his home remained at all it was a sorry sight. Many a returning soldier of the South laid his head in the ashes of the homes that had gone with the torch of war. But he took up the struggle of rebuilding that home and began anew.

Seventy-five years have passed since Appomattox, Mr. Speaker. In these 75 years the South has made a great recovery. It has contributed much to the economic welfare of the Nation. It assumed and met its own burdens and obligations resulting from the war, it pensioned its own veterans, and contributed to the support of their widows, while at the same time through the post-war confiscation of vast stores of its wealth and an onerous burden of taxation it helped to liquidate the national debt of war.

In these 75 years, Mr. Speaker, the South has assumed and met the economic burden of rehabilitating a vast population of former Negro slaves set free by the Proclamation of Emancipation adopted as a measure of war. In addition it has

assumed and met the burden of educating the children and the grandchildren of those former slaves in schools that have been raised constantly to newer and higher standards as facilities permitted and conditions required. It has provided employment for its Negro population; it has provided food and clothing and shelter for them, sharing with them its own economic prosperity and progress.

I have no desire to be tutorial, Mr. Speaker. I would not presume to teach the Congress. But may I not, in the spirit of historical reminiscence, recall for the Members of this House the fact that when the erstwhile adverse progress of the war imposed upon the Government at Washington the necessity of issuing the Proclamation of Emancipation, that even though it was heralded to the Negro slaves of the South as the great blessing for which the North had entered the struggle, thousands of loyal and fine Negro servants refused to avail themselves of its terms. Even later, when paid emissaries of the Freedman's Bureau tried to entice away these loyal servants by promises of material gain, the opportunity to avenge themselves for imaginary wrongs upon their former masters, the right to vote, and the power to control the governments of the States in which they lived—the same procedure pursued by paid lobbyists today—the loyal, high-minded, and best of the Negroes refused to be enticed, rejected the alluring inducement, and held in scorn and contempt both scalawag and Negro inciter alike.

The decent Negroes of the South, descendants of these loyal servants of a former day, do not demand nor urge the passage of this legislation, Mr. Speaker. They have no fear of a denial of due process or equal protection under the laws of the States in which they live. They have lived at peace under those laws; they have acquired property and made homes under those laws; they have reared families under those laws; under those laws they have secured for themselves and for their children the blessings of a free education without the necessity of contributing a penny of taxation.

Nor do these loyal and decent citizens of the South fear mob violence. They have no cause to. They do not commit the crimes that arouse the angry passion of the group and cause it to take the execution of the law into its own hands. Mr. Speaker, lynching is the rarest of crimes. Authentic statistics compiled by the most reliable of sources show that the crime of lynching is the one crime which has diminished almost constantly since statistics concerning it have been kept.

According to the Tuskegee Institute, there was a total of 4,643 lynchings of both white persons and Negroes throughout the United States during the years 1882 to 1934. Of that number, 3,352 were Negroes, 1,291 were white persons. During that period the highest number of lynchings of colored persons occurred in 1892, when 162 Negroes were lynched. By 1901 the number of Negroes lynched had decreased to 25, the highest number during the period 1901 to 1939. In 1934 only 15 Negroes were lynched; in 1937, only 8; and in 1939, only 2. Here, indeed, is eloquent testimony that there is no need for this bill as a preventive of the crime of lynching.

Lynching is not a cause; it is an effect. It will disappear entirely when the cause for it disappears. Those who urge the enactment of this iniquitous measure deliberately seek to make it appear that lynching is a crime of only the South and that only Negroes are lynched. Yet, as I have indicated, the facts belie the imputation.

Group execution without formal trial is the practice of the frontier of civilization. It always has been. The frontier ever has felt it necessary to impose summary justice upon those who violate its laws and customs. In the annals of our history it has not been uncouth for us to look with approval upon the vigilantes of our constantly receding frontier. Our historical fiction, our motion-picture dramatization of the life of the frontier abounds with the unceremonious execution of the horse thief, the cattle rustler, the stage-coach bandit, and the road agent. But while we look with approval upon the summary execution of the horse thief and justify that execution upon the principle of the exigencies of frontier life and as a crime deterrent, we frown upon the summary execution of the desperado who rapes the women of our land.

I do not justify lynching, Mr. Speaker. I do not seek to defend it. I abhor the necessary execution of even the convicted criminal. But, Mr. Speaker, will you distinguish the greater crime—the theft of my horse or the rape of my wife or my daughter? This vicious and iniquitous measure would compensate the family of one summarily executed by the community for the crime of rape. But what about compensation for the victim of his foul lust? Death were better for her and her family. Let me ask you, Mr. Speaker; let me ask you, Mr. Proponent; let me ask all of you, Members of this House of Representatives, suppose the crime of rape should invade your homes, what would you do for your stricken mother, your ravished wife, your despoiled daughter, if life should be spared to them? Such a horrible fate never may befall those of you who do not live among groups whose criminal members have been incited to rape in the frenzied hatred of racial revenge for imaginary wrongs, but it has been a constant menace to the women of the South. This iniquitous measure will increase that menace; it will revive the frenzy of imaginary wrongs; it will inculcate a false security; it places a premium upon the commission of the most beastly of crimes.

Mr. Speaker, the consideration of any legislative measure involves the consideration of its constitutionality. The organization of our legislative department is such that ordinarily the presumption of constitutionality attaches to all measures reported from our committees. Under our committee system, a part of the genius of our Government, there is a proper presumption that consideration has been given to the constitutionality of a measure before it is reported. Here in the House such a presumption is fortified by our system of a Rules Committee, before which, if necessary, the issue of constitutionality may be raised and debated. Thus there attaches to this bill, as well as to all other measures, a *prima facie* presumption of constitutionality.

Aside from this presumption of constitutionality there exists as a part of our genius of government the doctrine of judicial review, a doctrine, although peculiar to America, yet sanctioned, nevertheless, by unbroken precedent of almost 140 years. Necessarily a part of such a doctrine there must and there does prevail the corollary doctrine of *stare decisis*. To both, of course, Mr. Speaker, I subscribe. In the early development of our Federal judicial system, with a life tenure of the judges, and the normal tendency of our courts generally to stabilize their decisions and, through them, the law, it is not unlikely that the doctrine of *stare decisis* achieved considerable emphasis. Where it was based upon the decisions of the court itself, its use may or may not have been supremely desirable.

But whatever the considerations that may have come to attach to it, it has been overshadowed lately by a new doctrine and a new philosophy—the doctrine of “neology.” We boast that we have brought our courts up to date. Whatever my views and the views of many of you with respect to some of the ancient landmarks, the constitutionality of the legislation we enact today will be determined in Federal courts that have been brought up to date.

Mr. Speaker, I cannot accept entirely without challenge the constitutionality of this measure. By section 1 the act is self-declaratory as to its inclusion within the provisions of the fourteenth amendment to the Constitution. If this be so, it must fall within the provisions of section 1 of the fourteenth amendment. But what are these provisions? They are as follows:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The fourteenth amendment to the Constitution has been given great consideration by the Supreme Court of the United States. Its novelty at the time of its adoption, the interpretative possibilities later discovered to lie within its implications, and the extensiveness of its ramifications are so well

known, so prone to forensic discussion, that it would be inappropriate, futile, and didactic for me to attempt such a presentation as is requisite or justifiable. But upon a few of the fundamental concepts of the amendment specifically designated by this bill as the basis of its enactment I may with propriety, and with that forbearance which characterizes the membership of this House in great issues, presume to present my opinion of its constitutionality.

The fourteenth amendment was proposed by Congress on June 13, 1866, the date on which it passed the House of Representatives, having previously passed the Senate on June 8. Its ratification was completed on July 9, 1868, when the legislature of the twenty-eighth State—there being then 37 States in the Union—gave approval. Thus it is a product primarily of reconstruction sentiment and post-war legislative activities.

By its very terms it is, first, affirmatively declaratory in nature; second, it is directed affirmatively to action by the State; and, third, it contemplates that the denial of equal protection of the laws—which it prohibits—is to flow from affirmative action by the State, acting in its sovereign capacity. It contemplated the new power to be assigned to the Federal Government as in contrast to that which existed before its adoption, to wit, to examine State laws and supervise their execution for the purpose of preventing them from invading the rights of individuals secured by the Constitution, as prior thereto the Federal Government in its functions was secured from interference by the States. The fourteenth amendment presumes not merely the supremacy of the Federal Government under constitutional limitations, but it extends expressly the power of the Federal Government to the protection of individuals and to the rights and immunities which are guaranteed to them by the Constitution. But upon what predication? Why, that the States may not affirmatively abridge privileges and immunities, or affirmatively deprive of life, liberty, or property, or affirmatively deny equal protection of the laws.

And upon what principle? Why, the principle of due process. But it is affirmative action by the State that is contemplated by the fourteenth amendment—action by the State in its sovereign capacity. Prior to the adoption of the amendment the laws of the States were not subject to review in Federal courts for the purpose of deciding whether the States had denied due process for the purposes indicated or denied equal protection. The limitations contained within the Bill of Rights were limitations not upon the States but upon the Federal Government.

Who will contend that the power granted by section 3 of this measure would not prohibit a State from securing officers to enforce its laws and thus destroy its very existence? The power to tax being the power to destroy; the power to penalize and imprison is, in my opinion, nonetheless so. How long could a State hope to induce men to accept office, knowing that their physical inability to cope with a mob would place them in a Federal prison and cause them to be fined? But this is the fate under this bill which confronts any officer or any employee of a State or any governmental subdivision thereof, from Governor to peace officer of the lowest rank.

It will be recalled that in the Civil Rights cases, decided in 1883, the Supreme Court said that the fourteenth amendment does not authorize Congress to create a code of municipal law for the regulation of private rights, but to provide modes of redress against the operation of State laws and the action of State officers, executive or judicial, when these are subversive of the fundamental rights specified in the amendment. The Court itself observed that were it to have held the Civil Rights Act as constitutional it would have been difficult to set limits to the powers of Congress.

In *Strouder against West Virginia* the operation of a State law was involved; in *Virginia against Rives* the operations of a State law was involved.

The general principles established by the Supreme Court with respect to the fourteenth amendment are: (1) That its prohibitions are upon the State; (2) that Congress has no primary and direct legislative authority to define and enforce the rights guaranteed by the amendment; and (3) that

the general police powers are still possessed by the States. As late as 1892 in *Logan against United States*, in which the Supreme Court reviewed its previous adjudications upon this issue, it said:

The whole scope and effect of this series of decisions is that certain fundamental rights, recognized and declared, but not granted or created in some of the amendments to the Constitution are thereby guaranteed only against violations or abridgement by the United States or by the States.

Even later, in 1903, the Supreme Court again reviewed the issues in *James against Bowman* and reached the same conclusion.

I contend that by the decisions in the *Slaughter House* and subsequent cases the command laid upon the States to respect Federal privileges and immunities has been shorn of all but declaratory significance, that the general police powers are confirmed in the States, and that although there is confirmed in the Federal Government a very extensive supervisory jurisdiction over State legislation which it did not possess prior to 1868, such jurisdiction is over legislation and not directly over officers of the States who may be incapable of performing their functions by agencies beyond human control. It is only when claims have been made that a State law had worked deprivations of life, liberty, or property without due process of law or had resulted in a denial of equal protection of the laws that Federal courts have assumed jurisdiction.

But I contend that the fourteenth amendment as interpreted by the Supreme Court has not wrought any fundamental changes in our constitutional system; that no new direct legislative power has been given to the Congress; that the only power conferred upon Congress by the amendment is the power to provide relief in cases in which the States have deprived those within their jurisdiction of life, liberty, or property without due process or denied equal protection of the laws. And I contend that this cannot be interpreted to include the power sought to be conferred by this bill over all officers or employees of a State under the conditions enumerated in section 3 thereof. Moreover, I contend that the power granted to Congress under the fourteenth amendment extends only to the voidance of offending State laws or to the issuance of appropriate writs and that it cannot, as is proposed in this bill, be made to extend to the trial, conviction, and punishment contemplated therein. I am convinced that in the final analysis the effect of the fourteenth amendment has been rather to act as a limitation upon the powers of the States rather than as a grant of additional powers to the Federal Government.

Mr. Speaker, I am compelled to challenge the constitutionality of a measure so unique as the one now before us. Can this Federal Government constitutionally prosecute, indict, and penalize by force and imprisonment the officer of a State who, seeking to enforce its laws, finds it beyond human power to do so? Can this Congress constitutionally penalize a State or a subdivision thereof for the inability of one of its employees to perform the duty with which such State or subdivision has charged him? If these powers lie within the purview of the Federal Government, then the governments of the States will disappear, and the genius of our American Government be destroyed.

This bill places the Attorney General of the Federal Government in direct supervision over the acts not only of the law-enforcement officers of the State but over all other State officers; and it gives him, in addition, direct jurisdiction over the citizens of a State in their relationships with the government of the State in which they reside. Was such a course ever contemplated by the fathers?

I recognize the power of the Attorney General of the United States to proceed against offenders of the laws of the United States wherever he may find them. But I cannot subscribe to a proposal that would give him jurisdiction over the officers of a State government or the citizens of a State acting under the jurisdiction of a State or the laws of a State, where such jurisdiction and such laws are not intended to be within the jurisdiction of the United States or such functions subject to the supervision of the United States.

And I am unwilling to concede that such jurisdiction can be conferred merely by a declaration that it is conferred.

Section 5 of this iniquitous measure makes every governmental subdivision of a State civilly liable for any lynching which may occur within its jurisdiction or for any lynching which follows upon the seizure and abduction of the victims within its jurisdiction. The liability ranges from \$2,000 to \$10,000 and may be enforced in a civil action in a Federal district court. The action in such cases is to be brought and prosecuted by the Attorney General of the United States, in the name of the United States, but for the use of the real party in interest. If the judgment is not satisfied upon demand, payment may be enforced by any power available for the enforcement of any money judgment against a governmental subdivision. Any officer or person who fails to comply with the order or decree enforcing the judgment is made guilty of contempt of the court from which the decree proceeds.

I know of but one constitutional method under our Government to provide for the payment of claims against a government or any subdivision thereof. Our Federal Constitution provides that no money shall be drawn from the Treasury but in consequence of appropriations made by law; and this principle runs through our entire system of government down to its smallest subdivision.

This was the method adopted by the fathers to assure to the people power over the public purse and to place within the lawmaking bodies of the land jurisdiction over public funds. Since governmental funds can be raised only by taxation, and since by our genius of government there cannot be taxation without representation, our people retain within their own power control over the raising and the expenditure of all public funds. While it is true that within each division of our Government a superior sovereignty is granted power over inferior sovereignties to collect revenue necessary for the conduct of government, it is so merely because the people themselves have conferred such power. As between independent sovereignties, however, no such power exists. One State may not levy a tax upon another, and the Federal Government may not impose taxes upon the States except in accordance with well-defined constitutional principles and precepts.

I already have pointed out that to confer upon the Federal Government power to impose penalties and imprisonment upon the officers of a State government is potentially no less destructive than the power of taxation as declared by Mr. Justice Marshall in *McCullough* against Maryland. How much more potentially destructive is the procedure contemplated by this measure, to wit, that upon failure of an officer of a State governmental subdivision to comply with the decree of a Federal court in the enforcement of a judgment under its terms such officer shall be guilty of contempt of that court and punished accordingly. Here we perceive the sorry spectacle of the officer of a State taken from the jurisdiction of the laws and the courts of his State and penalized by a Federal court for an act which he could not prevent within the State and within the jurisdiction of the State.

Suppose the State should refuse to surrender its officer to the marshal of the Federal court? Suppose the State should instruct its officer to resist the decree of the Federal court? What then? Shall we witness the Federal Government proceeding in all its might and power against the State? Suppose the State resists. Will there then resound again the clash of arms between the States? If this measure be constitutional, is it enforceable? Is it but a futile gesture, or does it bear the seeds of future fratricidal strife?

The fathers recognized the need for and created the dual government which has made America great. While today the states of Europe destroy one another in the most deadly of wars, America is at peace because its people, living in 48 States of great geographical and economic divergences, have learned how to adjust their differences under a principle of government unique in the history of the world.

Although diverse geographically, spread over a vast continent, possessing the most divergent economic character-

istics, the States of our great Republic are bound together by the ties of consanguinity, of a common language, of identical principles, and ideals of government. A magnificent network of splendid highways affords easy access to every part of the Republic. Great national railway systems join coast with coast. Our waterways carry an internal commerce that links interior with ocean lanes, transcontinental airways have knit the Nation into a unified whole, and the radio makes us one. We are at peace among ourselves. True, the problems of a changing era have tended to increase the burdens of our daily life, but they are the burdens of peace, not the burdens of war.

Would you change that now by raising the issue of sectionalism, by imposing upon some of our States the humiliating and degrading conditions proposed by this unrighteous bill in order to pander to the degrading demands of paid lobbyists and political opportunists?

Mr. Speaker, this is the most iniquitous, mischievous, capricious, and degrading measure that has been advocated since force bills first sought to humiliate a great people; and I hope that it may meet a well-merited defeat.

The SPEAKER. The question is, shall the Committee on Rules be discharged from further consideration of the resolution.

The question was taken; and on a division (demanded by Mr. Cox) there were—ayes 170, noes, 67.

Mr. COX. Mr. Speaker, I demand the yeas and nays.

Mr. FISH. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 256, nays 114, answered "present" 1, not voting 52, as follows:

[Roll No. 3]

YEAS—256

Alexander	Dirksen	Hull	Norton
Allen, Ill.	Ditter	Hunter	O'Brien
Allen, Pa.	Dondero	Izac	O'Connor
Andersen, H. Carl	Douglas	Jacobsen	O'Leary
Anderson, Calif.	Dowell	Jeffries	Oliver
Anderson, Mo.	Dunn	Jenkins, Ohio	Osmer
Andrews, A. H.	Dworshak	Jenks, N. H.	O'Toole
Andrews	Eaton	Jennings	Parsons
Angell	Eberharter	Jensen	Pfeifer
Arends	Edmiston	Johns	Pittenger
Arnold	Elliott	Johnson, Ill.	Plumley
Austin	Elston	Johnson, Ind.	Polk
Ball	Engel	Johnson, W. Va.	Powers
Barnes	Englebright	Jones, Ohio	Rabaut
Barry	Evans	Kean	Reece, Tenn.
Bates, Mass.	Faddis	Kee	Reed, Ill.
Bender	Fay	Kelly	Reed, N. Y.
Blackney	Fenton	Kennedy, Martin	Rees, Kans.
Bloom	Fish	Kennedy, Md.	Rich
Boehne	Fitzpatrick	Kennedy, Michael	Risk
Boland	Flaherty	Keogh	Robinson, Utah
Bolles	Flannagan	Kinzer	Robson, Ky.
Bradley, Mich.	Ford, Leland M.	Kirwan	Rodgers, Pa.
Bradley, Pa.	Ford, Thomas F.	Knutson	Rogers, Mass.
Brewster	Fries	Kocialkowski	Routzohn
Brown, Ohio	Gamble	Kramer	Rutherford
Buck	Gartner	Kunkel	Ryan
Buckley, N. Y.	Gavagan	Lambertson	Sabath
Burdick	Gearhart	Landis	Sasser
Byrne, N. Y.	Gehrmann	Larrabee	Satterfield
Byron	Gerlach	Lea	Schaefer, Ill.
Carlson	Gifford	LeCompte	Schafer, Wis.
Carter	Gilchrist	Lemke	Schiffler
Casey, Mass.	Gillie	Lesinski	Schuetz
Chipherfield	Graham	Lewis, Ohio	Schulte
Church	Grant, Ind.	Luce	Secombe
Clason	Gross	Ludlow	Secrest
Claypool	Guyer, Kans.	McAndrews	Seger
Clevenger	Gwynne	McCormack	Shafer, Mich.
Cluett	Hall, Edwin A.	McDowell	Shanley
Cochran	Halleck	McGranery	Shannon
Coffee, Wash.	Hancock	McKeough	Sheppard
Cole, Md.	Harness	McLean	Sheridan
Cole, N. Y.	Hart	McLeod	Short
Connery	Harter, N. Y.	Maas	Simpson
Corbett	Harter, Ohio.	Marcantonio	Smith, Conn.
Costello	Hartley	Marshall	Smith, Ill.
Creal	Havenner	Martin, Iowa	Smith, Maine
Crosser	Hawks	Martin, Mass.	Smith, Ohio
Crowe	Healey	Mason	Smith, Wash.
Crowther	Hess	Michener	Smith, W. Va.
Cullen	Hill	Miller	Snyder
Curtis	Hinshaw	Mitchell	Somers, N. Y.
D'Alesandro	Hoffman	Mott	Springer
Delaney	Holmes	Mundt	Stearns, N. H.
Dempsey	Hope	Murray	Stefan
Dickstein	Horton	Myers	Sullivan
Dingell	Houston	Nichols	Sumner, Ill.

Sutphin	Tibbott	Vreeland	Williams, Del.
Taber	Tinkham	Walter	Winter
Talle	Tolan	Welch	Wolfenden, Pa.
Tenerowicz	Van Zandt	Wheat	Wolverton, N. J.
Thill	Voorhis, Calif.	White, Ohio	Woodruff, Mich.
Thomas, N. J.	Vorys, Ohio	Wigglesworth	Youngdahl

NAYS—114

Allen, La.	Darden	Leavy	Rogers, Okla.
Barden	Disney	Lewis, Colo.	Romjue
Bates, Ky.	Doxey	McGehee	Scrugham
Beckworth	Drewry	McMillan, Clara G.	Smith, Va.
Bland	Durham	McMillan, John L.	South
Boren	Ellis	Mahon	Sparkman
Boykin	Folger	Mansfield	Spence
Brown, Ga.	Ford, Miss.	Massingale	Starnes, Ala.
Bryson	Garrett	May	Summers, Tex.
Bulwinkle	Gathings	Mills, Ark.	Tarver
Burch	Gibbs	Mills, La.	Taylor
Burgin	Gore	Monroney	Terry
Byrns, Tenn.	Gossett	Moser	Thomas, Tex.
Caldwell	Grant, Ala.	Murdock, Utah	Thomason
Camp	Green	Nelson	Thorkeison
Cannon, Fla.	Gregory	Norrell	Vincent, Ky.
Cannon, Mo.	Hare	O'Neal	Vinson, Ga.
Cartwright	Hendricks	Pace	Wadsworth
Case, S. Dak.	Hook	Patton	Wallgren
Clark	Jarman	Pearson	Warren
Coffee, Nebr.	Johnson, Luther A.	Peterson, Fla.	Weaver
Collins	Johnson, Lyndon	Peterson, Ga.	Whelchel
Colmer	Johnson, Okla.	Pierce	White, Idaho
Cooley	Jones, Tex.	Poage	Whittington
Cooper	Kefauver	Ramspeck	Williams, Mo.
Courtney	Kerr	Rayburn	Woodrum, Va.
Cox	Kilday	Richards	Zimmerman
Cravens	Kitchens	Robertson	
Cummings	Lanham		

ANSWERED "PRESENT"—1

Crawford

NOT VOTING—52

Barton	Ferguson	Kleberg	Patrick
Beam	Fernandez	McArdle	Randolph
Bell	Flannery	McLaughlin	Rockefeller
Brooks	Fulmer	Maciejewski	Sacks
Buckler, Minn.	Geyer, Calif.	Magnuson	Sandager
Celler	Griffith	Maloney	Schwert
Chapman	Hall, Leonard W.	Martin, Ill.	Steagall
Culkin	Harrington	Merritt	Sweeney
Darrow	Hennings	Monkiewicz	Treadway
DeRouen	Hobbs	Mouton	Ward
Dies	Jarrett	Murdock, Ariz.	West
Doughton	Keefe	O'Day	Wolcott
Duncan	Keller	Patman	Wood

So the motion to discharge the Committee on Rules from further consideration of the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Treadway (for) with Mr. Doughton (against).
 Mr. Barton (for) with Mr. DeRouen (against).
 Mrs. O'Day (for) with Mr. Griffith (against).
 Mr. Maciejewski (for) with Mr. Maloney (against).
 Mr. Merritt (for) with Mr. Fernandez (against).
 Mr. Geyer of California (for) with Mr. West (against).
 Mr. Beam (for) with Mr. Brooks (against).
 Mr. Schwert (for) with Mr. Kleberg (against).
 Mr. Randolph (for) with Mr. Patrick (against).
 Mr. Sweeney (for) with Mr. Fulmer (against).
 Mr. Martin of Illinois (for) with Mr. Chapman (against).
 Mr. Crawford (for) with Mr. Patman (against).
 Mr. Jarrett (for) with Mr. Hobbs (against).
 Mr. Darrow (for) with Mr. Steagall (against).
 Mr. Hennings (for) with Mr. Mouton (against).

General pairs:

Mr. Bell with Mr. Culkin.
 Mr. Ferguson with Mr. Rockefeller.
 Mr. Magnuson with Mr. Sandager.
 Mr. McArdle with Mr. Keefe.
 Mr. Dies with Mr. August H. Andresen.
 Mr. Wood with Mr. Buckler of Minnesota.
 Mr. Murdock of Arizona with Mr. Duncan.
 Mr. Flannery with Mr. Keller.
 Mr. McLaughlin with Mr. Ward.

Mr. CRAWFORD. Mr. Speaker, I have a pair with the gentleman from Texas, Mr. PATMAN. I voted "aye." I withdraw my vote of "aye" and ask to be recorded "present."

Mr. ANDERSON of Missouri. Mr. Speaker, my colleague, Mr. HENNINGS, of the Seventh Missouri District, is very ill in the hospital, near the point of death. If he were here, he would have voted "yea."

Mr. ENGLEBRIGHT. Mr. Speaker, the gentleman from Connecticut, Mr. MONKIEWICZ, and the gentleman from New York, Mr. LEONARD W. HALL, are unavoidably absent. If present, they would have voted "yea."

Mr. McGRANERY. Mr. Speaker, the gentleman from Pennsylvania, my colleague, Mr. SACKS, is detained on important business. If present, he would have voted "yea."

Mr. SMITH of West Virginia. Mr. Speaker, my colleague, Mr. RANDOLPH is necessarily absent. If present, he would have voted "yea."

Mr. SABATH. Mr. Speaker, my colleague, Mr. MACIEJEWSKI, is unavoidably absent. He requests me to state if present, he would have voted "yea."

Mr. CULLEN. Mr. Speaker, my colleague, Mr. CELLER, is unavoidably absent. If he were here, he would have voted "yea."

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

Resolved, That upon the day succeeding the adoption of this resolution, a special order be, and is hereby, created by the House of Representatives for the consideration of H. R. 801, a public bill which has remained in the Committee on the Judiciary for 30 or more days without action. That such special order be, and is hereby, created, notwithstanding any further action on said bill by the Committee on the Judiciary, or any rule of the House. That on said day the Speaker shall recognize the Representative from New York, JOSEPH A. GAVAGAN, to call up H. R. 801, a bill to assure to persons within the jurisdiction of every State due process of law and equal protection of the laws, and to prevent the crime of lynching, as a special order of business, and to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of said H. R. 801. After general debate, which shall be confined to the bill and shall continue not to exceed 6 hours, to be equally divided and controlled by the Member of the House requesting the rule for the consideration of said H. R. 801 and the Member of the House who is opposed to the said H. R. 801, to be designated by the Speaker, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill, and the amendments thereto, to final passage, without intervening motion, except one motion to recommit. The special order shall be a continuing order until the bill is finally disposed of.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider the vote by which the resolution was agreed to was laid on the table.

The result of the vote was announced as above recorded.

The SPEAKER. At this point the Chair designates the gentleman from Texas [Mr. SUMNERS] chairman of the Committee on the Judiciary, to have control of the time in opposition to the bill.

MEMORIAL AND ENTOMBMENT OF BODIES IN ARLINGTON

The SPEAKER laid before the House the following message from the President of the United States, which was read, and with the accompanying papers, referred to the Committee on Public Buildings and Grounds:

To the Congress of the United States:

In compliance with the requirements of the act of Congress of March 4, 1921, I transmit herewith the Annual Report of the Commission on the Erection of Memorials and Entombment of Bodies in the Arlington Memorial Amphitheater for the fiscal year ended June 30, 1939.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 8, 1940.

REPORT OF FEDERAL FIRE COUNCIL

The SPEAKER also laid before the House the following message from the President of the United States, which was read, and with the accompanying papers referred to the Committee on Public Buildings and Grounds:

To the Congress of the United States:

I transmit herewith for the information of the Congress, the Third Annual Report of the Federal Fire Council.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 8, 1940.

REPORT OF NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

The SPEAKER also laid before the House the following message from the President of the United States, which was

read, and, with the accompanying papers, referred to the Committees on Military Affairs, Naval Affairs, and Interstate and Foreign Commerce, and ordered printed:

To the Congress of the United States:

In compliance with the provisions of the act of March 3, 1915, establishing the National Advisory Committee for Aeronautics, I transmit herewith the twenty-fifth annual report of the committee covering the fiscal year ended June 30, 1939.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 8, 1940.

THIRD ANNUAL REPORT, PRESIDENT OF THE PHILIPPINES (H. DOC. NO. 545)

The SPEAKER also laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Insular Affairs and ordered printed:

To the Congress of the United States:

As required by paragraph (3) of section 7 of the act of Congress approved March 24, 1934, entitled "An act to provide for the complete independence of the Philippine Islands, to provide for the adoption of a constitution and a form of government for the Philippine Islands, and for other purposes," I transmit herewith, for the information of the Congress, the third annual report of the President of the Philippines to the President and the Congress of the United States covering the calendar year ended December 31, 1938.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 8, 1940.

REPORT OF CIVIL SERVICE COMMISSION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read by the Clerk and, together with the accompanying papers, referred to the Committee on Civil Service.

To the Congress of the United States:

As required by the act of Congress to regulate and improve the civil service of the United States approved January 16, 1883, I transmit herewith the Fifty-sixth Annual Report of the Civil Service Commission for the fiscal year ended June 30, 1939.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 8, 1940.

REPORT OF ALLEY DWELLING AUTHORITY FOR DISTRICT OF COLUMBIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read by the Clerk and, together with the accompanying papers, referred to the Committee on the District of Columbia:

To the Congress of the United States:

In accordance with the provisions of section 5 (a) of the District of Columbia Alley Dwelling Act, approved June 12, 1934, I transmit herewith for the information of the Congress the report of the Alley Dwelling Authority for the District of Columbia for the fiscal year ended June 30, 1939.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 8, 1940.

HOUR OF MEETING

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker—and I shall not object—I simply wish to make it plain that the purpose is that tomorrow is to be devoted to general debate and that the antilynching bill will then be taken up for reading on Wednesday?

Mr. RAYBURN. If this consent is granted, I intend to ask unanimous consent that the business in order on Calendar Wednesday may be dispensed with, so that this bill may be

read on Wednesday and completed on Wednesday. There will be nothing tomorrow except general debate on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CALENDAR WEDNESDAY

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday of this week may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

EXTENSION OF REMARKS

Mr. BOREN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection it is so ordered.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. MOUTON, for 10 days, on account of business.

To Mr. GEYER of California (at the request of Mr. VOORHIS), indefinitely, on account of illness.

To Mr. HENNINGS (at the request of Mr. ROMJUE), indefinitely, on account of illness.

To Mr. SMITH of Illinois, indefinitely, on account of illness.

THE LATE EDWARD W. CURLEY

Mr. FITZPATRICK. Mr. Speaker, it is with great sorrow I find it necessary to announce the death of Hon. EDWARD W. CURLEY, a Member of the House of Representatives from the State of New York.

Mr. CURLEY, who had been a Member of this House since 1935, had, during this time in office, taken a very active part in all matters beneficial to the people of his district, the State of New York and the country.

At a later date I will discuss more fully the life, character, and public service of my deceased colleague, Mr. CURLEY.

Mr. Speaker, I send to the desk the following resolution.

The Clerk read as follows:

House Resolution 341

Resolved, That the House has heard with profound sorrow of the death of Hon. EDWARD W. CURLEY, a Representative from the State of New York.

Resolved, That a committee of Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provision of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

The Speaker appointed the following committee: Mr. SULLIVAN, Mr. FITZPATRICK, Mr. BUCKLEY of New York, and Mr. BARTON.

The Clerk concluded the reading of the resolution:

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 1 o'clock and 52 minutes p. m.), pursuant to its order heretofore entered, the House adjourned until tomorrow, Tuesday, January 9, 1940, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON NAVAL AFFAIRS

There will be a hearing Tuesday, January 9, 1940, at 10 a. m., before the Committee on Naval Affairs, on H. R. 7665, to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m., on the following dates on the matters named:

Tuesday, January 9, 1940:

H. R. 7420, to amend laws for preventing collisions of vessels. (Relating to anchorage lights.)

H. R. 7339, to exempt sail vessels from the provisions of section 13 of the act of March 4, 1915, as amended, requiring the manning of certain merchant vessels by able seamen, and for other purposes.

Tuesday, January 16, 1940:

H. R. 6130, to provide for mandatory or compulsory inspection and permissive or voluntary grading of fish, fishery products, fishery byproducts, shellfish, crustacea, seaweeds, and all other aquatic forms of animal and vegetable life, and the products and byproducts thereof, and for other purposes.

Tuesday, January 23, 1940:

H. R. 200, to amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 ed., title 46, sec. 316).

Thursday, January 25, 1940:

The following hearing was at first scheduled for Friday, January 5; however, it has since been postponed until the above date, Thursday, January 25, at 10 a. m.

H. R. 7357, to amend section 4472 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 465) to provide for the safe carriage of explosive or other dangerous or semidangerous articles or substances on board vessels; to make more effective the provisions of the International Convention for Safety of Life at Sea, 1929, relating to the carriage of dangerous goods; and for other purposes.

Tuesday, February 6, 1940:

H. R. 7527, to make effective the provisions of the Minimum Age (sea) Convention (revised), 1936, and for other purposes.

COMMITTEE ON INVALID PENSIONS

There will be a meeting of the Committee on Invalid Pensions in the committee room 247, House Office Building, at 10:30 a. m., Tuesday, January 9, 1940, for the consideration of private pension bills.

There will be a public hearing before the Committee on Invalid Pensions in the committee room 247, House Office Building, at 10:30 a. m., Thursday, January 11, 1940, to consider H. R. 901, a bill to exempt resident inmates of the United States Soldiers' Home, Washington, D. C., and the naval home, Philadelphia, Pa., from pension reduction as prescribed by Veterans Regulation No. 6 series; H. R. 4548, a bill to provide pension at wartime rates for disability or death incurred in line of duty as a direct result of the conflict in the Far East; and S. 1643, an act to provide pensions at wartime rates for disability or death incurred in line of duty as a direct result of the conflict in the Far East.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1185. A letter from the Commissioner, Federal Works Agency, Work Projects Administration, transmitting a statement showing for each State the names, addresses, positions, and compensation of all employees of the Work Projects Administration whose compensation is at a rate of \$1,200 per annum or more; to the Committee on Appropriations.

1186. A letter from the Acting Secretary of the Treasury, transmitting a combined statement of the receipts and expenditures, balances, etc., of the Government during the fiscal year ended June 30, 1939; to the Committee on Expenditures in the Executive Departments.

1187. A letter from the Secretary of Commerce, transmitting the Annual Report of the Department of Commerce for the fiscal year 1939; to the Committee on Interstate and Foreign Commerce.

1188. A letter from the Chairman, Reconstruction Finance Corporation, transmitting a report of the Reconstruction Finance Corporation on the activities and expenditures for

the month of November 1939, the report includes statement of loan and other authorization made during the month and statement of condition as of the close of business November 30, 1939 (H. Doc. No. 544); to the Committee on Banking and Currency, and ordered to be printed.

1189. A letter from the Secretary of the Treasury, transmitting the Annual Report of the Secretary of the Treasury on the state of the finances for the fiscal year ended June 30, 1939 (H. Doc. No. 485); to the Committee on Ways and Means, and ordered to be printed.

1190. A letter from the President, Chesapeake & Potomac Telephone Co., transmitting a report of the Chesapeake & Potomac Telephone Co. for the year 1939; to the Committee on the District of Columbia.

1191. A letter from the Acting Comptroller General of the United States, transmitting a report of the Comptroller General of the United States of the work of the General Accounting Office for the fiscal year 1939; to the Committee on Expenditures in the Executive Departments.

1192. A letter from the president, Board of Commissioners of the District of Columbia, transmitting a survey for the purpose of determining what consolidation of present fire department stations can be effected and as a result thereof, what, if any, economies may be made in the cost of operating the fire department, and a supplemental report of the District of Columbia Fire Survey Board on the consolidation of the District of Columbia fire stations, dated December 15, 1939; to the Committee on the District of Columbia.

1193. A letter from the Secretary of Agriculture, transmitting annual report of the activities of the Department of Agriculture relating to forest roads and trails, for the fiscal year ended June 30, 1939; to the Committee on Roads.

1194. A letter from the Secretary of the Treasury, transmitting the report of the Surgeon General of the Public Health Service for the fiscal year 1939 (H. Doc. No. 497); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

1195. A letter from the Chairman, National Labor Relations Board, transmitting the Fourth Annual Report of the National Labor Relations Board covering the fiscal year ended June 30, 1939; to the Committee on Labor.

1196. A letter from the Chairman, Interstate Commerce Commission, transmitting the copies of the final valuations of properties and carriers subject to the Interstate Commerce Commission Act; to the Committee on Interstate and Foreign Commerce.

1197. A letter from the Chairman, National Mediation Board, transmitting the Fifth Annual Report of the National Mediation Board, including the report of the National Railroad Adjustment Board; to the Committee on Interstate and Foreign Commerce.

1198. A letter from the president, Gorgas Memorial Institute, transmitting the Twelfth Annual Report of the Gorgas Memorial Institute, covering the fiscal year ended June 30, 1939 (H. Doc. No. 543); to the Committee on Foreign Affairs and ordered to be printed.

1199. A letter from the Archivist of the United States, transmitting the Fifth Annual Report of the Archivist of the United States, covering the fiscal year ended June 30, 1939; to the Committee on the Library.

1200. A letter from the Attorney General of the United States, transmitting a copy of a statement showing expenditures under appropriations for the United States Court of Customs and Patent Appeals for the fiscal year ended June 30, 1939; to the Committee on Expenditures in the Executive Departments.

1201. A letter from the Chairman, Civil Aeronautics Authority, transmitting the First Annual Report of the Civil Aeronautics Authority, covering the fiscal year ended June 30, 1939, with an account of additional activities to November 1, 1939; to the Committee on Interstate and Foreign Commerce.

1202. A letter from the Chairman, Interstate Commerce Commission, transmitting the Fifty-third Annual Report of the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

1203. A letter from the Administrator, Wage and Hour Division, Department of Labor, transmitting First Annual Report of the Administrator of the Wage and Hour Division, United States Department of Labor, covering the calendar year, 1939; to the Committee on Labor.

1204. A letter from the Archivist of the United States, transmitting list of papers of the United States marshal for the northern district of Texas, consisting of two items, to be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

1205. A letter from the Archivist of the United States, transmitting list of papers consisting of 82 items, from those recommended to him for disposition October 26, 1939, by the Department of the Treasury; to the Committee on the Disposition of Executive Papers.

1206. A letter from the Archivist of the United States, transmitting lists of the records of the Department of the Navy, Civil Service Commission, Federal Communications Commission, and the Work Projects Administration which these respective agencies have requested be disposed of in the manner prescribed by law; to the Committee on the Disposition of Executive Papers.

1207. A letter from the Acting Secretary of Agriculture, transmitting report of the activities of, expenditures by, and donations to, the regional laboratories established pursuant to section 202 of the Agricultural Adjustment Act of 1938, as required by paragraph (e) of that section; to the Committee on Agriculture.

1208. A letter from the Acting Secretary of Agriculture, transmitting report of the Federal Surplus Commodities Corporation for the fiscal year ending June 30, 1939; to the Committee on Agriculture.

1209. A letter from the Acting Secretary of the Interior, transmitting report of the superintendent of St. Elizabeths Hospital showing in detail the expenditures of the hospital for the fiscal year ending June 30, 1939; to the Committee on Expenditures in the Executive Departments.

1210. A letter from the Chairman, Securities and Exchange Commission, transmitting chapter V of part III of the Commission's over-all report on the study of investment trusts and investment companies made pursuant to section 30 of the Public Utility Holding Company Act of 1935 (H. Doc. No. 279); to the Committee on Interstate and Foreign Commerce, and ordered to be printed, with illustration.

1211. A letter from the Archivist of the United States, transmitting a list of records of the United States Government from the Department of the Treasury, the Department of War, the Department of the Navy, the Department of the Interior, the Department of Agriculture, the Department of Commerce, the Department of Labor, the Federal Trade Commission, and the Home Owners' Loan Corporation to be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on the Civil Service was discharged from the consideration of the bill (S. 1618) granting an annuity to William F. Pack, and the same was referred to the Committee on Military Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 7724. A bill to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries in the performance of their duties, and for other purposes," approved September 7, 1916 (U. S. C., title 5, sec. 785), as amended; to the Committee on the Judiciary.

H. R. 7725. A bill to provide for Federal cooperation in the construction and operation of commercial lighter-than-air craft; to the Committee on Merchant Marine and Fisheries.

By Mr. DINGELL:

H. R. 7726. A bill to provide for the sale, for experimental purposes, of certain rifles and ammunition to Finland; to the Committee on Military Affairs.

By Mr. HENDRICKS:

H. R. 7727. A bill to increase and equalize the pensions of the disabled ex-service men of the Regular Establishment whose disabilities were service-incurred; to the Committee on Invalid Pensions.

By Mr. IZAC:

H. R. 7728. A bill granting an increase of pension to widows of veterans of the Civil War; to the Committee on Invalid Pensions.

H. R. 7729. A bill to authorize the erection of a United States Veterans' Administration hospital in or near the city of San Diego; to the Committee on World War Veterans' Legislation.

By Mr. LESINSKI:

H. R. 7730 (by request). A bill to increase during hospitalization the pension otherwise payable to veterans of the Regular Establishment; to the Committee on Invalid Pensions.

H. R. 7731 (by request). A bill to provide for the burial and funeral expenses of deceased veterans of the Regular Establishment who were discharged for disability incurred in the service in line of duty; to the Committee on Invalid Pensions.

H. R. 7732 (by request). A bill to provide pensions for the dependents of retired officers and enlisted men of the Regular Establishment for non-service-connected death; to the Committee on Invalid Pensions.

H. R. 7733 (by request). A bill to provide increased pensions for veterans of the Regular Establishment with service-connected disability incurred in, or aggravated by, service prior to April 21, 1898; to the Committee on Invalid Pensions.

H. R. 7734 (by request). A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to the dependents of veterans of the World War whose death is due to service; to the Committee on Invalid Pensions.

By Mr. MALONEY:

H. R. 7735. A bill to provide for the examination and survey of shore line of Lake Pontchartrain, La., between the Orleans Parish and the Bonnet Carre spillway; to the Committee on Flood Control.

By Mr. MICHENER:

H. R. 7736. A bill authorizing the Secretary of the Interior to issue patents for lands held under color of title; to the Committee on the Public Lands.

By Mr. SATTERFIELD:

H. R. 7737. A bill to amend the Judicial Code by adding a new section thereto, designated as section 266a, to provide for intervention by States and direct appeals to the Supreme Court of the United States in certain cases involving the constitutional validity of the exercise of any power by the United States, or any agency thereof, or any officer or employee thereof, and for other purposes; to the Committee on the Judiciary.

By Mr. SHEPPARD:

H. R. 7738. A bill to ratify a lease entered into by certain Mission Indians of California; to the Committee on Indian Affairs.

By Mr. VINSON of Georgia:

H. R. 7739. A bill authorizing appropriations to be made for the disposition of the remains of personnel of the Navy and Marine Corps and certain civilian employees of the Navy, and for other purposes; to the Committee on Naval Affairs.

H. R. 7740. A bill to authorize an exchange of lands between the Richmond, Fredericksburg & Potomac Railroad Co. and the United States, at Quantico, Va.; to the Committee on Naval Affairs.

H. R. 7741. A bill to permit per diem employees of the Naval Establishment to work more than 8 hours per day under certain circumstances; to the Committee on Naval Affairs.

H. R. 7742. A bill to amend the act of October 6, 1917, entitled "An act to provide for the reimbursement of officers,

enlisted men, and others in the naval service of the United States for property lost or destroyed in such service"; to the Committee on Naval Affairs.

By Mr. DOUGHTON:

H. J. Res. 407. Joint resolution to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended; to the Committee on Ways and Means.

By Mr. FISH:

H. J. Res. 408. Joint resolution providing for a national referendum before drafting citizens and aliens for military service outside of the Western Hemisphere or the territorial possessions of the United States; to the Committee on Military Affairs.

By Mr. SHANLEY:

H. J. Res. 409. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. SCHAFER of Wisconsin:

H. J. Res. 410. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. STARNES of Alabama:

H. Res. 342. Resolution authorizing the printing of additional copies of House Report No. 1476, on Investigation of Un-American Propaganda; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM:

H. R. 7743. A bill for the relief of Helen Rauch and Max Rauch; to the Committee on Claims.

By Mr. EDWIN A. HALL:

H. R. 7744. A bill awarding the Distinguished Service Cross to Pvt. Charles B. Terrell; to the Committee on Military Affairs.

By Mr. HESS:

H. R. 7745. A bill for the relief of Della B. Birnbaum; to the Committee on Claims.

By Mr. HAWKS:

H. R. 7746. A bill for the relief of Ben H. Rieck, deceased; to the Committee on Military Affairs.

By Mr. KENNEDY of Maryland:

H. R. 7747. A bill for the relief of Estelle M. Corbett; to the Committee on Claims.

By Mr. LESINSKI:

H. R. 7748. A bill for the relief of Russell Gauslin, Helen Gauslin, and Russell A. Gauslin, Jr.; to the Committee on Claims.

H. R. 7749. A bill for the relief of Charles Molnar; to the Committee on Immigration and Naturalization.

By Mr. McGRANERY:

H. R. 7750. A bill to record the lawful admission to the United States for permanent residence of Adda Marie Urban; to the Committee on Immigration and Naturalization.

By Mr. MILLER:

H. R. 7751. A bill for the relief of Andrew M. Jeffrey; to the Committee on Military Affairs.

By Mr. O'TOOLE:

H. R. 7752. A bill for the relief of Angelo Ricupero; to the Committee on Immigration and Naturalization.

By Mr. PATRICK:

H. R. 7753. A bill to record the lawful admission for permanent residence of Paul Theisel; to the Committee on Immigration and Naturalization.

H. R. 7754. A bill to record the lawful admission for permanent residence of David Berman; to the Committee on Immigration and Naturalization.

By Mr. RAMSPECK:

H. R. 7755. A bill for the relief of Nannie E. Teal; to the Committee on Claims.

By Mr. SNYDER:

H. R. 7756. A bill granting an increase of pension to Mary E. Miller; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5993. By Mr. CARTER: Petition of the Alameda County Workers Alliance, Oakland, Calif., proposing certain amendments to the relief act; to the Committee on Appropriations.

5994. By Mr. HOUSTON: Resolution of Thomas Hopkins Post, No. 4, of the American Legion, of Wichita, Kans., expressing approval of the work of the Dies committee and requesting Congress to appropriate the necessary funds to continue the work of the committee; to the Committee on Rules.

5995. Also, petition of seven citizens of Wichita, Kans., urging enactment of House bill 1 to impose on persons operating 10 or more retail stores under the same general management a graduated excise tax; to the Committee on Ways and Means.

5996. Also, petition of eight citizens of El Dorado, Kans., urging enactment of House bill 1 to impose on persons operating 10 or more retail stores under the same management a graduated excise tax; to the Committee on Ways and Means.

5997. Also, petition of 54 citizens of Newton, Kans., urging enactment of House bill 1 to impose on persons operating 10 or more retail stores under the same general management a graduated excise tax; to the Committee on Ways and Means.

5998. Also petition of 103 citizens of Wichita, Kans., urging enactment of House bill 1 to impose on persons operating 10 or more retail stores under the same general management a graduated excise tax; to the Committee on Ways and Means.

5999. By Mr. KEOGH: Petition of the Chamber of Commerce of the State of New York concerning the continuation of the Dies committee; to the Committee on Rules.

6000. Also, petition of the Chamber of Commerce of the State of New York, concerning enactment of administrative law bills; to the Committee on the Judiciary.

6001. By Mr. PFEIFER: Petition of Cornelius B. Hesterberg Post, No. 962, Veterans of Foreign Wars of the United States, Brooklyn, N. Y., urging continuation of the Dies committee; to the Committee on Rules.

6002. By Mr. POLK: Petition of the Hillsboro Rotary Club, of Hillsboro, Ohio, adopted by its members at a meeting held on December 12, 1939, and signed by H. E. Barnes, president, and G. S. Kenny, secretary, protesting against the construction of the flood-control project designated as "Alum Cliff" on Paint Creek in Ross County, Ohio, for reasons stated therein; and endorsing the projects designated as "Rocky Fork" and "Upper Paint," a location farther up stream; to the Committee on Flood Control.

6003. By Mr. SMITH of Connecticut: Petition of the Yankee Division Veterans' Association, Department of Connecticut; to the Committee on Foreign Affairs.

6004. By Mr. SHAFER of Michigan: Petition signed by Jesse F. Hagelshaw and 16 other citizens of Battle Creek, Mich., to keep America out of war; to the Committee on Foreign Affairs.

6005. Also, resolution adopted at the thirty-eighth annual convention of the National Association of Supervisors of State Banks, September 22, 1939, opposing further chartering of Federal savings and loan associations; to the Committee on Banking and Currency.

6006. Also, petition of Mrs. John Wendell Bird and 38 other members of Woman's Foreign Missionary Society of the Eaton Rapids (Mich.) Methodist Church, protesting against shipment of war supplies to Japan; to the Committee on Foreign Affairs.

6007. Also, resolution adopted by Air Reserve Association of the United States, endorsing provisions of Senate bill 2225, flight officers bill; to the Committee on Military Affairs.

6008. By Mr. SHANLEY: Resolution of the Yankee Division Veterans' Association, Department of Connecticut; to the Committee on Foreign Affairs.

6009. By Mr. VOORHIS of California: Petition of L. O. Sebert, of Encinitas, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6010. Also, petition of Nettie Roork, of Los Angeles, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6011. Also, petition of Herman Woltman, of Inglewood, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6012. Also, petition of Carl Pullman, of Los Angeles, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6013. Also, petition of Beatrice Urmev, of Berkeley, Calif., and 20 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6014. Also, petition of Anna L. Stoeckly, of Paradise, Calif., and 20 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6015. Also, petition of Ira D. Kneeland, of Prather, Calif., and 13 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6016. Also, petition of Emma Blumer, of Los Angeles, Calif., and 22 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6017. Also, petition of F. F. Frederick, of Monrovia, Calif., and 23 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6018. Also, petition of Lambert Boomgaard, of Los Angeles, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking

and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6019. Also, petition of Peter Christensen, of Montebello, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6020. Also, petition of H. C. Henderson, of Washington, D. C., and five others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6021. Also, petition of F. A. Sell, of Los Angeles, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6022. Also, petition of Emil B. Nelson, of Los Angeles, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6023. Also, petition of Rudolph Maus, of Oroville, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6024. Also, petition of Minnie Kjellgren, of Huntington Park, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6025. Also, petition of Ernest Gurr, of Merced, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6026. Also, petition of Harry G. Allan, of Oakland, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6027. Also, petition of W. D. Patterson, of South Pasadena, Calif., and 20 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6028. Also, petition of William B. Merriam, of Saugus, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6029. Also, petition of Pearl Lock, of Encinitas, Calif., and 25 others, endorsing House bill 4931, providing for Govern-

ment ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6030. Also, petition of Roland A. Lord, of South Gate, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6031. Also, petition of Joseph F. Magenta, of Corning, Calif., and 5 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6032. Also, petition of Christ Pfaender, of Los Angeles, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6033. Also, petition of Floy Smith, of Oakland, Calif., and 21 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6034. Also, petition of James V. Makins, of Oakland, Calif., and 26 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6035. Also, petition of William N. Frazee, of San Bernardino, Calif., and 50 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6036. Also, petition of Mark Merwen, of Los Angeles, Calif., and 22 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6037. Also, petition of Emma B. Sloan, of Redland, Calif., and 21 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6038. Also, petition of Charles Burton, of Los Angeles, Calif., and 50 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6039. Also, petition of Frances W. Shippey, of Los Angeles, Calif., and seven others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and

Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6040. Also, petition of William Salisbury, of Hollywood, Calif., and 20 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6041. Also, petition of Julia Brown Calvert, of Los Angeles, Calif., and 15 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6042. Also, petition of Oscar W. Bauer, of Burbank, Calif., and 84 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6043. Also, petition of Don Kauffman, of Redwood City, Calif., and 52 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6044. Also, petition of Edward R. Rogers, of Martinez, Calif., and 14 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6045. Also, petition of Benjamin Morr, of Los Angeles, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6046. Petition of Abraham Miller, of Venice, Calif., and 51 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6047. Also, petition of Burns A. Applegate, of San Bernardino, Calif., and 93 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6048. Also, petition of Leonard A. Stenberg, of Oakland, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6049. Also, petition of Harry C. Smith, of San Pedro, Calif., and 22 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6050. Also, petition of Leo D. Strauss, of Eureka, Calif., and 15 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6051. Also, petition of M. H. Fisher, of Oroville, Calif., and 39 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6052. Also, petition of A. H. Barley, of Hartford, Wash., and 10 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6053. Also, petition of C. V. Hummerick, of Long Beach, Calif., and 75 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6054. Also, petition of C. A. Berry, of Los Angeles, Calif., and 51 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6055. Also, petition of L. H. Seaman, of Monrovia, Calif., and 15 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6056. Also, petition of J. W. Wilkeson, of San Luis Obispo, Calif., and 23 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6057. Also, petition of Armond A. Costie, of Inglewood, Calif., and six others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6058. Also, petition of Morris Beckenstein, of Long Beach, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6059. Also, petition of Anton Fiak, of Long Beach, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6060. Also, petition of Ormond C. Bradley, of Glendale, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional

monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6061. Also, petition of Ray Martin, of San Gabriel, Calif., and six others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6062. Also, petition of Charles L. Emerson, of Los Angeles, Calif., and 20 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6063. Also, petition of Enid C. Beyrer, of San Diego, Calif., and eight others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6064. Also, petition of Thomas M. Stratton, of Oakland, Calif., and 125 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6065. Also, petition of Kress Bradley, of Harbor Springs, Mich., and 50 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6066. Also, petition of James J. Butler, of Oakland, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6067. Also, petition of Arthur H. Fromme, of St. Alhambra, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6068. Also, petition of Gus Stalzman, of Los Angeles, Calif., and 12 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6069. Also, petition of Sigfrid Martinson, of San Francisco, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6070. Also, petition of B. F. Ballard, of Los Angeles, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6071. Also, petition of M. B. Kronick, of Los Angeles, Calif., and 25 others, endorsing House bill 4931, providing for Gov-

ernment ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6072. Also, petition of Norman Stanfield, of San Francisco, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6073. Also, petition of Ralph Maggs, of Garvey, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6074. Also, petition of Fred C. Richards, of Long Beach, Calif., and 40 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6075. Also, petition of Mary B. York, of Fontana, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6076. Also, petition of Charles S. Felt, of Fontana, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6077. Also, petition of Edgar Hagemann, of Whittier, Calif., and 17 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6078. Also, petition of Paul R. Meyer, of San Francisco, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6079. Also, petition of Torvald Frederiksen, of La Crescenta, Calif., and three others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6080. Also, petition of Joseph C. Stocks, of Seattle, Wash., and 80 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6081. Also, petition of Edna B. Nyquist, of Twin Peaks, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6082. Also, petition of M. A. Modine, of Needles, Calif., and 29 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6083. Also, petition of M. Bracher, of Altadena, Calif., and 15 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6084. Also, petition of Alice M. Hastings, of Los Angeles, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6085. Also, petition of Dr. H. O. Parkinson, of Berkeley, Calif., and 24 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6086. Also, petition of Anna G. Person, of Los Angeles, Calif., and 21 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6087. Also, petition of Alexander J. Robert, of Terace, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6088. Also, petition of Mrs. Gelicie Dallons, of Hollywood, Calif., and 21 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6089. Also, petition of William Farrell, of New York City, and 20 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6090. Also, petition of Ervin A. Benmig, of South Pasadena, Calif., and 18 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6091. Also, petition of Joseph Shapiro, of Venice, Calif., and 16 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6092. Also, petition of Tiffney M. Amos, of Arcadia, Calif., and 20 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional

monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6093. Also, petition of Marion F. Wotherspoon, of Altadena, Calif., and 18 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6094. Also, petition of Elizabeth M. Kihm, of Los Angeles, Calif., and 25 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6095. Also, petition of Cora Glaze, of South Pasadena, Calif., and 59 others, endorsing House bill 4931, providing for Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6096. By the SPEAKER: Petition of the Rural Letter Carriers Association and the Ladies Auxiliaries of the Fifth Congressional District, Kent and Ottawa Counties, petitioning consideration of their resolution with reference to Hon. Carl E. Mapes; to the Committee on Memorials.

6097. Also, petition of the United Electrical, Radio, and Machine Workers of America, 7 East Thirtieth Street, New York, N. Y., petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

6098. Also, petition of Local No. 425, United Electrical, Radio, and Machine Workers of America, 315 Vernon Avenue, Brooklyn, N. Y., petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

6099. Also, petition of the United Office and Professional Workers of America, New York, N. Y., petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 9, 1940

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Master of the hidden fire, we thank Thee for the gift of divinity in the human soul and for its power of expression. We earnestly pray that we may be true to ourselves, for earth with heavy sins and griefs is overplussed. Hush the voice of passion in our own breasts by quickening every aspiration that keeps open the vision of our Saviour. Heavenly Father, fan our faith to brighter glow until the dark of self is broken with the wedges of Thy clear light. Search us, O God, and know our hearts; try us and know our thoughts, and see if there be any wicked way in us; and lead us in the way everlasting, and Thine shall be the praise. Through Christ, our glorified Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 884. An act to add certain lands to the Siuslaw National Forest in the State of Oregon;

H. R. 3051. An act for the relief of certain workers performing emergency work at Cairo, Ill., in the Ohio River flood of 1937;

H. R. 3087. An act for the relief of Gdynia American Line, Inc., of New York City, N. Y.;

H. R. 3363. An act for the relief of the American Insurance Co. of New Jersey;

H. R. 3912. An act for the relief of the heirs of John Cauley, deceased;

H. R. 4813. An act for the relief of the estates of Marie R. Morkovsky and Alphons Morkovsky, both deceased;

H. R. 5369. An act for the relief of Maj. Noe C. Killian;

H. R. 5919. An act to provide for the refunding of the bonds of municipal corporations and public-utility districts in the Territory of Alaska, to validate bonds which have heretofore been issued by a municipal corporation or any public-utility district in the Territory of Alaska, and for other purposes;

H. R. 6804. An act for the relief of George E. Miller;

H. R. 6832. An act to provide for the protection of witnesses appearing before any department, independent establishment, or other agency of the United States, or the Congress of the United States; and

H. R. 7327. An act for the relief of the Nevada Silica Sands, Inc.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 823. An act for the relief of John P. Shorter;

S. 2384. An act for the relief of Lyle L. Bressler; and

S. 2876. An act to amend the Annual and Sick Leave Acts of March 14, 1936.

The message also announced that the Senate had adopted the following resolution:

Senate Resolution 211

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. EDWARD W. CURELY, late a Representative from the State of New York.

Resolved, That a committee of two Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now adjourn.

PERMISSION TO ADDRESS THE HOUSE

Mr. SNYDER. Mr. Speaker, on January 3 the House granted me permission to address the House for 20 minutes today. I now ask that that time be transferred to Friday of this week.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

DIPLOMATIC RELATIONS WITH RUSSIA

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, it is my compelling and considered conviction that the United States Government should sever diplomatic relations with Soviet Russia. [Applause.] I sent a letter, stating my views on this subject, to the President of the United States under date of December 1, and received a reply.

Mr. Speaker, I ask unanimous consent to incorporate as a part of my remarks the communication which I sent to the President.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The letter referred to follows:

DECEMBER 1, 1939.

The Honorable FRANKLIN D. ROOSEVELT,

The President, the White House, Washington, D. C.

MY DEAR MR. PRESIDENT: The people of the United States generally believe that the Russian attack on Finland is both inhuman and unwarranted. The invasion, in my opinion, is an ugly blot on civilization.

I wish to commend you upon your denunciation of the Soviet aggression, as expressed in your interview with the press today. I

do strongly urge, however, that you assume leadership to the end that this country sever diplomatic relations with the communistic Government of Russia.

When we renewed our recognition of that country a solemn pledge was given that Russia would not attempt to interfere in the internal affairs of the United States. There is no doubt but what that assurance has been repeatedly violated. Authentic disclosures cause us to realize that many of the organizations and groups that are operating in this Republic with the definite purpose of undermining our institutions of government are directed not from sources within our own land but that orders and plans actually originate in Moscow.

I fervently hope that steps can promptly be taken that will bring about the severance of our recognition of an evil government which clearly is intent upon bringing needless tragedy to an honest Finnish people and is actually at work in an attempt to destroy Christian citizenship in America.

Faithfully and cordially yours,

JENNINGS RANDOLPH.

Mr. FISH. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. FISH. Will the gentleman put in the RECORD also his resolution to sever diplomatic relations with Russia?

Mr. RANDOLPH. I have not introduced such a resolution, but such legislation has already been proposed. I may also introduce a similar measure. The subject should be given early consideration.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. SECCOMBE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement from Cloyd W. Miller, president of the Hickory Clay Products Co., entitled "Two Sides of the Discussion Government (R. F. C.) Versus A Small Business Man Regarding Loans, Terms, Respective Responsibilities"; and also a letter to Mr. Sam Husbands, of the Reconstruction Finance Corporation.

The SPEAKER. Without objection, the requests will be granted.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. CROWE. Mr. Speaker, on yesterday I asked for and received permission to address the House for 5 minutes today following the completion of the legislative program. Owing to the late hour at which the legislative program will be completed today, I ask unanimous consent that this permission be changed to Friday of this week following special orders that may already have been entered for that day.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. DOUGLAS. Mr. Speaker, I ask unanimous consent to extend my own remarks on the life, character, and public service of the late Wallace E. Pierce.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

NATIONAL LABOR RELATIONS ACT

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I take pleasure in directing to your personal attention the second national survey, titled "Industry's Private Opinion of the Labor Board," as conducted by Factory Management and Maintenance.

If you will take time to read the article that is published in the January 1940 Factory, you will note that while industry lays much of the Wagner Act's failure to the National Labor Relations Board, it is insistent on needs for drastic revision of the act itself. The severity of Management's condemnation of labor and the Board is shown by these figures:

A NATIONAL SECRET POLL OF INDUSTRY

Twenty-three to one said that the law and its administration have failed to accomplish the stated objectives of the National Labor Relations Act.

Twenty-eight to one said that the Board has not been fair and impartial in its decisions.

Twelve to one said that the Board has not been fair and impartial in its interpretations of the act.

Eleven to one said that the Board has not been fair and impartial in its dealings between unions.

Twenty-five to one said that the Board has not been fair and impartial in its dealings between employers and employees.

It seems to me that if the Members of Congress want to do something to put the 10,000,000 unemployed in this country back to work in industry Congress could do no act that would assist so much the labor of this country in securing jobs in industry, and by so doing we would take them off the Government pay rolls, where they are a direct charge to the operation of our Government. I am firmly convinced the opinion of men who are now engaged in industry, as well as many in labor, are very desirous that the act itself be changed in order that it will give them greater opportunities to conduct in a peaceful manner their own negotiations with their employer for satisfied business relations. Until labor and management have equal rights and equal opportunities under the law business will not go ahead and create jobs, and, after all, the businessmen of this country can create more jobs in private industry. And let us remember the watchword of American independence was "opportunity"; and when you destroy that in business, then men lose their jobs, industry stops, and people suffer unless the Government comes to their aid.

Why not make the changes in the act that will assist labor, that will assist industry, and let us put the men in this country who want to work back on the pay rolls and take them off of the pay rolls of the Government? The quicker we do this the better it will be for America, American labor, and American industry. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. GARTNER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article by Col. Vincent A. Carroll entitled "The Voice of the Unknown Soldier."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. JENKS of New Hampshire. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire [Mr. JENKS]?

There was no objection.

Mr. JENKS of New Hampshire. Mr. Speaker, I rise to denounce the unfairness, the unsoundness, and the utter stupidity of a Government agency in perverting its official privilege of issuing reports for public consumption to purposes of singling out any one section of this great country of ours, stigmatizing it with failure, and marking it for ultimate doom.

I refer to a report entitled "Labor and the Decline of the Amoskeag Textile Mills," recently issued by the National Research Project of the Work Projects Administration. The persons responsible for the misinformation carried in this report are either totally incompetent of gathering accurate data or guilty of twisting facts and figures to serve motives both questionable and doubtful.

I ask permission to insert here an Associated Press dispatch which appeared in the New York Times of last Sunday, January 7, citing the findings—completely false and misleading—carried in this report.

EAST'S TEXTILE CUT IS LAID TO THREE CAUSES—SUBSTITUTE FIBERS, OVEREXPANSION, AND LOW WAGES IN SOUTH ARE BLAMED BY THE W. P. A.—AMOSKEAG CASE STRESSED—IT RAISES ISSUE OF THE SOCIAL RESPONSIBILITY OF BUSINESS, FEDERAL REPORT ASSERTS

WASHINGTON, January 6.—The decline of the cotton textile industry in New England, leaving thousands unemployed and stranding entire communities, was attributed in a Federal report today to overexpansion of the industry and competition from substitute fibers and low-wage southern mills.

The report, compiled by the Work Projects Administration, used the closing of the Amoskeag Mills at Manchester, N. H., once the world's largest single cotton manufacturing unit, as an example of the plight of New England cotton-mill centers.

The general decline in New England's cotton industry also was attributed partly to obsolescence of "machinery and mill management."

In the case of Amoskeag, which once employed 16,000 workers, the report stated that, "although many factors affected its decline, the most important was the withdrawal of needed capital funds at a critical point in the history of the company."

Of the 11,000 workers directly affected by the closing, the report said:

"The types of adjustment available to those economically stranded in the depressed area have been limited reemployment in Manchester and adjoining communities, restricted emigration, and, as usually was the case, dependency upon some form of governmental assistance."

SHUT-DOWN CALLED "CALAMITOUS"

Gainfully employed persons in Manchester totaled 35,000 out of a population of 75,000 in 1930, the report said, and the shut-down affecting 11,000 was "of calamitous proportions."

The closing of the mill, however, the report continued, "raises the question of social responsibility of business."

The owners' decision to withdraw capital which they had "accumulated producing cotton and woolen goods in Manchester has meant unemployment, loss of income, migration, and general disorganization of the labor market," it added.

More than a year after the shut-down nearly one-fourth of the dismissed workers had left the city and only two-fifths of the men and women remaining had had any work.

Only one-third of the men and one-sixth of the women were working when Works Progress Administration investigators made a survey of former employees of Amoskeag in 1937.

Although Manchester businessmen and bankers took over the Amoskeag properties and leased them to industries, chiefly shoe manufacturing establishments, only 3,200 persons were employed by 1937, the report said, and by September 1938 this number had been reduced to 1,600.

During 1937 and 1938, the report said, a higher proportion of families received general relief in Manchester than in any other of 23 New England cities for which information is available.

CITY'S FUTURE IS DISCUSSED

Discussing the future of the city, the report said:

"The city's economic prospects depend obviously on the establishment of new companies and the expansion of industries already operating there. The latter are now confined mainly to the boot and shoe industry.

"Accordingly, the problem of Manchester, as of other stranded textile cities, may be considered in terms of the economics of industrial location."

The report added, however, that "it should be clear industries oriented toward raw materials will not be attracted to Manchester for the simple reason the Manchester area has no raw materials."

Nor is Manchester so situated that it would have any attraction for industries that should be oriented toward markets, the report continued.

Citing the decline of the textile industry as early as 1929 in Lowell, Fall River, and New Bedford, Mass., the report said that new industrial development in southern New England, situated closer to the New York and Philadelphia markets, had taken place.

Both Fall River and New Bedford, farther south in the State than Lowell, made considerably more progress than Lowell in reemploying workers, the report said.

Between 1929 and 1936 jobs in industries other than cotton textiles increased 36.2 percent in Fall River, 107.6 percent in New Bedford, while in Lowell the number remained "practically stationary."

To say that I resent this unjust and unwarranted attack on New England, the cradle of American democracy, where industry, thrift, and stability have flourished from the time of the landing of the Pilgrims right on through to this day, and the appallingly untruthful citations made regarding the state of affairs in Manchester, N. H., the largest city in the State—and, incidentally, my home city—is expressing my sentiments in exceedingly mild terms.

According to the newspaper item inserted above, this W. P. A. report takes the all-time peak employment figure of 16,000, which prevailed during the period of the World War at the Amoskeag Mills, whereas the normal employment figure in that plant was less than half that figure. The report further states that after the closing of the Amoskeag Mills in 1935 nearly one-fourth of the dismissed workers left Manchester, and only two-fifths of the men and women remaining had any work. There is no gainsaying the fact that the liquidation of the Amoskeag Mills caused a temporary employment disturbance in Manchester, but there is no basis of fact for the statement carried in this thoroughly erroneous

report issued by the W. P. A. to the effect that the shut-down of the Amoskeag Mills was "calamitous." As a matter of fact, the employment figure at the Amoskeag Mills as of September 1935, the year in which the plant was closed, was approximately 5,000, and today there are employed approximately 4,500 persons by Amoskeag Industries, Inc., which activities are housed in the mile-long buildings, stretched along the Merrimack River, formerly occupied by the Amoskeag Mills. If in 1935, 5,000 people were employed in the Amoskeag Mills at the time the plant was closed, and there are now 4,500 people employed in the same structure that once housed this largest textile industry in the United States, it would seem that all is not lost nor that the city of Manchester has passed into the category of a ghost town, tragically entombed in memories of its once flourishing prosperity, as indicated by this W. P. A. report.

The official census of 1930 showed the population of Manchester to be 76,834, and the police census of 1939 shows the population to be 80,107.

The official clearing-house figures for Manchester in 1935, the year in which the Amoskeag Mills were closed, were \$26,132,997, and for 1939, \$30,481,532.

A further indication of the financial soundness of the city of Manchester is indicated by the fact that it has one of the best credit ratings in New England, as attested by the interest rate, charged on a \$500,000 loan which the city obtained in December, of twenty-one one-hundredths of 1 percent, which happens to be the lowest interest rate extended to any city throughout the entire country.

The December 1939 issue of Forbes magazine cites Manchester as ranking eighth among the first 10 cities in the United States, regardless of size, as having enjoyed the highest percentage of increased business during the first 10 months of 1939 as compared with the corresponding period of 1938.

Happily the facts relating to the aftermath of the liquidation of the Amoskeag mills have long since been accurately told by disinterested persons qualified to ascertain and set forth the true story of the perilous period through which Manchester passed, which discloses the heroic efforts that the people of the Queen City made to cope successfully with a situation that might have swamped a people of less courage, initiative, intelligence, and faith. I quote from an article entitled "A City That Wouldn't Die," by Henry Denton, which appeared in the August 1937 edition of the American magazine:

The city of Manchester, N. H., until December 1935, was noted chiefly as the home of the Amoskeag Manufacturing Co., the largest mill in the world. Indeed, the city was the mill, its destinies woven on the same looms which for 192 years had many times over engirdled the globe with cloth, had outfitted the armies of the Nation with blue, gray, and olive drab, and had even covered the prairie schooners with white for the westward march.

A city of 80,000 population, Manchester found its pride and its reason to be in Amoskeag's 75 factory buildings, ranging 3½ miles on each side of the Merrimack River. * * *

Manchester was secure in Amoskeag. It never questioned its permanence or its stability. * * *

So Manchester believed until Christmas week in 1935, when the largest mill in the world went bankrupt. The city stared, blinking and uncomprehending, at the ruins. It was stunned. The impossible had happened. Manchester had collapsed.

There was a meeting of a leading civic organization in the Hotel Carpenter the day after that announcement was made, and a stunned membership, representing all trades, businesses, and professions, came groping for explanations and understanding. They gathered in knots about the lobby before the meeting, looked dazedly at one another, and tried desperately to make sense of it. * * *

Bankruptcy meant that the largest mill in the world was dying, and if it expired it could never be brought back to life again. But everybody already knew that. Nothing came of the meeting except a renewal of fear and desperation. The town could not be saved. The mixed-up finances of Amoskeag seemed too deep for average understanding.

And yet, 1 year later, members of the same civic organization pushed their way to another meeting through the largest Christmas-shopping crowd Manchester had ever seen. They met in the lobby, slapped one another on the back, and boasted about the volume of the year's business and grumbled about the size of the income tax they would have to pay. They sang lustily and enjoyed them-

selves thoroughly. Manchester was on the way back fast. Its population was growing, and it was having more fun than it had had in half a century. Mill stacks were belching clouds of smoke again.

Today the threat of disaster that hung over the city for a quarter of a century is gone. Its eggs are no longer in one basket. Its industries are diversified. Its workers are getting good wages. The city is being advertised nationally. Traveling salesmen are scurrying about the country selling Manchester and Manchester goods. Once again its machinery is humming, and merchants' cash registers are ringing jingle bells.

The explanation is simple: A community with original, courageous, and intelligent citizens simply lifted itself by its own bootstraps. This town joined hands in a common enterprise.

Again I quote from an article entitled "Cotton Rich," by the economist, John T. Flynn, which appeared in the July 24, 1937, edition of Collier's Weekly—

In Manchester the closing of the mill was nothing short of a community disaster. It ranked with a pestilence or a tornado or a foreign invasion or an airplane raid. So the people of the town acted as they act in a case of public calamity. A group of businessmen got together. They said to themselves—here is the big bread-and-butter mill of the town closed. Thousands of workers will stop getting pay checks and of course they will cease to visit the merchants. So this is not merely a case of Amoskeag going on the rocks. It's a case of the town being on the rocks. What to do?

Well, what they needed was employers—men who would manufacture something and hire men and women. That was simple. And that, incidentally, is precisely the problem of the whole country. Here, they said, is a vast property with innumerable buildings. Some of them have modern weaving machinery in them. Most of them are capable of being used by other manufacturers. They have been the town's biggest asset. Why should they cease to be an asset? As soon as they began to think about it they began to get ideas as hard-headed New Hampshire men would. The company was in bankruptcy. Therefore the property once assessed at \$35,000,000 could be bought at a bargain. They learned from the bankruptcy court it could be bought for around \$5,000,000. Therefore merchants, businessmen raised funds and got the banks to back the project and bought the whole outfit for \$5,000,000. They were then in a position to offer a bargain to outside manufacturers. They could sell them sections of the mill at 11 cents on the dollar. Not only would the buyer get a bargain, but thereafter, he would get a low assessment and, hence, low taxes, and it was taxes which, among other things, helped to kill the Amoskeag. In no time at all they induced a big textile company to buy a part of the mill. They got a great shoe manufacturer to take another part of the mill. They got the local power company to buy the mill's water-power plant. They got various other manufacturers to buy other buildings. Already from 4,000 to 6,000 persons are back at work in the new mills. Those working are working full time instead of the half time the old Amoskeag employees worked, and they are getting a lot more pay and at better hours.

Despite the pessimistic blunderings and mournful wailings of any W. P. A. report, the sturdy, thriving city of Manchester will continue to grow and flourish by virtue of the courage, industry, and thrift of its citizens and without the approval of W. P. A.

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein an article by Mr. Leland Stowe on the Finnish-Russian War appearing in the Evening Star, of Washington.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL].

There was no objection.

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech delivered by me at Wilmington, Del., last night at a Jackson Day dinner.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina [Mr. BRYSON].

There was no objection.

CALL OF THE HOUSE

Mr. GAVAGAN. Mr. Speaker, I make a point of order that a quorum is not present.

The SPEAKER. Evidently there is not a quorum present.

Mr. BOEHNE. Mr. Speaker, I move a call of the House. A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 4]

Allen, La.	Duncan	Kennedy, Md.	Robertson
Barton	Edmiston	Kirwan	Sasser
Bell	Engel	McArdle	Schaefer, Ill.
Boland	Englebright	McLaughlin	Schiffner
Brewster	Evans	Maciejewski	Schuetz
Brooks	Ferguson	Magnuson	Schwert
Buckler, Minn.	Fernandez	Martin, Ill.	Smith, Ill.
Buckley, N. Y.	Flannery	May	Somers, N. Y.
Burdick	Folger	Merritt	Stegall
Cartwright	Fulmer	Michener	Taylor
Celler	Geyer, Calif.	Monroney	Tenerowicz
Chapman	Gifford	Mouton	Tibbott
Chapfield	Grant, Ala.	Murdock, Ariz.	Tinkham
Culkin	Griffith	Nichols	Treadway
Darrow	Hancock	Norton	Wallgren
DeRouen	Hennings	O'Day	West
Dies	Hook	Osmer	Wheat
Disney	Jarrett	Parsons	White, Ohio
Dondoro	Jensen	Patrick	Wood
Doughton	Johnson, W. Va.	Pfeifer	Woodruff, Mich.
Drewry	Keefe	Reece, Tenn.	

The SPEAKER. Three hundred and thirty-eight Members have answered to their names; a quorum.

Further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. LEWIS of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein the story of the life of Cloyd W. Miller, president of the Hickory Clay Products Co., of Mineral City, Ohio, written to the Reconstruction Finance Corporation for the purpose of securing a loan from that Corporation.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from Cloyd W. Miller under date of December 11, 1939, to the Reconstruction Finance Corporation.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HOFFMAN asked and was given permission to extend his own remarks in the RECORD.

THE LATE J. WILL TAYLOR

Mr. KRAMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. KRAMER. Mr. Speaker, it was my privilege to serve with our late colleague, the Honorable J. WILL TAYLOR, on the Committee on Immigration and Naturalization. Mr. TAYLOR, during the 7 years I served on that committee as one of his associates, was the ranking member of the committee and rendered valuable assistance to me and to the remainder of my colleagues on the committee. I was sincerely grieved when the information of his passing came to me in California.

As a member of the Committee on Immigration and Naturalization I offered in the committee a resolution with regard to the passing of our late colleague, and this resolution was unanimously adopted by the committee. I ask unanimous consent that I may insert this resolution at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The resolution referred to follows:

The Committee on Immigration and Naturalization, in executive session, desires to spread upon its records the deep regret and sorrow of its members owing to the death of Hon. J. WILL TAYLOR, of Tennessee, who departed this life immediately after the adjournment of the second session of the Seventy-sixth Congress.

Our late colleague became a member of this committee upon his election to Congress in 1919 and served continuously on the committee during his entire term of office, and at the time of his death was the ranking minority member. He rendered able and distinguished service in the capacities in which he served. He was held in high esteem by his colleagues in the House who mourn his

passing. The members of the Committee on Immigration and Naturalization tender to his widow and family sincere sympathy in their loss and bereavement.

Samuel Dickstein, Charles Kramer, Lex Green, E. C. Gathings, Anton Maciejewski, John Lesinski, Caroline O'Day, George Grant, John L. McMillan, N. M. Mason, John Z. Anderson, Henry O. Talle, Cliff Clevenger, W. R. Poage, A. Leonard Allen.

ANTILYNCHING BILL

Mr. GAVAGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 801) to assure to persons within the jurisdiction of every State due process of law and equal protection of the laws, and to prevent the crime of lynching.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 801, with Mr. McCORMACK in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. GAVAGAN] for 3 hours and the gentleman from Texas [Mr. SUMNERS] for 3 hours.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. GAVAGAN. I yield to the gentleman from New York.

Mr. FISH. Do I correctly understand that the gentleman from New York has agreed to yield me half of his time?

Mr. GAVAGAN. Mr. Chairman, I have an agreement with the gentleman from New York [Mr. FISH] to divide my time of 3 hours evenly with him, he to control one hour and a half of the time allotted to the proponents of the bill. I ask unanimous consent that this division of the time may be in order.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. In accordance with the unanimous-consent agreement, the Chair will recognize the gentleman from New York [Mr. GAVAGAN] for 1½ hours, the gentleman from New York [Mr. FISH] for 1½ hours, and the gentleman from Texas [Mr. SUMNERS] for 3 hours.

Mr. GAVAGAN. Mr. Chairman, I yield myself sufficient time to make this preliminary statement:

Mr. Chairman, in the consideration of the bill, when the point of reading the bill for amendment under the 5-minute rule is reached, at the proper time I shall offer a motion to strike out, in section 2, on page 2, the entire last sentence, beginning on line 13 and ending on line 17 with the parenthesis and the period.

Mr. Chairman, I now yield to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, I yield myself such time as may be necessary to make a brief statement.

As I understand the parliamentary situation, this bill will be considered in general debate for the next 6 hours. There will be no vote in the House today, presumably, even if the 6 hours are consumed. Whether we can consume the entire 6 hours before 5 or 6 o'clock today is problematical, but apparently there will be no vote cast today; and speaking to those on this side primarily, it is of the utmost importance, however, that you be here tomorrow, Wednesday afternoon, at the time when amendments will be in order, so that you can protect the bill from being emasculated. It is not so essential that you stay here during the entire debate today.

Mr. Chairman, I now yield 5 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, antilynching legislation similar to that proposed here today has been before the Congress for some 20 years. It seems to me now is the time when we should dispose of this question one way or the other. I hope we can do this without passion and prejudice, that we can debate the measure as it ought to be debated, and then either vote for or against it as we see fit. However, I do want to call your attention to something that I think

is rather important, and that is this: Here is a measure that has been pending before the Congress during all these years; introduced in the House and submitted to that all-powerful Judiciary Committee, composed, I think, of 25 of the leading Members of this House. It seems to me that the least that the committee could have done was to have held hearings on it and had the matter discussed pro and con, fairly and squarely on its merits, and then either recommended the passage of the bill or turned it down.

On a question of this kind, that is going to be debated fairly as to whether it is constitutional or not, we are entitled to have the fair judgment of the membership of the Judiciary Committee. We just do not have it. If committees such as the Judiciary Committee do not see fit to assume this responsibility in a case of this kind, then what are we to expect when other questions of great importance come before the Congress?

A measure similar to the one before us now passed the House some 2 years ago. It failed in the other body, not as a result of a record vote but just because a group of those who are opposed to it used the old, famous method of filibustering.

The bill is intended to prevent, insofar as possible, the inexcusable and indefensible crime of lynching. With all its provocations, and regardless of why the crime of lynching is perpetrated, it is nevertheless one of the very lowest forms of barbarism. There is certainly no excuse for this unlawful practice. It is a form of subjugation that should never be held over any people and the taking of human life in this way is nothing more nor less than the overthrowing of the law and the courts and the government itself.

Those who are opposed to the measure say that it takes power from the States. If the States perform their duty, then the Federal power is not even invoked. If the States and their subdivisions fail to perform their duty under this measure, can there be any reason why the Federal power should not be applied?

So today the colored man and the white man in the South, in the North, in the East, and in the West are asking for the same protection and the same rights that every human being within the United States is entitled to, and that is a fair and impartial trial and equal protection under the law.

This is all there is to this measure. We have confused too many times during the heat of debate the subject of murder with the subject of lynching. They are not comparable. Murder is committed by an individual or a group of individuals who are, if apprehended, brought to trial. Lynching is committed by the citizens of a community who flout the law, take it into their own hands for the purpose of meting out punishment to individuals with the desire and the intention that such persons shall not be able to receive a fair trial before the courts.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. REES of Kansas. So I believe that if you are opposed to mob violence, if you are opposed to savagery and blood-thirsty brutality on the part of enraged human beings who presume to flout the laws by inflicting death by the most brutal means that the human mind can conceive; if you think every citizen of this great country of ours, regardless of race, creed, or color, is entitled to receive protection under the law, then I believe you will support this measure.

As I stated at the beginning of my remarks, I believe we should debate this question as fairly and as impartially as we can. Then let us cast our votes for the best interests of the people of this country, in accordance with our best judgment. [Applause.]

[Here the gavel fell.]

Mr. HOBBS. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Chairman, for many years, if my recollection is correct, since about 1922, this legislation has been agitated before the Congress. To use a colloquialism, I have come in collision with it about every other year since the year 1922, and it is now getting to be a somewhat old experience. During all these years I have entertained a pro-

found conviction about it. It is a matter of knowledge among most of my colleagues that I have gone on record in opposition to these antilynching bills a good many times. Moreover, I have written letters in great numbers explaining my position to my constituents. I say this, not for the purpose of suggesting that my judgment is infallible, but rather that my conviction upon this question is deep—so deep that I find myself impelled to be separated for the moment from many men with whom I have cooperated politically in this Chamber and out of it down through the years.

Mr. Chairman, every now and then groups of citizens arise in their passions to violate the laws which they themselves have made. Sometimes the incidents of that sort are horribly distressing. Notably is this the fact in the case of lynching. When they happen, those incidents bring shame upon us all. We abhor them. We pray that they may never be repeated, and the fact that such incidents have occurred from time to time throughout the ages does not justify by any means their repetition in this modern age, much less here in America. How may we reduce their frequency? How may we bring them to an end?

Mr. Chairman, I have always believed that the people who make the laws of a community, acting, as they do, in good faith, and in their sober judgment, must in the last analysis be depended upon to see to it that the laws are obeyed. Moreover, I believe it is futile for a central power, located at great distance from the scene, to turn its weapons against a people, the people of a community, in the belief that those people can be compelled to good behavior. It is far healthier that the process of education and enlightenment and understanding be urged upon the people of a community, to the end that whatever progress they achieve shall be permanent in the enforcement of the laws which they have made for themselves. I rejoice that up to this time in our history the people of our States and of the subordinate communities within the States have shown without any doubt whatsoever a growing understanding of the horror of lynching, and by their own attitude toward that crime have achieved a very, very marked reduction in its frequency.

If my recollection is correct, time was when these regrettable and horrible incidents occurred at the rate of more than 100 per year in this beloved country of ours. Last year there were but three such incidents in the entire United States. Like all of us, I hope that that tendency will continue; but, further, I hope that as we here in the Congress consider this problem we shall brush aside from our minds the hysteria and passion of the moment and have regard for the long future and the nature of our Government.

It is not my intention to discuss the constitutional questions raised by this bill, although some of them are exceedingly interesting, even to the point, in my judgment, of being fantastic. Rather, I shall try to demonstrate why I believe it to be a futile measure that can never be enforced; that it is a snare and a delusion which will bring bitter disillusionment ultimately to multitudes of good people. In attempting to demonstrate this, I ask your indulgence while I paint the picture which would be presented to our eyes in the event of the enactment of this bill. In order to paint the picture I shall "bring it down to cases," or attempt to, to use a colloquial expression.

Mr. Chairman, I live in the county of Livingston in the State of New York. The county of Livingston is the creature of the State of New York. It derives its right to exist from the State of New York. All the power of its government and its officials is delegated to it by the State of New York and from no other. Beyond those delegated powers the government of the county may not go. I assume that very much the same situation prevails with respect to every county in every State of the Union. Now, let us assume that a lynching occurs in the county of Livingston—and it is a very, very difficult assumption under the circumstances—and it is charged that the local county officials have neglected or refused to make all diligent efforts to protect the victim. Under this bill jurisdiction over the matter is assumed by a Federal

court, at the instance of the Department of Justice, with its headquarters here in Washington, and the officials of the county may be indicted and tried in that court, charged with a crime which is rated a felony under this bill, punishable by a fine not to exceed \$5,000, or by imprisonment not exceeding 5 years, or by both such fine or imprisonment.

Moreover, in considering the significance of this provision we should not confine our attention solely to the county officials, for the bill by its explicit language extends the jurisdiction of the Federal court not only to the county officials but to any officer or employee of the State charged with the duty or possessing the authority under State law to protect a person from being lynched. Thus it will be seen that under this law it is entirely possible that not merely the sheriff of the county or the deputy sheriffs but the State police and their commanders, and even the Governor of New York, may face the felony charge in that one or the other of them has failed to exercise the power which he possesses in protecting the individual. I am not stretching this matter beyond the language of the bill, but however that may be, we here find legislation proposed to the effect that the Federal Government, acting through its Department of Justice and through the Federal court, may come into a county of a State or to the capital of a State and imprison county or State officials for neglect of duty. Incidentally, everyone knows the crime involved in lynching, however it may be denominated in the Criminal Code, is forbidden by the law of every State.

But the bill does not stop there. It provides that the county in which the crime has been committed shall be held liable to pay liquidated damages to the relatives of the victim in sums varying from \$2,000 to \$10,000, and under the terms of the bill the county will be called upon to pay such sum as fixed by a Federal judge within the limits prescribed. The question immediately arises, How is this money to be collected? If the Federal authorities go to the county treasurer and demand the money from him, they will be met with the assertion, which cannot be gainsaid, that the county treasurer has no right under the laws of the State of New York to pay over the money. He may pay out money from the county treasury only in conformance with appropriations made by the county board of supervisors, which corresponds in the State of New York to county commissioners in the counties of many States, or in accordance with some special State law, and for no other reason. Encountering this obstacle, we may assume that the Federal authorities will then go to the board of supervisors and demand of the board an appropriation out of the county treasury to meet the judgment. They will thereupon be met with the reminder, the correctness of which cannot be denied, that the board of supervisors of the county cannot under New York State law appropriate any money out of the county treasury except for purposes made legitimate by New York State law; and as the State law does not authorize expenditures for judgments inflicted by Federal courts, the supervisors cannot make the appropriation. Whereupon, under this bill, the county treasurer and the members of the board of supervisors may be held in contempt of the Federal court.

There is a spectacle for you—county officials obeying the laws of their States are to be in contempt of a Federal court on the ground that the order of the Federal court inflicting a judgment upon a county within a State is a lawful order. Being guilty of contempt, they may be fined or imprisoned, or both.

Am I wrong, Mr. Chairman, when I assert that if any such practice is to be established and sustained the Federal Government can hereafter employ its power to destroy the government of a county? And even in that case, the money will not have been collected. In all seriousness, I ask the proponents of this measure do they think we have reached a point in our political and social development at which it shall be deemed wise and in accordance with the spirit of our institutions for the Federal Government to step in over the borders of a sovereign State and punish a county, the creature of the State? Am I exaggerating when I say that such a thing is

fantastic and can never be enforced in our scheme of government? The plain fact is, the whole process will die aborning. The instant the Federal Government attempts to apply the provisions of this bill it will encounter insuperable obstacles. I do not believe that such a law could survive the light of day in a single court of this land, unless, indeed—and I always make this reservation in these modern days—unless, indeed, the courts have reached the conclusion that there is no longer such a thing as a Federal union of sovereign States under the Constitution of the United States.

Mr. Chairman, at this moment I am not protesting against the motives of the authors of this bill. I protest rather against its utter futility. Its passage by the House misleads multitudes of people who will wake up to recognize it, if it is ever enacted and its enforcement attempted, as a gigantic fraud. I hate to see the Congress pass legislation, whatever the motives behind it, which will end up in bitter disillusionment. We do infinite harm when we legislate in that fashion.

I intimated at the beginning of my remarks my conviction that slowly but surely this terrible problem as manifested by lynching is solving itself. I know full well we are disconcerted at times by news of these incidents which reaches us, but we ought to be tremendously gratified that such incidents are becoming less and less frequent.

The growing infrequency of these incidents should persuade us that a self-governing people, an intelligent people, need not be driven into moral conduct by the imprisonment of their officials and the imposition of fines upon the whole community. I have more faith in the efficacy of an appeal to the conscience of the people. Such an appeal with respect to lynching is proving eminently successful. More and more communities have learned to abhor this crime. Public sentiment even in those parts of the country where it has been frequent in the past is now piled high against it. Slowly but surely it is disappearing.

We may admit, I suppose, that democracy may never attain 100 percent of perfection, but you and I are confident in our belief that today ours is the best example of democracy in the world. To what is this due? It is due largely to the fact that under our form of government we trust the people of the localities to obey their own laws; that we have not encouraged this turning to Washington and asking the Federal Government to wield a club over the people of the communities. Our march toward law and order over the years has been logical and steady because the people want it so; not because they are regimented into it. We are all distressed by break-downs that occur occasionally, but let us not fly into the error of denouncing all the people in a great region, for we know that they are struggling successfully against error. The disease is not general; no longer is it general; it is sporadic, and it is being cured. When it is cured, we shall all be glad that the irresistible appeal to the conscience of mankind, not the futile exercise of extraneous force, proved to be the remedy. [Applause.]

Mr. GAVAGAN. Mr. Chairman, I yield 15 minutes to the gentleman from Kentucky [Mr. CREAL].

Mr. CREAL. Mr. Chairman, I have been asked a number of times since I voted 2 years ago for the antilynching bill, by some of the boys in the cloakroom, how a man south of the Mason and Dixon's line could vote for an antilynching bill. In the Kentucky Legislature we have a rule that when a man casts a vote, if he desires, he has 3 minutes to explain his vote. Here we butt in by striking out the last word. In casting my vote again for the antilynching bill, perhaps I should say it is an explanation to those who have asked my reasons or to those who might wonder about my reasons without themselves asking me.

One of my predecessors served in this House for 20 years and retired voluntarily, the Member from my district. He voted for the antilynching bill.

As an 18-year prosecutor, my chief reasons are from personal experiences, but before I mention any of them I want to mention briefly a few of the legal aspects of this

bill. It was coincidental that 2 years ago I followed the gentleman from New York who has just left the floor. At that time he lamented long and loudly, "How would you collect a judgment from a county or city?" It is so simple and so unnecessary to answer that I ask you, How do private citizens collect? An adjoining county to mine voted railroad bonds. The county repudiated the bonds. The Federal court issued mandatory injunctions for those who had authority to fix levies of taxation—to levy. How do they do those things? Surely a lawyer should not ask those questions as to how a man is going to collect a judgment from any tax-gathering authority.

I am opposed to any supergovernment in any country. After all the pains and care we have taken to fix an organized government, I am opposed to any supergovernment attempting to do the Government's work. When a prosecutor, if I had a bad case in my district, and if a mob should beat me to the victim instead of letting me try him, I would regard it as a personal insult. It is a reflection upon the locality where in any place a mob does not have sufficient confidence that the constituted legal authorities will, as Blackstone said, "administer justice fully, without denial freely, without sale, and speedily, without delay." I can conceive how in the carpetbagging days, when imported judges were dilatory or overlenient—I can conceive where there may have been some justification at that time. I can conceive how in the far West, where the population preceded the building of courthouses and it was a long, long distance to court, that perhaps there might have been a reason for this sort of summary vengeance, but such conditions do not exist today in any part of this country. Even in the far West today there is no necessity for the things which might have been called a necessity in the early days. Carpetbag rule has been abolished in the Southland and their courts are absolutely in the hands of their own native sons. There is no necessity for saying that you have to do the things you did following the Civil War.

I am opposed to lynching because it violates every principle of honor and of legal procedure. The mob acts on hearsay evidence—barred by the courts of every State in the Union.

The members of the mob say, "Come on, let us go and get so and so," and they proceed to do so.

In the next place, there is the question of confessions under duress. In the next place, a body that acts as judge, jury, and executioner would not fill a jury box because the members of such body would not constitute an unbiased jury. Further, the party has been deprived of his constitutional right of facing his accuser. He has been deprived of the right of defense by counsel. He has been deprived of every constitutional right guaranteed by the Constitution of the United States.

Mr. Chairman, I do not think the fourteenth amendment was necessary. I think it is surplusage. It provides that every man is guaranteed the protection of his life, liberty, and property, that he should not be deprived of those things without due process of law. Suppose the Constitution had not so provided, what would any court in this land say if any man was deprived of his life, liberty, or property without due process of law? Would you expect to read a legal decision saying it was not lawful, but it was all right? What else could a court say even if the fourteenth amendment did not say a word about that?

You will hear some long stories here intended to excite the passions of people, but I do not think this question should be considered on that one premise, as some of our southern brethren want us to do. They will ask: "Is it right to hang a 'nigger' for raping a white woman?" The question here involved is a much broader question than that, but that seems to be the whole story here. Since 1890 in Oklahoma they hung 64 white men and 16 Negroes, a ratio of 4 to 1. In the days of the old West the stealing of a \$25 plug horse or the rustling of two or three boney steers was a felony and most of the lynchings in those days were of white people. In

connection with the labor troubles of this day, the "isms" and "asms" and what not, you are following a dangerous precedent when you condone in any form the fact that anybody at any time or any place has the right to take the law in his own hands.

Why not follow the system that I have in the past. When a bad case happens on Thursday, have the judge call a special grand jury for Monday. Indict the individual on Monday, and try him on Thursday, giving him the customary 3 days for preparation, and if found guilty fix the penalty.

There is the theory that mob violence has a tendency to do justice plus, that it terrorizes, and thereby has a better effect than an ordinary electrocution. Why not adopt the law we had in Kentucky which provided for electrocution except in cases of rape, in which event the execution should be by public hanging? I differ most seriously with reference to the educational effect on the would-be wrongdoers thereafter. In the case of a public hanging they came from miles around and when that public execution took place it had a more deterrent effect than 75 or 100 people dragging a man off in the dark and hanging him.

In Kentucky some 20 years ago we passed the ouster law. If a jailer or a sheriff through negligence or by connivance allows a prisoner to be taken by any mob, he is removed from office by the Governor, and do you know that we have not had one single, solitary lynching since then? The gentlemen who want to stand on State rights and advocate taking care of themselves should first put their houses in order and pass the Kentucky law providing for the ouster. And let me tell you another thing. You have not heard, nor will you ever hear, of the son, the nephew, the close neighbor, or the friend of a sheriff or jailer being taken from their custody and mobbed. Why? Because of the apprehension that is there.

This law does not provide that merely because a bunch of hoodlums in a remote part of the county hang a man that that county is responsible in the least degree, or that its officials will be molested, any more than in the case of two individuals engaging in a private altercation. He has to be in the custody of the law. He has to be under the care of some officer who violates his oath of office. There has to be a violation of the oath of office. If the investigation shows that no officers were present or did not have time to get notice, nothing will be done. The gentleman from New York stated that you could even involve the Governor of New York. If the Governor of New York was called by phone and told that a state of uprising exists which is beyond the control of the local authorities, and a request is made for help; if the Governor positively refuses and death resulted therefrom he should be tried and convicted. But if the Governor only read of it the next morning, through no stretch of the imagination could an accusing finger be pointed at him.

The local sheriffs and jailers are duly elected public officials and they know the feeling of the people the minute a man is locked up or the minute a man is in their custody. They know the temper of the people of their community. They know the kind of crime that has been committed. Common sense tells them whether or not it is necessary to take that man to another town for safekeeping.

Let us consider for a moment hearsay evidence. If hearsay evidence, when the human passions run wild, is sufficient to hang a man, I ask you, if that be the sentiment of the community, and its own officers are merely an index of that sentiment, what chance would the victim have being tried before a special term of court which would be called immediately? He would have no more chance to escape punishment than the proverbial snowball in Hades. If the feeling was that the man was guilty, and they sat in the courtroom and listened to the evidence and the jury brought in a verdict to the contrary, then you might look for a lynching to follow as a sort of common justification.

But in the places where lynchings take place, what shadow of a chance has a man to escape? None on earth. The only question is whether or not he shall die tonight, perhaps in a brutal way, or whether the majesty of the law shall be

respected and he shall die next week or the week after next in a legal way. That is the only difference.

Two years ago I heard some gruesome stories told in an attempt, I suppose, to show that you, too, under like circumstances would have committed a lynching. But I have had some experiences along that line, and although I could perhaps relate 15 to 20 of them I wish to mention only 1. A county attorney in one of the counties of my district, when I was district attorney, called me to come down there and said he had two young Negro men charged with the rape of a white girl about 13 years old. I went down there and interviewed the Negroes for an hour and a half or 2 hours each. I told the attorney there was something wrong, that the story did not ring right, that I believed we had the wrong parties. However, in some States an indictment would have been returned against these men in 999 cases out of a thousand on the same evidence.

The story was this: The little girl was picking berries with her brother and her father in a bushy, grown-up field. In the middle of the day, she said, she went down to a stream and lay down flat on her stomach to take a drink. The two Negroes rushed up and grabbed her, held a hand over her mouth, and finally, after a while, after the act was accomplished, she said, the hand was released from her mouth in some way. She screamed and her little brother came to her and ran right on them because the bushes were thick.

[Here the gavel fell.]

Mr. GAVAGAN. Mr. Chairman, I yield 5 additional minutes to the gentleman from Kentucky.

Mr. CREAL. The boy knew the Negroes because he had played marbles with them and had played ball with them. When he came on them they jumped up and ran. The father, being farther away, got there later. He could just see the two Negroes going over the hill but could not identify them.

A fourth witness, one outside the family, said he had passed through the berry patch an hour before this incident and had seen these two Negroes picking berries near the place where the little girl was picking.

The girl had blood down to her shoetops. She was only half a mile from the Glasgow Hospital. The father scooped her up in his arms and carried her to the hospital, where she was when I saw her. I attempted to interview her but she was reluctant to talk, so I did not press the matter.

The court met in its regular term. An indictment on the evidence I have related was returned before you could turn around and a trial date was set. The same story was repeated on the witness stand. Unfortunately, on the day I was at the hospital the doctor was absent and I did not interview him.

When the doctor, Dr. C. C. Howard, a noted surgeon and an eminent doctor, took the witness stand I asked him how much mutilation and personal injury had been done to this little girl. He smiled with a twinkle in his eye and said, "None at all." "Wasn't she carried to your hospital by her father in this bloody condition?" "Yes." "What was the trouble?" Again, with a smile, he said, "Nothing whatsoever except the regular monthly time. She is absolutely a perfect maiden in every respect." To verify this he had kept her 3 or 4 days in the hospital, and since then she had the second period. The assistant doctor verified this statement and testified that this condition was a little premature, but was not at all uncommon for a girl her age.

I called the girl out to the jury room and said, "Why did you tell me that lie?" The little girl said, "Well, I told Daddy that they didn't bother me, but he just kept on until I finally had to let him have his way." These are not exact words, but the substance of them.

Mob violence was feared before I made my trip to that town. In most places under similar circumstances two honest, hard-working, good-natured country Negro boys would have paid the penalty. They had an excellent alibi, which would have been established by the best people in town, at whose place they were working at that hour. On

inquiry, the man who had passed through the field and said he had seen them picking berries was found to be an ex-convict, having been convicted some years before.

I could relate to you 25 such cases. I have seen too much of that sort of thing in my personal experience.

Do you know that you commit a double crime when you lynch a man? If he is guilty, you will have no trouble at all in proving it, especially in a hostile community. When you lynch an innocent man you have allowed the guilty one to escape and have closed the court books with the guilty one still at large.

I heard something said the other day about Stalin and Hitler. Theirs are two countries whose practices I do not care to imitate.

Those are my reasons, and I could give more if I had time to give them to you.

[Here the gavel fell.]

Mr. FISH. If the gentleman wishes a few additional minutes, I shall be pleased to yield them to him. I yield the gentleman 3 additional minutes, Mr. Chairman. And may I say this, yielding myself half a minute, if the gentleman will permit, that you are listening to a man who has actually saved the lives of two Negroes in the South who might have been lynched. He is giving first-hand evidence.

Mr. COX. If the gentleman will yield to me, I would say he is casting a damnable reflection upon the young womanhood of the South, too.

Mr. CREAL. I will ask the gentleman one question. What lady does the gentleman have reference to?

Mr. COX. The gentleman is making the insinuation that wherever a lynching is alleged to have occurred the violation of the person of a child or a woman was not involved.

Mr. CREAL. The gentleman is a lawyer, and I have prosecuted a few cases myself. The first year I sent 128 men to the penitentiary. Two of them got out of court because I changed my mind from thinking they were guilty.

After full and due investigation the courts do make mistakes and convict innocent people, and afterwards the very ones who do so sign applications for pardon. Would you say, then, that even courts do make mistakes after full investigation that an enraged mob-jury on hearsay evidence never make a mistake? Poppycock on such argument as that, I say to the gentleman from Georgia. If the courts themselves make mistakes—and I have done it—what is a mob likely to do?

I am going to say one other thing. I have seen men soliciting mobs. Not in all cases, but in some cases, and in some parts of a mob, I want to say that the men who make up such mobs are not preachers, doctors, teachers, or lawyers, but very frequently they are composed of a bunch of people who are only a shade better than the man they are attempting to hang, because I have known them personally. They are men who are smart alecks, who want to do something and here is an opportunity to do something, an opportunity to shed blood and to perform an atrocious crime, which will be winked at by the authorities, and then be a sort of hero and have people say, "There goes that fellow who did so and so."

No lawyer or public official, taking oath to support organized, constitutional methods of trial, can offer any argument or excuse to condone in the least degree some other method of transacting that business.

It is not a race question nor a political question; anyone anywhere can be the victim of a mob.

Newly discovered evidence is of no value to a dead man.

Mr. FISH. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS of Ohio. Mr. Chairman, I have had no personal experience in connection with the crime of lynching such as has just been described. The only lynching I ever knew anything about in Ohio was the lynching of a white man. I must leave to others the description of the ghastly human aspect of lynching.

It is my purpose to devote these few minutes to the legal aspects of this question.

Many who oppose in principle the un-American, yet too typically American, crime of lynching have questioned whether

Congress could pass an effective, constitutional law against lynching. This bill, in my judgment, solves the problem in an effective and constitutional method.

The bill defines lynching in terms of denial of due process and equal protection of the laws. It does not directly punish murder or lynching. It does not even punish failure to prevent lynching.

It punishes by fine and imprisonment the failure of law officers "to make all diligent efforts" in preventing or prosecuting lynching.

It inflicts a civil penalty in damages against the county or city whose officers "have neglected or refused to use all diligence and powers vested in them for the protection of" the person lynched. Twenty-three States, including my own State of Ohio, have such laws, and their constitutionality has been repeatedly upheld.

It assumes no jurisdiction over private individuals. It does not displace or interfere with the jurisdiction of State courts over criminal offenses. It simply punishes the violation of the provisions of the fourteenth amendment of our Constitution.

We are sworn to uphold that Constitution. Is there anything in this bill that violates the Constitution we are sworn to uphold? Is there anything in the Constitution itself which prevents us from enforcing it?

We have a duty to decide these questions for ourselves. There was a time when it was popular for Congress to shift this entire duty to the Supreme Court. Then the Court assumed that Congress had intended to act constitutionally and upheld the law. This era of constitutional buck passing must come to an end. With the changes in personnel, and the broadening of constitutional interpretation by our Supreme Court we must return to our sworn duty of determining for ourselves whether we are complying with the letter and spirit of the Constitution.

The fourteenth amendment provides—

Nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section V of the fourteenth amendment provides—

The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

In this bill Congress merely exercises its "power to enforce by appropriate legislation the provisions of" the fourteenth amendment. There is no violation of State's rights for no State has a right, through its officials, to deny equal protection to citizens by denying to some of them all process of law.

I want now to quote from decisions of famous justices of our Supreme Court on the meaning of the fifth section of the fourteenth amendment to our Constitution:

It was said in *Ex parte Virginia* (100 U. S. 339, p. 347):

A State acts by its legislative, its executive, or its judicial authorities. It can act in no other way. The constitutional provision, therefore, must mean that no agency of the State, or of the officers or agents by whom its powers are exerted, shall deny to any person within its jurisdiction, the equal protection of the laws. Whoever, by virtue of public position under State government, deprives another of property, life, or liberty, without due process of law, or denies or takes away the equal protection of the laws, violates the constitutional inhibition.

In *Virginia v. Rives* (100 U. S. 313) it was said (p. 318):

The prohibitions of the amendment extend to all actions of the State denying equal protection of the laws, whether it be action by one of these agencies or by another. Congress, by virtue of the fifth section of the fourteenth amendment, may enforce prohibitions whenever they are disregarded by either the legislative, the executive, or the judicial department of the State. The mode of enforcement is left to its discretion.

In *Yick Wo v. Hopkins* (118 U. S. 356):

Though the law itself be fair on its face and impartial in appearance, yet, if it is applied and administered by public authority with an evil eye and an unequal hand, so as practically to make unjust and illegal discriminations between persons in similar circumstances, material to their rights, the denial of equal justice is still within the prohibition of the Constitution.

It has been said that there is something in the Constitution or in our system of government that prevents our inflicting of penalties on counties for violations of the Constitution.

The leading case on this question is *County of Lincoln v. Luning* (133 U. S. 529), wherein Mr. Justice Brewer disposed of the question of a violation of the eleventh amendment by permitting suit against a county, saying:

It is claimed that because the county is an integral part of the State it could not, under the eleventh amendment of the Federal Constitution, be sued in the circuit court.

With regard to the first objection, it may be observed that the records of this Court for the last 30 years are full of suits against counties, and it would seem as though by general consent the jurisdiction of the Federal courts in such suits had been established. But irrespective of this acquiescence, the jurisdiction of the circuit courts is beyond question. The eleventh amendment limits the jurisdiction only as to suits against a State.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. CASE of South Dakota. I wonder if the gentleman has looked into the law of Wyoming on that point? I happened to run into a case of that sort personally involving a matter in Wyoming, and I found that the courts of Wyoming hold that Wyoming counties are creatures of the State government and entitled to the sovereignty of a State.

Mr. VORYS of Ohio. If there is any such decision, I am not familiar with it, and it is out of line with the uniform decisions throughout the land. For instance, the case of *Ward v. Love County* (253 U. S. 17) was a case where the Supreme Court held that in collecting taxes on a federally exempted allotment the county had deprived Indians of property without due process of law; and although the money had been used, the county was required to reimburse the Indians the full amount wrongfully taken.

There is an example of where the Federal courts step in to enforce through their processes a collection against a county in order to uphold the provisions of the Federal Constitution.

Mr. CASE of South Dakota. If the gentleman will again yield on that point, I am familiar with cases of that type, and that would be true in my State of South Dakota, because there the counties are created by the voluntary acts of the people who make up the county; but the Wyoming law, it seems, is different in that they hold there that the counties are creatures of the State legislature, or creatures of the sovereign government of the State, and consequently enjoy the immunity of the State.

Mr. VORYS of Ohio. I can only read from the case of the County of Lincoln against Luning, to which I have already referred, the words of Mr. Justice Brewer, as follows:

While the county is territorially a part of the State, yet politically it is also a corporation created by and with such powers as are given to it by the State. In this respect it is a part of the State only in that remote sense in which a city, town, or other municipal corporation may be said to be a part of the State.

Unless there is a peculiar law applicable in Wyoming, I would think this law would apply equally to all counties throughout the country. Subdivisions of a State can be held responsible under our Constitution for neglect or refusal of their officials to prevent lynching. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. SUMNERS of Texas. Mr. Chairman, I yield myself 30 minutes.

In times like these, with problems national and international such as we have now, I wonder what impression this proceeding would create in the mind of an individual sitting in the galleries looking upon this scene, studying his House of Representatives in action. A bill is brought into the House that proposes to subject to Federal control the police agencies of the States—a bill which violates the provisions of the Constitution of the United States in order to attempt to do it; a bill which violates the fundamental natural law of democratic government, which we are so loudly proclaiming our interest in preserving. It is a bill which comes here without any necessity in point of reason, even from the standpoint of its advocates, only one lynching last year out of each 43,405,000 people.

Besides, there is not a human being on the floor of this House—on either side of the House—who does not know that the one thing most responsible for the record which is shown by that chart which I have had brought on the floor is the fact that the people of the communities of this country have had entire, exclusive responsibility for the suppression of mob violence.

I challenge anybody on the floor of this House to point to a single major offense that has been reduced as rapidly as that chart shows the offense of lynching has been reduced. Do not forget that. I challenge anybody on the floor of this House and in this hour, when democratic government is being challenged all over the earth, to deny what this chart shows. Those who advocate this bill would have this House, by its vote, testify to the world that the institution of democracy, the States, and their subdivisions—the only possible agencies of government under our system through which a democracy can function—have failed and Uncle Sam has to step in. Why do you do it? What is the reason for bringing this bill out at a time when every statesman, when every patriotic citizen, knows that we need a united people in America? [Applause.]

What is the reason for bringing in this bill now, in this hour, to take up the time of the House and the Senate when there is not a man or woman on the floor of this House who does not know that the public business of this country requires all the time that we can give to it? Is there a human being on the floor of this House who does not know that when this bill reaches the Senate of the United States it will be held there to consume time and time and time, divide our people, stir up bad feeling, consume time that ought to be devoted to the country's serious business, testify against the efficiency of democratic government, while a poor gesture is made to a deceived constituency.

The thing which I regret most is this attempted new concentration of Federal power—this testimony of the great House of Representatives—that democratic institutions in the United States have failed, and that it is required that the great Federal Government shall step in and be given the power to take the officers of a State from their business and send them to the penitentiary, because, forsooth, they have not carried out a congressional edict.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. Not now.

Mr. FISH. I have a question that I would like the gentleman to answer.

Mr. SUMNERS of Texas. Oh, the gentleman will have plenty of time to answer his own question, and he cannot answer any question that I have put. It would take more time than the gentleman has to answer these questions. I will leave that to the House when the gentleman gets through.

A MEMBER. Speak louder; we cannot hear you; get before the microphone.

Mr. SUMNERS of Texas. Oh, I despise this talking into a knothole worse than anybody. Mr. Chairman, I can understand how people feel about this lynching business. I think I understand how the colored people feel about the one which occurred down in Mississippi, at Duck Hill, some 2 years ago, for instance. I had a feeling that I would like to go down there and do business with them. But, Mr. Chairman, ours is the responsibility of statesmen; we have a governmental responsibility.

We have to be governed on the floor of this House by those things which judgment dictates to the statesmanship of this country. I want to stop lynching. Do we want to stop lynching? Then why this bill, that injects the Federal Government into a situation which has all but been finished, lessening the sense of local responsibility? Honest to God, man to man, do we want to stop lynching in this country? Do you not know as a matter of horse sense that when a person is in danger of lynching the only protection he can ever have is the protection afforded by the community in the place where the danger arises? As a matter of horse sense, there is not anybody who has not sense enough to know that—even a Republican.

Mr. HOFFMAN. Oh, four or five of us will vote with you.

Mr. SUMNERS of Texas. Mr. Chairman, we know that in order to have dependability you have to have responsibility. You do not have to read a lot of books to know that. You know that in order that these communities shall best discharge their duty to people in danger of being lynched they must have the responsibility for doing so. Nobody has done more than I have toward suppressing lynching in this country. When this lynching in Mississippi took place I sent a red-hot telegram down there. A fellow sent me a letter and said that I could not go down to Mississippi and say what I had said in that telegram. I did not know but what I might want to go down to Mississippi sometime, and I did not want to go down there if it was dangerous. Just to try it out, I went down there and made the same sort of a speech as was my telegram. I did not get shot or run out of the county. I know how to talk to those people. They are my people. I am the son of a Confederate soldier. I have a right to talk to them. I have made this fight here for a long time. I know what I can give them, and I gave it to them.

A man down in Memphis, I think, wrote me, and he was raising Cain about what I had said. I wrote back to him and told him I was born in Texas and I had a perfect right to say what I had said. He wrote back and said, "Oh, excuse me; I thought you were from Pennsylvania." [Applause and laughter.] Mr. Chairman, we are dealing with human nature in this matter, and human nature is nine-tenths of every equation in which human beings have to act; and I tell you there is nobody on the floor of this House who has not sense enough to know that when you have the Federal Government intervene and attempt to coerce those people who know they have a difficult situation on their hands, that you lessen the sense of local responsibility, and when you do that you imperil the people in danger of being lynched. We are talking horse sense, and that is why we are fighting this bill. I am not running for President, like my distinguished Republican friend back there thinks he is. I like him, too. He does the best that he can. If he had more sense, he would not be supporting this bill. I can appreciate just how he feels about it. But look at this chart. It shows that in the decade between 1882 and 1892 there was an annual average of 155.8 lynchings—1 lynching out of every 380,000; from 1893 to 1903, an annual average of 133.1 lynchings—1 out of 555,000; from 1904 to 1914, 69 lynchings—1 out of 1,308,000; from 1915 to 1925, 50.3 lynchings—1 out of 2,129,000; from 1926 to 1936, 16.4 lynchings—1 out of 7,468,000; for the year 1936, 8 lynchings—1 out of 16,053,000; for 1937, 8 lynchings—1 out of 16,157,000; 1938, 6 lynchings—1 out of 21,702,500; and 1939, 3 lynchings—1 out of 43,405,000. Here are the statistics from 1892 to 1939, inclusive, showing the year, population, number of persons lynched, populations per person lynched, and number lynched per million population:

Statistics on lynching

Year	Population	Number of persons lynched	Population per person lynched	Number lynched per million population
1892	65,665,810	231	284,000	3.5
1893	66,970,496	151	443,000	2.2
1894	68,275,182	192	355,000	2.8
1895	69,579,868	170	388,000	2.5
1896	70,884,554	123	568,000	1.7
1897	72,189,240	168	456,000	2.1
1898	73,493,296	120	612,000	1.6
1899	74,798,612	106	705,000	1.4
1900	76,129,428	115	661,000	1.5
1901	77,747,402	130	598,000	1.6
1902	79,365,396	92	862,000	1.1
1903	80,983,390	99	818,000	1.2
1904	82,601,384	83	995,000	1.0
1905	84,219,378	62	1,358,000	.7
1906	85,837,372	65	1,320,000	.7
1907	87,455,366	60	1,290,000	.6
1908	89,073,360	97	918,000	1.1
1909	90,691,354	82	1,105,000	.9
1910	92,267,080	76	1,214,000	.8
1911	93,882,189	67	1,398,000	.7
1912	95,097,298	63	1,509,000	.6
1913	96,512,407	52	1,856,000	.5
1914	97,927,516	52	1,883,000	.5
1915	99,342,625	67	1,482,000	.6

Statistics on lynching—Continued

Year	Population	Number of persons lynched	Population per person lynched	Number lynched per million population
1916	100,757,735	54	1,866,000	0.5
1917	102,172,845	38	2,688,000	.3
1918	103,587,955	64	1,618,000	.6
1919	105,033,065	83	1,265,000	.7
1920	106,543,031	61	1,746,000	.5
1921	108,207,853	64	1,690,000	.5
1922	109,872,675	57	1,928,000	.5
1923	111,537,497	33	3,390,000	.3
1924	113,202,319	16	7,075,000	.1
1925	114,867,141	17	6,786,000	.1
1926	116,531,963	30	3,884,000	.3
1927	118,196,785	16	7,387,000	.1
1928	119,861,607	11	10,896,000	.09
1929	121,526,429	10	12,152,000	.08
1930	123,191,000	21	5,966,000	.2
1931	124,070,000	13	9,544,000	.1
1932	124,822,000	8	15,603,000	.07
1933	125,603,000	28	4,489,000	.2
1934	126,425,000	15	8,428,000	.1
1935	127,521,000	20	6,376,000	.1
1936	128,429,000	8	16,053,000	.07
1937	129,257,000	8	16,157,000	.06
1938	130,215,000	6	21,702,500	.04
1939	130,215,000	3	43,405,000	.02

These figures put to shame the pretended belief of the advocates of this bill that there is any need or even excuse for this proceeding which does no credit to the House of Representatives. It certainly adds nothing to the assurance of the people that they have public servants here to whom they may safely entrust the business and guardianship of a great republic in these times when only real statesmen can meet the challenge of their responsibility. I do not mean to be offensive but I believe that must be the public's reaction. Look at these figures; face your conscience and tell yourself the truth once; do you believe that any agency of government could have done better than has been done in these communities with this difficult situation? Of course, lynching had to stop. All the way from the Atlantic to the Pacific population preceded organized government, and home-made government preceded organized government. This is the key to understanding the "why" of lynching in America. When these pioneers got over into communities that were beyond the reach of the sheriff and the legislature, the most perfect functioning democracies in the history of all time sprang up. They executed people for violating home-made laws.

That sort of government did not fade out of the picture until this other government—organized government—came in and established itself. When you check on those communities where lynchings have occurred in later years, you will find that organized police protection has not extended into them 9 times out of 10. People there are accustomed to doing their own protecting. Now, as roads have been developed, as organized government has been extended, as people have become conscious of the fact that no longer do pioneers sit in judgment, men who were instinctively honest and just, that other form, home-made government, is fading out. It is true, no doubt, that hoodlums now largely make up the mobs, and the people are stopping them. Does anybody brag on the people for what they are doing? Does anybody praise them? Is there anybody here, favoring this bill, who claims to believe in democracy, who points with pride to those democratic institutions that are under popular control? Who praises them? Who reduced lynching last year to 1 in nearly 50,000,000 people? It almost makes one wonder if a few—not many, of course—of these advocates are not almost sorry the States and their communities have done so well.

Some Members stand on the floor of the House and do their best, it seems, to create the impression that the States and their communities have not done their job. Of course, three is too many. But last year there was only 1 lynching for every 43,405,000 people. Yet you bring in this bill and pretend to the American Nation that you honestly believe there is necessity for this invasion of the exclusive responsibility of the States. You ought to be ashamed of yourselves,

and I think my friend is. I will bet he goes to confession, or something, about it. [Laughter.]

Mr. GAVAGAN. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. GAVAGAN. I assure the gentleman that I take full advantage of the faith of my fathers.

Mr. SUMNERS of Texas. Well, use some of their sense next time, and come here and help beat this bill. [Laughter.] Faith without works is dead. Somebody said something like that.

Mr. GAVAGAN. Will the gentleman yield?

Mr. SUMNERS of Texas. Yes, I will, because I like the gentleman.

Mr. GAVAGAN. I am trying to perform the admonition to work for, besides having faith in, the passage of this bill.

Mr. SUMNERS of Texas. Yes, we believe in the honesty of your purpose—no, the honesty of your efforts. There is a little difference.

Now, this remarkable bill is brought in here with the clear-cut condemnation of the Supreme Court resting against each of its provisions. My distinguished friend, a moment ago, made some reference to suits against counties. Why, of course. Where States possess the police powers of our system of government, State legislatures may enact a law, constitutionally, levying a fine against a county; but no such power rests in the Federal organization.

Now, let us see about this organization of our Government a minute. I am not, trying to talk in sequence. I am not trying to make a speech, but I am saying some things that the people of America are going to begin to think about if we are to preserve the structure and distributed responsibility and governmental capacity and virility of the people essential to the preservation of true democracy. We may think we can continue to do what an interested minority wants to do, to the destruction of this great democracy of ours, and get by with it, but we do know that unless the body of the people supporting fundamental principles stand against the pressure of these minorities we must go the way of the other democracies of the world. The time cannot be far distant when the people who do that thing will have to answer to the people who believe in the preservation of a democratic system of government. Governments, like all other things, are subject to the law of cause and effect. People cannot do things which are destructive of democratic government and escape the reasonable and probable consequences of their conduct.

You cannot preserve a democratic system of government unless you preserve the governmental responsibility of the individual citizen of that system. All progress in a democratic system of government is in that direction which moves governmental power and responsibility closer and closer to the people. This bill moves in the opposite direction. It is not like the ordinary extension of Federal power, which at least holds to a respectful attitude toward the States. This is an impudent, arrogant assertion of governmental overlordship over the States and the governmental power to prosecute the States and their officials for their failure to carry out the Federal edict.

We are all "het-up" about what the "reds" are doing. I hold no brief for them, but here is where the real job is being done. We are taking these powers away from the States, concentrating them in a great Federal bureaucracy. When the problems of government exceed the governmental capacity of the people, then democracy must fade out of the picture. Is it not strange that this people are deaf to this solemn warning of history and of common sense? Here we are, all "het-up" about what the "reds" are doing, while we are taking governmental responsibility away from the smaller units of government, and doing it under the pretense of necessity, in the face of figures like this. There are the results—only three lynchings in a year in this Nation. Are you sorry it is so small?

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I believe I will.

Mr. FISH. I thank my good friend.

Mr. SUMNERS of Texas. I know it. I am for the gentleman.

Mr. FISH. The gentleman is one of the greatest exponents of the Constitution, and very sincere. The gentleman talks about these three lynchings. The gentleman made the identical speech when there were 33 and 63.

Mr. SUMNERS of Texas. That is right. That is exactly right. Now, do not grin too much, because I am going to hit you one. [Laughter.] I made the speech because we were in process of reduction, and I told you then on the floor of this House that if you would leave us alone we would continue to reduce.

I want to say something more. If you had succeeded in passing this monstrous bill back in 1922 and lynchings had been reduced to three, you would have been hollering your head off about the inefficiency of the States and the glorious achievement of the Federal Government. That is what is destroying this democracy—a Nation of people afflicted with "Federalitis," deploring concentration of governmental power, and belittling the result of State and community achievement and hollering for Uncle Sam to butt in on a situation which for actual achievement has no parallel among the records of crime suppression. As I see it, the sponsors of this bill are trying here to rob the smaller units of government of that to which they are entitled in order that credit may go to the Federal Government for that which has already been achieved. That is one of the real big things in this bill.

Gentlemen, the States about which you talk so much, the States you claim you want to preserve, have accomplished this thing themselves; but you come in here howling for an extension of the Federal power to destroy independent sovereignty of these States, the very ones you profess a desire to preserve. What is left of State sovereignty, if State officials operate under the threat of Federal prosecution for a failure to perform their State duties as per the Federal edict? It makes no difference about facts in any case. We are talking about the allocation of governmental power under our system of government. What have you got to say to that? Nothing. You cannot say anything to it.

We are afraid of the "reds." We are destroying this great democracy under the dome of this Capitol. That is where it is happening. A few followers of soap-box orators cannot do anything. We can do it, however. We send out the word from here beneath the dome of this Capitol to the American people, out to the world, that you cannot depend upon the States; you have got to have the Federal Government supervising them doing everything; and you do it in the face of the fact that belies the statements of necessity.

I say this in all kindness, but you go around here making the same kind of argument that was made in support of Hitler, Mussolini, and Stalin. You ought to be ashamed of it, for you know better. It will not get you anything in this next election, for the people are getting sense today. They have been foolish, but they are getting smart. The people of this country are becoming concerned for the preservation of this great system of government. Let me trace it for you; let me see if I can get the picture across.

A long time ago, back in the first century, we see where our system was functioning. Tacitus tells us that, while the leader had a right to present the matter and had the opportunity to persuade, the people spoke the voice of government—these people that gathered in from the forests of Germany. A few centuries after that we see the same system of government still operating; we see the government of the hundred, the government of the shire, the government of the city, the government of the borough—those great breeding places, those great nourishers and developers of democratic capacity to govern—local governments.

Then we watched the most magnificent struggle in the history of the ages when those people who had developed governmental capacity in those smaller units of government met the king, the concentrated power and they compelled him to decentralize—to yield to them the Habeas Corpus Act, the Magna Carta, the Petition of Rights, the Bill of Rights,

the Acts of Settlement; and finally we wrote the great Declaration of Independence. Long before we had written the Declaration of Independence, however, those institutions of local democratic government were thoroughly rooted in American soil in the Colonies. In the main they functioned through the smaller units of government. When that time came, the period of the Revolution, the royal representatives ran away and the people filled in their places. The government of the Colony became the government of the State, and it did not miss a beat.

Those governments of the States are the only possible—and I make this statement and challenge the world to contradict it—under the American system of government the States are the only possible agencies through which a democracy may function. [Applause.] We are destroying them. When the time came when these States recognized that they had need for a common agency to do some things for them which the States separately could not so well do, these 13 independent sovereignties met in Philadelphia through their representatives. Those representatives had no commission to create a government; they were the creatures of a government of 3 coordinate branches functioning through distributed agencies like communities, municipalities, and the smaller units of government. They had no notion then that they had given to this agency of theirs the power to send their Governors and their other officers to jail. They never dreamed in those days that their posterity would ever stand under the dome of their Capitol and ask the privilege of putting on the statute books of the Federal Government a law that would subject these States to the domination of this agency of theirs. This is no time to be playing with great responsibilities.

There is not a man or woman of intelligence and information in America who looks into the eyes of his child and feels with absolute certainty that he or she can transmit to that child the opportunity to live under a free government. I do not know of a man or woman in America facing the future and contemplating the present who can be certain that he will be able to bequeath to his child the privilege of being free. I am not an alarmist. I am not an optimist or a pessimist. These people, especially if they get professional, are neither optimists nor pessimists. They are merely foolish. Sensible people seek to know the facts and to arrive at a sound judgment.

When these States sent those men to that convention and those men functioned, and the document was drawn up—and this delegated certain responsibilities to their common agent—listen to me, men and women! That document as amended provided that the powers not given to the Federal agency, and which the States had not in the document denied to themselves, were reserved to the States and to the people. They reserved this power that you are now trying to rob the States of; they reserved it. There is no doubt about that.

I want to call attention briefly to the fourteenth amendment, adopted in 1868. Soon after that the Supreme Court was called on to construe the fourteenth amendment. The first great opinion was the Slaughterhouse cases. I quote from that decision:

It would be the vainest show of learning to attempt to prove by citations of authority that up to the adoption of the recent amendments no claim or pretense was set up that those rights depended on the Federal Government for their existence or protection, beyond the very few express limitations which the Federal Constitution imposed upon the States—such, for instance, as the prohibition against ex post facto laws, bills of attainder, and laws impairing the obligation of contracts. But with the exception of these and a few other restrictions, the entire domain of the privileges and immunities of citizens of the States, as above defined, lay within the constitutional and legislative power of the States, and without that of the Federal Government.

Then the Court asked this question:

Was it the purpose of the fourteenth amendment, by the simple declaration that no State should make or enforce any law which shall abridge the privileges and immunities of citizens of the United States, to transfer the security and protection of all the civil rights which we have mentioned, from the State to the Federal Government? And where it is declared that Congress shall have the power

to enforce that article, was it intended to bring within the power of Congress the entire domain of civil rights heretofore belonging exclusively to the States?

The Court answered that question, as follows:

When the effect is to fetter and degrade the State governments by subjecting them to the control of Congress, in the exercise of powers heretofore universally conceded to them of the most ordinary and fundamental character; when in fact it radically changes the whole theory of the relations of the State and Federal Governments to each other and of both these governments to the people, the argument has a force that is irresistible, in the absence of language which expresses such a purpose too clearly to admit of doubt.

Near the close of his opinion, Mr. Justice Miller uses this significant language:

Under the pressure of all the excited feeling growing out of the war our statesmen have still believed that the existence of the States with powers for domestic and local government, including the regulation of civil rights—the rights of person and of property—was essential to the perfect working of our complex form of government.

This bill undertakes to do the specific thing which the Supreme Court in its first pronouncement on the fourteenth amendment said could not be done.

It was not intended—

Said the Court—

to fetter and degrade the State governments by subjecting them to the control of Congress, in the exercise of powers heretofore universally conceded to them of the most ordinary and fundamental character.

Members of Congress in the first instance must be the judges of the limitations imposed upon them by the Constitution. We took an oath to support the Constitution, and if the Constitution itself indicates we may not do something, and if the Supreme Court, our court of last resort, passing upon the question states we may not do it, then Members of Congress of necessity must desist from doing so.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I yield myself 15 additional minutes.

Mr. Chairman, I want to direct attention now to the next decision, and I hope the Members will examine these decisions carefully. I will skip two or three, but I would like to direct attention to a decision in the case of *United States v. Harris* (106 U. S., p. 629). This was a lynching case.

Harris and 19 others were indicted for taking from the custody of a deputy sheriff a number of persons. It was charged that the prisoners had been duly arrested, were then and there in the custody of a deputy sheriff of said county, were entitled to due and equal protection of the laws thereof; that the said R. G. Harris and 19 others, naming them, with certain other persons, did then and there unlawfully conspire together and take these prisoners from the custody of the officers, beating, bruising, wounding, and otherwise ill-treating them, contrary to the form of the statute.

That is the identical kind of a case that would arise under this bill as it was presented at the last Congress. That prosecution was under section 5519 of the first Civil Rights Act. I do not like to discuss constitutional questions in this way, but I have to hurry along. After quoting the authorities in the Slaughterhouse cases, the Cruikshank case, and Virginia against Rives, the Court said:

These authorities show conclusively that the legislation under consideration finds no warrant for its enactment in the fourteenth amendment. * * * In the indictment in this case, for instance, which would be a good indictment under the law if the law itself were valid, there is no intimation that the State of Tennessee has passed any law or done any act forbidden by the fourteenth amendment. On the contrary, the gravamen of the charge against the accused is that they conspired to deprive certain citizens of the United States and of the State of Tennessee of the equal protection accorded them by the laws of Tennessee.

Concluding, the Court says:

It was never supposed that the section under consideration conferred on Congress the power to enact a law which would punish a private citizen for an invasion of the rights of his fellow citizen conferred by the State of which they were both residents on all its citizens alike. We have, therefore, been unable to find any constitutional authority for the enactment of section 5519 of the Revised Statutes. The decisions of this court above referred to leave no constitutional ground for the act to stand on.

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. Does not the gentleman concede that this law does not attempt to punish private citizens at all; therefore it is clearly distinguishable from the law which was objected to in the Harris case?

Mr. SUMNERS of Texas. As I understand this bill, it proposes to punish private citizens who engage in mob violence.

Mr. VORYS of Ohio. There is no such provision in the bill. It provides for punishment of an officer and a county, but clearly avoids the objection that was raised in the Harris case by not applying to private individuals at all.

Mr. SUMNERS of Texas. I was not advised of that change from the Gavagan bill of last session. The gentleman concedes that under the Constitution there could be no punishment of a private citizen who conspired to commit mob violence?

Mr. COX. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from Georgia.

Mr. COX. It is the law that even a private citizen is under the duty and has the authority to protect any individual from any violence that might be threatened him.

Mr. SUMNERS of Texas. I make the statement upon the responsibility of my judgment, without taking further time, that no power rests in the Government of the United States to punish private citizens, to punish officers of a State or the subdivision of a State, or to levy a fine against a county for any of the things that are prohibited in this bill.

There is an interesting and a very distinct thing about the present bill. It specifically exempts labor organizations from the operation of the bill.

Mr. FISH. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from New York.

Mr. FISH. It is my understanding that the gentleman from New York [Mr. GAVAGAN], author of this bill, proposes to offer an amendment to do away with that clause.

Mr. SUMNERS of Texas. It is a very interesting thing, and is in the picture. As the States and communities move out insofar as lynchings are concerned, and they are about out, it looks to the casual observer as though those whom Mr. GAVAGAN exempted in his bill, will be the ones directly in front of the gun if he passes his bill and it is held constitutional.

If you establish the power in the Federal Government to prosecute in those instances indicated in this bill, that same power is a power to prosecute the officers of States, municipalities, and communities in every instance where there is violence either to persons or property. Does anybody challenge that?

Mr. KITCHENS. That is what I was about to ask.

Mr. SUMNERS of Texas. Well, I just said it. I will show you where you are going. We are getting out from under. There have been only three lynchings in the last year. We are about out from under.

There is no distinction in the fourteenth amendment between the protection of persons and the protection of property. If this power which you seek to rest in the Federal Government is established and recognized by the Supreme Court, by that establishment and recognition you put it within the power of the Federal Government to prosecute for every violation of the rights of persons and property where you can develop a failure of equal protection. Under that theory, the fact that the thing happens in effect is evidence that there has been a failure of equal protection. Nothing in the fourteenth amendment deals with mob violence. There is no distinction between violence by a mob and by one person.

This is what you who have been hollering your heads off about States' rights are trying to do by this bill. You are trying to establish as a part of the governmental philosophy a power of the Federal Government—a governmental overlordship on the part of the Federal Government—to enact legislation and to prosecute in every instance where there is a failure to accord what you call equal protection of either

property or person in the United States. This mob business has nothing to do with it.

I ask you, man to man, is there anybody on the floor of this House who, in the first place, believes that that constitutional power is given to the Federal Government, or who would be willing to have it recognized and established, even if it is given to it? Yet that is what you are doing, and I want to warn you. There may come a time when we who have been bearing the brunt of this thing will get tired and step aside, and there might come a time when a Supreme Court of the United States would not have any more sense than to hold this power constitutional. We will be out. It will be just retribution—just exactly what you deserve.

We are standing here fighting now to protect the States and their communities and their people against the establishment of this unnatural, unreasonable, and monstrous Federal power. You are trying to force it on us and you are going to force it on yourselves.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from Georgia.

Mr. COX. Has the gentleman any doubt whatever in his mind as to what a Supreme Court brought up to date would find on the question of the constitutionality?

Mr. SUMNERS of Texas. I do not want to discuss that.

Mr. KNUTSON. None whatever.

Mr. SUMNERS of Texas. I do not want to discuss that.

Mr. GAVAGAN. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. GAVAGAN. I dislike to break into the gentleman's remarks.

Mr. SUMNERS of Texas. I would not let the gentleman do so if I were not willing; go ahead.

Mr. GAVAGAN. If I understand the argument of the gentleman, the gentleman's answer to the gentleman from Georgia is that he is fearful that the Supreme Court as now constituted may uphold the constitutionality of this proposed legislation?

Mr. SUMNERS of Texas. I did not say that.

Mr. GAVAGAN. I understood the gentleman to say it.

Mr. SUMNERS of Texas. I cannot help the gentleman's understanding.

Mr. GAVAGAN. I am sorry if I misunderstood the gentleman. I would like the gentleman to clear it up.

Mr. SUMNERS of Texas. It is clear. It may not be clear in the gentleman's head but it is clear.

Mr. KITCHENS. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. KITCHENS. The title of this bill is, "To assure to persons within the jurisdiction of every State due process of law and equal protection of the laws." Suppose I have a neighbor who is shot down in cold blood by two men, and that I have another neighbor who is mobbed. Under this bill we are going to give them equal protection of the law. We are going to reward the heirs of the man who was mobbed, and leave to suffer the heirs and family of the man who, innocent, was murdered in cold blood. I would like to know if this is equal protection of the law.

Mr. SUMNERS of Texas. The thing is perfectly monstrous insofar as helping to attain the results they claim.

We are trying to stop mob violence. We are stopping mob violence. I tell you this proposed law would not help us.

In Williamson County, in my State, in a Bohemian settlement one morning a family went to the field and left a 14-year-old girl at home. She was not well. They came back at noon that day and found the child weltering in her own blood. The countryside was aroused. They found a man on the railroad track about 3 miles away and took him into the village. Someone said, "This is the man who is responsible for that condition. He has blood on his person." They examined him and found he was clotted with blood. They killed him.

This happened in a community that did not have police protection. There was not a man there who did not know that it was mere accident that it had not happened to his

child rather than to his neighbor's child. Suppose this law had been in effect. I happen to know that after the people were calm they were ashamed of their action. The community began to bring pressure on this. Every time you get a community right on this mob suppression it spreads from community to community. The big thing about this method is that the people have changed. It is getting to be a matter of pride in my country to stop this sort of action. Suppose this law had been in effect, however. The Federal marshal would have come in there and taken the father and brothers and neighbors of that child to a Federal court and sent them to a Federal jail. He would have taken the officers, anyhow.

Mr. FISH. The gentleman knows that is not in the bill. The officers, yes; but not the father and brothers. The gentleman does not want that statement to remain in the RECORD, does he? The gentleman is essentially a fair man.

Mr. SUMNERS of Texas. That is right; they are taken out.

These folks who are behind this bill have gotten scared of the bill and have begun to trim it down; just want to leave enough in the bill to get by the next election, and they can do just as well with taking the folks out and leaving the officers in there; in fact, that is better. There are just a few officers and a whole lot of folks. They took the labor people out also, but the trouble there probably was that exempting them from the operation of the bill rather turned the spotlight on them, and there is not much doubt that the suggestion came down from headquarters to turn off the spotlight. I would not be much surprised that around these headquarters are some smart people who can see a very clear probability that if this bill is passed and held constitutional, its application will be quite a bit broader than has been mentioned by the proponents of the bill.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I yield myself 1 additional minute.

Suppose then they had levied a fine of \$10,000 to go to the family that had raised a rapist, as is provided in this bill. The parents—and this is where the parents come in—and the kinfolk of that little kid would have had to pay a part of the \$10,000. Do you mean to tell me that that would help the people there who are trying to stop this thing? We know what we are doing. Why do you not leave us alone? Look at the results. Down to three in 1 year. Why do you not brag on us a little bit? Why do you not give us a chance to stop this thing? It is our job, it is our responsibility. We are ashamed of it. We can talk to our people. Why do you not keep the Federal Government out and let us stop this thing? But you will not do that. Why? For the same reason, and I say this in all kindness. The mob batters at the door of the jail and whispers to the sheriff, "political expediency," and he lets them have the prisoner.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I yield myself 1 more minute.

And today the Constitution stands between this Congress and the right to pass this bill. You are opposed to mob violence, and so on, while we are trying to stop mobs from lynching people, and sheriffs from yielding for political expediency. Suppose we get together before voting time and see to it there is going to be no lynching of the Constitution, whether for political expediency or not. I know this is a difficult situation for many of you. I can understand how many colored people feel about it. I understand how some of your communities feel about it. You are good fellows. I do not want to see any vacancies over there, and every one of you who can vote to support the Constitution and get back here at the next election give us a vote, will you not, boys? [Laughter and applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield myself 1 minute.

The gentleman from Texas [Mr. SUMNERS] has just made a very able defense of State rights and State sovereignty, but never in the entire history of our country have we ever had such an example of dominance by the Federal Govern-

ment of the States and interference with State rights and State sovereignty as we have had under the New Deal, and the gentleman himself has voted with them on many occasions. It is enough to make the angels laugh.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. FISH. Certainly.

Mr. SUMNERS of Texas. I make this statement and I do not brag about it. I have as good a record as any man in this House in voting against the concentration of power in the Federal Government, and if the gentleman will check up, he will find that is so.

Mr. FISH. Well, I am proud of the gentleman, and I hope the gentleman will continue that record.

Mr. Chairman, I yield 10 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Chairman, I was very much interested in the splendid speech of our distinguished chairman of the Judiciary Committee, but I cannot agree with him. This legislation first came to the House in 1922, under what is known as the Dyer antilynching bill. Mr. Dyer was from Missouri. That bill was referred to the Judiciary Committee of the House and after a very careful study of the bill by many very able lawyers they made a favorable report to the House and clearly pointed out that the measure was constitutional. The House then, on January 25, 1922, took up the bill, and that was when I had my first opportunity to speak and vote on this legislation.

On January 28, 1922, the House passed the bill by a vote of 231 to 119. The bill went to the Senate and was referred to the Senate Judiciary Committee, and on that Judiciary Committee of the Senate were some of the ablest constitutional lawyers in this country. They made a favorable report and asserted that the proposed legislation was constitutional, but when it came up in the Senate the distinguished Democratic floor leader from Alabama started a filibuster, and the bill failed in the Senate on account of the filibuster.

So, in 1934, our Democratic friends in the Senate introduced antilynching bills and they were considered by the Senate Judiciary Committee, and Democrats and Republicans reported the measure favorably as being constitutional. Similar bills were introduced in the House, but the Judiciary Committee of the House was so constituted that the Judiciary Committee of the House took no action and the bill did not come to the House floor for action.

Our good friend and distinguished lawyer who has just preceded me here has through all the years opposed this legislation. Now, it seems to me that the opponents of the legislation seek to present a case that does not exist. They assume that this is an attack on the South. I come from what is known as a Southern State. It is true that we have had more lynchings in the South than any other part of the Union—about 95 percent of the lynchings have been in the 12 Southern States—but this bill is directed to the whole country and brings protection to every citizen in every State in the Union.

It is a sad commentary that over a period of 50 years we have had over 5,000 lynchings in the United States, and there can be no more unnecessary, cruel, or greater crime than the crime of lynching. It overturns the Constitution and laws of the United States and of the States, overturns the courts and the officials of the Government, and anarchy reigns supreme.

Mr. Chairman, this measure is calculated to stop that condition in the United States. Of course, in the State of Kentucky, and in the Southern States it has been urged over a period of years that lynching was necessary to protect the sanctity of the home and the virtue of our women. We are all interested in the sanctity of the home and the virtue of our women, but as has been pointed out where these lynchings have occurred—and 95 percent of them have been confined to black men, women, and children of the South—there is no necessity for lynching. The courts are constituted of white men. The judge and the prosecutor are white and the juries are white as well as the witnesses. What show has a black

man to escape the death penalty if his guilt is established? There is no excuse for overturning the laws and the constitutions of the States and of the United States and bring about anarchy in any community.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. Not at present. My time is limited.

Mr. SUMNERS of Texas. I just wanted to endorse what the gentleman said.

Mr. ROBSION of Kentucky. I thank the gentleman, and I will yield again if that is the kind of interruption the gentleman wants to make. It is true that the record shows that less than one-sixth of the black people that have been mobbed and murdered were accused of an offense of any kind against women. Five-sixths were for other offenses and I regret to say that many of them were of a trivial nature, and so far as the women were concerned, 100 of them were black women and black children. So that lynching is not altogether to protect the sanctity of the home or the virtue of our women. We can protect them in the courts under the law. Of course, in my opinion, whether the victim be black or white if the crime is rape, the criminal should be hanged, and hanged publicly as we do in Kentucky. The regrettable thing about it is that in hundreds of cases of mob violence, where lives have been taken, the record shows that the victims were innocent and should not have received any punishment.

My idea about this bill is that we are not undertaking to tell the States or the officials of the States what they shall do in case of mob violence or that they shall prosecute people for murder. This bill creates a new law. It creates a punishment for whom? For agents of the State or county who do what? Who refuse or neglect to protect the citizens of the State. Suppose I am an agent for a corporation and I fail or refuse or neglect to do my duty to my fellow workmen. In such a case the injured man may go into court and get damages. My dear friend Judge SUMNERS spoke of about trying the father and the mother and the relatives. This bill does not provide for that at all. It can apply only to an official who has the power and duty to protect the citizen who is lynched. Then that official or employee can be reached only when it appears that he has refused or neglected to perform that duty to the citizen.

The CHAIRMAN. The time of the gentleman from Kentucky has again expired.

Mr. FISH. Mr. Chairman, I yield 10 minutes more to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. You cannot get the defendant into the Federal court under this bill unless it appears that he is an official of the State, or an agent of the State or county, and that he refused or neglected to protect the citizen, or after the commission of the crime he refused or neglected to apprehend the guilty parties.

It seems to me that this language is very plain in the Constitution:

Nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The State cannot act in and of itself. It must have agents, officers, or representatives. So this bill proposes to do what? If a State or county denies to any of its citizens the equal protection of the law by refusal or neglect of their officers, the officer, agent, or representative of the State who had the power and authority to protect the citizen and prevent his being lynched, but refused or neglected to do so, can be punished.

Yes; they say there were only 3 lynchings last year. That is 3 too many who were denied the equal protection of the laws in this great democracy of ours. What has brought that about? Several things. My friends, I think one of the things that has brought it about has been the persistent fight made in the Congress and all over this country for the last 20 years or more to pass a law to stop this mob murder in the United States. Millions of citizens, 70 percent of

the Nation and 65 percent of the South, have urged it. When the first bill was under consideration the lynchings dropped down to twenty-odd in a year. It had been up to 100, or more, but just after that bill had been defeated by a filibuster in the Senate the very next year lynchings greatly increased. I think this agitation in Congress has been a deterrent, and together with that we have education and a growing sentiment against it. Both the Democratic Party and the Republican Party have gone on record time and again, and written into their platforms pledges to pass this legislation. Does my distinguished friend from Texas [Mr. SUMNERS] think that the Democratic Party wrote into its platform something that was unconstitutional, something that was insincere and that they did not propose to do for the people of this country? I know the Republican Party believed it was constitutional. The Republican Party is sincere, and has been doing its best since 1920 to write this very legislation into law.

It is not a matter of votes for me. I have practically no colored people in my district. In one county in my district there has not lived a colored person for 40 years. It is not a question of politics, I want to say to the distinguished chairman of the Committee on the Judiciary. We can entertain honest convictions on legislation as well as the gentlemen who oppose this legislation. I am honestly in favor of it and have been through the years.

I could give some of my own experiences in which lynchings occurred in my own State and in which innocent people were mistreated, one in particular that I recall, who was put to death when it turned out later that he was not guilty. In my own home county several years ago, and before I became a Member of Congress, a woman was attacked. She was unconscious. The folks picked up a colored man, a stranger passing through the county. He was rushed to the county jail. It was not long until a mob gathered, but the circuit judge of that district and other officers armed themselves and they stood guard over that jail all night, determined that that man, though a stranger, should have a trial according to law, be confronted with the witnesses against him, and have the benefit of counsel and be tried by a jury, and after deliberation, to make a verdict according to the law and the evidence. The next day the woman became conscious. Under her fingernails was found some red hair. When she became conscious she told that the man who had assaulted her was a man with red hair. That led to his detection. So, but for the courage of a lot of officials, feeling their responsibility under their oaths to protect a prisoner within their charge, there would have been chalked up another innocent person executed by mob murder.

Oh, yes, this bill merely says—

Whenever a lynching occurs, any officer or employee of a State or any governmental subdivision thereof who is charged with the duty or possesses the authority to protect such person or persons from lynching, and neglects or refuses to make all diligent efforts to protect such person or persons from lynching, or who has the custody of the person or persons lynched—

And so on. So this is not a hardship upon an official. It just requires him to perform his plain sworn duty to the citizen who is charged with a crime. That is all it means.

Mr. PITTENGER. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. Yes; I yield to the gentleman.

Mr. PITTENGER. Does this bill differ materially from the bills considered in other sessions of Congress?

Mr. ROBSION of Kentucky. No. I think it is drawn more carefully to protect the officers and agents of the States and the counties and States. I think the bill has been drawn very carefully.

I shall not take any more of your time, believing that the measure is constitutional and that we ought to wipe out forever this dark blot on our country, because America is the worst sinner of any country in the world for murdering people by mob violence. There is no excuse for it. This law will stop it. I think it is constitutional, and I just as earnestly support it as my distinguished friend from Texas opposes it.

I thank you. [Applause.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Kentucky yields back 1 minute.

Mr. HOBBS. Mr. Chairman, I yield 15 minutes to the distinguished gentleman from Washington, Judge LEAVY.

Mr. LEAVY. Mr. Chairman, I voted against the antilynching bill when it came before this body in the Seventy-fifth Congress. The legislation that we were then considering was almost identical with that which we have before us today.

I did not cast my vote against the antilynching bill to indicate that I approve or condone lynchings. I hate and despise lawlessness in any form, at all times; and from my own viewpoint I cannot feel that in any part of this great Nation of ours lynching is essential to maintain peace, security, and good order among our people.

I approached this matter when it was before us in the Seventy-fifth Congress, and likewise approach this legislation now being considered, purely on the ground of its validity, in reference to being constitutional or not.

It is my firm conviction, even though I despise lynching and hope to see it completely disappear, as the facts disclosed in this debate show it is disappearing, that the proposed legislation, like the bill that preceded it in the Seventy-fifth Congress, is unconstitutional. Being of that conviction, I could not, without doing violence to my oath and my conscience, support the proposed legislation, and I shall, therefore, vote against it.

FOURTEENTH AMENDMENT DOES NOT APPLY

The proponents of this legislation seek to assert its constitutionality by virtue of the fourteenth amendment, particularly that part of the amendment which provides that no State may "deny to any person within its jurisdiction the equal protection of the laws." It is my contention that this provision can have no application until some State by affirmative act has done something that could be construed to be a denial of such protection. The occurrence of a lynching or mob violence is no more a denial of equal protection than is the occurrence of any other criminal act within the State.

FEDERAL GOVERNMENT ONE OF DERIVED POWERS

It is conceded by all of us that the Federal Government is possessed only of such rights and powers as are conferred upon it by the Constitution. Every other power and attribute of sovereignty is "reserved to the States respectively, or to the people," by provisions of the tenth amendment. Now, this means that there is no general police power in the Federal Government except such as is specifically granted to it by the Federal Constitution, and this in turn means that all police power is lodged in the respective States, except insofar as they may have surrendered attributes of sovereignty by the provisions of the Federal Constitution.

To permit the Federal Government to make a dereliction of official duty by the county sheriff or any other police official of a State, a criminal offense, would constitute an immediate surrender of State police power to the Federal Government, and that without constitutional authorization. If it can be held that a given course of conduct or a failure to follow a certain course of conduct as this bill sets up constitutes a felony when such conduct in no way involves the crossing of State lines nor directly or indirectly comes under interstate activities would be to grant that the Federal Government has the right to define, prosecute, and punish every kind and character of public offense that is now recognized to be exclusively within the rights of the respective States.

PROPOSED LEGISLATION RESTS UPON EXERCISE OF POLICE POWER

The proposed legislation, insofar as the crime it seeks to define and create is concerned, can rest only on a grant of power given to the Federal Government by the States. There is no such grant of power, either express or implied, to be found anywhere within the Constitution. The Federal Government, being a Government of limited police power, of course, cannot claim the right to enact this legislation, based upon the broad principle of inherent police power in a sovereign. If the features of this bill as found in section 3, defining what constitutes a felony, were to be held as a valid

exercise of constitutional right, then each of the 48 States could be deprived of all jurisdiction of all criminal offenses which are now within the exclusive jurisdiction of the State courts.

CIVIL RIGHTS UNDER THIS PROPOSED LEGISLATION

I desire to devote the major part of the time at my disposal to discuss what to me seems the most clear-cut, unconstitutional provision of this act. That is the portion of the bill which creates civil rights and provides for the remedies when such rights are violated. Now, let us examine the language of the bill insofar as it touches this subject:

SEC. 5. (1) Every governmental subdivision of a State to which the State shall have delegated functions of police shall be civilly liable for any lynching which occurs within its territorial jurisdiction. * * * In every such case the culpable governmental subdivision shall be liable to each person injured or to his or her next of kin if such injury results in death for a sum not less than \$2,000 nor more than \$10,000. * * * (2) Liability arising under this section may be enforced and the compensation herein provided for may be recovered in a civil action in the United States district court for the judicial district of which the defendant governmental subdivision is a part.

THE ELEVENTH AMENDMENT TO THE CONSTITUTION

Now, let us read again the eleventh amendment to the Constitution, which provides "the judicial power of the United States shall not be construed to extend to any suit in law or equity commenced or prosecuted against one of the United States by citizens of another State or by citizens or subjects of any foreign state."

HISTORY OF THE ELEVENTH AMENDMENT

It will be remembered that the eleventh amendment was adopted a few years after we became a nation and for the sole purpose of expressly prohibiting citizens of a State suing another State. The amendment took from the Federal courts all jurisdiction, past, present, and future, of all controversies between States and individuals (*Hollingsworth v. Virginia*, 3 Dall. 378; *Rhode Island v. Massachusetts*, 12 Pet. 657).

COUNTIES HAVE SAME IMMUNITY AS A STATE

If a sovereign State cannot be sued without its consent, then neither can a governmental subdivision of such sovereign State be sued.

In order to sustain the validity of the bill it must be shown that the governmental subdivision against which the penalty under section 5 is directed possess none of the attributes of sovereignty and are, therefore, amenable to suit without the consent of the State governments.

That a sovereign is not subject to suit without its consent is a principle that has come down since the time of Rome (*Willoughby*, *Constitution*, p. 1382). The exemption of a State from suit by an individual as one of the attributes of sovereignty is enjoyed by every State in the Union (*Hamilton*, *The Federalist*, No. 81).

NONSUABILITY OF POLITICAL SUBDIVISIONS

Just as the power of a county to sue is controlled by the State legislature, so also the right to sue the county is limited to those cases wherein the legislature has ordained that the county shall be liable. This limitation is founded upon the theory that, as there is no remedy against the State unless by its own consent, there may be none against the county which forms an integral part of a State (*R. C. L.*, vol. 7, p. 966; *Heusaker v. Borden*, 5 Cal. 288; *Jackson County v. Kaul*, 77 Kans. 717; *Fry v. Albemarle County*, 86 Va. 195). This view is indicated by the following cases:

Wolf v. Upson County (44 F. (2d) 926):

In Georgia, county may not be sued for breach of statutory duty unless statute authorizes suit.

First Nat. Bank v. Jackson County (227 Ala. 448):

County is mere political subdivision of State, and no right to suit against it exists except by statute (Code, 1923, sec. 181).

Clay County v. Curtright (251 Ill. App. 371):

County cannot sue and is immune from suit except as provided by statute.

Decatur County v. Townsend (46 Ga. App. 103):

Suit against county cannot be maintained unless expressly authorized by statute or constitutional provisions.

Webster County v. Lutz (234 Ky. 618):

County, being arm of State government, cannot be sued for its torts without its consent.

Good Road Machinery Co. v. Broadwater County (94 Mont. 68):

County may be sued only by express statutory authority, which must be strictly complied with (Revised Codes, 1921, sec. 9095).

McKay v. Washoe General Hospital (33 P. (2d) 755):

Generally, county cannot be sued without legislative consent.

W. K. Terry and Co. v. Hyde County (33 Ohio App. 118):

Authority for action by or against county must be found in statutory enactments.

Statute authorizing county to sue and be sued held merely to permit action to be brought against county within its home State.

Green Const. Co. v. Oklahoma County (174 Okla. 290):

County may sue or be sued only by virtue of constitutional or statutory authority.

Chewning v. Clarendon County (168 S. C. 351):

No tort action lies against county unless expressly permitted by statute.

County Board of Education for Houston County v. Hunt (29 Ga. App. 665):

A county is not liable to suit unless there is a law which expressly or by necessary implication so declares.

Breathitt County v. Hagins (183 Ky. 294):

Being portion of State for governmental purposes, county cannot be sued, unless statute permits it, or right can be implied from express power given, or suit is on contract which county could make.

City of Grenada v. Grenada County (115 Miss. 831):

Counties are immune from liability to the same extent as the State, and suit cannot be maintained for a liability unless authorized by some statute expressly or by necessary implication.

O'Brien v. Rockingham County (80 N. H. 522):

Counties, being mere geographical divisions of the State for the convenient exercise of sovereign power, are not suable for default in the exercise thereof, in absence of a statute permitting.

Nelson County v. Loving (126 Va. 233):

A county, as a political subdivision of the State, cannot be sued for personal injuries without consent of the State.
A county cannot be sued in tort.

Hillsborough County v. Kensett (227 Ala. 448):

County may not be sued in action ex delicto for damages resulting from construction of highway.

The fact that a county has certain rights recognized in law as its own does not sever it as a body from the State, but only distinguishes it in the State, and as a part of it, and allows local officers to enforce, in the name of the county, certain rights and duties which otherwise would have to be enforced in the name of the State—the institution and officering of local divisions being merely a means of government, as these are but parts of the machinery that constitutes the public system (7 R. C. L. 925; *Comm. v. Brice*, 22 Pa. St. 211).

NONLIABILITY OF GOVERNMENTAL SUBDIVISIONS FOR NONFEASANCE AND MISFEASANCE IN RELATION TO THEIR DUTIES

It is a general and well-established rule that counties are not liable at common law for injuries resulting from negligence of their officers or agents (7 R. C. L. 957). It was held in *Lehigh County v. Hoffman* (116 Pa. St. 119) that the county was not liable for injuries resulting from failure of county commissioners to exercise discretionary power to make certain improvements at the expense of the county. The States are practically uniform in this holding (7 R. C. L. 957).

DOUBTFUL VALIDITY OF PROSECUTING CASES IN THE NAME OF THE UNITED STATES

It is apparent, then, that in a vast majority of the States a suit by an individual against a political subdivision of the State will not be entertained in the State court. Nor would the case, if prosecuted by the individual, be entertained in a Federal court, for in the case of *Duhne v. New Jersey* (134 U. S. 1) the Supreme Court refused to take jurisdiction under article III, clause 2, section 2, of the Constitution over a suit by a citizen of a State against his own State.

UNITED STATES A PARTY PLAINTIFF

It may be argued that this bill provides that the United States should be the party plaintiff in any civil suit against a subdivision of the State. In the *Ayers* case the court said:

It must be regarded as a settled doctrine of this Court, established by its recent decisions, that the question whether a suit is within the prohibition of the eleventh amendment is not always determined by reference to the nominal parties on the record.

And then this same decision goes on to hold that the question is determined by a consideration of the nature of the case as presented by the whole record. In the light of this statement of the law, certainly the provisions in the proposed legislation wherein it is provided that the suit shall be brought "in the name of the United States for the use of the real party in interest" would clearly fall within the inhibitions of the eleventh amendment and be unconstitutional.

In the case of *New Hampshire v. Louisiana* (108 U. S. 76) it was held that the nonsuability of a political subdivision of a State cannot be circumvented by prosecuting the case in the name of the United States. In the case cited above the Supreme Court refused to countenance the attempt of citizens to evade the operation of the eleventh amendment by transferring their pecuniary claims to another State and having that State bring suit in their behalf. It would seem that the principle of this case would apply to an attempted evasion of constitutional prohibition by legislative enactment as well as to such an attempt by an individual.

PURPOSE OF THE ELEVENTH AMENDMENT

The very object and purpose of the eleventh amendment were to prevent the indignity of subjecting a State to coercive process of judicial tribunals at the instance of private parties (*Ex parte Ayers*, (123 U. S. 443).)

I cite but a few of the hundreds of similar authorities which establish beyond a doubt that the penalty provisions in the proposed legislation could not possibly be sustained when attacked upon constitutional grounds; and if they are stricken from this legislation, then it becomes an empty, useless, and meaningless thing.

MOB VIOLENCE CAN NEVER BE CONDONED

Mr. Chairman, I desire to reiterate that I would not be understood by anything that I have said nor by my vote that I shall cast against this legislation as indicating in the slightest degree that I support mob violence. On the contrary, I want it definitely understood that I am, and have always been, willing to do everything consistent with good Americanism to bring to an end that type of terrorizing lawlessness. However, we cannot hope to end lawlessness in this country, irrespective of how vicious it may be, by enacting legislation that would virtually destroy our dual form of government itself. Our hope in eliminating the evils that flow from mob violence is through the development of a wholesome public opinion, but those evils can never be wiped out by legislation that destroys the existence of 48 sovereign States; and thus in turn destroys the sovereign Nation itself. [Applause.]

Mr. GAVAGAN. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. THOMAS F. FORD].

Mr. THOMAS F. FORD. Mr. Chairman, listening to the debate today, I am constrained again to quote our old friend Shakespeare:

In law, what plea so tainted and corrupt
But being season'd with a gracious voice,
Obscures the show of evil?

Mr. Chairman, the broad general principle upon which this bill—H. R. 801—rests is the protection of the law for all our people under all circumstances. We all know that the fundamental right of trial by jury when accused of crime has been violated by mobs taking direct action in violation of every principle of law, of right, and of justice. To prevent such violation, to safeguard and strengthen the precious right of trial by jury, to wipe from our records the terrible crime of mob law, this bill has been introduced. All this bill attempts to accomplish is to assure to persons within the

jurisdiction of every State the equal protection of the laws and to punish the crime of lynching.

This free country of ours, where our liberties are supposedly so fully guaranteed under the laws, is the only country in the world which tolerates lynching. Since 1882 there have been in excess of 5,000 lynchings in the United States. About one-quarter of the victims of mob rule have been white; three-quarters have been Negroes. About 1 out of every 15 of the victims has been proved innocent after the blood lust of the mob has been satiated for the time being.

In less than 1 percent of the lynchings have the perpetrators been brought to justice. In most cases the mob leaders were known to the authorities, and in most cases the authorities have failed to prosecute or have done so with no genuine effort to convict the guilty.

This is why enlightened Americans who believe in law and order and who are revolted at the thought of mob violence in a free country are now supporting the antilynching bill awaiting the action of this House.

I first introduced the companion to the original Wagner-Costigan bill in the Seventy-third Congress; I introduced it again in the Seventy-fourth Congress; and again, with changes, in January of last year. I hope that this will be the last time because I hope that Congress will pass H. R. 801 at this session.

This House is made up of Representatives duly elected by the people. I know it is the intention of Members to honestly represent the will of the people, and right now we have the best of evidence that the people of this Nation approve such a bill. In a poll recently taken 7 out of 10, or 70 percent, of our citizens were in favor of a Federal antilynching bill.

We who are sponsoring this bill—and this applies to many Members of the House—feel that its passage will infuse officers of the law with a new respect for the law and will cause them to make every honest and energetic effort to save prisoners from mobs.

To the argument that lynchings are decreasing and that drastic action is no longer necessary, I answer, "Pass this bill and end lynchings. Why permit this frightful blot to remain on the otherwise honorable escutcheon of our Nation?"

Let us have the courage to act, knowing that in doing so we serve justice and humanity.

Mr. FISH. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Chairman, the antilynching bill presents a challenge to the Congress of the United States which must not be ignored. Brutality, lawlessness, and vicious passion can have no place within the framework of a good society. The kind of mob rule which supplants the processes of law and order when men resort to lynching is never justified. It merits the complete condemnation of all thinking people.

No one knows better than the Members of this Congress that legislation is not the cure for hysteria. Yet it may operate as a strong deterrent. It may serve to open men's minds to a reexamination of the evil it is designed to treat. It may blaze the trail for others to follow.

I have no patience with those who argue that the legislation proposed will be ineffective. It may be that only very few situations will rise to which this Federal measure will be applicable. I sincerely hope that none will rise. Yet the passage of this act by Congress will furnish a strong encouragement to the legislatures of our States to adopt similar measures for themselves. It will place this body on record as it should be placed on record. Here we are, proudly asserting that we compose the greatest group of independent lawmakers in the world. If it is not our solemn duty to denounce violence and a reckless disregard for law, then it is no one's duty.

In a world which is overrun with disorder, disregard for law and an absolute denial of the principles of humanity, we have an opportunity to reestablish the principle that all men are brothers; that all of us, no matter what we may be accused of doing, are entitled to the due process of law which our Constitution assures us. In the name of human decency

and in the common cause of human equality, this measure should be written into the statutes of our Nation. Let the Seventy-sixth Congress earn the distinction of enacting this law, a law already two generations overdue. Let us face our constituents proud of our part in this battle for human rights. [Applause.]

Mr. Chairman, may I add a word or two in reply to an article that appeared in this morning's Washington Post, in which it was stated that the Congress was using this measure as a political football; in fact, that many of us who were in favor of this legislation were advocating its passage for political purposes. In the State of Ohio the Republican platform has as one of its planks an antilynching bill. So as a party official, as well as a Member of this body, I feel that our platforms are more than fishhooks to catch suckers. I am speaking as a Republican Member of this House in support of a measure that we as a party made a part of our platform.

[Here the gavel fell.]

Mr. HOBBS. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. HOFFMAN].

WHY IS FEDERAL PROTECTION, DUE PROCESS OF LAW, AND EQUAL PROTECTION OF THE LAWS DENIED TO LAW-ABIDING CITIZENS?

Mr. HOFFMAN. Mr. Chairman, the bill under consideration is a fraud upon its face. Its purpose, according to its title, is "to assure to persons within the jurisdiction of every State due process of law and equal protection of the laws, and to prevent the crime of lynching"—all three worthy objectives.

Unfortunately, the bill, like the National Labor Relations Act, is not so drafted as to effectuate the declared purpose, except to a very limited degree under the most favorable of circumstances.

During the past year there were but three lynchings in the United States, two of colored men, one of a white man—two in Florida, one in Mississippi.

Due process of law and equal protection of the laws was denied in thousands of instances to hundreds of thousands of American citizens. The so-called Senate Civil Liberties Committee, so it is said, has spread upon the record many examples of the denial of civil liberties, of an equal protection of the laws, to employees engaged in occupations affecting interstate commerce, a matter which justifies Federal intervention.

During the past 2 years thousands upon thousands of American citizens have been deprived of the free and untrammelled exercise of that most essential of all rights guaranteed by State and Federal Constitutions, the right to earn a livelihood.

For more than 2 years organizations which listen to the voice of a personal friend of the President, of a man who has been instrumental in the contribution of more than a million dollars to the New Deal campaign fund, have been responsible for the beating, the maiming, and the death of American citizens.

Organized violence, carried on by mobs crossing State lines, has actually suspended and held in defiance the civil authorities of the State; has prevented civil officers from enforcing State law, orders of the courts.

There is no question but that the foregoing statements are true. If any Member of this House challenges these statements, let him, during the course of this debate or at some subsequent time during the week, cite facts to the contrary for the information of the House.

May I ask this question: Is this bill introduced, was it drafted, for the purpose of bringing to the citizens of the State due process of law and equal protection of the laws? Or was it introduced for the purpose of catching the so-called Negro vote?

In view of the political significance of this measure, of the overwhelming support given it by Democrats who are trying to outdo Republicans in the effort to capture the vote of the colored man; in view of the enthusiasm and the vigor with which the so-called Senate Civil Liberties Committee investigates and condemns what some of its members consider denial of civil liberties by employers to employees, let me call the attention of that committee, as well as of the House, to just

two recent instances where men were denied due process of law, the equal protection of the laws.

As time goes on during this session your attention will be called to other instances where "goon" squads, wrecking crews, and sluggers of labor organizations, or, perhaps more accurately speaking, of labor racketeers, deny civil liberties to those who want to work.

The source of this information will be the public press, which customarily is accurate and circumstantial in its news items.

Today, for the information of La Follette's so-called Civil Liberties Committee, let me refer to the case of Louis Mikolajczyk, 51 years of age, married, the father of six children, of 3036 Cullerton Street, in the city of Chicago, who on Saturday afternoon, in John's meat market at 3708 West Twenty-sixth Street, was beaten by two labor "goons" who objected because he, a union man, belonging to a meat-cutters' union, and who had taken a withdrawal card because he was out of work and had been exempted by his union from the payment of dues, was, while on W. P. A., doing clean-up work in John's market. Mikolajczyk did not receive wages, but in return for his work was given meat.

Another case from Chicago, which should prove of interest to the committee, is that of Marinus Hvid, a garage owner, who on the morning of December 28, 1939, was beaten with bats in the hands of labor "goons" so severely that he died on Saturday, December 30. According to the press, Hvid's murder was the thirty-second labor murder in Chicago, in which there has been a conviction in but one case.

If the Senate committee has ever investigated and condemned a case where a labor union denied civil liberties to, beat up, or murdered an employee, I shall be glad to have the case and any others like it pointed out by that committee. Perhaps, inadvertently, the committee has investigated such cases. A list of such cases, if there are any, would be helpful.

It is doubtful if the biased and partisan activities of the National Labor Relations Board are any more pronounced, unfair, and one-sided than are the investigations conducted by the Senate Civil Liberties Committee, whose activities are paid for with taxpayers' money.

While we are passing an antilynching bill, and the press states there were but three lynchings in 1939, if the Federal Government is to be charged with the enforcement of the law relating to local criminal acts, why not add to the antilynching bill, instead of a proviso exempting, a provision protecting those who are denied their civil liberties; the families of those who are murdered by labor racketeers and men hired by labor organizations or by labor organizers to stifle opposition by intimidating or doing away with those who oppose the organizing plans of the dues collectors and tribute leviars?

We of the North who, in search of the political support of the colored man, attempt to legislate for the States of the South would do well to read the opinion of the United States Circuit Court of Appeals for the Seventh Circuit, handed down on the 29th day of November 1939, a little more than a month ago. That case arose out of incidents occurring in the great city of Chicago—the city from whence comes our colleague, the respected Mr. MITCHELL; a city which has on the floor of this House 10 Representatives.

The gentleman from Chicago [Mr. MITCHELL] has been active, as he has a right to be, in behalf of the passage of this bill. Let me read to him, to the Members of the House, this statement from the court's opinion in Lake Valley Farm Products, Inc., against Milk Wagon Drivers' Union. The court said:

The growth of the cut-rate milk business in Chicago has been accompanied by violence to the distributing stores. They have had their windows broken; they have been bombed, set afire; they have been submitted to stench bombs and to other acts of violence. Cut-rate dairy plants have been bombed, have had machinery smashed, and their delivery trucks have been seized and destroyed, and they have been submitted to other acts of violence.

Fifteen to twenty stores distributing the products of plaintiff dairy were lost in the month preceding the filing of the bill of complaint; 25 to 30 stores were similarly lost since the commencement of the action; more than 100 of such stores have been picketed, and there is no way to ascertain the number of consumer patrons lost by the acts of the defendant.

Although the Court found in that case that "No labor dispute exists between plaintiff dairy and its workers," under the holding of the Supreme Court in a case arising here in Washington—*New Negro Alliance v. Grocery Co.* (303 U. S. 552)—The Supreme Court may overrule the Inland decision and hold that there was a labor dispute.

The damage was not confined to great chain stores, to wealthy distributors. As the master in chancery said, where the efforts of the pickets—

Were unsuccessful, said pickets were withdrawn and within a few days thereafter, usually during the night, the store of the store-keeper (some of whom were poor women struggling to make a living) was either bombed or bricks were thrown through the plate glass windows of such stores or other acts of violence were committed.

Fair play? Equal protection of the laws? By the proviso in section 2, this bill expressly exempts such incidents arising during the course of a labor dispute.

It was not so long ago—in fact, it was in 1922—that 25 men were either hung, stabbed, shot to death, or dragged behind automobiles until they were dead, by a labor organization which acted upon receipt of a telegram from John L. Lewis. Not a single individual was convicted by the State of Illinois for these wholesale murders.

It was in May of 1937 that 10 men met death in the Memorial Day strike at Chicago. According to the so-called La Follette committee, their deaths were due to the acts of the Chicago police. According to the court records and unbiased testimony, those men were killed because they followed the advice of labor organizers engaged in unlawful enterprises. Again no one was convicted because these men were killed.

Here in Congress assembled we go through the farce of enacting a bill which, by its very provisions, makes impossible the objectives announced in its title.

Let me repeat: The title informs us the bill is to be passed "to assure to persons within the jurisdiction of every State due process of law and equal protection of the laws."

Then, in the very first unnumbered section, it extends that protection only to those persons "charged with or suspected or convicted of any offense."

Most people know that the greatest denial of due process of law that has ever occurred came in connection with the sit-down strikes, when property worth millions of dollars was seized, much of it damaged, some of it destroyed, and this all without legal redress.

Most of us know that the greatest denial of equal protection of the laws, both in the number of citizens involved and the period of time over which such denial extended, occurred in the sit-down and the slow-down strikes, which began on the last day of December 1936, and have continued down to the present moment.

These denials of an equal protection of the laws, of due process of law, occurred during the course of labor disputes; and yet this act, which purports to give to the citizen due process of law and equal protection of the laws, by the language beginning in line 13 on page 2, in the second section, expressly exempts violence occurring during the course of labor disputes.

This bill does not even pretend to prevent a lynching of a white or a black man under some circumstances. If a man, white or black, be lynched, be hanged by the neck until he is dead, this law does not provide punishment for those who failed to protect him or remedy for his dependents if a labor dispute was pending to which he was a party.

So if someone in the South or someone in the North wants to lynch a white man or a colored man, all he needs to do to escape punishment under this act is to first create a labor dispute.

The bill defines lynching and then provides that lynching shall not be deemed to include "any incident in connection with any labor dispute."

Briefly, it means that if during a labor dispute—and according to recent decisions any dispute between an employer and his employees or between an employer and one who wants to be employed or who desires that some friend of his be employed is a labor dispute (*New Negro Alliance v. Grocery Co.*, 303 U. S. 552)—a clerk in a store, the proprietor of the business, a factory worker, is brutally beaten, wantonly murdered, this act does not give to him, if he survives, nor to his dependents, if he be killed, any remedy whatsoever.

The passage of this act exempting incidents occurring in connection with labor disputes and the failure to pass similar legislation inflicting a penalty upon violence occurring during labor disputes can logically be construed as the approval by this Congress of coercion, intimidation, violence, rioting, and lynching, as defined in the act, if it occurs during the course of a labor dispute.

Nor will striking out the last five lines of paragraph 2 on page 2 make the due process and the equal protection of the law provisions of the Federal Constitution applicable to all citizens alike.

Permit me at this point to call the attention of the Committee to some absurdities in this bill and point out what a farce the bill is, and just how it purports to protect men who are suspected of, charged with, or who have been convicted of crime, but leaves law-abiding citizens at the mercy of mobs. If the bill be read, you will notice that it limits the protection given by the bill, if any is given, to persons who are suspected of, accused of, or have been convicted of a crime. There is no mistake about that. Get the bill and read it. If I am not correct, let some gentleman before the debate is over correct me. It does not purport to protect any person who is not suspected of, who has not been accused of, or who has not been convicted of a crime. It leaves the other 129,999,999 citizens of the United States who have never fallen into that category absolutely without protection, and there is no question about that. [Applause.]

Let some supporter of the bill point to the words in the bill which protect honest citizens who have not been suspected of, accused of, or convicted of a crime.

After introducing a bill here which brought down on us the condemnation of one group of voters and after leaving in the bill an exemption for all those who might commit murder during the course of labor disputes, it has been stated that the exemption will be taken out. I had an amendment prepared to that effect. Is it a good bill? Why was the exemption put in there in the beginning? Have you heard from labor organizations? You will hear from them before tomorrow when they find they are covered by the terms of this bill.

The bill as it stands before the House today permits or, if it does not permit, it at least exempts from punishment all of those who bring about violence and death in connection with labor disputes.

Mr. RANKIN. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Mississippi.

Mr. RANKIN. Under this bill as it now stands you could lynch every Negro or white man in a State and you would not be punished under the bill unless they were suspected of or charged with a crime. It does not protect the innocent or attempt to do so.

Mr. HOFFMAN. Under this bill you could lynch a white man, a colored man, a Chinaman, or anyone else, and unless that man has been suspected of, convicted of, or charged with a criminal offense the bill does not apply. What an absurdity it is. Here is a white man or Negro who commits the crime of rape. He is lynched. Under this bill his dependents can collect through the district court of the United States from \$2,000 to \$10,000.

On the other hand, a man who has never been convicted of an offense, who has never been charged with an offense, who has never been suspected of an offense, may be beaten to death, as in the Chicago case, but this bill does not give his widow or his children a right to go into a court and collect damages. On the other hand, it gives to the widow and children of a man who has been convicted of rape, who is taken out of jail, and who is lynched, the privilege of going

into court and collecting damages, not less than \$2,000 nor more than \$10,000.

What is the use of deceiving ourselves? The gentleman from Chicago [Mr. MITCHELL] has said that he wants fairness, he wants justice. We agree. Let us have due process of law and equal protection under the law. Let us have it for all, not for just a class. Why not put into this bill a provision that the honest citizen, the man who wants to work for a livelihood—a right which is necessary if the individual is to exist—shall be protected, and that if the authorities fail to protect him, then his widow or his dependents shall have a right to civil damages?

I repeat that this bill is a fraud. It is a farce on the face of it.

Mr. KITCHENS. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Arkansas.

Mr. KITCHENS. Is not this bill, with its discrimination against innocent people and the heirs of innocent people who have been murdered or killed, itself a violation of the fourteenth amendment to the Constitution of the United States?

Mr. HOFFMAN. I have been a lawyer for 40 years, but I do not pretend to know much law. I leave the answer to that question to more legalistic minds. I go more on common sense and a sense of justice than I do on the technicalities that are in the books because, since Brother Frankfurter went on the Supreme Court Bench and I read that statement of his that the Constitution was what the Court said it was, I have considered what little legal learning I had to be of less importance.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Georgia.

Mr. COX. In the opinion of the gentleman, is this the old Force bill brought up to date?

Mr. HOFFMAN. I will permit the gentleman to answer his own question.

If we are to have a Federal law which will protect the citizens of the States in the rights guaranteed to them by State and Federal Constitutions, punishing those who fail to enforce the laws of the State, punishing municipalities which are responsible for the failure of officers to give protection, then let the law protect all citizens. Let it not be limited to persons who are charged with, suspected of, or have been convicted of, an offense.

Let protection be extended to the honest, decent, law-abiding, God-fearing, patriotic American citizen who has never been suspected of, charged with, or convicted of, an offense.

Let us not deny protection to the law-abiding—to the guiltless.

Under this act, if it becomes a law, the dependents of the murderer who is lynched can collect from two to ten thousand dollars from the municipality which had jurisdiction of the place where he died, while the dependents of the law-abiding citizen who was never suspected of, charged with, or convicted of, an offense, walking down to his place of employment to earn his daily bread, clubbed to death by the wrecking crew of a labor organization during the progress of a labor dispute, or by gangsters, are without remedy. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman, our system of government is founded upon, and dedicated to, the proposition that all men are created free and equal and that each of us is entitled to life, liberty, and the pursuit of happiness so long as we do not invade the rights of others. To guarantee and to safeguard these inalienable rights of American citizenship we provide that no individual shall lose his life, liberty, or property except under due process of law and after a fair trial by jury.

Yet here in our America, in the Nation we boast as the most democratic and highly civilized on the face of the earth, we have seen mob rule and lynch law prevail many times.

True, the victims, in most instances, have been the lowly, the poor, and the uneducated, of the Negro race—the citizens least able to safeguard or maintain their rights.

We hear much of the struggle throughout the world to maintain democracy. From the lips of some of those who oppose this measure comes at other times the loudest protestations of belief in democracy. Let me say to you, gentlemen, here and now, that if democracy is to continue to live throughout the world and here in our beloved America, those of us who have the ability and the power to do so must see to it that the full rights of the weak and the defenseless are safeguarded and protected against the violence and the intolerance of the strong and the mighty.

Our Central Government has both the duty and the responsibility of seeing justice prevail in every corner of this broad land. It is not an invasion of State rights for the Government of the United States to see to it that the right of trial by jury is maintained and that the very intent and purpose of our democracy is not destroyed by those who place themselves without the law by taking the law within their own hands.

Let us here today take another advanced step toward making democracy work by further extending its benefits and its safeguards through the passage of this bill. [Applause.]

Mr. GAVAGAN. Mr. Chairman, I yield to the gentleman from New York [Mr. Celler] such time as he may desire.

Mr. CELLER. Mr. Chairman, everybody agrees that lynching is vile, horrible, and unspeakable. I have yet to find anyone who approves of or condones this heinous offense. The only argument, therefore, concerning the matter of lynching is the remedy used. It should and ought to be a remedy limited to the States. Unfortunately, however, the record clearly indicates that the States do not do their full duty in this regard. Consequently the Federal Government must and should intervene.

HISTORY OF LYNCHING

The record shows that lynching is neither sectional nor racial. For many years more victims were white than black. For example, in the year 1882, of the 114 people lynched, 65 were white and 49 black; in 1883, of the 131 people lynched, 79 were white and 52 were black; and in 1884, of the 210 people lynched, 158 were white and 52 were black. Only 6 States have been free from lynchings, namely, the 6 New England States—Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut.

In California, between 1882 and 1930, 42 whites and 4 blacks were lynched.

In Kansas, between 1882 and 1930, 34 whites and 18 blacks were lynched.

In Mississippi, between 1882 and 1930, 45 whites and 500 blacks were lynched.

In Louisiana, between 1882 and 1930, 60 whites and 328 blacks were lynched.

In Texas, between 1882 and 1930, 143 whites and 349 blacks were lynched.

IS LYNCHING ON THE DECREASE?

In 1936, the Tuskegee Institute reports, there were 8 lynchings. The National Association for the Advancement of Colored People reports a higher figure, namely, 13. The highest point in lynching took place in the year 1892, when 226 people were lynched. In 1932 there were 38 lynchings. In 1936 there were 8 lynchings; these were 8 too many.

Moreover, the National Association for the Advancement of Colored People reports that in 1935, while there were 25 cases of lynching, there were—the association specifically points out—102 cases of narrowly averted lynchings. This is very significant.

I am firmly convinced that there is a diminution in the number of actual lynchings. But the abatement may not be permanent. There can be a shift at any time, say, from the South to the North. Like an epidemic, it can crop out at any moment.

We are told that since there is at present a decrease in lynching, antilynching legislation is not necessary. It might

be well to present the analogy of having a good doctor attend a sick patient. If the patient does well, should we dismiss the doctor? In other words, since the States, as the "doctor," are doing very well, should we bring in a Federal "doctor"? You may say, however, that the analogy is not perfect; that the crime of lynching is diminishing; and that the patient, therefore, is doing well. I say, however, that it might be effective to call in a specialist, or rather to keep a specialist within call. The symptoms may change. The specialist can act in an emergency. The old "doctor"—State antilynching laws—can remain, while the new "doctor," Federal antilynching law, is in the offing.

The pending antilynching bill does not prevent the old "doctor" from still ministering; it simply summons aid—the Federal "doctor"—only when the old "doctor" falls down and does not do his duty or cannot do his duty.

A study of 84 lynchings during the 5 years between 1931 and 1935 reveals the following facts:

First. A larger proportion of the lynchings of this period occurred in the South than ever before, and a larger proportion of the victims were Negroes.

Second. Eleven percent of the mob victims were not accused of any crime; an additional 30 percent were accused only of minor offenses. Of the other 59 percent, many were not guilty of the crimes with which they were charged.

Third. Contrary to the general impression that rape is the chief cause of lynching, only 11 percent of the victims were even accused of this crime. Scarcely one-fourth were accused of rape and attempted rape combined.

Fourth. Courts rarely indict lynchers, more rarely convict, and almost never impose sentences commensurate with the crime. Indictments have been returned in but 1 lynching in 12 and convictions in scarcely 1 in 30.

Fifth. There is evidence that peace officers participated in several lynchings and connived in as many more.

Sixth. Over nine-tenths of the lynchings occurred in the open country and a little over four-fifths in counties where the per capita income and taxable wealth were below those of their respective States. Over three-fourths of the threatened lynchings were prevented also in the poorer rural counties.

Seventh. When a mob does not lynch it sometimes dominates the court, and so brings about a "legal lynching."

Eighth. Nearly 20 percent of the persons lynched and threatened by mobs were mental defectives.

CHANGING ATTITUDE IN THE SOUTH

I give you a reprint from an editorial in the Richmond Times-Dispatch of Tuesday, February 2, 1937:

The Times-Dispatch favors the enactment of the Federal antilynching bill just introduced in the House of Representatives and shortly to be introduced in the Senate. It seems no hope of ever wiping out lynching, the greatest crime against southern civilization, except through Federal action.

If every State would enact an antilynching law similar to that which Virginia passed a decade ago, lynching could be almost, if not wholly, obliterated. The Virginia law makes lynching an offense against the State as a whole, subjects all participants in lynchings to charges of murder, and authorizes the Governor to have the attorney general aid in the prosecution and to spend any sum he—the Governor—deems wise in convicting the guilty parties. There has not been a single lynching in the Old Dominion since that law was placed on the statute books.

But it has become plain that few, if any, of the Southern States will follow Virginia's legislative example. Although the Dyer antilynching bill of 1922 and the Costigan-Wagner antilynching bill of 1935 would almost certainly have passed but for the filibusters of southern Senators, most Southern States seem to have learned nothing from these episodes. Southern Senators on both occasions expressed profound resentment over the possibility that the Federal Government might be permitted to interfere in the affairs of the States, but they do not seem to have done anything to make such intervention unnecessary.

This newspaper's primary objective is to put a stop to the seemingly endless series of mob murders which have disgraced the South and America before the world. That impresses us as far more important than the preservation of something generally referred to as "State sovereignty" or "States' rights." As long as States' rights are appreciated by the States, and the administrative authorities of the States show that they recognize the duties which accompany the exercise of such rights, this newspaper believes in respecting those rights. But when the phrase "the rights of the States" degenerates into a mere shibboleth behind which the State and local authorities can ignore and flout the law of the land by permitting lynchers to

go unpunished year after year, then the Times-Dispatch believes that intervention by the Federal Government is not only desirable but necessary.

It is clear, then, that lynching will not be wiped out until there is a new spirit abroad in the land, or until State and local authorities bestir themselves far more vigorously than they have done heretofore. We see no likelihood that either will occur in the measurable future.

One of the most convincing demonstrations that this is true was given in the autumn of 1934, when Claude Neal was taken from an Alabama jail and lynched in Florida. At least 15 hours' notice was given to the Nation's press and over the radio that Neal was to be lynched, and from 4,000 to 7,000 white people gathered, among them many small children. Neal was put to death with the most unspeakable and unprintable tortures. No one was even arrested.

As long as State and local officials are indifferent to these barbarities they will continue to occur. We see no alternative but to enact a Federal law with teeth in it and to let the G-men and the Federal courts go into action.

In the Washington Post there appeared sometime ago a report of a poll of the Institute of Public Opinion, which indicates that 70 percent of the people of America favor a Federal antilynching law. Sixty-five percent of the people of the South favor a Federal antilynching law. The South is entitled to great credit for the real progress it has made in developing public opinion against lynching. It should continue its great efforts by education, moral suasion, and precept, and the spreading of righteous enlightenment to stamp out utterly this dreadful crime. I have before me the picture of the lynching and hanging of Rubin Stacy, a Negro, who was lynched at Fort Lauderdale, Fla., on July 19, 1935, for "threatening and frightening a white woman." He suffered physical torture for a few short hours. In the picture one sees a number of children viewing this victim hanging by his neck. What psychological havoc is being wrought in the minds of these children. They gaze at this gruesome spectacle. One cannot tell whether it is horror or gloating on the face of the neatly dressed 7-year-old girl in the scene. Another child, about 4 years of age, is seen in the picture. One wonders whether she is old enough to comprehend the barbarism her elders have perpetrated. What kind of citizens will these children make whose elders made them familiar with this inhuman practice?

The victim, Stacy, is also manacled. That tells a story of its own. He was powerless in the hands of the law. But the State law was powerless to protect him from being lynched.

Since 1922 over one-half of the lynched victims have thus been taken from legal custody.

I have before me another picture, that of Claude Neal, a Negro, whom a mob took from the custody of a sheriff in Alabama. He was transported over State lines to Florida, and there was lynched. The lynching was advertised in the newspapers and over the radio 12 hours in advance of the horrible exhibition. Between six and seven thousand persons came to witness the hanging. The picture of the victim before me shows horrible mutilation of his chest and thighs. His fingers were cut off, I am informed, and taken as souvenirs. After this picture was taken his toes were cut from his feet. An enterprising photographer, I am further informed, made post cards of this picture and sold them in large quantities at 50 cents each.

THERE IS NO ADEQUATE PUNISHMENT BY STATES

There is a shameful failure; there is a cruel dereliction of duty on the part of States in punishing the horrible crime of lynching. In all cases since 1882, 99.2 percent of the perpetrators went unwhipped of justice. The State acts have failed; the States have failed to punish this heinous crime.

Those who have brought their minds and hearts to bear on this vital subject, including the speakers who persuasively address us today, fully realize that the hour has passed when we may longer leave this evil, which disgraces us at home and abroad, to the cold mercy of States where prejudice, in the form of real or simulated rage, may at any moment light an indiscriminate torch and demand victims, guilty or innocent.

The punishment for homicide in this country is up to 44 percent. However, when it is the crime of lynching, the punishment is only eight-tenths of 1 percent. James H. Chadbourne, assistant professor of law at the University of North Carolina, says:

Although 1,741 persons were lynched (1900-1930), there is a record of only 12 instances in which convictions have been secured. These 12 instances embrace 67 individual convictions. Statistically therefore, only eight-tenths of 1 percent of the lynchings since 1900 have been followed by convictions of any of the lynchers.

Convictions for lynching

State	Date	Charge	Pleas	Number convicted	Sentences
Alabama	1900	Murder	Guilty	3	10 years to life.
Do	1919	Complicity in murder	(Guilty (28) (Not guilty (2))	30	\$100 to 15 years.
Do	1920	(?)	Not guilty	3	\$100 and 3 months.
Do	1920	Murder	do	3	15 years to life.
Georgia	1922	(?)	do	3	1 to 4 years.
Do	1926	Murder	(Guilty (2) (Not guilty (7))	9	4 years to life.
Missouri	1903	(?)	(?)	?	10 years.
Oklahoma	1922	Complicity in murder	(?)	7	Life.
Virginia	1923	(?)	(?)	2	1 and 2 years.
Minnesota	1920	Rioting	(?)	1	(?)
Texas	1920	Manslaughter	Guilty	3	2 years suspend.
Illinois	1903	(?)	(?)	11	Indeterminate.

The first inclination in considering this low percentage of successful enforcement is to conclude that here is one of the worst failures, if not the worst, with which the law has been confronted. This conclusion is strengthened by comparing the relatively high percentage of 44 for the punishment of homicide.

Convictions for attempted lynching

State	Date	Number convicted	Sentences
Illinois	1925	1	\$100 and 30 days.
Georgia	1924	4	3 to 4 months.
North Carolina	1921	1	4 years.
Do	1925	11	4 to 8 years.
South Carolina	1914	2	(?)
Tennessee	1920	8	\$50 and costs.
Do	1921	3	(?)
Virginia	1920	2	\$25 and 10 days.
Do	1921	1	\$100 and 1 year.

TYPICAL CASES OF FAILURE OF PUNISHMENT

"Passing the buck" is an effective method. Following a lynching in Missouri in 1925 the coroner was reported to have said, "There will be no inquest"; the county attorney, "We feel that justice has been done; of course, the method was crude." The chief of police said that he knew members of the mob, but "it was up to the county attorney."

In two 1930 cases the grand jury investigations did not come until 6 months after the lynchings. In one of these an investigator reports that "it—the grand jury hearing—doubtless would not have been instituted then except for the persistent demands of a few leading citizens." In the other he reports:

The investigation * * * was disposed of as routine business, and no one was surprised that no indictments were drawn. The investigation amounted to nothing more than an entry on the court records that a lynching had been investigated.

The continuance sometimes comes at the grand jury stage. In Georgia in 1930 the grand jury convened within 2 weeks of the lynching. No indictments were returned, but the presentment said, "We heartily recommend and urge our next grand jury to continue zealously the investigation which we have begun." The next grand jury returned no indictments, but recommended that its successor, in turn, give serious consideration to the matter.

Related to the continuance is the mistrial. In Alabama in 1923 there were three mistrials before a conviction was secured, and this conviction was ultimately reversed after five appeals.

The change of front by the State's witnesses is not without precedent.

Reluctance to testify is exhibited in other ways, however, than a change of front. In Union, S. C., in 1930, the sheriff testified before the coroner's jury, "I almost had my hands on the 'nigger,' but never succeeded in getting hold of him." When news came to Governor Richards that the sheriff, although in the mob for some time presumably trying to gain possession of the prisoner, could not identify any member of the mob, Governor Richards declared the sheriff's conduct was reprehensible, and sent investigators from his office. No court action was taken. Again the material witnesses may be intimidated. This was true of the 1930 case at Bryan, Tex. A local attorney made the statement that there were Negroes who, he knew confidentially, had incriminating evidence which would lead to trials and probably conviction of the men who killed Roan, but that they would not give it before the courts for fear of reprisal.

Thus the break-down of cases, listed in the order of the frequency of occurrence, is as follows:

First. Refusal of persons with first-hand knowledge to testify.

Second. Trial-jury verdict actuated by local prejudice in lieu of consideration of evidence.

Third. Failure of the grand jury to make adequate investigation.

Fourth. Failure of the prosecuting officer to investigate and furnish the grand jury with evidence.

Fifth. Nolle prosequi by prosecuting officer.

Sixth. Adverse trial-court rulings on motions and evidence.

Seventh. Reversal by appellate court on nonprejudicial error.

Certainly, in view of this record, the States have woefully failed to punish. The conclusion is therefore inescapable—there must be Federal antilynching legislation.

CONSTITUTIONALITY OF ANTILYNCHING LEGISLATION

The fourteenth amendment to the Constitution provides that no State "shall deny to any person within its jurisdiction the equal protection of the laws"; and further provides that "the Congress shall have power to enforce, by appropriate legislation the provisions of this article." It is well settled by decisions of the Supreme Court of the United States that the denial forbidden is not alone a denial by positive legislation but that "no agency of the State, or of the officers or agents by whom its powers are exerted, shall deny to any person within its jurisdiction the equal protection of the laws."

It is thus made the duty of the Congress under the Constitution to enact such laws as may be needful to assure that no State shall deny to any person within its jurisdiction the equal protection of the laws. Within the limits of the jurisdiction thus conferred the Congress has the right to exercise its discretion as to what laws or what means can best accomplish the desired end.

In nearly all cases of lynching the person put to death is taken by a mob from the sheriff, marshal, or other police officer of the State, whose failure to defend and protect him denies to him the equal protection of the laws.

In *Ex parte Virginia* (100 U. S. 339, 346), the Supreme Court in a unanimous opinion, by Mr. Justice Strong, speaking of the prohibitions of the fourteenth amendment, says:

They have reference to actions of the political body denominated a State, by whatever instruments or in whatever modes that action may be taken. A State acts by its legislative, its executive, or its judicial authorities. It can act in no other way. The constitutional provision, therefore, must mean that no agency of the State, or of the officers or agents by whom its powers are exerted, shall deny to any person within its jurisdiction the equal protection of the laws. Whoever, by virtue of public position under a State government, deprives another of property, life, or liberty without due process of law, or denies or takes away the equal protection of the laws, violates the constitutional inhibition; and as he acts in the name and for the State, and is clothed with the State's power, his act is that of the State. This must be so, or the constitutional prohibition has no meaning. Then the State has clothed one of its agents with power to annul or to evade it.

But the constitutional amendment was ordained for a purpose. It was to secure equal right to all persons; and to insure to all

persons the enjoyment of such rights, power was given to Congress to enforce its provisions by appropriate legislation. Such legislation must act upon persons, not upon the abstract thing denominated a State, but upon the persons who are the agents of the State in the denial of the rights which were intended to be secured (see also the very recent cases of *Home Telephone Co. v. Los Angeles*, 227 U. S. 278, 290; *Buchanan v. Worley*, 245 U. S. 60, 77).

A distinguished southern judge has given this definition:

By "equal protection of the laws" is meant equal security under them to everyone in his life, his liberty, his property, and in the pursuit of happiness. It not only implies the right of each to resort on the same terms with others to the courts of the country for the security of his person and property, the prevention and redress of wrongs, and the enforcement of contracts, but also his exemption from any greater burdens and charges than such as are equally imposed on all others under like circumstances.

The Supreme Court of the United States says of this provision:

When the facts shown establish an administration directed so exclusively against a particular class of persons as to warrant and require the conclusion that, whatever may have been the intent of the laws as adopted, they are applied by the public authorities charged with their administration, and thus representing the State itself, with a mind so unequal and oppressive as to amount to a practical denial by the State of that equal protection of the laws which is secured to the petitioners as to all other persons, by the broad and benign provisions of the fourteenth amendment to the Constitution of the United States. Though the law itself be fair on its face and impartial in appearance, yet if it is applied and administered by public authority with an evil eye and an unequal hand, so as practically to make unjust and illegal discriminations between persons in similar circumstances material to their rights, the denial of equal justice is still within the prohibition of the Constitution.

In another case the same Court said:

An actual discrimination against a Negro on account of his race by officers entrusted with the duty of carrying out the law is as potential in creating a denial of equality of rights as a discrimination made by law.

Article I, section 8, of the Constitution gave the Congress the power—

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States—

As well as—

to provide for calling forth militia to execute the laws of the Union, suppress insurrections, and repel invasions—

But it was not until long after the adoption of the fourteenth amendment that our courts construed "insurrections" to include mobs and riotous assemblages. Under these two provisions quoted there can be no doubt whatever as to the power of Congress to define and punish the crime of lynching.

KIDNAPING

Most, if not all, States have laws against kidnaping. But the crimes of stealing children continued unabated. Then came the Lindbergh case. A Federal law against kidnaping was set up. Kidnaping has abated. The culprits fear the G-men. They fear the Federal law. They often do not fear the State law. Should there be any difference between our treatment of kidnaping and lynching?

PAYMENT OF INDEMNITY AT THE INSTANCE OF FOREIGN NATIONS FOR THE LYNCHING OF ALIENS

I know of nothing more humiliating and disgraceful than the confession by this Government that it is without the power to make good the guarantee in our Constitution that no person should be deprived of life, liberty, and the pursuit of happiness without due process of law.

Yet the State Department still does make this proclamation in official communications to civilized countries like England, France, Germany, and so forth.

We have appropriated, and this Government has paid to other governments, the sum of \$792,499 to compensate for the murders of aliens by American mobs. There are now in the State Department unadjustable claims to a large amount for the murder of Greeks, Japanese, Mexicans, and Italians. The afore-mentioned sum of \$792,499 was paid for less than

100 lives of foreigners taken by American mobs. The following question is rather pertinent: If we paid \$792,499 for less than 100 murdered foreigners, how much has the country lost by the murder of 4,761 Americans killed by mobs since 1882?

The following four cases have arisen since 1921 and have been filed with the Mexican-American Claims Commission:

(1) Jose Maria Casas and Gerardo Contreras, two Mexicans who were hanged by persons described as American Federal employees. Hanging took place near Rio Grande, Tex., December 26, 1887. Mexico claims \$50,000.

(2) Antonio Gamez was lynched at Thorndale, Tex., June 9, 1911, after killing a man in self-defense. Four persons were tried for the crime and acquitted. The prosecuting attorney said each one of the four was guilty and should have been convicted under the evidence produced at the trial. Mexico claims \$50,000.

(3) Antonio Rodriguez was burned alive at Rocksprings, Tex., November 3, 1911. He had murdered the wife of one L. K. Henderson. He was arrested by the sheriff and taken to jail. The same day a mob of over 100 men overpowered the sheriff, took the prisoner about one-half mile from Rocksprings, and burned him alive. Mexico claims \$50,000.

(4) Santos Ortiz and Hose Gonzalez were taken out of jail at Pueblo, Colo., by a mob of masked men who entered the jail, overpowered the officials, and abducted the prisoners, who were later found hanged. Mexico claims \$50,000.

The following case was taken up by the Italian Government through diplomatic channels, but our Government disallowed the claim, since it was not proved that the victims were Italian subjects:

Johannes Stathis, Theodoros Sinarkos, and Georga Gorgin were taken into custody by P. W. Brewer and Thomas Booth, and by them were locked in a jail at Cedar Key, Fla. Brewer and Booth then burned the jail and the three men locked within. Brewer and Booth were subsequently convicted of murder in the first degree—November 18, 1932.

That there has been some progress in the determination of an aroused citizenry to rid itself of this evil is to be found in the fact that, although lynching and mob violence under the common law had no technical significance, nevertheless statutes have made lynching a crime *sui generis* in six States—Alabama, Indiana, Kansas, Kentucky, Virginia, and North Carolina. The same is true of mob violence in four States—Illinois, Pennsylvania, New Jersey, and West Virginia. Four States have provisions for accessory liability—Alabama, Indiana, Kansas, and Kentucky. Kentucky also provides penalties for attempted lynching.

So great is the national concern as regards lynching that the President has felt called upon to denounce this "vile form of collective murder" and to berate its apologists. Thus a number of years ago, following the lynching of two youths at San Jose, Calif., when the Nation was shocked and indignant over the endorsement by the then Governor of that State of mob ruthlessness, President Roosevelt unreservedly denounced lynching as "collective murder" and declared: "We do not excuse those in high or low places who condone lynch law."

Let us follow the lead of our enlightened leader in the White House. Let us urge upon Congress the vital importance of this legislation. Let us once and for all times do away with this horrible lynching blot on the pages of American history.

Mr. HOBBS. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. BROWN].

Mr. BROWN of Georgia. Mr. Chairman, this bill classifies a certain type of homicide as lynching. It provides that three or more persons shall constitute a mob within the meaning of the proposed act. Any violence by a so-called mob which results in the death or maiming of the victim or victims thereof shall constitute lynching within the meaning of the act, and it then provides that lynching shall not be deemed to include violence occurring during the course of picketing or any incident in connection with any labor dispute.

It seems to find that a certain type of murder is more reprehensible than other forms of death by inflicting vio-

lence, and, by inference, sets up the premise that Southern States are unable to prevent its occurrence.

The crime of lynching is one that every Member of this House opposes. The question is, Shall the remedy be applied by the United States Government or shall it be applied by local government?

If, under this proposed act, the United States Government says that three men can be punished for murder, then the United States Government can say that one man can be punished for murder, it can punish another for exceeding the speed limit in a car, another for petty larceny, for gambling, and for all crimes upon the State statute books.

If Congress undertakes to set up Federal supervision over State statutes applying to one particular form of crime, then Congress could pass laws in the future providing for the supervision of any State statutes, leading to complete domination of State and local laws by the Federal Government.

Every State has a law against murder—and lynching is murder—and it does not matter whether it comes from the machine gun of the gangster, the rope of the lynch mob, or the brute kidnaper—it is still murder, punishable according to the laws of the State in which it is committed.

I took the position, and stated on this floor in 1937 when we had a similar bill under consideration, that the Federal Government should not have the right to supervise the police forces of the various States, counties, and municipalities of this country. The Federal Government has contracted with the several States of this Union to leave the administration of certain local affairs to the judgment and the will of the people within those local jurisdictions.

The Union was formed for the mutual protection of the States against outside aggression. Different rights, privileges, and responsibilities were reserved to the States as sovereign entities. We surrender, under this bill, jurisdiction reserved exclusively to the States, counties, and municipalities, and provide that the acts of legally elected and appointed State officers shall be supervised by the Federal courts.

No better men are found anywhere than the average sheriff and peace officer of my State and section of the country. These men are courageous, honest, honorable, and perform their duties without partiality. This bill is a reflection upon every peace officer in the United States, and by its enactment a number of these splendid officers would refuse to serve.

This bill proposes to enforce penalties by fines as high as \$5,000 and by imprisonment as long as 5 years by the Federal courts on local officers unable to prevent mob violence against persons in their custody, and requires the counties in which lynchings may occur to pay a sum as high as \$10,000. How can you enforce such a judgment against a county? Why should the innocent taxpayers of the county be required to pay any of this sum? All members of the mob might be from a county other than the county where the lynching occurred, which I understand has quite often been the case. What kind of justice would you call this?

This bill is shrewdly drawn and is aimed especially at the South. The race riots of the North do not come within the purview of the bill. It does not seek to stamp out the crime of the gangsters of the larger cities or the brutal kidnapers in many sections of our country, whose crimes are probably the most horrible of all.

There has been a steady decline in the number of lynchings as the result of improvement of the State laws and law enforcement. From 1889 to 1918 there were 3,224 lynchings in the United States. I am informed there have been a little more than 5,000 lynchings from 1882 to the present time. In 1933 there were 28; in 1936 there were 9; in 1937 there were 8; in 1938 there were 6; and last year, 1939, only 3. This certainly indicates that the State and local law-enforcement agencies are handling this problem with wonderful effect.

Of course, the peace officers, the bar, and all classes are using their influence against lynching in my section of the country. However, they will not stand for our white women to become victims of Negro rapists. The white men of the

South have and will always protect their fair women from the lust and passion of brute rapists.

You can never accomplish any good by this type of legislation. You will not save the life of a single rapist, but on the other hand you may cause many rapes to be committed. For the crime of rape the South has not hesitated to administer swift and certain punishment.

It is unthinkable to imagine that the Supreme Court will hold this bill to be constitutional. The passage of this bill would be the final blow to local self-government. The proposed usurpation of States' rights was never contemplated by the Constitution.

The tragedy of this bill is to mislead the colored race and win a certain class of Negro votes in the North and West.

The Negro in the South is contented and will remain so just as long as agitators do not disturb him with propaganda and hold out false promises.

A lynching is a shocking reproach upon a local community, and it is pitiful for a political bill to be enacted into law and make capital out of a laudable desire to stamp out a fearful thing.

This bill will not reduce the crime of mob violence, but will tend to increase lynching rather than to reduce it.

The fact that only three lynchings occurred last year is sufficient proof that local governments are solving this problem and the crime is being eradicated. The record my section of the country has made in the last few years in stamping out lynching is one that should have the praise and approval of all right-thinking people, and to substitute Federal courts for the local State courts will retard the progress that we have made. [Applause.]

Mr. HOBBS. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Chairman, the House of Representatives now engages in its biennial performance of allowing South-haters to vent their spleen upon that section of our country, which has been outstanding in law enforcement, upon the assumption that to do so will redound to the benefit of politicians in other sections dependent for election either upon the Negro vote or upon the raising of a pseudo issue calculated to deceive at least a portion of the electorate. It is a shameful procedure, unjust and unfair to the South, which is more deeply interested than any other section in preventing lynching; a procedure calculated to injure instead of help the Negro, who, so long as most of his race live in the South, is dependent and must forever be dependent, not upon Federal laws, not upon nonresident law enforcers or Negro protectors, but upon the fairness of the southern people and their continued interest in his development and in his welfare.

If it were an issue which is to be determined upon the basis of what Members of this body consider wise legislation and good government, long and careful argument and consideration would be justified. If there were a possibility that a single vote in this body might be changed by debate, debate would be worth while. We all know, however, that the issue is already decided so far as this House is concerned. The result of the ballot on the bill can be unerringly predicted now. Under the rules of the House it is impossible to even postpone it by debate, and, therefore, there is nothing to be accomplished except to place in the RECORD the facts, which demonstrate the unwisdom, the unconstitutionality, the vicious purpose of this proposed legislation, and then depend upon the good judgment of the American people to eventually appraise the issue correctly, and upon the stalwart patriotism of southern Senators operating in another body, where minorities are still effective, to force postponement of final consideration until such time as that consideration may be obtainable in an atmosphere where logic and reason and not political purposes will prevail.

Statistics showing how the southern people have almost eradicated lynching have been placed in the RECORD. Incontrovertible legal arguments disclosing the lack of constitutional authority of Congress to enact the proposed law have been submitted in this body and in the Senate year after year.

The warnings of such distinguished northern statesmen as Mr. BORAH, of Idaho, as to the undesirability of this legislation, even from the Negro's standpoint and even if it were not in violation of the Constitution, have been disregarded by the advocates of the bill and will no doubt be disregarded again. Iron-clad opposition to efforts to have the bill apply equally to similar law violations in other sections than the South has disclosed fully the sectional, bitter, political character of the campaign for its enactment. A repetition of these arguments, except by reference, is unnecessary. The CONGRESSIONAL RECORD is full of them for the benefit of those who may really be interested in trying to correctly appraise this bill.

Is it really an antilynching bill? What is lynching? Webster says in substance that it is "to inflict punishment upon or kill, without the forms of law, as by mobs or unauthorized persons." If it is desirable, if it is constitutionally possible, for the Federal Government to take over the obligations of the States to prevent or punish such offenses, why should the proposed legislation be couched in such language as to be applicable only to a class of lynching which has occurred principally in the South? Why is it so drawn that gangster and racketeer killings in the great cities of the North and East are excluded? Are these any the less "the killing without the forms of law, as by mobs or unauthorized persons"? Is human life any the less precious to the victim of a gangster mob than to the Negro who may have been arrested on a charge of offense of the diabolic character for which lynching sometimes occurs in the South? What difference does it make that in the gangster case the protection of the law may have been denied the victim because of corruption in law-enforcement channels and in the other may have been insufficiently strong to prevent violence? Are the proponents of this bill interested principally in the protection of human life or in the advancement of their own political fortunes by what they evidently regard as something which will appeal powerfully to elements in their population—South baiting?

I think the proper answers to these questions are self-evident when they are logically and calmly examined by impartial persons. After all, the problems of this country are such today as to make imperative the existence in our electorate of a majority who are persons of that type. The true American today is interested in trying to bring about that solidarity of national effort which is so vitally necessary to our national welfare and progress. It will not be accomplished by sectional attacks instigated in the main by those actuated by feelings of hatred rather than by a desire to advance the cause of law enforcement. The good people of the North, the East, the West, and the South must be relied upon to set up in their respective sections law-enforcement agencies supported by their own enlightened opinions which will accord to human life the protection without which all government ceases to be government and becomes anarchy. The Federal Government cannot by penalizing the taxpayers and law-abiding citizens of Chicago and New York for gangster killings make human life any more safe in those localities; neither can it by penalizing law-abiding people in the South increase their already vigorous and fruitful efforts to have every criminal tried and punished according to law rather than according to the momentary passions of the small element who occasionally band themselves together in mobs. Unless you can trust the people of New York, of Illinois, and of Georgia to enforce observance of their laws, the American system of government is a failure; and I know of nothing more calculated to have it fail than for one or more sections of the country to undertake to constitute themselves with arrogant and unjustified egotism the guardians of the duties and consciences of the people of another section. [Applause.]

Mr. HOBBS. Mr. Chairman, I yield 5 minutes to the gentleman from South Carolina [Mr. HARE].

Mr. HARE. Mr. Chairman, I have the distinguished honor of representing the district formerly represented by one of the greatest statesmen from my State and one of the greatest statesmen this country has ever produced, the Honorable John C. Calhoun. Naturally, therefore, I have inherited

at least some of his political philosophy. From the standpoint of ability and statesmanship I feel that I am unworthy to loose the latches of his shoes, but I know I would be an unworthy successor should I fail to express my position and opposition to the bill now up for consideration.

There is a great deal more involved in this piece of legislation than an alleged desire to see uniform enforcement of an alleged offense against society. There is a great deal more involved than mere demagogic speeches made for vote-getting purposes. There is a fundamental principle involved, and to my mind it is one of the most far-reaching principles considered by this Congress in many years. It is not a new proposition. It is one which has manifested itself from time to time since the beginning of our Republic. It is an attempt to increase the powers of the Federal Government at the expense of the rights and privileges of the States.

It is elementary to say, Mr. Chairman, that when the States or the Colonies decided to create the United States they specifically and definitely, clearly and unmistakably, stated in the instrument of writing we now know as the Constitution the powers that they were delegating to the general government and the powers they were reserving unto themselves. Nowhere in the entire category will you find that the States anywhere have given the Federal Government the right to exercise powers embodied in this legislation, and yet a very intelligent set of men, presumably the most intelligent that the people of this country could select, are here today debating, seriously, apparently, as to whether or not we shall override the intentions of our forefathers, and at one stroke of the pen take away from the States a right that means the removal of the lifeblood of the individual States and, eventually, means the death of this Republic, because when you take away from the States the rights and powers involved in this bill and place them in the Federal Government the boasted democracy of this country is then sealed and doomed.

This is not the first time Congress has encroached upon the rights and powers of the States without their consent. We should remember that the Constitution provides definitely and certainly as to how the States can proceed to increase the powers delegated to the Federal Government. Nowhere did the States say, then or since, that they would delegate this power through mere acts of Congress. If the people of this country want to delegate the power carried in this bill to the Federal Congress, there is a legal and orderly way by which they can do it. We cannot continue to enact legislation thinking that the States will acquiesce and expect them to survive indefinitely.

A great deal has been said today in an effort to show that the bill before us, if enacted into law, will be constitutional. It is not my purpose to argue the matter at length, but I would like to say that the decisions of the United States Supreme Court heretofore have held it to be clearly unconstitutional. The Court construing the fourteenth amendment to the Constitution in the case of the *United States v. Cruikshank et al.* (92 U. S. 554) said:

Every republican government is duty bound to protect all its citizens in the enjoyment of the equality of the rights of citizens, if within its power. That duty was originally assumed by the States, and it still remains there. The only obligation resting upon the United States is to see that the States do not deny the right. This the amendment guarantees, but no more.

No State has enacted any law denying any citizen the enjoyment of equality of the rights of all citizens. The Congress, therefore, has no constitutional right whatsoever to enact legislation of this kind and thereby trespass upon the rights of the States. It is true Congress attempted and did pass a law in 1871 quite similar to that now before us but the Supreme Court held it to be unconstitutional. The law referred to provided:

If two or more persons in any State or Territory conspire, or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons the equal protection of the laws; or for the purpose of pre-

venting or hindering the constituted authorities of any State or Territory the equal protection of the laws; each of such persons shall be punished by a fine of not less than \$500 nor more than \$5,000, or by imprisonment, with or without hard labor, not less than 6 months nor more than 6 years, or by both such fine and imprisonment.

The principle there involved is the same as that found in this proposal.

Everybody here knows this is not a new bill. Similar bills have been introduced from time to time for the past three-quarters of a century, and every reasonably intelligent person here knows that it will not reduce lynching, because by the action of the people of the various States in cooperation with the State authorities the offense has been reduced to a minimum of three cases this last year. Yet the proponents of this measure profess by their arguments they are trying to save our country and save our civilization. The speeches they are making and the crocodile tears they are shedding today are not new. The same things from the same source have been said many times before.

Mr. Chairman, I want to take time here to quote from a speech made by the majority leader, Mr. Mondell, when speaking on a similar bill in 1922. After alleging that there had been an average of 105 lynchings per annum for each of the 32 years prior thereto, said:

If mob violence is left unchecked and unpunished, no man can say to what extremities it may go, to what proportions it may grow. If allowed to go unchecked, it will break down and destroy law and order and civilization. It is a thing if not stamped out will grow and spread until it will undermine the foundations of the fairest Commonwealths of the Union.

In other words, that great leader of thought and action said the same thing that is being said here today when he prophesied that if a similar bill then under consideration were not passed, lynchings would grow and increase under the laws of the different States to such alarming proportions they would undermine and destroy the foundations of the fairest States of the Union. But during these 18 years his fearful predictions have not come true. On the contrary, the States have continued to administer the law, and the number of lynchings have decreased from an average of 105 prior thereto to only 3 this past year. The records will show there has been a rapid and gradual decrease in lynchings for the past 50 years, the States are still administering justice, and their foundations have not been disturbed.

The crime of lynching is one that makes the blood of every true American run cold. I am opposed to it. Every other Member of this House is opposed to it, but the real question involved is whether the remedy shall be applied by the United States Government or by the citizens and local courts of the various States. The sum and substance of this proposal is whether the United States Government has the right to punish two or more men for murder. If this be true, then the United States Government has the right to punish one man for murder, and if it has the right to punish one man for murder it can punish another for manslaughter, it can punish another for gambling, and it can punish another for any crime that may be upon the statute books of any State.

No one should be misled as to the real purpose of this legislation, not even those who believe it to be a good vote-getting proposition. We find upon examination of the records that out of the 252 Members who voted to consider a bill similar to this one 18 years ago less than 5 percent are now in Congress, whereas 21 percent of the 100 who voted against it are still in Congress. Of course, I would not say that the vote on that occasion was the sole reason for many not being here today but it indicates that it may not be as big a vote getter as some may think. However, I assume from the vote taken to discharge the committee the bill will pass the House, but I am quite certain it will fail to pass the Senate. If it does, I still believe it will be found to be unconstitutional by the Supreme Court but, if not, I am satisfied the law will not put an end to the crime of lynching for rape, for as long as the white people of this country or another country are worth a

continental, and as long as there are men who are degenerate enough to commit the crime of rape there will continue to be lynchings. One would think from the speeches made on this bill that the crime of lynching was bred, born, and nurtured in the South. As a matter of fact, rape is not a new crime and lynching is not a new punishment. It was resorted to long before the South was heard or dreamed of, long before the white man or colored man set foot on American soil, long before Columbus ever dreamed of such a country; yes, long before the days of the Christian era, for we read in Holy Writ where King David had a number of sons, one being named Absalom, who had a beautiful sister named Tamar and a half-brother named Amnon. Amnon was in love with his half-sister, Tamar, and conspired with a friend of his to violate her chastity. He feigned illness and requested that his father, David, send Tamar to cook cakes for him that he might eat, and we are told that upon this visit Amnon ravished Tamar because "he had superior force." Two years later Absalom and his servants constituted what we would today call a mob and lynched Amnon because he raped his sister. The writer does not record whether Absalom and his servants were tried and punished but the record shows that the lynching was no secret and the parties who committed the offense were all known.

I repeat, therefore, rape is not a new offense against society and lynching is not a new punishment. However, if the States are let alone and we can continue to increase in knowledge and wisdom for another century as much as we have in the last century, both rape and lynching will be offenses no longer of record in this country, and we can continue to boast of a democratic form of government where the people rule.

Mr. GAVAGAN. Mr. Chairman, I yield 30 minutes to the gentleman from Illinois [Mr. MITCHELL].

Mr. MITCHELL. Mr. Chairman, 2 years ago I stood in this Well and asked for the passage of this same bill. I am glad on this occasion to again lift my voice and ask this House to enact the bill and make it the law of the land. I agree with the gentleman who has just preceded me, who said that there is more in this bill than the mere stopping of a mob. I say to the House that the future of a large group of our citizens is wrapped up in the bill. We know what this terrible thing that we have met here to condemn has done to my group. We know what rights have been denied us by this so-called democracy, by those in authority, when it comes to administering the laws of this country, if my group is involved. I stand here this afternoon to appeal to you, to those of you who say that we want this to be a democracy in fact, to those of you who blush when we think of what is happening to minority groups in other parts of the world. I ask you to think with seriousness what American citizens here in the name of the law and civilization are doing to a minority group in this country. I have appeared in this Well several times since I have been a Member of this House. I have never made a demagogic speech, and I never expect to. I believe that on occasions like this we ought to rise to the stature of real statesmanship and I believe also that there are standing in this country at this very moment 15,000,000 people, as loyal American citizens as this country has produced, waiting to see what this Congress will do with this bill. Mr. Chairman, I represent a group of people who have been disfranchised in a large part of the country in which we live. They cannot go to the ballot boxes and say who shall be sheriff of their counties. They are not permitted to vote and exercise their citizenship rights. Men have stood on this floor and have spoken of my group as a group of rapists unworthy of trust and confidence. I say to the gentlemen who have raised that question here that these people they are calling rapists are the same people who protected their wives and daughters when they were standing at the front in the Civil War, and if we are to believe the story that appears in *Gone With the Wind* they did not betray their trust at that time, and they have not betrayed it

since. They are laboring today under the most tremendous burden that has ever been placed on a group of people. They have been told that because they are colored they cannot hold office. They have been told that because they are colored they cannot sit on juries in this country, although the Supreme Court at a late moment said that must be reversed. They have been told that they cannot vote, that they must leave their destinies in the hands of others who will take care of them.

I heard a Member of this House yesterday recite the words of Thaddeus Stephens, and they were wretched words, but I wonder if that same gentleman would wince if I recited the words of many of the people I have heard in the Southland when talking about the rights and privileges of my own group. I lived in the South for the greater portion of my life, but now live in the Middle West. I was born in Alabama and reared in the cottonfields and the briar patches and the cornfields of Alabama. Not only was I reared there, but I was largely educated there. It was my privilege to sit at the feet of that great leader, Booker Washington. I taught school in the States of Georgia and Alabama, and not a year has ever passed over my head that I did not spend a considerable portion of my time in that section. I know conditions there and know them as well as does any Member of this House. I know it is there that we have to work out the problems of my group, and I am asking for patience, for tolerance, justice, and equal protection of the law. I have the right and the duty to ask the same treatment for the Negro that is accorded all other groups. I am asking for justice from those people who hold our destinies in their hands, and who pass the laws of this country and are charged with the responsibility of enforcing the laws of the country. And what are we asking for in this bill? We are asking for very little—the full protection of our lives and a fair trial when we are accused of crime. I cannot understand how any American citizen could ask for less. We are asking that when you accuse us of crime and take us into your courts, where your people sit as judges, where your people are the prosecutors, that you protect us from the mobs and let the courts in an impartial manner decide our case. This is accorded all other groups, no matter where they come from. Then why cannot we be tried like anyone else, and if the court condemns us, then let us go to our death or pay a penalty for our crime—a penalty no greater than would be paid by members of other groups? That is all we ask and we are entitled to that. That is all this bill asks. Are you going to cast your vote against it because it is a step to bring about our protection?

Mr. Chairman, I have here some statistics showing the large number of people who have been lynched from time to time. I shall not read them, but as a part of my remarks I ask unanimous consent that they be inserted in the *Record* at this point.

The CHAIRMAN. The Chair will state that under the rule the gentleman will have to obtain that permission in the House.

Mr. MITCHELL. I understood if it was something I had got together and adopted as a part of my remarks I could get that permission now. I can take the time to read these statements, but I did not want to do that.

The CHAIRMAN. The gentleman's unanimous-consent request was to include his own personal compilation?

Mr. MITCHELL. Yes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. MITCHELL. I will put in the *Record* a table which will show the number of lynchings which took place in this country from 1882 to 1936. This document will show the number of white people and the number of Negroes who were lynched. Then I will show the number of people who were lynched by States. My own State of Alabama lynched 47 white people and 296 colored people. All of the States are shown in this compilation which I will insert in the *Record* at this point.

The statement is as follows:

Lynchings, 1882-1936

	Whites	Negroes	Total
1882	64	49	113
1883	77	53	130
1884	160	51	211
1885	110	74	184
1886	64	74	138
1887	50	70	120
1888	68	69	137
1889	76	94	170
1890	11	85	96
1891	71	113	184
1892	69	162	231
1893	34	117	151
1894	58	134	192
1895	66	113	179
1896	45	78	123
1897	35	123	158
1898	19	101	120
1899	21	85	106
1900	9	106	115
1901	25	105	130
1902	7	85	92
1903	15	84	99
1904	7	76	83
1905	5	57	62
1906	3	62	65
1907	2	58	60
1908	8	89	97
1909	13	69	82
1910	9	67	76
1911	7	60	67
1912	2	61	63
1913	1	52	53
1914	4	49	53
1915	13	54	67
1916	4	50	54
1917	3	35	38
1918	4	60	64
1919	7	76	83
1920	8	53	61
1921	5	59	64
1922	6	51	57
1923	4	29	33
1924	16	16	32
1925	17	17	34
1926	7	23	30
1927	16	16	32
1928	1	10	11
1929	3	7	10
1930	1	20	21
1931	1	12	13
1932	2	6	8
1933	4	24	28
1934	15	15	30
1935	2	18	20
1936		8	8
Total	1,289	3,383	4,672

LYNCHINGS BY STATES, 1882-1936

	Whites	Negroes	Total
Alabama	47	296	343
Arizona	29		29
Arkansas	59	226	285
California	41	2	43
Colorado	66	2	68
Delaware		1	1
Florida	24	248	272
Georgia	37	478	515
Idaho	20		20
Illinois	14	17	31
Indiana	33	14	47
Iowa	17	2	19
Kansas	35	19	54
Kentucky	64	141	205
Louisiana	56	333	389
Maryland	2	27	29
Michigan	7	1	8
Minnesota	5	4	9
Mississippi	41	522	563
Missouri	51	70	121
Montana	82	2	84
Nebraska	52	5	57
Nevada	6		6
New Jersey		1	1
New Mexico	33	3	36
New York	1	1	2
North Carolina	15	83	98
North Dakota	13	3	16
Ohio	10	16	26
Oklahoma	82	41	123
Oregon	20	1	21
Pennsylvania	2	6	8
South Carolina	4	154	158
South Dakota	27		27
Tennessee	47	200	247
Texas	143	345	488
Utah	6	2	8
Virginia	16	83	99
Washington	25	1	26
West Virginia	21	28	49
Wisconsin	6		6
Wyoming	30	5	35
Total	1,289	3,384	4,673

LYNCHINGS, WHITES AND BLACKS, BY PERIODS, 1882-1936

	Whites	Negroes	Total
1882 to 1886	475	301	776
1887 to 1896	548	1,035	1,583
1897 to 1906	146	884	1,030
1907 to 1916	62	608	670
1917 to 1926	44	419	463
1927 to 1936	14	136	150
Total	1,289	3,383	4,672

Causes of lynchings classified, 1882-1936

Year	Homo- cides	Felonious assault	Rape	At- tempted rape	Robbery and theft	Insult to white persons	All other causes
1882	54	0	33	0	16	0	10
1883	71	0	24	3	4	0	28
1884	62	0	36	0	10	0	103
1885	91	2	28	0	1	0	62
1886	70	1	32	0	8	0	27
1887	54	0	41	0	6	0	19
1888	62	0	31	0	3	4	37
1889	73	1	34	6	10	1	45
1890	35	0	31	2	5	0	23
1891	58	14	39	2	12	1	58
1892	93	3	49	12	15	1	58
1893	60	2	34	4	8	2	41
1894	75	1	37	12	5	1	61
1895	68	0	34	13	7	0	57
1896	39	6	35	6	6	0	31
1897	67	2	26	9	14	2	38
1898	68	7	15	6	8	2	14
1899	43	2	17	9	7	1	27
1900	43	5	21	16	7	1	22
1901	51	7	17	8	10	0	37
1902	37	6	18	12	2	0	17
1903	50	7	15	8	0	1	18
1904	37	1	15	7	0	2	21
1905	32	3	11	7	2	0	7
1906	25	7	16	10	2	1	4
1907	16	8	12	12	4	1	8
1908	35	5	15	14	3	1	21
1909	46	5	18	5	3	4	5
1910	41	3	18	5	4	2	3
1911	36	3	6	7	4	4	8
1912	34	2	11	3	4	3	6
1913	25	4	7	3	1	1	11
1914	30	7	6	1	2	1	5
1915	26	9	11	6	9	3	3
1916	21	7	3	9	8	2	4
1917	7	3	7	6	1	2	8
1918	27	3	10	6	5	2	11
1919	29	8	9	10	1	7	8
1920	23	9	15	3	0	3	15
1921	19	8	16	3	0	3	12
1922	15	5	14	5	4	2	13
1923	5	5	6	1	1	2	0
1924	4	2	5	2	0	3	1
1925	8	1	4	2	0	1	7
1926	13	3	2	3	1	1	2
1927	7	2	2	3	0	0	1
1928	5	2	3	0	0	0	1
1929	1	3	3	0	0	2	1
1930	5	0	8	2	3	0	3
1931	5	3	0	5	0	0	0
1932	1	2	1	1	0	1	2
1933	8	4	3	3	1	1	8
1934	2	2	2	4	1	3	1
1935	8	1	3	3	0	1	4
1936	1	0	3	3	0	1	0
Total	1,921	198	908	282	227	81	1,055

Lynching and preventions of lynchings compared—Number persons lynched and number prevented being lynched, 1914-36

Year	Number persons lynched	Number persons prevented being lynched	Ratio of persons lynched to number prevented being lynched
1914	52	24	2.17
1915	67	25	2.68
1916	54	25	2.16
1917	38	23	1.65
1918	64	19	3.37
1919	83	43	1.93
1920	61	84	.72
1921	64	108	.59
1922	57	114	.55
1923	35	56	.59
1924	16	61	.26
1925	17	53	.32
1926	30	40	.75
1927	16	68	.24
1928	11	40	.28
1929	10	34	.29
1930	21	60	.35
1931	13	91	.14
1932	8	43	.19
1933	28	48	.58
1934	15	74	.20
1935	20	84	.24
1936	8	79	.10

These white women of the South are actively engaged in an effort to wipe out lynching:

SOUTHERN WOMEN AND LYNCHING

Central Council of the Association of Southern Women for the Prevention of Lynching: Mrs. Jessie Daniel Ames, director, Atlanta, Ga.; Mrs. Attwood Martin, chairman, Louisville, Ky.; Mrs. W. A. Newell, secretary, Salisbury, N. C.; Mrs. Una Roberts Lawrence, treasurer, Kansas City, Mo. Members at large: Mrs. Julian Hennig, Columbia, S. C.; Mrs. Arch Trawick, Nashville, Tenn.; Mrs. H. J. MacMillan, Wilmington, N. C.; Mrs. Julia Collier Harris, Chattanooga, Tenn.; Mrs. John M. Hanna, Dallas, Tex.; Mrs. J. W. Mills, Beaumont, Tex.; Mrs. W. A. Turner, Newman, Ga.; Mrs. Harry Gershon, Atlanta, Ga.; Miss Janie McGaughey, Atlanta, Ga.; Mrs. Emmet Horine, Louisville, Ky.; Mrs. L. O. Turner, Atlanta, Ga.; Mrs. Gerline McDonald Bowman, Richmond, Va. Chairmen of State councils: Alabama, Mrs. J. M. McCoy, Montevallo; Arkansas, Mrs. B. J. Reaves, Little Rock; Florida, Mrs. W. P. Cornell, Jacksonville; Georgia, Mrs. Robert H. McDougall, Atlanta; Kentucky, Mrs. G. W. Hummel, Louisville; Louisiana, Mrs. R. H. Agate, Lafayette; Mississippi, Mrs. L. W. Alford, McComb; North Carolina, Miss Clara I. Cox, High Point; Oklahoma, Mrs. J. D. Lawhorn, Hugo; South Carolina, Mrs. George E. Davis, Orangeburg; Tennessee, Mrs. G. G. McClure, Clarksville; Texas, Mrs. Alex W. Spence, Dallas; Virginia, Mrs. James A. Richardson, Richmond.

ORGANIZATIONS COMMITTED TO A PROGRAM OF EDUCATION TO PREVENT LYNCHING

Disciples of Christ, International Convention.
Disciples of Christ, Florida Convention.
Woman's Missionary Societies, Disciples of Christ of the Florida Convention, Georgia Convention, Kentucky Convention.
General Convention of the Protestant Episcopal Church.
Executive board of the Woman's Auxiliary to the National Council of the Protestant Episcopal Church.
Woman's Auxiliaries, Protestant Episcopal Church.
Woman's Auxiliary to the National Council in the Province of Sewanee.
Diocese of Alabama, diocese of Atlanta, diocese of Florida, diocese of Kentucky, diocese of south Florida, diocese of Mississippi, Protestant Episcopal Church.
Woman's Advisory Committee, Presbyterian Church, United States.
Auxiliaries to the synods of Georgia and Virginia.
Woman's Missionary Council, Methodist Episcopal Church South.
Woman's Missionary Societies of the Alabama Conference, Central Texas Conference, Florida Conference, Kentucky Conference, Little Rock Conference, Louisiana Conference, Louisville Conference, Memphis Conference, Mississippi Conference, North Alabama Conference, North Carolina Conference, North Georgia Conference, North Mississippi Conference, North Texas Conference, Northwest Texas Conference, Oklahoma Conference, South Carolina Conference, South Georgia Conference, Tennessee Conference, Upper South Carolina Conference, Virginia Conference, Western North Carolina Conference, West Texas Conference.
Methodist Episcopal Church South: Little Rock Conference, Mississippi Conference, North Alabama Conference, North Carolina Conference, North Georgia Conference, North Mississippi Conference, North Mississippi Young People's Conference, South Georgia Conference, Western North Carolina Conference.
Woman's Missionary Union, Southern Baptist Convention.
Woman's Missionary Unions of the Florida Baptist Convention, Georgia Baptist Convention, Kentucky Baptist Convention, North Carolina Baptist Convention, South Carolina Baptist Convention, Tennessee Baptist Convention, Texas Baptist Convention.
The National Federation of Temple Sisterhoods.
National Young Women's Christian Association.
National Council of Jewish Women.
Southern Interstate Conference of the National Council of Jewish Women.
General Federation of Women's Clubs.
Federation of Women's Clubs of Arkansas, Florida, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Virginia.
Southeastern Regional Conference of the National Federation of Business and Professional Women's Clubs.
State organizations: Arkansas Democratic Women's Clubs; Georgia Council, Federated Church Workmen; Georgia Woman's Christian Temperance Union; Louisiana Association of Peace Officers; Mississippi Woman's Christian Temperance Union; North Carolina Society of Friends.

Mr. MITCHELL. The causes of lynching are classified here also. It is a great travesty on truth for anyone to try to show that it is rape only that people are lynched for. This statement will show the causes of lynching. Among them are homicide, felonious assault, rape, attempted rape, robbery and theft, and insult to white persons. For that charge alone 81 people have been lynched, and all of them were colored people. Eighty-one colored people during the years that I have named have had their lives snuffed out by mobs because they were accused of being impudent to white persons. I say to you that there are places in this country, and I was in some of them last year, where, when a Negro is addressed by a white person he dare not say "Yes" or "No," as you can do here. He must say, "Yes, sir," or "No, sir," and if he speaks otherwise, his life is in danger.

This bill that we have brought here seeks to protect the lives of those people who have absolutely no means of protection. Just the other day I received a letter from the county of Oglethorpe, Ga., in which a large number of Negroes had joined and asked me to go to the Department of Justice and ask that conditions of peonage in that county be investigated. They said, "Please don't use our names. If you do, our lives will be taken by mobs." They said more than that. They said, "Don't attempt to write us. If you do it will become known that we have made this complaint and we will either be driven away or we will become the victims of the mob."

I do not know what the conditions are in Oglethorpe, Ga., except that that letter came to me, which I passed on to the Department of Justice. The Department of Justice promised me an investigation. I am mentioning some of the things which this bill means, more than stopping the mob killing of people. We want to start in some way not only to protect the lives of my people, but we want to protect them in their rights, if they have any rights here as American citizens. [Applause.] In that connection, let me say this: I have never subscribed to that doctrine that this is a white man's country. I have been down to Jamestown, Va., the spot where Capt. John Smith made the first permanent English settlement in 1607, and do you know, my friends, that just 12 years later the first permanent Negro settlement was made at that same spot at Jamestown? When I asked the guide to point out the spot where this Dutch trading vessel which brought the first 19 Negro slaves to America landed, he pointed out the very same spot where Capt. John Smith's vessel, 12 years earlier, had anchored, and his group had landed. I say to you white men that this is our country. We have sweated for it like you have. We have given our lives on every battlefield where we have been called upon to face smoking rifles and peeling cannons. By your sides we have fought those battles. By what authority do you tell me that we are not entitled to the full protection of this law?

I said a moment ago that while you were engaged in battle, many of you, especially the group that will vote against this bill—while your ancestors, your fathers were engaged in the battle to keep us slaves, we were loyal to you then. We are loyal to you now. I am not discouraged as I paint this picture. I travel through the South. I bought a farm down in the South the other day, and I expect to live in the South again. I love the South. Some day when I get through toiling here, and toiling as a lawyer in Chicago, I am going down on that farm and work at the type of work that I did as a boy. I love it. I am going south to speak in North Carolina on next Sunday. I am trying to help the group. I do not have a single word to offer that will bring bitterness to anybody, but I think it is time for us to be frank. It is time for us to be honest. I want to say to the gentlemen on my side of the House, when you accuse the Republicans on the left of playing politics—I have no word to offer for them. I know many of them are playing politics.

I remember how they played politics 2 years ago and how the distinguished gentleman to my left, Hon. HAMILTON FISH, of New York, made the fight and defeated my bill after the Judiciary Committee of the House had conducted hearings on the bill and favorably reported the bill. It was for him, playing politics, as I charge that he is doing today, to offer a motion and fight it through the House to deny me consideration of my measure, notwithstanding it had been favorably reported as heretofore stated. He stood on this floor yesterday and told the House that you had more Republicans who signed the petition to bring this bill out than you had Democrats, and he told you that we were going to have more Republican votes to pass the bill than Democratic votes. I know what the gentleman had in mind. I charge that the Republicans are trying to buy back the Negro votes with this bill. I want us to lay aside politics on that side when it comes to this legislation, and then I want us to lay aside politics on this side.

There are men on my side of the House who will speak against this bill, perhaps—at least it is my opinion—and who will expect to use that speech in their districts for reelection; but I wish we all could approach it as I am trying to. It is

my racial group that has furnished the victims for this vicious thing. You represent the group that has furnished the mobs. Let me speak as I see it, the voice of those who have suffered this thing. I am asking you to let us pass this bill—let us pass it without any change except the changes that have been asked for by the author of the bill, the gentleman from New York [Mr. GAVAGAN]. Let us not emasculate it, because the bill is too important to this large minority group in this country that has always been loyal to the American Government, that has never raised its hand to strike down the representatives of this Government, and who have carried without complaining and without grumbling every burden that has been placed upon them.

I hear many of my friends on my side of the House speak of how they loved their black mammys. The thing does not, of course, sound so good to me, but it brings to my mind a certain man who talked to me in Jacksonville, Fla., last year. He said to me at a banquet where I was entertained: "I am tired of those people who 'love my mammy,' but who won't give me my rights, and I am her son." We want this love to reach beyond the black mammy; we want it to come down to us who are carrying the burden. If you love us, give us an opportunity to be citizens like anybody else.

I have in my hand a speech I put in the RECORD some time ago. This speech contains a letter that was written to me by the late-lamented Kelley Miller. We were discussing in this speech the cause of Negro migration from the South, the effect, and the remedy. Dr. Miller said this to me in his letter:

After all has been said and done, the farm holds out to the Negro not only his best chance but his only chance in face of prevailing conditions.

I said in reply to him:

I know why we are leaving the South. The more than 6,000 lynchings which have taken place in the South during the past 50 years, the disfranchisement of Negroes in the Southern States, the injustice suffered by Negroes in the courts of the South, and the unfair and inequitable distribution of educational opportunities, along with the despicable sharecropper system, have tended to drive the Negro from the farm. All of this has been said in no effort to deny or dispute anything set up in your letter.

I am merely pointing out the truth as I know it; and I will say to you that I cannot understand how you can argue the virtues of a democracy that bases its treatment of its citizens upon their color. In reply I said:

I believe that once the Negro feels that his life is safe in the South, that he will be given the same consideration in the courts as is given all people, that he will be given the same economic opportunities to work, whether in the North or in the South, the problem will be solved.

I say to this group over here: You will not let us vote and do the same things all other citizens do in the South.

I say to this group over here: You will not let us work in your shops and in your factories; you will not give us an opportunity in the economic world; yet you come up and want to kiss us and hug us and claim us as your friends. We are not unmindful of all of this hypocrisy; and it is my duty, however unpleasant and painful, to recite it here this afternoon; it is my duty to tell you the truth as God has given me the courage and the wisdom to know it and to speak it.

I want to see Negroes have the same opportunity that anybody else has. We do not ask for any more; we will not be satisfied with any less. I am saying that just as surely as we stand here and you allow these iniquities or suffer them to be visited upon us, the same thing is bound to come back to you. May I relate this story which I think quite applicable at this point: It is said that once a little child noticed its father with a foot adz and a block of wood hewing and chopping, making a rough trough. The child asked the father what he was doing. The father said: "Your old grandfather does not know how to behave at the table and I am going to feed him in this trough." It was not more than a few days later when the father noticed the little child trying to make a trough the same as he had seen his father do, and he asked the child what he was doing. The child said: "I am making a

trough to feed you out of when you get old like grandfather." I want to say to you what Booker Washington said 25 or 30 years ago that if these injustices are permitted to be visited upon us—and I am not only talking about lynching; I am talking also about the group that keeps us from all of our citizenship rights—if you permit it, you will in some way have to pay the penalty, I know not how. Providence takes care of these things.

It has well been said:

The law of changeless justice
Binds the oppressor with the oppressed,
And as close as sin and suffering are joined,
They march to fate abreast.

Now, my dear friends, I want to see this bill become law. I want to see my group not discriminated against anywhere because of its color.

I want my people to be given the rights of Americans, because we are willing to do every duty that you enjoin upon us. We have done it without grumbling. How long are you going to withhold from us those rights?

I know it is a long struggle. I am conversant with the history of suffrage for the women of this country. I know that the white women stood at your doors and knocked and begged for the right to vote for a period of almost a hundred years before you permitted them to come in. Those were your wives, your daughters, and your sisters. I know that our struggle in this country is going to be a long, hard one, but what I am asking everyone to have is patience, courage, honesty, and forbearance. I want you to have the tolerance with us that you are asking groups in other parts of the world to have toward other groups. My final word is this: You have it within your power to offer encouragement to a group of 15,000,000 people who do not ask for a single special favor, but simply ask to be treated like all other American citizens. They ask that they be given the opportunity to work and make this the democracy that we all want it to be.

Mr. FISH. Will the gentleman yield?

Mr. MITCHELL. I yield for a question.

Mr. FISH. Mr. Chairman, I agree very largely with what the gentleman said—

Mr. MITCHELL. I understood I yielded for a question.

Mr. FISH. It is a question, but I would rather preface it in this way for your own interest. I agree with what the gentleman has said. He has stated it in a very able, sincere way. There is one point in his speech I would like to ask the gentleman about. The gentleman inferred that those of us on this side who advocate the bill and who were going to vote for the bill were doing so to buy back the Negro vote.

Mr. MITCHELL. Now, the question.

Mr. FISH. I want to know whether the gentleman believes that the Negro vote is for sale?

Mr. MITCHELL. I may say to the gentleman that every vote in the United States is for sale, not for money but for rights and for privileges. [Applause.]

Mr. FISH. Mr. Chairman, I know something about colored people myself. I want to go on record—

Mr. MITCHELL. Mr. Chairman, I do not yield any further. He can go on record any time he wants to.

Mr. Chairman, I want to resent the insinuation that has been offered that I said anything about the Negroes' votes being for sale. They have not been for sale, but the Republican Party has tried to use them in that way. The Republicans have been making all sorts of promises to them for 75 years. I do not know whether they called that sale, or what, but they have promised many things to us. They used us almost as chattels in our helpless condition immediately after slavery, and the gentleman knows that as well as I do. We are not for sale in the sense that he is thinking of it, and may I say to him that every man who has a vote wishes to use that vote to his advantage. That is what the Negro wants to do. The Republican Party, which he represents, has been very busy during the last 3 or 4 months trying to find some approach by which they can bring the Negro vote back to their party. I am glad he asked that question. They pretended

to be very friendly to the Negro on that side of the aisle. They have had charge of the Government for many, many decades, with few exceptions. They did not send Negroes to West Point, not even the distinguished gentleman from New York [Mr. FISH], who wishes to be a candidate for President of the United States. What has kept him from doing that if he is so friendly toward us? Why all of this interest in the Negroes at this particular time? After I came here on the Democratic side the Negroes said to the Republican Party: "You have fooled us long enough. We are going somewhere else, where we can at least work with a group that has not fooled us." You have a distinguished Negro here in the city of Washington at this very moment whose whole duty it is—and he has been employed by the Republican National Committee—to bring the Negro vote back into the Republican fold. I want to serve notice on you that he is just as much discredited with us as is the Republican Party and he has no chance. [Applause.]

I am glad you asked that question. The day has come when you cannot fool the Negro like you used to. There are some of us who have the courage to tell the truth. We know who our friends are and we are going to stand by them. [Applause.]

Mr. Chairman, I yield back the balance of my time.

Mr. FISH. Mr. Chairman, I yield 1 minute to myself just to reiterate for the sake of the record that I do not believe the colored vote is for sale on this Federal antilynching bill or any other legislation and I do not want any such implication to be carried in the RECORD, the gentleman from Illinois [Mr. MITCHELL] to the contrary notwithstanding. It is an unjust and unfair reflection on the colored people of America. We on this side are voting for this legislation because we believe it is right and constitutional and as the leader on this side in the fight I want every Republican who does not believe this bill is constitutional to vote against it. I am absolutely convinced and have been for 20 years of the constitutionality of this type of legislation, the need for it and the right of the Negro people to have it. That is why we are going to fight for this Federal antilynching bill now and in the years to come until it is enacted into law as long as there is one lynching in the United States of America. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. JOHNS].

Mr. JOHNS. Mr. Chairman, I have listened with unusual interest to the address just delivered by the Congressman from Chicago. The only reason I am saying anything here today is that there are two personal observations I have made in my lifetime from which I made up my mind that if I ever had an opportunity to cure that situation I would do it, and I think the opportunity is here today.

Of course, the American people get excited very easily. Sometimes they do not take time to reflect what the consequences are going to be as a result of what they are about to do. I am not a Republican who is here seeking the Negro vote, because I do not suppose there are 25 Negroes in my district, but I know something about the Negro because I have lived in the South. I know his problems and I know the problems of the southerners. I am going to give you two observations that have come to me in my lifetime which it will be worth while for you to remember.

As a younger man I recall that back in 1903 in a small town where I was educated and went to high school a statutory crime had been committed, and it was supposed to have been committed by two men. The mayor of the city knew these men very well and he immediately went on their bond. It was the hardest thing in the world for the good citizens of that small town in the State of Wisconsin to keep the people in that town from committing violence on the mayor of the city. Of course later on when the excitement subsided this man was given many honors. He was reelected mayor of the city and given other honors.

My other observation was made when I was a law student at Chattanooga, Tenn., and I believe it may be well for you to make note of this. At that time a crime was committed there and a Negro was tried. He was defended by two of the

best criminal lawyers in the State of Tennessee. He was convicted, but during the trial he was required to step into a box in which sand had been placed in order that an imprint of his foot might be taken. These two criminal lawyers took out a writ of error to the Supreme Court of the United States on the ground that the Negro had been denied his constitutional right of not being compelled to testify against himself.

At school that evening the dean said, "There is a rumor around that a Negro is going to be hung down here tonight. I do not want you boys to go anywhere near there." If he had not said anything about it perhaps nobody would have thought anything about it, but after the classes were over I walked down to see what was going on. The first man I saw there was the dean. There were some machine guns there and they began to spit fire. I was far enough away so the bullets did not hit me, and I got out of range. They did not hang the Negro that evening, but some 3 days later they did take him out and hang him to the bridge across the Tennessee River.

In the meantime, the two criminal lawyers had taken out a writ of error to the Supreme Court of the United States and the Negro became a Federal prisoner. Within 24 hours secret agents from the Department of Justice were in Chattanooga to make observations of what was going on there. They talked quite freely about the matter.

It was not very long until the sheriff and two of his deputies were summoned before the Supreme Court of the United States for contempt of court because they did not protect this Negro who was in jail. As I recall, this was in 1905 or 1906. As a result, they were tried before the Supreme Court of the United States and sentenced, one of them, I believe, to 90 days and the others to 60 days each, as I now recall.

I happened to be in Chattanooga at the end of that time when these men came back. Ten thousand people came out to greet the sheriff and his deputies when they returned. This was sometime during the summer. That fall the sheriff was a candidate for office, but was beaten by a Republican by a large majority, the first time in many, many years. As I recall, the late Judge McReynolds, who sat here in this Congress, was the young judge who sat on the bench at the time this Negro was convicted.

I am going to vote for this bill, not because I feel that anyone from the South is against it, or anyone from the North, particularly, is for it. I am for this bill because I believe in law and order, and I think this is one way to put an end to lynching in this country. Certainly we have too much disobedience to law at the present time.

I recall 2 or 3 years ago making an investigation of the cost of crime in this country and found it was approximately \$13,000,000,000 each year. J. Edgar Hoover said a few days ago in an article that the cost of crime is now \$15,000,000,000 each year. What we want to do is to put some laws on the statute books so that people cannot get so excited as they have in the past and cause us all the trouble we have had in the past and cost us the amount of money we have to spend each year to take care of this situation. This is the reason I shall vote for this bill. Notwithstanding what the Congressman from Chicago has said, I am still in favor of this bill for the reasons I have given you. [Applause.]

[Here the gavel fell.]

Mr. HOBBS. Mr. Chairman, I yield to the gentleman from Mississippi [Mr. WHITTINGTON] such time as he may desire.

Mr. WHITTINGTON. Mr. Chairman, I oppose lynching, and I oppose Federal antilynching legislation. The bill under consideration is similar to the bill passed by the House in 1937. Revisions have been made, but the purpose is substantially the same. In fact, the bill is similar to the Dyer bill which passed the House some 15 years ago, and to the Wagner-Costigan bill that was defeated in the Senate some 5 years ago. The Gavagan bill that passed the House in 1937 never came to a vote in the Senate. The pending bill will in all probability pass the House, but fortunately the indications are it will not pass the Senate.

The bill states that its provisions are within the fourteenth amendment to the Constitution, and that its purpose is to protect persons charged with or suspected or convicted of any offense within the jurisdiction of the several States. The terms "mob" and "lynching" are defined. It is significant that an exception was made in defining lynching with respect to violence occurring in connection with labor disputes. The gentleman from New York [Mr. GAVAGAN] has stated that he will move to strike out that exception. The fact that the exception is contained in the bill, however, is conclusive proof that the purpose underlying the bill is purely political. It is amusing to observe that certain Democrats are vying with certain Republicans in claiming credit for the legislation.

The bill provides that upon conviction any officer or employee of any State or governmental subdivision shall be guilty of a felony, if such officer neglects or refuses to make diligent efforts to protect his prisoner from lynching. Upon conviction such officer may be fined not to exceed \$5,000 or may be imprisoned not to exceed 5 years, or such officer, if convicted, may be punished by both such fine and imprisonment.

The bill directs the United States Attorney General to make an investigation upon complaint that any such officer has neglected or refused to protect the prisoner or prisoners in his custody from lynching. It makes every governmental subdivision in which such officer neglects or refuses to use diligence to protect his prisoners from being lynched liable to pay to the kin of the person lynched not less than \$2,000 nor more than \$10,000. The compensation may be recovered by civil action in the United States court, and the case is to be conducted by the Attorney General or by counsel employed by the claimant. The Federal district court is to have jurisdiction, and if there is a lynching, the officers are prima facie guilty of neglect. The fact of lynching shall be prima facie evidence of liability.

The purpose of the legislation is, therefore, to give the Federal district courts jurisdiction with respect to lynching.

PUBLIC SENTIMENT

Laws that are not supported by public sentiment, whether national or local, inevitably fail. The Federal prohibition laws were not enforced where public sentiment opposed prohibition. This is parallel legislation. If public sentiment favors mob violence, neither State nor Federal laws punishing mob violence will be enforced. The remedy is not legislation but the cultivation of a sound public sentiment and education of the public conscience against the horrible crime of lynching. Laws within the breast are stronger than graven laws on stone, and laws that are demanded by public sentiment are far better than laws on the printed statute. We need really fewer laws and more law enforcement. The remedy for lynching is not more legislation but the enforcement of existing local laws. A law that is not reinforced and supported by public sentiment will do more harm than good.

I abhor mob violence. I will continue to oppose lynching under any and all circumstances. I propose to be helpful and not hurtful. I believe that those who oppose lynching will be more helpful if they would spend less time in sympathizing with the victims and would spend more time in denouncing the horrible crimes that cause lynching. Sympathy with those who commit crimes will lead to a repetition of the crime, but denunciation and opposition will prevent a repetition.

UNCONSTITUTIONAL

The centralization of power in the Federal Government is a menace to the freedom and rights of the people. There are certain functions that are Federal, but all powers not delegated to the Federal Government are retained by the States. The bill under consideration is an invasion of the rights of the States. It is therefore unconstitutional.

The bill is not within the fourteenth amendment. It has been repeatedly held that the fourteenth amendment is a limitation upon the power of the States. This amendment does not undertake to deal with individuals. It is therefore inapplicable to the individual as a member of a mob. The

amendment does prevent discrimination among citizens. It was never intended as a limitation upon individuals. The police powers have been reserved by the States. Murder and other crimes are within the jurisdiction of the States.

The fifth amendment to the Constitution of the United States is inapplicable. The Supreme Court has held that this amendment respecting "the due process of law" is a limitation of the power of the Federal Government. I have no doubt as to the unconstitutionality of the bill.

LYNCING DISAPPEARING

I have said that whatever may be the motive of the sponsors of the pending bill, the purpose is purely political. The appeal is for the Negro vote. The bill does not solve the problem. I am interested in the elimination of mob violence wherever it may occur.

In the last analysis it is difficult to say which suffers the most—the members or the victims of a mob. Mob violence brings shame to the good name of the State and of the community. It will be eliminated by the education of the citizenship against its perpetration. Lynching is murder. The need is not more laws, but the enforcement of laws that already exist. These laws can only be enforced if public sentiment favors their enforcement. Pleas for the enforcement of laws against lynching should always be accompanied by a denunciation of the crimes that lead to lynching and to mob violence. The best way to eliminate lynching is to eliminate the crimes that lead to lynching. There must be an education of those who perpetrate these crimes as well as all those who engage in lynch law. Education of both the perpetrators and training of the victims will lead to the elimination of mob violence.

From 1882 to 1892 there was an average of 155 lynchings annually; from 1893 to 1903, the average was 133. In the decade from 1904 to 1914, the average was 69. For the 10 years 1915 to 1925, it was 50. In the decade from 1926 to 1936, the average was 16 annually. In 1936 there were 8 lynchings; in 1937 there were 8; in 1938 there were 6, and for the year 1939, 3.

While the purpose of the bill is political, it is aimed at the South. Race problems, whether in Germany or in the United States, are difficult. The problem is not easy in the South. The white man of the South knows the Negro better than any other white man. The white people and the Negroes of the South, if given the opportunity, will solve the problem. Those from other parts of the country should cooperate in the solution of that problem. Public sentiment in the South has been crystallized against mob violence. The present generation of southern leaders oppose lynching. As shown by the statistics mentioned, lynching is disappearing. If local laws and public sentiment have almost completely solved the problem, why should the Federal Government undertake to assume jurisdiction over the crime of lynching? I repeat that lynching is nothing more nor less than murder. If the Federal Government can assume jurisdiction in one crime it can assume jurisdiction in all crimes. States' rights will disappear.

CONSIDERATION

This bill is not being considered in the usual and ordinary course of congressional legislation. It is before the House at this critical time when other and more pressing public problems are demanding the attention of Congress because Members of Congress have voluntarily provided for prior consideration by signing a discharge petition. It is to be regretted that other and pressing legislation must stand aside while futile efforts are made to enact the pending bill.

CRIMINALS PROTECTED

It is significant that the pending bill provides no protection for the innocent and undertakes to give no aid to the law-abiding citizen, whether white or black. It only provides aid and assistance and the payment of compensation to the relatives of criminals or those charged with crime. The law-abiding citizen may be murdered and his family left in want, but no provision is made for him.

PROTECTION OF THE INNOCENT IMPERILED

The State and local officers should protect their prisoners. If the Federal Government only can protect, lawlessness will

prevail. The safety of those whom the pending legislation would aid will be imperiled. Local protection will be undermined.

Not only does the bill contemplate no protection for the innocent and for the law-abiding, but it singles out in the evident appeal to racial prejudice the single crime of lynching. Mob violence is detestable, but it is no more detestable than gangsterism. I deplore mob violence in the South. At the same time I deplore gangsterism, whether it occurs in New York or in Chicago. One is no better than the other. I oppose both; yet the pending bill omits punishment for the gangster, whether his victim be white or black, rich or poor. If the proponents are advocating enforcement of law, why not include the gangster?

CONCLUSION

A Federal antilynching law is wholly unnecessary. It is not only unwise but it is unconstitutional as an invasion of the rights of the States. If Congress can provide for levying a fine on a county, then it can provide for levying a fine on a State. The rights of the States will thus disappear. If the Federal Government alone is to protect prisoners, or those charged with crime, the local law enforcement will become more and more lax. The very object of those who protect the innocent and give to all a trial according to law will be defeated. The pending legislation is unwise.

I want to aid and assist the leaders in all parts of the United States, and particularly in the South, who are shaping and molding public sentiment against mob violence. They have emphasized that the solution of the problem lies in urging all citizens to obey the law and in the promotion of a public sentiment against lynching. The pending bill will promote and not hinder lynching.

Mr. HOBBS. Mr. Chairman, I yield such time as he may desire to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK of Arizona. Mr. Chairman, I listened with much interest, and sympathetic interest, I may say, to the remarks of the gentleman from Chicago a few moments ago. He very ably presents the case for the colored people. No doubt the measure he offered 2 years ago was better than this bill.

I find it necessary for me to oppose this proposed legislation for exactly the same reason I offered on April 15, 1937, when practically the same bill was being considered. On that occasion I was allotted a few minutes and I explained why I intended to vote against it. Having just turned back to those remarks on page 3559 of volume 87, part 3, of the Seventy-fifth Congress, I find the case the same now. I doubt the constitutionality of this measure.

I, like the gentleman from Mississippi who has just spoken, oppose mob violence. I am opposed to lynchings. Surely we ought to find some way much better than this to protect the rights of all minority groups. However, I do not believe this proposed legislation, if written on the Federal statute books, would be in the interest of the colored people themselves. We have learned that we cannot legislate morals. Such a law as this would stir up race hatred. My mind is more firmly made up than it was on April 15, 1937, that this measure is unconstitutional as well as very unwise. [Applause.]

Mr. HOBBS. Mr. Chairman, I yield 5 minutes to the gentleman from Arkansas [Mr. TERRY].

Mr. TERRY. Mr. Chairman, I was very much interested a while ago to hear the Congressman from Illinois speak on this subject. While I am opposed to what he is contending for today, I think the colored race can be very proud of the Congressman from Illinois, because he is an outstanding member of their group. It was of interest to me and a matter of peculiar significance that the Congressman from Illinois did not lay any stress upon the necessity of this bill at this time, and did not contend that this bill had the active support of the colored leaders of the South, the part of the country which is supposed to be directly and vitally concerned with this bill. By his failure to make such contention he impliedly admits that such leaders have not given the bill their support. And the truth is that the Negro leaders of the South are not pressing for this bill, but that it is being sponsored by the gentleman from New York [Mr. GAVAGAN] and other Representatives

from districts in the North with heavy colored voting populations, at the behest of the so-called Harlem colored group and similar groups in the northern cities.

I am against the passage of the Gavagan so-called anti-lynching bill, because, in the first place, in my opinion it is unconstitutional; second, because in the light of statistics on the subject it is endeavoring to control, it is wholly unnecessary; and, third, because it is a purely political gesture used as a colored vote getter in certain sections of the country and is a direct slap at the South, that section of the country which has held together the great Democratic Party during the lean years of Republican domination.

It is an elementary principle of constitutional law that the Federal Government has only such powers as are given it under the Constitution, and that all other rights are retained by the several States. The Federal Government must find its power to punish crimes in laws of Congress passed in pursuance of the Constitution. No act can be a crime against the United States which does not come under the terms of the Federal Constitution.

The Gavagan bill is sought to be enacted under the provisions of the fourteenth amendment to the Constitution. It is an elementary principle that the fourteenth amendment is directed at State action only and not at the action of individuals.

A number of statutes have been passed in the last several years giving the Federal courts jurisdiction over crimes not theretofore within their province, but these crimes were directly concerned with violations under the interstate commerce clause, and the crossing of State lines, such as the theft of automobiles taken across State lines, and kidnappings which involve the crossing of State lines.

No Member who has spoken in favor of this bill has given us a valid reason as to why it should be passed at this time. If the crime of lynching were on the increase and a showing made that the States have not tried to enforce their own criminal laws there might be some justification, moral if not legal, for the passage of such a law by the Congress. But such is not the case. It has been stated by numerous speakers today that the crime of lynching has had a steady decline in the several States. This has not been denied by the most ardent advocates of the bill. The statistics show it to be a fact. The States are rapidly stamping out this dreadful crime without any aid or outside interference on the part of the Federal Government. The Negro leaders of the South and the white people of that section, by campaigns of education and better law enforcement have brought about the almost total elimination of this evil. Why should our northern friends so much concern themselves with the passage of a law the need for which, if it ever existed at all, has disappeared?

In 1892 lynching reached a highwater mark in this country with 231 lynchings in a population of 65,000,000. Of these, 162 were colored and 69 white.

In 1939, with a population of 130,000,000 in this country, lynchings had dropped to 3—or about 1 lynching for every 44,000,000 inhabitants. Of these, 2 occurred in Florida, one a white man accused of murder who was shot by members of his own race, and the other a Negro charged with the death of a white boy in an automobile accident. The third lynching was that of a Negro in Mississippi after an altercation with a white man.

Surely, in the light of the admitted statistics there is no need for the Congress to take up its valuable time to pass the Gavagan bill.

It may be interesting to note that while there were 3 lynchings in the United States in 1939, during the same time I understand there were 12,000 murders, including gangster killings of all degrees of atrociousness. And yet our Representatives from above Mason and Dixon's line do not appear to have worried themselves very much about seeking Federal intervention in those cases.

It seems to me, Mr. Chairman, that we are witnessing here this afternoon an attempt to pass a bill which, if passed and upheld by the Supreme Court, to which it no doubt will find its way, will be the opening wedge in doing away with the rights of the States to enforce their own criminal laws. It

will impose a super court over the courts of the States concerning their own police powers. It will be the forerunner of centralization in Washington of all criminal law enforcement. We have heard a great deal said upon the part of the minority party of late years about States' rights, and yet those Members who are voting for this bill will be casting their votes for an act, the consequence of which will be to obliterate all State enforcement of criminal laws. The bill should be defeated. [Applause.]

Mr. HOBBS. Mr. Chairman, I yield such time as he may desire to use to the gentleman from Florida [Mr. GREEN].

Mr. GREEN. Mr. Chairman, in my opinion, this bill is unconstitutional and I am opposed to it. It would take away from the various States of the Union the police power which is vested in the States under the Federal Constitution. It would abrogate the very fundamentals of States' rights. It would make county peace officers and prosecuting officers liable for punishment of 5 years in the penitentiary and/or \$5,000 fine. This penalty could be imposed even when such officers were blameless and helpless in the crime of lynching. It would go further than this in that it would impose a penalty of as much as \$10,000 on any county in the United States whereas lynching occurred. This would cause innocent taxpayers and innocent citizens to suffer and in this is a clear violation of the Bill of Rights. I cannot vote for a measure which would so erroneously and unjustly place such penalties upon the officers and taxpayers of the counties of my district. I, of course, am opposed to lynching and, for that matter, opposed to all crime, but this bill is the wrong approach as a cure for this evil. [Applause.]

Mr. HOBBS. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. DISNEY].

Mr. DISNEY. Mr. Chairman, we have observed by the chart furnished by the gentleman from Texas [Mr. SUMNERS] that lynchings have gone down from the number of 158 in 1892 to 3 in the last year—2 Negro lynchings and 1 white lynching. Out of 12,000 killings in the Nation during the last year 3 were lynchings.

According to the chart, the number of lynchings went down to nearly nothing; but the chart of centralization of power in the Federal Government, in its fiscal aspects, has traveled up and up and up, until last year our appropriations approached \$8,000,000,000, and this year we are asked for appropriations of \$8,500,000,000. Just when are we going to cease this extension of power in the Federal Government, and just when are we going to stop this centralization, not in this alone but in all aspects, giving the dictator, when he comes, every weapon that he needs to perpetuate himself as some kind of an executive over these, the free people of the United States of America?

To you lawyers in the House and those who believe in the Constitution, let me suggest that even Thaddeus Stevens, the originator of the fourteenth amendment, made no claim that the inhibition contained therein was against the individual—either an individual per se or as an officer. His only claim on the passage of the fourteenth amendment was that it was a prohibition applied to the States, providing that the States by law should not deny the equal protection of the law to its citizens.

In the local communities is where democracy begins, and there is the safeguard of democracy in the local community. The worst enemy of democracy is further centralization of power in the Federal Government. Under the dome of this Capitol, as the distinguished chairman of the Judiciary Committee said this morning, is where the Constitution is being violated most of all places; and if we in Congress do not respect the Constitution, how can we expect the average citizen to give it more credence or be more zealous in preserving its integrity than we ourselves?

My Negroes in my district—who are registered to vote, they vote, and their votes are counted—respect the Constitution. They love the Constitution, they want the Constitution retained, and they want it retained as it is, because they know that under that Constitution they have the right of habeas corpus, the right of prohibition against unlawful searches and

seizures of their dwellings, the right to go and come as they please, to contract and to do as they please with all due regard to their friends and neighbors, and they are for the Constitution. They are law-abiding people. My Negroes are not going to be fooled on this bill by either the white politicians or the black racketeers. This bill is unconstitutional, and my Negroes do not want the Constitution violated, either by the people or the Congress.

Mr. COX. Mr. Chairman, will the gentleman yield to me for an observation with particular reference to the statement of the gentleman about the falling off in the number of lynchings in the South?

Mr. DISNEY. Yes.

Mr. COX. I would say to the gentleman that the improvement to which he refers does not represent a change of attitude on the part of the white people toward riots, nor does it evidence a relaxation on their part to any effort to break down the color line, but it is largely, if not altogether, due to the improved conduct of the Negro himself.

Mr. DISNEY. I have no doubt that is true. I think it is true in my own neighborhood. The Negroes in my country are respected, they are treated well by the white people, and they believe in law observance amongst themselves as well as by the Congress of the United States.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. HOBBS. Mr. Chairman, I yield 5 minutes more to the gentleman from Oklahoma.

Mr. DISNEY. Mr. Chairman, in this struggle over this political bill—and gentlemen must concede privately, if not publicly, that this bill is simply political vagabondage—in its effort to make this look respectable; and picketings by labor unions were exempted; and now we find that that section is to be taken out. What does labor say about that? The provision in last year's bill that provided that a Federal judge may declare certain portions of our States a Federal district and set up a little Federal domain is also out of the bill. An effort has been made to make this bill look constitutional, but a rose by any other name would smell just as sweet, and vice versa. Surely gentlemen who have studied the fourteenth amendment and its history will not contend that any court beyond the pale of political influence would hold it to be constitutional.

The collection of money from a municipality is a matter of right on the part of the people. Under our law in Oklahoma there are certain ways to take money out of the treasury, so in an attempt to collect a judgment against the county in my State under this bill it would be impossible to do so. Certain rules must be lived up to by the officers who spend public money in my State, and under this bill he is compelled to pay by a Federal process in a manner in which he is prohibited to exercise by State process. The officer would have to go to jail either under the State or the Federal law. So we are groping in the dark with this thing.

I shall address myself now on the record again to the Negroes in my district, and inquire of those good people whether or not they would prefer to be tried in a State or a Federal court. This law applies to blacks and whites alike. Blacks sometimes riot, themselves, and any group of blacks, more than three, come under the purview of this law, and I inquire of my Negroes whether or not they would prefer, in case they make a mistake and take part in a riot, to be tried in a Federal court, with a substantially hand-picked jury, or in a State court, before judges for whom they have the right every 4 years to vote in the matter of the choice of judges. I think these black people would vastly prefer to enter the State court rather than the Federal court. I make this observation on this ground: That under the law providing that accessories to a crime are also liable, the members of a mob, under this strange piece of legislation, could be indicted and tried with the officers held liable.

As I said, Mr. Chairman, this bill appears to be political vagabondage of the very worst kind. Let me warn again that the constant extension of Federal power, followed in its wake by 11 consecutive deficits, is aimed directly, although

apparently innocently, at the complete destruction of democracy as we know it, and understand it, and have believed in it. It is in violation of the American way, which whites and blacks alike believe in and desire to maintain. If you give this power to the man on horseback when he comes, it will be very useful to him when he can send his Federal minions to the statehouse of any State—yes; to the States of the gentlemen I am talking to—and put the manacles of the law on the Governor of that State under some real or pretended claim that the Governor was not enforcing the law of the State. When that is done, then I ask gentlemen to look back to their votes in this House of Representatives under the dome of the Capitol when they invaded the right of the community to determine its police power and turned it over to the Federal authority. Mr. Chairman, this is nothing more or less than tyranny. Not a man on either side of this House but has said sometime within the last few years that we cannot trust the Federal departments. Can you trust the man on horseback when he comes with this as one of his additional implements of power? [Applause.]

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. HOBBS. Mr. Chairman, I yield myself 20 seconds to make the announcement that the reason for the differentiation in respect to the last distinguished speaker from the others is because the chairman of the Committee on the Judiciary promised the gentleman from Oklahoma [Mr. DISNEY] 10 minutes. I now yield to the gentleman from Mississippi [Mr. DOXEY].

Mr. DOXEY. Mr. Chairman, I thank my distinguished friend from Alabama, Judge HOBBS, for this time. Whether it be 5 minutes or 5 hours, we cannot defeat this bill in the House. Therefore, I ask leave to extend and revise my remarks at this point.

I full well realize that no matter what I might say or try to do to prevent the passage of this bill, generally known as the Gavagan-Fish Federal antilynching bill, it is going to pass this House. In fact, I do not believe anybody can keep this House as it is presently constituted from passing this antilynching bill known as H. R. 801. However, I am confident that this bill will be killed in the Senate. It should be.

Of course, we all understand that the Senate has different rules of procedure to what the House has. We cannot filibuster here in the House. Our time is exceedingly limited but in the Senate, it is different. I wish we could filibuster in the House. If we could, this bill would never pass this House. It can be, has been, and will be filibustered to death in the Senate.

However, should such a thing happen as this bill being passed by the Senate, and should the President of the United States sign such a bill, anyone who has studied the bill knows full well that it would very promptly be declared unconstitutional by any court of competent jurisdiction considering its constitutionality.

The language of the bill is a mockery. Its purpose is a fraud. Its effect, if enacted into a law, is hard to prophesy except to say that those of us who know the real significance behind this bill know that it is being pushed now for political purposes mainly.

The very idea here at the very beginning of this last session of the Seventy-sixth Congress when we have got so much to do and so many vital and pressing problems confronting us that the first order of business before us is this antilynching bill.

The whole thing is preposterous, absurd, and ridiculous.

Those of us from the South realize that we are outnumbered, and of course it is votes that count here, and we know that many of our colleagues north of Mason and Dixon's line who are voting for this measure—down deep in their hearts—are doing so with the main motivating power being politics.

I have opposed all such type of legislation and have spoken against it and have always worked against it and have done my best to keep this measure from coming up on the floor of this House not only at this time but at any other time for many reasons that time will not permit me to discuss here in

detail. However, even the most ardent advocate of this present bill that we are considering cannot justify the necessity for it.

We have only had three lynchings in the South during the past year, 1939, and one of them was in my State of Mississippi. I regret that one.

We all agree that lynching is a horrible thing, and we all are opposed to lynching, but do let us, of the South, handle our problems of this character in the South in our own way. We, of the South, are doing a wonderful job in preventing lynchings, as the record will show; each year lynchings in the South have decreased manifold.

Each State has its own laws against lynchings. The responsibility is local and not national.

This bill does not affect gangsters or many other sorts of crime that are in the same category as lynchings.

This bill would tend to increase crime instead of preventing it; it would prevent officers of the law from doing their duty; it would subjugate them and would subject governmental subdivisions in the State to harassments of all kinds, indictments, and damage suits that would clutter up the courts, create feelings of ill-will, and even stir up racial strife, so that those of us who live peaceably and who want to continue to live at peace with each other would suffer as a result of this inflammatory legislation. It is impossible to enforce such a Federal law.

This bill is so worded that it sounds good to the unsuspecting and to those who may be deluded by the language of the bill, but in the last analysis, if this bill should ever be enacted into a law, it would not mean a thing but misery and would rise up to plague this country in the future.

Such legislation sets a dangerous precedent. The purposes set forth in the bill are just glittering generalities held out only as a sop to try to catch the Negro vote.

Those of you, who know the colored man as I know him, know that we of the South are his best friends, and he knows that better than anyone else, but we know that this kind of a proceeding by what is supposed to be the greatest deliberative legislative body in the world is purely a sham and a mockery.

In a way I know it is a vain thing for me or any other man to take up the time of this House to try to analyze this bill or discuss its various provisions. The constitutional phase of this measure has time and time again been discussed, but with all those facts well known, the sponsors of this proposed legislation bring this bill up in this fashion and ram it down our throats just because we who are against it are greatly outnumbered by votes and we are helpless to prevent its passing under the parliamentary procedure that prevails in this House, but, as I have said before, I think the Senate will, because it can, prevent this measure from becoming a law.

To read the caption of the bill is but to know that it was conceived in iniquity and born of hypocrisy. It is demagogery of the worst sort.

Mr. FISH. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. SECCOMBE].

Mr. SECCOMBE. Mr. Chairman, I intend to vote for this bill as a matter of principle, with the feeling it is absolutely constitutional, and not as a matter of trying to buy anyone's vote, as stated by the gentleman from Illinois [Mr. MITCHELL] a few moments ago.

I also wish to remind him that this is not a racial question, because there have been more white people lynched than those of the black race. But, in order to keep the record straight, I want to read into the RECORD a letter written by the Congressman from the First District of Illinois, Mr. ARTHUR W. MITCHELL. I have a photostatic copy of the letter. It is dated November 3, 1939, written to one of his constituents:

Mr. JOSEPH PARVIS,
2600 Calumet Avenue, Chicago, Ill.

MY DEAR MR. PARVIS: I am in receipt of your letter of November 1, and in reply I write to say that I shall be very glad to take your case up with the Work Projects Administration, if you will get a letter from your ward committeeman requesting me to handle this matter for you.

It is an unbroken rule of the Democratic organization in Chicago that each person seeking help from his Congressman must first

get a letter from his ward committeeman requesting the Congressman to take care of the matter. I must therefore insist that you get a letter from your committeeman first, and then I shall be very glad to do everything in my power to help you.

With very best wishes, I am,

Cordially and sincerely yours,

ARTHUR W. MITCHELL,
Member of Congress, First District, Illinois.

I wonder if the gentleman from Illinois [Mr. MITCHELL] is just as sincere in taking care of some of his Republican colored gentlemen as he is some of his Democratic gentlemen? I think this is a question of principle, and I think this betrays his sincerity in trying to claim who is Santa Claus and who is not, and who is trying to buy colored votes and who is not. I have the highest regard for the colored race, and it is on that principle that I intend to vote for this bill. But if anyone ever talked against a just bill in behalf of the colored people, then certainly the gentleman from Illinois [Mr. MITCHELL] did this afternoon. I think he should have some explaining to do to the white people as well as the colored people in his district, and to the people of this Nation, as to the contents of this letter, where he plays politics with the necessities and privileges of his constituents. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. McDOWELL] 5 minutes.

Mr. McDOWELL. Mr. Chairman, I am sorry the gentleman from Illinois [Mr. MITCHELL] left the Chamber, as I believe I could tell him something that he does not know.

Mr. FISH. The gentleman from Illinois is present.

Mr. McDOWELL. I am glad he is here. Despite his obvious efforts to alienate votes on the Republican side of the House, 98 percent of them are still going to vote for this bill.

Mr. Chairman, were I not to support this measure with my vote, I would betray the thousands of colored citizens whom I represent in the Thirty-first District of Pennsylvania. Were I not to support this measure with my vote, I would betray the traditions of my family for four generations, who spoke and fought and used what talents and ability they had to establish and protect the vast number of colored citizens of the United States, and to include them under the Constitution of the Nation as human beings and not property.

One of my blood established and maintained an underground station in Pennsylvania for the forceable freeing of slaves before the Civil War. Many of them fought in that war. My county of Allegheny voted en masse for Abraham Lincoln on the sole issue of giving the black man citizenship. The day I was born I was laid in the lap of a black woman, and her great heart and gentle kindness are one of my fondest memories.

In my district and in my county there are thousands upon thousands of Negroes who were born in the old South, and who left the home of their ancestors that they might be free from the eternal threat of violence and that they might have the opportunity of living as American citizens under the protection of the Constitution of both the United States and the Commonwealth of Pennsylvania.

Pennsylvania recognizes the rights of all of its citizens. There is no distinction there between races or colors or creeds.

Mr. MITCHELL. Mr. Chairman, will the gentleman yield?

Mr. McDOWELL. I yield.

Mr. MITCHELL. Can colored teachers work in the public schools of Pittsburgh?

Mr. McDOWELL. Colored teachers can work there. There is no law keeping them out.

Mr. MITCHELL. But there is a custom that keeps them out. That is what I am talking about.

Mr. CORBETT. Will the gentleman yield?

Mr. McDOWELL. I yield.

Mr. CORBETT. I have been a school teacher in the county of Allegheny, which the gentleman represents, and colored teachers do teach there.

Mr. MITCHELL. I am talking about Pittsburgh.

Mr. CORBETT. The same is very definitely true there.

Mr. McDOWELL. Insofar as I know, since the Commonwealth removed all barriers between the races there have been no difficulties, no physical incidents, no attacks upon Pennsylvania's fair womanhood, and none of the horrible

black violence that is so eloquently painted by these brilliant speakers from the deep South.

Mr. Chairman, we who support this bill are being accused of voting thusly purely for political purposes. Speaking for Pennsylvania, may I refute that in one sentence by saying that the great mass of the half million colored people in Pennsylvania are not of my political faith, nor do I anticipate that they will be.

In my district resides one of the most distinguished colored citizens of America. He is a Democrat. He has served his State and his country as an attorney. He has served as a high official of the present administration in Washington, and he is the publisher of the Pittsburgh Courier, with the largest circulation of any colored newspaper in the world. Both he and his newspaper have proven beyond all peradventure of a doubt that an intelligent black man is not one wit different from an intelligent white man, in character and in ideals.

The black people of our State have been an asset. They work in our stores, our mills and mines and factories, our farms and forests, and have never been a problem to Pennsylvania. They are good citizens. They have been good soldiers; and I pay a tribute to these religious, law abiding, patriotic citizens of my State by voting to give the same chance to their black brethren all over America that they have been given in Pennsylvania.

The record of lynchings in America is one of the blackest blots on her shield. The horrors of a bloodthirsty, lawless, cruel mob are known to all of us. What Member of Congress has the right to stand on this floor and insist that the orderly processes of justice of America are not sufficient to protect its citizens, whether they live above or below the Mason and Dixon's line?

The intermingling of white and black society in America will never be; we all realize that. The intermingling of white blood and black blood will never occur. Neither the whites nor the blacks desire it, but it is the old time-worn spook which is dragged out upon every occasion to threaten those who insist that America be just and tolerant and that an ancient and wrong prejudice and hatred be forever eliminated in our Nation.

The black people are generations removed from the savagery of the African jungles. We have a right to protect them. All of us here swore an oath to defend and protect the Constitution of the United States, and these Negroes of America have the same right under that Constitution for protection as do we who are white. Let America take another step forward by passing this measure.

[Here the gavel fell.]

Mr. HOBBS. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. PACE].

Mr. PACE. Mr. Chairman, for the last 60 or 70 years earnest efforts have been made to rebuild the United States into one great Nation, united and free of sectionalism, a Nation of many climates, many interests, and many advantages, but with no distinctions between North, East, South, or West.

It is true that some sections have problems that are unknown or uncommon to other parts of the country, but it was hoped that those local problems would be understood by the people in other sections and friendly, kindly, and sympathetic consideration would be extended those who have the responsibility of working out such local problems. They are of such nature that force, either of arms or law, will not contribute to their solution.

I want to see my country grow great through the sympathetic understanding of the people of each section for the other, through an appreciation of each other's local conditions and friendly cooperation in their consideration. Only by such methods can we all contribute our full measure to the happiness and prosperity of a united people. While I am a son of the South—and I hope worthy of the heritage—I have never sought and will never ask for the South anything more than it is justly entitled to or more than I will freely grant and give to every other section of the Nation.

All I ask today is that you leave us alone and let us handle and settle our peculiar and strictly local problems in our own way and to the best interests of all concerned. This bill

under consideration—the so-called antilynching bill—brought here by the gentleman from New York, who represents the Harlem district of New York City, is an effort to try to tell the people of the South, and by force of law to make the people of the South handle one of their most serious home problems in a particular way.

In your heart of hearts you Members of the House know that a law of the kind here proposed is wholly unnecessary, uncalled for, untimely, unreasonable, and unconstitutional. It violates every sense of decency and respect. It is intended and will be accepted as an insult to the home-loving people of the South. In plain language, it is no more and no less, as you all well know, than an effort to try to please the large Negro vote of the North. It is a matter of deep regret to me to see it offered here by a Democrat, a member of my own party. There have been times in the past when the Democratic Party was kept alive by the people of the South, and it seems to me that efforts of this kind are mighty poor evidence of appreciation and party harmony.

I have said that such a law as this is unnecessary and that the people of the South can handle their own race problems. Here is the proof—an Associated Press dispatch of last Monday, January 1, 1940. Let me read it to you:

According to the reports compiled in the department of records and research of Tuskegee Institute, there were 3 persons lynched in 1939. This is 3 less than the number 6 for the year 1938; 5 less than the number 8 for each of the years 1937 and 1936; and 17 less than the number 20 for the year 1935. Two of the persons lynched were taken from the hands of the law—one from the jail and the other from an officer of the law outside the jail.

There were 18 reports of instances in which officers of the law prevented lynchings. All of these instances were in Southern States. In all instances the persons were removed or the guards augmented or other precautions taken. A total number of 25 persons—5 white men and 20 Negro men—were thus saved from the hands of mobs.

Of the persons lynched, two were Negroes and one was white. The offenses charged were: Murder, one; fatal injury to boy in automobile accident, one; altercation with man, one.

The States in which lynchings occurred and the number in each State are as follows: Florida, two; Mississippi, one.

I understand the two men lynched in Florida were joint offenders and received their punishment at the same time, so it appears that last year there were only two lynchings in the whole Nation. In spite of your eagerness for that Negro vote in the North, can you not admit that we are doing a pretty good job of solving this problem ourselves?

Take a look at the record: From 1882 to 1892 there was an average of 155 lynchings each year. This was 1 for each 300,000 in population. During the next 11 years, from 1893 to 1903, there was an average of 133 each year, or 1 for each 555,000 people in the United States. Then for the next 11 years, 1904 to 1914, there was an average of 89 lynchings each year, which was 1 for each 1,300,000 people. As the years have passed, lynchings have become less and less. In 1935 there were 20; in 1936, only 9; in 1937, only 8; in 1938 there were only 6; and last year, 1939, there were only 2, involving 3 lives. Think of it—from an average of 155 each year, at the rate of 1 for each 300,000 population, down to 2, or 1 for each 65,000,000 people.

I challenge the gentleman from New York and every other Member of this House to cite a similar record anywhere, any time. That is not the record of crime in your big cities. You have crime waves after crime waves. In many places your police and court authorities have joined in with your gangsters and racketeers and decent people are almost without protection. And yet you come here and wail about the awful crime of lynching and try to make somebody believe you are holy crusaders to save the Negro of the South. Why do you not clean up around your own doorsteps?

I realize that you northern Democrats, with your unholy alliance with the Republican Members, command enough votes to ram this bill through, but I warn you now that in so doing you are betraying the people who have kept your party alive and you are betraying the black man whom you profess to befriend. You should be here congratulating and commending the people of the South for what we have done and are doing instead of offering an insult through a bill of this kind.

This news item shows that in my own State of Georgia there was not a single lynching last year. Then why do you seek to force this bill upon my people? Our record is perfect. Do you think such a law as this, forced upon them, will help them keep that record clear? It will not, and one of my fears is that it will have the opposite effect. You just let the black rapist get the idea that the Federal Government is back of him and protecting and defending him and I am afraid it will bring about a condition that will be hard for us to handle.

I fear there is one thing some of you Members from other sections do not fully understand; that is, the determination of the white men of the South to protect the virtue and purity of their womenfolk. We intend to do that, come what may, and 10,000 laws or 10,000,000 bayonets will not stop us. I am just asking you today not to make it more difficult for us by passing a law of this kind and thereby lead those who would violate our homes to believe that you are protecting them and defending them in their lawlessness.

And why all this sympathy and concern over the victim of a lynching? In 99 cases out of 100, he has committed some heinous crime, a planned and deliberate act, not only against the laws of the land but in violation of the sanctity of the home and every sense of morals and decency. He deserves to be punished quickly, to the limit of the law, and, of course, according to law. But what about his poor, helpless, innocent victim, the one whose life has been wrecked or destroyed; in your eagerness to gain the good will and votes of your colored brethren cannot you spare just a little sympathy for the one who has done no wrong but whose life has been shattered or destroyed?

And why is it that you want to step in and tell us what we must do with reference to lynchings but have nothing in your bill to correct your own trouble? You have 40 or more gangster raids and killings to one lynching, but yet this bill contains not one word to provide special punishment or prevention of those crimes. Of course not. Those gangsters operate in your big cities of the North, and it would never do to be too strict with them; that would not get you any votes.

Is it any worse for a mob to lynch a man who has assaulted a helpless woman than it is for a gang to wipe out a man or group of men merely because he or they are interfering with the gang's business? Of course not. Then why are you protecting the gangster?

I have said that this bill is unreasonable and unconstitutional. Let us see if I am right about that. Paragraph 3 of this bill provides, in substance:

Any officer of a State, county, or city who possesses the authority or has custody of a person and fails to make all diligent efforts to prevent a lynching or to arrest and prosecute all members of the lynching mob, shall be guilty of a felony and shall be punished by a fine of \$5,000 or imprisonment for 5 years, or both.

In the first place, there is no justification for this slanderous reflection upon the officers of the law and is not in keeping with the record which they have established. While there were three lynchings last year, the report shows that in 18 cases in the Southern States the officers of the law faced the danger of the loss of their own lives and prevented lynchings and mob violence. At no place in this Nation can you find county and city officers more devoted to their duty or more anxious to maintain and uphold the law than in my home State of Georgia.

This provision is clearly unconstitutional, because it is an effort by the Federal Government to come into my State and assume control of State officials and local law enforcement officers. In the case of *Barbier v. Connolly* (113 U. S. 27), the Supreme Court of the United States said:

Neither the fourteenth amendment nor any other amendment was designed to interfere with the police power of the State to regulate and promote the health, peace, morals, education, and good order of the people.

And in *Keller v. United States* (113 U. S. 138), the same Court said:

The power to establish ordinary police regulations has been left with the individual States and cannot be assumed by the National Government.

In the *Cruikshank* case (92 U. S. 542), the Court said:

The fourteenth amendment simply furnishes an additional guaranty against any encroachment by the State upon the fundamental rights which belong to every citizen as a member of society. The duty of protecting all of its citizens in the enjoyment of an equality of rights was originally assumed by the States, and it remains there.

In *United States v. Harris* (106 U. S. 638), the Supreme Court approved the *Cruikshank* case and said:

The fourteenth amendment is not a guaranty against the commission of individual offenses; and the power of Congress, whether expressed or implied, to legislate for the enforcement of such a guaranty does not extend to the passage of laws for the suppression of crime within the States.

And here is a United Press dispatch of last Friday, January 5, from Jackson, Miss.:

Sheriff O. J. Foxworth, of Marion County, today defied a lynch-threatening mob in order to bring a Negro suspected of murder to the mob-proof Hinds County jail for safekeeping.

Do you really believe that it would be helpful to Sheriff Foxworth and the thousands of other sheriffs in the South to pass this bill and subject them to the punishment of a fine of \$5,000 and/or imprisonment for 5 years? Would it not be their natural reaction, with such punishment hanging over them, to let the culprit alone and never take custody of him, when knowing that if by chance a mob should take the culprit away from him he would be accorded such punishment?

But that is not the half of it.

Section 5 of this bill provides as follows:

The county or city in which a lynching occurs or in which a person is seized and later lynched elsewhere is made liable in damages up to \$10,000 for the benefit of the family of the person lynched. Suit for such damages may be brought in the United States district courts and shall be filed by the Attorney General of the United States. Judgment for such damages may be enforced by mandamus. Prima facie evidence of liability is established by showing (1) that any officer of the city or county failed to provide protection for the person lynched; or (2) that rumors of possible mob violence were in general circulation in the community; or (3) any other circumstances existed which can justify the conclusion that the city or county failed to use all diligence possible to protect the person lynched.

What would that mean? Three or more persons could slip into my county in the dead of night, when every person in the county is asleep, seize a prisoner, and carry him away and lynch him, and then the innocent, law-abiding citizens of my county would be taxed to pay damages of \$10,000.

Or a prisoner or culprit could be seized in some other county and brought across the line into my county in the dead of night and lynched, and there again the good people of my county could be made to pay damages up to \$10,000.

Have you gone wild? Can this be an American Congress proposing a measure of this kind? But that is not all. Then you go ahead and set out how a prima facie case of liability against the county can be shown in the court. Did you notice how? By rumors or any other circumstances. Have we really come to that? Some of you have complained about lynchings on the ground that there is not always positive proof that the person lynched is the guilty party. But in the face of that complaint, you now come here and propose something just as bad or worse; that is, to lynch a county, to tax an innocent people, to assess damages on the basis of rumors or any other circumstances.

Can there be no limit to which you will go to satisfy the National Association for the Advancement of Colored People? This is the first bill I have ever seen which seeks in every possible way to protect the guilty and punish the innocent.

You Members from the North, the East, and the West, let me caution you to go slow. Are your communities so free of sin and crime that you can "cast the first stone"? You do not want the Federal Government going into your home town and telling you and your people what you can and cannot do, and I do not want them coming into my section either. My State and local authorities know how to handle this problem, and we are handling it. Just mind your own business and go home and clean up your own back yard and clear up your own black record of crime, filth, disloyalty, and disregard for the law.

Our record is clean. What about yours?

Do unto us just exactly like you would want us to do unto you. The day may come. [Applause.]

Mr. GAVAGAN. Mr. Chairman, I yield such time as he may desire to the gentleman from Kansas [Mr. Houston].

Mr. HOUSTON. Mr. Chairman, not being a self-appointed expert on constitutional law, I am willing to go along with this bill until such time as the courts say it is unconstitutional. Under the Constitution a man is not to be deprived of life, liberty, or property without due process of law. He should be protected in their enjoyment.

Mr. Chairman, the need for a fair and just Federal anti-lynching law is apparent. "A man is innocent until proven guilty," and the provisions of the Constitution that no man shall be deprived of life, liberty, or property without due process of law must be safeguarded. A Federal anti-lynching law should be enacted by this Congress so that order may be maintained in America and the blight of the crime known as lynching may be removed from the United States. Every time a victim perishes at the stake or by the rope the emancipation proclamation is suspended and civil equality is reduced to a political myth.

The bill now under consideration, H. R. 801, was carefully drafted and represents the best thought of many citizens as to what Congress may do to check lynching.

Under this bill the violence of three or more persons attempting to prevent the apprehension, trial, or punishment of any person, which results in his death or maiming, is deemed to be a lynching. A State or local officer failing through neglect to prevent a lynching, or to apprehend or prosecute any member of a lynching mob, is punishable by a \$5,000 fine and/or 5 years' imprisonment. Any governmental subdivision failing through neglect to prevent a lynching, or a seizure and abduction followed elsewhere by a lynching, shall be liable for \$2,000 to \$10,000 in damages, recoverable in a civil action by the claimant or by the United States in his behalf.

Lynching is a flagrant violation of many constitutional rights. The victim is seized and held without legal warrant by a lawless mob. He is frequently taken from the custody of peace officers, with their active or passive sanction. All rights of fair hearing and trial are brutally and summarily denied. The victim is often transported from State to State. Usually by torture, which permits no alternative, he is driven in utter misery to meaningless self-indictment. And finally he is put to death, with young and old indiscriminately looking on or participating, under crime-breeding circumstances of indescribable savagery.

It is within our power to put a stop to this terrible foe of civilization, to eradicate this public enemy No. 1 of the United States and civilization, the lyncher. It is my honest belief that those whose hands are stained with the blood of one not proven guilty in a court of justice should be punished accordingly, should be charged with the murder they have committed, and should be punished to the full extent of the law. It is time that this most dastardly, most cowardly, and most repulsive form of crime be abolished. The time is ripe when we should turn upon the wrongdoers who are responsible for this premeditated form of murder and show these mobs, for once and for all, that we are not a race of savages who will tolerate the taking of a man's life without first granting him the trial that both God and man intended he should have.

"A man is innocent until proven guilty," and that guilt can be proven only in a court of law and not by a band of murderers who would defy all principles of rationalism and Americanism.

I am going to vote for this bill, believing it is necessary, and it is my sincere hope that when it is enacted into law it will never be applied. May all of our people come to a better understanding of the value of human rights. The passage of this bill will make people think and arrive at a different understanding which will forever blot out lynching. [Applause.]

Mr. FISH. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. Corbett].

Mr. CORBETT. Mr. Chairman, the bill before us for consideration is more important because of its indirect effects

than because of its direct effect. The direct effect of eliminating a few lynchings per year is not so vital except to the persons who are lynched and their friends and relatives. The indirect effect of having such a bill passed by the Congress of the United States is to raise 13,000,000 Negroes closer to the status of free and equal human beings enjoying the full protection of the United States Constitution.

Put bluntly the question before us today is, Should the United States Government extend its strong hand to protect its citizens from murderous mob action, or should it withhold its hand in order that those responsible for such mob action can continue to scoff at law, order, and civilized decency?

I hear objections raised to this antilynching bill on the grounds that it is unconstitutional, that it is a violation of State rights. No Member of this body is more of a constitutionalist than I am, but how, pray tell, can one call a bill unconstitutional which seeks to carry out the most fundamental duty of our Government as imposed by the Constitution itself? The Constitution, Mr. Chairman, insists that the life of every American citizen shall be protected by our Government; that we shall all, white and colored, enjoy the equal protection of the law and the strength of the Government. What does this bill aim to do except to force subdivisions of our Federal Government to extend that protection to those who have been singled out for a horrible death without even an opportunity to be heard in court?

Mr. Chairman, there is no point in arguing that this bill is bad because the crimes resulting in lynchings are bad. If the States where lynchings have been common will look to their law-enforcement agencies, they can see to it that speedy justice is done. This bill demands speedy justice in a legitimate trial court, as opposed to speedy action by mobs.

More important, however, as I stated at the outset, is the effect that the passage of this bill will have on the Negroes themselves. Let us remember that the American Negro has made more progress in the ways of civilization than any other race ever did in a similar period of time. There is no field of American science or culture to which the Negro has not made valuable contributions. I submit that the great George Washington Carver, working in his quiet laboratory, has done more for American agriculture than all of the New Deal experiments combined.

It is my sincere belief that by the passage of this bill we will do much to improve the spirit and the self-confidence of our colored brothers. We will by the dignity of an act of Congress serve notice that in these United States a colored man has every right to a fair trial that is accorded to a white man.

True, much will remain to be done economically, socially, and politically for the betterment of the Negro, but at least we will have taken one more step in the proper direction. I am not among those who feel myself to be better than any other man, and I do not feel entitled to any benefits under the law which are not accorded to everyone.

Therefore, since I believe that the passage of the Gavagan antilynching bill will do much to prevent the disgrace and tragedy of lynching, and since I believe its passage will be a great moral stimulant to the Negro race, I have lent my efforts and will give my vote to its final passage. [Applause.]

Mr. FISH. Mr. Chairman, I yield to the gentleman from Michigan [Mr. McLEOD] such time as he may desire.

Mr. McLEOD. Mr. Chairman, I wish to go on record at this time as favoring the passage of the Gavagan bill.

We have before us today a proposal that should receive the applause of every law-abiding citizen in the United States—a proposal to compel by Federal law every peace officer to do his duty as he has sworn to do—a proposal to stamp out lynch-crazed mobs and to restore law and order.

In this country of ours a man is presumed to be innocent until tried and convicted by a jury of his peers. But what a mockery it is when some helpless white man or Negro is seized from lax law-enforcement officers by frenzied crowds and hanged to the nearest tree.

Most lynchings that have occurred in the past could have been prevented had officers protected their prisoners as they are sworn to do. I once heard a story of a western sheriff in the days of the old West who said he could pick the ring-leader of a mob by the look in his eyes and that once you concentrated on the leader the mob was licked. I do not know how sound that philosophy is, but that particular sheriff never lost a prisoner.

In nearly every case of lynching the person lynched is a Negro, and I submit, gentlemen, that Negroes are entitled to the same rights under the Constitution as persons of the white race.

The American Negroes' progress has been nothing short of amazing. First of all, he has proven himself a good citizen—ambitious, honest, unassuming. He has contributed to science, education, and industry. We have only to point to that universally acclaimed Dr. George Washington Carver, who from the lowly peanut has given so much to science, as a point in illustration. Booker T. Washington was another outstanding example of his race, and I could name many others.

It is the Negro in the main that this proposed legislation seeks to protect. Some of my friends in this body say that it is too drastic, but, gentlemen, mob violence should be treated drastically; and as long as the States have been unable to wipe out lynching, it becomes the obligation of the Federal Government to step in by law and by the best methods at its command to stop this unjustified blood letting, which at one time or another has smeared the record of many States in the Union. Thus, our duty, as legislators, is clear. From the Mount of Sinai comes the commandment, "Thou shalt not kill." [Applause.]

Mr. FISH. Mr. Chairman, may I ask how the time stands?

The CHAIRMAN. The gentleman from New York [Mr. GAVAGAN] has 33 minutes remaining. The gentleman from Texas [Mr. SUMNERS] has 49 minutes remaining. The gentleman from New York [Mr. FISH] has 22 minutes remaining.

Mr. HOBBS. Mr. Chairman, I yield such time as he may desire to the gentleman from North Carolina [Mr. CLARK].

Mr. CLARK. Mr. Chairman, in saying that the pending antilynching bill is unconstitutional, that term is not used in a legalistic sense. It is meant that the provisions of the bill are contrary to those great fundamental principles that make the Constitution itself wise. It is meant that the proposal is contrary to the very conception upon which the American Government is founded.

Since the beginning our courts have held that the plain language of the amendment—

Nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the law—

Is nothing more than a prohibition against State action. This language was so well analyzed in 1883 in the *Civil Rights Cases* (109 U. S. 3) and that decision has been so uniformly followed and confirmed as to render the following quotation therefrom appropriate:

It is State action of a particular character that is prohibited. Individual invasion of individual rights is not the subject matter of the amendment. It has a deeper and broader scope. It nullifies and makes void all State legislation and State action of every kind which impairs the privileges and immunities of citizens of the United States, or which injures them in life, liberty, or property without due process of law, or which denies to any of them the equal protection of the laws. It not only does this, but, in order that the national will, thus declared, may not be a mere brutum fulmen, the last section of the amendment invests Congress with power to enforce it by appropriate legislation. To enforce what? To enforce the prohibition. To adopt appropriate legislation for correcting the effects of such prohibited State laws and State acts, and thus to render them effectually null, void, and innocuous. This is the legislative power conferred upon Congress, and this is the whole of it. It does not invest Congress with power to legislate upon subjects which are within the domain of State legislation but to provide modes of relief against State legislation, or State action, of the kind referred to. It does not authorize Congress to create a code of municipal law for the regulation of private rights but to provide modes of redress against the operation of State laws and the action of State officers, executive or judicial, when these are subversive of the fundamental rights specified in the amendment.

Positive rights and privileges are undoubtedly secured by the fourteenth amendment, but they are secured by way of prohibition against State laws and State proceedings affecting those rights and privileges, and by power given to Congress to legislate for the purpose of carrying such prohibition into effect; and such legislation must necessarily be predicated upon such supposed State laws or State proceedings and be directed to the correction of their operation and effect.

And again, the same decision:

And so in the present case, until some State law has been passed, or some State action through its officers or agents has been taken adverse to the rights of citizens sought to be protected by the fourteenth amendment, no legislation of the United States under said amendment, nor any proceeding under such legislation, can be called into activity, for the prohibitions of the amendment are against State laws and acts done under State authority.

And again in the same opinion:

The truth is that the implication of a power to legislate in this manner is based upon the assumption that if the States are forbidden to legislate or act in a particular way on a particular subject, and power is conferred upon Congress to enforce the prohibition, this gives Congress power to legislate generally upon that subject, and not merely power to provide modes of redress against such State legislation or action. The assumption is certainly unsound. It is repugnant to the tenth amendment of the Constitution, which declares that powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.

And again in the same opinion:

In this connection it is proper to state that civil rights, such as are guaranteed by the Constitution against State aggression, cannot be impaired by the wrongful acts of individuals, unsupported by State authority in the shape of laws, customs, or judicial or executive proceedings. The wrongful act of an individual, unsupported by any such authority, is simply a private wrong, or a crime of that individual; an invasion of the rights of the injured party, it is true, whether they affect his person, his property, or his reputation; but if not sanctioned in some way by the State, or not done under State authority, his rights remain in full force and may presumably be vindicated by resort to the laws of the State for redress. An individual cannot deprive a man of his right to vote, to hold property, to buy and sell, to sue in the courts, or to be a witness or a juror; he may, by force or fraud, interfere with the enjoyment of the right in a particular case; he may commit an assault against the person, or commit murder, or use ruffian violence at the polls, or slander the good name of a fellow citizen; but, unless protected in these wrongful acts by some shield of State law or State authority, he cannot destroy or injure the right; he will only render himself amenable to satisfaction or punishment, and amenable therefore to the laws of the State where the wrongful acts are committed. Hence, in all those cases where the Constitution seeks to protect the rights of the citizen against discriminative and unjust laws of the State by prohibiting such laws, it is not individual offenses, but abrogation and denial of rights, which it denounces, and for which it clothes the Congress with power to provide a remedy. This abrogation and denial of rights, for which the States alone were or could be responsible, was the great seminal and fundamental wrong which was intended to be remedied. And the remedy to be provided must necessarily be predicated upon that wrong. It must assume that in the cases provided for the evil or wrong actually committed rests upon some State law or State authority for its excuse and perpetration.

The bill under consideration runs counter to the foregoing principle, because it undertakes plainly to operate upon certain individuals within the States. It undertakes to make peace officers guilty of a felony for neglect of duty. It would subject them to heavy fines and imprisonment for failing to exercise all due diligence and power. Such failure of an officer in the discharge of duty certainly could not be considered State action in any respect. Indeed, every State and every subdivision thereof requires of its peace officers the diligent discharge of duty. If an individual suffers injury because of the failure of a peace officer in the discharge of duty, that is in the nature of a private injury, wholly unauthorized by the State.

Reference has been made in the course of the argument to *Virginia v. Rives* (100 U. S. 313) and *Ex parte Virginia* (100 U. S. 339), where some expressions are used to the effect that the State must proceed through its officers, and hence their acts might constitute in a way State action. But, necessarily, this could only mean acts authorized in some way by the State, or at least condoned and approved by it as a State. In *Barney v. City of New York* (193 U. S. 438), decided in 1903, the court refers both to *Virginia* against *Rives* and *Civil Rights Cases*, supra, reaffirms the principles an-

nounced in the latter, and speaking more specifically as to what acts of subordinate officers may constitute State action says:

If, as in this case, the subordinate officer whose duty it is to select jurors fails to discharge that duty in the true spirit of the law; if he excludes all colored men solely because they are colored; or if the sheriff to whom a venire is given, composed of both white and colored citizens, neglects to summon the colored jurors only because they are colored; or if a clerk whose duty it is to take the 12 names from the box rejects all the colored jurors for the same reason, it can with no propriety be said that the defendant's right is denied by the State and cannot be enforced in the judicial tribunals.

I shall not burden the record with citation of the countless cases uniformly adhering to the principle of law invoked, but attention is called to the fact that *Civil Rights Cases* were cited with approval in 1914 in *Frank v. Mangum* (237 U. S. 328), and in 1925 in *Corrigan v. Buckley* (271 U. S. 330), where the Court said:

And the prohibitions of the fourteenth amendment "have reference to State action exclusively and not to any action of private individuals" (*Virginia v. Rives*, 100 U. S. 313; *United States v. Harris*, 106 U. S. 623). "It is State action of a particular character that is prohibited. Individual invasion of individual rights is not the subject of the amendment" (*Civil Rights Cases*, 109 U. S.).

Neglect in the discharge of duty is but an ultra vires act of the peace officer resulting in a private injury, redress of which rests under the law and in the courts of the State. If Congress has the right to deal with a peace officer for neglect of duty in permitting a prisoner to be taken from his custody, it has the same right to deal with his excessive use of force in making an arrest, or any unlawful abuse of process. Thus it could invade the entire field and deprive the States entirely of the right and power to establish and maintain law and order within its boundaries, which is the primary prerequisite of sovereignty.

ANOTHER PROVISION OF THE BILL

I shall discuss but briefly that provision of the bill undertaking to give every injured person a cause of action against subdivisions of the State and undertaking to fix a penalty against them of from \$2,000 to \$10,000 to the use of every person injured. Attention is called to the fact that the United States Government is immune from suits on account of the torts of its officers and its agents. This is because of its sovereignty, and the same is true as to States and counties generally. By what stretch of the imagination has Congress any constitutional authority to waive the sovereignty of the State and its subdivisions and render them liable in the Federal courts to unlimited damages and penalties because of the neglect of duty, or tort, of some peace officer? The proposal is absurd.

IN NORTH CAROLINA

I presume that every State has laws against the abhorrent and always unjustifiable crime of lynching. Our own State of North Carolina has many well-considered statutes upon the subject, making it the duty of the solicitors of the several judicial districts promptly to investigate every such crime, providing that the expenses thereof shall be borne by the county in which the offense is committed, including a special fee to the solicitor for such investigation, taking away from witnesses any right to decline to answer because of self-incrimination, giving the courts of all adjoining counties concurrent jurisdiction and requiring the solicitor to file a report with the grand jury of each, making any witness who refuses to appear and testify guilty of a misdemeanor, with other provisions which it is not necessary for me to mention here, but which make plain the duties of all the officers of the State both in the prevention of this particular crime, its full and prompt investigation and the punishment of the offenders. These are laws of the State. They apply to all of its citizens alike. They do not deprive any person of life, liberty, or property, or the equal protection of the law. On the contrary, they aim to protect and safeguard life and liberty and to afford equal protection to every citizen of the State. Yet this bill would have Congress say that no matter how many laws the State of North Carolina may have for the protection of its citizenship against the crime of lynching, or how wise those

laws may be, or what vigorous efforts it may make to enforce them, and no matter how impossible it might be for the State to do so, if it fails to prevent a lynching and punish the offenders, it shall be deemed to have denied due process of law and the equal protection of the law to the unfortunate victim.

These laws have not been a dead letter in North Carolina. I recall an instance fully 30 years ago when two mature Negroes committed a crime so dastardly as to infuriate and enrage the entire county. A mob quickly formed, bent upon their summary punishment. The sheriff of that county happened to be one who had served with distinction in the Confederate Army. His own natural instincts were necessarily as much outraged as those of his neighbors, but he realized that law and order must be maintained. Having managed to capture the Negroes but a short distance from the point at which the mob had formed, he started for the county seat with the mob in hot pursuit. Realizing that it would be difficult to protect his prisoners in the small county-seat town, on reaching that point he, without hesitation, commandeered a steamboat that happened to be in a nearby river, and, with his prisoners aboard, gave orders that the boat should proceed with all speed and without stopping at the behest of anyone until it reached a city some 60 miles distant. In that city, he kept his prisoners overnight, and having received instructions to take them to the State prison for safekeeping, he undertook on the following morning to do so. After he had reached the railway station and gotten his prisoners aboard a car, a mob that had formed clandestinely quickly surrounded the car, cut it loose from the train to which it was attached, and undertook to take possession of the prisoners. This courageous officer put his prisoners under one of the seats in the coach, and standing over them with a pistol in each hand, he fired without hesitation at every man who attempted to enter. With the aid of only one or two deputies, he stood that mob off until a local company of militia arrived. He took his prisoners to the State prison, and in due course he brought them back to his own county where they were given an orderly trial and paid the penalty for their horrible crime.

Or reference might be made to the case of *State v. Caldwell* (181 N. C. 519), where is told the heroic action of a superior court judge in vindicating the supremacy of the law. The prisoners in this case were in the State prison for safekeeping and were to be brought for trial to Goldsboro, N. C. Learning that an effort would be made to take the prisoners from the custody of the law, the Honorable W. A. Devin, now a distinguished member of the Supreme Court of North Carolina, called together many of the good citizens of the community, explained the situation, and expressed his desire to proceed in the administration of justice, provided he might have their support. This was gladly given, a sufficient number of them were deputized, the prisoners were taken to the third floor of the county courthouse, the stairways were barricaded, and although a mob did attack during the night and undertook to get possession of the prisoners, it was successfully frustrated by the citizenship of that community under the leadership of this distinguished jurist and the local officers. The trial later proceeded in an orderly manner and the law was vindicated.

Or reference might be made to that time in September 1917 when the Honorable Thomas W. Bickett, Governor of North Carolina, was called late at night and informed that a mob was gathering at the jail of that county located about 1 mile from the Governor's mansion. This was a furious mob. In their midst a crime had been committed under circumstances and of a nature so horrible as to outrage the sensibilities of all right-thinking men. Taking only time to slip his clothes over his pajamas, Governor Bickett hurried to the scene, where he was promptly challenged and halted by the mob. But after he had managed to say to them, "I am not afraid of you; are you afraid of me," he was permitted to speak. "I appeal," he said, "to your own manhood, to your courage, to your sense of justice to disburse and go back to your own wives and mothers and refrain from doing a deed that you will

regret all the days of your life and that will bring shame and disgrace to the whole State." His appeal was not in vain. Again the law was vindicated.

Similar instances could be detailed by the hundreds, but I shall not so encumber the *RECORD*. The action of these men and that of countless other hundreds is something that cannot be bought for a price. They acted through no fear of the strong arm of the Federal Government but from the highest motives of patriotism, and with them must ever rest the greatest security for the uniform and impartial enforcement of the law.

It is my conviction that the way to eliminate lynching is to eliminate those brutish instincts which ever and anon break over and infuriate good men almost beyond the point of reason, often bringing disgrace to both races. This is being accomplished by enlightenment and education, and it is my own hope and belief that it will continue to be to an ever-increasing extent. In this connection I wish to refer to what the State of North Carolina is doing for Negro education. I am aware of the fact that the appropriations may not be as large as in some of the richer States, but they do show striking progress. [Applause.]

SOME FACTS ABOUT NEGRO EDUCATION IN NORTH CAROLINA

1. State support for elementary and high-school education

The State of North Carolina expended for instructional service in the Negro schools during the year 1933-34, \$2,751,-387.76, and during the year 1937-38 the amount was increased to \$4,737,188.32. During the school year 1938-39 for instructional purposes in the Negro schools the State spent \$4,939,-269.47. This amount will be increased about 2 percent for the school year 1939-40. A special allocation of \$117,000 was made by the State school commission in order to reduce the differential between white and Negro salary schedules for teachers.

2. Value of school property

The value of Negro school property expanded from \$11,475,-042 in 1929-30 to \$13,887,392 in 1937-38. During the 5-year period 1933-38, \$3,684,537 was spent for the construction and improvement of schoolhouses for Negro children. During the school year 1938-39, \$1,250,452 was spent for the construction and improvement of schoolhouses for Negro children. The average value per child enrolled increased from \$44.20 in 1929-30 to \$51.76 in 1937-38.

3. Enrollment in elementary and high schools

(a) Elementary schools: The enrollment in the Negro elementary schools increased from 259,595 in 1929-30 to 268,287 in 1937-38. The percentage of enrollment in average daily attendance for the same period improved from 71.7 percent to 83.2 percent; the number of elementary schools having 7 or more teachers increased from 36 to 152, and the average term in days increased from 141 to 163.4.

(b) Public high schools: The number of public high schools for Negro children increased from 119 in 1929-30 to 203 in 1937-38. The number of public accredited high schools for the same group increased from 66 in 1929-30 to 158 in 1938-39. The enrollment in these public high schools increased from 15,182 in 1929-30 to 33,050 in 1937-38. During the same period the number of graduates increased from 1,687 to 4,112 and the number of libraries in both elementary and high schools increased from 441 to 831.

4. Transportation

The number of vehicles used for transporting Negro children to and from school increased from 103 in 1929-30 to 436 in 1937-38. For the same years the number of schools served by these busses increased from 94 to 250 and the number of children transported increased from 3,746 to 24,604. During the school year 1938-39 the State spent for transportation in Negro schools \$165,443.87. This does not include the amount spent from local budgets and private contributions for the purchase of equipment for new bus routes.

5. Improvement in results

The percentage of children enrolled in the first three grades for the 10-year period, 1926-27 to 1936-37 decreased from 63 percent to 52 percent; the percentage of enrollment

in grades 4 to 7 increased from 33 percent to 36 percent, and the percentage of enrollment in the high schools increased from 4 percent to 12 percent. During the same decade the percentage of children promoted in the elementary schools increased from 43.8 percent to 65.5 percent, and in the high schools the percentage of children promoted increased from 45 to 66.5 percent.

6. Teachers

The number of teachers employed in the Negro elementary and high schools increased from 5,959 in 1927-28 to 7,113 in 1938-39. During this same period the average scholarship of the Negro teachers employed in the public schools of this State increased from about two-thirds of 1 year of college training to 3 1/3 years of college training.

7. Colleges

The State of North Carolina maintains five colleges for Negro youth. Each of these institutions is a 4-year standard college. For the year 1939-40 the appropriation for the maintenance of these schools is \$211,642. The enrollment in all the Negro colleges in the State of North Carolina, public and private, has shown the following growth in enrollment:

1924-25.....	723
1929-30.....	2,655
1939-40.....	4,831

8. Graduate instruction

For the year 1939-40, by special enactment, provision was made for graduate instruction to be given at the Agricultural and Technical College and the North Carolina College for Negroes. A total of \$81,181 was provided for intrastate instruction in these institutions. A special fund of \$6,000 was allotted for scholarship grants through the North Carolina College for Negroes to those individuals desiring graduate instruction outside the scope of the offerings of this institution. Up to date 49 scholarship grants have been provided through this fund.

Mr. HOBBS. Mr. Chairman, I yield such time as he may desire to the gentleman from South Carolina [Mr. BRYSON].

Mr. BRYSON. Mr. Chairman, I realize that we are much pressed for time. Although I had desired to speak publicly on the pending bill, I have reduced my views in the matter briefly to writing, and I now ask for the privilege of inserting them in the RECORD at this point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. BRYSON. Mr. Chairman, any measure which is unnecessary need not be passed; any measure which is dangerous must not be passed. I rise this morning to speak against a measure which is both unnecessary and dangerous, a bill which need not and must not be passed.

I describe the pending bill, H. R. 801, as unnecessary because our State authorities are now dealing with the problem of lynching in a satisfactory, highly successful manner. In fact, so much progress has been made along these lines that between the years 1922 and 1939 the number of lynchings in the United States decreased from a total of 57 to a total of 3.

It is mainly by education that you effectively deal with the problem of lynching, and not by the placing on our Federal statute books of cumbersome acts. It would be unwise, extremely so, with the number of lynchings rapidly declining through education and the enforcement of State laws, to interrupt this progress by enacting legislation which will serve to insult the good people of the South. You may be sure about this: Any bill designed to curb the fundamental rights of our State governments will be strongly resented by the people of the South, just as it should be strongly resented by the people of every other part of the Nation.

But not only is the proposed legislation unnecessary—it is dangerous, as I have already begun to indicate. The bill before us has been referred to in the press and on the floor of the House as an antilynch bill. Well, those who wish may continue to call it an antilynch bill—the intent and purpose of this bill may be antilynch, but if enacted its effect will be

otherwise. Gentlemen, you are not considering here a bill against lynching; you are considering one for it. You are not considering a measure which will reduce lynchings; you are considering a measure which will increase them.

No one disputes the fact that this bill is aimed against the South, so let us examine the situation there and see if this legislation is justified. A minute ago when I said the bill was dangerous I meant particularly that it would menace the welfare of the South where the Negro population is largest. Why? Chiefly because the adoption of any measure such as the pending one, which throws a morbid appeal to race passions and prejudices, is certain to shatter racial relations.

The race issue in the South has been virtually settled. Pass this bill, and you will at once have started the whole painful process all over again. Little more than a half a century has elapsed since the South emerged from the days of carpet-bag rule. Those were the days when southern womanhood was assaulted, southern property pillaged, southern rights trampled. Read Claud Bower's *The Tragic Era*, read Pike's *The Prostrate State*, and then consider the remarkable fashion in which the men and women of the South rose to restore law and order.

We have law and order in the South today—practically no racial problem there. But if this bill passes, creating anew a racial problem for the South, the people of the South will rise to meet the menace. The attendant evils of carpetbag rule will never be reestablished in the South.

Finally, if the real purpose of this bill, as it has been claimed, is to curry the favor of Negro voters in the North, it is certainly a sad commentary of some of the present-day political strategy. What a snare and a delusion: This bill supposedly designed to solve a problem which hardly exists and sure to arouse feelings which are now amiable.

In conclusion, I say reject this bill, which is both unnecessary and dangerous—a bill which need not and must not be enacted. [Applause.]

Mr. HOBBS. Mr. Chairman, I yield 2 minutes to the gentleman from North Dakota [Mr. BURDICK].

Mr. BURDICK. Mr. Chairman, if I believed that the Representative from Illinois represented the Negro people of America I would vote against this bill. I am a Republican and always have been. I know of no State in the North that excludes the Negro from any legitimate activity. I know of no place in the North where the Negro cannot vote. When I am told that the Republicans are voting for this bill to bring the Negro vote back into the Republican Party I am inclined to vote no.

But I do not believe that the gentleman from Illinois represents the Negro race in this country, and for that reason, Mr. Chairman, I am going to reserve my vote on this bill until the actual time of voting.

Mr. MITCHELL. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. MITCHELL. I do not purport to represent the colored people of America. I came here to represent the people of the First Congressional District of Illinois, just as the gentleman from North Dakota came here to represent the people of his district.

Mr. BURDICK. Why does the gentleman say that I am a Republican trying to induce the Negro votes to come back to the Republican Party?

Mr. MITCHELL. Because it is true.

Mr. BURDICK. We have only 200 Negro voters in the State of North Dakota.

Mr. MITCHELL. I say it because it is true.

Mr. BURDICK. If the gentleman pretends to represent the Negro race and does not want our vote we will not give it, if that is what the gentleman wants.

Mr. MITCHELL. That is the gentleman's high privilege.

Mr. BURDICK. I am willing to sacrifice the constitutional opinions I have in this matter for the purpose of bringing to the attention of the American people the evils of lynching, but I do not like to be insulted in the bargain.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. FISH. I am ready to yield the gentleman additional time, so he will have plenty of time, but I want to appeal to the gentleman before he finishes that he not be driven to vote against this by any speech made by a colored man from Chicago. I ask him to vote his convictions for the bill.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 2 additional minutes to the gentleman from North Dakota.

Mr. BURDICK. I know in the great Middle West where I come from we make no distinctions as to the color of anyone, and I do not know of any place in the West where a colored man cannot vote. We have not been in the business of going out and inducing Indians, or Negroes, or whites, to join the Republican Party. We have certain views that we want to carry out—at least I have—in my section of the country, and I am not compromising on racial matters at all.

I do not know what you call it down here, down South—that is where we are now, pretty close to it—but up in the North we would call it an insult for a man to get up here and say that the Republican Party is favoring this bill because they want to induce the Negro votes to come back to it. I resent it.

If a Negro cannot vote in some States, they are States with which I am not familiar. In all of the Western States I have ever been in the Negro votes the same as anybody else.

The gentleman from Illinois says he knows where his friends are, and he also says that the Negroes cannot vote in certain States where his friends are. If this is the attitude of the Representative of the Negro race, it is mighty difficult for the Republicans to overlook that matter and vote for this great principle. [Applause.]

Mr. Chairman, I yield back the balance of my time.

Mr. HOBBS. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. STARNES].

Mr. STARNES of Alabama. Mr. Chairman, I am opposed to this bill for a number of reasons. First, I think it is unconstitutional; second, I think it places a premium upon lawlessness; and, third, I think the passage of this bill is an insult to the intelligence of the people of this Nation as a whole, because I know of no section of the country which upholds lynching or crime in any form, shape, or fashion. I know of no section of the country which has made more rapid progress in the stamping out of a recognized evil and a form of lawlessness than has the South in stamping out of so-called lynching parties.

There have been three alleged offenses during the past year. It is doubtful whether either of them could properly be classed as a lynching under the terms of the present bill. I know of no record of which America has more reason to be proud than the record that public opinion and local officials have made in connection with the eradication of this form of lawlessness. I only wish that the Members of Congress from the North, East, South, and West would use the same good judgment and the same regard for the processes of the law and of our National Constitution as the people of this country have shown in their effort to build up public opinion against this crime and bringing about its eradication.

Mr. Chairman, I was particularly interested today in the remarks of the distinguished statesman from New York, and for fear that a question may arise as to whom I refer, I refer to the gentleman from New York [Mr. WADSWORTH], in his most eloquent and convincing address against this bill. I was further impressed by the remarks of the gentleman from Texas [Mr. SUMNERS], who has one of the finest and keenest legal minds that ever functioned within the sacred precincts of this Chamber. Those men presented arguments to you and to me that were unanswerable insofar as the Constitution, law, logic, sound common sense, and patriotism are concerned.

I do not question the motives of anyone. I do not question the motives of the proponents of this bill. But I do question the soundness of the principles of this bill and I regret the feeling that has been exhibited by some of the proponents of this bill and the aspersions which have been cast

upon certain sections of this country. I say that the processes of democracy will not be served by the passage of this bill. Every Member of this House knows, regardless of his politics, race, creed, or color that the bill will not be passed upon favorably by the Senate of the United States. There are so many problems of pressing import that deserve attention on your part and mine we could better spend our time upon that I think it is a shame and a travesty the Members of the House should be devoting time to a discussion of this useless measure. I feel that we should not foster divisions within the party, within segments of our society, and between races in this country by the promulgation of such legislation in this critical hour. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Chairman, I addressed this body earlier in the day and certainly did not emphasize partisanship. I merely pointed to the fact that our party had this issue in its platform. I heard the gentleman from Illinois [Mr. MITCHELL] address the House, and during the early part of his remarks he made a very fine presentation. Then he ruined all the good he had accomplished by making the kind of attack he did. During the constructive part of his speech I noticed that his colleagues were eloquently silent. When he made an attack on this side of the House, it was received with great glee.

If any person has made an effective speech against this bill today, it is the Congressman from Illinois [Mr. MITCHELL]. He certainly made as effective a speech against this bill as I have heard on the floor of the House. May I say that I do not believe he represents the colored people of this country at all. I believe he represents his party in Chicago, and in the latter part of his speech he did all in his power to break down the support that this measure has had.

The Republicans of this Nation need make no apology to any group. We Republicans have always stood for the principle that Abraham Lincoln established—that is, to make men free. In Ohio we Republicans have been electing Negroes to public office for many decades. In the city of Cleveland we have three members on the city council. The chairman of our civil service commission in Cleveland is a Negro. In fact, in most of the front offices in the city hall will be found members of the colored race. I resent very deeply the implication in his statement that the Republicans are in some way attempting to get back the vote of the colored people. We do not have to go after that vote. In Ohio the great majority of our Negro population is Republican.

Mr. MITCHELL. Will the gentleman yield?

Mr. BENDER. I yield to the gentleman.

Mr. MITCHELL. Did you have the vote in 1936?

Mr. BENDER. I would like to arrange a time when you and I can debate that, and I will tell you all about 1936.

Mr. MITCHELL. The gentleman could answer that question.

Mr. BENDER. And about 1932, too. I cannot understand the agility of a mind that on the one hand puts out \$100 dinners and fraternizes with the Dukes, the Biddles, the Du Ponts and all the other high moguls of finance and on the other hand pretends in a sectional way to be a member of a party ready to help the under dog and the underprivileged. The whole thing seems dizzy to me. Roosevelt talked about constitutionality. He said that emphasis should not be placed on constitutionality. Today we hear emphasis being placed on constitutionality. You hear all phases of the argument and you cannot keep up with it. On one day they make an argument one way and on the next day they give you a different one. It takes more than a Philadelphia lawyer to keep tab of this New Deal crowd. In the cities they make an appeal on the basis of helping the colored man. They want him to forget about the way they have treated him elsewhere. The new dealers' conduct passeth all understanding. [Applause.]

[Here the gavel fell.]

Mr. KITCHENS. Mr. Chairman, the bill under consideration is paraded before the Congress biennially—every congressional-election year. It is clearly unconstitutional in that it violates the fourteenth amendment to the Constitution, and attempts to federally usurp powers reserved by the people to themselves and their States. The title of the bill purports "to assure to persons within the jurisdiction of every State due process of law and equal protection of the law, and prevent the crime of lynching." It might as well go further and prevent homicide, robbery, embezzlement, fornication, or rape, and give Federal protection to these victims.

Lynching is a violation of the law of every State in the Union. The fourteenth amendment merely guarantees that each State shall give every person within its jurisdiction equal protection of the law and due process of law. If this bill be constitutional, then a bill "to assure to persons within the jurisdiction of every State due process of law and equal protection of the law, and to prevent the crime of robbery, grand larceny, homicide, rape, or any other crime" would be constitutional. Does a man who is robbed, has his property stolen from him, or is assassinated have the equal protection of the law? Does a woman who is ravished have the equal protection of the law? Does either of them have due process of law? The gentleman from Kentucky [Mr. CREAL] argues that a man has a right to be confronted by his accuser, to have an attorney, and his witnesses brought into court, and a jury trial. How about the man who is assassinated because of being suspected of or charged with a crime, or charged with no crime at all? He is given no such privilege. A citizen may be robbed and another citizen not be robbed. Is the citizen robbed given equal protection of the law? Has his property been taken from him under due process of law, or by a jury? Yet the proponents of this bill say that each and all are entitled to equal protection of the law, and for that reason and pretext would have the Federal Government assume control and jurisdiction for all crimes committed in the United States. That means destruction of all local self-government. That means the centralization of all power at the Federal Capital. That means the foundation for a dictatorship. That means revolution.

Mr. Chairman, the experiences of mankind, of every country in the world, show us that education and an intelligent public opinion constitute barriers against crime. We have today the fact of only three lynchings out of 130,000,000 people during the year 1939, a gradual reduction of this horrible crime, which is most gratifying to all of us, while more than 12,000 other homicides were committed during the same year.

Will this bill give protection to the man who is murdered in cold blood or the woman ravished by one or two men? Will this bill give financial reward to the heirs of such a man who has lost his life? Are the heirs of such a man given equal protection of the law in this bill, financial or otherwise, with the heirs of a man who has committed the dastardly crime of rape? Certainly not. Yet the proponents of this bill propose to reward financially the heirs of a rapist at the expense of innocent people, and yet give no reward to the woman raped or innocent heirs of an innocent relative murdered in cold blood. Does this bill give any protection whatever to the heirs of the victim of a gang or gangsters so prevalent at times in some of our large cities? Not at all. Where is your process of law or equal protection for the victim of gangsters? This bill intentionally discriminates against him in violation of the fourteenth amendment, if your interpretation be correct.

I abhor lynching and crime of any kind. I believe in the due process of law and in the equal protection and interpretation of the law to all races and creeds, but this bill does not and cannot give equal protection, nor can it be honestly contended that it gives equal protection, and is merely a gesture for political purposes. There is no sincerity in this bill, and the colored people of this country should not be deceived.

A few years ago a sheriff in my county, a fine man, was shot down in cold blood from ambush while investigating the commission of a crime. The murderer of that sheriff was lynched. Under the present bill the heirs of that murderer would be rewarded at the expense of innocent people, while

the widow of the innocent sheriff has to go through life without any protection or assistance whatsoever. Even the Federal Government would bear all the expense of collection of the reward for the benefit of the murderer's heirs.

We have on the floor of the House an able representative of the colored race. I refer to Hon. ARTHUR MITCHELL, of Chicago. He has at all times demeaned himself as a gentleman and has the respect of every Member of Congress. The bill he introduced was sidetracked by those wishing to arrogate to themselves the political privilege and advantage of claiming and showing their interest in his race. His bill should have been considered by this House, and not the bill before us. But who sidetracked the bill he introduced? Was it the real friend or friends of his race? He is wise and intelligent enough and stated on the floor of the House that the colored man today will not continue to be deceived all of his life. He is not only intelligent but capable and an energetic representative of his people and will not be deluded or deceived. He knows that those who profess to be the friends of his people turned them loose without aid or help of any kind and permitted them to struggle along and alone for nearly three-fourths of a century. He knows that the predecessors of those today who proclaim their great interest in his race, rendered only lip service and used his people merely as chattels for political purposes and power.

He knows that for several years after the Civil War, and particularly in the seventies and eighties of the last century, the predecessors of those who now proclaim from the house-tops of their love and interest in his race called members of his race "brother" and "brothers" without sincerity. He knows that the predecessors of those same people in this Congress opposed the lending of any assistance towards the education of his race or to assist them financially in any way whatsoever. He knows that when Senator Blair, of New Hampshire, along about 1885, introduced a bill in the Senate of the United States to appropriate funds for the welfare and education of the colored race, that the political associates of Senator Blair opposed the bill and called him a sentimentalist, but admitted it was a good gesture.

Mr. Chairman, if we can pass this bill providing that if three people cooperating together shoot or hang another, and it is lynching, then the Congress can provide that where two cooperating together, or where one without cooperation shoots or kills another, that the Federal Government will assume jurisdiction; not only that, but it can place the Federal courts in charge of all such offenses, then the Congress may go one, two, or three steps further, and place the commission or attempted commission of all crimes under the jurisdiction of Federal courts for the reason that anyone against whom an offense has been committed has not received the equal protection of the law, or due process of law. Therefore, it is plain that this bill is a political one, and a mere political gesture, a contradiction in terms. If it should pass and become a law of this Nation, then the fourteenth amendment to the Constitution will be distorted from its purpose, and will become the vehicle of its own destruction through misinterpretation, and this bill would be a futility in any case.

As I look at the faces of some of those, so actively favoring this bill, I cannot fail to reach the conclusion that they really do not want this bill to become a law. The passage of this bill into law would probably end the further necessity of their services in Congress as there would be nothing left at which to direct their efforts.

I am reminded of a story that was told of an old lawyer in a certain town of New York, the State of two of those who modestly admit to being leaders in behalf of this bill. That old lawyer had been an attorney representing an estate for a great many years. In the meantime, his son grew to manhood and became a lawyer. One day the lawyer told his son he was having to leave for 2 or 3 days, and he wished him to look after that estate case if it should come up for hearing during his absence. In a few days the father returned and said to his son, "Did you look after that estate matter?" His son replied, "Yes, father; I got the case settled." The father

retorted, "Oh, my God, you have spoiled everything. We have been living all these years from that case, and now you have gotten it settled, and we are ruined."

Mr. Chairman, I can find no excuse for such a bill as this before the Congress, other than a political one. The bill is so worded that no conviction ever could be obtained under it if the bill were constitutional.

The Washington Post on yesterday had an editorial expressing fully some of my sentiments about this bill, and I quote same as a part of my remarks:

[From the Washington Post]
ANTILYNCHING POLITICS

Politics inevitably intrudes into a congressional session preceding a general election. Every action that is taken is likely to be considered from the viewpoint of its political effect. But that does not justify the injection of mere time wasting political gestures into a session that is confronted by more urgent legislation than it can hope to enact.

The antilynching bill taken up by the House yesterday must be placed in this category. It has previously passed the House only to be killed by filibuster in the Senate. There can scarcely be any doubt that the bill would encounter a similar fate if it should be passed by the House and again submitted to the Senate for debate. To avoid another filibuster and serious disruption of their legislative program Senate leaders would probably pigeonhole the bill.

There is no reason, moreover, for pressing the bill at this time. A few years ago, when the barbarous practice of lynching persons suspected of crime was common in the South, a plausible case could be made for some sort of Federal interference. Now lynching has virtually disappeared. Every State, except Mississippi and Florida, had a clear record in 1939 so far as this dastardly crime is concerned. And in those two States only three lynchings were reported.

With the problem thus narrowed to two States, there is no excuse whatever for the enactment of an antilynching bill that would violate the constitutional division of powers between the Federal Government and the States. Indeed, the proposal of Federal penalties for State officials who fail to do their duty was never acceptable. It presumes to exercise a power which the Constitution denies to the Federal Government. Failure of a few States adequately to protect their own citizens, inexcusable though it is, does not justify such a gross encroachment upon their constitutional rights.

When such cogent objections to the bill are added to the fact that the States have almost completed the task of putting their own houses in order, no reasonable excuse is left for reviving the antilynching bill in Congress. Regardless of what action the House may take, the bill will doubtless remain a dead letter. Yet some legislators insist on reviving it in an election year in the hope of winning votes.

The issue, of course, is not lynching. That outrageous and uncivilized practice is condemned by almost every Member of Congress. With the current improvement in State law enforcement, it will doubtless soon be wiped out. The question by which the House is confronted is whether one group of legislators shall be permitted to make political capital out of this general hatred of lynching to the detriment of a crowded legislative program.

Mr. HOBBS. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. HILL].

Mr. HILL. Mr. Chairman, the wise man changes his mind often, the fool never. I lay no claim to wisdom, but I believe I can follow in the footsteps of wise men. I have changed my mind since last session and shall vote against this bill. [Applause.] I voted yesterday to bring it on the floor of the House because I always believe in bringing measures up on the floor of the House for discussion.

I shall vote against this bill, first, because I believe it is unconstitutional. I cannot agree with my genial friend from Kansas [Mr. HOUSTON] that we should leave this to the courts.

Mr. HOUSTON. What are they for?

Mr. HILL. To try cases under the law and not to usurp the functions of Congress to legislate by declaring our laws unconstitutional. I have always contended that we here in the House should determine whether or not a law is constitutional before we pass it.

Mr. HOUSTON. I should like to know how the gentleman voted on the Guffey coal bill.

Mr. HILL. There are 300 lawyers in this House, and I may say that I believe a great many of them stand as high in matters of constitutional law as judges of our Federal courts, both in years gone by and now. Therefore, we should decide here whether or not a law is constitutional, and if

we believe it is unconstitutional, as I believe this bill is, we should vote against it.

The second reason I shall vote against the bill is, as has been stated here, that the people in the South are taking care of this problem. Lynchings have decreased in number until there were only three lynchings last year. To those persons who come from New York and Chicago—and I live in the North—let me say do not try to take the mote out of your brother's eye and leave the beam in your own. There is some crime in New York and Chicago that you had better take care of without looking down South.

The third reason I shall vote against this bill is that it is sectional. To my mind there is no North, no South, no East, and no West. I taught school for years. I studied history. I read northern histories that filled me somewhat with prejudice and suspicion toward the South; but in later years I read other histories, and I have read *Gone with the Wind*, and I have found that the South has as good men right here in this House as has the North. I have a high regard for them and I have a high respect for them. I do not believe it is our business to go into the South or any other section and tell them what to do or how to do it. It is their job, it is their business.

President Lincoln was a real friend of the South and had he been spared the South would have been the beneficiary. But factual history tells us that his party of that day, the Thaddeus Stevenses and Charles Sumners, were responsible for one of the most reprehensible periods in our history—the reconstruction era. Let us not at this late day fan the flames of sectional bitterness and hatred. Let us cooperate to constructively build up our Nation as a whole. The South has many grave social problems to solve, as we do elsewhere in this country. We must make a determined effort toward a solution of these problems, but it should be by good will and in a constitutional way. Let me repeat: The democratic way is the constitutional way. Let each State take care of its own criminal procedure. [Applause.]

For these three reasons I shall oppose this bill and cast my vote tomorrow against it. [Applause.]

Mr. GAVAGAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. McCORMACK, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 801, to assure to persons within the jurisdiction of every State due process of law and equal protection of the laws, and to prevent the crime of lynching, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein the remarks of the gentleman from Alabama, the Honorable WILLIAM B. BANKHEAD, at the Jackson Day dinner in Washington last evening.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ORDER OF BUSINESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RAYBURN. Mr. Speaker, my understanding is that an hour and fifteen minutes of general debate on this resolution remains. There was some conversation with reference to meeting at 11 o'clock tomorrow, but some Members very much interested in this bill had other meetings to attend, so I presume the hour of meeting will be 12 o'clock. However, I do want to serve notice that it is the intention to remain here tomorrow until this matter is disposed of.

The SPEAKER. Under a previous special order of the House, the gentleman from North Dakota [Mr. BURDICK] is recognized for 20 minutes.

WHAT CAN CONGRESS DO?

Mr. BURDICK. Mr. Speaker, the failure of Congress at this session to enact legislation to protect the lives and well-being of those of our citizens who, because of this continued depression, are unable to protect themselves, will not only be a monumental blunder in statesmanship, but in addition will create in the minds of the millions in distress disrespect for all laws. In failing to act before, we are directly responsible for this condition. It ought not to be difficult, now that we have repeated and repeated evidence of the suffering on the part of millions of our citizens. What more proof do we want? Just what must happen in this country before a Congress will be convinced that action is necessary?

I have often said on the floor of this House that the Members here, with very slight exceptions, represent the will of the voters who sent them here. I believe that is a true statement. What more evidence of some action on the part of Congress to relieve this distress do the voters want? Is there a district in the United States where there is no suffering and want? There may be a few, but there is suffering in 90 percent of all districts and extreme suffering in too many.

In addition to the general result of a continued depression, there are many States where, either through drought, grasshoppers, or floods, the entire income of the people has been cut off until there is another crop. What is our duty with respect to these areas?

There are still nearly 12,000,000 people out of work who want work and cannot find it. What is our duty with respect to these? Shall we adopt the unsound economic theory advocated by the large business interests of the country, represented by the United States Chamber of Commerce? These men have formulated a program for us to follow in this Congress and they say this outline of a legislative program is the cure-all for the unemployment situation. They complain that Congress has so restricted business that it cannot operate fully and completely. Remove these restrictions, they say, and, ipso facto, business will revive and the army of the unemployed will find work.

I for one have no confidence in this program, and I submit my reasons. We cannot have a candid exchange of views unless we are willing to assign reasons for our conclusions.

First, I remember in 1929, when business was at the zenith of its activity in the United States, there was soon a stunning crash before any restrictions had been imposed by Congress. By March 4, 1933, practically all business was dead in its own tracks. Congress would never have attempted to regulate, regiment, and control business if business had not become absolutely impotent to carry itself. If this condition in 1933 came about without unjust restrictions imposed by Congress, what importance can be placed on a statement by these same business interests that, if we follow their program of legislation, we shall revive business and permit the idle workers to go to work? If business could not propel itself in 1933, what assurance have we that it can do so in 1940?

Secondly, representatives of business have stated before the Ways and Means Committee of the House, not once but many times during the last 7 years, that with all restrictions on business removed that have been placed there by the Congress that not more than 3,000,000 of the unemployed could possibly be put back to work. Assuming that 3,000,000 could be put to work through this method, what are we to do with the other 9,000,000 who are also out of work? Business gives us no guaranty as to these. It is not their responsibility; but that becomes the paramount business of this Congress. We cannot escape this responsibility. No government of the people should want to escape it.

Thirdly, the ranks of the unemployed are filling faster than private business or the Members of this Congress realize. No revival of business can possibly absorb these millions now out of work unless we pave the way by legislation that this Congress for 7 years has refused to pass.

Annually 500,000 workers are replaced by improved methods of operation; in many instances one man can do the work today which, in 1932, required 20 men. We know very well that we cannot stop improvement; we cannot stop inventions; we cannot stop science.

Annually another great army appears—500,000 graduates from institutions beyond the high school, come forward to take their places in useful and gainful employment. In the past several years, most of these tramp the streets for a job and do not find it.

Annually, we are sending to the cities 1,000,000 farm people whom we have foreclosed, and driven off the farms. They join the ranks of those looking for a job. They had a job once and a good one, but we have seen fit to sit here, and by abject inertia, permit these foreclosures to go ahead and they have lost that job, and now must find another one, about which they are not familiar. But it is a case of desperation within them—they compete with labor which has already been harassed with the jobless from their own ranks.

Fourth, there is a certain class of workers who, either in private business or under civil service, cannot obtain employment. They are turned out to shift for themselves as best they can—men and women over 50 years of age. They must live for an average expectancy of 20 years. How will they sustain themselves when a deaf ear is turned to them no matter what their appeal. Business certainly does not intend to find employment for these millions. They will not employ them now, and they will not in the future.

What about the citizens who are 60 years or older. There are 8,000,000 of them who cannot maintain themselves without some work or some adequate security. That we have not provided. We have provided a dole—not the least above common relief. We have thus far made beggars of our aged. We have had an opportunity to remedy this situation but the House will remember that out of a total membership of 435 only 101 Members voted for this old-age security, which, while security for the aged was, under the Townsend bill, security for the middle-aged and the young and the unemployed. Business makes no mention of these citizens.

Thus far in this speech, I have found fault with what we have done, and with organized business which desires us to make matters worse. I shall now turn to what can be done if we desire to bring back life, liberty, and the pursuit of happiness to at least 62,000,000 people in this country. Remember too, that it is not only those who have no jobs—those who have been forced out of their homes in the cities and in the country who are in distress—but there is another multitude who are not on relief, who still have a home, but who are living on the last balance of their life's savings.

Now what can be done by this Congress?

First of all, stop the interest racket. When people cannot pay the principal of their debt, why should they be crowded farther down the ladder to abject want by the exaction of unconscionable interest rates, when, as a matter of fact, we should permit little or nothing to be charged for the use of credit. Certainly we should not charge our citizens for credit more than the cost of it.

To accomplish this result is no puzzle; it is not even a problem. Congress can by an act take over and ever afterward control the credit of the Nation for the benefit of all the people. Why should this Government pay \$1,500,000,000 interest annually on a debt borrowed from itself? Why should we permit a banking system that is a go-between, between the Government and the people, why should we permit a private banking system to exact interest from the people by loaning the Government credit to them? Worst of all, why should we permit this private banking system to charge this Government interest on its own loans, when everyone knows that it is not the private credit which we borrow but the Government's own credit?

If this Congress is to be anything like past sessions in Presidential election years, many political speeches will be made, but I desire to state that in this speech I am not conscious of presenting any partisan controversy. Both the Republican

and Democratic Parties have had an opportunity to enact this program into law, but neither has done so.

During the present administration for some reason, which I cannot explain, the President has refused to put an end to this devastating interest system. My only explanation is that, like Benjamin Franklin, he has been surrounded by advisers who, with premeditated design, have sought to perpetuate the control of the Nation's credit by private individuals. I yet have hopes that the President will yet see the situation as it really is, break with these advisers, and strike a blow for the people of this country.

In the Seventy-third Congress authority was given the President to issue \$3,000,000,000 of Treasury notes, as notes, and not be backed by any commodity—gold or anything else. If this power had been exercised, the interest on \$3,000,000,000 could have been saved annually for 7 years, or a net saving to the people of this country of \$550,000,000.

Again, certificates could have been issued to cover the profit in the silver-purchase operation and the \$1,800,000,000 gold stabilization fund. In all, from this source over \$3,000,000,000 in certificates could have been issued and the interest stopped on a like amount of bonds.

In addition, we have \$17,000,000,000 in gold stored away in the hills of Kentucky, and assuming that a gold dollar could properly be issued on a basis of a gold reserve of 40 percent, \$42,000,000,000 in Treasury or gold certificates could be issued and still have a legitimate base of the issuance of that currency. Instead of being in debt \$45,000,000,000, all represented by interest-bearing bonds, we would have a free circulating medium not drawing interest. Our bonds could have been called in and paid and the interest graft in this country destroyed.

What the President has done in respect to this is the same thing the Republicans did when they were in power; hence I am not raising a political issue as to the two major parties in the United States by merely stating the facts which cannot be disputed.

The people of the United States will demand this program of money reform just as soon as enough of them know how the present system works and that the present money system is the root of all the evils of our economic life. It seems to me that we have evidence enough to convince the most stubborn adherent of the present money system that a change is necessary; indeed, that such a change is imperative if democracy is to live in this great Nation.

I would next and immediately put a stop to the foreclosure of any home in America where the failure to pay is not due to the thing within the control of the home owner. Leave him where he is, stop the interest, and provide him with the means to work or produce under a pay system that shall make it possible for him to pay his debts and sustain his family. To drive them out of the possession of their homes is only to increase our own appropriations for general relief.

Such farmers as have been dispossessed should be refinanced either on their own farms or on abandoned farms under a long-term-payment plan with no interest charge save the cost of handling the loan.

If this Congress has the courage to take over the absolute control of the Nation's credit and abolish the present banking system, issue currency direct without first issuing bonds to draw interest for the next 50 years, money can be loaned to farm and city home owners at a rate not in excess of one-half of 1 percent.

What about cities, counties, and States? Most States, most counties, most cities could and would take care of their own relief problem if credit could be borrowed from the Government without interest. What deters cities, counties, and States today from borrowing to pay relief expenditures? There are two reasons: First, they cannot obtain a loan. Secondly, they could never repay it with the present interest system increasing the loan faster than taxes can reduce it.

I would next put a tax on business sufficient to pay the 8,000,000 citizens in this country over 60 years of age money enough every month to satisfy every necessary want and by so doing release money enough at close intervals to prevent

hoarding and accomplish such a circulation of credit as would revive every legitimate business in the country.

Lastly I would immediately set in motion planned Government work for not only the idle who are here now but to employ the many millions more who will join the army of the unemployed every year. Government-planned work is the only answer to the increasing unemployment in the United States. We have made a poor job of this employment in the past, but it is not the fault of those administering relief work. I doubt if any such huge undertaking could be operated with less dishonesty than has our relief organization. It has faults—many of them—but the greatest fault of all is that we have considered relief merely as a temporary matter and not a condition that is here to stay. Should we wake up and realize that we must do this job we have the brains in this country to do the job, and do it well. Every dollar expended on planned and necessary work is a dollar added to the value of our resources.

In these 20 minutes I cannot, of course, go into all the details necessary to a complete proof of the necessity of our acting upon the matters which I here suggest, but I can leave with you an outline of principles which cannot be disputed and suggest a plan of action that will bring back whatever activity there still remains with the people, and which they cannot express or realize because of the impediments which I here seek to remove.

It cannot be said I am wrong, because nothing of this program has ever been tried. What we have tried and which has run up a public debt of \$45,000,000,000 cannot defend itself, because every element that we have tried to eradicate is still here. Shall the advocates of what we have done be permitted to rise up and condemn a program which has not been tried? Shall those who have nothing but failures to their credit be followed when they say this program is not sound?

There is now before this Congress, and has been for 6 years, bills and resolutions embodying this full program. No criticism of present conditions is offered without supplying a remedy. Among the bills before Congress directly offering the remedy or the way out of our present financial debacle are:

First. House Resolution 217. Restore to Congress the power to coin money and regulate the value thereof.

Second. H. R. 7600. Eliminate debt money and taxes.

Third. H. R. 6466. Townsend bill.

Fourth. H. R. 7528. Frazier-Lemke moratorium.

Fifth. H. R. 6151. Labor-hour money.

Sixth. H. R. 1675. Peterson farm tenant bill. [Applause.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MICHENER (at the request of Mr. ENGLEBRIGHT), for today, on account of illness.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 823. An act for the relief of John P. Shorter; to the Committee on Claims.

S. 2384. An act for the relief of Lyle L. Bressler; to the Committee on Claims.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 32 minutes p. m.) the House adjourned until tomorrow, Wednesday, January 10, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON NAVAL AFFAIRS

There will be a hearing Wednesday, January 10, 1940, at 10 a. m., before the Committee on Naval Affairs, on H. R. 7665, to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matters named:

Tuesday, January 16, 1940:

H. R. 6130, to provide for mandatory or compulsory inspection and permissive or voluntary grading of fish, fishery products, fishery byproducts, shellfish, crustacea, seaweeds, and all other aquatic forms of animal and vegetable life, and the products and byproducts thereof, and for other purposes.

Tuesday, January 23 1940:

H. R. 200, to amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 ed., title 46, sec. 316).

Thursday, January 25, 1940:

The following hearing was at first scheduled for Friday, January 5; however, it has since been postponed until the above date, Thursday, January 25, at 10 a. m.

H. R. 7357, to amend section 4472 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 465) to provide for the safe carriage of explosives or other dangerous or semidangerous articles or substances on board vessels; to make more effective the provisions of the International Convention for Safety of Life at Sea, 1929, relating to the carriage of dangerous goods; and for other purposes.

Tuesday, February 6, 1940:

H. R. 7527, to make effective the provisions of the Minimum Age (sea) Convention (revised), 1936, and for other purposes.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings in the committee room, 247, House Office Building, at 10 a. m., on the following dates on the matters named:

REGULAR ESTABLISHMENT VETERANS

Thursday, January 11, 1940:

H. R. 901. A bill to exempt resident inmates of the United States Soldiers' Home, Washington, D. C., and the Naval Home, Philadelphia, Pa., from pension reduction as prescribed by Veterans Regulation No. 6 series.

H. R. 4548. A bill to provide pensions at wartime rates for disability or death incurred in line of duty as a direct result of the conflict in the Far East.

S. 1643. An act to provide pensions at wartime rates for disability or death incurred in line of duty as a direct result of the conflict in the Far East.

CIVIL WAR

Monday, January 15; Tuesday, January 16; and Wednesday, January 17, 1940:

H. R. 917. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 1666. A bill granting pensions and increase of pensions to widows, former widows, and children of certain soldiers, sailors, and marines of the Civil War, and for other purposes.

H. R. 2208. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 3386. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 6716. A bill to recognize for the purpose of the pension laws the service in the Civil War of certain members of the Fifty-sixth Regiment Illinois Mechanic Fusileers.

H. R. 6909. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 6927. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 7728. A bill granting an increase of pension to widows of veterans of the Civil War.

SUBMARINE OR AIRCRAFT DISASTERS

Friday, January 19, 1940:

H. R. 6532. A bill to provide pensions at wartime rates for disability or death incurred in line of duty as a direct result of submarine or aircraft disasters.

INDIAN WARS

Monday, January 22 and Tuesday, January 23, 1940:

H. R. 1006. A bill to adjust the rate of pension to soldiers of the Indian wars who served 90 days or more in active service against hostile Indians, and for other purposes.

H. R. 3996. A bill to pension men who were engaged in or connected with the military service of the United States during the period of Indian wars and disturbances.

H. R. 4924. A bill to adjust the rate of pension to soldiers of the Indian wars who served 90 days or more in active service against hostile Indians, and for other purposes.

H. R. 4991. A bill to pension men who were enlisted in the military service of the United States during the period of Indian wars and disturbances, and the widows of such men, and for other purposes.

H. R. 4999. A bill to increase the rates of pension in the case of soldiers who served 90 days or more in the Indian wars during the period from 1817 to 1898, and to grant pensions to widows of soldiers who so served in such wars.

DEPENDENTS OF REGULAR ESTABLISHMENT VETERANS

Thursday, January 25 and Friday, January 26, 1940:

H. R. 7191. A bill to make more equitable provision for pensions for the dependents of deceased veterans of the Army, Navy, Marine Corps, and the Coast Guard.

H. R. 7522. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to dependents of veterans of the World War whose death is due to service.

H. R. 7652. A bill to grant pensions and increase of pensions to widows and dependents of certain deceased members or former members of the military or naval service.

H. R. 7734. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to the dependents of veterans of the World War whose death is due to service.

MEDAL OF HONOR PENSIONS

Thursday, February 1, 1940:

H. R. 3385. A bill to liberalize the provisions of the Medal of Honor Roll Act of April 27, 1916.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1212. A communication from the President of the United States, transmitting an amendment to the text of the Budget for the fiscal year 1941 for the Navy Department (H. Doc. No. 546); to the Committee on Appropriations, and ordered to be printed.

1213. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 11, 1939, submitting a report, together with accompanying papers, on a preliminary examination and survey of Westcott Cove, Conn., authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

1214. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 15, 1939, submitting a report, together with accompanying papers, on a preliminary examination of Hueneme Harbor, Calif., authorized by the River and Harbor Act approved January 21, 1927; to the Committee on Rivers and Harbors.

1215. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 15, 1939, submitting a report, together with accompanying papers, on a preliminary examination and survey of Cedar Creek, Ocean County, N. J., authorized by the River and Harbor Act approved June 20, 1938; to the Committee on Rivers and Harbors.

1216. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 11, 1939, submitting a report, together with accompanying papers, on a preliminary examination of Weeki-

wachee River, Fla., authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

1217. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 19, 1939, submitting a report, together with accompanying papers, on a preliminary examination of south side of channel, South Harpswell, Maine, authorized by the River and Harbor Act approved June 20, 1938; to the Committee on Rivers and Harbors.

1218. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 19, 1939, submitting a report, together with accompanying papers, on a preliminary examination of waterway from Welsh, La., to the Intracoastal Waterway by way of Bayou Lacassine; also with a view to acquisition of the Welsh Waterway, authorized by the River and Harbor Act approved June 20, 1938; to the Committee on Rivers and Harbors.

1219. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 19, 1939, submitting a report, together with accompanying papers, on a preliminary examination of Kawkawlin River, Mich., with a view to dredging the outlet, with a view to its improvement in the interests of navigation and flood control, authorized by the River and Harbor Act approved June 20, 1938; to the Committee on Rivers and Harbors.

1220. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 11, 1939, submitting a report, together with accompanying papers, on a preliminary examination of Bayou Portage and Delcambre Canal, La., authorized by the River and Harbor Act approved June 20, 1938; to the Committee on Rivers and Harbors.

1221. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 15, 1939, submitting a report, together with accompanying papers, on a preliminary examination and survey of inland waterway between Merrimack River, Mass., and Hampton Harbor, N. H., by way of Black Rock Creek and Blackwater River, authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

1222. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 15, 1939, submitting a report, together with accompanying papers, on a preliminary examination of L'Eau Bleu Bayou, La., authorized by the River and Harbor Act approved June 20, 1938; to the Committee on Rivers and Harbors.

1223. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 15, 1939, submitting a report, together with accompanying papers, on a preliminary examination of waterway from Anclote River, by way of Lake Butler, to a point near Safety Harbor on Old Tampa Bay, Fla., authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

1224. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 11, 1939, submitting a report, together with accompanying papers, on a preliminary examination and survey of Plum Point Creek, Calvert County, Md., authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

1225. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 15, 1939, submitting a report, together with accompanying papers, on a preliminary examination of Manchester Harbor, Mass., with a view to constructing a breakwater between Magnolia Point and Kettle Island, authorized by the River and Harbor Act approved June 20, 1938; to the Committee on Rivers and Harbors.

1226. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 19, 1939, submitting a report, together with accom-

panying papers, on a preliminary examination of, and review of reports on, Arkansas River in Sequoyah and Haskell Counties, Okla., authorized by the Flood Control Act approved August 28, 1937, and requested by resolution of the Committee on Flood Control, House of Representatives, adopted June 11, 1937; to the Committee on Flood Control.

1227. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 19, 1939, submitting a report, together with accompanying papers, on a preliminary examination of Ellicott Creek, N. Y., authorized by the Flood Control Act approved June 28, 1938; to the Committee on Flood Control.

1228. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 19, 1939, submitting a report, together with accompanying papers, on a preliminary examination of Deckers Creek, Monongalia County, W. Va., authorized by the Flood Control Act approved June 28, 1938; to the Committee on Flood Control.

1229. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 19, 1939, submitting a report, together with accompanying papers, on a preliminary examination of Frankford Creek, Philadelphia County, Pa., authorized by the Flood Control Act approved June 28, 1938; to the Committee on Flood Control.

1230. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 19, 1939, submitting a report, together with accompanying papers, on reexamination of Salt Pond, Mass., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted September 23, 1937; to the Committee on Rivers and Harbors.

1231. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 11, 1939, submitting a report, together with accompanying papers, on reexamination of Oakland Harbor and San Leandro Bay, Calif., requested by resolutions of the Committee on Rivers and Harbors, House of Representatives, adopted November 4, 1938, and January 24, 1939; to the Committee on Rivers and Harbors.

1232. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 15, 1939, submitting a report, together with accompanying papers, on reexamination of South San Francisco Harbor, Calif., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted June 8, 1938; to the Committee on Rivers and Harbors.

1233. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 11, 1939, submitting a report, together with accompanying papers, on reexamination of Great Sodus Bay Harbor, N. Y., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 28, 1939; to the Committee on Rivers and Harbors.

1234. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 11, 1939, submitting a report, together with accompanying papers, on reexamination of Southern Branch of Elizabeth River, Norfolk Harbor, Va., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted March 2, 1939; to the Committee on Rivers and Harbors.

1235. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 11, 1939, submitting a report, together with accompanying papers, on reexamination of Parish Creek, Md., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted November 7, 1938; to the Committee on Rivers and Harbors.

1236. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 19, 1939, submitting a report, together with accompanying papers, on reexamination of Smiths Creek, N. C.,

requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted March 16, 1939; to the Committee on Rivers and Harbors.

1237. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 11, 1939, submitting a report, together with accompanying papers, on reexamination of Elk River, Md., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted August 7, 1934; to the Committee on Rivers and Harbors.

1238. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 19, 1939, submitting a report, together with accompanying papers, on a preliminary examination of Big Elk Creek and Elk River, Cecil County, Md., authorized by the Flood Control Act, approved June 28, 1938; to the Committee on Flood Control.

1239. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 15, 1939, submitting a report, together with accompanying papers, on reexamination of Tar River, N. C., with a view to determining if the authorized navigation channel to Hardee Creek should be extended to Tarboro, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted June 13, 1938; to the Committee on Rivers and Harbors.

1240. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 11, 1939, submitting a report, together with accompanying papers, on reexamination of Nottoway River, Va., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted March 2, 1939; to the Committee on Rivers and Harbors.

1241. A letter from the Chairman, Civil Aeronautics Authority, transmitting the draft of a bill for the relief of James L. Kinney; to the Committee on Claims.

1242. A letter from the Administrator, Federal Alcohol Administration, transmitting the Fifth Annual Report of the Federal Alcohol Administration; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. BLAND: Committee on Merchant Marine and Fisheries. H. R. 6481. A bill to authorize the conveyance of the United States Fish Hatchery property at Put in Bay, Ohio, to the State of Ohio; with amendment (Rept. No. 1477). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BREWSTER:

H. R. 7757. A bill to provide that foreign-trade agreements must be ratified by the Senate; to the Committee on Ways and Means.

By Mr. DEMPSEY:

H. R. 7758. A bill to extend to certain officers and employees in the several States and the District of Columbia the provisions of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939; to the Committee on the Judiciary.

H. R. 7759. A bill to prohibit the solicitation of contributions from Federal employees for political purposes; to the Committee on the Judiciary.

By Mr. HARTLEY:

H. R. 7760. A bill to fix the compensation of substitute employees in the Postal Service, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. LESINSKI:

H. R. 7761 (by request). A bill to exempt resident inmates of the United States Soldiers' Home, Washington, D. C., and

the Naval Home, Philadelphia, Pa., from pension reduction as prescribed by Veterans Regulation No. 6-Series; to the Committee on Invalid Pensions.

By Mr. McCORMACK:

H. R. 7762. A bill to amend the Social Security Act and the Internal Revenue Code, to provide more adequate unemployment compensation, and for other purposes; to the Committee on Ways and Means.

By Mr. RANKIN:

H. R. 7763 (by request). A bill to provide the privileges of hospitalization for veterans of the Regular Establishment on a parity with war veterans; to the Committee on World War Veterans' Legislation.

H. R. 7764 (by request). A bill to extend the privileges of domiciliary care for veterans of the Regular Establishment on a parity with war veterans; to the Committee on World War Veterans' Legislation.

By Mr. ROBINSON of Utah:

H. R. 7765. A bill providing for an investigation under the Reclamation Project Act of 1939; to the Committee on Irrigation and Reclamation.

By Mr. WHELCHER:

H. R. 7766. A bill to amend the Agricultural Adjustment Act; to the Committee on Agriculture.

H. R. 7767. A bill to fix the compensation of substitute employees in the Postal Service, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. CANNON of Florida:

H. R. 7768. A bill to promote the development of new industries and the expansion of established industries by encouraging invention and research; to the Committee on Interstate and Foreign Commerce.

By Mr. MOTT:

H. R. 7769. A bill authorizing the Secretary of the Treasury to convey a certain tract of land to the State of Oregon for use as a public park and recreational site; to the Committee on Merchant Marine and Fisheries.

By Mr. TENEROWICZ:

H. J. Res. 411. Joint resolution authorizing the President of the United States to proclaim October 11, 1940, Gen. Casimir Pulaski's Memorial Day; to the Committee on the Judiciary.

By Mr. FISH:

H. J. Res. 412. Joint resolution for the relief of the distressed and starving women and children of Poland; to the Committee on Foreign Affairs.

By Mr. WOODRUFF of Michigan:

H. J. Res. 413. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. McCORMACK:

H. J. Res. 414. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. GREEN:

H. Res. 343. Resolution to make H. R. 5074, a bill to reenact the law providing for disability allowances for World War veterans and to restore former service-connected disability status, a special order of business; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H. R. 7770. A bill to confer jurisdiction on the Court of Claims of the United States of America, to hear, determine, and render judgment on the claims of Edwin Fairfax Naulty and Leslie Fairfax Naulty for compensation for the use of certain plans, designs, specifications of structure, construction and operation of aircraft, aircraft accessories, and other

aeronautical appliances by and for Government departments of the United States of America through its officials, agents, or contractors; to the Committee on Claims.

By Mr. BLOOM:

H. R. 7771. A bill granting a pension to Alice G. Townsend; to the Committee on Invalid Pensions.

By Mr. BOEHNE:

H. R. 7772. A bill granting an increase of pension to Mary P. Oliphant; to the Committee on Invalid Pensions.

H. R. 7773. A bill granting a pension to Charles E. Curl; to the Committee on Invalid Pensions.

By Mr. CANNON of Florida:

H. R. 7774. A bill for the relief of William G. Sullivan; to the Committee on Claims.

By Mr. CLAYPOOL:

H. R. 7775. A bill granting a pension to Amanda Hart; to the Committee on Invalid Pensions.

H. R. 7776. A bill granting an increase of pension to Augusta Lambert; to the Committee on Invalid Pensions.

H. R. 7777. A bill granting a pension to Edith Pyle; to the Committee on Invalid Pensions.

H. R. 7778. A bill granting a pension to Emma Blosser; to the Committee on Invalid Pensions.

By Mr. CREAL:

H. R. 7779. A bill for the relief of J. L. Horton, James Horton, Fred Bird, John Dowdell, Martin Dowdell, Harrison Trent, Charles Clark, Obed Crutcher, Nannie Horton, Virgil Funk, Lubie Bailey, Della Stone, Cowley Heiss, Arthur Carr, Lonnie Wise, E. B. Meyers, Nellie Meyers, Leo Wise, Clyde A. Meyers, W. C. Masters, Gertie Stone, Caskmears Atcher, Josephine Clark, Alexander Higdon, Mrs. J. T. Eubanks, Mrs. Harrison Basham, Harry Yates, and G. S. Stone; to the Committee on Claims.

By Mr. DELANEY:

H. R. 7780. A bill for the relief of Thomas Melillo; to the Committee on Naval Affairs.

By Mr. DEMPSEY:

H. R. 7781. A bill for the relief of Nadine Sanders; to the Committee on Claims.

By Mr. GEHRMANN:

H. R. 7782. A bill for the relief of Oscar C. Olson; to the Committee on Claims.

By Mr. GILLIE:

H. R. 7783. A bill for the relief of Frank Lonetti; to the Committee on Claims.

By Mr. GUYER of Kansas:

H. R. 7784. A bill for the relief of Howard R. M. Browne; to the Committee on War Claims.

By Mr. GWYNNE:

H. R. 7785. A bill for the relief of Joseph Dolak, father of Gene Dolak, deceased; to the Committee on Claims.

By Mr. LANDIS:

H. R. 7786. A bill granting an increase of pension to Joe Scrogum; to the Committee on Pensions.

H. R. 7787. A bill granting a pension to Earl Dudley; to the Committee on Pensions.

By Mr. McLEOD:

H. R. 7788. A bill for the relief of Michael Francis Spillane; to the Committee on Naval Affairs.

H. R. 7789. A bill for the relief of Olive Z. Ressler; to the Committee on Claims.

By Mr. MILLS of Arkansas:

H. R. 7790. A bill for the relief of Ben Torian; to the Committee on Claims.

H. R. 7791. A bill for the relief of Joe J. McDonald; to the Committee on Claims.

By Mr. REED of New York:

H. R. 7792. A bill granting an increase of pension to Emma L. Briggs; to the Committee on Invalid Pensions.

H. R. 7793. A bill granting a pension to Ida May Merrill; to the Committee on Invalid Pensions.

By Mr. RUTHERFORD:

H. R. 7794. A bill granting a pension to Jennie Christiana Rohrbacker; to the Committee on Invalid Pensions.

By Mr. SWEENEY:

H. R. 7795. A bill for the relief of Albert Aloysius Needles; to the Committee on Naval Affairs.

H. R. 7796. A bill for the relief of Steve Mejak; to the Committee on Immigration and Naturalization.

H. R. 7797. A bill for the relief of Gimpel Goldberg; to the Committee on Immigration and Naturalization.

H. R. 7798. A bill for the relief of Ruth Jane Fleming; to the Committee on Immigration and Naturalization.

H. R. 7799. A bill for the relief of Harry Morganstern; to the Committee on Military Affairs.

H. R. 7800. A bill for the relief of Frank Walker and his mother, Sarah Ann Walker; to the Committee on Immigration and Naturalization.

H. R. 7801. A bill for the relief of Frederick L. Herlihey; to the Committee on Immigration and Naturalization.

By Mr. THOMASON:

H. R. 7802. A bill for the relief of Charles Raymond Collins; to the Committee on Naval Affairs.

By Mr. TIBBOTT:

H. R. 7803. A bill for the relief of Alexander H. Shema; to the Committee on Military Affairs.

By Mr. VREELAND:

H. R. 7804. A bill for the relief of Frederick H. Huff; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6100. By Mr. HARNES: Petition of Herbert M. Gaines and 764 others, all citizens of Hartford City and Blackford County, Ind., commending the purposes of the investigation of subversive and un-American activities by the Dies committee; urging a vigorous continuation of that investigation; and calling for such amendments to the immigration and naturalization laws as that completed investigation may indicate as necessary for the protection of American institutions; to the Committee on Rules.

6101. Also, petition of the City Council of Marion, Ind., adopted in regular session on November 7, 1939, endorsing the Townsend national recovery plan and urging its early adoption; to the Committee on Ways and Means.

6102. Also, petition of William H. Willen and 43 others, of Marion, Ind., to outlaw communism, nazi-ism, fascism, and all other forms of un-American activities, and to keep America out of foreign wars; to the Committee on Rules.

6103. By Mr. HART: Petition of J. J. Driscoll, vice president, Lincoln Building and Loan Association, Jersey City, N. J., requesting the continuance of the Dies committee; to the Committee on Rules.

6104. Also, petition of the James Harvey Post, No. 144, of the American Legion, Ventnor City, N. J., favoring the activity of the Dies committee and soliciting action toward appropriations benefiting its activity; to the Committee on Rules.

6105. Also, petition of the American Defense Society, requesting the continuance of the work of the Special Committee to Investigate Un-American Activities (the Dies committee) with ample authority and sufficient funds during the coming year; to the Committee on Rules.

6106. Also, petition of the Fur Dressers' and Dyers' Union, Local No. 140, Newark, N. J., opposing any further appropriation for the Dies committee activities; to the Committee on Rules.

6107. Also, petition of the New Jersey State Association of Chiefs of Police, requesting the continuance of the life of the Dies committee; to the Committee on Rules.

6108. Also, petition of the Polish-American Democratic Club of Hudson County, N. J., requesting that Congress make additional appropriation of funds to continue the Dies committee; to the Committee on Rules.

6109. Also, petition of the South Jersey Port Commission, recommending and urging the retention in the Corps of Engineers of the United States Army the function and duty of conducting surveys; to the Committee on Rivers and Harbors.

6110. By Mr. HOUSTON: Petition of 22 citizens of Wichita, Kans., urging enactment of House bill 1, to impose on persons operating 10 or more retail stores under the same general management a graduated excise tax; to the Committee on Ways and Means.

6111. By Mr. MARTIN J. KENNEDY: Petition of the American Legion Auxiliary, New York County committee, New York City, concerning their five-point legislative program for the year 1940; to the Committee on World War Veterans' Legislation.

6112. Also, petition of the Veterans of Foreign Wars of the United States, legislative department, Washington, D. C., urging support of House bill 2726; to the Committee on World War Veterans' Legislation.

6113. By Mr. LECOMPTÉ: Petition of sundry citizens of Ollie, Richland, and Sigourney, Iowa, expressing unalterable opposition to America participating in any foreign war, and urging the continuance of the Committee Investigating Un-American Activities; to the Committee on Appropriations.

6114. By Mr. MERRITT: Resolution of the Brooklyn Council, Veterans of Foreign Wars of the United States, requesting that the Congress of the United States grant an adequate appropriation to the Dies committee so that it may function with a maximum of efficiency; to the Committee on Rules.

6115. Also, resolution of the Scarsdale Post, No. 52, Department of New York, American Legion, urging that the Dies committee be continued for at least another year and be provided with adequate appropriation for necessary expenses; to the Committee on Rules.

6116. Also, resolution of the Holy Name Society of St. Teresa's Church, Brooklyn, N. Y., condemning the dictatorial action of the National Association of Broadcasters in forcing radio stations, members of the association, to withdraw time from the Reverend Charles E. Coughlin, adjudging him to be a controversialist; to the Committee on Interstate and Foreign Commerce.

6117. Also, resolution of the Republican Club of Astoria, Long Island, N. Y., that if sugar legislation is enacted in 1940 (when the present Sugar Act of 1937 expires) legislation must provide that there be no further expansion in the importation of refined sugar made in the tropical islands for our markets, and that every effort be made to regain the lost work which rightfully belongs to the home workers by providing that workers in the tropics produce raw cane sugar only, permitting the refining of that sugar to be done by highly paid American workmen at home; to the Committee on Foreign Affairs.

6118. By Mr. PFEIFER: Petition of the Veterans of Foreign Wars of the United States, Washington, D. C., urging support of House bill 2726; to the Committee on World War Veterans' Legislation.

6119. Also, petition of the United Sugar Refinery Workers, Long Island City, N. Y., concerning the importation of sugar; to the Committee on Foreign Affairs.

6120. Also, petition of the New York State Conference Board of Farm Organizations, Ithaca, N. Y., concerning the control of the Farm Credit Administration by the Department of Agriculture; to the Committee on Banking and Currency.

6121. Also, petition of the Chamber of Commerce of the State of New York, New York City, urging continuation of the Dies committee; to the Committee on Appropriations.

6122. Also, petition of the Chamber of Commerce of the State of New York, New York City, concerning the Logan-Walter administrative bills, S. 915 and H. R. 6324; to the Committee on the Judiciary.

6123. By Mr. REES of Kansas: Petition of F. S. Riegel and 14 other citizens of Wilsey, Kans., in support of House bill 1; to the Committee on Ways and Means.

6124. By Mr. SCHIFFLER: Petition of the Taylor County Post, No. 12, of the American Legion, Grafton, W. Va., urging congressional authority to enlarge and expand the national cemetery at Grafton, W. Va.; to the Committee on Military Affairs.

6125. By Mr. THOMAS of New Jersey: Resolution adopted by Herbert Cawley Post, No. 188, High Bridge, N. J., recommending that the activities of the Dies committee be continued during the year 1940; to the Committee on Rules.

6126. By the SPEAKER: Petition of the North Long Beach Democratic Club, Long Beach, Calif., petitioning consideration of their resolution with reference to Byron N. Scott; to the Committee on Elections No. 2.

SENATE

WEDNESDAY, JANUARY 10, 1940

The Chaplain, Rev. Zeb Barney T. Phillips, D. D., offered the following prayer:

O God, our Heavenly Father, of whom all fatherhood is named: Deliver us, we beseech Thee, from the sins that divide us, from forgetfulness of Thee, from indifference to our fellow men, and from every evil which obstructs Thy saving purpose. Do Thou teach us that truth as wisdom and wisdom as truth can only be found in the ways of honor; that in the paths of shame we meet but endless and hopeless error.

Consecrate, O Son of God, the homes of this Nation; cleanse our politics; hallow our daily work; save us from ourselves; and raise us, Thou who art exalted at the Father's side, to live with Thee in God; and may the power and glory of Thy love be known even to the ends of the earth, for Thine is the kingdom and the power and the glory for ever and ever. Amen.

ATTENDANCE OF SENATORS

STYLES BRIDGES, a Senator from the State of New Hampshire, HENRY CABOT LODGE, Jr., a Senator from the State of Massachusetts, and KENNETH MCKELLAR, a Senator from the State of Tennessee, appeared in their seats today.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Monday, January 8, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

BOARD OF VISITORS TO COAST GUARD ACADEMY

The VICE PRESIDENT. Pursuant to law, the Chair appoints the Senator from Arizona [Mr. HAYDEN] a member, on the part of the Senate, of the Board of Visitors to the United States Coast Guard Academy.

REPORT OF FEDERAL ALCOHOL ADMINISTRATION DIVISION

The VICE PRESIDENT laid before the Senate a letter from the Administrator of the Federal Alcohol Administration Division of the Treasury Department, transmitting, pursuant to the law, the fifth annual report of that Division, which, with the accompanying report, was referred to the Committee on Finance.

JAMES L. KINNEY

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Civil Aeronautics Authority, transmitting a draft of proposed legislation for the relief of James L. Kinney, which, with the accompanying paper, was referred to the Committee on Claims.

LAND ACQUISITIONS, NATIONAL CAPITAL PARK AND PLANNING COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the executive officer of the National Capital Park and Planning Commission, transmitting, pursuant to law, a list of land acquisitions for parks, parkways, and playgrounds, the cost of each tract, and method of acquisition, for the fiscal year ended June 30, 1939, which, with the accompanying papers, was referred to the Committee on Public Buildings and Grounds.

EXPENDITURES OF ST. ELIZABETHS HOSPITAL

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting, pursuant to law, a report of the Superintendent of St. Elizabeths Hospital showing in detail the expenditures of the hospital for the fiscal year ended June 30, 1939, which, with the accompanying report, was referred to the Committee on the District of Columbia.

REPORT OF GEORGETOWN BARGE, DOCK, ELEVATOR & RAILWAY CO.

The VICE PRESIDENT laid before the Senate a letter from Hamilton & Hamilton, attorneys, transmitting, pursuant to law, the annual report of the Georgetown Barge, Dock, Elevator & Railway Co. for the fiscal year ended December 31, 1939, which, with the accompanying report, was referred to the Committee on the District of Columbia.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution adopted by the National Institute of Municipal Law Officers at Washington, D. C., favoring enactment of the bill (S. 591) to amend the United States Housing Act of 1937, and for other purposes, which was referred to the Committee on Education and Labor.

He also laid before the Senate resolutions adopted by the executive council of the American Federation of Teachers, affiliated with the American Federation of Labor, Chicago, Ill., protesting against any further appropriation to continue the inquiry of the so-called Dies committee investigating un-American activities, and favoring additional funds for the so-called La Follette Civil Liberties Committee investigating the question of civil liberties, which were referred to the Committee on the Judiciary.

He also laid before the Senate a resolution of the Steel City Industrial Union Council, of Pittsburgh, Pa., favoring enactment of the so-called Mead-Connelly longevity pay bills for the Postal Service, which was referred to the Committee on Post Offices and Post Roads.

He also laid before the Senate a letter in the nature of a petition from George B. Carey, of the White Sewing Machine Agency, Honolulu, T. H., praying for an investigation of certain laws of the Territory of Hawaii relative to finance companies, which, with the accompanying papers, was referred to the Committee on Territories and Insular Affairs.

Mr. TAFT presented memorials of sundry citizens, members of the Council of Women Opposed to Participation in Foreign Wars, of Columbus and Franklin County, Ohio, remonstrating against the taking of any step on the part of the Government which would tend to send American sons to another war on foreign soil, which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens, mothers of students attending the University of Cincinnati, Ohio, praying that every action possible be taken to keep the United States out of war, which were referred to the Committee on Foreign Relations.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

Mr. WALSH, from the Committee on Naval Affairs, reported favorably the nomination of Charles Edison, of New Jersey, to be Secretary of the Navy, to which office he was appointed during the last recess of the Senate.

He also, from the same committee, reported favorably the following nominations:

Rear Admiral Samuel M. Robinson to be Engineer in Chief and Chief of the Bureau of Engineering in the Department of the Navy, with the rank of rear admiral, for a term of 4 years; and

Naval Constructor Alexander H. Van Keuren to be Chief Constructor and Chief of the Bureau of Construction and Repair in the Department of the Navy, with the rank of rear admiral, for a term of 4 years.

Mr. PITTMAN, from the Committee on Foreign Relations, reported favorably the nomination of Breckinridge Long, of Missouri, to be an Assistant Secretary of State.

He also, from the same committee, reported favorably the following nominations:

John Cudahy, of Wisconsin, now Envoy Extraordinary and Minister Plenipotentiary to Ireland, to be Ambassador Extraordinary and Plenipotentiary to Belgium; also Envoy Extraordinary and Minister Plenipotentiary to Luxemburg, vice Joseph E. Davies;

George S. Messersmith, of Delaware, now an Assistant Secretary of State, to be Ambassador Extraordinary and Plenipotentiary to Cuba, vice J. Butler Wright, deceased;

R. Henry Norweb, of Ohio, now Envoy Extraordinary and Minister Plenipotentiary to the Dominican Republic, to be Ambassador Extraordinary and Plenipotentiary to Peru;

James H. R. Cromwell, of New Jersey, to be Envoy Extraordinary and Minister Plenipotentiary to Canada; and

Robert M. Scotten, of Michigan, now a Foreign Service officer of class 1 and counselor of Embassy at Madrid, Spain, to be Envoy Extraordinary and Minister Plenipotentiary to the Dominican Republic, vice R. Henry Norweb.

He also, from the Committee on Foreign Relations, reported favorably the nominations of sundry officers in the Diplomatic and Foreign Service of the United States.

Mr. HARRISON, from the Committee on Finance, reported favorably the nomination of John L. Fahs, of Leesburg, Fla., to be collector of internal revenue for the district of Florida.

He also, from the same committee, reported favorably the nominations of sundry officers in the United States Public Health Service.

Mr. KING, from the Committee on Finance, reported favorably the nomination of Daniel W. Bell, of Kinderhook, Ill., to be Under Secretary of the Treasury in place of John W. Hanes, resigned.

Mr. GERRY, from the Committee on Finance, reported favorably the nomination of John L. Sullivan, of Manchester, N. H., to be Assistant Secretary of the Treasury to fill an existing vacancy.

Mr. BYRD, from the Committee on Finance, reported favorably the nomination of James Elliott Heath, of Norfolk, Va., to be collector of customs for customs collection district No. 14, with headquarters at Norfolk, Va., to fill an existing vacancy.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HALE:

S. 3071. A bill for the relief of Luther Devoe (with accompanying papers); to the Committee on Claims.

By Mr. BYRD:

S. 3072. A bill conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Hannah S. Bray, Jane Bickers, and Frances Bickers; to the Committee on Claims.

By Mr. TAFT:

S. 3073. A bill for the relief of Verle S. Ward; to the Committee on Claims.

S. 3074. A bill granting a pension to Alice H. Dulaney; to the Committee on Finance.

Mr. TRUMAN. I ask consent at this time to introduce a bill embodying an amendment to the Maritime Act on behalf of my colleague the senior Senator from Missouri [Mr. CLARK], who is now ill in the hospital.

The VICE PRESIDENT. Without objection, the bill will be received and referred to the Committee on Commerce.

By Mr. TRUMAN (for Mr. CLARK of Missouri):

S. 3075. A bill to prohibit the transfer of American vessels to foreign registry or to any person not a citizen of the United States; to the Committee on Commerce.

By Mr. LUCAS:

S. 3076. A bill for the relief of W. G. Sutton; to the Committee on Finance.

S. 3077. A bill granting a pension to Maud C. Lucas; and
S. 3078. A bill granting a pension to Flossie Ramsey; to the Committee on Pensions.

By Mr. SHIPSTEAD:

S. 3079. A bill to set aside certain lands for the Minnesota Chippewa Tribe in the State of Minnesota, and for other purposes; and

S. 3080. A bill to provide funds for cooperation with public-school districts (organized and unorganized) in Mahnomen, Itasca, Pine, St. Louis, Clear Water, Koochiching, and Becker Counties, Minn., in the construction, improvement, and extension of school facilities to be available to both Indian and white children; to the Committee on Indian Affairs.

By Mr. NEELY:

S. 3081. A bill granting a pension to John E. Shepherd; to the Committee on Pensions.

By Mr. McNARY:

S. 3082. A bill granting an increase of pension to Francis H. Kearney; to the Committee on Pensions.

By Mr. ASHURST:

S. 3083 (by request). A bill to amend the Judicial Code in respect to the jurisdiction of the Court of Claims in certain cases; and

S. 3084 (by request). A bill to amend subsection (C) of section 35 of the Criminal Code, as amended (52 Stat. 198; U. S. C., Supp. IV, title 18, sec. 82), relating to theft of and depredations against property of the United States; to the Committee on the Judiciary.

S. 3085. A bill providing for the storing and distribution of hearings of committees of the Senate, and for other purposes; to the Committee on Printing.

By Mr. MEAD:

S. 3086. A bill for the relief of Helen Adams; to the Committee on Claims.

S. 3087. A bill to record the lawful admission to the United States for permanent residence of Chaim Wakerman, known as Hyman Wakerman; to the Committee on Immigration.

By Mr. GLASS:

S. 3088. A bill to amend section 8 of the act entitled "An act to supplement laws against unlawful restraints and monopolies, and for other purposes," particularly with reference to interlocking bank directorates, known as the Clayton Act; to the Committee on Banking and Currency.

By Mr. McKELLAR:

S. 3089. A bill to provide for the cancelation of the indebtedness of the Republic of Finland to the United States of America; to the Committee on Finance.

S. 3090. A bill to provide that the Comptroller General of the United States shall prescribe a system of accounts for the Farm Security Administration and shall audit such accounts, and for other purposes; to the Committee on Appropriations.

SALES AND TANGIBLE PERSONAL PROPERTY TAXES IN NATIONAL PARKS—RECOMMITTAL OF BILL

Mr. GEORGE. Mr. President, heretofore Calendar No. 1071, House bill 6687, to authorize the levy of State, Territory, and District of Columbia taxes upon, with respect to, or measured by sales, purchases, or use of tangible personal property or upon sellers, purchasers, or users of such property measured by sales, purchases, or use thereof occurring in United States national parks, military and other reservations or sites over which the United States Government may have jurisdiction, was favorably reported by the Finance Committee. I have conferred with the chairman of the committee, and some other members of the committee who are present; and I ask unanimous consent that House bill 6687 be recommitted to the Finance Committee. Some amendments which obviously ought to be made in the bill were overlooked.

The VICE PRESIDENT. Is there objection to the request of the Senator from Georgia? The Chair hears none, and it is so ordered.

INVESTIGATION OF CAMPAIGN EXPENDITURES

Mr. GEORGE. I submit the usual resolution for the investigation of campaign expenditures. I do not ask for the

consideration of the resolution. There are reasons why I think it should go to the Committee on Privileges and Elections, and I ask that the resolution be referred to that committee.

There being no objection, the resolution (S. Res. 212) was read and referred to the Committee on Privileges and Elections, as follows:

Resolved, That a special committee consisting of five Senators, to be appointed by the Vice President, is hereby authorized and directed to investigate the campaign expenditures of the various Presidential candidates, Vice Presidential candidates, and candidates for the United States Senate, in all parties, the names of the persons, firms, or corporations subscribing the amount contributed, the method of expenditure of said sums, and all facts in relation thereto, not only as to the subscriptions of money and expenditures thereof, but as to the use of any other means or influence, including the promise or use of patronage or use of any public funds, and all other facts in relation thereto which would not only be of public interest but which would aid the Senate in enacting any remedial legislation or in deciding any contests which might be instituted involving the right to a seat in the United States Senate.

No Senator shall be appointed upon said committee from a State in which a Senator is to be elected at the general election in 1940. The investigation hereby provided for, in all the respects above enumerated, shall apply to candidates and to contests before primaries, conventions, and the contests and campaign terminating in the general election in 1940.

Said committee is hereby authorized to act upon its own initiative and upon such information as in its judgment may be reasonable or reliable. Upon complaint being made before said committee, under oath, by any person, persons, candidate, or political committee, setting forth allegations as to facts which, under this resolution it would be the duty of said committee to investigate, the said committee shall investigate such charges as fully as though it were acting upon its own motion, unless, after a hearing upon such complaint, the committee shall find that the allegations in said complaint are immaterial or untrue.

Said committee is hereby authorized, in the performance of its duties, to sit at such times and places, either in the District of Columbia or elsewhere, as it deems necessary or proper. It is specifically authorized to require the attendance of witnesses by subpoena or otherwise; to require the production of books, papers, and documents; and to employ counsel, experts, clerical, and other assistants; and to employ stenographers at a cost not exceeding 25 cents per 100 words.

Said committee is hereby specifically authorized to act through any subcommittee authorized to be appointed by said committee. The chairman of said committee or any member of any subcommittee may administer oaths to witnesses and sign subpoenas for witnesses; and every person duly summoned before said committee, or any subcommittee thereof, who refuses or fails to obey the process of said committee or who appears and refuses to answer questions pertinent to said investigation shall be punished as prescribed by law.

The expenses of said investigation, not exceeding in the aggregate \$30,000, shall be paid from the contingent fund of the Senate on vouchers signed by the chairman of the committee or the chairman of any subcommittee.

All hearings before said committee shall be public, and all orders or decisions of the committee shall be public.

The committee shall make a full report to the Senate on the first day of the next session of the Congress.

ASSISTANT CLERK, COMMITTEE ON ENROLLED BILLS

Mr. MILLER (for Mrs. CARAWAY) submitted the following resolution (S. Res. 213), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Enrolled Bills hereby is authorized to employ for the remainder of the present session an assistant clerk to be paid from the contingent fund of the Senate at the rate of \$1,800 per annum.

WAR MINERALS RELIEF COMMISSION (S. DOC. NO. 143)

Mr. GUFFEY. Mr. President, I ask unanimous consent that the report of the War Minerals Relief Commission transmitted to the Congress on January 4, 1940, by the Secretary of the Interior, be printed as a Senate document.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Calhoun, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 884. An act to add certain lands to the Siuslaw National Forest in the State of Oregon;

H. R. 3051. An act for the relief of certain workers performing emergency work at Cairo, Ill., in the Ohio River flood of 1937;

H. R. 3087. An act for the relief of Gdynia America Line, Inc., of New York City, N. Y.;

H. R. 3363. An act for the relief of the American Insurance Co. of New Jersey;

H. R. 3912. An act for the relief of the heirs of John Cauley, deceased;

H. R. 4813. An act for the relief of the estates of Marie R. Morkovsky and Alphons Morkovsky, both deceased;

H. R. 5369. An act for the relief of Maj. Noe C. Killian;

H. R. 5919. An act to provide for the refunding of the bonds of municipal corporations and public-utility districts in the Territory of Alaska, to validate bonds which have heretofore been issued by a municipal corporation or any public-utility district in the Territory of Alaska, and for other purposes;

H. R. 6804. An act for the relief of George E. Miller;

H. R. 6832. An act to provide for the protection of witnesses appearing before any department, independent establishment, or other agency of the United States, or the Congress of the United States; and

H. R. 7327. An act for the relief of the Nevada Silica Sands, Inc.

RECIPROCAL-TRADE AGREEMENTS—STATEMENT BY SENATOR McNARY AND LETTER FROM SECRETARY HULL

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a statement issued by Senator McNARY, together with a letter to Senator McNARY from Secretary of State Hull, dated December 16, 1939, on the subject of reciprocal-trade agreements, which appear in the Appendix.]

RECIPROCAL-TRADE AGREEMENTS—ADDRESS BY SENATOR CAPPER

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address delivered by him on January 7, 1940, as a part of the American Forum of the Air, on the subject Reciprocal-Trade Agreements, which appears in the Appendix.]

ADDRESS BY SENATOR BILBO AT DEDICATION OF SOUTHERN RESEARCH LABORATORY

[Mr. BANKHEAD asked and obtained leave to have printed in the RECORD the address delivered by Senator BILBO on the occasion of the dedication of the Southern Research Laboratory at New Orleans, La., December 29, 1939, which appears in the Appendix.]

JACKSON DAY ADDRESS BY SENATOR MALONEY

[Mr. MALONEY asked and obtained leave to have printed in the RECORD an address delivered by him at the Jackson Day dinner held at New Haven, Conn., January 8, 1940, which appears in the Appendix.]

JACKSON DAY ADDRESS BY ROBERT H. JACKSON

[Mr. MEAD asked and obtained leave to have printed in the RECORD an address delivered by Hon. Robert H. Jackson, Solicitor General of the United States, at the Jackson Day dinner held at Cleveland, Ohio, January 8, 1940, which appears in the Appendix.]

THE SIGNIFICANCE OF INTER-AMERICAN SOLIDARITY—ADDRESS BY HON. JOSEPHUS DANIELS

[Mr. SHEPPARD asked and obtained leave to have printed in the RECORD the address delivered by Ambassador Josephus Daniels before the Institute of Public Affairs of the Southern Methodist University at Dallas, Tex., December 2, 1939, on the subject The Significance of Inter-American Solidarity, which appears in the Appendix.]

ADDRESS BY FRED BRECKMAN ON THE FARMER AND THE INDUSTRIAL MOBILIZATION PLAN

[Mr. BYRD asked and obtained leave to have printed in the RECORD a radio address delivered by Mr. Fred Breckman, Washington representative of the National Grange, on the subject The Farmer Under the Industrial Mobilization Plan, which appears in the Appendix.]

THE LATE ANDREW FURUSETH—ARTICLE BY PETER B. KYNE

[Mr. GIBSON asked and obtained leave to have printed in the RECORD an article by Peter B. Kyne on the late Andrew

Furuseth, published in the Reader's Digest of December 1939, which appears in the Appendix.]

ANALYSIS BY PAUL BLOCK OF THE PRESIDENT'S ANNUAL MESSAGE

[Mr. DAVIS asked and obtained leave to have printed in the RECORD an analysis of the President's message by Mr. Paul Block, published in the Pittsburgh Post-Gazette of January 8, 1940, which appears in the Appendix.]

ARTICLE BY HUGH S. JOHNSON ON THE BRITISH DEBT, ETC.

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article by Hugh S. Johnson, published in the Washington Daily News of January 8, 1940, relative to the British debt to the United States, and other matters, which appears in the Appendix.]

ARTICLE BY ERNEST K. LINDLEY ON PUBLIC-DEBT CARRYING CHARGES

[Mr. BILBO asked and obtained leave to have printed in the RECORD an article by Ernest K. Lindley entitled "Carrying Charges," published in the Washington Post of today, which appears in the Appendix.]

PROPOSED JOINT COMMITTEE FOR STUDY OF BUDGET

The VICE PRESIDENT. The Chair lays before the Senate a concurrent resolution coming over from a previous day, which will be read.

The concurrent resolution (S. Con. Res. 33) submitted by Mr. HARRISON on January 8, 1940, was read, as follows:

Resolved by the Senate (the House of Representatives concurring). That there is hereby established a joint congressional committee to be composed of six members of the Senate Committee on Finance and six members of the Senate Committee on Appropriations, to be appointed by the President of the Senate, and six members of the House Committee on Ways and Means and six members of the House Committee on Appropriations, to be appointed by the Speaker of the House of Representatives. The committee is authorized and directed to make a full and complete study and analysis of the Budget of the United States Government for the fiscal year ending June 30, 1941, and the message of the President accompanying the Budget, with a view to assisting the Congress in formulating a comprehensive fiscal program which will tend ultimately and at the earliest practicable date to bring revenues and expenditures into balance.

For the purposes of this concurrent resolution, the committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such times and places during the sessions, recesses, and adjourned periods of the third session of the Seventy-sixth Congress as it deems advisable. The committee shall report to the two Houses of Congress the results of its study, together with its recommendations, not later than the sixtieth day after the establishment of the committee. Such reports shall be referred to the standing committees of the Senate and House of Representatives from which the membership of the committee established by this concurrent resolution was appointed.

The VICE PRESIDENT. The question is on agreeing to the concurrent resolution.

Mr. McNARY. Mr. President, in view of the assurances made by the able Senator from Mississippi [Mr. HARRISON], and recorded in the CONGRESSIONAL RECORD day before yesterday, that he will carry out the objectives of the Republican conference, I do not now persist further in my objection.

Mr. VANDENBERG. Mr. President, I wish to submit an additional observation respecting the agreement of the Senator from Mississippi that this inquiry, if made, will include a serious survey of the fundamental questions of policy involved in the Army and naval appropriations.

The distinguished Senator from Massachusetts [Mr. WALSH] submitted a memorandum for the RECORD on January 8, indicating a break-down in the proposed naval appropriations for the present fiscal year, naval appropriations being the only ones, I repeat, which the President recommends in excess of last year's appropriations. For example, in the memorandum submitted by the Senator from Massachusetts there is a total of at least \$64,000,000 "for fitting out vessels for neutrality patrol. The amount may be as much as \$125,000,000.

Mr. President, it seems to me that we cannot have a realistic approach to the economy problem until some of the fundamental policy questions such as the neutrality patrol are settled. What does it mean that we are asked for \$64,000,000 or more to implement the Pan-American safety belt which upon our own responsibility we are undertaking to extend

from 300 to 1,000 miles into the Atlantic Ocean, making, perhaps, a provocation belt out of it rather than a safety belt? Must we not first determine whether we shall approve and accept this new safety belt idea, and whether we are willing to police it against other powers which decline to recognize our jurisdiction?

In the testimony of Admiral Stark this week—this is another example—we hear that we are about to be committed to 50,000- or 60,000-ton battleships, although the last time the Senate passed upon the question of battleship tonnage it was very eager to confine battleship tonnage to 35,000 tons, so that we should not be responsible for leading the world into a new phase and field of naval competition. Is the 50,000- or 60,000-ton battleship the useful thing to do with \$130,000,000 or \$140,000,000 in the way of national defense, or are there some new lessons being learned in this present war in respect to the relative utility and availability of large naval vessels? Should we now embark upon any such innovation, such novelty in naval construction, when the ships cannot be finished under 5 or 6 years and by that time contemporary war experience may have repealed all our present knowledge on the subject?

These are incidental questions, Mr. President, which illuminate the necessity for a complete, thorough-going survey of the whole question of national defense, the whole policy that we are to pursue in connection with national defense, the whole question of how our money shall be spent in respect to the national defense. I want the Army and the Navy to have everything essential to rational national defense. I believe in sturdy preparedness. But I do not believe in loading a bankrupt Treasury with needless burdens or unwise adventures even in the exalted name of national defense.

I fail to understand how any of us, at either end of the Capitol, can approach the question of this year's Budget and appropriations without a realistic study of these terrifically fundamental questions with respect to the Navy and the Army.

The able Senator from South Carolina [Mr. BYRNES] has initiated an investigation upon the responsibility of his own committee into these factors. I heartily welcome that investigation, and I know how thoroughly any inquiry which is under the direction of the able Senator from South Carolina will be pressed. The fact remains that the Harrison proposal is the first effort that has been made to bring the question of revenue and appropriations within the four walls of the same room; it is the first realistic effort to have a congressional budget. I submit that this laudable effort is bound to fail except as it includes under the promise of the Senator from Mississippi, supplemented by the work of the Byrnes committee, a rock-bottom, courageous, thoroughgoing, realistic exploration of the question of what we got for our money out of the eight or ten or twelve billion dollars we have appropriated for national defense during the last decade and what our naval and military policy is going to be henceforward. That is the point at which not only the emphasis rests in respect to defense but that is the point where emphasis rests in respect to economy. We are not at war. We are not going to war. The Budget must not deny these specifications.

The VICE PRESIDENT. The question is on agreeing to the concurrent resolution.

Mr. ADAMS. Mr. President, in view of the situation which confronts us, there are one or two suggestions which I feel justified in offering.

I think it is very fortunate to have a recognition such as is involved in the pending concurrent resolution of the seriousness of American financial problems. I think, without undue lack of seriousness, that the President, with a twinkle in his eye, has again outsmarted the Congress. He has submitted a Budget with material cuts. The figures of the Budget are such that if Congress should raise the appropriations it would break through the so-called debt limit or would have to levy increased taxes.

The President in his Budget has cut certain items very dear to the hearts of Congress. For instance, he has reduced aids to agriculture \$413,000,000. He has reduced relief recommendations \$562,000,000. He has reduced the National Youth

Administration \$15,000,000. He has reduced the C. C. C. \$64,000,000. He has reduced the public-road fund \$45,000,000. He has reduced the public-buildings recommendations \$20,000,000. He has reduced military posts scattered throughout the country \$53,000,000. He has reduced flood-control and river-and-harbor items \$98,000,000. In the aids to agriculture portion of the \$413,000,000 he has eliminated parity payments of \$225,000,000, rural rehabilitation \$143,000,000, surplus-commodity appropriation \$40,000,000, farm tenancy \$15,000,000.

I am merely saying that the President, I think, with a twinkle in his eye, has put this babe on our doorstep. He is going to be in position to say to us: "I gave you a Budget recommendation which will not increase the debt limit. If you, the Members of Congress, see fit to put back these items, you are the ones who are responsible for going beyond the debt limit, or else you should levy additional taxes."

I think Congress is in a position to meet the situation. I want to see Congress say to the President: "You have made these cuts. They are your recommendations, and we will stand by them. It is your responsibility if you have cut too deeply." That is the feeling I have. I am unwilling to have put upon Congress the burden of breaking through the debt-limit or of levying additional taxes. Differing from many other Senators, I think there is a very easy way and a very proper way to allow a restoration of some of these items without going to the so-called debt limit. I would take off the increased appropriation for so-called national defense. The President recommends \$1,800,000,000—32 percent of the estimated revenue of the Government—for national defense, increasing the national-defense provision hundreds of millions of dollars above the appropriation for last year; and the appropriation for last year, or the current fiscal year, exceeded by many million dollars any amount ever before appropriated for that purpose. I am unable to see the necessity for tremendous appropriations for national defense.

During the special session, under the leadership of the Foreign Relations Committee, headed by the Senator from Nevada [Mr. PITTMAN], the United States proceeded to protect itself against the hazards of international complications. We withdrew ourselves from the high seas. We surrendered rights for which two wars had been fought because we did not want to run the risk of contacts which might result in conflicts. So we are today keeping our ships out of danger zones. We are restraining them from various activities. We are refusing to make loans to belligerents. We are not selling munitions except on a cash-and-carry basis. We are doing things which, to me, are almost humiliating in order to protect ourselves against the hazards of war. Yet now, having gone to these limits, it is suggested to us that we are confronted with a national emergency; that we must cut relief to the farmers, cut relief to the unemployed, cut relief here and there, in order to build more battleships, provide more soldiers, manufacture more munitions—to fight whom? To fight nobody. Nobody has anything we want, and we have nothing anyone else wants.

I think we can make the saving by reducing appropriations for a war which is not coming. We had better spend our money for the farmer, for relief, for soil conservation, for C. C. C. camps, for rural electrification, than for building machinery to destroy human life when we shall have no occasion to use it; and I have the apprehension that once we have built up a navy, once we have fortified islands so far off that we do not know where they are, there will be a temptation to use them. The United States has no occasion at this time, I think, to be uneasy about international troubles.

As to the pending concurrent resolution, fundamentally what it proposes, that Congress study the fiscal needs of the Government, is a wise thing to do. Under the Constitution Congress was given the power of the purse, but it has very largely abdicated the exercise of that power. The concurrent resolution provides for a study by a joint committee of Congress. As I have indicated, I think it is going back to the proper fundamental source. I think, however, the results of the concurrent resolution will be disappointing.

The resolution directs the committee to make a full and complete study and analysis of the Budget for 1941 in 60 days. I say to the Senate that a joint congressional committee could not do it in 6 years. There is no difficulty in laying down a broad fundamental principle. We can get 96 Senators and 435 Representatives to join in a declaration in favor of proper economies. They will all agree to a declaration that it is desirable to balance the Budget; but ask them to do the detail work of fixing the places where the cuts are to be made!

The distinguished, able, and patriotic Senator from Mississippi [Mr. HARRISON] has thought of this matter partly as he thinks of matters before the Finance Committee. They deal in broad, general principles. They lay down rules which apply to everybody. The measures before them are tax laws, fiscal rules of some kind, general in their character. The Appropriations Committee has a different and a less agreeable function. It deals not only with thousands but with hundreds of thousands of individual items. It does not deal with general principles. It deals with the question of whether the Congress should appropriate \$1,500 or \$1,000 for one purpose, whether it should appropriate \$1,000,000 or \$10,000,000 for another purpose. It deals with a multitude of individual items. The work of the Appropriations Committee requires a detailed knowledge of Government activities, of Government structure. It is not possible to work out appropriations, it is not possible to work out a Budget proposal, in terms of generalities; or, if that is done, it is useless.

I am in favor of the creation of the proposed joint committee, partly because I want some of the members of other committees to understand the problem. I want them to go to work on it. I want them to take up this thousand-page Budget, with hundreds of items on a page, and tell us how we shall balance the Budget. Under the concurrent resolution they are going to tell us in 60 days. I hope they can do so. It they can arouse a public interest, a public sentiment on the matter of national economy, they will perform a great service.

One of the weaknesses of the effort for economy which has been made in this body and in the other House is the lack of public support. We in Congress cannot economize unless we have the people at home back of us. Up to the present time the people at home generally have been interested in the construction of projects or the employment of persons in the local communities, and there has not been support for those who have been fighting the battle of economy and sound finance.

Mr. President, what Congress wants is a method of painless budget balancing. It wants to balance the Budget without any pain or suffering or any deprivation anywhere. We are to reduce our expenditures by billions, or increase our taxes, and have everybody enjoy it. There is no method by which to reach such a result. Neither the proposed committee nor any other committee can devise a plan to balance the Budget without involving almost insurrection. When we get the Budget balanced it will be done within the Congress of the United States, or in the administration, by those who are willing, as the soldier does in war, to go into the front-line trenches and sacrifice his political life for the sake of his country. We will not balance the Budget until we find men willing to surrender their offices in the Congress in order to do their country a service. So long as Members of Congress have demands made upon them by those who send them here to spend money rather than to save it, we will have an unbalanced Budget. I am hoping that the proposed committee in its report will say these things to us very plainly and will put the burden back where it belongs.

Some would criticize the President. The President is not to blame for the unbalanced Budget. Every dollar that has been spent has been spent by act of Congress. If Congress accepts the recommendations and the directions of the President, and the Budget is thereby unbalanced, it is the fault of Congress and not of the President. I have no patience with an effort to evade the responsibility by saying we did this

or that because the President asked that it be done. In any event, the President is now asking for reductions in expenditures, and Congress is to have a chance to say whether or not it will now follow the recommendations. I am saying to my colleagues as a guess that many of those who have fought some of us when we were advocating economy will be in the van in voting to restore the cut in appropriations under the Budget which the President recommends.

Mr. President, what Congress needs is facts. What is needed by the Appropriations Committee is facts. How do the Appropriations Committees operate and how does the Budget operate? Officials of the departments who want appropriations are the only ones who are heard by the committees. In the Senate Committee on Appropriations whom do we hear? We hear only representatives of departments urging increases of appropriations. Never does anyone appear before the Committee on Appropriations, so far as I know, representing the taxpayer, representing the general public, urging a reduction of appropriations.

I know of one man who came before the Committee on Appropriations and said that the recommendation of his superior budget officer was more than he needed in his particular department. He is no longer in the service.

It is perfectly proper that the Executive should have a budget committee or bureau to sift out and to study the demands of the departments. But the Congress of the United States needs a budget committee of its own. The Committee on Appropriations needs a force of experts serving not only 12 months in the year, but year by year, gathering information for the committee from the standpoint of the taxpayer, scrutinizing every request that is made by a department. Instead of having the members of the committee dependent solely upon recommendations from executive departments, upon testimony from department officers, let the Committee on Appropriations—let the Congress—have a fact-finding organization of its own. Congress is responsible for levying taxes and spending money. It cannot legislate soundly unless it has facts, and the Congress of the United States has no agency of its own whose function is to get the facts upon which it can exercise this, its most important function.

Mr. GILLETTE and Mr. SHIPSTEAD addressed the Chair.

The VICE PRESIDENT. Does the Senator from Colorado yield; and if so, to whom?

Mr. ADAMS. I yield first to the Senator from Iowa.

Mr. GILLETTE. As an instance of the need now for such a fact-finding budget committee as has just been suggested so ably by the Senator, I wonder if he noticed that a high naval officer stated yesterday before a House committee that there was included in the proposed river and harbor appropriation an item of \$4,000,000 to start the fortification of Guam—a proposal which was rejected by the Congress emphatically at the last session.

Mr. ADAMS. It attracted my attention quite forcefully. I now yield to the Senator from Minnesota.

Mr. SHIPSTEAD. Mr. President, I have often thought that the Budget should be responsible to the Appropriations Committees of the Congress instead of to the executive department. I think the Senator is perfectly correct that to have department heads make out their own budgets is putting the cart before the horse. They should make their requests, but what would the Senator think of Congress having control of the Budget?

Mr. ADAMS. I reply to the Senator that, of course, Congress should have control of it. But I think there should be two budget agencies, one to advise the President, one to sift out the requests so that the President can say, "I think my department should have this." Then the Congress should have its own investigatory force to undertake an investigation and to check the items.

Mr. President, I will give an illustration: During the last session of Congress we were urged most strenuously to make an appropriation for an air-research laboratory. The statement was made that the United States was some years behind Germany in its airplane research; that if we did not spend

some money on such a project we would be so far behind that we could not catch up, and that our airplanes did not compare with those abroad. Today the American airplane in Europe has shown its superiority over every European airplane; and we have not sent our best abroad.

Mr. KING. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. KING. I wish to say to the Senator, in part, in reply to the statement made by the Senator from Minnesota, that several years ago I suggested the appointment of a congressional budget body, and more than a year ago I introduced Senate bill 2545, which provided for the establishment of a congressional agency on appropriations. It was to parallel, in a way, the work of the executive Budget Bureau. It provided for a congressional budget committee so that Congress might be advised in regard to appropriations sought, and have testimony taken in support of demands for appropriations, in order to be better prepared to pass upon the appropriation bills when they were submitted. Unfortunately my bill died a-borning. Those who were so anxious for economy did not see fit to have the measure enacted. If it had been enacted, there would be no occasion for the resolution which has been offered by the Senator from Mississippi. I shall introduce the bill again and ask for its consideration at an early date.

Mr. SHIPSTEAD. Mr. President, will the Senator from Colorado yield further?

Mr. ADAMS. I yield.

Mr. SHIPSTEAD. If the Senator will permit me, in view of the statement of the Senator from Utah, let me say that a couple of years ago I introduced a joint resolution calling for the establishment of an economic research council to assist the committees of Congress. At one time it looked as though there was considerable interest in the proposal, but evidently the departments, who seem to control the Budget, got in their work, and the proposal made in the joint resolution suddenly lost all support. I hope that the Senator from Utah and the Senator from Colorado will continue their efforts to have established an independent council of Congress to check up on the departments.

When appropriation bills under the Budget come to the Committee on Appropriations of either House, we have to take the word of the heads of the departments, and Congress is helpless to check them.

Mr. ADAMS. Mr. President, I merely wanted to make some of these suggestions, because, if the proposed committee is appointed, I shall not be on it, and I wanted the suggestions in the RECORD.

I have been disappointed to find that, though a few years ago we were talking of balancing the Budget, now the question is as to reducing the deficit. Apparently a sincere desire for balancing the Budget has given way to argument as to the extent to which the deficit should be reduced. Unless we eliminate the deficit, sooner or later we will meet disaster. Merely discussing reduction of deficits, as distinguished from balancing the Budget, is tantamount to saying, "Let us postpone disaster rather than avoid it." Unless we set our house in order, unless we make preparation to balance the Budget, if we accept deficits as inevitable, disaster and catastrophe will be unavoidable. We have been going down a great, broad river, as it were, not only floating down but rushing down. We all see that the falls lie below us, but we say, "Well, we are not there yet; perhaps something will happen to save us." If we do not row to the shore sooner or later and tie our boat to something that will hold we shall go over the falls.

Mr. President, we hear discussion as to the amount of Federal indebtedness the country can stand. We can find out how much indebtedness it can endure, but the day we find out the limit of Federal indebtedness is the day that catastrophe will overtake us. I hope we may never find out what the limit of Federal indebtedness is. I hope that through the work of a joint committee consideration may be given to all these matters and that out of that study may come the two things we need: One, the ascertainment of facts for the benefit of Congress, upon which rests the re-

sponsibility for all fiscal matters; and the other, that Congress may, through the efforts of the proposed committee, or otherwise, be inspired with the courage to do that which is necessary in order to save the Government from financial catastrophe.

The VICE PRESIDENT. The question is on agreeing to the concurrent resolution submitted by the Senator from Mississippi.

Mr. BORAH. Mr. President, there has been no general change in the resolution as it was presented day before yesterday, and I understand that agreement has been reached as the result of conversations had between the chairman of the Committee on Finance and the majority leader and the minority leader. Now I should like to know what the understanding is as to what the proposed committee is expected to do in the way of study and making recommendations with reference to the national defense expenditures. Not having been associated with the conversations, I feel that I should like to have a statement from the majority and minority leaders and from the chairman of the Finance Committee as to what is expected to be done. What is proposed to be done under the pending resolution? Would the majority and the minority leaders be willing to state to the Senate what kind of investigation is going to be made, and to what extent it is going to be made? What kind of jurisdiction is the committee going to assume with reference to recommendations concerning expenditures for national defense? Will there be anything other than a statement of the facts as to how much has been appropriated, and whether or not that is sufficient or insufficient?

Mr. HARRISON. If the Senator is propounding his question to me—

Mr. BORAH. I do propound it to the Senator from Mississippi.

Mr. HARRISON. I should think that the joint committee, within just as short a time as it could under the limitation fixed, should go into the question of the increased appropriation for national defense, which is one of the major questions involved in the President's message, because in connection with it the President requests the enactment of additional taxes for that purpose. I think the joint committee, if it should be created, should not work against the Naval Affairs Committee of the Senate or the subcommittee of the Committee on Appropriations dealing with naval appropriations. The proposed committee and the other committees I have mentioned ought to work together and try to cooperate in as careful a study as possible on the basis of the message presented by the President and the accompanying Budget. And naturally, when doing that, the joint committee, if created, should have the benefit of the presence, so far as possible, of the chairman of the Naval Affairs Committee and such other members of that committee as can attend the meetings when the committee is studying the particular questions in which those members are interested, as well as the chairman of the subcommittee of the Committee on Appropriations dealing with naval affairs and the members of that committee, if they can be present. The same statement applies to the chairman of the Naval Affairs Committee of the House and the chairman of the Subcommittee on Appropriations in the House as well as such House committee members as can attend. Also heads of various departments and anyone else who has a particular knowledge of the question under consideration should be in attendance to present their information, in order that we may have full cooperation, so that an effort may be made to arrive at the best possible conclusions leading eventually toward an approach to a balanced Budget.

Mr. BORAH. Mr. President, would the Senator say that in his opinion the question of the necessity of the appropriations for expenditures which have been recommended will be considered by the proposed committee?

Mr. HARRISON. I do not think there is any doubt about that. If I should be on the committee—and I stated on Monday that I am not a candidate for membership on the committee—I should certainly want that to be done.

Mr. BORAH. May I ask the majority leader if that is his view of the matter?

Mr. BARKLEY. Mr. President, I will say to the Senator that under the terms of the concurrent resolution the joint committee, if it should be created, would have absolute and comprehensive authority to go into any phase of our public expenditures as presented to the Congress in the Budget and the message of the President. It would have the right to go into the question of the wisdom of any expenditure recommended, or of any reduction recommended, or the question of taxation. I think that under the general language of the resolution the committee could explore the entire field of public expenditures, and make findings of fact and recommendations to the Congress, which, of course, would have to be submitted to the respective appropriating and revenue committees of the two Houses.

Mr. BORAH. Mr. President, I think the language of the resolution is sufficiently broad to enable the committee to go into any phase of the matter, but in view of the fact that no express directions are given in the resolution, I am anxious to know whether the spirit behind the proposed investigation is such as to evince a willingness to go into the question of the necessity of the vast expenditure recommended for so-called national defense.

Mr. BARKLEY. Mr. President, I have no doubt that the spirit which actuated the Senator from Mississippi in drawing and offering the resolution comprehended just that thing. Of course, I do not know who will be on the committee. I know one Senator who will not be on the committee, but I cannot speak for anyone else. I should assume that if such a committee were appointed it would recognize its responsibility and perform its duties as expeditiously and as comprehensively as possible.

Mr. BORAH. Mr. President, the recommendations which have been made will result in cuts in a great many items in which the Congress is interested, but unless there is a determined effort upon the part of the leaders, upon the part of those who are directing the inquiry, that there shall be a conscientious investigation as to the necessity of increasing the national defense, and go into the details which disclose the necessity and reveal the things which lie behind the recommendations, there will be no recommendations made to Congress which will amount to anything whatever. Congress, as it has repeatedly done heretofore, will take care of those items which the President has indicated might be cut. Those items will be restored, and then the question of national defense will have a half-hearted opposition, as is usual, and the present Congress will adjourn with an increase in appropriations having been made by it which will not be paralleled in the history of our country.

Mr. BARKLEY. I may say to the Senator that I agree thoroughly with him in his remarks. If the proposed committee is to go at the matter in a lukewarm fashion, and not be enthusiastic for the attainment of the object we desire, of course the committee will accomplish very little. But I hope the committee will be made up of such Members, both from the House and the Senate, as to justify the belief that we can bring about a closer approach between expenditures and governmental receipts. The question of the extraordinary increase for the Navy is one of the questions we must look into and analyze most closely.

Mr. BORAH. Mr. President, take for instance, the matter of the Panama declaration. If we should assume to put sanctions behind that declaration we would likely need all the appropriations which have been recommended. Those questions to my mind are a part of this investigation. We cannot determine this whole matter unless we determine those questions. We must take into consideration the responsibilities we may assume. I note that Mr. Chamberlain last night said some very complimentary things about the President's peace movement and his recommendations, but he said the time was coming when Great Britain would have to have men, when blood would have to be spilled; that these other things were very nice, but that they would not meet the situation. These are the conditions which are approaching,

and which are all a part of the investigation of the proposals for the national defense.

Mr. BYRNES. Mr. President, with reference to the appropriations for the Navy, let me call the attention of the Senate to the fact that the Appropriations Committee is not presented with the question of determining the policy as to what kind of Navy shall be provided for. That policy is determined by the Congress. As a result of legislation first considered in the Naval Affairs Committee, certain authorizations are made for the construction of ships of a certain type. Appropriations may not be made unless the Congress has authorized them. Then the Congress determines, in the appropriation bill, only the question as to how much money shall be spent for the next year to carry out the purposes of the legislation previously enacted by the Congress.

The Senator from Idaho [Mr. BORAH] asks about the investigation which would be made. I do not know what investigation would be made by the so-called supercommittee, or the joint committee which is now proposed; but an investigation has been made and is now being made by the Appropriations Committee of the House of Representatives into the details of the Naval Establishment. If the investigation is like that of other years, the result will be about 400 or 500 pages of printed testimony. When the bill comes to the Senate Appropriations Committee the subcommittee will sit for days investigating the whole question, as the Senator from Idaho desires that it should be investigated. However, our difficulty is that we can never induce individual Members of the Senate to divert from their other duties the necessary time to read the 400 or 500 pages of testimony taken before the House committee and the testimony taken before the Senate committee, which in almost every instance consumes at least 10 days and sometimes several weeks. If we could do that, we feel that we would have greater support when the Appropriations Committee makes a recommendation to the Senate.

There will be no doubt about the action of the Appropriations Committee. This year, as it has done every other year, the Appropriations Committee will make an inquiry into every recommendation, even for the promotion of a \$1,200 clerk in the Navy Department, as well as the big question as to how much shall be spent for the increase of the Naval Establishment.

I do not agree that we can say that our country will never be in danger of war, and that there is no excuse for considering an increase of any item in the Naval Establishment because we can be satisfied that there is no danger of war. If every man in his heart believed that to be true, there would be no excuse whatever for any Army bill or Navy bill. If that were true, why appropriate a dollar for national defense? We might better appropriate it for other purposes or reduce taxes. However, because we are not convinced that that is the case, and because we cannot be convinced of it, we cannot abandon the defense of the Nation, which, after all, under the Constitution is the primary duty of the Federal Government.

It may be the subject of debate as to whether or not States, counties, or cities should take care of other questions. We must take care of the question of national defense. My belief is that we should keep our feet on the ground and, even with respect to current appropriations, we should make inquiry to determine their present status, how the money is being spent, what we are getting for it, and whether or not it is being wisely spent. That is the important thing to do before we enter upon the consideration of the estimates for the next fiscal year.

I can speak only for the naval subcommittee of the Senate Appropriations Committee, when I say that such an inquiry will be made; and I hope when it is made the joint committee will find itself in accord with the views of the Appropriations Committee. If it does not, a splendid opportunity will be afforded to present to the Senate the question as to who is right—the Appropriations Committee, when it says that so much money is needed for the Naval Establishment, or the joint committee, which has set another figure. Then if the joint committee can convince the Senate of the wisdom of

its conclusion, the Senate will adopt it. If the Senate is convinced of the wisdom of the recommendations of the Appropriations Committee, it will adopt the figure of the Appropriations Committee, whatever it may be.

Therefore, the proposed investigation can do no harm. It may be helpful. It ought to be helpful in the advice it will give to the Appropriations Committee. As the chairman of one subcommittee of the Senate Appropriations Committee, I shall be glad to receive that advice.

Mr. VANDENBERG. Mr. President, will the Senator yield for a question?

Mr. BYRNES. I yield.

Mr. VANDENBERG. The Senator says that in making appropriations the Senate Appropriations Committee does not fix governmental policy, but merely implements the policy which has previously been ordered by act of Congress. I ask the Senator when, for example, the Senate will ever have an opportunity to pass upon the question of the new neutrality patrol, 300 or 1,000 miles at sea, except in connection with the specific appropriations for that purpose as submitted in the Budget.

Mr. BYRNES. There will be no other opportunity. I was speaking of the broad question of capital-ship construction and not of the details, because legislative authority is not necessary for the minor details of expenditure in the Navy Department which are already authorized. If they are not authorized, they are subject to a point of order when embodied in an appropriation bill. The Senate will have ample opportunity, when the deficiency bill and the naval appropriation bill come before the Senate, to determine whether the proposed appropriations are wise or unwise.

Mr. VANDENBERG. Then the Senator agrees that it is an appropriate matter of inquiry, in connection with these new appropriations, to determine for ourselves and state for ourselves whether or not we want to implement a neutrality patrol; whether or not we want to launch 60,000- or 70,000-ton battleships; and whether or not, as a matter of fundamental policy, we want to go into any of the proposed expansions?

Mr. BYRNES. The Appropriations Committee will not determine whether or not we should construct 65,000-ton battleships. Such construction may not take place unless the Congress, as the result of recommendations from the legislative committee, shall bring in new authorizations for the construction of such ships. If the Appropriations Committee should attempt to provide for such construction the items would be subject to a point of order. The Appropriations Committee cannot decide the question of policy. That is a question for the Naval Affairs Committee.

The other question which the Senator suggests, as to the neutrality patrol, is purely a question of appropriation. Not only is it a proper question for the consideration of the Senate but it is the duty of the Senate to determine the question. The Senate will have to pass upon the question whenever the bill comes from the Appropriations Committee.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BYRNES. I yield.

Mr. McKELLAR. I was not present during the earlier part of the discussion, and the matter is new to me. If the Senator from South Carolina will yield to me, I should like to ask the Senator from Mississippi [Mr. HARRISON] the purpose of his concurrent resolution. Is it the purpose to have the proposed joint committee supersede the Appropriations Committees of the two Houses or advise the Appropriations Committees? What is the purpose of the concurrent resolution?

Mr. BYRNES. Mr. President, I yield the floor to the Senator from Tennessee. I have no desire to retain the floor.

Mr. McKELLAR. I should like to have the Senator from Mississippi enlighten me on this question.

Mr. HARRISON. Mr. President, together with all the Senator's colleagues, I regret that he was not present during the early part of the discussion. The matter was discussed on Monday last, and in the CONGRESSIONAL RECORD of that day I expressed my views quite at length.

Mr. McKELLAR. I shall take pleasure in reading them.

Mr. HARRISON. There is no desire upon my part to do anything which would interfere with the Appropriations Committees of the Senate or the House. The proposed joint committee would be composed of 12 Members of the Senate and 12 Members of the House. The President of the Senate would name 6 Members from the Senate Committee on Appropriations and 6 Members from the Senate Committee on Finance. The Speaker of the House would name 6 Members from the House Appropriations Committee and 6 Members from the House Ways and Means Committee. As the Senator appreciates, in the Budget message the President goes into the whole fiscal policy at great length and calls attention to many difficulties. He raises the question of increased taxes and an increase in the appropriations for national defense. He recommends many reductions with respect to which I anticipate quite a battle will be waged on the Senate floor. So the purpose of the concurrent resolution is to synchronize with the appropriations themselves the work of raising the revenue to pay for the appropriations made by Congress. There is no desire to step on the toes of the Appropriations Committees or any other committee of this body or of the House.

Mr. McKELLAR. Let me ask the Senator a practical question. Suppose the joint committee of the two Houses were to fix a sum for national defense—which has been alluded to several times—quite different from the sum fixed by the Appropriations Committee. What would be the result under those circumstances? Would the proposed committee be a supercommittee?

Mr. HARRISON. The joint committee would have no legislative function at all. Its recommendations, when submitted, would be referred to the House Appropriations and Ways and Means Committees and the Senate Finance and Appropriations Committees as the basis upon which we might approach the time when Government expenditures and Government receipts might balance.

Mr. McKELLAR. The duty of the committee would be merely to recommend to the committees of the Senate and the House and to the Senate and the House?

Mr. HARRISON. It would submit its findings and recommendations to the two Houses of Congress, and the Senate and the House in turn would then refer the report to the appropriate committees.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. CONNALLY. I should like to ask the Senator from Mississippi [Mr. HARRISON] a question. Is it not true that in the early days of the Congress a single committee in the House of Representatives handled both taxation and appropriations?

Mr. HARRISON. I believe that is quite true.

Mr. CONNALLY. That was true in the early days. That procedure was based upon the very theory which the Senator now proposes in his concurrent resolution.

Mr. HARRISON. Yes.

Mr. CONNALLY. In the old days, when Congress was young, the Committee on Ways and Means of the House of Representatives handled both revenue legislation and appropriations.

Mr. HARRISON. That is true. Let me call attention to a further fact. I do not know about the practice in the House, but in the Senate the chairman and the ranking members of the legislative committees serve with the subcommittees of the Appropriations Committee in considering and writing appropriation bills. I am not sure whether that practice is followed in the House.

Mr. BORAH and Mr. BANKHEAD addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Mississippi yield; and if so, to whom?

Mr. HARRISON. I yield to the Senator from Idaho.

Mr. BORAH. Mr. President, I have no controversy with the able Senator from South Carolina [Mr. BYRNES] with reference to the work of his committee, and I have no doubt that it will be performed with ability and zeal. But what I am anxious to know about is this: The proposed joint com-

mittee must have some function and some ultimate object in view with reference to the question of national defense. Take, for instance, the suggestion of the fortification of Guam; would it be the idea of the able Senator from Mississippi that the proposed joint committee should go into the question of the wisdom and the necessity, and so forth, of such fortification and make recommendations in regard to it?

At the last session we considered that matter, and we thought it was disposed of permanently; but it has crept into the Budget under another name. Would it be the idea of the Senator that the proposed joint committee would have jurisdiction and have the obligation and duty of investigating such questions as that?

Mr. HARRISON. My own opinion is that the joint committee, if the concurrent resolution should be adopted, should examine that question and make a study of it and try to ascertain, for embodiment in its recommendations, the amount which would be involved in this extraordinary increase for the Navy. I think the proposed joint committee ought to study the matter referred to by the Senator from Idaho.

Mr. BYRNES. Mr. President, if the Senator will yield to me, I should like to make a brief statement with reference to the suggestion of the Senator from Idaho [Mr. BORAH]. The Senator from Idaho may have looked into the matter and may be advised about it, but I am not advised of any appropriation or estimate for the fortification of Guam. That matter has been discussed, as I understand from the press this week, before the legislative committee of the House, but not before the Appropriations Committee. Admiral Stark, appearing before the Committee on Naval Affairs of the House, where the determination of that question will lie, made a suggestion as to Guam. I ask the Senator from Massachusetts if any such proposal has been submitted to his committee? I am not advised as to whether or not it has been.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. HARRISON. I yield to the Senator from Massachusetts.

Mr. WALSH. My information is that the Budget asked for an appropriation for the dredging of the harbor at Guam. It asked for that appropriation under general authority to dredge and improve harbors that are accessible to naval bases and to land establishments, just as there is authority for the Committee on Appropriations to recommend an appropriation to dredge the entrance to the Boston Navy Yard or the Charleston Navy Yard.

The Navy Department asked for the appropriation as a dredging item under general authority to carry on such operations within a naval area or district, in this case the fourteenth or California naval district; and that question will be before the Committee on Appropriations.

Yesterday in the House committee, when Admiral Stark was present, the question was asked him as to what was the position of the Navy in reference to the dredging of the approach to Guam. He made the reply that the Navy favored it. But there is no legislation necessary to bring that about. The way to reach that issue, as I see it, is when the appropriations bill comes before the Senate, if that item is among those enumerated, to challenge the item and to have the Senate express itself regarding it.

Mr. BORAH. Mr. President, the Senator from Massachusetts states correctly that there is no specific recommendation as to Guam contained in the Budget estimate; it was left out, but was incorporated or included in an estimate for a naval district.

Mr. WALSH. Exactly.

Mr. BORAH. So the question of whether the appropriation may be used for Guam is a matter to be determined by someone else than the Congress itself. The appropriation is for a general district. Last year there was a specific recommendation for the fortification of Guam. We had it before us and knew what it was. I am not complaining about that particularly. What I want to know is whether or not that matter will be considered by the proposed joint committee

which is going to advise us in reference to national defense expenditures.

Mr. WALSH. The Committee on Naval Affairs has no such issue before it, and I assume the issue will be considered by the Committee on Appropriations.

Mr. BYRNES. Mr. President, there is no doubt about the accuracy of the statement of the Senator from Massachusetts. I was answering the Senator from Idaho only as to the larger program which has at times been suggested by the naval authorities concerning the fortification of Guam. When an item for dredging is presented to the Appropriations Committee, the Department is required to submit a breakdown of every dollar, stating the total, and showing exactly the purpose for which the money is to be used, and where it is to be used. I did not understand that the Senator was referring to a dredging item. However, the Appropriations Committee will present a breakdown showing exactly how much of the total sum is proposed to be apportioned by the Department for this object and submit its recommendation that the amount be granted or refused; and I think it would be refused if it were not desired to fortify Guam in compliance with the plans originally suggested by the Navy Department. I can assure the Senator that the question in which he is interested will be gone into by the Appropriations Committee on the dredging estimate.

Mr. BORAH. Then, am I to understand from the Senator's statement that his committee will determine whether or not there will be a fortification of Guam?

Mr. BYRNES. We will determine the only question submitted, and that is whether or not we should give a dollar for the dredging which is desired for Guam. That is the only question that will come to the committee. As the Senator from Idaho has said, if the Department asks for money for that purpose we can refuse it if we do not believe the work should be undertaken. We will present to the Senate all the arguments and the exact amount included in the total so that it can be refused or granted by action of the Senate; but we would not go into the question of constructing fortifications which are not asked for.

Mr. BORAH. But what if they are asked for?

Mr. BYRNES. If they are asked for, every detail will be required of the Department; they will have to make a showing to the committee, and the Senate will be advised of it, I can promise the Senator from Idaho.

Mr. WALSH. And a point of order could be raised against an item proposing the fortification of Guam?

Mr. BYRNES. In the absence of legislation, as I originally said, such an item would be subject to a point of order; that is the proposal which has heretofore been made about the fortification of Guam as differentiated from the dredging item. All information about the dredging item will be given to the Senate.

Mr. WALSH. Mr. President, if the Senator from Mississippi has concluded, I should like to take the floor to clear up some of the references made to the naval appropriations.

Mr. HARRISON. The Senator from Alabama [Mr. BANKHEAD] desired to ask a question, and I yield first to him.

Mr. BANKHEAD. Mr. President, I desire possibly to ask several questions of the Senator from Mississippi. I am sure that he has noted the published statement that the leadership of the other House have announced a program of passing one of the annual appropriation bills each week for the next 14 weeks. I should like to know whether it is the idea of the Senator from Mississippi that that program, in the event of the adoption of the pending concurrent resolution, would be suspended?

Mr. HARRISON. There is nothing in the resolution that would suspend the action of the Appropriations Committee.

Mr. BANKHEAD. There is nothing in the resolution that would do that, but the resolution does not speak the whole story. Is it intended, then, that the proposed joint committee will make an argument that, if the pending resolution should be adopted, the usual course of action on the appropriation bills should be suspended pending the investigation by the committee?

Mr. HARRISON. I have made no request in the resolution—

Mr. BANKHEAD. I am not asking the Senator that; he is not answering my question; I know what is in the resolution.

Mr. HARRISON. I have not conferred with any Member of the other House, because when I was a Member of that body I shared to some extent and on some occasions the feeling over there against the Senate. So I want to get along well with the membership of the House and I want its Members to conduct matters as they desire to conduct them. I have no desire to interfere in any way.

Mr. BANKHEAD. Is it the Senator's idea, or will the argument be made with the consent of the Senator, that the Senate appropriations subcommittees, the Senate Appropriations Committee itself, and the Senate itself shall delay, suspend, or postpone action upon any of the appropriation bills to await the discussion and decision of the Senate on the report of the proposed joint committee?

Mr. HARRISON. I may say to the Senator that I doubt anything worth while being accomplished unless the membership that is appointed on the proposed joint committee, if the resolution shall be adopted, are enthusiastically in favor of trying to reach the object we have in mind. The deficiency bill is the first appropriation bill, as I understand, that is taken up at each session, and that bill will be before the Senate pretty soon, but as to the other general appropriation bills providing appropriations for the next fiscal year beginning July 1, I do not see any necessity to rush them forward until a study may be made by the Appropriations Committee and the members of the proposed joint committee.

Mr. BANKHEAD. Does the Senator anticipate that the joint committee can get information which the subcommittees on the two appropriation bills cannot procure?

Mr. HARRISON. No; I do not.

Mr. BANKHEAD. Then, it will resolve itself down to a matter of opinion or judgment on the part of the members of the joint committee rather than the development of facts which are not otherwise available.

Mr. HARRISON. Of course, as the Senator knows, I have been very strongly in favor of retrenchment in Government expenditures. I think, as a whole, they have gone too high; and I should like to adopt any reasonable method that would create public sentiment, not only in the Congress but elsewhere, that might be of assistance to the Appropriations Committees in holding down some of these large increases. That is my general idea; but, in order to accomplish anything, I think there must be the closest cooperation between the respective chairmen and members of the Appropriations Committees and the special committee.

Mr. BANKHEAD. The statement of the Senator leads directly to one of the chief inquiries in my mind; and that is whether the sponsorship of this program intends to have the joint committee revise all of the new agencies that have been established under this administration with a view of deciding which ones should be abandoned or reduced in their scope of action; whether it is intended, as I said, to review the whole program, recommending the abandonment of an agency here or there—recommending, for instance, the abandonment of the social security program—or merely to recommend how much reduction shall be made in the appropriations for each of these agencies.

The only way to save money is either to abandon agencies or to reduce their activities. I think the Senator will agree to that statement.

Mr. HARRISON. I think that is a matter which the joint committee ought to study. Every effort should be made to arrive at a conclusion that might result in saving the Government money in certain instances that justify it.

Mr. BANKHEAD. How can that be done except by a review?

Mr. HARRISON. But I do not go to the extent of saying that the joint committee ought to recommend the abandon-

ment of a number of agencies. The President has said that we can reduce to a certain amount the capital structure of some of the emergency corporations. I do not know whether or not that can be done. I think it would be the duty of the joint committee, working with the proper standing committee of the Senate and House, to see if that would injuriously affect those agencies in the fine work a great many of them are doing.

Mr. BANKHEAD. I believe the Senator will agree to the statement I am about to make. In any event, I will make the statement and ask him a question. There are only two ways to make substantial reductions. One is by reduction in the activities of the Government through reducing the number of agencies. The other is by reducing the amounts appropriated to the different agencies. Is it intended that the joint committee shall go into that subject, and review the whole program which the Appropriations Committee has jurisdiction to review, and make recommendations to the committee about where the reductions should be made?

Mr. GLASS. Mr. President, let me ask why it should be assumed that the joint committee will reduce expenditures? It depends upon the composition of the committee. It is proposed that there shall be six members from the Appropriations Committee and six members from the Finance Committee. Suppose there should be appointed on the joint committee six members of the Appropriations Committee who never in their lives voted to reduce any expenditure but would give the Capitol away if somebody should ask for it. How could we reduce expenditures?

Mr. HARRISON. Well, of course, we shall run up against that question.

Mr. GLASS. We have run up against it now.

Mr. HARRISON. Yes; we shall run up against it in the matter of the personnel of the committee; but I am sure that with the fine intellects there are in the House and in the Senate, the report and findings of the committee will be carefully analyzed. Possibly two reports will be submitted. We never know as to that; but committees generally know the background behind the views of individual Members.

Mr. WALSH. Mr. President, I should like very briefly to clarify the situation in reference to naval defenses and our naval building program as I understand it to be.

The Committee on Naval Affairs is called upon to consider what additions or expansions should be authorized in our Naval Establishment in the way of additional combat vessels, in the way of additions to auxiliary vessels, and in the way of additions to our naval bases and yards and our naval aircraft. When we have passed on this question, and when Congress has approved and enacted naval authorization bills, the work of our committee is at an end and thereafter the question of providing annual installments of funds for new naval construction, for maintenance of naval establishments, and for a determination of the rate of construction and size of the establishments rests first with the Committee on Appropriations and finally with the Congress.

As I view the situation at this moment, the Naval Affairs Committee could adjourn and not hold a meeting at this session, in reference to how much money should be spent for the enlargement of our Navy by combat ships, by auxiliary ships, by aircraft, or by shore establishments. Of course, we shall have many bills presented to us for new shore establishments which have never yet been authorized by the committee. We shall have proposals made, perhaps, for further expansion of the Army and the Navy, but all we are now talking about in the way of naval national defense is entirely a question of appropriations. How much money will the Senate and the House spend on the Navy? The Appropriations Committees and the Congress alone will decide what is wise, where the expenditures should be made, and how far they should go.

Mr. KING. Mr. President, will the Senator yield?

Mr. WALSH. I shall be happy to yield to the Senator from Utah.

Mr. KING. I wonder if I properly understood or interpreted the Senator's remarks. My understanding is that

proposals will come before the committee of which the Senator from Massachusetts is chairman asking for large appropriations for larger battleships, and that that matter will not be before the Appropriations Committee until authority has been given under the bill which is before the Senator's committee.

Mr. WALSH. I am coming directly to a bill which is pending in the House seeking authority to enlarge the Navy beyond the authority already given. I am coming directly to that question, and also to the question of whether we should increase the size of our battleships from 45,000 tons upward.

In 1938, as Senators know, after the expiration of the treaty for the limitation of naval armaments on December 31, 1936, there was an abandonment of all existing international agreements to limit naval armaments. Our naval officials then properly and wisely said, "We ought now to fix a naval policy for the United States in view of the fact that there is now no hope of limitation by the principal powers of naval armaments, and in view of what is developing in the world." So in 1938 the Navy Department presented to Congress and to the Naval Affairs Committees of the House and Senate a program of expansion which they said was adequate and sufficient for that time. They not only did that, but they said last year that it was sufficient and satisfactory, and asked for no increase or expansion. That naval expansion program authorized the expenditure of approximately \$1,200,000,000 on combat naval vessels, on auxiliary naval vessels, on some additional shore establishments, and on aircraft. That authorization is now the law.

Under that authorization the Budget Bureau at this session sends to the House and the Senate a request for certain appropriations. Whether or not those appropriations should be made from the general authorization already given the Navy is, I repeat, a matter solely to be decided in the first place by the Committees on Appropriations of the House and the Senate, and secondly by the House and the Senate themselves; so that there will be opportunity, I assume, to question every single item in the naval appropriation bill when it comes before the Senate.

There is pending in the House—not in the Senate—a bill proposing a further expansion and a further enlargement of the Navy beyond the 1938 expansion. The 1938 act provided for an expansion of about 20 percent in the number of vessels and 50 percent in aircraft. The bill now pending before the House requires an expansion of 25 percent more in the size of our Navy in vessels and 100 percent in aircraft. If that bill passes we shall be confronted with the necessity of determining from time to time how much we will appropriate to comply with the authorization of an expansion of approximately 45 percent in our Navy since 1938.

Mr. LUCAS. Mr. President, will the Senator yield on that point?

Mr. WALSH. I will.

Mr. LUCAS. Am I to understand that the President of the United States, in submitting the budget for national defense, added this 25-percent increase in amount?

Mr. WALSH. There is no item in the bill referred to dealing with that subject. The only items in the Budget, the only items that can be in it, are those which were authorized in the act of 1938 and prior authorizing acts.

There is already an authorization for the expansion of the Navy of approximately \$1,200,000,000. We spent about \$100,000,000 last year. We have still left about \$1,000,000,000 of authorized naval strength from which appropriations can be made without a point of order being raised against them. The Appropriations Committee, when the naval officials appear before it, may ask, "How much do you want to build this year out of that authorization? What do you need most? Is it capital ships, is it auxiliary ships, or is it shore establishments?" Then we must determine how much we want to spend. Do we want to spend 10 percent in addition to the regular appropriations? Do we want to spend only 5 percent? Do we want to spend none, or do we want to spend it all, and appropriate the entire authorized billion dollars for

a larger Navy? Those are all questions now properly before the Senate.

I now come to the bill pending in the House. I can speak only of my own impressions on that bill, not having heard the evidence which may be presented by the Navy Department or by other officials of our Government.

Naturally the Congress will inquire why there should be any further authorization for the expansion of the Navy before we expend what we have already authorized. With a large authorization at present to spend on the Navy, I should like to be informed why we should give another authorization until that money is spent, especially when the Budget for next year asks for only a relatively small percentage of the billion two hundred million that has already been authorized. What has happened in one year in the world to change the program of 1938, which all then believed was ample and sufficient as of that date and time to provide for a 20-percent naval expansion? Is it the idea that we are to go into war? Of course not. No one claims we are going into war. But it can be properly argued, perhaps, that the conditions in the world are such that the Navy which we authorized in 1938 may not be sufficiently large to meet the requirements at the end of the present world war, or to meet conditions which may then arise. I am not yet convinced that an additional authorizing program may be necessary. I will await, however, the views of the Navy. I am intensely interested in our national defense, especially in the Navy and desire to follow so far as possible the advice of our naval experts. But I hope we will not become panicky—and that is a good word; the President used it in his address—over national defense. I am anxious and desirous that we shall have a well-thought-out and constructive program for our Navy and its expansion, and particularly for the maintenance of a navy that will meet the 5-5-3 ratio, which in time of peace was determined to be the size of the Navy our country ought to have for its own protection and defense. In that ratio we are comparing the size of our Navy with that of England, with that of Japan.

There is an impression that we have gone too far with our naval and military defense. There is already ample authority for everything that is asked for in the Budget, and there is more left unexpended. To my mind the sole question, from the standpoint of national defense, so far as the enlargement and development of the Navy is concerned, is, Do we want to speed up, and how much can we speed up the building of the naval vessels which are necessary to approach the 5-5-3 ratio? Instead of the time for the completion of the program being 10 years, as the naval authorities asked in 1938, they might well say that now, because of world conditions, it should be 5 years or 7 years, if they can provide facilities, and there is some question whether they can or not. But, in my opinion, the chief and principal question, so far as naval defenses are concerned and so far as appropriations for this year are concerned, is entirely a question of whether we will modify the program for a 10-year expansion and speed up what we planned in 1938 as necessary for the ultimate size of our Navy to a matter of a few years.

I hope I have helped to clarify the situation, and I hope the Senate will keep in mind that it is one thing to present bills authorizing a further expansion of the Navy and another thing to appropriate the money for naval craft which has already been authorized.

I personally feel, in the absence of some information to the contrary, that the paper navy which we already have authorized should be made into a real navy. In other words, I think that the Navy for which we have already provided a billion dollars should be built and constructed and more money asked for, if necessary, than has been asked for in the Budget, in order that we may have an adequate navy for our safety and security.

I am pleased to have present the chairman of the subcommittee of the Committee on Appropriations having charge of naval appropriations, who is most conscientious and most diligent in his handling of this serious problem, to join with me in saying that the sole issue before the Congress, so far as the Navy is concerned, is as to how much of what is already

authorized for the various activities of the Navy we shall spend this year, what need there is, and what conditions exist in the world that should prompt us to speed up and act more quickly than we had in 1938 planned to do.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. BYRNES. I am in hearty accord with the Senator from Massachusetts and am very glad he has made his statement to the Senate.

I should like to refer to what was said with reference to the appropriation asked for the improvement of the harbor at Guam. The impression might be created that the Navy had submitted items for dredging which included an item for work at Guam which had not been contained in the Budget. Upon looking at the memorandum submitted by the Navy in support of the estimate I find that the Navy, in asking for the improvement of harbors and channels for the fourteenth naval district, provided a break-down of the \$5,000,000, and set forth in detail the amount asked for dredging at Guam, giving the reasons why it was believed it should be done. So that there is no question about the issue being presented to the committee.

Mr. WALSH. There is no doubt about that. Last year the Navy Department presented to our committee a bill in which they sought authority to dredge and build a breakwater. A breakwater is an establishment, the same as building a new navy yard, or new way, or a new building, rather than merely repairing what exists. But there is general authority for dredging under existing law, so that, in my opinion, the wisdom of whether we should do that or not is a matter for the committee to decide; but I do not believe there is any additional authority necessary. It is a question of appropriating the money.

Mr. President, I believe that the safety and security of the country will be better assured by having our eyes open on the most remote part of our possessions to the west of this continent and on the most remote part to the east of our continent. I personally see no objection to appropriating money for dredging the harbor at Guam, which would give us an outlook so much farther west than any spot on our own continent. I see no objection to it at all, especially when Guam is one of our possessions, when aviators have to go there, and have to land in a harbor that is dangerous and unsuitable. I for one am not going to ask men who consecrate their lives and service to their country to go into the harbor at Guam in the condition in which it is, when \$5,000,000 would make it possible to dredge it so that they could land in safety, so that we could have eyes with which to look about in time of danger in the Orient. I think we should also have eyes with which to look out into the Atlantic as far as possible. I think it is an important item of national defense. It is a great advantage to be able to see an approaching enemy hundreds or thousands of miles before he reaches the continent of the United States.

Mr. LUCAS. Mr. President, will the Senator from Massachusetts yield?

Mr. WALSH. I yield.

Mr. LUCAS. Am I to understand that the Navy Department is at this time asking anything different from what it sought a year ago, when this matter was considered by the Committee on Naval Affairs?

Mr. WALSH. No new bill is as yet before the Committee on Naval Affairs of the Senate, of which the distinguished Senator from Illinois and myself are members. But a naval expansion bill has been presented to the Naval Affairs Committee of the House, and hearings on it have been commenced. Navy officials yesterday appeared before the committee and recommended the enactment of this bill.

I do not want anyone to think I am not most loyal and devoted to the Navy; every Senator on this floor knows that I have always championed strong national defense, but I think it would be better not to confuse the public mind with another authorization bill for a 25-percent expansion in the Navy until we have completed the expansion already authorized. Let us completely build our paper navy into a real one

before we have another piece of paper providing for another navy in the future. Let us appropriate now all that is necessary from what has already been authorized and if necessary plan for our future expansion.

Mr. LUCAS. I appreciate the force of the Senator's remarks. However, I should like to return for a moment to the island of Guam and clear up some confusion in my mind upon the question of procedure in the Congress on the proposed dredging of the harbor. As I understood, last year the question of dredging the harbor came up originally in a bill which was introduced in the House and later came to the Senate.

Mr. WALSH. That is true.

Mr. LUCAS. And which was then considered by the Senate Naval Committee.

Mr. WALSH. That is true.

Mr. LUCAS. Do I understand that there is another bill which has been introduced in the House, or does the item come through the Appropriations Committee this year?

Mr. WALSH. No bill has been introduced in the House mentioning the name "Guam" at all. But under general provisions of law the Appropriations Committee is permitted to recommend the appropriation of certain sums of money for naval establishments in particular naval districts. California and the Pacific Ocean islands are in the fourteenth naval district. Under the appropriations bill they have asked for money for dredging the harbor of Guam. As has been said by the Senator from South Carolina [Mr. BYRNES], when the matter comes before the committee the items for that whole fourteenth district will be broken down, and the question will be as to what is to be done with this item and the other item, and the committee will have to pass on the wisdom of appropriating \$5,000,000 for dredging the harbor of Guam.

Mr. LUCAS. But under the present procedure the Navy is asking for the same thing this year that was sought last year.

Mr. WALSH. Except the breakwater, as I understand.

Mr. LUCAS. But the Naval Affairs Committee of the House and the Naval Affairs Committee of the Senate will have no opportunity to study this matter?

Mr. WALSH. That is true.

Mr. LUCAS. Or call witnesses?

Mr. WALSH. That is true.

Mr. LUCAS. There will be no hearings?

Mr. WALSH. There will be no hearings.

Mr. LUCAS. It will be a matter left solely to the Appropriations Committee?

Mr. WALSH. Yes. The information which I have and which the Senator from Illinois and the Senator from South Carolina have is the result of reading newspaper accounts of what transpired in the Committee on Naval Affairs, when it inquired of the naval officers when they testified with respect to the proposed naval expenditures.

Mr. LUCAS. The question which I am turning over in my mind is why there has been a change in the procedure with respect to the spending of the \$5,000,000 on the dredging of the harbor.

While I have the utmost respect for the ability and industry of the subcommittee of the Appropriations Committee which will handle this matter, yet I am constrained to suggest that this question is of sufficient importance to have the Committee on Naval Affairs of the House and the Committee on Naval Affairs of the Senate consider it. Without doubt it is the beginning of the ultimate fortification of the island of Guam at an expense to the taxpayers of \$200,000,000 in line with the findings of the Hepburn report.

Mr. WALSH. I am glad to have the Senator's views, and I hope our committee will have an opportunity to discuss the matter informally and that we will have opportunity of making inquiries of the Navy Department.

It is true that the Hepburn report, to which the Senator refers, set forth the advantages of establishing an advanced fleet base at the island of Guam. But the immediate question before the Congress at the last session with respect

thereto was whether to authorize construction of certain facilities there not in themselves fortifications but viewed by many Members of the Congress as looking toward the establishment of a naval base on the island. Congress refused this authorization.

Funds for the dredging of the harbor at Guam which are requested in the 1941 Budget may be voted or may be withheld, as the Congress decides, but, in my opinion, no new legislative authorization is requisite for such an appropriation.

With respect to the Senator's intimation that the dredging of this harbor, if Congress approved this item, may prove to be the first step in the fortification of Guam, we should not lose sight of the fact that nothing of that sort can come to pass unless and until some future Congress expressly authorizes it.

Mr. LUCAS. I think that is exactly what the Naval Affairs Committee should do upon this very important point. Small as the matter may seem at this moment, in my humble judgment, it is one of the most far-reaching items in the Budget looking to the future defense of the Pacific. That is why I say that the Senate committee, in view of the purpose for which it is constituted, should look into that question from the beginning, if in the future there is going to be a continuation of appropriations for the purpose of fortifying the island of Guam.

Mr. WALSH. Mr. President, I am not out of harmony with the views expressed by the Senator, except that I want to say again that if this appropriation, as I view it now, is simply for dredging and making safe access and egress from a possession of my country, I shall vote for it.

Mr. GERRY. Mr. President, will the Senator yield?

Mr. WALSH. I yield to the Senator from Rhode Island.

Mr. GERRY. I have been listening with a great deal of interest to the Senator's statement, and I take it that what he has in mind with respect to the new appropriation is how long it would take to complete any of those combat ships, if they were laid down now. It would run into years, would it not?

Mr. WALSH. It takes approximately 3 to 4 years to build a battleship alone.

Mr. GERRY. Exactly.

Mr. WALSH. I think it takes 2 years, approximately, to build a destroyer, and I assume it takes about 3 years to build a cruiser.

Mr. GERRY. Therefore it is difficult to consider appropriations for such construction as emergency appropriations. As a practical matter, the only thing we can do in connection with emergency needs, as I understand, is to expedite the construction which is already under way.

Mr. WALSH. Mr. President, I wish to say to the Senator from Michigan [Mr. VANDENBERG] that I concur in his viewpoint that the only opportunity the Senate will have to pass judgment upon the wisdom of the emergency appropriations for the operations of the neutrality patrol will be in the Committee on Appropriations and in the Senate.

There is only one other matter I need clear up, and that is the matter of the increased size of battleships. I do not think there will be any requests for authority to increase the size of battleships beyond 45,000 tons. The subject of an increase in the size of battleships is being studied and is being given a good deal of thought and attention in the Navy Department. I am not at liberty to say that it is inconceivable or that it is out of the question for any such request to be made, but up to the present time, at least, there has been no official action requesting it, nor do I think there is likely to be an immediate request in that direction.

I suppose the Senator has heard of the possibility of a 75,000-ton battleship. A battleship costs about \$2,000 a ton. That would make the total cost of a 75,000-ton battleship about \$150,000,000. With my limited knowledge of naval craft I think I should rather have two 45,000-ton battleships or three cruisers, or 10 or 15 destroyers, which could be built with the same amount of money.

With respect to the whole naval question I think we should move slowly. There is much to be done, but we ought to

move slowly and cautiously, because, as the result of the war in Europe, we may learn more about the relative value of naval craft, the different kinds of naval aircraft than we now know. I think caution should be exercised in our naval defense planning for the future.

Mr. VANDENBERG. Mr. President, may I not add that sound public credit is the first necessity for a successful national defense, and that we ought not to be entirely averse to leaving a few dollars in the Treasury?

Mr. WALSH. I am, of course, in full accord with the Senator in that respect, but I am going to take the liberty of expressing my views on that subject. There is a considerable amount of talk here and elsewhere about economy. There are only two ways of bringing about economy in city, State, or Federal Governments. One is by cutting expenses, the other is by increasing taxes, if we wish to balance the Budget. I am one of those who have not hesitated to say that, painful as it is, I believe our financial structure would be sounder today if we had increased taxes some years ago. I do not see how we can keep on postponing the inevitable day, regrettable as it is, of levying more taxes to meet increases in expenditures. I speak of that because I see great difficulty in making very material and substantial reductions in our appropriations; but, of course, a real effort should be made in that direction.

Mr. KING. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. KING. The Senator has alluded to the question of increased taxes. I shall be very glad if the Senator and others can point out the sources from which additional revenue may be obtained. I spent a considerable part of the last summer in exploring every avenue from which we might extract a few dollars, and I found none.

Mr. WALSH. Did the Senator vote for the La Follette amendment to the tax bill?

Mr. KING. I did not.

Mr. WALSH. I did.

Mr. KING. I think that would have given us only approximately \$26,000,000 additional, which is an insignificant amount measured by the appropriations we are making for the present year.

Mr. WALSH. I understood the increase under the La Follette amendment would be considerably larger than that.

Mr. KING. I think not. In any event, how are we going to pay our bills except by increased taxes? Obviously it cannot be done. If we do not increase taxes we shall simply have increased deficits, and then inflation, with all the catastrophic results that would inevitably follow. There is only one way to get the means with which to pay our bills, and that is to increase taxes; but there is a point beyond which we cannot go in that respect; there is a point beyond which there will be diminishing returns. We are now levying a tax of 80 percent in the higher brackets, and the only way we can increase the amount of taxes is to raise the taxes placed upon the incomes of individuals and corporations; and the Senator knows that the taxes now are very oppressive.

Mr. WALSH. I think we should broaden the base and also increase our revenues by some tax plan, unfortunate and regrettable as it is.

Mr. KING. We could perhaps raise \$25,000,000 to \$40,000,000 by reducing what some have called the hump between \$20,000 and \$50,000 yearly incomes. We can raise perhaps \$30,000,000 or \$40,000,000; but in order to raise any considerable amount above that which we are now extracting from the people, which is \$5,600,000,000, we must increase taxes to such an extent as would be almost unbearable. The Federal Government, States, counties, and cities are now taxing the people to the extent of 30 percent of their gross income. That is a burden which cannot long be continued without disastrous consequences.

Mr. WALSH. Mr. President, I request that there be inserted in the RECORD in connection with my remarks a table prepared by the Navy Department.

This table shows that at the present time we have 79 combatant ships and 17 auxiliary vessels under construction; it

shows that in the Budget for the fiscal year 1941 provision is made for commencing construction of 19 additional combatant ships and 5 additional auxiliaries, a total of 24; it shows that beyond that, in addition to ships already under construction, in addition to the ships already proposed to be started in the 1941 Budget, that there remains within the present authorized limits of naval strength 56 combatant ships and 8 auxiliaries, a total of 64, which as of now Congress, if it saw fit to do so, could appropriate for, and construction of which could be commenced without any additional authorization.

It is to be further noted that the authorized strength of the Navy under existing statutes fixes an age limit in each category of combatant vessels, and as a vessel reaches the age limit the Navy Department may proceed with the construction of a new ship to replace it without any additional legislative authority, conditioned always upon the appropriation of the funds by the Congress. Therefore when the new Congress meets a year hence to consider the naval appropriations

for the fiscal year 1942 the number of new ships which it may then be lawful to commence will be not only the 64 shown in the table but as many more as shall in the meantime, by the operation of the age limit, have become obsolete.

For illustration: The table referred to shows 8 battleships now building, 2 more which it is proposed to start during the fiscal year 1941, and a remainder of 1 within the present authorized limit, which is 18 "underage" battleships; but, in fact, some of the battleships presently in commission are so rapidly approaching their age limits that it will be possible to commence several new battleships in the near future without the necessity of additional authorization. The same situation has application, within limits, to naval vessels in other categories.

The PRESIDENT pro tempore. Without objection, the table presented by the Senator from Massachusetts will be printed in the RECORD.

The table is as follows:

Tonnage and number totals¹

Types	(1) On hand		(2) Portion of (1) under age as of Jan. 1, 1940		(3) Authorized size of Navy in under- age tonnage, act May 17, 1938 ²		(4) Ships building		(5) 1941 increment		(6) Credit remaining as of Jan. 1, 1941	
	Number	Tons	Number	Tons	Number	Tons	Number	Tons	Number	Tons	Number	Tons
Battleships.....	15	464,300	14	438,200	18	660,000	8	300,000	2	90,000	1	42,500
Aircraft carriers.....	5	120,100	5	120,100	7	175,000	2	34,500	1	20,000		400
Cruisers, heavy.....	18	171,200	18	171,200	18	180,000						
Cruisers, light.....	17	137,775	15	123,075	31	232,524	8	60,000	2	20,000	6	65,849
Destroyer leaders.....	13	24,050	13	24,050	13	24,050						
Destroyers.....	209	251,160	42	61,860	129	203,950	42	66,810	8	12,800	37	62,480
Submarines.....	95	91,860	27	41,120	62	81,956	19	26,550	6	8,640	10	13,816
Subtotal.....	372	1,260,445	134	979,605	278	1,557,480	79	487,860	19	151,440	56	185,045
Auxiliaries.....	168	467,430		(³)		(⁴)	17	80,030	5	21,330	8	53,570
Total.....	540	1,727,875					96	567,890	24	172,770	64	238,615

¹ All numbers approximate in columns 3 and 6 for combatant ships. All noncombatant tonnages in columns 5 and 6 approximate.

² Act of May 17, 1938, authorized 20-percent increase in combatant tonnage as follows: Battleships, 135,000; aircraft carriers, 40,000; light cruisers, 68,754; destroyer leaders, 38,000; submarines, 13,658, and 26 auxiliaries.

³ No age limits.

⁴ No total limit.

Mr. TAFT. Mr. President, I should like to say a brief word in support of the concurrent resolution submitted by the learned Senator from Mississippi [Mr. HARRISON].

Since I came to the Senate last year nothing has struck me so forcibly as the fact that there is a complete lack of connection between appropriations and taxes. Every appropriation bill is considered by itself. Every proposal for expenditure is considered on the basis of whether or not it is a nice thing, and whether or not we would like to have it, and not on the question whether or not we have the money to pay for it. Every tax bill in recent years has been considered largely on the question of whether or not it is a desirable kind of tax for economic reasons, rather than whether or not we need the money.

The proposed committee—which, as I conceive it, would be a kind of planning committee—may not be able to affect affairs this year, but it could lay before Congress a plan by which we could balance the Budget over 1 year, 2 years, 3 years, or whatever period the committee thinks best. The proposed plan is something we must have if we are to act intelligently either on appropriations or on tax measures.

The proposed committee would do substantially what we have asked the President to do under the Budget. That particular function has not been performed. Today we have a Budget in which are recommended about \$35,000,000 more expenditures than were recommended in last year's Budget. There is a reduction of about \$675,000,000 from what is actually going to be spent in the present fiscal year; but there has not been the slightest suggestion of how we are to get back to a balanced Budget.

I could not set forth as eloquently as the Senator from Colorado [Mr. ADAMS] has set forth, the absolute necessity of getting back to a balanced Budget. It seems to me that the proposed committee could present a plan to accomplish this

object. I do not think it could go into all the details, but I think it could say, "If we are to hold our expenditures within our income, this is approximately how much the farm appropriation can be, and this is approximately how much the national defense appropriation can be." Then the committee would leave it to Congress to say whether or not it thinks that amount is sufficient. If Congress thinks it must increase farm expenditures, then the committee would say, "It is up to the Finance Committee to raise the additional money necessary for that purpose." The figure at which we should balance the Budget is an exceedingly important question, and I think we should have a recommendation from the proposed committee as to what the figure should be. But the thing that is absolutely essential is that the committee come in with a plan which relates taxes to appropriations, and which says, "If you exceed this certain figure, you must find a tax to provide the additional money." I do not see how the question can be considered in this body except through such a committee as is proposed.

I do not believe such a committee as is now projected has been necessary in the past, because I believe every past administration has assumed that the question of coordinating expenditures and taxes is an Executive function. We have imposed it on the President in the Budget law. We have asked him to do it, and every past President has tried to do it. It is only because the Executive has abandoned this function that we have to undertake it.

I agree with the learned Senator from Colorado that it is just as much our responsibility as it is that of the Executive, and yet it is something that it is much easier for the Executive to do than for us to do. Congress has a membership of 531, and it is difficult enough to get 531 Members of Congress to concentrate on one question at a time, without concentrating on an entire plan of expenditures and revenue. This

function always has been performed by the Executive, and I doubt whether the proposed committee can do the kind of detailed budget making which is now done by the Budget Director.

Mr. President, I do not think the Executive is peculiarly interested in balancing the Budget. One particularly significant thing in the present Budget is that the Budget Director has actually increased his own budget from \$480,000 in 1939 to \$671,000 in 1940, and to \$808,000 for the coming year. He is actually proposing that the personnel of the Budget Bureau be doubled in 2 years. Certainly when the Budget Director approaches the problem in that spirit, he cannot expect cooperation in economy from any other department.

It is rather interesting that the Office of Government Reports, the old National Emergency Council, is also increasing its budget this year from \$830,000 to more than \$1,000,000. The National Resources Planning Board, the third of the principal activities directly under the President, is also increasing its expenditures by more than 30 percent. Those are three of the largest percentage increases in the entire Budget, and they come directly from the Executive Office. Certainly it is fairly clear that those agencies are not interested in making a sincere effort to balance the Budget.

The learned Senator from Mississippi [Mr. HARRISON] has said that his plan will not succeed unless it has the enthusiastic cooperation of the chairmen of the Appropriations and Finance Committees of the Senate and of the corresponding committees of the House. I agree, because after we inaugurate this plan it will be very difficult to persuade the Congress to adopt it unless we have the enthusiastic support of the leading Members of this body. Still more, I do not believe we can obtain adoption of the plan unless at the same time we have the enthusiastic support of the Executive and of the leaders of both party organizations in the Senate and House.

Mr. President, I believe we are taking a step in the right direction. I believe we are taking a step which is made necessary by the default of the Executive in his function; but I am still doubtful whether we can accomplish our aim unless every Member of the Senate—particularly the leading Members of the Senate—and the Executive himself are concerned that the plan shall be followed and worked out.

The PRESIDENT pro tempore. The question is on agreeing to the concurrent resolution.

The concurrent resolution (S. Con. Res. 33) was agreed to.

EXECUTIVE MESSAGES REFERRED

The President pro tempore, as in executive session, laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

ADJOURNMENT

Mr. BARKLEY. If there be no further business to be transacted, I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock and 58 minutes p. m.) the Senate adjourned until tomorrow, Thursday, January 11, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 10, 1940

NATIONAL MEDIATION BOARD

David J. Lewis, of Maryland, to be a member of the National Mediation Board for the term expiring February 1, 1943. (Reappointment.)

COAST GUARD OF THE UNITED STATES

The following-named persons to be officers in the Coast Guard of the United States, to rank as such from December 1, 1939:

TO BE COMMANDERS

Principal Lighthouse Engineer Irving Leo Gill.
Superintendent of Lighthouses Frederick Albert Edgecomb.
Superintendent of Lighthouses William Wellesley Demeritt,

TO BE LIEUTENANTS

Lighthouse Engineer Forrest Irvin Phippeny.
Lighthouse Engineer Silas Franklin Clark.
Lighthouse Engineer Neil William Wetherby.

TO BE LIEUTENANTS (JUNIOR GRADE)

Assistant Lighthouse Engineer Wayne Leroy Goff.
Assistant Lighthouse Engineer Ronald Melville Freeman.
Junior Lighthouse Engineer Harold Douglas Seielstad.

POSTMASTERS

ALABAMA

Maxwell L. Warren to be postmaster at Enterprise, Ala., in place of M. L. Warren. Incumbent's commission expired January 22, 1939.

Charles A. Boller to be postmaster at Foley, Ala., in place of C. A. Boller. Incumbent's commission expired June 1, 1939.
William Tullie Collins to be postmaster at Northport, Ala., in place of R. G. Rice. Incumbent's commission expired June 18, 1939.

ARIZONA

George C. Wentworth to be postmaster at Wickenburg, Ariz., in place of Burt Fox. Incumbent's commission expired July 18, 1939.

ARKANSAS

James Hervey Bemis to be postmaster at Prescott, Ark., in place of C. A. Smith. Incumbent's commission expired February 15, 1939.

CALIFORNIA

Ford E. Samuel to be postmaster at Alameda, Calif., in place of F. E. Samuel. Incumbent's commission expired March 19, 1939.

Nolan W. Smith to be postmaster at Alturas, Calif., in place of N. W. Smith. Incumbent's commission expired July 9, 1939.

Joseph Freitas to be postmaster at Atwater, Calif., in place of Joseph Freitas. Incumbent's commission expired August 14, 1939.

Richard J. Wallace to be postmaster at Brentwood, Calif., in place of R. J. Wallace. Incumbent's commission expired August 14, 1939.

David Angus Vogt to be postmaster at Bridgeport, Calif., in place of D. A. Vogt. Incumbent's commission expired July 1, 1939.

Frederick L. Cary to be postmaster at Canoga Park, Calif., in place of L. G. Watson. Incumbent's commission expired May 28, 1938.

Minnie O. Bauhaus to be postmaster at Carpinteria, Calif., in place of M. O. Bauhaus. Incumbent's commission expired August 14, 1939.

Raymond D. Siler to be postmaster at Corning, Calif., in place of R. D. Siler. Incumbent's commission expired June 18, 1939.

Catherine L. Gasich to be postmaster at Cupertino, Calif., in place of C. L. Gasich. Incumbent's commission expired August 26, 1939.

Edna M. Shelley to be postmaster at Dorris, Calif., in place of E. M. Shelley. Incumbent's commission expired August 14, 1939.

Theo C. Gibson to be postmaster at Encino, Calif. Office became Presidential January 1, 1939.

Harry E. Crenshaw to be postmaster at Escondido, Calif., in place of H. E. Crenshaw. Incumbent's commission expired July 27, 1939.

Roy L. Terrell, Jr., to be postmaster at Grass Valley, Calif., in place of R. L. Terrell, Jr. Incumbent's commission expired July 27, 1939.

David S. Mason, Sr., to be postmaster at Ione, Calif., in place of D. S. Mason, Sr. Incumbent's commission expired August 14, 1939.

William S. Williams to be postmaster at Loomis, Calif., in place of W. S. Williams. Incumbent's commission expired March 25, 1939.

John H. Meyer to be postmaster at Millbrae, Calif., in place of K. V. Lera, resigned.

Elizabeth S. Pelle to be postmaster at Pleasanton, Calif., in place of E. S. Pelle. Incumbent's commission expired August 14, 1939.

Garrett E. Curley to be postmaster at Rivera, Calif., in place of Garrett Curley. Incumbent's commission expired August 9, 1939.

Katharine A. Creedon to be postmaster at Rodeo, Calif., in place of K. A. Creedon. Incumbent's commission expired August 14, 1939.

Floyd Godfrey to be postmaster at San Dimas, Calif., in place of Floyd Godfrey. Incumbent's commission expired August 21, 1939.

Lutheria F. Cunningham to be postmaster at Saratoga, Calif., in place of L. F. Cunningham. Incumbent's commission expired August 1, 1939.

William E. Emick to be postmaster at Temple City, Calif., in place of W. E. Emick. Incumbent's commission expired June 28, 1939.

COLORADO

George Cole to be postmaster at Monte Vista, Colo., in place of George Cole. Incumbent's commission expired June 18, 1939.

CONNECTICUT

Lawrence T. Loftus to be postmaster at Broad Brook, Conn., in place of L. T. Loftus. Incumbent's commission expired July 19, 1939.

Robert A. Brookes to be postmaster at Higganum, Conn., in place of R. A. Brookes. Incumbent's commission expired August 27, 1939.

John L. Walker to be postmaster at Ridgefield, Conn., in place of J. L. Walker. Incumbent's commission expired July 19, 1939.

Joseph Stewart to be postmaster at Shelton, Conn., in place of Joseph Stewart. Incumbent's commission expired August 27, 1939.

FLORIDA

Sam Wooten to be postmaster at Bradenton, Fla., in place of W. E. Arthur, deceased.

Alexander M. McDaniel to be postmaster at Bunnell, Fla., in place of A. M. McDaniel. Incumbent's commission expired May 21, 1939.

William P. Wilkinson to be postmaster at New Smyrna Beach, Fla., in place of W. P. Wilkinson. Incumbent's commission expired April 30, 1938.

Helen A. Thompson to be postmaster at Orange City, Fla., in place of H. A. Thompson. Incumbent's commission expired January 17, 1939.

GEORGIA

Blanche Chambless to be postmaster at Alapaha, Ga., in place of Blanche Chambless. Incumbent's commission expired August 27, 1939.

Ira Leggett to be postmaster at Baxley, Ga., in place of U. L. Cox, deceased.

John G. Butler to be postmaster at Blakely, Ga., in place of J. G. Butler. Incumbent's commission expired January 22, 1939.

James Paul Williams to be postmaster at Chipley, Ga., in place of J. P. Williams. Incumbent's commission expired July 31, 1939.

Wiley H. Johnston to be postmaster at Cordele, Ga., in place of W. H. Johnston. Incumbent's commission expired June 1, 1939.

Nathan J. Thompson to be postmaster at Hamilton, Ga., in place of N. J. Thompson. Incumbent's commission expired August 26, 1939.

Morgan Thompson to be postmaster at Hawkinsville, Ga., in place of Morgan Thompson. Incumbent's commission expired January 22, 1939.

Olive S. Fraser to be postmaster at Hinesville, Ga., in place of O. S. Fraser. Incumbent's commission expired June 18, 1939.

William Peyton Cravey to be postmaster at Milan, Ga., in place of W. P. Cravey. Incumbent's commission expired July 31, 1939.

Spencer K. Allen to be postmaster at Nahunta, Ga., in place of E. J. Newton. Incumbent's commission expired January 22, 1939.

Joseph D. Holland to be postmaster at Nashville, Ga., in place of J. D. Holland. Incumbent's commission expired July 19, 1939.

HAWAII

Harry K. Ching to be postmaster at Ewa, Hawaii, in place of H. K. Ching. Incumbent's commission expired May 28, 1938.

Hung Luke to be postmaster at Kohala, Hawaii, in place of Hung Luke. Incumbent's commission expired July 30, 1939.

Antonio D. Furtado to be postmaster at Lahaina, Hawaii, in place of A. D. Furtado. Incumbent's commission expired February 10, 1938.

Chester Mitsuki Motoda to be postmaster at Lihue, Hawaii, in place of M. D. Dreier. Incumbent's commission expired July 30, 1939.

Masaru Yokotake to be postmaster at Waimea, Hawaii, in place of Masaru Yokotake. Incumbent's commission expired July 30, 1939.

IDAHO

Edward W. Cronkhite to be postmaster at American Falls, Idaho, in place of E. W. Cronkhite. Incumbent's commission expired February 18, 1939.

Carl A. Rohrman to be postmaster at Culesac, Idaho, in place of C. A. Rohrman. Incumbent's commission expired July 1, 1939.

Ralph R. Fluharty to be postmaster at Eagle, Idaho, in place of R. R. Fluharty. Incumbent's commission expired July 27, 1939.

Hastings Brown to be postmaster at Kamiah, Idaho, in place of Hastings Brown. Incumbent's commission expired June 26, 1939.

Clyde B. Urban to be postmaster at Kimberly, Idaho, in place of C. B. Urban. Incumbent's commission expired February 18, 1939.

Chester F. Angel to be postmaster at Lapwai, Idaho. Office became Presidential July 1, 1939.

Mercedes Tremblay to be postmaster at Priest River, Idaho, in place of Mercedes Tremblay. Incumbent's commission expired June 18, 1939.

Harry B. Colwell to be postmaster at Rupert, Idaho, in place of H. B. Colwell. Incumbent's commission expired February 18, 1939.

Ezekiel L. Holman to be postmaster at Sugar, Idaho, in place of Ezekiel Holman. Incumbent's commission expired May 29, 1938.

Herman A. Krier to be postmaster at Troy, Idaho, in place of H. A. Krier. Incumbent's commission expired May 2, 1939.

ILLINOIS

George C. Gaudino to be postmaster at Benld, Ill., in place of G. C. Gaudino. Incumbent's commission expired August 22, 1939.

Leslie Lynn to be postmaster at Brookport, Ill., in place of Leslie Lynn. Incumbent's commission expired August 13, 1939.

John F. Donovan to be postmaster at Chatsworth, Ill., in place of J. F. Donovan. Incumbent's commission expired August 22, 1939.

Earl R. Hill to be postmaster at East Alton, Ill., in place of L. C. Vinyard, deceased.

Arthur H. Schuler to be postmaster at Forest Park, Ill., in place of A. H. Schuler. Incumbent's commission expired July 31, 1939.

Harry O. Franklin to be postmaster at Forrest, Ill., in place of H. O. Franklin. Incumbent's commission expired August 22, 1939.

Mary B. East to be postmaster at Highwood, Ill., in place of M. B. East. Incumbent's commission expired June 27, 1939.

William A. Cook to be postmaster at Irving, Ill., in place of W. A. Cook. Incumbent's commission expired August 13, 1939.

Helen L. Lohman to be postmaster at Lake Zurich, Ill., in place of H. L. Lohman. Incumbent's commission expired June 27, 1939.

Ambrose Harth to be postmaster at Lstant, Ill., in place of Ambrose Harth. Incumbent's commission expired August 22, 1939.

Glenn G. Smith to be postmaster at Manito, Ill., in place of G. G. Smith. Incumbent's commission expired August 15, 1939.

Lucille E. McKelvey to be postmaster at Maple Park, Ill., in place of D. C. Simons. Incumbent's commission expired March 23, 1939.

Ruth F. Miller to be postmaster at Milford, Ill., in place of R. F. Miller. Incumbent's commission expired August 22, 1939.

Madeline E. Brannick to be postmaster at Minooka, Ill., in place of M. E. Brannick. Incumbent's commission expired March 23, 1939.

John T. Donahoe to be postmaster at Morris, Ill., in place of J. T. Donahoe. Incumbent's commission expired January 22, 1939.

Edwin G. Stifle to be postmaster at Robinson, Ill., in place of E. G. Stifle. Incumbent's commission expired June 26, 1939.

David E. Boddie to be postmaster at Tonica, Ill., in place of D. E. Boddie. Incumbent's commission expired August 22, 1939.

Philip F. Althoff to be postmaster at Valmeyer, Ill., in place of P. F. Althoff. Incumbent's commission expired July 26, 1939.

Raymond L. Modro to be postmaster at Varna, Ill., in place of R. L. Modro. Incumbent's commission expired July 18, 1939.

Emmett Pierre Marshall to be postmaster at Vermont, Ill., in place of E. P. Marshall. Incumbent's commission expired August 22, 1939.

William B. Daleiden to be postmaster at Winfield, Ill. Office became Presidential July 1, 1939.

Fred C. Shetler to be postmaster at Woodhull, Ill., in place of F. C. Shetler. Incumbent's commission expired January 16, 1939.

INDIANA

Lloyd L. Locke to be postmaster at Bridgeport, Ind. Office became Presidential July 1, 1939.

Geraldine Marquis to be postmaster at Bunker Hill, Ind., in place of R. L. Marquis, deceased.

Irvin J. L. Harmeier to be postmaster at Cambridge City, Ind., in place of I. J. L. Harmeier. Incumbent's commission expired May 15, 1939.

Clyde E. Perigo to be postmaster at Chandler, Ind. Office became Presidential July 1, 1939.

Homer L. Mitchell to be postmaster at Clinton, Ind., in place of H. M. Krekler, resigned.

Harvey E. Hull to be postmaster at Cromwell, Ind., in place of H. E. Hull. Incumbent's commission expired August 15, 1939.

Clarence T. Custer to be postmaster at Dupont, Ind., in place of C. T. Custer. Incumbent's commission expired July 1, 1939.

Raymond McClain to be postmaster at Greenwood, Ind., in place of Raymond McClain. Incumbent's commission expired July 10, 1939.

Russell Armstrong to be postmaster at Hazleton, Ind., in place of Russell Armstrong. Incumbent's commission expired June 13, 1938.

Ray Friday to be postmaster at Idaville, Ind. Office became Presidential July 1, 1938.

William S. Courtney to be postmaster at Jamestown, Ind., in place of W. S. Courtney. Incumbent's commission expired July 18, 1939.

Ralph L. Strickler to be postmaster at Ladoga, Ind., in place of Alton Byrd. Incumbent's commission expired July 18, 1939.

Stella Cisco to be postmaster at Madison, Ind., in place of Stella Cisco. Incumbent's commission expired July 18, 1939.

Justina E. Meyer to be postmaster at Monroeville, Ind., in place of J. E. Meyer. Incumbent's commission expired August 15, 1939.

John E. Lehr to be postmaster at Mulberry, Ind., in place of J. E. Lehr. Incumbent's commission expired August 27, 1939.

Perry H. McCormick to be postmaster at North Judson, Ind., in place of P. H. McCormick. Incumbent's commission expired August 15, 1939.

Milton E. Storer to be postmaster at Saint Joe, Ind. Office became Presidential July 1, 1939.

Asa E. Reynolds to be postmaster at Wabash, Ind., in place of T. E. Christman. Incumbent's commission expired June 26, 1939.

IOWA

William W. Sullivan to be postmaster at Algona, Iowa, in place of W. W. Sullivan. Incumbent's commission expired July 30, 1939.

Dorothy E. Wagner to be postmaster at Bagley, Iowa, in place of D. E. Wagner. Incumbent's commission expired August 15, 1939.

Elbert R. Adams to be postmaster at Blockton, Iowa, in place of E. R. Adams. Incumbent's commission expired August 15, 1939.

Rose M. Brooks to be postmaster at Cleghorn, Iowa, in place of O. H. Brooks, deceased.

Joseph P. Burke to be postmaster at Dunlap, Iowa, in place of J. P. Burke. Incumbent's commission expired August 26, 1939.

Anna C. Lundvick to be postmaster at Gowrie, Iowa, in place of A. C. Lundvick. Incumbent's commission expired July 30, 1939.

Otis T. Newgaard to be postmaster at Hubbard, Iowa, in place of O. T. Newgaard. Incumbent's commission expired August 22, 1939.

L. B. Sutton to be postmaster at Inwood, Iowa, in place of L. B. Sutton. Incumbent's commission expired April 2, 1938.

Christian Anker Hald to be postmaster at Kimballton, Iowa, in place of Anker Hald. Incumbent's commission expired August 26, 1939.

Glenn C. Teeter to be postmaster at La Porte City, Iowa, in place of G. C. Teeter. Incumbent's commission expired June 25, 1939.

James A. Phelan to be postmaster at Larchwood, Iowa, in place of J. A. Phelan. Incumbent's commission expired July 30, 1939.

Bessie E. Sykes to be postmaster at Maynard, Iowa, in place of B. E. Sykes. Incumbent's commission expired June 25, 1939.

Glendon R. Streepy to be postmaster at Menlo, Iowa, in place of G. R. Streepy. Incumbent's commission expired August 15, 1939.

Esther S. Wheeler to be postmaster at Newhall, Iowa. Office became Presidential July 1, 1939.

William J. Gleason to be postmaster at New Hampton, Iowa, in place of E. P. Feuling. Incumbent's commission expired May 17, 1938.

Ellsworth G. DeJong to be postmaster at Orange City, Iowa, in place of J. B. Balkema. Incumbent's commission expired January 12, 1936.

Theodore F. Schmitz to be postmaster at Ossian, Iowa, in place of T. F. Schmitz. Incumbent's commission expired May 17, 1939.

Tomie L. Smith to be postmaster at Pleasantville, Iowa, in place of T. L. Smith. Incumbent's commission expired May 2, 1938.

Harry V. Brooks to be postmaster at St. Charles, Iowa, in place of H. V. Brooks. Incumbent's commission expired August 22, 1939.

Lewis R. Kinsey to be postmaster at West Branch, Iowa, in place of L. R. Kinsey. Incumbent's commission expired May 17, 1939.

Carroll E. Caslow to be postmaster at Yale, Iowa, in place of C. E. Caslow. Incumbent's commission expired August 15, 1939.

KANSAS

Dominic Brungardt to be postmaster at Grainfield, Kans., in place of Dominic Brungardt. Incumbent's commission expired August 21, 1939.

Hugh E. Meade to be postmaster at Palco, Kans., in place of M. D. Fesler, removed.

Margaret K. Converse to be postmaster at Pawnee Rock, Kans., in place of C. D. Ross, transferred.

Raymond E. Elder to be postmaster at Quenemo, Kans., in place of J. L. Rogers, resigned.

Raymond K. Artas to be postmaster at Russell, Kans., in place of Raymond Artas. Incumbent's commission expired July 27, 1939.

Wendel J. Schulte to be postmaster at Westphalia, Kans., in place of W. J. Schulte. Incumbent's commission expired July 18, 1939.

KENTUCKY

Millissa Gertrude Owens to be postmaster at Brodhead, Ky., in place of Gertrude Owens. Incumbent's commission expired July 19, 1939.

Roy H. Stiles to be postmaster at Cecilia, Ky., in place of H. B. Stiles, removed.

Richard T. Von Hoene to be postmaster at Covington, Ky., in place of H. J. Northcutt, deceased.

Mildred Fiechter to be postmaster at Cumberland, Ky., in place of Mildred Fiechter. Incumbent's commission expired July 18, 1939.

Lola McCoy to be postmaster at Dry Ridge, Ky., in place of L. B. Blaine, resigned.

Oddie E. Culp to be postmaster at Gilbertsville, Ky. Office became Presidential July 1, 1939.

Susannah Elizabeth Forston to be postmaster at Lyndon, Ky., in place of S. E. Forston. Incumbent's commission expired July 26, 1939.

Jerry D. Shain to be postmaster at Madisonville, Ky., in place of J. D. Shain. Incumbent's commission expired June 26, 1939.

Theodore C. Campbell to be postmaster at Springfield, Ky., in place of T. C. Campbell. Incumbent's commission expired February 18, 1939.

LOUISIANA

John A. Burleigh to be postmaster at Port Barre, La. Office became Presidential July 1, 1939.

MAINE

Charles H. Cahill to be postmaster at Bath, Maine, in place of C. H. Cahill. Incumbent's commission expired January 22, 1939.

William P. Rosebush to be postmaster at Brownville Junction, Maine, in place of R. H. Hughes. Incumbent's commission expired April 25, 1938.

John J. Harriman to be postmaster at Cherryfield, Maine, in place of J. J. Harriman. Incumbent's commission expired August 13, 1939.

William W. Eustis to be postmaster at Dixfield, Maine, in place of W. W. Eustis. Incumbent's commission expired August 6, 1939.

Carlton A. Simmons to be postmaster at Friendship, Maine, in place of C. A. Simmons. Incumbent's commission expired May 17, 1939.

Ernest F. McCloskey to be postmaster at Howland, Maine, in place of E. F. McCloskey. Incumbent's commission expired August 13, 1939.

Clarence M. Staples to be postmaster at North Berwick, Maine, in place of C. M. Staples. Incumbent's commission expired August 6, 1939.

Albert A. Towne to be postmaster at Norway, Maine, in place of A. A. Towne. Incumbent's commission expired June 19, 1939.

Charles E. Hamlen to be postmaster at Ocean Park, Maine, in place of W. J. Libby. Incumbent's commission expired March 18, 1939.

Jeremiah M. Minahane to be postmaster at South Berwick, Maine, in place of J. M. Minahane. Incumbent's commission expired August 26, 1939.

Mary M. Freeman to be postmaster at Washburn, Maine, in place of Mary Freeman. Incumbent's commission expired February 13, 1939.

Michael J. Kennedy to be postmaster at Woodland, Maine, in place of M. J. Kennedy. Incumbent's commission expired February 18, 1939.

MARYLAND

Beverly H. Barnes to be postmaster at La Plata, Md., in place of H. H. Hawkins, resigned.

Russell B. Hoshall to be postmaster at Parkton, Md., in place of R. B. Hoshall. Incumbent's commission expired June 1, 1939.

MASSACHUSETTS

J. Francis Currie to be postmaster at East Bridgewater, Mass., in place of J. F. Currie. Incumbent's commission expired July 18, 1939.

John P. Connolly to be postmaster at Hopedale, Mass., in place of J. P. Connolly. Incumbent's commission expired July 10, 1939.

Mary E. Healy to be postmaster at Littleton, Mass., in place of M. E. Healy. Incumbent's commission expired July 31, 1939.

Emma E. Murphy to be postmaster at Minot, Mass., in place of E. E. Murphy. Incumbent's commission expired August 26, 1939.

David J. Templeton to be postmaster at North Cohasset, Mass., in place of D. J. Templeton. Incumbent's commission expired July 18, 1939.

Hugh L. Lyons to be postmaster at West Medway, Mass., in place of H. L. Lyons. Incumbent's commission expired July 31, 1939.

MICHIGAN

Clifford F. Eastman to be postmaster at Beulah, Mich., in place of C. F. Eastman. Incumbent's commission expired August 27, 1939.

Paul H. Totten to be postmaster at Brooklyn, Mich., in place of L. D. Cash, removed.

William H. Cronin to be postmaster at Brown City, Mich., in place of W. H. Cronin. Incumbent's commission expired April 26, 1939.

Dennis D. Davis to be postmaster at Cedar Springs, Mich., in place of D. D. Davis. Incumbent's commission expired August 26, 1939.

Edwin Dutcher to be postmaster at Cedarville, Mich., in place of H. F. Beach, removed.

Milo E. Potter to be postmaster at Dundee, Mich., in place of M. E. Potter. Incumbent's commission expired June 17, 1939.

Earl E. Young to be postmaster at East Lansing, Mich., in place of E. E. Young. Incumbent's commission expired August 26, 1939.

John A. Campbell to be postmaster at Ewen, Mich., instead of J. A. Campbell. Incumbent's commission expired July 26, 1939.

Dennis E. Kelleher to be postmaster at Fenton, Mich., in place of D. E. Kelleher. Incumbent's commission expired June 26, 1939.

William J. Putnam to be postmaster at Goodrich, Mich., in place of W. J. Putnam. Incumbent's commission expired July 1, 1939.

Philip J. Debrì to be postmaster at Grandville, Mich., in place of P. J. Debrì. Incumbent's commission expired August 26, 1939.

Peter P. Quinlan to be postmaster at Keego Harbor, Mich., in place of P. P. Quinlan. Incumbent's commission expired April 26, 1939.

John H. Holmes to be postmaster at Mio, Mich., in place of J. H. Holmes. Incumbent's commission expired June 17, 1939.

Myrtie M. Miller to be postmaster at Ferrinton, Mich. Office became presidential July 1, 1939.

Charles F. Crawford to be postmaster at Schoolcraft, Mich., in place of C. F. Crawford. Incumbent's commission expired August 26, 1939.

Lynn G. Whitmore to be postmaster at Sherwood, Mich., in place of Glenn Cline. Incumbent's commission expired April 26, 1939.

Lyle O'Connor to be postmaster at Sparta, Mich., in place of Lyle O'Connor. Incumbent's commission expired August 26, 1939.

John J. Corbett to be postmaster at Stambaugh, Mich., in place of J. J. Corbett. Incumbent's commission expired August 12, 1939.

Clifford B. Brown to be postmaster at Stephenson, Mich., in place of C. B. Brown. Incumbent's commission expired August 26, 1939.

MINNESOTA

Donald N. Geddes to be postmaster at Akeley, Minn., in place of D. N. Geddes. Incumbent's commission expired August 26, 1939.

Ralph J. Dolan to be postmaster at Arlington, Minn., in place of R. J. Dolan. Incumbent's commission expired August 1, 1939.

Floyd L. Stroud to be postmaster at Braham, Minn., in place of F. L. Stroud. Incumbent's commission expired August 26, 1939.

Marie B. Diekmann to be postmaster at Collegeville, Minn., in place of M. B. Diekmann. Incumbent's commission expired July 27, 1939.

Harold J. Peck to be postmaster at Deer River, Minn., in place of H. J. Peck. Incumbent's commission expired May 29, 1939.

Bernard C. Heim to be postmaster at Forest Lake, Minn., in place of J. B. Hubbell. Incumbent's commission expired March 23, 1939.

Carl E. Young to be postmaster at Good Thunder, Minn., in place of C. E. Young. Incumbent's commission expired May 1, 1939.

Richard H. Miell to be postmaster at Hackensack, Minn., in place of M. E. Boettcher. Incumbent's commission expired May 29, 1939.

Carl L. Beecher to be postmaster at Henderson, Minn., in place of C. L. Beecher. Incumbent's commission expired August 27, 1939.

Edith A. Marsden to be postmaster at Hendrum, Minn., in place of E. A. Marsden. Incumbent's commission expired March 12, 1939.

Patrick R. Reilly to be postmaster at Hokah, Minn., in place of P. R. Reilly. Incumbent's commission expired August 26, 1939.

Fred C. Larson to be postmaster at Howard Lake, Minn., in place of F. C. Larson. Incumbent's commission expired August 26, 1939.

Henry G. Torgerson to be postmaster at Lake Park, Minn., in place of H. G. Torgerson. Incumbent's commission expired August 26, 1939.

Peter J. Vasaly to be postmaster at Little Falls, Minn., in place of P. J. Vasaly. Incumbent's commission expired March 12, 1939.

Madonna B. M. C. Lindblad to be postmaster at McIntosh, Minn., in place of C. T. Torgerson, removed.

Erna A. Baumhefner to be postmaster at Norwood, Minn., in place of E. A. Baumhefner. Incumbent's commission expired May 1, 1939.

Charles E. Gravel to be postmaster at Onamia, Minn., in place of C. E. Gravel. Incumbent's commission expired August 1, 1939.

Henry N. Halvorson to be postmaster at Pelican Rapids, Minn., in place of H. N. Halvorson. Incumbent's commission expired August 26, 1939.

Henry E. Bye to be postmaster at Pequot, Minn., in place of H. E. Bye. Incumbent's commission expired August 22, 1939.

Frank J. Mack to be postmaster at Plummer, Minn., in place of F. J. Mack. Incumbent's commission expired July 27, 1939.

Mary N. Chisholm to be postmaster at St. Charles, Minn., in place of M. N. Chisholm. Incumbent's commission expired August 26, 1939.

John V. Schroeder to be postmaster at St. Joseph, Minn., in place of J. V. Schroeder. Incumbent's commission expired July 16, 1939.

Katherine Becker to be postmaster at South Haven, Minn., in place of Katherine Becker. Incumbent's commission expired August 26, 1939.

May E. Aukofer to be postmaster at Welcome, Minn., in place of M. E. Aukofer. Incumbent's commission expired August 1, 1939.

Louis I. Bullis to be postmaster at Winnebago, Minn., in place of L. I. Bullis. Incumbent's commission expired August 1, 1939.

MISSISSIPPI

Mable C. Whitaker to be postmaster at Gunnison, Miss., in place of M. C. Whitaker. Incumbent's commission expired July 11, 1939.

William Liston to be postmaster at Kilmichael, Miss., in place of William Liston. Incumbent's commission expired July 11, 1939.

Robert R. Smith to be postmaster at Poplarville, Miss., in place of R. R. Smith. Incumbent's commission expired January 18, 1939.

John T. Rainer to be postmaster at Taylorsville, Miss., in place of J. T. Rainer. Incumbent's commission expired August 27, 1939.

MISSOURI

Sidney M. Cramer to be postmaster at Archie, Mo., in place of S. M. Cramer. Incumbent's commission expired August 27, 1939.

Claude M. Reid to be postmaster at Aurora, Mo., in place of C. M. Reid. Incumbent's commission expired June 18, 1938.

Robert L. Ellis to be postmaster at Ava, Mo., in place of R. L. Ellis. Incumbent's commission expired March 19, 1939.

Nelson H. Mullen to be postmaster at Belton, Mo., in place of N. H. Mullen. Incumbent's commission expired August 27, 1939.

Paul C. Catlett to be postmaster at Birch Tree, Mo., in place of P. C. Catlett. Incumbent's commission expired August 27, 1939.

Mary R. Fewel to be postmaster at Calhoun, Mo., in place of M. R. Fewel. Incumbent's commission expired August 27, 1939.

James Earl Evans to be postmaster at Carrollton, Mo., in place of Lee Dickson. Incumbent's commission expired May 22, 1938.

James E. Thomson to be postmaster at Craig, Mo., in place of J. E. Thomson. Incumbent's commission expired August 7, 1939.

Robert C. Smith to be postmaster at Garden City, Mo., in place of R. C. Smith. Incumbent's commission expired August 27, 1939.

Fred G. Lane to be postmaster at Gerald, Mo., in place of F. G. Lane. Incumbent's commission expired February 20, 1939.

George L. Chancellor to be postmaster at Goodman, Mo., in place of G. L. Chancellor. Incumbent's commission expired March 23, 1939.

Jessalee Nash to be postmaster at Hollister, Mo., in place of Jessalee Nash. Incumbent's commission expired March 27, 1939.

Allie V. Neil to be postmaster at Leeton, Mo., in place of A. V. Neil. Incumbent's commission expired August 27, 1939.

Mary G. Ramsey to be postmaster at Lexington, Mo., in place of M. G. Ramsey. Incumbent's commission expired August 9, 1939.

Boyd F. Eversole to be postmaster at Lowry City, Mo., in place of B. F. Eversole. Incumbent's commission expired August 27, 1939.

Robert Irving Caldwell to be postmaster at Lutesville, Mo., in place of R. I. Caldwell. Incumbent's commission expired August 7, 1939.

George T. Duggins to be postmaster at Marshall, Mo., in place of G. T. Duggins. Incumbent's commission expired August 26, 1939.

Roy S. Kenney to be postmaster at Neosho, Mo., in place of R. S. Kenney. Incumbent's commission expired August 27, 1939.

Herbert L. Wells to be postmaster at Republic, Mo., in place of H. L. Wells. Incumbent's commission expired August 27, 1939.

Helen J. Baysinger to be postmaster at Rolla, Mo., in place of H. J. Baysinger. Incumbent's commission expired August 2, 1939.

Noble C. Jessee to be postmaster at Stella, Mo., in place of N. C. Jessee. Incumbent's commission expired June 18, 1939.

Azzo B. Grier to be postmaster at Strafford, Mo., in place of A. B. Grier. Incumbent's commission expired August 27, 1939.

Joseph D. Hawkins to be postmaster at Webb City, Mo., in place of J. D. Hawkins. Incumbent's commission expired May 17, 1939.

Earl E. Lamberson to be postmaster at Wheaton, Mo., in place of E. E. Lamberson. Incumbent's commission expired June 18, 1938.

MONTANA

Frank J. J. Finnegan to be postmaster at Anaconda, Mont., in place of Charles Cigliana, resigned.

Howard H. Harrison to be postmaster at Bridger, Mont., in place of H. H. Harrison. Incumbent's commission expired July 30, 1939.

Joseph Raymond Wine to be postmaster at Helena, Mont., in place of H. C. Hendricks, deceased.

Peter P. Brandenthaler to be postmaster at Terry, Mont., in place of P. P. Brandenthaler. Incumbent's commission expired July 30, 1939.

NEBRASKA

R. Elmer Harmon to be postmaster at Auburn, Nebr., in place of R. E. Harmon. Incumbent's commission expired August 1, 1939.

Earl B. Hardeman to be postmaster at Crete, Nebr., in place of E. B. Hardeman. Incumbent's commission expired May 16, 1938.

John L. Withers to be postmaster at Elwood, Nebr., in place of J. L. Withers. Incumbent's commission expired July 10, 1939.

Lenna L. McReynolds to be postmaster at Nehawka, Nebr., in place of L. L. McReynolds. Incumbent's commission expired August 16, 1939.

Patrick F. Tully to be postmaster at North Bend, Nebr., in place of P. F. Tully. Incumbent's commission expired August 27, 1939.

Harold M. Morris to be postmaster at Oshkosh, Nebr., in place of L. H. Aufdengarten. Incumbent's commission expired June 14, 1938.

Milo W. Price to be postmaster at Plattsmouth, Nebr., in place of F. L. Cummins, deceased.

Otto E. Nelson to be postmaster at St. Paul, Nebr., in place of J. F. Webster, deceased.

William P. Cowan to be postmaster at Stanton, Nebr., in place of W. P. Cowan. Incumbent's commission expired August 1, 1939.

NEVADA

Virgil D. Hall to be postmaster at Kimberly, Nev. Office became Presidential July 1, 1939.

Gladys K. Mohnike to be postmaster at Silverpeak, Nev. Office became Presidential July 1, 1939.

NEW HAMPSHIRE

Joseph P. Masse to be postmaster at Epping, N. H., in place of J. P. Masse. Incumbent's commission expired August 22, 1939.

Walter F. Hanrahan to be postmaster at West Swanzey, N. H., in place of W. F. Hanrahan. Incumbent's commission expired July 27, 1939.

Sanford M. Tarbell to be postmaster at Winchester, N. H., in place of S. M. Tarbell. Incumbent's commission expired July 26, 1939.

NEW JERSEY

Cecil R. McConnell to be postmaster at Annandale, N. J., in place of C. R. McConnell. Incumbent's commission expired August 27, 1939.

Edna L. Banker to be postmaster at Atco, N. J., in place of Mary Balsama, removed.

John R. Snedeker to be postmaster at Atlantic Highlands, N. J., in place of J. R. Snedeker. Incumbent's commission expired February 18, 1939.

George H. Todd to be postmaster at Budd Lake, N. J., in place of G. H. Todd. Incumbent's commission expired August 27, 1939.

Ralph B. Kinney to be postmaster at Butler, N. J., in place of R. B. Kinney. Incumbent's commission expired August 26, 1939.

Jacob Howard Crane to be postmaster at Clayton, N. J., in place of J. H. Crane. Incumbent's commission expired July 18, 1939.

Fraser Bliss Price to be postmaster at Eatontown, N. J., in place of F. B. Price. Incumbent's commission expired August 26, 1939.

William C. Nestor, Jr., to be postmaster at Franklin, N. J., in place of W. C. Nestor, Jr. Incumbent's commission expired August 27, 1939.

Bertha S. Irving to be postmaster at Haddonfield, N. J., in place of B. S. Irving. Incumbent's commission expired August 26, 1939.

Edna E. Lewis to be postmaster at Laurel Springs, N. J., in place of E. E. Lewis. Incumbent's commission expired August 27, 1939.

John F. Bigley to be postmaster at Magnolia, N. J., in place of J. F. Bigley. Incumbent's commission expired May 2, 1938.

Martin A. Armstrong to be postmaster at Maple Shade, N. J., in place of M. A. Armstrong. Incumbent's commission expired June 26, 1939.

Joseph A. Wolf from to be postmaster at Mount Holly, N. J., in place of J. A. Wolf from. Incumbent's commission expired February 25, 1939.

Edward Willis Hoagland to be postmaster at Neshanic Station, N. J., in place of E. W. Hoagland. Incumbent's commission expired August 27, 1939.

James J. Odsted to be postmaster at Oxford, N. J., in place of J. J. Odsted. Incumbent's commission expired August 26, 1939.

Joseph F. Dempsey to be postmaster at Paulsboro, N. J., in place of J. F. Dempsey. Incumbent's commission expired February 25, 1939.

Frederick Raymond Barker to be postmaster at Runnemede, N. J., in place of F. R. Barker. Incumbent's commission expired August 27, 1939.

Carlisle C. Cahill to be postmaster at Short Hills, N. J., in place of C. C. Cahill. Incumbent's commission expired August 21, 1939.

Robert A. Stretch to be postmaster at Somers Point, N. J., in place of W. L. Stretch, removed.

Mary G. Appleby to be postmaster at Spotswood, N. J., in place of M. G. Appelby. Incumbent's commission expired February 18, 1939.

NEW MEXICO

Robert W. Cumpsten to be postmaster at Hagerman, N. Mex., in place of R. W. Cumpsten. Incumbent's commission expired August 15, 1939.

NEW YORK

Josephine Adams to be postmaster at Blue Point, N. Y., in place of Josephine Adams. Incumbent's commission expired June 25, 1939.

John Hartigan to be postmaster at Chatham, N. Y., in place of John Hartigan. Incumbent's commission expired August 8, 1939.

Jeremiah J. Reagan to be postmaster at Clymer, N. Y., in place of J. J. Reagan. Incumbent's commission expired August 2, 1939.

Timothy C. Sullivan to be postmaster at Comstock, N. Y., in place of T. C. Sullivan. Incumbent's commission expired August 21, 1939.

Helen S. Peck to be postmaster at Crown Point, N. Y., in place of H. S. Peck. Incumbent's commission expired July 24, 1939.

Laura M. Sullivan to be postmaster at Dundee, N. Y., in place of L. M. Sullivan. Incumbent's commission expired June 25, 1939.

John F. Kelly to be postmaster at Fleischmanns, N. Y., in place of J. F. Kelly. Incumbent's commission expired May 8, 1939.

Nellie B. Taillon to be postmaster at Fort Covington, N. Y., in place of N. B. Taillon. Incumbent's commission expired August 27, 1939.

John V. Kelly to be postmaster at Friendship, N. Y., in place of J. V. Kelly. Incumbent's commission expired August 2, 1939.

Sister Mary Valeria Desmond to be postmaster at Gabriels, N. Y., in place of Sister M. V. Desmond. Incumbent's commission expired August 2, 1939.

J. Edward Moore to be postmaster at Grand Gorge, N. Y., in place of J. E. Moore. Incumbent's commission expired January 22, 1939.

Frank L. Brady to be postmaster at Harriman, N. Y., in place of F. L. Brady. Incumbent's commission expired August 2, 1939.

William A. Danaher to be postmaster at Horseheads, N. Y., in place of T. J. Wintermute, Jr. Incumbent's commission expired February 17, 1936.

Burton D. Calkin to be postmaster at Lake Huntington, N. Y., in place of B. D. Calkin. Incumbent's commission expired June 25, 1939.

Charles E. Williams to be postmaster at Middlesex, N. Y., in place of C. E. Williams. Incumbent's commission expired May 8, 1939.

Eugene M. Gailey to be postmaster at Montour Falls, N. Y., in place of E. M. Gailey. Incumbent's commission expired August 2, 1939.

Joseph F. Hubert to be postmaster at Northport, N. Y., in place of J. F. Hubert. Incumbent's commission expired July 24, 1939.

Francis G. Van Emmerik to be postmaster at Oakdale Station, N. Y., in place of F. G. Van Emmerik. Incumbent's commission expired June 15, 1938.

Harry Ray Phelps to be postmaster at Painted Post, N. Y., in place of H. R. Phelps. Incumbent's commission expired July 24, 1939.

Frederick M. Jones to be postmaster at Red Creek, N. Y., in place of F. M. Jones. Incumbent's commission expired August 2, 1939.

Cletus T. Glackin to be postmaster at St. Bonaventure, N. Y., in place of C. T. Glackin. Incumbent's commission expired August 21, 1939.

John W. Moore to be postmaster at Savona, N. Y., in place of J. W. Moore. Incumbent's commission expired August 21, 1939.

Marjorie W. Gehrke to be postmaster at Sidney Center, N. Y., in place of M. W. Gehrke. Incumbent's commission expired May 8, 1939.

George W. Kelly to be postmaster at Sodus, N. Y., in place of G. W. Kelly. Incumbent's commission expired August 2, 1939.

Eugene F. Govern to be postmaster at Stamford, N. Y., in place of E. F. Govern. Incumbent's commission expired August 21, 1939.

Mary C. Eichhorn to be postmaster at Thornwood, N. Y., in place of M. C. Eichhorn. Incumbent's commission expired August 21, 1939.

Joseph Hilton to be postmaster at Voorheesville, N. Y., in place of Joseph Hilton. Incumbent's commission expired August 21, 1939.

William J. Eagan to be postmaster at Wappingers Falls, N. Y., in place of W. J. Eagan. Incumbent's commission expired August 21, 1939.

John W. Gurnett to be postmaster at Watkins Glen, N. Y., in place of J. W. Gurnett. Incumbent's commission expired July 24, 1939.

Leon L. Baker to be postmaster at Willsboro, N. Y., in place of L. L. Baker. Incumbent's commission expired June 25, 1939.

Walter J. Reynolds to be postmaster at Woodhull, N. Y., in place of W. J. Reynolds. Incumbent's commission expired July 24, 1939.

NORTH CAROLINA

Thomas B. Miller to be postmaster at Apex, N. C., in place of T. B. Miller, Sr. Incumbent's commission expired July 10, 1939.

Bethany Campen to be postmaster at Bayboro, N. C. Office became Presidential July 1, 1939.

William G. Crutchfield to be postmaster at Haw River, N. C., in place of W. G. Crutchfield. Incumbent's commission expired August 16, 1939.

John M. Kennette to be postmaster at Mooresville, N. C., in place of J. M. Kennette. Incumbent's commission expired January 16, 1939.

Henry E. Earp to be postmaster at Selma, N. C., in place of H. E. Earp. Incumbent's commission expired June 18, 1939.

Paul E. Merchant to be postmaster at Weldon, N. C., in place of S. B. Pierce, transferred.

NORTH DAKOTA

Nils H. Koppang to be postmaster at Adams, N. Dak., in place of N. H. Koppang. Incumbent's commission expired July 30, 1939.

Irnle C. Hogue to be postmaster at Belcourt, N. Dak., in place of I. C. Hogue. Incumbent's commission expired August 21, 1939.

Fred A. Sommars to be postmaster at Carrington, N. Dak., in place of G. J. Boley. Incumbent's commission expired March 18, 1939.

John A. Nagel to be postmaster at Selfridge, N. Dak., in place of J. A. Nagel. Incumbent's commission expired August 27, 1939.

Mons K. Ohnstad to be postmaster at Sharon, N. Dak., in place of M. K. Ohnstad. Incumbent's commission expired July 2, 1939.

George G. Harvey to be postmaster at Williston, N. Dak., in place of G. G. Harvey. Incumbent's commission expired February 7, 1939.

OHIO

May Ellen Maher to be postmaster at Berea, Ohio, in place of F. J. Moley. Incumbent's commission expired June 18, 1938.

Frederick Higham to be postmaster at Gates Mills, Ohio, in place of R. L. Jacobs, deceased.

Vanessa E. Campbell to be postmaster at Huron, Ohio, in place of V. E. Campbell. Incumbent's commission expired August 26, 1939.

Leon E. Gorham to be postmaster at Leroy, Ohio, in place of L. E. Gorham. Incumbent's commission expired January 17, 1939.

David Wilson Sroufe to be postmaster at Mount Orab, Ohio, in place of F. A. Stratton, resigned.

George W. Conroy to be postmaster at Steubenville, Ohio, in place of F. W. Feist, deceased.

OKLAHOMA

Robert Nash to be postmaster at Antlers, Okla., in place of J. C. James, deceased.

Charlie G. Howe to be postmaster at Coweta, Okla., in place of A. L. Woolman. Incumbent's commission expired August 27, 1939.

Louie S. Anderson, to be postmaster at Harrah, Okla., in place of L. S. Anderson. Incumbent's commission expired August 26, 1939.

Lizzie E. Capehart to be postmaster at Jay, Okla., in place of L. E. Capehart. Incumbent's commission expired July 1, 1939.

Curtis M. Anthony to be postmaster at Marlow, Okla., in place of T. L. Wade, deceased.

Bessie R. Willis to be postmaster at Maysville, Okla., in place of Jackson Willis, deceased.

Roy Rine to be postmaster at Nash, Okla., in place of Roy Rine. Incumbent's commission expired June 26, 1939.

Earl C. Lucas to be postmaster at Newkirk, Okla., in place of E. C. Lucas. Incumbent's commission expired June 26, 1939.

Sam J. Pointer to be postmaster at Sallisaw, Okla., in place of J. W. Gilbert, resigned.

Ernest R. Unger to be postmaster at Sapulpa, Okla., in place of E. R. Unger. Incumbent's commission expired July 24, 1939.

Charles E. Fair to be postmaster at Sulphur, Okla., in place of C. E. Fair. Incumbent's commission expired August 26, 1939.

John E. Jennings to be postmaster at Wynne Wood, Okla., in place of J. E. Jennings. Incumbent's commission expired August 13, 1939.

OREGON

Earl B. Burch to be postmaster at Amity, Oreg., in place of E. B. Burch. Incumbent's commission expired August 22, 1939.

Marvin O. Hawkins to be postmaster at Coquille, Oreg., in place of M. O. Hawkins. Incumbent's commission expired August 15, 1939.

Martin W. Moseley to be postmaster at Halfway, Oreg., in place of Maude Sears. Incumbent's commission expired January 18, 1939.

Mabel M. Cummings to be postmaster at Philomath, Oreg., in place of Mabel Cummings. Incumbent's commission expired July 17, 1939.

PENNSYLVANIA

Leila P. McGillick to be postmaster at Blairsville, Pa., in place of L. P. McGillick. Incumbent's commission expired August 27, 1939.

Allen J. Stevens to be postmaster at Carlisle, Pa., in place of Clarence J. Weary, deceased.

Sylvester A. Waltman to be postmaster at Chicora, Pa., in place of S. A. Waltman. Incumbent's commission expired August 22, 1939.

Cora B. Orr to be postmaster at Clarion, Pa., in place of C. B. Orr. Incumbent's commission expired August 27, 1939.

William W. McGinnis to be postmaster at Cochranville, Pa., in place of W. W. McGinnis. Incumbent's commission expired June 7, 1939.

George J. Hoke to be postmaster at East McKeesport, Pa., in place of G. J. Hoke. Incumbent's commission expired July 27, 1939.

Ambrose M. Schettig to be postmaster at Ebensburg, Pa., in place of A. M. Schettig. Incumbent's commission expired July 27, 1939.

Harry R. Schneitman to be postmaster at Elizabethtown, Pa., in place of H. R. Schneitman. Incumbent's commission expired August 22, 1939.

Joseph J. Quinn to be postmaster at Gallitzin, Pa., in place of J. J. Quinn. Incumbent's commission expired August 22, 1939.

James J. O'Mara to be postmaster at Laceyville, Pa., in place of J. J. O'Mara. Incumbent's commission expired July 27, 1939.

Melvin Guy Hartman to be postmaster at Martinsburg, Pa., in place of F. W. Brumbaugh, removed.

Charles C. Naginey to be postmaster at Milroy, Pa., in place of C. C. Naginey. Incumbent's commission expired August 27, 1939.

George McCloskey to be postmaster at Mountaintop, Pa., in place of George McCloskey. Incumbent's commission expired August 27, 1939.

Lillie A. Parr to be postmaster at Nescopeck, Pa., in place of L. A. Parr. Incumbent's commission expired August 27, 1939.

Howard J. McIntyre to be postmaster at New Cumberland, Pa., in place of L. B. Rigling. Incumbent's commission expired June 7, 1939.

Israel B. Earley to be postmaster at Palmyra, Pa., in place of Alfred Yeiser. Incumbent's commission expired January 29, 1939.

Joseph R. Roach to be postmaster at Petrolia, Pa., in place of J. R. Roach. Incumbent's commission expired August 22, 1939.

Grace E. Tressler to be postmaster at Pleasant Gap, Pa. Office became Presidential July 1, 1939.

Virginia G. Kingsley to be postmaster at Pleasantville, Pa., in place of V. G. Kingsley. Incumbent's commission expired May 28, 1939.

Mary C. Teater to be postmaster at Port Allegany, Pa., in place of M. C. Teater. Incumbent's commission expired July 27, 1939.

Marshall M. Hill to be postmaster at Reno, Pa., in place of L. E. Fergus, resigned.

James A. Yuengert to be postmaster at Reynoldsville, Pa., in place of C. M. Dinger. Incumbent's commission expired July 27, 1939.

Cliffe A. Benjamin to be postmaster at Rices Landing, Pa., in place of J. M. Hathaway. Incumbent's commission expired March 18, 1939.

William C. Salberg to be postmaster at Ridgway, Pa., in place of W. C. Salberg. Incumbent's commission expired July 27, 1939.

Elmer L. Leaphart to be postmaster at Rockwood, Pa., in place of E. L. Leaphart. Incumbent's commission expired August 27, 1939.

May M. Loughrey to be postmaster at Saint Davids, Pa., in place of M. M. Loughrey. Incumbent's commission expired August 27, 1939.

Albert G. Lassinger to be postmaster at Saxonburg, Pa., in place of A. G. Lassinger. Incumbent's commission expired May 8, 1939.

Hugh A. Bard to be postmaster at Slippery, Rock, Pa., in place of Hugh A. Bard. Incumbent's commission expired August 27, 1939.

Charles W. Remaley, Jr., to be postmaster at Springdale, Pa., in place of M. H. Bailie, removed.

Edith Schaffer to be postmaster at Stockertown, Pa. Office became Presidential July 1, 1939.

William C. Jamieson to be postmaster at Sugargrove, Pa., in place of W. C. Jamieson. Incumbent's commission expired August 27, 1939.

Stafford W. Parker to be postmaster at Wallingford, Pa., in place of S. W. Parker. Incumbent's commission expired June 6, 1938.

RHODE ISLAND

Nicholas Ball to be postmaster at Block Island, R. I., in place of Nicholas Ball. Incumbent's commission expired August 27, 1939.

Millard F. Phelan to be postmaster at Conimicut, R. I., in place of M. F. Phelan. Incumbent's commission expired August 26, 1939.

SOUTH CAROLINA

James M. Riley to be postmaster at Allendale, S. C., in place of J. M. Riley. Incumbent's commission expired August 15, 1939.

Raymond R. Phillips to be postmaster at Seneca, S. C., in place of Raymond Phillips. Incumbent's commission expired March 23, 1939.

SOUTH DAKOTA

Harold F. Gilbert to be postmaster at Buffalo, S. Dak., in place of H. F. Gilbert. Incumbent's commission expired August 13, 1939.

Harry E. Henegar to be postmaster at Chamberlain, S. Dak., in place of H. E. Henegar. Incumbent's commission expired August 6, 1939.

Grover C. Kenworthy to be postmaster at Deadwood, S. Dak., in place of G. C. Kenworthy. Incumbent's commission expired July 19, 1939.

Carl H. Schyan to be postmaster at Flandreau, S. Dak., in place of C. H. Schyan. Incumbent's commission expired August 27, 1939.

Adolph P. Koevenig to be postmaster at Hill City, S. Dak., in place of A. P. Koevenig. Incumbent's commission expired July 10, 1939.

Julius Pfitzer to be postmaster at Java, S. Dak., in place of Julius Pfitzer. Incumbent's commission expired July 19, 1939.

John Krambeck to be postmaster at Lead, S. Dak., in place of John Krambeck. Incumbent's commission expired July 19, 1939.

Charles E. Smith to be postmaster at Lemmon, S. Dak., in place of C. E. Smith. Incumbent's commission expired August 13, 1939.

George W. Lawrence to be postmaster at Mount Vernon, S. Dak., in place of G. W. Lawrence. Incumbent's commission expired July 19, 1939.

William E. Ruckle to be postmaster at Onida, S. Dak., in place of W. E. Ruckle. Incumbent's commission expired July 19, 1939.

Herald A. Krebs to be postmaster at Quinn, S. Dak., in place of H. A. Krebs. Incumbent's commission expired July 10, 1939.

Frederick J. Bowar to be postmaster at Reliance, S. Dak., in place of F. J. Bowar. Incumbent's commission expired August 13, 1939.

Bernard Mayer to be postmaster at Roscoe, S. Dak., in place of Bernard Mayer. Incumbent's commission expired June 7, 1939.

James P. O'Neill to be postmaster at Spearfish, S. Dak., in place of J. P. O'Neill. Incumbent's commission expired February 25, 1939.

Strauther M. Blair to be postmaster at Sturgis, S. Dak., in place of S. M. Blair. Incumbent's commission expired August 27, 1939.

TENNESSEE

Robert M. Cobb to be postmaster at Mascot, Tenn., in place of R. M. Cobb. Incumbent's commission expired July 1, 1939.

Everett M. Smith to be postmaster at Maynardville, Tenn., in place of E. M. Smith. Incumbent's commission expired July 1, 1939.

TEXAS

William G. Davis to be postmaster at Boerne, Tex., in place of W. G. Davis. Incumbent's commission expired March 7, 1939.

Alpha R. Garton to be postmaster at Booker, Tex., in place of A. R. Garton. Incumbent's commission expired July 18, 1939.

Claud A. Howard to be postmaster at Bronson, Tex., in place of C. A. Howard. Incumbent's commission expired July 1, 1939.

Raymond C. Clemer to be postmaster at Clyde, Tex., in place of R. C. Clemer. Incumbent's commission expired August 7, 1939.

George H. Barney, Sr. to be postmaster at Ennis, Tex., in place of N. J. Reynolds, deceased.

Curtis R. Blake to be postmaster at Frost, Tex., in place of C. R. Blake. Incumbent's commission expired March 15, 1939.

Floy H. Latham to be postmaster at Gary, Tex., in place of F. H. Latham. Incumbent's commission expired August 21, 1939.

Sue DeFord to be postmaster at Gordon, Tex., in place of Sue DeFord. Incumbent's commission expired August 7, 1939.

Balda J. McMillan to be postmaster at Hughes Springs, Tex., in place of B. J. McMillan. Incumbent's commission expired June 6, 1939.

James Knox Bivins, Jr., to be postmaster at Longview, Tex., in place of R. H. Henderson. Incumbent's commission expired March 25, 1939.

John M. Green to be postmaster at Mount Enterprise, Tex., in place of J. M. Green. Incumbent's commission expired March 15, 1939.

Oscar C. Hope to be postmaster at Scottsville, Tex. Office became Presidential July 1, 1939.

Robert A. Meuth to be postmaster at Skidmore, Tex., in place of R. A. Meuth. Incumbent's commission expired March 15, 1939.

Helen A. Milhan to be postmaster at Terrell Wells, Tex., in place of H. A. Milhan. Incumbent's commission expired July 1, 1939.

Emmett R. Cunningham to be postmaster at Van, Tex., in place of E. R. Cunningham. Incumbent's commission expired August 7, 1939.

Pat Hardage to be postmaster at Wichita Falls, Tex., in place of M. J. Gaines, removed.

Ellis Campbell to be postmaster at Wills Point, Tex., in place of Ellis Campbell. Incumbent's commission expired June 18, 1939.

UTAH

William H. Case to be postmaster at Duchesne, Utah, in place of W. H. Case. Incumbent's commission expired August 22, 1939.

James L. Willardsen to be postmaster at Ephraim, Utah, in place of J. L. Willardsen. Incumbent's commission expired February 7, 1939.

Mary Jeanette M. Smith to be postmaster at Farmington, Utah, in place of M. J. M. Smith. Incumbent's commission expired August 26, 1939.

Melvin Bryan to be postmaster at Ferron, Utah, in place of Melvin Bryan. Incumbent's commission expired August 27, 1939.

Cantril Nielsen to be postmaster at Hyrum, Utah, in place of Cantril Nielsen. Incumbent's commission expired February 7, 1939.

George T. Williams to be postmaster at Kamas, Utah, in place of G. T. Williams. Incumbent's commission expired July 1, 1939.

Asa Clair Ford to be postmaster at Kanab, Utah, in place of A. C. Ford. Incumbent's commission expired March 19, 1939.

John M. Bernhisel to be postmaster at Lewiston, Utah, in place of J. M. Bernhisel. Incumbent's commission expired March 12, 1939.

Andrew J. Judd to be postmaster at Manti, Utah, in place of A. J. Judd. Incumbent's commission expired March 12, 1939.

Gerald Cazier to be postmaster at Nephi, Utah, in place of Gerald Cazier. Incumbent's commission expired February 7, 1939.

Rudolph Church to be postmaster at Panguitch, Utah, in place of Rudolph Church. Incumbent's commission expired February 18, 1939.

S. Milton Webb to be postmaster at Richmond, Utah, in place of S. M. Webb. Incumbent's commission expired August 22, 1939.

John M. Madsen to be postmaster at Riverton, Utah. Office became Presidential July 1, 1938.

John Austin Pack to be postmaster at Roosevelt, Utah, in place of J. A. Pack. Incumbent's commission expired August 22, 1939.

William Hazen Hillyard to be postmaster at Smithfield, Utah, in place of W. H. Hillyard. Incumbent's commission expired March 19, 1939.

Frank Gibson Eastman to be postmaster at Tooele, Utah, in place of F. G. Eastman. Incumbent's commission expired August 12, 1939.

VIRGINIA

Harvey R. Stebbins to be postmaster at Ashland, Va., in place of H. R. Stebbins. Incumbent's commission expired January 18, 1939.

Oneda Carbaugh Osburn to be postmaster at Bluemont, Va., in place of O. C. Osburn. Incumbent's commission expired July 27, 1939.

Leon W. Jones to be postmaster at Buckingham, Va. Office became Presidential July 1, 1939.

Elizabeth B. Mosby to be postmaster at Columbia, Va., in place of E. B. Mosby. Incumbent's commission expired August 27, 1939.

David E. Earhart to be postmaster at Nokesville, Va., in place of D. E. Earhart. Incumbent's commission expired August 22, 1939.

Harry Thomas Scarborough to be postmaster at Parksley, Va., in place of H. T. Scarborough. Incumbent's commission expired August 27, 1939.

William W. Ware, Jr., to be postmaster at Toano, Va., in place of W. W. Ware. Incumbent's commission expired August 27, 1939.

Kenneth C. Johnson to be postmaster at Willis Wharf, Va. Office became Presidential July 1, 1939.

WASHINGTON

Jennie B. Simmons to be postmaster at Carnation, Wash., in place of J. B. Simmons. Incumbent's commission expired June 18, 1939.

Marie L. Wenberg to be postmaster at East Stanwood, Wash., in place of M. L. Wenberg. Incumbent's commission expired March 8, 1939.

Harry Lynehan to be postmaster at Ilwaco, Wash., in place of J. H. McAfee. Incumbent's commission expired June 25, 1939.

Loren E. Harris to be postmaster at Moses Lake, Wash. Office became Presidential July 1, 1939.

Irene E. Olson to be postmaster at Oakville, Wash., in place of A. P. Tolefson, deceased.

Leroy McClain to be postmaster at Washongal, Wash., in place of W. H. Ruettgers, resigned.

Eva S. Baccus to be postmaster at Yacolt, Wash. Office became Presidential July 1, 1939.

WEST VIRGINIA

Samuel A. Cockayne to be postmaster at Glen Dale, W. Va., in place of S. A. Cockayne. Incumbent's commission expired July 9, 1939.

Clair W. Overstreet to be postmaster at Matewan, W. Va., in place of C. W. Overstreet. Incumbent's commission expired January 29, 1939.

Lewellen A. Douglas to be postmaster at Spencer, W. Va., in place of L. A. Douglas. Incumbent's commission expired July 9, 1939.

Clitus D. Ashcraft to be postmaster at Wallace, W. Va., in place of E. I. Compton, resigned.

Ann H. Wetherby to be postmaster at Welch, W. Va., in place of A. H. Wetherby. Incumbent's commission expired June 18, 1938.

Oma Corder to be postmaster at West Union, W. Va., in place of Oma Corder. Incumbent's commission expired August 16, 1939.

WISCONSIN

George H. Kilb to be postmaster at Adell, Wis., in place of G. H. Kilb. Incumbent's commission expired March 19, 1939.

Julia L. Quigley to be postmaster at Arena, Wis., in place of J. L. Quigley. Incumbent's commission expired July 1, 1939.

Francis W. Muenich to be postmaster at Argyle, Wis., in place of F. W. Muenich. Incumbent's commission expired August 26, 1939.

Thomas F. Boehrner to be postmaster at Augusta, Wis., in place of T. F. Boehrner. Incumbent's commission expired August 26, 1939.

Denis J. Delaney to be postmaster at Avoca, Wis., in place of D. J. Delaney. Incumbent's commission expired August 26, 1939.

Fred Krier to be postmaster at Belgium, Wis., in place of Fred Krier. Incumbent's commission expired July 30, 1939.

Patrick Raymond Sornberger to be postmaster at Belmont, Wis., in place of P. R. Sornberger. Incumbent's commission expired August 26, 1939.

Walter Anton Grota to be postmaster at Berlin, Wis., in place of W. A. Grota. Incumbent's commission expired January 24, 1939.

Alma Mabel Jackson to be postmaster at Blanchardville, Wis., in place of Mabel Jackson. Incumbent's commission expired August 26, 1939.

Jerome A. Casey to be postmaster at Bloomington, Wis., in place of J. A. Casey. Incumbent's commission expired January 18, 1939.

Frank A. Buettner to be postmaster at Bowler, Wis., in place of F. A. Buettner. Incumbent's commission expired July 30, 1939.

Earle D. Bush to be postmaster at Brodhead, Wis., in place of E. D. Bush. Incumbent's commission expired May 13, 1939.

Dey E. Clemons to be postmaster at Brule, Wis., in place of D. E. Clemons. Incumbent's commission expired March 8, 1939.

Ralph W. Singleton to be postmaster at Camp Douglas, Wis., in place of R. W. Singleton. Incumbent's commission expired August 26, 1939.

John F. Gretz to be postmaster at Cleveland, Wis., in place of J. F. Gretz. Incumbent's commission expired August 27, 1939.

Anton X. Umhoefer to be postmaster at Colby, Wis., in place of A. X. Umhoefer. Incumbent's commission expired August 27, 1939.

Basil J. Faherty to be postmaster at Cuba City, Wis., in place of B. J. Faherty. Incumbent's commission expired March 19, 1939.

Alma M. Beggs to be postmaster at Dallas, Wis., in place of A. M. Beggs. Incumbent's commission expired August 26, 1939.

Martin A. Thorpe to be postmaster at Darien, Wis., in place of M. A. Thorpe. Incumbent's commission expired August 27, 1939.

Arthur C. Smith to be postmaster at Durand, Wis., in place of A. C. Smith. Incumbent's commission expired July 30, 1939.

Virgil R. Pulling to be postmaster at East Ellsworth, Wis., in place of V. R. Pulling. Incumbent's commission expired August 14, 1939.

Alfred J. Zorn to be postmaster at Elkhart Lake, Wis., in place of A. J. Zorn. Incumbent's commission expired July 9, 1939.

Joseph A. Podruch to be postmaster at Elroy, Wis., in place of J. A. Podruch. Incumbent's commission expired August 26, 1939.

Randolph W. LeTourneau to be postmaster at Fifield, Wis., in place of R. W. LeTourneau. Incumbent's commission expired January 18, 1939.

Carl E. Seiler to be postmaster at Fish Creek, Wis., in place of C. E. Seiler. Incumbent's commission expired June 26, 1939.

Carl E. Anderson to be postmaster at Galesville, Wis., in place of C. E. Anderson. Incumbent's commission expired January 24, 1939.

Joseph M. Keuper to be postmaster at Genoa City, Wis., in place of J. M. Keuper. Incumbent's commission expired July 30, 1939.

Reginald E. Caves to be postmaster at Hancock, Wis., in place of B. M. Walker, resigned.

Sara E. Ferriter to be postmaster at Hillsboro, Wis., in place of S. E. Ferriter. Incumbent's commission expired August 26, 1939.

Floyd A. Pollard to be postmaster at Kendall, Wis., in place of F. A. Pollard. Incumbent's commission expired July 18, 1939.

Henry L. Blonien to be postmaster at La Valle, Wis., in place of H. L. Blonien. Incumbent's commission expired January 24, 1939.

Florence H. P. Stabnow to be postmaster at Loganville, Wis., in place of F. H. P. Stabnow. Incumbent's commission expired January 18, 1939.

Casimir Jaron to be postmaster at Lublin, Wis., in place of Casimir Jaron. Incumbent's commission expired July 1, 1939.

Richard A. Hemp to be postmaster at Mosinee, Wis., in place of E. F. Butler, removed.

Neil A. Tarr to be postmaster at New Auburn, Wis., in place of N. A. Tarr. Incumbent's commission expired January 18, 1939.

Roy W. Hughes to be postmaster at Pardeeville, Wis., in place of R. W. Hughes. Incumbent's commission expired August 26, 1939.

Joseph H. Biever to be postmaster at Port Washington, Wis., in place of J. H. Biever. Incumbent's commission expired August 26, 1939.

Leo P. Rozanski to be postmaster at Pulaski, Wis., in place of Tony Efta. Incumbent's commission expired January 18, 1939.

Merle Cain to be postmaster at Reeseville, Wis., in place of F. E. O'Rourke, deceased.

Sister Mary Martine to be postmaster at Sinsinawa, Wis., in place of Blanche Delany, deceased.

Paul J. Murphy to be postmaster at Spooner, Wis., in place of L. J. Thompson, removed.

Mabel E. Johnson to be postmaster at Stockholm, Wis., in place of M. E. Johnson. Incumbent's commission expired January 18, 1939.

Raymond E. Lingsweiler to be postmaster at Sturtevant, Wis., in place of R. E. Lingsweiler. Incumbent's commission expired February 18, 1939.

Stanley S. Gordon to be postmaster at Verona, Wis., in place of O. J. Petraske, removed.

Arthur N. Donnellan to be postmaster at Winter, Wis., in place of A. N. Donnellan. Incumbent's commission expired February 9, 1939.

WYOMING

Alfred B. Mills to be postmaster at Lusk, Wyo., in place of A. B. Mills. Incumbent's commission expired July 10, 1939.

John Barwick to be postmaster at Superior, Wyo., in place of John Barwick. Incumbent's commission expired August 14, 1939.

David J. Nolan to be postmaster at Upton, Wyo., in place of V. O. Gose. Incumbent's commission expired July 27, 1939.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 10, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed Christ, the Crucified One, who moves the spirits of men with His sacrifice and service, inspire us with these virtues that they may become the very woof of our thoughts and deeds. O Master of the ages, still speak to the starved hearts of men the perfect love that they need; break the barriers of intolerance, hate, and barren creeds. We beseech Thee to freshen our souls with Thy blessing and quicken our wills, that we may fulfill the duties and obligations which our country has laid upon us. Humbled and blind as we are, amid Thy manifold glories and mercies, O help us to find rest and gladness in the heavenly simplicity of our Lord and Saviour. In His holy Name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6724. An act to provide for the prompt deportation of aliens engaging in espionage or sabotage, alien criminals, and other undesirable aliens.

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. GIBSON members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for

the disposition of executive papers in the executive departments," for the disposition of useless papers in the following departments:

1. Department of Justice.
2. Department of the Treasury.

UN-AMERICAN PROPAGANDA ACTIVITIES IN THE UNITED STATES

Mr. JARMAN. Mr. Speaker, from the Committee on Printing I report back favorably (Rept. No. 1478) without amendment a privileged resolution (H. Res. 342), authorizing the printing of additional copies of House Report No. 1476, on the investigation of un-American activities and propaganda, and ask for its present consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House Resolution 342

Resolved, That there be printed 35,000 additional copies of House Report No. 1476, current session, entitled "Investigation of Un-American Propaganda Activities in the United States," of which 5,000 copies shall be for the use of the Special Committee to Investigate Un-American Activities and 30,000 copies shall be for the House document room.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider the vote by which the resolution was agreed to was laid on the table.

EXTENSION OF REMARKS

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial from the Gaelic American, New York, December 16, 1939.

The SPEAKER. Is there objection?

There was no objection.

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to extend my remarks and include therewith an address delivered by Hon. Gus A. Wood, of Chattanooga, Tenn.

The SPEAKER. Is there objection?

There was no objection.

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therewith two brief statements from the Department of State concerning trade agreements with Argentina and Uruguay.

The SPEAKER. Is there objection?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therewith an address delivered by Hon. BURTON K. WHEELER at the Jackson Day dinner at Denver, Colo., January 8, 1940.

The SPEAKER. Is there objection?

There was no objection.

Mr. O'CONNOR. Also, Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a resolution of the Billings Townsend Club, No. 1, of Billings, Mont.

The SPEAKER. Is there objection?

There was no objection.

Mr. BUCK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter from the Secretary of State to Mr. William Green, and a reply thereto.

The SPEAKER. Is there objection?

There was no objection.

EXHIBITION OF MINIATURES

Mr. KELLER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. KELLER. Mr. Speaker, I rise to call the attention of the House to the fact that the very noted Mexican painter of miniatures, Juan de Dios Hoyos, is exhibiting examples of his work in the Natural History Building of the United States National Museum, Tenth and Constitution Avenue, on the first floor, directly above the main entrance. The exhibition is open every evening until 4:30 p. m. Mr. de Hoyos has been prominent in inter-American conferences and has written a

book on the subject advocating the friendship of the American republics. He is also noted as a maker of miniatures, and I ask unanimous consent to insert his letter in the RECORD, together with four excerpts from noted critics on the subject. Gentlemen who have seen miniatures will find something entirely new, in my judgment. The Members of Congress are invited, together with their secretaries and friends.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The matter referred to follows:

WASHINGTON, D. C., January 6, 1940.

HON. KENT E. KELLER, M. C.,
Chairman of the Committee on the Library,
House of Representatives, Washington, D. C.

MY DEAR MR. KELLER: Your suggestion to invite the honorable Members of Congress to visit the exhibition at the United States National Museum at Smithsonian Institution to see miniature of my late mother was received by me with a deep sentiment of appreciation.

It will indeed be a great honor to have the Members of Congress visit my humble work. In order to accommodate their pleasure the exhibition will be extended a few days longer.

I hope that such manifestation will serve to a certain extent to foster more friendly relations between my country and the United States. In my purpose of lending a small part toward this mutual understanding, some years ago I wrote a program of suggestions to the various governments of the Western Hemisphere, many of which were later adopted at several of the Inter-American Conferences.

Thanking you in advance for your kindness in extending my invitation to the other Members of Congress, I remain, my dear Mr. KELLER,

Very sincerely yours,

JUAN DE D. HOYOS.

SOME OPINIONS ON THE WORK OF THE MEXICAN PAINTER, JUAN DE DIOS HOYOS, TO BE EXHIBITED AT THE NATIONAL COLLECTION OF FINE ARTS, UNITED STATES NATIONAL MUSEUM, WASHINGTON, D. C., DECEMBER 15-29, 1939

Joaquin Sorolla B.: "It is a very interesting work, the best I have seen in its class" (Seville, March 26, 1915).

Kees Vandogen: "Mr. Hoyos is the best miniaturist in the world" (Biarritz, September 20, 1919).

Rafael Cardona: "In my visits to the great picture galleries I have never been so spellbound as I was when I saw the miniature of Hoyos' mother, in which I observed the moist circulation of life under the almost maleficent illusion created by the artist's skill" (Mexico, August 19, 1935).

Glen Dillard Gunn: "When the miniature of Hoyos' mother is viewed under the microscope, a miracle takes place. The texture of the skin seems to change as in life, and the mind of the beholder instinctively rejects the intervention of the human agency that created it" (Washington, D. C., November 3, 1939).

EXTENSION OF REMARKS

Mr. CROWE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a list of the names of the States, the names of the Congressmen, and the names of the districts having forest-purchase units in them in the United States. I ask this for the benefit of Members who are interested. There are 93 Members of the House who have forest units in their districts, and I believe this will be of interest to all Members of the House. Further, I ask that these Members who are interested appear before the Subcommittee on Appropriations of which the Honorable CLARENCE CANNON, of Missouri, is chairman and present a statement concerning their interest in the purchase of these forest lands.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

GEN. DAVID L. STONE

Mr. ANDERSON of Missouri. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANDERSON of Missouri. Mr. Speaker, I have asked for time to address you today regarding one of the most able and distinguished men ever to wear the uniform of our great Army. This man has not attained his great measure of fame on the field of battle but on a broader and much more useful field.

January 10, 1940, is an important date to this Nation for the reason that Gen. David L. Stone leaves his command at Panama Canal Zone to assume his new duties in command of the Fifth Corps Area, Fort Hayes, Columbus, Ohio. The mere fact that a military officer is changing his command is not unusual, neither is it deserving of taking your time to recount. But General Stone is not an ordinary man and his career at the Canal Zone is one of the most brilliant in the history of our Army. In these uncertain and troubled times when the Panama Canal means so much to the life of our Nation and when the good will of our Central American neighbors is at its highest premium in history, it is well worth a few minutes of our time to pause and pay a fitting and well-earned tribute to General Stone's brilliant career in the service of his country.

I take a further pride in addressing you, briefly, of General Stone, for he once served as colonel at historic Jefferson Barracks in my own district not so many years ago.

Time will not permit me to cover even briefly all that General Stone has done in Panama, nor the efficient, quiet, and modest manner in which his duties have been discharged.

Upon the arrival of General Stone in Panama the relations between the Panamanian Government and people and our Army were none too cordial. The Panamanians judged all of our actions with suspicion and felt that they had to tolerate us because we were in a position to enforce our will. They were continuously looking for a chance to find fault or to create incidents, and in the past many occasions had been afforded them. The high officials of the Government were unknown or at best barely on speaking terms with the officers of our Army.

The press was exceedingly hostile. A few years previous the commanding general of our Army at the Canal Zone sued and obtained judgment against the editor of the Panama American, a powerful influence in Central America, and had him jailed. Thereafter all the papers were looking for a chance to get something on the Army and every little incident was played up to its fullest bounds. Such were the conditions when Gen. David L. Stone took up his command at Panama.

General Stone took in this situation at a glance and with his sympathetic personality, knowledge of human nature, his wisdom, and his intimate knowledge of civil affairs, straightened out the situation before he had finished the first year of his command. The editor of the Panama American, once our bitter editorial critic and antagonist, is now a sympathetic and useful friend.

General Stone made contacts with the president and all of the officials, high and low, of the Panamanian Government. He invited them into his home and discussed their family and other intimate problems with them. He acted not as a high and mighty official of an imperialistic United States, but as a friend and as a fellow Panamanian would. He pointed out how they could improve their methods of farming and fisheries; how they could develop their road system, their conditions of labor, and, above all, how they could benefit by cooperating with the United States; how they could live under the same roof with us and yet be close and intimate friends. He made them feel that they, too, were responsible for the safety of the Canal and that they would benefit by safeguarding it at all times. He won over the commandante of the national police who, at the beginning of General Stone's command, was viriely un-American. Today he is one of the general's closest friends.

General Stone cut the red tape between government officials and discussed matters informally in personal conference and even over the phone. Soon he found that they were seeking his advice on all matters of importance to the welfare of Panamanians. The president and his brother became close friends of the general and until the death of the president a short time ago, treated him as one of his own kinsmen. As the president lay on his bed suffering from an illness which took his life a few days ago, he ordered the secretary of state to sign a decree granting General Stone the thanks of the Panamanian Government and the decoration, the Cross of Balboa. Panamanians feel that no man has ever been so

deserving of that decoration as General Stone, for he holds a place in the hearts of Latin Americans which has never been held by any other American.

Upon the death of the President not long ago a strong faction was plotting an uprising to prevent Dr. Boyd from assuming the Presidency to which he was entitled under the Panamanian Constitution. Dr. Boyd was hurrying to Panama by plane from the United States at the time, and conditions were ripe for serious trouble in Panama. Fortunately, the persons seeking to deprive Dr. Boyd of the Presidency decided to consult with General Stone. The general in his fine, quiet, and fatherly manner talked to them as a father would to a sick child. He told them that they and their constitutional government were on trial before the whole world; that their actions would show whether democracy in Central America was to live or die; that Dr. Boyd was the constitutional head of their government by their own preselection, and that if they took any steps to prevent him from assuming his rightful office or engaged in intimidation or bloodshed it would seriously blight the future of the Republic of Panama; that they had shown loyalty to their government and constitution; that their constitution provided for an orderly succession to the executive power and that if they took any other course they would throw the country into anarchy, shed the blood of their brothers, and give aid and comfort to alien systems of government which were not in accord with their ideals.

He told them that Dr. Boyd was a fine, modest, upright, and patriotic man and that he would carry on as President in accordance with the constitution and in the same manner as his illustrious predecessor. The general spent many hours with these hot-blooded Latins who had it in their power to throw the country into revolution. When he departed in the late hours of the night he had soothed their feelings and brought them around to his way and the right way of thinking. In plain words he prevented a revolution in Panama and restored good will all around.

The constitutional President arrived December 19, 1939, by plane and was met by the men who had plotted his death only 2 days before. They embraced him and assured him of their undying loyalty. These men who only a few hours earlier plotted revolution and bloodshed came to General Stone and told him that they did not know what Panama and Latin America would do upon his departure from the Canal Zone; that he was the only true friend they could turn to for advice based on sound judgment, wisdom, lofty ideals; and that only fine thinking, fine living, and love of his fellow men made it possible for General Stone to give such advice.

In the case of the Republic of Colombia, she has altered her historic foreign policy of suspicion, deeply rooted hatred and distrust of the United States, which had been her policy until General Stone won their love, affection, and admiration. Colombia had hated the Americans ever since they separated the Department of Panama from the home country.

When General Stone arrived in Panama he found that unfriendly Europeans were solidly entrenched in Colombia and that an important air line was owned by these Europeans and operated by reserve officers of this foreign power's Army. This was a direct threat to the Panama Canal and a menace to the safety of this Nation. It was a situation that could not be handled by the State Department and it was a situation that might easily turn out to the disadvantage of the United States if we attempted to put pressure on the Colombian Government. General Stone adopted a different tack. He invited high Colombian officials for social gatherings; took them into his family circle; treated them as fellow Americans; dined with them; conducted them through field exercises of our forces at the Canal Zone. In other words he made them feel like one of the family. They went back to Colombia singing the praises of the United States and in a short time invited the general to visit them in Colombia, which he did. Shortly after this the last member of a European military mission in Colombia was removed from power and an American Army mission substituted therefor. In other words, now

the United States is a trusted partner of Colombia rather than a foreign oppressor. General Stone made the Colombians feel that they have an equity in the Canal and that with this equity they have an obligation and responsibility to assist in every manner to guarantee its security against all enemies. This they have done. In this alone General Stone has done more than any American diplomat or military man has been able to accomplish in 25 years. It is worth more than 100 bombers and 20,000 troops to the defense of the Canal.

At a recent reception held at the Colombian Embassy in Panama, a ranking officer of the Colombian Navy stated before the assembled diplomats that General Stone had made the Colombians and Panamanians love the United States, but what was greater, he made them love each other. No greater tribute has ever been paid to an American.

To show their great appreciation of General Stone they conferred upon him the Order of Boyaca, the first, I understand, that has ever been awarded to an American. The President of Colombia, the Ministers of Foreign Affairs and War have assured General Stone that no unfriendly act against the Panama Canal will ever originate from Colombian territory and this sentiment was ratified by the Congress of Colombia with only one dissenting vote, a Communist.

Costa Rica, just to the north of the Canal, is now a firm friend, but when General Stone arrived in Panama there was absolutely no contact with Costa Rica and there was a strong European influence. Today our officers are welcome visitors to Costa Rica and are received with every consideration and courtesy. Contrast that, if you will, with the situation 2 years ago, when Costa Rica protested that we were sending armed planes into that country when the only thing on the planes that even looked like armament was a fixed cylinder in which a machine gun might have been placed. No such sentiments are expressed today because General Stone went to that country, visited with the President and other officials of the Government. Today they are all firm friends of the United States.

General Stone has visited Nicaragua as the guest of the President. He has been entertained at state dinners there and has won the affection and admiration of the Nicaraguans. Today his name is known throughout the length and breadth of that land.

Guatemala, the Switzerland of Central America, has become a staunch friend of the United States. Previous to General Stone's assumption of command in Panama, Guatemala had never been visited by the supreme commander of our military forces as far as the memory of Guatemalans serve. It was used only as a convenient landing field between Panama and the United States. The general visited them with a large representation, reviewed their troops, visited their homes, toured their country, and was initiated as a member of their Volunteer Indian Corps, and, in fact, the secretary of war, a fine old gentleman of 82 years of age, presented him with his own personal uniform as a token of esteem.

Through the general's good-will tours and sincere interest in the welfare of the Guatemalans he has been offered free use of all landing fields and storage for our Army planes and every cooperation has been extended to our armed forces. I do not think there is much more that can be said about Guatemala and the genuine love and affection it has for the United States due to the efforts of General Stone.

I can only cover here a minor part of General Stone's accomplishments. As regards the Panama Canal, he has been a tireless missionary, awakening the people of the United States to the vital importance of the Canal. He has planned for and developed its defenses and has taken over the duties of Governor General of the Canal Zone during the most delicate period, when policies had to be initiated and immediate plans had to be made for protecting the locks and other vital installations made against acts of sabotage. He has planned and carried forward a huge construction program under almost insurmountable difficulties and has placed under roof an immense increase in Army personnel which has arrived within the last 2 months, with little or no prior

notice. Above all, he has won the love, respect, and admiration of the entire ranks.

As regards the troops, General Stone's well-known consideration for their comfort, welfare, and happiness is appreciated by every enlisted man there. The efficiency of his command was commented upon by a recent congressional delegation, consisting of Members of the House and Senate, who said in a press interview that these soldiers at the Canal Zone were the most outstanding men they had seen in their inspections of United States Army installations. These qualities which have made General Stone an outstanding officer are well known throughout the entire military service of our country.

The achievements of General Stone in the diplomatic field have been attained by peaceful methods predicated upon trust, good will, judgment, tireless effort, and thorough understanding of the Latin American temperament. This has won for him the love, respect, admiration, and cooperation of all our Latin American neighbors. Today the Canal is safe with our friends helping us watch. What General Stone's departure will mean in the future of these relationships only time will tell.

EXTENSION OF REMARKS

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks and include quotations from Washington's papers.

The SPEAKER. Without objection, it is so ordered.
There was no objection.

NATIONAL LABOR RELATIONS BOARD

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

IT TAKES 2 YEARS 8 MONTHS 27 DAYS TO ESTABLISH SUPREMACY OF UNITED STATES SUPREME COURT

Mr. HOFFMAN. Mr. Speaker, on page 12 of the committee's report to the Senate on the bill which became the National Labor Relations Act, made on the 1st day of May 1935, under the subtitle, "Duty to Bargain Collectively," we find this statement:

The committee wishes to dispel any possible false impression that this bill is designed to compel the making of agreements or to permit governmental supervision of their terms. It must be stressed that the duty to bargain collectively does not carry with it the duty to reach an agreement, because the essence of collective bargaining is that either party shall be free to decide whether proposals made to it are satisfactory.

November 2, 1935, in a letter to the Sun of New York, Senator ROBERT F. WAGNER, author of the bill, referring to the act, made this statement:

The law does not require any employer to sign any agreement of any kind. Congress has no power to impose such a requirement.

April 12, 1937, Chief Justice Hughes, handing down the unanimous decision of the Supreme Court in the Jones & Laughlin Steel Corporation case, referring to the act, said:

The act does not compel agreements between employers and employees. It does not compel any agreement whatever.

Notwithstanding the fact that the Senate committee reporting this bill for the consideration of the Senate; that the author of the act; that the Supreme Court of the United States, each had declared that the act did not require the making of any agreement—much less the signing of a written agreement—by the employer, Nathan Witt, then and now the secretary of the board, on the 2d day of June 1937 conferred with Philip Murray, vice president of the C. I. O., chairman of the Steel Workers Organizing Committee, and with Lee Pressman, general counsel for the C. I. O., about a strike which the C. I. O. intended to call, but had not yet called, against Inland Steel.

On the next day, this same Witt, disregarding the report of the Senate committee, the statement of Senator WAGNER, the decision of the United States Supreme Court, in a memorandum to Charles Fahy, general counsel of the N. L. R. B., advised

him that, after talking with Murray and Pressman, the principal thing in which the C. I. O. affiliate was interested, was—

A quick decision from the Board as to whether or not a written agreement is required after the parties come to an understanding after negotiations.

Witt then wrote:

I suggested that the quickest way of getting a decision is for S. W. O. C. to modify its approach on the majority question. * * * At the same time, it could ask for negotiations looking toward a written agreement. All other things being equal, Inland would probably refuse the request on the ground that collective bargaining does not require a written agreement, even if the parties come to an understanding on the provisions—as they apparently have in this case on the basis of the Carnegie-Illinois agreement. If at the same time as it makes the demand, S. W. O. C. also offers to prove to Inland before the conference that it represents a majority, then Inland's refusal to negotiate on such a basis would lead to a claim by S. W. O. C. that section 8 (5) had been violated.

After checking on this with Mr. Edwin Smith, I left the problem with Murray and Pressman. They have been in touch with Bittner, the S. W. O. C. director in Chicago, and he is checking his books to see whether they are in shape for presentation to the company. If they are, S. W. O. C. will make a demand on Inland in the above terms and, upon refusal, will file a charge.

Note these outstanding facts: The Senate committee, the author of the bill, the United States Supreme Court had all held that an employer, under the act, was not required to sign a written contract. That is statement 1.

Witt, secretary of the Board, and the Board knew on the 2d day of June 1937 that Inland Steel was not required to sign a written contract. Yet the Board's representative and secretary, Witt, advised the Board's general counsel that C. I. O., its vice president, and its general counsel wanted a written contract with Inland; that if a demand for a written contract was made Inland would probably refuse and, upon a refusal, which was expected, S. W. O. C. would file a charge with the Board.

Here we find the secretary of the Board, with the knowledge of the Board's general counsel and with the actual knowledge of at least one member of the Board, doing what he could to bring about and foster a strike.

Authority for the statement which has just been made will be found in a memorandum made by Witt himself, testified to by him before your special committee—pages 282–283 of volume 1, No. 8, of the hearings, December 19, 1939.

The demand for a written contract was made. It was refused. The C. I. O. affiliate made a complaint to the Board, and the Board, notwithstanding the decision of the United States Supreme Court, decided that Inland, in refusing the C. I. O.'s demands, was guilty of an unfair labor practice and issued a complaint against the company on June 12, 1937.

Yesterday, 2 years 7 months and 7 days after Witt had conspired with Murray, Pressman, and Edwin Smith to make this unlawful demand upon Inland, the Circuit Court of Appeals at Chicago overruled the decision of the Board and held, as the Supreme Court had held 2 years 8 months and 27 days before; as Senator WAGNER had written in November of 1935; as the Senate committee had reported in May of the same year that an employer could not be required to sign a written contract.

In the Inland case there was no complaint that the company refused to bargain or was unfair in its wages, hours, or working conditions. The union's complaint was upon the point that the company refused to put into a written contract with the C. I. O. its labor standards.

Of the trial examiner's report, the Court said:

His purpose was deliberately to discredit the testimony of petitioner's witnesses concerning an important record, while, at the same time, refraining from saying or doing anything to disparage witnesses who had given testimony of a dubious nature concerning a record regarded as important in support of the Board's case.

While we sit here in Congress, this wrecker of businesses; this creator of unemployment; this conspiring, arrogant National Labor Relations Board, which has assumed to itself powers never given it by Congress, which refuses to abide by a decision of the United States Supreme Court, continues from day to day its denial of the right of collective bargaining to

employees; its vexatious litigation; its underhanded, un-American, illicit partnership with C. I. O., the object of which is to establish a monopoly over labor, levy and collect tribute from the workers, and the continuance in power of those parasites who are now holding high official positions and living upon the earnings of the workers they enslave.

What more does this House need to induce it to abolish the Board?

RECOMMENDATIONS OF SECRETARY OF THE NAVY

Mr. HARNESS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HARNESS. Mr. Speaker, the shocking and amazing proposal of our new Secretary of the Navy, requesting of this Congress more than a billion dollars for the expansion of the Navy and unprecedented emergency peacetime powers for the President of the United States, authorizing the conscription of industry and transportation of this country, has startled the people. Here is another ranking lieutenant of the New Deal who has lost no time in justifying his appointment, in demonstrating the fact that the President remains consistent at least in his picking of bungling and inept administrators.

Charles Edison had barely settled himself in his new office as Secretary of the Navy when he startled the country with his proposal to conscript American industry in peacetime emergencies. Of course, an emergency is anything you want to make it. Even now we have what the President is pleased to define as a "limited" national emergency, whatever that means. Looking back over the past 7 years, in fact, I do not recall a time during the New Deal when some sort of an emergency has not existed. The New Deal has literally been a continuous string of emergencies.

Businessmen throughout the country, recalling how Mr. Roosevelt has revelled in emergency, naturally suffered nervous chills when they heard the new Cabinet member's brash proposal.

No clear explanation has been given by the Secretary of the Navy of the causes which prompted the suggestion. Maybe it was because the naval program has not been moving with the efficiency, precision, and dispatch that should be expected. Maybe Mr. Edison thinks that if he had complete dictatorial authority over the industries supplying the Navy he could iron out the delays and errors which have beset the Department under his administration.

American businessmen do not agree with him, for the most obvious reasons. Everyone realizes that too much authority has already accumulated in the Presidency; that this country ceases to be a free state and becomes a dictatorship the minute we enter another war. That is enough for most Americans.

So long as we are at peace, at least, we certainly intend to resist any further encroachment of Executive authority upon the American economic system.

In justice to Mr. Edison, we should not fail to recognize his apparent readiness to withdraw the proposal. When the storm of protest forced him to a realization of the enormity of his proposal he was quick to admit the possibility of error. That scarcely explains the total thoughtlessness and carelessness which permitted him to make it in the first place. It is hardly reassuring to the country to realize that Cabinet members and Department heads so easily fall into the most palpable errors.

The incident is a sad reflection on the character of an administration which does lip service to national unity and acts continually to confuse, confound, and alarm the people in a manner which makes unity impossible.

Thank goodness, the New Deal string has just about run out. If there is no immediate hope for harmony and confidence in the present year, it ought at least to be encouraging to the country at large to look forward to the strong possibility of better things a year from now. [Applause.]

EXTENSION OF REMARKS

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the Record on the continuance of the Dies committee.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

By unanimous consent permission to revise and extend their own remarks was granted to Mr. SHAFER of Michigan, Mr. FISH, Mr. VOORHIS of California, and Mr. BENDER.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a statement made by the Commissioner of Agriculture of the State of Vermont, with an accompanying excerpt from an article appearing in the Fortune Magazine.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the Record and include therein a short editorial appearing in the Baltimore Sun of this date.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

COMMISSION TO STUDY NATIONAL DEFENSE RESOURCES AND REQUIREMENTS OF THE UNITED STATES

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. VAN ZANDT addressed the House. His remarks appear in the Appendix of the Record.]

GENERAL LEAVE TO EXTEND REMARKS

Mr. HOBBS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their own remarks upon the pending bill (H. R. 801), and that all who have spoken in the debate may revise and extend their own remarks at the point in the Record at which they spoke, during the next 5 legislative days.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

ANTILYNCHING BILL

Mr. GAVAGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 801) to assure to persons within the jurisdiction of every State due process of law and equal protection of the laws, and to prevent the crime of lynching.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 801, with Mr. McCORMACK in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. The gentleman from New York [Mr. GAVAGAN] has consumed 57 minutes and has 33 minutes remaining. The gentleman from Texas [Mr. SUMNERS] has consumed 2 hours and 24 minutes and has 36 minutes remaining. The gentleman from New York [Mr. FISH] has consumed 1 hour and 15 minutes and has 15 minutes remaining.

Mr. FISH. May I inquire of my colleagues how many speakers they have left? We only have one speaker remaining on our side. How many have you?

Mr. GAVAGAN. So far as I am concerned, we have only one—myself.

Mr. HOBBS. Mr. Chairman, I yield such time as he may desire to the gentleman from Alabama [Mr. JARMAN].

Mr. JARMAN. Mr. Chairman, I entertain no doubt whatever that every Member of this body as well as every right-thinking person in the United States is of one mind relative to the horrible crime of lynching, which this legislation purports to attempt to eradicate.

We of the South yield to no one, and certainly not to the advocates of this legislation and the other citizens of New York, Chicago, and similar machine or gang-ridden cities, who have no knowledge whatever of the real situation which confronts us, in our antipathy for lynching and our earnest desire that the progress which has already occurred toward stamping it out continue until the goal shall have been reached. Certainly, not even the proponents of this legislation would accuse us of condoning this terrible crime.

It is my privilege, pleasure, and honor to hale from the Black Belt of Alabama, than which there is no finer country in the world; than the people of which section there are no better citizens, no more patriotic citizens, no more peace-loving and law-abiding citizens. Not only is the soil black and rich, but it is the habitat of the black man, who seems to have followed this black, cotton-producing land. Before the Great War there were five Negroes to one white person in my county. The ratio is probably not quite so large now. Whatever it was then and is now, it prevails in four counties of my district and in the entire Black Belt of those Southern States. Does this mean anything to you gentlemen from New York and Chicago, where the Negro population is so comparatively small? It must mean much to us, as it has since you placed the black man's heel on our forefathers' necks during reconstruction, and as it ever will.

In this beautiful land are the best real friends the Negro ever had. Having been nursed by a Negro mammy, having played with more Negro children than white ones, having been literally reared among them, we of the Black Belt know the colored man and highly respect him in his place. It is but natural, I think, for us to insist that he remain in his place and that there be no social equality. While we do not invite him to our homes as an equal, do not dine with him or ride in the same railroad coach, there is no group of white people in the world who have exerted, and will continue to exert, more effort toward caring for these citizens we consider our wards. Though not accepting them as equals, the Southerner will fight another white man to preserve the rights of one of them, which citizens of other sections, who regard them so different socially, naturally will not do.

To illustrate the way in which we live together, I must beg your pardon for indulging in several personal references. I live in a town of approximately 1,000 people. About a month after the declaration of war in 1917, three of us left that town for the first officers' training camp together. War was new to everyone and it was thought that we would be in France within a few months and would probably be dead shortly thereafter. Consequently the town literally turned out to bid us adieu. I kissed my dear mother good-bye, said farewell to my father, my sister, my brother, to all of whom I was very devoted, to most of the friends of my childhood, and to the young lady of whom I was fondest at the time. I experienced no difficulty whatever in doing this. When they accompanied me, however, to the Pullman door, where stood with my suitcase an old Negro with whom I had worked long hours, day and night, during rain, sleet, and sunshine in caring for a herd of purebred cattle belonging to my father; when old Isreal Hill said, as he handed me my suit case, "fore God, Mister Pete, I sho does hate to see you go," it was an entirely different story. I had to board the Pullman very hurriedly, in a futile effort to hide the tears which rapidly trickled down my cheeks. At about the same time old Florrie was ably serving my family as cook. Both Isreal and Florrie still live in my town and there is no one I am happier to see than either of them when I return home. I always look them up, if they do not contact me, that I might at least say "hello."

Can anyone be so cruel, so thoughtless, so inhuman as to believe that we of the South entertain an attitude of mob violence toward such people as Florrie and Isreal and their children? I do not believe that even the author of this legislation would make that charge. On the other hand, we abhor lynching just as you do, and regret it sincerely when a situation arises which produces it. The average southern Gov-

ernor and sheriff will and does, when the necessity arises, exert more effort to prevent a lynching than any other crime in the statutes. Again I speak from experience. I have been active in the National Guard of Alabama since 1922. Some years ago the adjutant general called me and said, "Colonel JARMAN, you have many friends in Eufaula, and your civilian occupation qualifies you to ascertain facts. The same is true of Colonel Jackson. I want you both to go to Eufaula as soon as possible, arriving not later than tonight, on duty but in civilian clothes so that the people may not be aware of your mission. You know that Negro will be tried there tomorrow. He will be carried from here on a special train accompanied by a large detachment of guardsmen under the command of General Bare. They will reach Eufaula at approximately 10 o'clock. In the meantime I want you and Colonel Jackson to casually contact as many of your friends in Eufaula as possible; listen to conversations in hotel lobbies and drug stores; inquire about the situation of Captain Schneider, who is already there with his company; and report the prospects of an attempt at lynching, if any, to General Bare upon his arrival tomorrow." Immediately proceeding to Eufaula I was happy indeed to be unable to detect any great danger of a lynching, despite the uncertainty which naturally exists when such a crime has been committed. I shall never forget the arrival of that train the following morning with two soldiers with fixed bayonets in every vestibule and one by every window. I can see them now as they detrained and formed a hollow square with the prisoner and General Bare and his staff in the center and proceeded to the courthouse, around which a strong guard, including numerous machine guns, had previously been established by Captain Schneider. Nor shall I ever forget my first entrance into a courtroom at the door of which every person was carefully searched for weapons and in every window and corner of which stood a soldier with fixed bayonet. There was no untoward event whatever. The prisoner was duly tried, regularly convicted, and returned to the State penitentiary for his electrocution on the same train and under the protection of the same guard which brought him down.

It cost Alabama thousands of dollars to protect that man, guilty of the most heinous of crimes, but he was protected. It has been the attitude of our recent Governors to afford such protection, and I feel sure that the same is true of those of other Southern States. Consequently, and because of the active interest of all concerned, the crime of lynching has all but disappeared from the front pages of the newspapers of the South, and, if you will permit us to continue to solve our own problem without Federal interference brought on by you gentlemen who know nothing about it; if you will refrain from insulting us by the passage of such legislation as this and from saying "You deserve no credit for the practical obliteration of lynching and we will give you none, but will take your problem into our own hands, thereby shifting the responsibility from your shoulders to those of the Federal Government"; if you so conduct yourselves the day is not far distant when if no one is lynched in other sections of the country there will be no lynchings. I do not refer to gangster assassinations, which are not covered by this legislation and which, if history repeats itself, you will not permit the inclusion of by amendment. While I cannot be too optimistic, I sincerely hope that you may find equal success in eliminating this crime on your sidewalks and on the doorsteps of your courthouses and city halls.

Though time does not permit me to dwell on many of the efforts, organized and otherwise, which have been indulged in by people of the South to prevent lynching, I do wish to refer to that organization of patriotic southern women who compose the Association of Southern Women for the Prevention of Lynching. This organization was born a few years ago at a meeting of just a few ladies. It has grown to such an extent, in numbers as well as in activity, that it has, I believe, become the most potent factor in the prevention of lynching. I have a letter from the executive director of this association, dated December 29, 1939, which transmits to me with pride the report of Dr. Patterson, president of Tuskegee Institute,

stating that only 3 lynchings occurred in the United States last year. This report contrasts the number with 6 in 1938, 8 in 1937, 8 in 1936, and 20 in 1935, a reduction in the number of this terrible crime from 20 to 3 in 5 years, toward which result I am sure that the work of these good southern women, in pledging the best efforts of peace officers toward the prevention of lynching; in personally and through influential constituents, placing pressure upon these officers; by immediately, upon receipt of information of the commission of a heinous crime, personally interceding with the officers, and with mobs, if necessary, has very materially contributed. A reduction of from 20 to 3 in 5 years by our own people, and yet you insist—for political advantage, I believe, rather than because of any humanitarian ideals—that the Federal Government now take over the performance of this our well-performed duty. Does any fair-minded man think such action would tend toward further decreasing lynching? I must not forget to add that this letter from this ladies' association for the prevention of lynching, although written just a few days before the convening of the Congress which had this nefarious bill as its first order of business, did not solicit my support of it; it did not even mention it, nor has this association ever endorsed antilynching legislation.

As you know, antilynching bills are not new but are generally proposed every 2 years, very largely, I am afraid, for the purpose of currying favor with Negro voters. As those of you who were here then know, one was passed 2 years ago under the same sponsorship as is enjoyed by this one. Relative to this bill, the New York Herald Tribune of May 4, 1937, said:

Of course, we ought to have laws to protect people against mob violence; but the Gavagan bill will not do it, because it is too narrow; it doesn't begin to work until the victim is first in charge of a peace officer, and peace officers, being duly mindful of their own safety, the disagreeable feeling of contusions, bruises, and other wounds, and the advisability of standing in with the boys if they want to hold their jobs, are proverbially scarce and hard to find when a mob is on the rampage. * * *

The Gavagan bill would be an added incentive for the peace officer to keep away from the mob and their prisoner; as long as he kept away, the bill wouldn't touch either the officer or the mob, but if he tried to take the prisoner away and protect him from mob violence and failed, then, but then only, would the law apply to both the officer and the mob.

The 1937 bill was a joke indeed. Not only did it encourage sheriffs to permit the mob to beat them to a crime but its sponsors refused to permit its amendment to include gang lynchings, as they will probably do again, just as this bill specifically excludes certain types of violence.

While this bill was under consideration, a Negro forced himself into the back seat of a car which was being driven by one of the finest, sweetest, most charming ladies in my district, the wife of a very highly regarded and prominent official, and a relative of a Member of this body. Fortunately she succeeded in driving under an electric light and frightening him away. Shortly after his arrest, the atmosphere became very tense and her husband talked the gathering mob into disbursing by telling them their representatives stood that day in the Halls of Congress, with their backs against the wall fighting desperately to prevent enactment of antilynching legislation. He told them, "If you lynch this man you will greatly weaken the fine fight those gentlemen are putting up," and mob violence did not occur. Could he have made such an argument had this legislation been in effect?

Its author has diligently attempted to remove from the present bill the provisions which would prevent the penalty from becoming effective until the arrest of the criminal by the peace officer. I do not believe, however, that he has succeeded in doing so. Let us read section 3—

Whenever a lynching occurs any officer or employee of a State or any governmental subdivision thereof who is charged with the duty, or possesses the authority to protect such person or persons from lynching, and neglects or refuses to make all diligent efforts to protect such person or persons from lynching.

I repeat—

who is charged with the duty or possesses the authority to protect such person from lynching.

My county is 75 miles long. Can it be said that the sheriff, being at the courthouse when the crime is committed, is charged with the duty or possesses the authority, or the ability for that matter, to protect a criminal who commits a crime 40 miles away in a section where he has no deputy until he, either personally or by deputy, has had time to arrest the criminal or at least to reach the neighborhood in which he is? How can he be charged with the duty or possess the authority or ability to protect this man when he is 40 or 30 or 20 or 10 miles away. The proponents of this legislation will probably answer that he is not charged with this duty and does not possess this authority until he has had a reasonable time to reach the scene of the crime and has refused "to make all diligent efforts" to do so. Now I ask you, with this law in force what would it be natural for a sheriff to do upon learning that a heinous crime has been committed 40 miles away in a section in which both the crime and the section naturally cause him to fear a lynching? We will say that he has just received a most important call to the other end of the county.

He feels that it is his duty to answer this call and knows that if he does so he will be in no danger of prosecution. Whereas if he fails to perform this duty and hastens to the scene of this heinous crime in a sincere effort to prevent a lynching, succeeds in arresting the criminal but is unable to hold him against the mob, he knows that he will at least be subject to arrest by a United States marshal and that he will be in grave danger of conviction of a felony and the imposition of a sentence of 5 years' imprisonment and a \$5,000 fine. Not only that but the county he loves, the people who have probably kept him in office for years, who are honorable, law-abiding people and who have had nothing whatever to do with this crime or with the lynching, will be subject to a penalty of \$10,000 as compensation to the relatives of the deceased criminal. Furthermore, should he decide to answer the first call and request a citizen of the section in which the heinous crime was committed, who has no connection whatever with the enforcement of the law, to arrest and hold the criminal for him, and should this citizen "refuse to use all diligence and powers invested in him for the protection of the person" by the sheriff, then the innocent law-abiding citizens of the county would be subject to that \$10,000 penalty. What would it be natural for the sheriff to do under those circumstances, and would his natural conclusion tend to decrease or increase the number of three lynchings which occurred in the United States last year? Let us illustrate again. This law is in effect and the sheriff is aware of the penalty to him and to his county for his failure to prevent mob violence after his arrest of the criminal. In the situation just mentioned he elects to hasten to the scene of the crime. Could he be reasonably expected to risk his life, as he doubtless would do today without this law, by driving at a speed of 60 or 70 miles an hour over rough road, or would it not be more natural for him to "make all diligent efforts to protect such person" by speeding to the scene at the rate of 40 or 50 miles an hour? The difference in the elapsed time might be sufficient for the mob to get there first. Or suppose he started out at 70 miles an hour and had a puncture but was not killed; could he be expected to proceed on a flat tire as best he could, or to change tires with all possible speed; or would it not be more natural, under the ridiculous circumstances which would confront him by this law, for him to proceed leisurely in changing his tire, be unable to find a jack, or have to telephone to the nearest garage?

Any of these methods would qualify him as "making all diligent efforts" and prevent the possibility of his, and his county, being fined, which would result from the other alternative. I have thus far assumed the sheriff to be an honorable, law-abiding, duty-performing gentleman, as most sheriffs in Alabama are. If such men could naturally be expected to pursue the courses mentioned, what of the corrupt, criminally minded peace officer, such as I have read of in certain large cities of our country being dominated by and affiliated with racketeers and gangsters, of which we in the South know nothing?

If my construction of this section be correct, it is certainly not an antilynching bill but a lynching-production bill, and I cannot too strongly urge you gentlemen not to force it down the throat of an unwilling South, a South which is unwilling to see the return of the day of 20, 40, 100 lynchings a year, a South which instead hopes very earnestly to be permitted to handle its own problems in its own way with which it has so far been so successful, a South which is anxious, and which will succeed in doing so if not interfered with by you gentlemen from other sections, to reduce the 3 lynchings of 1939 to none in 1940 and to continue the number at this vanished point. Whether we do so or not, my colleagues, lies within your hands. In the name of the unfortunate victims of mob law—past, present, and future—I say, "God forbid that you prove unworthy of the trust so imposed in you." [Applause.]

Mr. FISH. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from New York is recognized for 15 minutes.

Mr. FISH. Mr. Chairman, I have yielded myself the balance of my time, 15 minutes, unless there are some Republicans here who desire some of the time. In view of the fact that there is none, I will consume the 15 minutes that are left.

Mr. Chairman, I ask unanimous consent that I may proceed for 3 minutes out of order.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. FISH. Mr. Chairman, a number of Members on this side have received letters asking what action the Congress has taken with reference to the continuation of the Dies committee or when the Rules Committee intends to have a hearing for the purpose of continuing the Dies investigation of un-American activities.

Yesterday the chairman of the Rules Committee, Mr. SABATH, gave out a statement. He is reported in the press as having said after a conference with President Roosevelt that he felt further appropriations for the Dies committee would be money thrown away. I do not know whether this reflects the views of the President or not, but it is well known that President Roosevelt dislikes the action of the Dies committee in exposing the numerous fellow travelers appointed by the administration and probably would be highly gratified with its sudden death. The Rules Committee, however, will determine this issue without dictation from the White House, the American Youth Congress, the Communists, or the German Bund.

The Dies committee has done a good job in exposing both Communist and Nazi activities in this country, and 75 percent of the American people in popular polls have asked for the continuance of this Committee to Investigate Un-American Activities, likewise foreign propaganda in the United States which for the time being is the most dangerous.

I am confident that as soon as Chairman DIES returns to Washington the early part of next week there will be a meeting of the Committee on Rules, and the continuation of the Dies committee will be approved by almost unanimous vote. Speaking as the ranking Republican or minority member of the Committee on Rules, I would prefer not to have a meeting of the committee called until the two Republican vacancies are filled, which should be done by next week. A delay of a few days will make little or no difference.

Mr. GAVAGAN. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. FISH. I yield.

Mr. GAVAGAN. I have been requested by the chairman of the Committee on Appropriations who was unavoidably prevented from getting here at the opening of the session today, to have the Committee rise in order that he could present a privileged report. Should I move that the Committee do now rise for this purpose, may it be done without in any way prejudicing the right of the gentleman from New York to the floor when the Committee resumes its sitting?

The CHAIRMAN. It may. When the Committee resumes its sitting the Chair will recognize the gentleman from New

York, because the gentleman from New York yields time to himself of which time he has control.

Mr. GAVAGAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. McCORMACK, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 801, had come to no resolution thereon.

EMERGENCY SUPPLEMENTAL APPROPRIATION BILL, 1940

Mr. TAYLOR, from the Committee on Appropriations, reported the following bill (H. R. 7805) making supplemental appropriations for the Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation, for the fiscal year ending June 30, 1940, and for other purposes (Report No. 1479), which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the state of the Union, and ordered printed.

Mr. TABER reserved all points of order against the bill.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. St. Claire, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 33. Concurrent resolution establishing a joint congressional committee to make a full and complete study and analysis of the Budget for the fiscal year ending June 30, 1941, and the accompanying message of the President.

ANTILYNCHING BILL

Mr. GAVAGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 801) to assure to persons within the jurisdiction of every State due process of law and equal protection of the laws, and to prevent the crime of lynching.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 801, with Mr. McCORMACK in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. The gentleman from New York [Mr. FISH] is recognized.

Mr. FISH. Mr. Chairman, I commend the Members of the House for the high plane upon which the discussion of the antilynching bill has been conducted up to now. There has been no rancor, no personalities, no abuse on either side, and there is no reason for it whatever. There is a difference of opinion, a difference of sentiment, particularly in the South, as opposed to the West and the North. We all recognize this, and the debate up to now has been conducted on this basis, and I hope will continue until the bill is passed.

The consideration of an antilynching bill is not new. I can remember back as far as 1922, when the House spent a whole week in the consideration of an antilynching bill and adopted it at that time by a huge vote, practically only the solid South voting against it. Since then we have had several debates on this issue, the last one in 1937, with the same results. The question is not why this Federal antilynching bill is brought up now, but why it was not enacted into law years ago.

What is the argument against the bill that is repeated over and over again until by mere weight of repetition it creates in the minds of some Members of Congress, particularly new Members who have not had the time to study the constitutionality of the antilynching bill, the belief that the bill is unconstitutional. Members of the House without definite study are apt to believe that there is something in this charge. I am not a constitutional lawyer, I do not pretend to be; but at least I understand the English language, I understand the wording of the Constitution of the

United States, and it is very, very clear and precise. This anti-lynching bill is no border-line case; it is not out on the outer edge or the extreme limits of the Constitution. It is within the limits and confines of the Constitution, and actually right in the middle and very heart of the Constitution. It is written there specifically so that anyone who can read can find it in the provisions of the fourteenth amendment. Lengthy and stupendous arguments against the constitutionality of this legislation have been made, but as inexplicable as the pyramids.

Someone said when people were hungry and starving and the relief bill was under consideration that you cannot eat the Constitution. Now, the cry is raised again that the Constitution must be preserved, not this time against hungry people but to deny the enacting of legislation to defend the lives and liberties of American citizens. It would be ridiculous if not so tragic as to hide behind the Constitution to thwart legislation to safeguard the lives of our citizens against lawlessness and mob violence in defiance of law and order and the Constitution itself. We have heard much of what life and liberty does not mean. Why not state what life and liberty does mean in America within the confines of the Constitution? The cry that the Constitution is in danger and that we are conspirators trying to destroy it is sheer political baloney. The fact is that we who are in favor of this legislation are acting within the spirit and letter of the Constitution to preserve the lives of our own people from being destroyed without due process of law guaranteed by the Constitution. There can be no proper denial of the constitutionality of the anti-lynching bill. I do not believe that even the gentleman from Georgia [Mr. Cox], who is a constitutional lawyer and who has his own reasons for being against the bill, would get up on the floor of the House and state that the bill is unconstitutional. Because of the various charges that have been made, however, a myth has been created in the minds of some Members of Congress who have not taken the time or have not had an opportunity to investigate for themselves exactly what the Constitution says in regard to this legislation.

Let us see what the fourteenth amendment is and what the intent and purposes of the fourteenth amendment are, because it is on the fourteenth amendment that the entire bill is based so far as its constitutionality is concerned. The fourteenth amendment was passed by the Congress on June 13, 1866, being the second of the Civil War amendments. It followed right on the Civil War and was enacted for the purpose of carrying out the intent of the Congress to protect the rights of the newly made citizens under the thirteenth amendment, the colored people of our country. The resolution was signed on June 15 and was received by the Secretary of State the next day, on the same basis as that under which the thirteenth amendment became a part of the Constitution. There were 36 States to vote on it, and 28 were required for the necessary three-quarters majority.

Secretary Seward made a conditional certification of the ratification on July 20, 1868, but on July 21 Congress by concurrent resolution declared that the amendment had been ratified by 29 States and directed Secretary Seward to promulgate it as a part of the Constitution, which he did on the 28th of July in a lengthy statement, showing he acted under the above order from the Congress.

There can be no question of the intent and purpose of the fourteenth amendment. Now, what is the fourteenth amendment? It reads in part as follows:

No State shall make or enforce any law which shall abridge the privileges or immunities of a citizen of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Section 5 of the said fourteenth amendment is as follows:

The Congress shall have power to enforce by appropriate legislation the provisions of this article.

As shown by section 5, it is evident that the fourteenth amendment is more than a prohibition upon State action. It

is a grant of power to the Federal Government to take affirmative action to prevent a denial of these rights by the States.

The fifth amendment included the same provision that no State shall deprive any person of his life, liberty, or property, and practically the same intent was written into the Declaration of Independence. So in these two great American charters of American liberty, the Declaration of Independence and the Federal Constitution we find a definite provision practically guaranteeing the lives and liberty of all American citizens. You have the specific wording in the fourteenth amendment to the Constitution substantiating the pending bill, but if you did not have that, it would not actually be required, because it is the very essence of the formation of our government and of any republican form of government.

The reason for most governments is the protection of the lives of its citizens and to insure them a trial by jury under due process of law and an equal protection under the laws. But, in spite of that fact, these indefinite charges are made that the pending bill is unconstitutional. Of course, that is what they said about the efforts to do away with slavery and even about the thirteenth amendment; that is what they said about the Civil War itself, and so on down the line. But, as Al Smith used to say, "Let us look at the record."

What does the record disclose? It discloses that there is a provision in the Constitution itself that guarantees definitely the protection of the lives of American citizens and guarantees them a trial by jury under due process of law. It is an amusing spectacle to see the southern Members squirm and wiggle about State rights and invasion of State sovereignty when they by their votes during the last 8 years have practically destroyed State rights and State sovereignty under the New Deal administration. Most of the States of the Union have been brought up for sentence and passed through the Caudine Forks of subjugation by the Roosevelt regime with the help of the votes of southern Democrats.

However, the Republicans are not altogether free from blame, for if I remember rightly, the prohibition amendment went into effect under a Republican administration and it was supported very largely by the votes from the solid South. There could not have been a greater invasion of State rights and the police force of the Southern States than the prohibition amendment. We sent Federal prohibition agents down there to enforce that law by and with the consent and encouragement of the solid South. So both parties are to blame as far as State rights and the invasion of State rights are concerned.

Mr. Chairman, we have ample authority for writing into law a Federal anti-lynching bill. I do not ask you to rely on my judgment. Committees of the Congress in the past, the Judiciary Committee of the House and the Judiciary Committee of the Senate, have passed upon the constitutionality of legislation of this type and have recommended it on the basis of its constitutionality to both branches of the Congress.

That is why I refuse to be silent in the closing minutes of this general debate and take this opportunity to defend the bill against the wanton and loose charge that it is unconstitutional. I understand the reason why Members from the South can logically oppose the bill and, may I say, they have made effective arguments that lynching is decreasing each year and therefore there is no necessity for the bill. This may not be the last time we will have an anti-lynching bill up for consideration in the Congress. As long as there is one single lynching in the land, if this bill fails to pass the Senate, another anti-lynching bill will be introduced here, because we propose to enact a Federal law against lynching until lynching is wiped out in this country. As long as life and liberty are protected by guaranties of the Constitution, how can anyone ask for less?

I want to commend the gentlemen from the South because they too have joined in the general attack and condemnation of this outrageous, un-American, bestial, and barbaric practice of lynching, whether it be in the South or in the North. It is the worst crime in America. It is even worse than kidnaping, because it is not only murder, it is an

attack upon the courts and upon our institutions and upon our very form of government. Lynching and lawlessness by mob violence constitutes anarchy and a direct attack upon our republican form of government.

Mr. Chairman, if we did not have the fourteenth amendment, or the fifth amendment, we could enact a Federal antilynching law under that clause of the Constitution which guarantees to every State a republican form of government. When mobs take the law into their own hands, thereby destroying law and order, they attack our courts and institutions and endanger our republican form of government guaranteed by the Federal Constitution to every State in the Union.

Mr. COLMER. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Mississippi.

Mr. COLMER. I am sure that the distinguished gentleman from New York desires to be fair. Would he not agree with me that an amendment which I propose to offer, including gang murders with lynching, would be very appropriate as a part of this legislation?

Mr. FISH. I imagine it would be constitutional, if that is what the gentleman wants me to say; but I am not in favor of the gentleman's amendment. [Applause.]

[Here the gavel fell.]

Mr. HOBBS. Mr. Chairman, I yield 7 minutes to the distinguished gentleman from Missouri [Mr. CANNON].

Mr. CANNON of Missouri. Mr. Chairman, the question before the House today, as presented by this bill, is largely an academic question. It is academic rather than practical, because the problem for which it proposes a solution has already been solved and is no longer mentioned in any agenda for national consideration submitted by competent authority anywhere outside this House. It is purely academic because no action which may, or might be, taken by the House of Representatives here today, or at any other time during this session, will have any effect whatever on the problem sought to be solved or will result in the adoption of measures, either legislative or administrative in any way affecting the subject. And it is further academic and scholastic for the reason that even if enacted into law the bill as written would prove wholly ineffective in achieving the purpose for which presented.

I am certain that every Member who has spoken on this bill, either yesterday or today, or who has considered it as presented from the floor, has approached it from a patriotic point of view. It is apparent that those who have advocated its enactment, and those who have opposed it are sincere and earnest in their efforts to contribute to the general welfare. In many respects their differences are merely differences of methods and expediency.

For, in essentials, we are all on common ground. There is no difference of opinion as to the subject matter of the bill. No one condones it. No one approves it. It is indefensible. We are all of one mind in that respect.

Nor should it be a partisan question. It is neither racial nor sectional. In that unhappy period of readjustment in our history which gave rise to occasion for the agitation for this legislation, and which is now merely historical, men of all races and creeds and nationalities supplied provocation for, and were victims of, lynch law. And in every metropolitan city in the land, sooner or later, men have taken the law into their own hands—or have openly defied the law—and whether they stood their victims up against a wall and mowed them down with machine guns, or hung them to the nearest tree or telephone pole—or “took them for a ride,” the spirit and the crime and the result was all the same. I remember very well of hearing Speaker Clark tell of the numerous lynchings—of common occurrence—which followed the close of the war in Anderson County, Ky., where the animosities fostered by the internecine strife flowered into reprisals against adherents of both sides. He made this significant statement. He said, “You know, it doesn't require a mob to lynch a man. Two men can lynch him as easily as a hundred—and with considerable more safety.” And that is still true. Today two men can pick up their unsuspecting victim on the crowded streets of the city and take

him for a ride—from which he never returns—as easily and with a good deal less justification than a frantic mob of a thousand men can wreak vengeance on a malefactor in swamp or forest. And there is no difference in the sight of the law.

But happily it is a problem which has already been solved. The crime of lynching is to all practical considerations virtually extinct. It is as dead as dueling. While three instances were reported in the United States last year, an examination reveals the fact that none of the three could be conceded to be bona fide. Enlightened public sentiment and local law enforcement have removed not only the crime itself but the provocation for the crime.

I shall not discuss the unconstitutionality of the proposed law, so conclusively established by the gentlemen who have preceded me, but I desire to again call attention to the utter futility of these proceedings. Regardless of any action or whatever action may be taken by the House on this bill, its introduction and consideration here is but a futile gesture, in view of the fact that there is no likelihood or possibility of the Senate even taking it up, much less passing it. That is the history of all such legislation. A similar bill has twice passed the House, once in 1922 and again in 1937, and in neither instance did the Senate committees report it out. So even the most sanguine supporter of the bill can have no thought that it will become a law, either in this Congress or in any other Congress. It is an anachronism, a relic of post-bellum days, a wraith conjured up out of the tragic past—a chapter in American history which all would prefer to forget. And any discussion of it here must be purely scholastic. Its only effect is to make this floor a sounding board from which to project to the country and the world a false and misleading picture of American life and American civilization, to be cited by predatory governments in extenuation of outrages which they are trying to justify before the court of world opinion.

Its only effect is to drag from the oblivion of an obscure and silent grave the dead, buried, and forgotten specter of sectionalism; to open anew old wounds mercifully healed by the passage of the years; to take us back once more to the Gethsemane of reconstruction days for which both North and South have made agonized atonement.

Let the dead past bury its dead. Let nothing menace the militant spirit of national unity, so strong and so needed at this critical time. Let us banish from this forum the dissension and discord that stir the ancient passions of a forgotten day and give the time and attention of this House to the problems which press upon us from every side and for which this Congress, in concord and cooperation, can provide an adequate and effective solution. [Applause.]

Mr. HOBBS. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. BECKWORTH].

Mr. BECKWORTH. Mr. Chairman, I wish to say that I am opposed to the adoption or enactment of this legislation—the antilynching bill—primarily because there is absolutely no reason to enact legislation designed to produce a result which has practically been reached to perfection through the orderly efforts of the local law-enforcement authorities.

There is an old proverb which admonishes us to “ponder the path of thy footsteps and let thy way be established.” This admonition has been admirably accepted by us in the South, where the proponents of the antilynching bill contend lynchings have occurred, and we have definitely established our way to obviate the occurrence of lynchings. All we need is to be left alone. We shall continue to do the job as we have done it, for our people of the South are law-abiding and freedom-loving people.

Yes; the people of the South have moved steadily and speedily in the direction of wiping out lynchings until, as has been several times pointed out in this debate, there occurred last year only three lynchings in the entire United States. What other phase of lawlessness has even equaled this record of success?

Although perfection is never reached relative to any phase of government, the people of this Nation have almost reached

it in regard to doing away with lynchings. Very little better could the situation be were every lawmaking body in the United States, including this Congress, to enact each a dozen laws or statutes endeavoring to lessen this nefarious practice.

Why, then, depart from a system which has virtually reached perfection to try a method which is untried, hatred-breeding, ire-arousing, vindictive, and definitely unconstitutional? It occurs to me that the proponents of this bill are having much difficulty—yes; complete failure has beset them—in their efforts to prove the necessity of the legislation. It is patent that the job begun several decades ago has about been finished—and a job mighty well done it is.

Lynching in my generation is little more than a matter of hearsay. I have never seen a lynching—and this is not surprising to a single Member of Congress—nor have I heard in the vicinity where I live of anticipatory lynchings; too, at least a fourth of the people in my district are black. By all means, we should not idly legislate, as is being done here today.

Mr. HOBBS. Mr. Chairman, I yield myself the balance of the time allotted the opposition.

Mr. Chairman, the humorous high light of this debate was the wrangle between our friends of the Republican Party, which they love to call the Grand Old Party, and the gentleman from Illinois, ARTHUR MITCHELL. The issue joined between them might be stated thus: Resolved, that while we are all more or less insincere in pressing this infamous bill, still, "I am holier than thou."

It is exceedingly amusing to those of us of the opposition at least to see the gentleman from New York, the Honorable JOE GAVAGAN, and the gentleman from Illinois, the Honorable ARTHUR MITCHELL, join with their Republican conferees and coconspirators in perfect agreement on only one point, that it is simply barbaric for three lynchings to have occurred in the South last year, when there never has been in the history of the last two decades a single year when in the cities of New York and Chicago alone there were not more lynchings than there have been in the entire South in any year in all history. [Laughter and applause.]

While these Representatives of Chicago and New York sing their beautiful, harmonious duet, "Holy, holy, holy, only we are holy," they really look hurt when we interrupt to call attention to the fact that the only reason they point the finger of scorn at the South is that they call their lynchings by other names, and claim, therefore, that lynchings occur only in the South! [Laughter and applause.]

Two days after the so-called lynching which occurred near Daytona Beach, Fla., or between there and De Land, and which was not a lynching even under the terms of the Gavagan bill, a rapist was driven off a roof across which he was fleeing in New York City. Although the headlines of every paper in the country had screamed, "Lynching in Florida," the undisputed facts were that a 12-year-old boy had been killed. The taxicab driver who killed him was waylaid on his way to jail, in the custody of an officer, by two men who shot and killed him. The killers were thought to have been brothers of the slain boy. Murder? Yes. Lynching? No; not even under the terms and definition of the Gavagan bill.

Yet every paper in the country screamed "Lynching." Two days later nearly every paper in New York City carried on an inside page this story: Five hundred indignant citizens stoned So-and-So off of the roof of a building. He fell to his death when a gutter broke. He had attacked a woman in an adjoining building. New York papers seemed to regard that as meritorious conduct of 500 indignant citizens of New York, whereas it was a "lynching" in Florida for 2 men to commit murder.

The alleged fact upon which they all agree—that there were three lynchings in the South last year—is almost as false as this duet that they are singing.

I hold in my hand a photostat copy of an article in the New York Times, quoting from the annual reports of the Commission on Interracial Cooperation in Atlanta and Tuskegee Institute on the lynchings of 1939. I shall put it in the RECORD at this point:

LYNCHINGS REDUCED TO THREE FOR WHOLE COUNTRY IN 1939—MOB VIOLENCE IN 18 OTHER CASES WAS PREVENTED BY INCREASED PRECAUTIONS, REPORT COMPILED IN SOUTH SAYS

(By George Hatcher)

ATLANTA, December 30.—Only three lynchings, the lowest number since records were begun 58 years ago, occurred in the United States during 1939, it was disclosed today in annual reports of the Commission on Interracial Cooperation in Atlanta and Tuskegee Institute in Alabama.

R. B. Eleazer, educational director of the Commission on Interracial Cooperation, pointed out that the 1939 figure is 96 percent less than the average and 99 percent less than the peak year of 1892, when 231 lynchings were recorded.

"The Nation can well be proud of the progress that has been made in efforts to eradicate the mob-violence evil," Mr. Eleazer said. "While the expansion of law-enforcement agencies in recent years has been a major contributing factor, most of the credit must fall to religious and civic agencies which have crusaded against it."

LYNCHINGS PREVENTED

During 1939 there were reports of 18 instances in which lynchings were prevented. This was accomplished either by the transfer of suspects to secret jails or by the augmenting of guards and other precautions.

"A total number of 25 persons—5 white men and 20 Negro men—were thus saved from the hands of mobs," the reports state.

Of the persons lynched, two were Negroes and one was white. Two of the lynchings were in Florida and the other one was in Mississippi.

The year's first lynching occurred at Panama City, Fla., on April 1, when Miles W. Brown, a white man, was shot to death after being taken from the Bay County jail by a band of four or five masked men. Brown had been convicted of the first-degree murder of a former employer, with a recommendation for mercy, which carries a mandatory sentence of life imprisonment. Brown's jail guards quoted the masked men as expressing resentment that Brown had not received the death penalty, and saying that "the law didn't do justice but we will."

ANOTHER FLORIDA CASE

The second lynching took place on April 29, near Daytona Beach, Fla. An automobile driven by Lee Snell, Negro taxi driver, struck a bicycle ridden by Benny Blackwelder, 12. The boy was killed almost instantly. Snell was immediately taken into custody by Daytona Beach police and held for county authorities. A few hours afterward, Constable James Durden swore out a warrant for Snell, charging him with manslaughter. He took the prisoner in custody and started for De Land, the county seat. When he had got about 4 miles from Daytona Beach, Constable Durden said he was overtaken and passed by an automobile occupied by Everett and Earl Blackwelder, brothers of the boy killed.

According to Constable Durden, the Blackwelders swung their car across the road, blocking it. When Snell got out of the constable's automobile, several shots were fired into his body, the officer stated. The brothers were indicted on a first-degree murder charge but were acquitted.

The third victim of lynching was Joe Rogers, a Negro sawmill worker at Canton, Miss. Rogers allegedly engaged in an altercation with a white foreman of the sawmill. The foreman, according to witnesses, was struck on the head and knocked unconscious. Several days later the Negro's body was found in Pearl River near Canton, bound and badly beaten.

According to Mr. Eleazer, there have been 4,689 recorded lynchings in the United States since 1882.

The first one is the Florida case, about which I have just told you. It was, clearly, not a lynching.

The second one is the only lynching to occur in the whole country this year, except north of the Mason and Dixon's line, where there were some 700.

The only one to occur in the South was this second one, where a man by the name of Roy Van Kleeck, prominent white, well-liked merchant in the hardware business at Panama City, Fla., had in his employ one Miles W. Brown, a white man, whom he caught stealing and discharged from his employ. Some days later the body of Van Kleeck was found in a bayou 15 miles from Panama City.

Brown was arrested, tried, and convicted of murder in the first degree, his sentence being fixed at life imprisonment. This leniency in not imposing the death sentence on Brown aroused some indignation, and, it is thought, caused a few hotheads to take the matter into their own hands. Four or five of them went to the jail, took this man out, and lynched him. This was a horrible crime. No defense is offered. We hang our heads in the other States of the South with Florida in shame that this—the only lynching in the South in 1939—should have stained the escutcheon of Florida.

The third one, according to the quoted reports, is alleged to have happened at Canton, Miss. I have this telegram from Hon. C. N. Harris, the mayor of that city, addressed

to the gentleman from Mississippi, the Honorable DAN R. McGEHEE, Member of Congress:

Negro Rogers not positively identified. Found dead in Pearl River several months ago. Reported he had struck white man several days prior. Investigated by sheriff and grand jury. Verdict he came to death by party or parties unknown. Body found near Rankin County side of river. No evidence of lynching. Positively no lynching occurred in Canton or Madison Counties past 24 months.

I quote from the Times' article:

The third victim of lynching was Joe Rogers, a Negro sawmill worker at Canton, Miss. Rogers allegedly engaged in an altercation with a white foreman of the sawmill. The foreman, according to witnesses, was struck on the head and knocked unconscious. Several days later the Negro's body was found in Pearl River, near Canton, bound and badly beaten.

That may or may not have been a lynching, but the local authorities investigated it and certified that this body was not positively identified, but that there was no evidence of lynching even if the body was that of Joe Rogers, and that no lynching has occurred in Canton or Madison County in the past 2 years.

So, only one lynching occurred in the South in 1939. The victim was a white man.

So much for that. We now come to My Old Kentucky Home. We have had two distinguished gentlemen from Kentucky [Mr. CREAL and Mr. ROBSION] get up here supporting this bill and prove our case for us. They say that while there are some liars in Kentucky, nevertheless the local officials, of whom the gentleman from Kentucky [Mr. CREAL] said he was one, are preventing miscarriages of justice and all lynchings.

Mr. ROBSION of Kentucky. Oh, will the gentleman yield? I made no statement about a lot of bad liars in Kentucky. I cannot recall any such character in Kentucky.

Mr. HOBBS. I was sure that would be the gentleman's reaction.

Mr. ROBSION of Kentucky. I made no such statement.

Mr. HOBBS. The gentleman from Kentucky [Mr. CREAL] called the girl of his story a damned liar on the floor of this House and the gentleman from Kentucky [Mr. ROBSION] himself said that there were instances in which, through perjured testimony, justice had miscarried or innocent persons had been executed.

Mr. ROBSION of Kentucky. Oh, no; I made no such statement. I said nothing about any testimony or perjury or anything else. I said that one person had been lynched and it had turned out later on that he was not guilty.

Mr. HOBBS. Then I apologize profusely and admit that, so far as you know, nothing wrong ever happened in Kentucky.

Mr. ROBSION of Kentucky. I did not make the statement which the gentleman attributed to me.

Mr. HOBBS. If I misquoted you, I am sorry and apologize. The point I make is that those two gentlemen proved our case. They say that through local influence and diligent official work lynching has been stamped out in Kentucky. That is the story all over the South. It is true of Mississippi where there was no lynching last year. It is true in Florida where there was the only one in the whole United States, except north of the Mason and Dixon's line.

The gentleman from Kansas [Mr. REES] says that the House is entitled to the opinion of the Judiciary Committee. I say to my friend from Kansas that I do not believe that he would have paid a bit more attention to the opinion of the Committee on the Judiciary if it had been adverse to his belief than the colored man in Uniontown, Ala., did to the newly installed traffic light. He stood parked in his model T for 15 minutes watching this new contraption and then went right through on the red light. He was arrested and taken before the mayor. He said to the mayor, "I didn't mean no harm. I never seed one of them things before. I stood there for 15 minutes, and I seen all the white folks going through on the green light, so I figured naturally that the red must be for us niggers." [Laughter.]

Mr. REES of Kansas. Does not the gentleman really feel as a member of that committee, one of the distinguished

committees of this House, a committee for which, generally speaking, we have considerable respect, that since this bill was committed to his committee for consideration we are entitled to have the bill considered by that committee and not just passed by with a wave of the hand and nothing done about it. Is that the way we are supposed to legislate on the floor of the House? Tell me that.

Mr. HOBBS. I will be glad to tell the gentleman that, and I tell him, emphatically, "No." This practice is inexcusably rotten. This bill ought not to be on the floor of this House until the Judiciary Committee has passed upon it. I make no apology for this irregular, ill-advised, illicit procedure, and I say that the gentleman is exactly right, but I still say, in the best spirit, that he would not have paid any attention to us at all unless we had held that it is constitutional, which it is not.

Mr. REES of Kansas. The gentleman can arrive at his own conclusion.

Mr. HOBBS. And that is certainly right.

Mr. MARCANTONIO. Is not this procedure in accordance with the rules of the House?

Mr. HOBBS. I think so; and I say this vehemently: It ought not to be.

The gentleman from Kansas [Mr. REES] also led off his talk by saying that the purpose of this bill is to prevent lynching. If anybody on God's earth will show me how it will militate in one iota for the prevention of lynching, I shall support it. Nobody can show that, because it just simply is not true. Let us be practical. Do you think it is going to have a deterrent effect on a bunch of hoodlums, such as have been described, taking part in mob violence, who have not a dollar and do not own a dime's worth of property?

Do you think it will have a deterrent effect upon them to make their county pay \$10,000? It does not cost them a nickel. It is no skin off their backs, and it cannot be a deterrent from that standpoint. All right. How can it be a deterrent? Mark you, I do not say that it does not provide post-mortem punishment for the crime; but how can it prevent lynching? It cannot. Pardon this reference, but suppose you gentlemen were members of a mob who were intent upon killing me. Could Uncle Sam protect me? In no way in the world; and when I am dead, I am dead, and no amount of fining the District of Columbia could bring me back to life.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. Not for the moment. You could summon the soldiers from Fort Myer, and they might come clattering up the Avenue, but all they would be able to do would be to put me on a stretcher and take me down to the autopsy where they would say I was dead.

Mr. BROOKS. Will the gentleman yield?

Mr. HOBBS. I will be glad to yield to the distinguished gentleman.

Mr. BROOKS. I would like to ask the gentleman if it is not a fact that, as far as the South is concerned, lynching has been gradually—in fact, almost completely—exterminated at the present time?

Mr. HOBBS. Yes, sir.

Mr. BROOKS. And as far as the country as a whole is concerned, is it not a fact that lynching is one of the few crimes that is being exterminated, and other crimes, such as murder, arson, rape, and crimes of that sort are not being completely exterminated, yet no Federal assistance is being asked to exterminate those crimes?

Mr. HOBBS. The gentleman's question is double-barreled. I say, emphatically, "Yes" to the first barrel, which is that not only is it being exterminated in the South but that it is being done by the only force on God's earth that can prevent lynching—enlightened local sentiment and action at the scene of the crime before the killing occurs. As to the second barrel of the gentleman's question, Is it not a fact that in the Nation as a whole lynching is decreasing? I will say "No." North of the Mason and Dixon's line—you can smile if you like, Brother; I love you just the same—it is a fact that within the last two decades there has been an enormous increase of lynching in New York City, Chicago, and everywhere

else where gangster rule and other things dominate the local situation. [Applause.]

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I gladly yield to the gentleman.

Mr. RANKIN. I did not hear all of the gentleman's speech. I am wondering if the gentleman noticed this Associated Press account of the militia of Mississippi which has spent the last several days protecting a Negro murderer?

Mr. HOBBS. Yes, sir.

Mr. RANKIN. This happens not once, but this happens every year. We spend more money protecting Negro murderers that you people with this stuff are encouraging, than it would cost the State if you went ahead and passed this bill and they lynched every one of them and you sued us for damages.

Mr. HOBBS. Oh, this bill will never cost us a dime.

Mr. RANKIN. I know it.

Mr. HOBBS. We have won our fight. We have cleaned our slate, but the ones who are standing in front of the gun are the ones that they are trying to protect by this bill, by eliminating any possible punishment for killings in race riots, gangster "rides," and "labor disputes," which we have in the North so often. If this bill should become law and if the courts should uphold its constitutionality, it would not be long before it would be amended to provide punishment for the hundreds of lynchings occurring in the North.

Then you would find prosecutions and suits popping like a bunch of firecrackers in New York and Chicago and these other cities where the real lynchings occur—several hundred a year. You would see these proponents sick of their bargain then.

Mr. McKEOUGH. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. Certainly; I yield to the gentleman from Illinois.

Mr. McKEOUGH. The gentleman from Alabama has referred to several hundred lynchings a year north of the Mason and Dixon's line.

Mr. HOBBS. Yes, sir.

Mr. McKEOUGH. I wonder if the gentleman will indicate, from his research and study, any one of the several mythical lynchings to which he refers as having occurred when the prisoner was taken from the custody of a peace officer in any one of the cities north of the Mason and Dixon's line?

Mr. HOBBS. Of course not, because there are no such instances that are given publicity.

Mr. McKEOUGH. They are not given publicity because they have never happened. If they had happened they would have been in the newspapers. Does the gentleman indicate that the newspapers would not print it as news if that were to have occurred north of the Mason and Dixon's line?

Mr. RANKIN. Will the gentleman yield?

Mr. HOBBS. Let me answer the gentleman. I submit, sir, that they did it, and praised the mob for lynching a man in New York City.

Mr. McKEOUGH. The mob took the prisoner from a peace officer of the city of New York?

Mr. HOBBS. Not at all.

Mr. McKEOUGH. Well, this is aimed at a particular situation where, in your section of the Nation, a mob takes a prisoner from the custody of a peace officer of the State. There is a very, very marked difference.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I do not yield to anybody until I have answered this question, and I do not want to be interrupted until I have finished, if you please.

The instance I have cited is typical of the attitude of the press in that they are unfair and suppress news of that kind when it occurs above the Mason and Dixon's line. I say further that they may not have taken them away from the hands of officers. I do not know, and neither do you; but I say that it is just as wrong, if not more so, to kill an innocent man than it is to kill a guilty one, and this bill is aimed only at punishing those who kill the guilty ones. The gentleman is misinformed if he thinks that this bill is aimed only

at those who are taken out of the hands of officers of the law. That is not so.

Mr. McKEOUGH. I think it is.

Mr. HOBBS. It does not make any difference what you think. I will read you what the bill says.

Mr. McKEOUGH. Nor what you think. It is in the judgment of the Congress to decide.

Mr. HOBBS. Now, let us not get hot over this thing. I want to read you what the bill says. It does not say what you say it says.

I read from lines 5 and 6 on page 2:

In the custody of any peace officer or suspected of, charged with, or convicted of the commission of any offense.

Whenever I make a positive statement, I am usually prepared to back it up.

I yield briefly, for a question only, to the gentleman from Mississippi.

Mr. RANKIN. I just wanted to call the gentleman's attention to the question he has already answered, that these people who were lynched in New York, and those sections of the country were innocent people, whereas the ones they are trying to protect are only the guilty criminals.

Mr. McKEOUGH rose.

Mr. HOBBS. I am sorry, I cannot yield further to anyone.

The CHAIRMAN. The gentleman from Alabama has 4 minutes remaining.

Mr. HOBBS. For a moment permit me to call attention to the sincere argument presented here by my friend the gentleman from Ohio [Mr. VOYSE]. He cited two cases, and I know he did it honestly, sincerely, but they do not sustain his argument at all. He did not read the decisions, he read excerpts. One of them was a tax case. I can cite you a hundred authorities that hold that taxes illegally collected can be recovered from a county by suits. Of course, they can.

But the case cited by the gentleman from Ohio was even stronger against the position he is trying to maintain than many other tax cases, in that it was the case of 67 Indians who had been coerced into paying an unlawful exaction of taxes on lands exempt from taxation by Federal law and the Constitution of the United States. The other case is just as bad; that is, the case of an action on bonds and coupons in default, a suit to collect past-due bonds and coupons issued by a county. If you want to talk about suing counties, it has been done ever since the year 1, as Justice Brewer says; but I want to give you common sense instead of citations. Now, listen to me just a minute.

I own an automobile; so do you. You commit your automobile to the custody of your chauffeur under instructions to take it to a garage and have it greased, oiled, and bring it back home. He takes it down there but goes on with his sweetie for a joy ride. Are you responsible for his negligent driving of that automobile after leaving the garage? You are not. Neither are you liable for his negligent driving in violation of your instructions if he never goes near the garage. You are not responsible in the slightest degree for his negligence, or for his willful misconduct, though it result in injuring or killing someone. The same thing is true here. Later in my argument I am going to give you the authorities to back this up.

The sponsors of this bill use the same citations every year. The two cited by the gentleman from Ohio [Mr. VOYSE] are the only two new citations that have come into this debate, I think. That is why I commented upon them.

A county is liable when it has the authority from the State to act in the premises and then only when the conduct which caused the damage is corporate conduct, as opposed to governmental. Paving a street is corporate. Creating a park, enforcing the law, are governmental acts. There may be no suit against a county or even a municipality on a case of governmental conduct.

Here is the thing I want you to hear me through on for just 1 minute—if you never hear another word I say—here is the milk in this coconut: You cannot find a case in all the

law books—not one—that will hold that any State, county, or municipality can be sued unless it acted within the purview of its authority given by grant of the State. In other words, when the State itself interdicts, outlaws, and condemns lynching, as 23 States do, no county can be held liable, nor can the State, if officers of the law violate their oaths and the law of the State by failing to enforce the State's anti-lynching law. No such officer can be an agent; he is not acting in conformity with the orders of the State, but transcending his authority and flying in the face of his orders. You cannot show me a case that does not support that position. [Applause.]

The theory of the proponents seems to be that counties are exactly the same as States when it comes to the act or omission penalized, yet as different as day from night when it comes to the exemption which a State enjoys from suit.

But, after all, we are not dependent upon careful analysis to demonstrate the fallacy of this contention of the proponents. Anyone who will think for a moment can see that in reality every suit against any county would necessarily involve the State also; if the judgment is to be paid, it will be paid with tax money, at least a part of which belongs to the State in every instance—usually 50 percent. So the State, though not nominally a party to the suit against the county, will have to pay part of the judgment if collected. Therefore this bill is in contravention of the spirit of the eleventh amendment—doing indirectly that which could not be done directly.

There are a number of striking features in this bill:

First. There are no provisions making lynching a crime.

Second. Under this bill no benefit is conferred upon anyone living in the District of Columbia, nor in St. Louis, Mo., nor, possibly, on Government reservations, parks, and forests. To have a slice of GAVAGAN's pie, you must live in a county.

Third. If an innocent person is lynched, his dependents get nothing.

Fourth. If a guilty person is lynched, his folks get a prize up to \$10,000 for having reared a criminal.

Fifth. Killings in race riots, labor disputes, and gangster "rides" are not lynchings, according to the definition contained in this bill. Read section 2 carefully. This is true, even after the author amended it by striking out the provision:

Provided, however, That "lynching" shall not be deemed to include violence occurring during the course of picketing or boycotting or any incident in connection with any "labor dispute," as that term is defined and used in the act of March 23, 1932 (47 Stat. 70).

It will be noted that section 2, as amended, defines as lynching only those killings wherein the victim is in the custody of a peace officer or suspected of or charged with or convicted of the commission of an offense and that the killing must have been done with the purpose or consequence of preventing the apprehension or trial or punishment by law of the victim. No gangster, labor, nor race-riot killing ever was done with that purpose or consequence. Rarely is the victim of race riot, labor dispute, or gangster "ride" "suspected of, charged with, or convicted of the commission of any offense."

Sixth. The bill authorizes not only the punishment by fine and imprisonment of local officers, but also of the Governor of the State.

Seventh. In any action instituted under section 5 against a county a showing either "that apprehension of danger of mob violence was general within the community where the abduction or lynching occurred" or "of any other circumstance or circumstances from which the trier of fact might reasonably conclude that the governmental subdivision had failed to use all diligence to protect the person or persons abducted or lynched shall be prima facie evidence of liability."

This does not require that any official of the county should have known of the apprehension of such danger. The community where the abduction or lynching occurred might have been in an isolated and distant portion of the county, without telephone connection or other means of communication. The apprehension may have existed only for a few minutes—entirely too short a time for the county officials to be notified,

and, of course, too short a time for them to do anything to avert the impending danger. Let me illustrate: In a river bend 30 miles from the county seat 10 families live—50 people. There is no telephone, no telegraph instrument, and no radio-broadcasting station. There is not even a good road to the county seat, and there is not a single automobile in the whole community. One night they hear bloodhounds coming into the bend in full cry. They hear the shouts of the members of a mob as the victim is treed. They rush out of their 10 homes and see by the light of the fire the mob is building that they have treed a man.

The apprehension of danger of mob violence appeared first in the mind of the only man awake in the bend, when he heard the dogs. It was 2 o'clock in the morning. He had not wakened his wife nor children, as the sound grew louder other neighbors roused and the apprehension spread. It became general about the time the fire was blazing and they could see the object of the search. Within 5 minutes the fire was high enough to give the mob vision of the man up the tree, and he was immediately shot down. This is purely a hypothetical case, but it is by such hypotheses that the wisdom of legislative provisions may be tested. Under such circumstances should Congress pass a law providing that because generally among these 50 people in the river bend there was apprehension of danger of mob violence—wholly without regard to time, notice to officials, or opportunity to avert the threatened tragedy—the county shall be prima facie liable up to \$10,000, although not a single member of the mob may have been a resident of that county.

But the next alternative is even worse. Any single circumstance from which the trier of fact might reasonably conclude that the governmental subdivision had failed to use all diligence to protect the victim, shall be prima facie evidence of liability. This abolishes the rule of law requiring the trier of fact to consider all of the credible evidence. If there be one single trivial circumstance from which he might reasonably conclude that the county had failed to use—not due diligence, but all diligence—a prima facie case is made out against the county up to \$10,000.

The gentleman from New York, the Honorable HAMILTON FISH, has made a number of speeches in this forum during his long service in this body, in which he has repeatedly laid claim to excellent qualities of mind and heart—of course, always with becoming modesty. But today, for the first time I have heard him claim to be a prophet. He said I have been convinced for 20 years that this bill is constitutional. It was first introduced on January 3, 1939. And it is quite different from the preceding bills of its kind.

The gentleman from New York [Mr. FISH] further claims that everyone knows that it is the duty of the Government of the United States to protect the lives of its citizens. Cooley, Rose, and Story—three of the greatest commentators upon the Constitution of the United States—disagree with the gentleman from New York [Mr. FISH]. They all have said repeatedly that the protection of the lives of citizens is one of the police powers which was expressly reserved to the States and is not possessed by the Government of the United States.

Please let me read an editorial which appeared in the Washington Post yesterday:

ANTILYNCHING POLITICS

Politics inevitably intrudes into a congressional session preceding a general election. Every action that is taken is likely to be considered from the viewpoint of its political effect. But that does not justify the injection of mere time-wasting political gestures into a session that is confronted by more urgent legislation than it can hope to enact.

The antilynching bill taken up by the House yesterday must be placed in this category. It has previously passed the House only to be killed by filibuster in the Senate. There can scarcely be any doubt that the bill would encounter a similar fate if it should be passed by the House and again submitted to the Senate for debate. To avoid another filibuster and serious disruption of their legislative program Senate leaders would probably pigeonhole the bill.

There is no reason, moreover, for pressing the bill at this time. A few years ago, when the barbarous practice of lynching persons suspected of crime was common in the South, a plausible case could be made for some sort of Federal interference. Now lynching has virtually disappeared. Every State, except Mississippi and Florida, had a clear record in 1939 so far as this dastardly crime is

concerned. And in those two States only three lynchings were reported.

With the problem thus narrowed to two States, there is no excuse whatever for the enactment of an antilynching bill that would violate the constitutional division of powers between the Federal Government and the States. Indeed, the proposal of Federal penalties for State officials who fail to do their duty was never acceptable. It presumes to exercise a power which the Constitution denies to the Federal Government. Failure of a few States adequately to protect their own citizens, inexcusable though it is, does not justify such a gross encroachment upon their constitutional rights.

When such cogent objections to the bill are added to the fact that the States have almost completed the task of putting their own houses in order, no reasonable excuse is left for reviving the antilynching bill in Congress. Regardless of what action the House may take, the bill will doubtless remain a dead letter. Yet some legislators insist on reviving it in an election year in the hope of winning votes.

The issue, of course, is not lynching. That outrageous and uncivilized practice is condemned by almost every Member of Congress. With the current improvement in State law enforcement, it will doubtless soon be wiped out. The question by which the House is confronted is whether one group of legislators shall be permitted to make political capital out of this general hatred of lynching to the detriment of a crowded legislative program.

Here is what the distinguished columnist, Westbrook Pegler, wrote:

THE ANTYLYNCHING BILL

Sudden death is common in this country, where the automobile killed 38,000 last year and the homicide list normally amounts to around 12,000—a total just about equal to the roll of Americans who were killed or died of wounds in the big war. Yet, in the name of humanity, the work of the National Senate is being held up for another long, time-killing debate on a bill to provide penalties for lynching, of which there were only 8 in 1937.

What is the urgency of this bill that it must take precedence over every other problem in a country which is just barely under control anyway? And is any vice which has claimed fewer than 5,000 victims in 50 years and an average of less than 14 a year in the last decade deserving of such importance?

Lynching is a declining sport even in the South, where 30 years ago it was a matter of such familiar routine in the news that the press telegraph operators on the southern leg devised an informal addition to the Phillips code, the XYZ sign, which means "A posse is in pursuit of the Negro, and if caught he will surely be lynched."

In recent years the totals have fallen so low that to argue that lynching is a national concern is to persist blindly and obstructively in behalf of a mere contention. The reason for this bill has shrunk so small by now that, even allowing for revivals, as in the year 1933, when 28 were lynched, it is obvious that the evil is being cured by local processes.

Nevertheless, the proponents of the antilynching bill, undeterred by the filibuster in the recent special session and unimpressed by the importance of legislation bearing on the mess in which the country finds itself, insist on immediate action in the face of a threat by southern Senators to talk it to death if it takes 6 months.

There is no doubt that prejudice rather than enlightened alarm over the constitutional questions of the bill is the reason for special objection by the southern members.

To them and their constituents this bill proposes another damyankee intrusion in their local affairs. It implies that the South is a barbarous land in need of special policing by the Federal Government, which left a very bad impression the last time it gave special attention to law and order in the South.

It would have no practical application in Maine or Vermont, which are not represented in the lynching statistics as far back as 1889, and other Northern States would be only slightly affected.

It contains the sly spirit of the South's own Jim Crow laws, which forbid white people to frequent certain quarters and thus segregate the Negro.

On the other hand, it is hard to credit the advocates of the bill with entire sincerity. It has been used as a political bait in crowded northern Negro centers, and it has, moreover, the support of those who deplore a lynching but can always find reasons why the killings in the Russian purge are not individual tragedies but mere incidents in the struggle of a great, new nation beset on all sides by ruthless conspirators.

And I question the humanitarianism of any professional or semipro bleeding heart who clamors that not a single person must be allowed to hunger, but would stall the entire legislative program in a fight to ham through a law intended, at the most optimistic figure, to save 14 lives a year.

Actually it might not save any lives. The decline of lynching shows that the lives are being saved by a rising sense of responsibility in the southern sheriff and other local causes; and, anyway, the prisoners might be convicted and executed.

This law would only prosecute and attempt to convict a negligent or cowardly sheriff and would impose financial liability up to \$10,000 on the guilty county itself. And, like as not, Washington would then give the county the money to pay the indemnity.

To some of us in the North, the bill is an amusing revenge. Southern public opinion and southern statesmen 15 years ago were strong advocates of national prohibition as a means of keeping the Negro apart from the fo-bit bottle of square face on Saturday

nights and preserving their local peace. They were then ready to acknowledge the right of the Federal Government to suppress local habits of the North, much less harmful than the lynching custom, and they constantly urged the Government to reconstruct us according to their ideas.

Another eminent writer, Mark Sullivan, wrote this:

If eternal vigilance is the price of liberty, so is eternal clarity the price of understanding. And so also is understanding the path to wise action. All three of these truisms are applicable to the so-called antilynching bill now before Congress. Lack of understanding of the bill is widespread, is indeed almost universal. The very name by which the bill is popularly called is misleading. Antilynching is a convenient phrase for writers of headlines struggling for condensation against limitations of space. But this is not an antilynching bill. The bill does not make lynching any more a crime than it always has been. The new crime created by the bill is failure of sheriffs or other local officials to be duly diligent in preventing and punishing lynchings.

The popular misunderstanding of the bill goes further. The American Institute of Public Opinion recently conducted one of its "sampling" polls to find out whether or not the so-called antilynching bill is popular. The institute discovered that 72 out of every 100 persons queried favored the bill. But just what was the question which the institute put before those whom it queried? The question read: "Should Congress pass a law which would make lynching a Federal crime?"

Besides, how many of the persons questioned really understood the bill? How many of them were familiar with just what it would do; what effect it would have on the American structure of government—on the distinction between State sovereignty and Federal sovereignty? The persons questioned by the institute must have included, one assumes, a cross section of the population as a whole, from the least informed to the best informed. If the questionnaire did not reach all kinds of persons, the results of it would be by that fact misleading. But if the questionnaire did include the less well-informed, its results must be based in part upon the answers of persons who have little understanding of the measure. Without knowing anything of the process by which the institute of public opinion conducts its questionnaires, I should imagine that a considerable number of those who answered "yes" were merely saying in effect that they believed lynching to be odious.

EFFECT OF MEASURE

Actually, what the bill does is to give a new and portentous power to the Federal Government. It would authorize the Federal Government to send a Federal official into any county or city in which a lynching has occurred to decide whether the local, State, or county officials had practiced "all diligent efforts" in preventing or punishing the lynching. If the Federal official felt the State or county officials had not made "all diligent efforts," then the Federal Government would proceed to fine or imprison the State or county official and also to assess damages of from \$2,500 to \$10,000 against the county in which the lynching occurred.

This immense extension of Federal jurisdiction, this subjection of local government to government from Washington, is proposed at a fateful time. It is proposed when those now in control of the Federal Government are engaged in an attempt, on many fronts and through many devices, to extend their power to a point at which, in the judgment of thoughtful persons, the States would become little more than mere obsolete names on the map.

There is another path to understanding of the antilynching bill, the political path. From the Civil War on, there has been a considerable Negro population in such cities as Cincinnati, Indianapolis, and St. Louis. For nearly 70 years these colored persons voted the Republican ticket. Since the three cities were in pivotal States, States more or less evenly divided between Republicans and Democrats, this vote was extremely important to the Republicans. It has been said, and I suspect statistics might bear it out, that if every colored person in Ohio, Indiana, and Missouri had always voted the Democratic ticket the Republicans would have lost those States in many Presidential elections and consequently lost the Presidential elections.

GATHERED IN LARGE CITIES

After the Great War considerable Negro populations gathered in other northern cities—New York, Detroit, Chicago. Here again, until 1932, these groups commonly voted Republican.

So long as the colored persons voted Republican, the Republican Party cultivated them by proposing in Congress measures favorable to the Negroes everywhere. I do not recall whether the Republicans proposed antilynching bills like the present one. But the Republicans frequently proposed a measure which would have meant a similar invasion of States' rights by the Federal Government. The Republicans frequently proposed a so-called force bill under which Federal officials and Federal soldiers would have been present at the polls in Southern States to exercise coercion upon State and county officials conducting the local elections.

Since 1932 the Negro colonies in northern cities have prevailingly voted Democratic. So now it is the Democrats who father antilynching bills. The one passed by the House early this year was sponsored by a Democrat from New York City, Representative GAVAGAN. The present bill in the Senate is fathered by a Democratic Senator from New York [Mr. WAGNER], and a Democratic Senator from Indiana [Mr. VAN NUYS]. An antilynching bill that was before the Senate some 4 years ago was fathered by a Democratic Senator from Colorado [Mr. COSTIGAN].

In the present Congress both Republicans and Democrats from the North will compete in their eagerness to support the antilynching bill—the Democrats because they have the Negro vote and hope to keep it; the Republicans because they hope to get it back. But there is one Republican Senator who will not support the measure—and he is perhaps the Senator most competent to have understanding of its constitutional evil, its menace to the American form of government. Senator BORAH has consistently opposed antilynching bills and courageously met the criticism visited upon him. Senator BORAH does not condone lynching. But Senator BORAH knows the danger of approaching the problem of lynching in this way.

So much by way of preliminary. I want to get down now to a discussion of this one point, and that is the unconstitutionality of this bill. The first observation I wish to make is that every State in the Union has an antilynching law of some kind.

There is not any question about it; all of us know that lynching is murder—a crime. Injured parties may now sue officers who fail or neglect to do their duty. All of us favor that remedy through State law. The only question is—and I am addressing myself to some of you gentlemen who joined with the proponents of this measure in favoring it—Has the United States Government a right to butt in? As was said within 3 years after the adoption of the fourteenth amendment in the Slaughterhouse case:

There is no such authority unless it be in the fourteenth amendment.

What does the fourteenth amendment say?—

No State shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

If the authority of Congress to legislate be not found in those words, it is nowhere.

I want to read to you from *Corrigan v. Buckley* (271 U. S. 329), about as clear a definition with regard to this whole matter as you will find condensed in one paragraph any place:

Under the pleadings in the present case the only constitutional question involved was that arising under the assertions in the motions to dismiss that the indenture or covenant which is the basis of the bill is void in that it is contrary to and forbidden by the fifth, thirteenth, and fourteenth amendments. This contention is entirely lacking in substance or color of merit. The fifth amendment is a limitation only upon the powers of the General Government and is not directed against the action of individuals. The thirteenth amendment denouncing slavery and involuntary servitude—that is, a condition of enforced compulsory service of one to another—does not in other matters protect the individual rights of persons of the Negro race. And the prohibitions of the fourteenth amendment have reference to State action exclusively, and not to any action of private individuals.

State action of a particular character is that which is prohibited. Individual invasion of individual rights is not the subject matter of this amendment.

So much for that clear-cut definition by the Supreme Court of the meaning of the fourteenth amendment.

We know also that the fourteenth amendment affirmatively is declared by the Constitutional Convention not to mean what the gentleman from New York [Mr. GAVAGAN] and the proponents of this bill had in mind. I quote from the Congressional Globe, volume 37, part 2, page 1034:

The resolution which was offered as the original fourteenth amendment and which was voted down by the Convention:

"Congress shall have power to make all laws which shall be necessary and proper to secure to citizens of each State all privileges and immunities of the citizens of the several States, and to all persons in the several States, equal protection of the right to life, liberty, and property."

That is what the gentleman from New York [Mr. GAVAGAN] and the proponents of this bill contend is the meaning of the fourteenth amendment, but that original amendment the Convention declined even to submit for ratification. That is not what the fourteenth amendment means, and the Convention itself so stated.

Cooley, in his *Constitutional Limitations*, tells us that the police powers were retained to the sovereign States and there reside to this good day, and that the Federal Govern-

ment has no right in that sphere. That could be backed up by the citation of a thousand authorities. I want to read to you now from the *Kearney* case, a case that it happens comes from the State of the distinguished gentleman who has just concluded. I want to read that because of the fact that it makes the point that is my major emphasis in the few minutes allotted to me here today; that is, that a man occupying a position as a State officer, if and when he violates his oath of office, forgets the law that he is sworn to administer, and acts not for but against his principal, the State, he ceases to be an agent of the State, and the State is not responsible for his acts.

The case of *Barney v. City of New York* (193 U. S. 430) is a case which has been misunderstood and criticized but never overruled. It is still the law. It sets forth a principle of law which, to my mind, is of significant importance in the consideration of the constitutionality of the pending bill. It holds that an officer deriving his power from a State, who acts not only in violation of provisions of the State law but in opposition to plain prohibitions therein, is not as to such acts an agent of the State. In other words, when an officer acts against a State he cannot be said to be acting for the State. Such a person cannot defy a State, trample upon its laws, violate his oath of office and every principle of agency and still bind the State by his illegal conduct. This quotation from the opinion of the Court by Chief Justice Fuller is sufficient to give us the essence:

Thus the bill on its face proceeded on the theory that the construction of the easterly tunnel section was not only not authorized but was forbidden by the legislation, and hence was not action by the State of New York within the intent and meaning of the fourteenth amendment, and the circuit court was right in dismissing it for want of jurisdiction.

Controversies over violations of the laws of New York are controversies to be dealt with by the courts of the State. Complainants' grievance was that the law of the State had been broken, and not a grievance inflicted by action of the legislative or executive or judicial departments of the State; and the principle is that it is for the State courts to remedy acts of State officers done without the authority of or contrary to State laws.

This opinion goes on to quote from *Virginia v. Rives* (100 U. S. 313):

But when a subordinate officer of the State, in violation of State law, undertakes to deprive an accused party of a right which the statute law accords to him, as in the case at bar, it can hardly be said that he is denied, or cannot enforce, "in the judicial tribunals of the State," the rights which belong to him. * * * If, as in this case, the subordinate officer, whose duty it is to select jurors, fails to discharge that duty in the true spirit of the law; if he excludes all colored men solely because they are colored; or if the sheriff to whom a venire is given, composed of both white and colored citizens, neglects to summon the colored jurors only because they are colored; or if a clerk, whose duty it is to take the 12 names from the box, rejects all the colored jurors for the same reason, it can with no propriety be said the defendant's right is denied by the State, and cannot be enforced in the judicial tribunals. The court will correct the wrong, will quash the indictment or the panel, or, if not, the error will be corrected in a superior court.

Again the opinion in the *Barney* case quotes from the *Civil Rights cases* (109 U. S. 3):

In this connection it is proper to state that civil rights, such as are guaranteed by the Constitution against State aggression, cannot be impaired by the wrongful acts of individuals, unsupported by State authority in the shape of laws, customs, or judicial or executive proceedings. The wrongful act of an individual, unsupported by any such authority, is simply a private wrong, or a crime of that individual; an invasion of the rights of the injured party, it is true, whether they affect his person, his property, or his reputation; but if not sanctioned in some way by the State, or not done under State authority, his rights remain in full force and may presumably be vindicated by resort to the laws of the State for redress.

The same opinion points out that the case of *Ex parte Virginia* (100 U. S. 339) is not in point as an authority against the holding then being made.

Appellant's counsel rely on certain expressions in the opinion in *Ex parte Virginia* (100 U. S. 339), but that was a case in which what was regarded as the final judgment of a State court was under consideration.

It should be borne in mind also that the action of Judge Coles in filling the jury box in the way he did was approved

by the State of Virginia in substance and effect by the State's intervention in the proceeding and suing out of a writ of certiorari, in its own name, in an attempt to justify the judge's actions—the case is known not as *Ex parte Coles* but as *Ex parte Virginia*.

This clear distinction between the Barney case and that line of authorities which by the undiscriminating are frequently cited as being in conflict with the decision in the Barney case is simply that the alleged agent, the Board of Rapid Transit Commissioners for New York, under its power delegated by the State of New York, was authorized to build certain tunnels, but not the easterly tunnel section. The building of that section was not only not authorized but was specifically forbidden. So there was no semblance of authority for the construction of the easterly tunnel section. The board did not exercise authority lawfully granted it, and in the exercise exceeded its authority; it violated the law of the State which it was sworn to uphold, and wholly without authority acted in opposition to plain prohibitions of the law by which it was supposed to be governed. Whereas in the case of *Ex parte Virginia* a judicial officer of that State whose acts in filling the jury box were fully authorized by the State simply exceeded his authority in the performance of his official duty by excluding the names of all Negroes; and apparently this overreaching of his authority by the judge was approved by the State, he was defended in it by the State, and his action was considered as the final judgment of a State court.

Similarly, in the case of *Home Telephone Co. v. Los Angeles* (227 U. S. 278), while that opinion criticizes the opinion in the Barney case, nevertheless the two cases are not in conflict at all. In the *Home Telephone Co.* case the State delegated to a commission the right to fix telephone rates, and the commission in the exercise of this authority fixed telephone rates, but the court held that the rates fixed were confiscatory and in violation of the due-process clause of the fourteenth amendment. But Los Angeles, through its officers, had perfect delegated authority to fix the rates. This fact clearly differentiates the Los Angeles case from the principle we are asserting. The same thing is true of the other authorities in this line, *Ex parte Young* (209 U. S. 123), which was a State railway rate case; *Raymond v. Treasurer v. Chicago Union Traction Co.* (209 U. S. 20), which was an action of the State board of equalization; *Iowa-Des Moines Banks v. Bennett* (284 U. S. 239, 246), where the court in explaining its decision again makes clear the distinction between this whole line of authorities and the Barney case:

Here the exaction complained of was made by the treasurer in the name of and for the State in the course of performing his regular duties; the money is retained by the State, and the judicial power of the State has been exerted in justifying the retention.

So the law of the Barney case still holds good and condemns this bill as absolutely unconstitutional; for, of course, every State has antilynching laws, and any peace officer of any State or county or other political subdivision who would fail to protect and defend to the limit of his power any prisoner within his custody would be violating the law of his State and acting in opposition to its plain prohibitions.

There is one case, however, as to which there has been no misunderstanding, and of which there has been no criticism. It was cited with approval recently by the Supreme Court of the United States in Two Hundred and Seventy-first Statutes, at page 639. This case is the *Harris case* (106 U. S. 629). This case grew out of a lynching in the State of Tennessee, has never been qualified or questioned, and is absolutely decisive against the constitutionality of the pending bill. From the decision of the Court in the *Harris case* I quote the following exceedingly significant passage:

In the indictment in this case, for instance, which would be a good indictment under the law if the law itself were valid, there is no intimation that the State of Tennessee has passed any law or done any act forbidden by the fourteenth amendment. On the contrary, the gravamen of the charge against the accused is that they conspired to deprive certain citizens of the United States and of the State of Tennessee of the equal protection accorded them by the law of Tennessee.

As, therefore, the section of the law under consideration is directed exclusively against the action of private persons, without reference to the laws of the State or their administration by her officers, we are clear in the opinion that it is not warranted by any clause in the fourteenth amendment to the Constitution.

So the Supreme Court has spoken directly and positively on a lynching case and held that the Federal Government had no authority to enact a law of this character. After quoting many authorities, the Court, in the *Harris case*, concludes:

These authorities show conclusively that the legislation under consideration finds no warrant for its enactment in the fourteenth amendment.

We might well stop our discussion of the law with this quotation from the *Harris case*, for it is unanswerable. But there are other cases on the subject of lynching also perfectly in point. The *Riggins case* (134 Fed. 409), wherein an Alabama judge wrote an opinion setting forth with pre-eminent clarity and ability exactly the same views which the proponents of this bill are voicing today, only to reverse his position and his opinion after the decision of the Supreme Court of the United States in the *Hodges case* (203 U. S. 1) had been handed down shortly after the publication of his first opinion in the *Riggins case*. In the companion case of *Powell, Two Hundred and Twelfth United States Reports*, page 564, this same Alabama jurist, Judge Jones, upon the strength of the *Hodges* decision, ordered the indictment against *Powell* quashed and the defendant discharged. The Government appealed to the Supreme Court of the United States from this decision of Judge Jones, but the Supreme Court upheld Judge Jones, saying that the *Hodges case* was decisive and that the Federal Government had no power, authority, or jurisdiction in such cases, even though they involved lynching.

These cases render further argument a waste of time on the subject of the constitutionality of this monstrous bill. Now, for a few moments let us consider some of the high points of the Gavagan bill. It plainly seeks to punish officers when the only conceivable power of Congress under the fourteenth amendment—if it had any—would be to punish States. It is State wrongs which Congress is authorized to right. Congress has no more power to punish a State officer who violates State law than it has to punish the chief of police of Mars.

Another outstanding feature of the Gavagan bill is that it provides for the punishment of counties by fines of not less than \$2,000 nor more than \$10,000 as liquidated damages wholly without regard to the guilt or innocence of the citizens or officials of the counties. If ever any officer of a county had been killed by the mob while the officers were trying to protect a prisoner and if no citizen of the county had participated in the mob, nevertheless, such a county would, under the terms of the Gavagan bill, be fined up to \$10,000 if that mob, after killing all the officers of the county, lynched the prisoner. Preposterous, but true. Equally abhorrent is the provision of the Gavagan bill punishing a county wherein a victim is seized by a mob and removed to another county before being lynched. This bill says that such a county, although not one of its officers or citizens knew of the seizure, may be fined up to \$10,000.

It so happens that the dearest spot on earth to me, my home county, has had only one lynching within its borders in its long history. There we have 58,000 people living, 14,000 of whom are white. Yet we have no race trouble and no lynchings. The only lynching ever to occur in Dallas County, Ala., took place some 46 years ago, when a mob of infuriated citizens of another county pursued its victim into Dallas County and there lynched him without the knowledge or consent or participation of a single citizen of Dallas County in that crime. Yet, under the terms of the Gavagan bill, Dallas County would have to pay a fine up to \$10,000 in such a case.

There are plenty of words condemning lynching, both from the proponents and opponents of this bill. There are none condemning the causes of lynching. I remember the case

of Clyde Thomas, who had been a servant in the household of a citizen of Alabama from the time a baby girl was born until she became 16 years of age. He plotted his crime; he prepared the place in a plum thicket. He attempted his crime twice, but was thwarted by the fact that the child had playmates with her. But on the third attempt he raped and killed her. Yet we risked our lives to save him from the noose of the mob for the noose of the law.

After all is said, without any extenuation whatever for the crime of lynching—there can be none—when a guilty man is lynched, the mob has done what the law says should be done. It has done it in an illegal and criminal way, but the end is the same. But no law ever said that a child should be raped. If the proponents of this measure really want to stop crimes of violence, why do they not strike out the seven words in this bill which require that the victim must be taken from the custody of a peace officer and so broaden the scope of the bill to include gangster killings, which disgrace our civilization more often than lynching, and the race riots which are unknown in the South, but in which more victims have been claimed than the number of all the victims of lynching in history?

I repeat that the people of this Nation, through local sentiment, have solved and are utterly eradicating the crime of lynching. The commission of this crime has been reduced more than 5,000 percent—the greatest reduction in history of any crime. It is on the way out. I beg of you gentlemen to remember your oaths to respect, uphold, and maintain the Constitution, and that you will not, by the passage of this prolynching bill, set back the splendid progress which is being made constantly toward the complete wiping out of this disgrace to our civilization. Such unwarranted Federal intrusion into the clearly marked province of the States breeds resentment and kills cooperation. This bill may pass, but without the vestige of constitutional right for its passage. With it the gentleman from New York [Mr. GAVAGAN] and his mob may attempt to lynch the Constitution. But there are many of us who do not joy in any kind of lynching and we will look forward to a vindication of the principles for which we joy to fight.

Mr. GAVAGAN. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from New York is recognized for 33 minutes.

Mr. GAVAGAN. Mr. Chairman, I respectfully ask the Chair to notify me when I have consumed all but 5 minutes of my time.

The CHAIRMAN. The Chair will be pleased to.

Mr. GAVAGAN. Mr. Chairman, here I am, and take a good look at me. I have neither horns, nor a tail, nor cloven feet.

We have run the gamut in this debate of reductio ad absurdum. We have just been treated to a magnificent defense of the opposition to this bill. Something new has been injected by the gentleman from Alabama [Mr. HOBBS] when he attacks the procedure by which this bill comes to this House. He calls it illicit, illegal, and unlawful—the gentleman from the great State of Alabama devoted in lip service to democracy attacking one of the fundamental democratic rules of this House urged and propagated by a great Member of this House from Georgia [Mr. Crisp], whose father honored this body as a speaker from the great State of Georgia.

Oh judgment, thou art fled to brutish beasts
And men have lost their reason.

Anything to beat this bill. Never mind the law. Never mind the basic principles of democracy upon which this Nation is founded. Never mind the Constitution. You did not hear a word from him about it. He had two law books and they are still here. He has not broken a page of them.

Mr. Chairman, they have likened me to a conquering military hero who seeks to impress his heel upon a defenseless people. I come of a race of people who for seven centuries—700 years—have fought valiantly, courageously, never surrendering, for liberty, for justice, and for freedom under the law. That is why I am proposing this bill.

I am also attacked by the gentleman from Alabama for seeing eye to eye with the gentleman from Illinois [Mr. MITCHELL] and the Republican Members of this House. Well, when I am right, when I believe absolutely in the justice, the Americanism and the constitutionality of any proposition proposed, I shall walk humbly with my God, hand in hand with any man who believes as I do. [Applause.]

So much for that. There is no argument against the constitutionality of this bill. Do not be fooled by that. It is all right when they want a cotton-crop increase from the Treasury of the United States for these boys from the South to walk arm in arm with you fellows from the farm sections of the West. That is all right. It brings the people's money into the South. I do not attack you for that, but you dare attack me because I am energetic in asserting my prerogatives as a Member of this House to walk in communion with whom I please when I know I am right and I know they are right.

Mr. Chairman, when I hear some of the bilge that has been spilled on the floor of this House in opposition to this bill and see the official stenographers taking it down, I am reminded of a quotation of the Rubaiyat, by Omar Khayyam, when he exclaims:

The moving finger writes; and, having writ,
Moves on; nor all your piety nor wit
Shall lure it back to cancel half a line,
Nor all your tears wash out a word of it."

When I hear some of my good friends from the South praise me with faint praise, I am reminded of the following quotation from the Rubaiyat:

Indeed, the idols I have loved so long
Have done my credit in this world much wrong;
Have drowned my glory in a shallow cup,
And sold my reputation for a song.

Mr. Chairman, my years of experience as a trial lawyer have taught me to sense when my opponent has a weak case, for invariably he stoops to ridicule, or to one of the meanest forms or devices of debate—an argumentum ad hominem. That is always the weapon of a lawyer whose case is weak. The case of the opposition in connection with this bill is very weak, indeed.

Mr. Chairman, this is not a sectional bill unless it is desired to make it so. It applies to the North, the South, the East, and the West. It is not a Negro bill unless you boys over here wish to make it so, for it applies to all men—be they white, black, red, or yellow—when they are accused of crime, taken into custody, charged with, apprehended by, but always charged with a crime. Why is that necessary? We hear about gang murders in New York. Why, I was born and brought up in New York. I am proud of my city, I am proud of its institutions, and greatly proud of its contribution to the civilization and the advancement of the America I love. If I could reach constitutionally the gangsters of any city—mine or any other city or any other small town—especially down there in Arkansas, where all the racketeers of America go for safekeeping, Hot Springs, Ark., I would do so. I would even put them all in this bill.

Mr. NORRELL. Will the gentleman yield?

Mr. GAVAGAN. I cannot yield.

As I stated, I would put them in, but we cannot do that constitutionally. This bill, Mr. Chairman, is predicated mainly upon the fourteenth amendment of the Constitution of the United States.

Mr. COLMER. Will the gentleman yield?

Mr. GAVAGAN. I refuse to yield. I have only a little time. None of you have discussed constitutionality, and I want to do that.

Mr. COLMER. That is what I want the gentleman to yield to me on.

Mr. GAVAGAN. I will yield later if I have time. I do not wish to be discourteous. I am sincere in this. If I could place gangsters in this bill and cover them within the purview of the Constitution of the United States, I would do it gladly and willingly, but it cannot be done, because we have not that constitutional power. That is why it cannot be done.

Mr. Chairman, basically this bill is founded upon the fourteenth amendment to the Constitution of the United States, and let me read that amendment so far as its provisions are applicable to this bill:

SECTION 1. Nor shall any State deprive any citizen of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the law.

Now, Mr. Chairman, I wish the Members would please pay attention to the following:

Sec. 5. The Congress shall have power by appropriate legislation to enforce the provisions of this article.

With the exception of a few other sections of the Constitution you can find no stronger grant of constitutional power to the Congress to deal with this very situation, and they on that side know it. That is why they want to beat this bill in any event and by any means, and do not be fooled.

By implication, as well as by the express mandate of the fifth section of the fourteenth amendment, Congress has not only the power but the duty to protect the rights conferred or guaranteed by the amendment.

The Supreme Court has uniformly held that the National Government has the power, whether expressly given or not, to secure and protect the rights conferred and guaranteed by the Constitution (*Strauder v. West Virginia*, 100 U. S. 303).

Congress, in the absence of a positive delegation of powers to the State legislatures, may by its own legislation enforce and protect any rights derived from or created by the National Constitution.

In *Prigg v. Commonwealth of Pennsylvania* (16 Pet., p. 539) Mr. Justice Story said:

That a clause in the Constitution conferring a right should not be so construed as to make it shadowy, or unsubstantial, or leave the citizen without a remedial power adequate for his protection, when another construction equally accordant with the words and the sense in which they were used would enforce and protect the right granted.

Congress is not restricted to legislation for the execution of its expressly granted powers; but, for the protection of rights guaranteed by the Constitution, may employ such means, not prohibited, as are necessary and proper, or such as are appropriate, to attain the ends proposed.

In *United States v. Reese* (92 U. S. 214) Chief Justice White, at page 217, said:

Rights and immunities created by or dependent upon the Constitution of the United States can be protected by Congress. The form and the manner of the protection may be such as Congress in the legitimate exercise of its legislative discretion shall provide. These may be varied to meet the necessities of the particular right to be protected.

The protection which the Constitution throws around the rights it guarantees is a protection not only against their violations by a State but is an equal protection against individuals acting in any official capacity derived, directly or indirectly, from the State.

A State acts by its legislative, its executive, or its judicial authorities. It can act in no other way. The constitutional provision, therefore, must mean that no agency of the State, or of the officers or agents by whom its powers are exerted, shall deny to any person within its jurisdiction the equal protection of the laws. Whoever by virtue of public position under a State government deprives another of property, life, or liberty without due process of law, or denies or takes away the equal protection of the laws, violates the constitutional inhibition; and as he acts in the name and for the State, and is clothed with the State's power, his act is that of the State. This must be so, or the constitutional prohibition has no meaning. Then the State has clothed one of its agents with power to annul or to evade it (*Ex parte Virginia*, 100 U. S. 339).

In *Home Telephone & Telegraph Co. v. City of Los Angeles* (227 U. S. 278) the Supreme Court, through Mr. Chief Justice White, said (p. 286):

The provisions of the amendment as conclusively fixed by previous decisions are generic in their terms, are addressed, of course, to the States, but also to every person, whether natural or judicial, who is the repository of State power. By this construction the reach of the amendment is shown to be coextensive with any exercise by a State of power, in whatever form exerted.

In *Virginia v. Rives* (100 U. S. 313) it was said (p. 318):

It is doubtless true that a State may act through different agencies, either by its legislative, its executive, or its judicial authori-

ties; and the prohibitions of the amendment extend to all action of the State denying equal protection of the laws, whether it be action by one of these agencies or by another. Congress, by virtue of the fifth section of the fourteenth amendment, may enforce the prohibitions whenever they are disregarded by either the legislative, the executive, or the judicial department of the State. The mode of enforcement is left to its discretion. It may secure the right—that is, enforce its recognition—by removing the case from a State court, in which it is denied, into a Federal court, where it will be acknowledged.

In *Raymond v. Traction Co.* (207 U. S. 20) the Supreme Court said (p. 36):

The provisions of the fourteenth amendment are not confined to the action of the State through its legislature or through the executive or judicial authority. Those provisions relate to and cover all the instrumentalities by which the State acts, and so it has been held that whoever, by virtue of public position under a State government, deprives another of any right protected by the amendment against deprivation by the State violates the constitutional inhibition; and as he acts in the name of the State and for the State, and is clothed with the State's powers, his act is that of the State.

JURY-SERVICE CASE

An actual discrimination against a Negro, on account of his race, by officers entrusted with the duty of carrying out the law, is as potential in creating a denial of equality of rights as a discrimination made by law (*Tarrance v. Florida*, 188 U. S. 520).

Where statutes on the subject of selection of jurors do not discriminate and do not authorize discrimination against any person for jury service because of race or color, if the executive officers of the courts charged with the duty of executing such statutory provisions, deliberately, in the execution thereof discriminate against Negroes because of their race or color, it would violate the provisions of the fourteenth amendment to the Federal Constitution and would render their action null and void in any case in which such discrimination occurred (*Bonaparte v. State*, 65 Fla. 287).

Names of Negroes excluded from the jury box—not by legislative fiat but by officers—constitutes violation of the fourteenth amendment (*Farrow v. State*, 91 Miss. 509).

Fact that no member of the colored race was on grand jury was not violative of the Constitution of the United States unless there was a discrimination against his race by the constitution, statutes, or laws of South Carolina, or in the administration thereof, on account of race, color, or previous condition of servitude (*State v. Brownfield*, 60 S. C. 509; reversed because of no offer of proof of discrimination made, 189 U. S. 426).

Defendant deprived of constitutional rights where court refuses to take evidence in proof of discrimination (*Catter v. Texas*, 177 U. S. 448).

DENIAL OF EQUAL PROTECTION

Joe Hale v. Commonwealth of Kentucky (writ of certiorari to Court of Appeals of Commonwealth of Kentucky. Supreme Court of United States, October term 1937 (April 11, 1938)): Unconstitutional exclusion of Negroes from juries on account of race. Conviction of Joe Hale for murder upheld in the Court of Appeals of Kentucky. The Supreme Court of the United States, in reversing the decision of the lower court, held:

We are of the opinion that the affidavits, which by the stipulation of the State were to be taken as proof, and were uncontested, sufficed to show a systematic and arbitrary exclusion of Negroes from the jury lists solely because of their race or color, constituting a denial of the equal protection of the laws guaranteed to petitioner by the fourteenth amendment.

DUE PROCESS OF LAW

Nixon v. Cordón, 286 U. S. 73: State of Texas, in an evident attempt to evade the ruling of the Supreme Court in *Nixon against Herndon*, passed an act empowering the State Democratic committee to set up limitations in primary elections. The committee immediately passed a resolution restricting the primary to white electors. It was contended that as the act of the committee was the act of individuals and not that of the State, neither the fourteenth nor the fifteenth amendments of the Constitution applied, but the Supreme Court of the United States, by Associate Justice Cardozo, declared:

With the problem thus laid bare and its essentials exposed to view, the case is seen to be ruled by *Nixon against Herndon*. . . . The fourteenth amendment, adopted as it was with special solicitude for the equal protection of members of the Negro race, lays a duty upon the Court to level by its judgment these barriers of color.

Likewise, the provisions and prohibitions of the fourteenth amendment are binding and apply equally to local officers—that is, of counties or local subdivisions of government (*Home Telephone & Telegraph Co. v. City of Los Angeles*, 227 U. S. 278; *Yick Wo v. Hopkins*, 118 U. S. 356).

The provisions of the fourteenth amendment apply to mere matters of administration by local officials, even though the municipal or State law under which they act contains, in itself, no arbitrary discrimination and no denial of due process or equal protection of the laws.

In *Tarrance v. Florida* (188 U. S. 519), Mr. Justice Brewer, speaking for the Supreme Court, said (p. 520):

The contention of plaintiffs in error is that they were denied the equal protection of the laws by reason of an actual discrimination against their race. The law of the State is not challenged, but its administration is complained of. * * *

Such an actual discrimination is as potential in creating a denial of equality of rights as a discrimination made by law.

Again, in *Yick Wo v. Hopkins* (118 U. S. 356), an ordinance of the city of San Francisco which made it unlawful to maintain laundries without first having obtained the consent of the board of supervisors, was so administered that Chinamen were denied the right to maintain laundries solely because of their race and nationality. In holding that this administration of the ordinance was violative of the fourteenth amendment, the Supreme Court said (p. 373):

The facts shown establish an administration directed so exclusively against a particular class of persons as to warrant and require the conclusion that whatever may have been the intent of the ordinances as adopted, they are applied by the public authorities charged with their administration, and thus representing the State itself, with a mind so unequal and oppressive as to amount to a practical denial by the State of that equal protection of the laws which is secured to the petitioners, as to all other persons, by the broad and benign provisions of the fourteenth amendment to the Constitution of the United States. Though the law itself be fair on its face and impartial in appearance, yet if it is applied and administered by public authority with an evil eye and an unequal hand so as practically to make unjust and illegal discriminations between persons in similar circumstances material to their rights, the denial of equal justice is still within the prohibition of the Constitution. This principle of interpretation has been sanctioned by this Court in *Henderson v. Mayor of New York* (92 U. S. 259), *Chy Lung v. Freeman* (92 U. S. 725), *Ex parte Virginia* (100 U. S. 339), *Neal v. Delaware* (103 U. S. 370), and *Soon Hing v. Crowley* (113 U. S. 703).

The fact of this discrimination is admitted. No reason for it is shown, and the conclusion cannot be resisted that no reason for it exists except hostility to the race and nationality to which the petitioners belong, and which, in the eye of the law, is not justified. The discrimination is, therefore illegal and the public administration which enforces it is a denial of the equal protection of the laws and a violation of the fourteenth amendment of the Constitution. The imprisonment of the petitioners is, therefore, illegal and they must be discharged.

CONSTITUTION COVERS STATE OFFICERS ACTING WITHOUT AUTHORITY

The Supreme Court has consistently sustained the principle that even when a State officer acts without authority of the State or its subdivisions in enforcing an arbitrary discrimination or denial of the equal protection of the laws, his conduct is embraced by the fourteenth amendment and can be dealt with accordingly.

In *Neal v. Delaware* (103 U. S. 370) it was held that the exclusion, because of their race and color, of citizens of African descent from the grand jury that found, and from the petit jury that was summoned to try, the indictment, if made by the jury commissioners, without authority derived from the constitution and laws of the State, was a violation of the prisoner's rights under the fourteenth amendment, and his motions to quash the indictment and the panels of jurors should have been sustained. The Court, quoting from its earlier opinion in *Ex parte Virginia* (100 U. S. 339), said (p. 397):

The constitutional provision, therefore, must mean that no agency of the State, or of the officers or agents by whom its powers are executed, shall deny to any person within its jurisdiction the equal protection of the laws. Whoever, by virtue of public position under a State government, deprives another of property, life, or liberty without the due process of law, or denies or takes away the equal protection of the laws, violates the constitutional inhibition.

In *Virginia v. Rives* (100 U. S. 313) the State officer charged with the duty of selecting prospective jurors directly violated the State law prohibiting racial discrimination. The Supreme Court, while acknowledging that the officer had thereby made himself punishable at the instance of the State, went on to say that nevertheless "his act was the act of the State and was prohibited by the constitutional amendment" (p. 321).

A striking illustration of this principle occurs in *Home Telephone & Telegraph Co. v. City of Los Angeles* (227 U. S. 278). There the State Constitution of California contained guaranties of due process and equal protection of the laws identical with those in the fourteenth amendment. Certain municipal officers, in their administration of a local ordinance, were guilty of arbitrary discrimination. Notwithstanding that their acts violated the constitution of their own State, the Supreme Court held that their action could be nullified and corrected through the Federal courts, acting under the fourteenth amendment, without waiting for a State court to declare that their acts also violated the State constitution.

BARNEY CASE OVERRULED

The Supreme Court declared that inasmuch as local officers were acting or purporting to act "by virtue of public position" their conduct was embraced by the fourteenth amendment. The Court took occasion, in effect, to overrule (p. 294) its earlier decision in the case of *Barney v. City of New York* (193 U. S. 430) that where the local officer's act was forbidden by State statute it could not be said to be the act of the State within the meaning of the fourteenth amendment. The Supreme Court, speaking by Chief Justice White, expressly rejected the proposition that "the terms of the fourteenth amendment reached only the acts done by State officers which are within the scope of the power conferred by the State" and said that on the contrary (p. 287):

The settled construction of the amendment is that it presupposes the possibility of an abuse by a State officer or representative of the powers possessed and deals with such a contingency. It provides, therefore, for a case where one who is in possession of State power uses that power to the doing of the wrongs which the amendment forbids, even although the consummation of the wrong may not be within the powers possessed, if the commission of the wrong itself is rendered possible or is efficiently aided by the State authority lodged in the wrongdoer. That is to say, the theory of the amendment is that where an officer or other representative of a State in the exercise of the authority with which he is clothed misuses the power possessed to do a wrong forbidden by the amendment, inquiry concerning whether the State has authorized the wrong is irrelevant, and the Federal judicial power is competent to afford redress for the wrong by dealing with the officer and the result for his exertion of power.

So, likewise, in *Ex parte Virginia* (100 U. S. 339) it was urged that Judge Coles, who had kept men off the jury for no other reason than that they were colored, was not acting on behalf of the State but was acting against the State, and, therefore, his act was not that of the State. The Supreme Court held otherwise, ruling that his action was not a private act but one made in the course of official conduct and by virtue of his public position.

Denial of due process, or the equal protection, of the laws may be accomplished by nonaction quite as well as by action.

A public official may, by negation, violate the constitutional safeguards against discrimination and the guaranty of due process.

Hence, inaction or nonaction of a State officer is reached by the provisions of the fourteenth amendment as much so as if he acted positively and directly. Indeed, the nonaction of an officer is as much the act of the State as the direct and positive act of the officer and may be reached under the fourteenth amendment by appropriate legislation by Congress. Otherwise the fourteenth amendment may be nullified in any State by wholesale nonaction of the State or local officers.

This bill is expressly limited by its own definitions to official action or nonaction resulting in the denial of due process or the equal protection of the laws. It applies only to persons injured or killed through mob violence with the purpose or consequence of depriving the victim of due process of law or the equal protection of the laws where such person was suspected, accused, or convicted of any crime or offense or in the custody of any peace officer.

In other words, this bill does not seek to reach all cases of assault or murder through violence or all cases in which human rights have been denied or destroyed by public anarchy. It in no sense attempts to set up a Federal criminal code in the several States or to give to the Federal Government a regulatory, supervisory, or concomitant power in connection with the administration of the criminal laws of the

State. It deals only with those instances where the personal rights guaranteed to all American citizens by the fourteenth amendment have been invaded by mob violence with the active concurrence or through the nonaction of State or local officers, or where such rights cannot, by reason of local conditions, be properly vindicated in the local courts.

CONGRESS POSSESSES POLICE POWER

The fourteenth amendment not only prohibits certain action or nonaction by the several States through local officers but also, by necessary implication, confers upon and guarantees to every American citizen certain rights which the Congress may protect by all appropriate means in the exercise of plenary police power.

In a proper sphere, Congress possesses a Federal police power quite as complete as any police power possessed by the States.

In *Hope v. United States* (227 U. S. 308), speaking expressly of the power of Congress over interstate transportation, the Supreme Court said (p. 323):

The power is complete in itself, and Congress, as an incident to it, may adopt not only means necessary but convenient to its exercise, and the means may have the quality of police regulations.

In *Gibbons v. Ogden* (9 Wheat.) Chief Justice Marshall said (p. 202):

It is obvious that the Government of the Union in the exercise of its express powers * * * may use means that may also be employed by a State in the exercise of its acknowledged powers.

In *Hamilton v. Kentucky Distillers Co.* (251 U. S. 146) the Supreme Court said:

When the United States asserts any of the powers conferred upon it by the Constitution, no valid objection can be based upon the fact that such exercise may be attended by the same incidents which attend the exercise by a State of its police power, or that it may tend to accomplish a similar purpose.

THE RECIPROCAL DUTY OF THE STATES UNDER THE FOURTEENTH AMENDMENT SUSTAINS THE CONSTITUTIONALITY OF THE ANTI-LYNCHING BILL

The fourteenth amendment is as much the law of the separate States as it is of the United States. The individual rights which it confers upon and guarantees to American citizens are rights existing under the law of the land and hence are rights entitled to recognition and protection by the law and jurisprudence of the several States.

By ratifying the fourteenth amendment the several States have bound themselves to perform and discharge the duty of affording to all persons within their respective boundaries the equal protection of the laws, and the Federal Government has guaranteed this performance. The duty to perform is a positive, affirmative duty of equal protection.

Wherever this duty is not performed, regardless of the excuse, there is a breach by the State of the contract, and the obligation falls on the guarantor, the Federal Government, to assure performance and to redress whatever wrongs have been suffered by reason of the breach of the guaranty. In the case of private corporations, it is well settled that where an obligation rests upon such corporation as a positive duty in favor of third persons, the failure of an officer or agent to discharge that duty is actionable, even though the failure may have been merely an incident of wrongful conduct on the part of the officer or agent for which the corporation is in no way responsible as a principal. In other words, the rule is well established that where misconduct or nonaction of an agent causes a breach of the obligation or contract of a principal there the principal will be liable in an action, whether such misconduct or nonaction be willful, malicious, or merely negligent; and the form of the action, though undeniably in tort, is treated virtually as an action in contract and governed by the same rule of damages.

The analogy seems obvious. If State or local officers may in one sense be regarded as acting outside of their employment or authority in not preventing a lynching, nevertheless, such conduct may constitute a neglect or default on the part of the State to afford the equal protection of the law. Against such neglect or default Congress is authorized by the fourteenth amendment to adopt all appropriate remedial measures in order to vindicate and protect the rights possessed by all American citizens under that amendment. Such

action by Congress is in no way an invasion of State rights but should be welcomed by the States as an additional protection to fundamental privileges which they, too, are equally bound to guarantee.

CONGRESS HAS THE POWER AND DUTY UNDER THE CONSTITUTION TO GUARANTEE A REPUBLICAN FORM OF GOVERNMENT WITHIN THE STATES

The right to due process of law and the equal protection of the laws are fundamental conceptions of justice and inherent in the very idea of republican or free government. In *Powell v. Alabama* (287 U. S. 45) the Supreme Court, quoting from its earlier decision in *Holden v. Hardy* (169 U. S. 366, 389), said, concerning the right to due process of law and the equal protection of the laws (p. 372):

There are certain immutable principles of justice which are inherent in the very idea of free government which no member of the Union may disregard.

In *United States v. Cruikshank* (92 U. S. 542) the Supreme Court said (p. 555):

The equality of the rights of citizens is a principle of republicanism. Every republican government is in duty bound to protect all its citizens in the enjoyment of this principle if within its power. That duty was originally assumed by the States, and it still remains there. The only obligation resting upon the United States is to see that the States do not deny the right.

Obviously the substitution of mob rule for free government and the obstruction of the immutable rights of private citizens by mob violence, where the objective or consequence is the overthrow of due process of law or the equal protection of the law, is a violation of the right of the injured citizen to enjoy the advantages and privileges of a republican form of government. In the exercise of the police power expressly conferred upon Congress to preserve the republican form of government in the several States and to vindicate the right of the private citizens thereof to enjoy the protection of free government, Congress may enact all appropriate remedial measures and may set up machinery for the enforcement thereof by the Federal courts.

Such police measures may obviously be both preventive and remedial—may seek to prevent a destruction of constitutional rights by the substitution of mob rule for free government and may provide remedies for wrongs suffered by reason of such substitution.

THE PROVISIONS OF THE BILL FOR PENALIZING A COUNTY WHERE A LYNCHING OCCURS ARE CONSTITUTIONAL

The policy of imposing liability upon a civil subdivision of government is familiar to the common law. A State may, in the exercise of its police power, impose absolute liability upon a city to be collected by an injured individual (*City of Chicago v. Sturges*, 222 U. S. 313). In the earliest English statutes there are repeated instances of communities being fined or mulcted in damages for robberies and assaults occurring in their midst, the theory being that the taxpayers would in consequence hold their local officials to greater vigilance (Reeves' History of English Law, vol. II, p. 340; Coke, 2 Inst., ch. 17, p. 369; 31 N. Y. 189, 62 Ohio State 318, 333, 340).

A recent application of these principles in an identical case is to be found in *People v. Nelliss* (249 Ill. 12). There a statute of Illinois imposed against a county where a lynching occurred the sum of \$5,000 as damages recoverable by the victim's heirs. In upholding the validity of this statute the Supreme Court of Illinois said (p. 19):

It is, we think, too clear for argument that those provisions of said act which provide that persons engaging in mob violence shall be guilty of a felony and subject to imprisonment in the penitentiary will tend to prevent men from joining mobs when assembling and will tend to the suppression of mob violence, and it is, we think, equally clear that the imposing of a liability for damages upon the county or city in favor of the victim of a mob whenever mobs are permitted to assemble, or, in the case of his death, in favor of his widow or heirs or adopted children, will cause the taxpayers of such county or city to discourage the assembling of mobs within such municipalities and will cause all law-abiding men residing in such communities to condemn and denounce mob violence, the result of which must be to create respect for the law and its enforcement and to discourage the assembling of mobs.

The Constitution is the supreme law of the land, binding upon Congress and every State legislature, Governor, or municipality in the 48 States of this Union. It is supreme in

the American concept of government; and when the State fails to enforce the provisions of this fourteenth amendment, it is our duty to compel enforcement. Some of them have said, perhaps in ridicule—but their ridicule nor faint praise concerns me not—that this bill was expertly drawn. That is quite a concession for a bill sponsored by a kid from the sidewalks of New York.

Expertly drawn? Of course it is. I admit it, and keenly drawn to make it constitutional, for I stood in this Well like you, and you, and held up my hand to support the Constitution of the United States and to defend it. I do not intend to violate that oath or any other oath; if I were not sure in my heart and mind that this bill is constitutional I would not be here urging it, and they would not be here urging its defeat, for they know it is constitutional. Why, to hear them talk you would think the States could do as they pleased, willy-nilly, to the Constitution.

Now, there is another provision of the Constitution that makes this bill constitutional. The Constitution itself now places upon the Federal Government and the Congress the duty to see to it that a republican form of government exists within the various States of this Union. It is our constitutional duty to guarantee to every State in this Union a republican form of government. Do you mean to tell me that when a jail is broken into and a prisoner taken out by a mob that that is a republican form of government; that that is due process of law and equal protection of the law? Why, you know in your hearts it is not. This is why they fear passing this bill on to the Supreme Court of the United States.

Ladies and gentlemen of the House of Representatives, I have, I hope, satisfied you as to the constitutionality of this legislation. I believe with all reasonable certainty that the Supreme Court of the United States would sustain its constitutionality. I submit that, after all, we sit as the legislative branch of the Government. We have no right or power to declare our own enactments unconstitutional. That power is vested in the Supreme Court; but before that Court can act, we must pass legislation. We have seen the Supreme Court uphold the constitutionality of the Gold Clause Act, the Labor Relations Act, and sundry other acts which a generation or so ago no zealous lawyer could prophesy. Every one of you who are lawyers when in school studying constitutional law had drilled into your minds the declaration of the great Chief Justice Marshall:

"That the power to tax was the power to destroy." This was an axiom of constitutional law for over a century, yet recently a Justice of that same Court declared that axiom to be "a seductive cliché," and the Court forthwith reversed the decision of Chief Justice Marshall and declared for the principle of reciprocal taxation of the agencies of Federal and State governments.

In view of this state of affairs, I ask any honest lawyer, How can you dare stand here and proclaim *ex cathedra*, if you will, that this bill is unconstitutional? Pass this bill; leave it to the Court to decide any honest doubts you may have as to its constitutionality. That is your duty, and in its performance you give assurance to America and to the world that the House of Representatives of the Congress of the United States proscribes Judge Lynch and mob rule and declares for government under law; for justice as enunciated by our courts; for trial by jury of all persons charged with crime, irrespective of race, creed, or color. That is the constitutional way; that is the American way; that is the divine way. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired. All time has expired. The Clerk will read. The Clerk read as follows:

Be it enacted, etc., That the provisions of this act are enacted in exercise of the power of Congress to enforce, by appropriate legislation, the provisions of the fourteenth amendment to the Constitution of the United States and for the purpose of better assuring by the several States under said amendment equal protection and due process of law to all persons charged with or suspected or convicted of any offense within their jurisdiction.

Mr. HOFFMAN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: Page 1, line 10, change the period to a comma and add the following: "and for the purpose of securing equal protection and due process of law to all persons who have not been suspected of, charged with, nor convicted of any criminal offense."

Mr. GAVAGAN. Mr. Chairman, I make the point of order that the amendment is not germane.

The CHAIRMAN. The gentleman from New York makes the point of order that the amendment offered by the gentleman from Michigan is not germane to the bill. Does the gentleman from Michigan desire to be heard on the point of order? The Chair is prepared to rule.

Mr. HOFFMAN. I was prepared to be heard on the point of order, Mr. Chairman, but inasmuch as the Chair is prepared to rule, I shall omit any argument, as in the end I shall have to accept the ruling of the Chair anyway.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

SEC. 2. Any assemblage of three or more persons which exercises or attempts to exercise by physical violence and without authority of law any power of correction or punishment over any citizen or citizens or other person or persons in the custody of any peace officer or suspected of, charged with, or convicted of the commission of any offense, with the purpose or consequence of preventing the apprehension or trial or punishment by law of such citizen or citizens, person or persons, shall constitute a "mob" within the meaning of this act. Any such violence by a mob which results in the death or maiming of the victim or victims thereof shall constitute "lynching" within the meaning of this act: *Provided, however,* That "lynching" shall not be deemed to include violence occurring during the course of picketing or boycotting or any incident in connection with any "labor dispute" as that term is defined and used in the act of March 23, 1932 (47 Stat. 70).

Mr. GAVAGAN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 2, line 12, after the word "act", strike out the colon and insert a period and strike out all of lines 13, 14, 15, 16, and 17.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

Mr. HOFFMAN. Mr. Chairman, I make the point of order that the amendment is not germane and I would like to be heard upon that.

The CHAIRMAN. The Chair would be very glad to hear the gentleman from Michigan.

Mr. HOFFMAN. I only make this point of order because of the ruling just made by the Chair on the amendment which I offered extending the protection of this bill to persons who had not been suspected of, charged with, or convicted of a crime. If the former ruling was correct and the amendment I offered not germane, it would seem that the amendment now offered is not germane. The gentleman from New York offers an amendment which brings within the provisions of this bill all of those described incidents which arise during the course of a labor dispute. If the previous ruling of the Chair was correct, and, of course, I assume that it was, we now find this amendment subjecting to the provisions of the bill those who permit a mob to lynch or maim individuals during the course of a labor dispute, which was a thing that I intended to bring about by an amendment I had prepared.

A moment ago I tried to extend the protection of the bill by the amendment I offered to those persons who had neither been suspected of, charged with, nor convicted of an offense, and the Chair held that that amendment was not germane.

Germane is defined to be "in close relationship," "appropriate," "pertinent." Can it be said that an amendment to a bill, the effect of which extends that protection to persons who have not been so suspected, charged, or convicted of an offense is not pertinent to the purpose expressed in the title? The amendment which I previously offered but included in the purpose of the law those who had not been so charged with, suspected, or convicted.

If the purpose of the bill is, as stated in the title, to assure to persons within the jurisdiction of the States due process of law and equal protection of the laws, then certainly it is

"appropriate" to extend that protection to all persons within the jurisdiction of the law, regardless of their status before the law.

The subject under consideration is that of assuring to persons within the jurisdiction of the States due process of law and equal protection of the laws. My amendment but extended this due process and equal protection to an additional group of citizens. How then can it be said that it is not germane to the bill?

The objection of the gentleman from New York that my amendment was not in order because it was not germane means simply that the proposed amendment is a proposition upon a subject different from that under consideration. That is the meaning of the point of order he raised, according to a ruling of Speaker Carlisle on March 17, 1880.

That an amendment be germane means that it must be akin to or relevant to the subject matter of the bill. * * * The purpose of the rule is to prevent hasty and ill-considered legislation; to prevent propositions being presented for the consideration of the body which might not reasonably be anticipated.

Such was the holding of Chairman John J. Fitzgerald on September 22, 1914.

Recent holdings are to the effect that, if the purpose of the amendment be germane to the purpose of the bill, it is not subject to objection (8 Haines, 2911).

Now, by the amendment offered by the gentleman from New York, all of those incidents of violence which—by the proviso inserted in the second paragraph were exempted from the protection given by the bill—if they arose during the course of a labor dispute are brought within the protection of the bill. With the purpose of the amendment I agree, but my point is, that if the amendment which I offered to include within the protection of the bill persons who had not been suspected of, charged with, or convicted of a crime, was not germane, it logically follows that it is not germane to bring within the provisions of the bill those who are injured by violence during the course of a labor dispute, even though that protection be limited to those suspected of, charged with, or convicted of a crime, and denied to the citizen whose conduct has never been questioned.

If the amendment which I offered to extend the protection of the bill to the law-abiding citizen was not germane, then I submit that this amendment, which extends the protection of the bill to those injured during a strike, is not germane.

Notwithstanding the previous ruling of the Chair, to which I submit, I still contend that the amendment that I offered was germane and anticipate a ruling by the Chairman that the amendment offered by the gentleman from New York is germane.

The CHAIRMAN. The Chair is prepared to rule. In the opinion of the Chair there is a clear distinction between the amendment offered by the gentleman from Michigan and the amendment which is pending at the present time. The Chair does not feel it is necessary to state in detail the distinction which exists. It is the opinion of the Chair that the distinction is plain and apparent. The amendment offered by the gentleman from New York strikes out the proviso found on page 2 of the bill, in lines 13 to 17, and it subjects to the provisions of the pending bill, if it becomes law, certain offenses which the proviso seeks to eliminate. The amendment of the gentleman from New York is clearly distinct from the one offered by the gentleman from Michigan. The amendment is clearly germane to the bill and the Chair overrules the point of order.

The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was agreed to.

Mr. COLMER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

On page 2, strike out all of lines 1 to 9, inclusive, and down to the word "any" in line 10 and insert in lieu thereof the following: "Any assemblage of three or more persons which exercise, or attempts to exercise, physical violence without authority of law over any citizen or citizens or other person or persons shall constitute a mob within the meaning of this act."

Mr. COLMER. Mr. Chairman, this is the so-called gangster amendment. The purpose of this amendment is to include in this bill such offenses as are known as gang murders. This amendment, if adopted, together with the perfecting amendment which I propose to offer if it is adopted, will mean that the bill will not be a sectional bill. The gentleman from New York [Mr. GAVAGAN] has said he did not want a sectional bill. It will mean that the crime of gang murder will be recognized just as much as that of lynching.

I do not know why this amendment should not be adopted. We have heard many statements made to the effect that this was not a sectional bill; that the objective of this bill was to protect innocent people, in order that they might receive due process of law and have their day in court. Then why not let it apply to gang murders as well as to lynching?

Mr. MARCANTONIO. Will the gentleman yield?

Mr. COLMER. My time is very limited.

Mr. Chairman, I ask unanimous consent that I may proceed for an additional 5 minutes at the expiration of my time in order that I may yield to the gentleman.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. COLMER. I yield to the gentleman from New York.

Mr. MARCANTONIO. Is not the real purpose of the gentleman's amendment to load down this bill so much that it will sink?

Mr. COLMER. Well, I would not say that. I would say, however, that the gentleman ought to be satisfied since the matter in which he is particularly interested will be stricken out of the bill.

We all know what this bill is. We all know that this bill is political in its inception and that it has no place upon the floor of this House.

Mr. GAVAGAN. Mr. Chairman, I raise a point of order. The gentleman is not proceeding in order. Under the rules the gentleman must speak on his amendment. He is now making a political speech.

The CHAIRMAN. The gentleman from New York makes a point of order. The Chair has been following with interest the remarks of the gentleman from Mississippi. The Chair feels that the gentleman from Mississippi is clearly within his rights. The point of order is overruled.

Mr. RANKIN. Will the gentleman yield for the purpose of a parliamentary inquiry?

Mr. COLMER. If my colleague insists upon it, I will yield.

Mr. RANKIN. I just wanted to ask if there was any man in the House, except the gentleman from New York [Mr. GAVAGAN], who did not know that this was a political bill.

The CHAIRMAN. The Chair will state that that is not the subject of a parliamentary inquiry. The gentleman from Mississippi will proceed.

Mr. COLMER. With the permission of the gentleman from Mississippi [Mr. RANKIN], I would like to answer the parliamentary inquiry. I do not see why the gentleman from New York [Mr. GAVAGAN] should be excepted. [Laughter.]

Now, what have we here? We have the old antilynching bill trotted out in an election year. This is nothing new. This is the same old story. It arises practically every time this Congress meets, and never does it fail in an election year. It means something to some people in this House. Let me say to those who are most concerned that I am reminded of a little story. We are all interested in the gentleman. We want to see a Democrat represent the great Harlem district here; but one time there was a lawyer who went on a vacation, and he left his prospective son-in-law in charge of his office. When he returned, after a long vacation, he asked the boy what had been done. The boy showed him that a will case that had been pending there for 15 years, from which the old gentleman had been making his living all during that time, had been disposed of. The old gentleman said, "Young man, you will never make a lawyer. You will never be able to support my daughter, because you have disposed of the most lucrative piece of business that we have ever had."

I hope the gentleman from New York will not insist upon the passage of this bill, because thereby he will dispose of the most potent argument that he has to maintain his seat in this House. [Laughter.] I do not know why the gentleman should insist upon this. I do not know why he should even oppose my amendment. I do not know that he will. I hope that he will not.

If he had wanted to stop the murder of citizens, regardless of race or status in society, he would have made such a provision in the bill in the first instance. The gentleman from New York says by opposing this that he thinks that it is all right for gangsters to engage in the nefarious business of robbing and murdering, but it is all wrong for an outraged citizenship to commit a lynching. The only difference between the gentleman from New York and myself is that I think they are both wrong.

But let us analyze the gentleman's unusual and untenable attitude in this matter. Let us see why it is that the great crusader, who has the distinction of representing the Harlem district in this great body, is unwilling to include gangsters. Surely murder in whatever form it takes place is murder. Why does the gentleman draw a distinction? Why does he spend his entire efforts in Congress upon his futile and pet measure of an antilynching bill? And at the same time he says by his action that he does not think that gangsters and the citizens and officers who permit gangsters to operate should likewise be penalized. Surely no one in this House—certainly not I—would charge the gentleman with any ulterior motives. Who in this House, for instance, would be so brazen and so bold as to point out that there have been many gang murders committed in New York, while there have been no citizens of Harlem lynched? What Member of this House would have the temerity to suggest that the gentleman from New York was so interested in his constituency that he did not want to see any of them, regardless of the crime committed, penalized and feel the prod of the Federal law for an offense as heinous and hideous as a gang murder?

As has been repeatedly pointed out on this floor in the last few days, there have been a total of three lynchings in this country during the year 1939; while in the city of New York alone there were 272 homicides committed during the year 1938—the last figures available. If the gentleman is interested in preventing murder, why does the gentleman take the time of the Congress so futilely in forcing on this body the consideration of a bill which would only affect a very bagatelle, a negligible number of homicides? There was one lynching for every 45,000,000 Americans in the United States last year while there was one homicide for every 100,000 persons in New York State alone. Then why all of the hullabaloo by the great crusader from Harlem? Why should 3 days of this House be consumed in the consideration of a piece of legislation of this type, dealing with a nonexistent problem—a negligible thing? Why should the Congress be held in session possibly for a month or more this summer when everyone is anxious to go home, and when the country wants to see Congress adjourn, with a filibuster—which will surely happen in the Senate preventing adjournment? Why, I ask?

Why should every Member of this House with a few Negro voters be placed upon the political "hot spot"? Why this attempt to ravage the Constitution? No one knows better than the gentleman who is pressing this bill that it is unconstitutional, because he has made a study of it. Who will answer these questions? Are we driven—driven reluctantly, but nevertheless driven—to the conclusion that there might be some politics involved in this? Certainly I should be the last person in this House to accuse anyone of playing politics with a matter as sacred as the question of the Constitution of the United States, which we have all sworn to uphold and to defend. Did I hear someone suggest that a large portion of the constituency of the gentleman who continuously presses this bill belongs to that race of people previously occupying a position of servitude in the country? Certainly no one would be bold enough—and least of all would I—to suggest that this is a political football, which, like Banquo's ghost,

is caused to arise ever so often when Congress convenes—and always in an election year.

But I said that I would not raise any question of politics; that I would refrain from injecting such an undeserved, inappropriate, and unwelcome charge. But since the question has been raised, it is not difficult to visualize a recurrence of what happened on a former occasion. Of course, this bill will pass the House. It might not pass the House if the political angle were removed. But it will pass—we all know that. And I think I can see again the great champion of Harlem, the great crusader, the plumed knight of the black people, as he rides into Harlem for another ovation. I can see him in my mind's eye as the plumed knight, sitting astride a great white steed, himself all bedecked and robed in white, an emblem of purity, as he heads a gigantic parade through the streets of Harlem. I can see the smile of satisfaction as it spreads gently over his benign countenance. The bands in great numbers head a long procession of the beloved constituents of Harlem. And now they strike up a lively tune, the Sidewalks of New York. The great crusader and champion of the oppressed rides happily at the head of the procession, graciously bowing and waving to the great, protected throngs of Harlemites as they spill the confetti from the windows and housetops like a January snow, in tribute to their great leader and defender.

All honor to the champion of Harlem.

All hail the great white chieftain of the black man. [Applause.]

Mr. GAVAGAN. Mr. Chairman, will the gentleman yield?

Mr. COLMER. I am sorry, but my time has expired.

[Here the gavel fell.]

Mr. GAVAGAN. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. GAVAGAN. Mr. Chairman, I say to the gentleman from Mississippi that I will treat his remarks with the contempt they deserve. I will, however, read to the gentleman a little clipping from the Washington Post this morning, the last paragraph on page 8, about the present doings in the gentleman's own State. Do not forget, I was chivalrous enough in my argument not to mention it, but since he has extended his argument on his amendment to that *reductio ad absurdum* and made that argumentum ad hominem I spoke about, I will read this clipping:

While the House debated the antilynching bill National Guardsmen were on duty in Prentiss, Miss., to prevent what local officers feel might develop into a lynching. Crowds gathered menacingly for the arraignment of two Negroes charged with killing a police officer.

The amendment offered by the gentleman from Mississippi is an attempt to load down this bill with unconstitutional provisions, an attempt to defeat this bill, and let the mob go to work. I hope this amendment will be defeated.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. GAVAGAN. I refuse to yield.

Mr. POAGE. Mr. Chairman, I move to strike out the last word.

Mr. RANKIN. Mr. Chairman, will the gentleman yield for a question?

Mr. POAGE. I yield to my distinguished friend from Mississippi.

Mr. RANKIN. Answering the gentleman from New York, I have just read into the RECORD the statement that the National Guard went down there and protected those Negroes at the expense of the State. If it had been a gang murder in New York, they would have got no protection. [Applause.]

Mr. POAGE. Mr. Chairman, I do not want to let this opportunity pass without saying just one word. I have no desire to impugn anyone's motive because I do not believe there is anyone in this House whose motives are not high and proper in connection with this bill. [Applause.] I do believe, however, that there is a great deal of misunderstanding about this problem. I feel that just as the heathen people of old

offered human sacrifices to pagan gods, so we today are planning to offer sacrifices of human beings on the altar of the great god of ignorance when we pass legislation that is bound to stop and reverse all the progress that has been made during the past 75 years toward stamping out the deplorable practice of lynching.

Those of you who have never seen a lynching are hardly in a position to speak with much understanding today. It has been my sorrow to have seen with my own eyes while I was but a schoolboy the bodies of human beings dragged down the pavements of at least one southern city, later to be burned on the public square. I think I know something of the motives that actuated the people who did these things, and their feelings and passions were not of the kind that can be held in check by the threat of penalty to their officers or their counties. I know that the procedure now being followed is not calculated to prevent a recurrence of those things that I saw so long ago. I would regret, just as sincerely as any man on this floor, a recurrence in my State of these horrible scenes.

I know that for many years we in the Southland have made an honest and sincere effort to do everything within our power to wipe out the blot of lynching and to prevent the conditions that bring mobs into existence. Do not call upon us now to turn back. Do not now call upon our peace officers, who have so often and so bravely protected the black man as well as the white, to run away from a scene where some poor Negro boy is accused of a heinous crime. Today my sheriff will go and get that boy, put him in jail, and do everything possible to protect him, and the peace officers all over the South have shown by actual action that they do and will go the full length to protect the poorest Negro. But you pass this bill, and the sheriff of my county will be, just like the sheriff of your county, somewhere else when a group of people, actuated by whatever motives, acting in ignorance—yes, but acting nevertheless—gathers to take the life of some Negro boy, whether he be guilty or innocent of the crime charged. Pass this bill and the mob will then take his life without interference on the part of any officer. For then no officer will take the accused into custody. This bill says that it is not a lynching if the mob beats the sheriff to the victim, but he will be just as dead as if the sheriff had taken him into custody before the mob got him, and if the sheriff had taken him in custody, his life would probably have been saved. Today there is protection as far as it is humanly possible to give it by the law-enforcement officials of the South, but pass this bill and there will be no protection at all to those Negro boys who are charged with certain crimes.

Mr. Chairman, may I say just one more thing to my colleagues? Do not let your ignorance of affairs in another section of the country induce you to take action that might be exactly proper in your section—and I do not pass judgment upon that—but which will tear down the good work of generations in other communities. I speak as one who has seen these things, one who has lived among these conditions. I speak as one who knows the problem, because it has been at my front door. I know, and this is indisputable, that we have made great progress toward wiping out something that we want to wipe out just as sincerely as anybody else does. Lynchings are now almost a thing of the past all over this country. There were only three in all the 48 States in 1939. Leave us alone. Let the South carry on the noble work our people have thus far so nobly advanced. Do not let your self-satisfaction and belief that you know how to run the other fellow's business cause you to offer human sacrifices on the altar of ignorance. We in the South will make lynchings but an evil memory if you of other sections will but quit injecting discontent and misunderstanding into the relations between the races. [Applause.]

Mr. Chairman, I desire to include in my remarks an editorial taken from yesterday morning's Washington Post, which shows how inevitable it is that the motives of uninformed zealots will be harshly judged by those who have not had the privilege of personal acquaintanceship as we have had here in the House.

ANTILYNCHING POLITICS

Politics inevitably intrudes into a congressional session preceding a general election. Every action that is taken is likely to be considered from the viewpoint of its political effect. But that does not justify the injection of mere time-wasting political gestures into a session that is confronted by more urgent legislation than it can hope to enact.

The antilynching bill taken up by the House yesterday must be placed in this category. It has previously passed the House, only to be killed by filibuster in the Senate. There can scarcely be any doubt that the bill would encounter a similar fate if it should be passed by the House and again submitted to the Senate for debate. To avoid another filibuster and serious disruption of their legislative program, Senate leaders would probably pigeonhole the bill.

There is no reason, moreover, for pressing the bill at this time. A few years ago, when the barbarous practice of lynching persons suspected of crime was common in the South, a plausible case could be made for some sort of Federal interference. Now lynching has virtually disappeared. Every State, except Mississippi and Florida, had a clear record in 1939 so far as this dastardly crime is concerned. And in those two States only three lynchings were reported.

With the problem thus narrowed to two States, there is no excuse whatever for the enactment of an antilynching bill that would violate the constitutional division of powers between the Federal Government and the States. Indeed, the proposal of Federal penalties for State officials who fail to do their duty was never acceptable. It presumes to exercise a power which the Constitution denies to the Federal Government. Failure of a few States adequately to protect their own citizens, inexcusable though it is, does not justify such a gross encroachment upon their constitutional rights.

When such cogent objections to the bill are added to the fact that the States have almost completed the task of putting their own houses in order, no reasonable excuse is left for reviving the antilynching bill in Congress. Regardless of what action the House may take, the bill will doubtless remain a dead letter. Yet some legislators insist on reviving it in an election year in the hope of winning votes.

The issue, of course, is not lynching. That outrageous and uncivilized practice is condemned by almost every Member of Congress. With the current improvement in State law enforcement, it will doubtless soon be wiped out. The question by which the House is confronted is whether one group of legislators shall be permitted to make political capital out of this general hatred of lynching to the detriment of a crowded legislative program.

The pro forma amendment was withdrawn.

The CHAIRMAN (Mr. McCORMACK). The question is on the amendment offered by the gentleman from Mississippi [Mr. COLMER].

The question was taken; and on a division (demanded by Mr. COLMER) there were—ayes 53, noes 105.

So the amendment was rejected.

Mr. BROWN of Georgia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, one of the advocates of this bill stated in debate yesterday that he received a letter from the county of Oglethorpe, Ga., in which a large number of Negroes had joined in asking him to request the Department of Justice to investigate conditions of peonage in that county. He said they asked him not to reveal their names, that if he did so their lives would be taken by a mob.

There is no section of the South where Negroes are treated better or are more generally contented than in Oglethorpe County.

I lived in that county from 1901 to 1920. I began my profession as a lawyer there. At one time I knew practically every citizen in the county, and I have been in close touch with these people since moving to an adjoining county where I now live. I own and control approximately 3,000 acres of land, scattered over the county. I have never known better people in my life. This county has produced as many great men as any other county in the United States, and many Governors and prominent and successful men in every walk of life have been residents of this county. Every citizen can get justice in the county. There are no better peace officers anywhere. I recall the first case I was employed in, after I was admitted to the bar, was by a Negro man charged with rape, or rather an attempt to rape. The jury was composed of 12 splendid white men and he was acquitted. He was given a fair trial and was acquitted because he was innocent. Defendants charged with this unspeakable crime may not only have trials, but if they are innocent they have always been and will always be acquitted.

The information from those whose names are not revealed does not speak the truth of the situation in this good county. The people there do not deserve the insinuation and reflection cast upon them by this letter. [Applause.]

Mr. RANKIN. Mr. Chairman, I offer a preferential motion. The Clerk read as follows:

Mr. RANKIN moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

Mr. RANKIN. Mr. Chairman, I ask unanimous consent to speak for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Chairman, bringing this so-called anti-lynching bill in here at this time is one of the most ridiculous performances ever witnessed in the Congress of the United States, and one of which the American people, your constituents, have every reason to be ashamed. It is the old story of Nero's fiddling while Rome burned.

Seldom in the history of this country has there been a greater need for the exercise of statesmanship in this House. We are confronted with problems of grave importance to the people of the Nation and of the world; and yet this Congress, or the House of Representatives, is wasting its time on a vicious, stupid measure that everybody knows will never become a law.

Is that statesmanship? Is it the part of wise men to thus disregard the welfare of the Nation, only to stir up strife and discontent? You Members who are pushing this vicious measure are doing your country the greatest injury of which you are capable.

On yesterday I listened to the address of the distinguished gentleman from New York [Mr. WADSWORTH], in which he pointed out the fallacy of this measure and the impossibility of its enforcement. He and I do not agree on the great fundamental questions that separate the two national parties, but I want to pay my tribute to him as the outstanding member of the Republican Party in public life today. He is the best friend the Negroes have on the Republican side, because he is willing to tell them the unvarnished truth, and to openly oppose a measure that he knows would do them more harm than good. He is by far the ablest member of the Republican Party in the House. He is honest, courageous, and patriotic; and if the Republican Party is really interested in the welfare of the country, they can find no abler, no more worthy leader among the regular Republicans of the Nation as their candidate for President in 1940 than the distinguished gentleman from New York, JAMES W. WADSWORTH. [Applause.]

This bill that you have dragged out here, by petition, and that a self-respecting committee of the House refused to report, should never be referred to as an anti-lynching bill. It should be called "a bill to encourage rape and to reelect GAVAGAN to Congress." It is nothing but a vicious attack upon the white people of the Southern States, and is fostered by a communistic element that has brought sufficient pressure to bear to force it to the floor of the House through the signatures of men who did not have the courage to resist that pressure.

I am going to speak plainly to you today, and especially to you Members on the Democratic side who are indulging in this nauseating spectacle. You are not only offending the white people of the Southern States, but you are proving yourselves to be the worst enemies the Negroes of this country have in public life. You are stirring up trouble for them and deeply offending Members from the South upon whose good will you must depend, not only for your committee assignments in the House, but for the success of any legislation you may sponsor.

Remember that southern Democrats now have the balance of power in both Houses of Congress. By your conduct you may make it impossible for us to support many of you for important committee assignments, and other positions to which you may aspire. The people you represent did not send

you here to become the willing tools of a few Negro agitators and to engage in these offensive and useless attacks upon us. They may call you to account in the primary; they may want to know why you disregard their interests in order to serve a few Negro politicians.

The same thing applies to the Republicans. The chances are that they will take care of you alleged Democrats in the primaries, and then take care of the Republicans in the general election, and in that way send us a majority of good Democrats, with a healthy minority of good Republicans, who have the interest of all the country at heart. You Democrats who are pushing this vicious measure are destroying your usefulness here. Some of you ought to announce now that you will not be candidates for renomination, so that the real Democrats in your districts can nominate candidates who can regain for your districts the influences you have lost.

Without the South there would be no Democratic Party, and without the help of the southern Democrats you could not accomplish a thing. By reason of their long services in the House the southern Democrats now wield an influence all out of proportion to their numerical strength, and as a rule they occupy committee positions that give them added power and influence; and they will be here when many of you are gone.

These false tirades against the South must stop. If they are to be made at all, let them come from some irresponsible Members on the Republican side; but if you who sit on our side are going to assault your own ranks, then do it in the open, and do not be playing the roll of Judas Iscariot toward the southern Democrats.

This bill would not prevent a single lynching, and you know it. It is not intended for that purpose. You are being dominated by a few Negro politicians who are in league with the Communists, who, in turn, are attempting to destroy this Republic and are turning heaven and earth to stir up trouble between the two races in the Southern States.

You are not only giving them aid and comfort, but by your conduct you are doing President Roosevelt and his administration the greatest possible injury. The Republicans would be delighted to see you cut President Roosevelt's throat politically, and are therefore voting with you on this vicious measure. They want to see it laid in his lap. They know that if he signs it, it will ruin him in the Southern States; and that if he vetoes it, they can get the benefit of the Negro votes this vicious measure would influence in the North.

It is time to stop this silly, asinine, stupid performance, and get down to the business of the Nation. This stuff is beneath the dignity of men who are worthy to be Representatives in the Congress of the United States. Besides, the country is getting tired of the vicious, false insinuations against the white people of the South, inspired, as I said, by the Communists, who are gloating over the damage such measures as this do to the peace and well-being of the people of both races throughout the country, and especially in the South.

The gentleman from New York [Mr. FISH] has been running for President on the Republican ticket on this issue for 20 years, and up to date he has only been able to get one vote, one time, in one convention in all those years, and that was a vote for Vice President and came from a State that does not have enough Negroes in it to do the cooking—and I am told that the delegate who cast that vote was a very old man who probably thought he was voting for the gentleman's grandfather. He does not stand any more chance to be nominated for President, even on the Republican ticket, on this silly issue than Governor Bob Taylor's gutta-percha dog did to "catch the asbestos cat in Hades." [Laughter and applause.]

In fact, if the white people in his district ever understand the stupidity of this measure he will never even come back to Congress, he will not even be nominated. The white people of the district will want somebody down here who will represent them, and the Negroes in the district will certainly

want somebody who will not be stirring up trouble for them all the time.

You are creating trouble here in the District of Columbia, coaxing Negroes in here by the thousands to fill the relief rolls, until they have become almost intolerable. Inspired by a bunch of Communists in Baltimore, Negroes have been picketing the Peoples Drug Stores here in Washington for the past 2 years, trying to force them to fill their stores with Negro clerks. I wish the people you are sent down here to represent could go down here and witness the disgusting spectacle of big, burly Negroes picketing white drug stores, day after day, for 2 years, in order to try to force themselves in there as clerks where decent white women have to trade.

They now have a plan worked out to move at least one Negro family into every white residential block in the city. That is not only laying the groundwork for serious trouble between the races, but it will ruin real-estate values in the District of Columbia. Look how the white people are moving out into Maryland and Virginia where they can live in decent surroundings and where their women and children are protected.

These Communists are doing their best to force the Negro back into politics in the Southern States. One of their plans is to repeal the poll taxes in order to drag every ignorant Negro to the polls and bring back all the horrors of Reconstruction from which our people suffered in the years gone by.

These things are going to fail; you could not force Negro equality or Negro rule on the people of the South in a thousand years. As Henry W. Grady once said, we wrested the South from Negro rule when Federal drumbeats rolled nearer and Federal bayonets hedged closer about the ballot boxes of the South than it ever will again in this Republic.

The more you stir this trouble, the more Negroes you coax into the Northern States to fill your relief rolls and add to the already perplexing problems with which you and your children will have to deal. A very distinguished gentleman from Ohio told me a day or two ago that in his city 90 percent of the Negroes were on a public pay roll—mostly on relief or W. P. A. Look at the relief rolls in the District of Columbia and note the thousands of Negroes that have crowded in here and become wards of the Federal Government. I am told that they are even inviting them to New York City in order to put them on the relief roll or the W. P. A. roll and vote them in the next election.

Who is going to pay for all this? Who is going to bear this burden? If you repeal the poll taxes in the Southern States, in addition to all the other demoralizing results, it will take millions of dollars away from our school funds. Then who will pay our teachers? Are we going to be called upon to further tax the already overburdened white people of these States in order to furnish free education to these Negroes and to bring back a condition against which our people fought, bled, and died during the dark days of reconstruction? Are you going to continue to agitate this question until you break the taxpayers of your States and your cities, or until the flames of race hatred burst into riots, with all their devastating consequences?

The Negro is a tenant at sufferance wherever he comes in contact with the white man. His very existence depends upon that friendly relationship which has so long existed between the whites and blacks in the South, and which you are now attempting to destroy. When you disturb that peaceful relationship, the Negro must move on. Look at the thousands of them in Arkansas and in southern Missouri that have been stirred up by these Communists and now cannot find employment because white people do not want them on their lands. What is to become of them? Would you keep a Negro on your place if your wife and children were afraid of him? Certainly not!

You voted down the amendment offered by the gentleman from Mississippi [Mr. COLMER] to make this bill apply to gang murders. Why did you do that? Why were you not honest enough to vote it in and protect the innocent people in your own States who are being murdered by thugs every year? By voting down that amendment you refused to pro-

tect the innocent white man or the innocent Negro. He must be charged with a crime before this law will protect him. In other words, you can lynch all the innocent Negroes and all the innocent white people you want to, and the law does not apply. But you would protect the Negro rapist and even remunerate his family at the expense of the family of his victim and their neighbors.

It has been brought out here that lynching is on the wane and has almost disappeared in the Southern States. The reason of that is that improved communication facilities, the vigilance of the white people of the South and that of the better element of the black race, together with the swiftness and certainty of punishment, have largely put a stop to the perpetration of those crimes for which Negroes have been put to death.

In the North you mob them en masse. There were more Negroes killed in one race riot in Springfield, Ill., the home town of Abraham Lincoln, a few years ago than have been lynched in Mississippi in all its history. There were more Negroes mobbed in one race riot in Chicago, Ill., than have been lynched in all the Southern States since the Civil War. The same thing occurred in East St. Louis, and the same thing will occur in Cleveland, Ohio; Detroit, Mich.; New York City; Pittsburgh, Pa., and all the other large cities of the North if this agitation continues. Instead of helping to do away with lynching, you are agitating race hatred and stirring up trouble for yourselves and your children.

But this law does not protect the innocent Negroes who are mobbed and whose houses are burned and whose children are killed by mobs in these riots in cities like Springfield, Ill., Chicago, or East St. Louis. It is designed to protect only the Negroes who outrage or murder innocent white women and children.

You try to leave the impression that the few Negroes who were put to death in the South were innocent. Let us take a few instances and see what actually occurred.

A few years ago in the suburbs of one of the leading towns in Mississippi a little woman was standing before the mirror dressing to go to a W. C. T. U. meeting—I see the gentleman from New York [Mr. GAVAGAN] laughs at that; I am not surprised. A Negro brute approached the house, eased up onto the veranda, and crawled through a window. She saw him, reached in the bureau drawer and picked up her husband's pistol and pointed it at him. He saw from her terror-stricken face and trembling hand that she was unable to pull the trigger. He walked up, took the pistol from her hand, stuck it in his pocket, choked her into insensibility, raped her several times, then took her husband's razor from the bureau drawer and cut her throat from ear to ear and left her weltering in her own blood in the parlor of her own home. There was no question about his identity. When they caught him, he confessed, told how it happened, and told them where to find both the pistol and the razor.

I wonder what would have happened if that had been your sister, or your wife, or your daughter? Probably the next one will be.

But you would have the country believe that this was a poor, innocent victim of the lawless white people of the community; and under this bill you would send the sheriff of the county to the penitentiary and then tax the county \$10,000 to pay to the family of this vicious brute.

This encourages others to perpetrate the same offense.

I remember some years ago there was a Negro in jail in a little town in north central Mississippi. The jailer got sorry for him and made a trusty of him. He sent him out to his house on an errand, and while there he attempted to rape the daughter of his benefactor, a beautiful girl about 16 years old. The girl's mother rushed between him and his intended victim, when he produced a razor and slashed the mother's throat. With her lifeblood gushing between her fingers, she held her throat with one hand and fought that Negro with the other until her daughter could escape and help could arrive, when she fainted and expired.

I wonder what would have happened if that had occurred in your town? What would you have done if that had been

your daughter? These are the things you are encouraging by your agitation of this measure.

When you had this measure up before during a Republican administration, after certain Members had delivered themselves of their usual tirade against the South, the telephone operator down at the Driscoll Hotel, right at the foot of Capitol Hill, was waylaid on her way home and raped by a brutal Negro on the Capitol Grounds—right in front of the Library of Congress.

Just the other day in one of the leading restaurants in Washington—less than four blocks from the White House—a young white woman, the wife of a prominent man from Pennsylvania, went into the washroom to wash her hands, when a brutal Negro followed her, slipped in and locked the door, choked her into insensibility, and raped her and escaped. That is the kind of stuff you are encouraging by slobbering on these Negroes.

It is not safe for a white woman to walk the streets of Washington at night without an escort. The Negroes are driving the white women, and especially the white children, from the parks of this city. All this is building up trouble that is likely to burst into a race riot the like of which the country has never seen. You had better stop this foolishness before it is too late and pay some attention to people who know something about the subject. The Negro is not a sun-burnt Yankee. He is of a different race and must be dealt with as such.

I remember some years ago, down near Memphis, Tenn., a little girl of 12 or 13 years of age had to walk to school something like a half mile. There was only one point along the road where she was out of sight of either her home or the schoolhouse. Her fond mother would stand in the door and watch her until she reached that point, knowing that when she had gone 50 or 75 yards farther she would be in sight of the schoolhouse.

A Negro man concealed himself at this point, waylaid this little girl, seized her, raped her, then took his ax and chopped her head off, and buried her head and her body at different places in an old slough.

What would have happened if that had been your child?

I am sorry to relate these horrible things, but somebody must tell the Congress and the American people the truth about this proposition, and you have not done it.

These are just a few of the bestial outrages that have brought summary punishment to the perpetrators of these crimes. I have not related some of the worst ones.

Now, we are going to protect the white women and children of the South at all costs, and we are going to protect the innocent Negroes, if you will let us. This law would hamper our State and county governments in their attempts to protect either of them.

About 3 years ago a white man living in one of the counties I represent had a Negro living on his place. One night this Negro came to his house, called him out, knocked him in the head, went into the house, locked the door and outraged his wife for 2 or 3 days, in a manner too horrible to relate.

He then killed her, wrapped the bodies in tow sacks, buried them, got in the man's car and drove away. This home was somewhat isolated, and it was several days before these people were missed, and then people just thought they had gone away on a visit. They finally found this Negro driving this car in Alabama, and when pinned down he confessed and told where to find the bodies.

It was with the utmost difficulty, and at great expense, that the strong arm of the constituted authorities in both Alabama and Mississippi protected this wretch from the hands of an infuriated mob.

But these Negro-pandering demagogues never give us credit for the sacrifices we make to prevent mob violence, and which probably would not be prevented in other sections of the country.

At this very moment, the National Guard in my own State is protecting a Negro criminal, an outlaw, a murderer, until the court can try him, and it is costing the taxpayers of Mississippi thousands of dollars to do so. You do not give us credit for all the effort we have put forth, all the money

we have spent, and all the peace officers of the South who have been killed or injured in trying to prevent lynching; but as compensation for our efforts and our troubles, you drag this stupid measure in here and malign and misrepresent the white people of the South and stir these vicious Negroes to renewed attacks, endanger the lives of our women and children and make it impossible for Negroes to continue to live peacefully in many communities where they have been for generations.

The white people of the South are not enemies of the Negro. They are the best friends he ever had. We were not responsible for Negro slavery, nor would we have it returned. Those Negroes were sold to us by the people in the Northern States, largely in Massachusetts, and it has been a problem ever since what to do with them. Had it ever occurred to you that slavery never became immoral in some Northern States, and especially in Massachusetts, until they had sold all their Negroes and got the money for them?

We in the South did not reduce the Negro to slavery, as some people would have you believe. We elevated him from the position of savage to that of servant, started him on the road toward civilization, and showed him for the first time the light of a Christianity, through the unfortunate instrumentality of slavery.

For tens of thousands of years, the Negro had roamed at will over the continent of Africa, the richest country in all the world, feasting upon his fellowman, and had never even developed the art of agriculture to the extent of making his living out of the ground. For countless ages he had trod the sands of his native soil with diamonds beneath his feet, and never even dreamed of the theory of values.

He saw the dawn of civilization and watched the pageant of the centuries pass without so much as manifesting a desire to participate in progress. He bowed beneath his master's whip at the building of the pyramids, and watched succeeding civilizations rise and fall, and all he ever learned was to construct a rude shelter of bark and grass with which to shield his head from the beating rays of a tropical sun until he was brought to America and taught the rudiments of civilization and shown the sunlight of Christianity by the white people of the Southern States.

For 300 years he has enjoyed the richest blessings his race has ever known as a result of the care and training given him by his white friends in the South. This has been brought about by the only peaceful relationship that can ever exist between the whites and blacks living side by side, and that is a complete segregation of the two races.

Yet you would destroy this relationship, bring trouble to the white people and misery to the Negroes in order to placate a few communistic agitators or get a few Negro votes in your own districts.

God save the white people of this Nation from such Representatives!

God save the Negro from such "friends!" [Applause.]

The CHAIRMAN. The question is on the motion of the gentleman from Mississippi to strike out the enacting clause.

The question was taken; and on a division (demanded by Mr. RANKIN) there were—ayes 62, noes 128.

So the motion was rejected.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: On page 2, strike out all of line 5 and down to and including the word "offense", in line 6.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. HOFFMAN. Mr. Chairman, is the amendment in order?

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. HOFFMAN. Mr. Chairman, this is in part the same thing I tried to do by the amendment offered to strike part of the last three lines on page 1 when the Chairman ruled the amendment was not germane. However, you twist it around a little and strike out instead of adding to, and then the amendment is proper. I am glad I have learned that.

The purpose of this amendment is just this: You look at the last three lines on page 1 of the bill and you notice that the purpose of the law is to assure to persons within the jurisdiction of the States "equal protection and due process of law to all persons charged with or suspected or convicted of any offense."

Now, the title of the bill is to extend due process of law and equal protection of the law to all persons within the jurisdiction of the States. It says "to all persons." Is there anyone in the House who does not believe that due process of law or that equal protection of the law should be extended to a man who has never been suspected of, charged with, or convicted of a crime? But this bill—and there is no doubt about it—is limited in that it extends that protection of equality and due process only to those persons who have been charged with or suspected or convicted of an offense.

What an absurdity? If a man has been convicted—if a man convicted has been lynched, under this bill, his dependents can recover from \$2,000 to \$10,000. That is all right; but under this bill, if in the course of rioting, if in bringing about the lynching, that mob causes the death of an innocent bystander, his dependents cannot recover one cent because the law does not extend its protection to any person anywhere unless he has been charged with or suspected or convicted of an offense. I ask the attention of the gentleman from New York [Mr. FISH]. If he wants to extend the protection of the Constitution to every citizen of the United States, to give to the law abiding as well as to the convicted the protection of the law—due process of the law—why not strike out the words that I have indicated in my amendment and extend the protection that he wants to give by this bill to all those 129,000,000 citizens who have not been suspected of a crime, who have not been accused of a crime, who have not been convicted of a crime? When we fail to do that, when we sit here and pass a bill like this and fail to extend that protection to the innocent, as well as to those suspected of a crime or found guilty, do we not demonstrate to the people at large that we are not sincere, or that we have not read the bill—one or the other—and that we do not realize what is in it? Why not adopt this amendment?

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. HINSHAW. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I want very much to support a piece of legislation which will effectively curb the practice of lynching, and I want to support a piece of legislation that will protect the innocent from destruction by mob violence. I do not believe that this bill adequately protects the innocent, unless the amendment of our friend from Michigan [Mr. HOFFMAN] is adopted. It protects only those who are suspected of or are accused of or convicted of a crime. There are many people who have been lynched in the past, no doubt, who have not been legally "suspected" of a crime. I took the trouble to look for the word "suspected" in Bouvier's legal dictionary, and I cannot find it in that dictionary. There is no legal interpretation of the word "suspected" that I can find in that dictionary. Therefore, the word "suspected" must be a very difficult one for any court to construe. If a man is legally suspected, there probably must have been some action or conclusion on the part of the sheriff or some other law-enforcing officer. No judge could decide whether a lynched man had been suspected of a crime if the peace officers charged with the duty of preserving order in the area did not have knowledge sufficient to cast suspicion upon him. Finally, if a man were lynched whom the peace officers were trying diligently to protect from lynching simply because they were convinced he was innocent, the family would receive no benefit under this bill, as I read it. A man must have been taken into custody or be legally suspected, accused, or convicted of a crime before he becomes entitled to protection under this bill. I, therefore, suggest to my colleagues on the left that they consider this matter seriously and adopt the amendment of the gentleman from Michigan in order to protect the innocent. That is the sort of person I am most interested in protecting.

Mr. GAVAGAN. Mr. Chairman, I rise in opposition to the amendment. Naturally, I must oppose this amendment, for it attempts to strike at the very constitutional heart of the bill. We cannot cover constitutionally—that is, federally, and I am speaking of the Federal Government under the Constitution—every crime committed in every State. We must have constitutional mandate to do that, and it is only where due process of law, the equal protection of the law, is denied by the judicial or the police officers of the State that the Federal Government can interfere.

Mr. HOBBS. Mr. Chairman, will the gentleman yield?

Mr. GAVAGAN. Yes.

Mr. HOBBS. Will the gentleman take the other minute allowed him and explain why guilt or innocence of the person lynched makes any difference within the meaning of the equal protection of the law phase of the fourteenth amendment?

Mr. GAVAGAN. It makes this difference, that we have in this country in criminal proceedings a presumption of innocence, and coming down to us from the Magna Carta, the right of trial by a jury of his peers. I thought all Americans knew that. I sincerely hope that this amendment will be defeated.

Mr. VORYS of Ohio. Mr. Chairman, I move to strike out the last word. It will be noted in lines 7 and 8, on page 2, that the mob must act "with the purpose or consequence of preventing the apprehension or trial or punishment" by law of such citizen or citizens. These words are left in by the proposed amendment of the gentleman from Michigan, and these words are, in my mind, the important words which make this bill apply to an attempt to deprive a citizen of his constitutional rights. Naturally there would be no purpose or consequence of preventing apprehension or trial or punishment unless the person involved was either suspected of, charged with, or convicted of some offense. Therefore the amendment which is offered is rather senseless, because the important words are left in. This amendment and others which attempt to strike out the feature which brings this bill under the Constitution should be defeated.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. Yes.

Mr. HINSHAW. Mr. Chairman, will the gentleman give me a legal definition of the word "suspected"?

Mr. VORYS of Ohio. I think the ordinary meaning of the word "suspected" and the ordinary meaning of the words "suspected of, charged with, or convicted of an offense" cover the three descriptions of a person that a mob might attempt to keep from having proper trial or punishment by law.

Mr. HINSHAW. Does the gentleman recognize the fact that a man might be lynched without any knowledge on the part of the law-enforcing agency itself, or without accusation or suspicion or conviction by the law?

Mr. VORYS of Ohio. This bill does not attempt to cover every murder or every lynching, as that term is popularly used. It sets up its own rather carefully defined description of what a mob and lynching should be.

Mr. HINSHAW. You are trying to protect in this bill those people against whom the probability of guilt is strong, but you are not protecting the innocent in any way.

Mr. VORYS of Ohio. No. You are protecting everybody against the denial of equal justice, equal protection of the law, and denial of due process. A person is not even taken into custody unless he is either suspected, charged with, or convicted of some offense.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield to the gentleman.

Mr. HOFFMAN. According to the title, you say you are going to protect every person within the jurisdiction of the court—give due process of law and equal protection of the law?

Mr. VORYS of Ohio. That is right.

Mr. HOFFMAN. What is the reason that the Constitution cannot protect a man who is lynched when he is innocent and has never been suspected of a crime, or a person who is killed while a mob is lynching someone—an innocent bystander? Why can you not protect him just as well as the man who is guilty?

Mr. VORYS of Ohio. This bill would protect both the guilty and the innocent against denial of due process of law. The purpose of this bill is to require legal processes within the State. That is the reason it does not interfere with State's rights.

Mr. HOFFMAN. The last three lines of your first section limit the protection to those who are suspected of, convicted of, or charged with, a crime. It does not apply to the innocent man.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

The pro forma amendments were withdrawn.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The question was taken; and on a division (demanded by Mr. HOFFMAN) there were—ayes 54, noes 87.

So the amendment was rejected.

Mr. HOFFMAN. Mr. Chairman, I had three other amendments on the Clerk's desk. If they may be considered together and voted on I will not speak.

The CHAIRMAN. The gentleman asks unanimous consent that three amendments at the Clerk's desk be offered and considered together and voted on at the same time. Is there objection to the gentleman's request?

There was no objection.

The CHAIRMAN. The Clerk will report the amendments offered by the gentleman from Michigan.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: On Page 2, line 4, after the syllable "ment", insert a comma and the words "or coercion or intimidation"; and after the word "persons", at the end of line 4, add the words "who may have a job and who may desire to work or who may be."

Amendment offered by Mr. HOFFMAN: On page 2, line 7, after the word "preventing," insert the following: "any person from working in any place of employment or at any job which he may have and of preventing."

Amendment offered by Mr. HOFFMAN: Page 2, line 11, after the last word in line 11, "thereof", insert the following: "or in preventing any person who has a job from working at that job."

The CHAIRMAN. The question is on agreeing to the amendments offered by the gentleman from Michigan.

The question was taken; and on a division (demanded by Mr. HOFFMAN) there were—ayes 25, noes 98.

So the amendments were rejected.

Mr. HOFFMAN. Mr. Chairman, I raise the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is present on the count of the Chair just made.

The Clerk will read.

The Clerk read as follows:

SEC. 3. Whenever a lynching occurs, any officer or employee of a State or any governmental subdivision thereof who is charged with the duty or possesses the authority to protect such person or persons from lynching, and neglects or refuses to make all diligent efforts to protect such person or persons from lynching, or who has custody of the person or persons lynched and neglects or refuses to make all diligent efforts to protect such person or persons from lynching, or who is charged with the duty or possesses the authority to apprehend, keep in custody, or prosecute the members or any member of the lynching mob and neglects or refuses to make diligent efforts so to do, shall be guilty of a felony and upon conviction thereof shall be punished by a fine not exceeding \$5,000 or by imprisonment not exceeding 5 years, or by both such fine and imprisonment.

SEC. 4. Whenever a lynching of any person or persons occurs and information on oath is submitted to the Attorney General of the United States that any officer or employee of a State or any governmental subdivision thereof who was charged with the duty or possessed the authority to protect such person or persons from lynching, or who had custody of the person or persons lynched, has neglected or refused to make all diligent efforts to protect such person or persons from lynching, or has neglected or refused to make all diligent efforts to apprehend, keep in custody, or prosecute the members or any member of the lynching mob, the Attorney General of the United States shall cause an investigation to be made to inquire whether there has been any violation of this act.

SEC. 5. (1) Every governmental subdivision of a State to which the State shall have delegated functions of police shall be civilly liable for any lynching which occurs within its territorial jurisdiction or which follows upon seizure and abduction of the victim or victims by a mob within its territorial jurisdiction, in every case in which any officer (or officers) of that governmental subdivision charged with the duty or possessing the authority of preserving

the peace, or citizens thereof when called upon by any such officer, have neglected or refused to use all diligence and all powers vested in them for the protection of the person or persons lynched. In every such case the culpable governmental subdivision shall be liable to each person injured, or to his or her next of kin if such injury results in death, for a sum not less than \$2,000 and not more than \$10,000 as monetary compensation for such injury or death: *Provided*, That the satisfaction of judgment against one governmental subdivision responsible for a lynching shall bar further proceedings against any other governmental subdivision which may also be responsible for that lynching.

(2) Liability arising under this section may be enforced and the compensation herein provided for may be recovered in a civil action in the United States district court for the judicial district of which the defendant governmental subdivision is a part. Such action shall be brought and prosecuted by the Attorney General of the United States or his duly authorized representative in the name of the United States for the use of the real party in interest, or, if the claimant or claimants shall so elect, by counsel employed by the claimant or claimants, but in any event without prepayment of costs. If the amount of any such judgment is not paid upon demand, payment thereof may be enforced by any process available under the State law for the enforcement of any other money judgment against such a governmental subdivision. Any officer of such governmental subdivision or any person who disobeys or fails to comply with any lawful order or decree of the court for the enforcement of the judgment shall be guilty of contempt of that court and punished accordingly. The cause of action accruing hereunder to a person injured by lynching shall not abate with the subsequent death of that person before final judgment but shall survive to his or her next of kin. For the purpose of this act the next of kin of a deceased victim of lynching shall be determined according to the laws of intestate distribution in the State of domicile of the decedent. Any judgment or award under this act shall be exempt from all claims of creditors.

(3) Any judge of the United States district court for the judicial district wherein any suit is instituted under the provisions of this act may by order direct that such suit be tried in any division of such district as he may designate in such order.

(4) In any action instituted under this section, a showing either (a) that any peace officer or officers of the defendant governmental subdivision after timely notice of danger of mob violence failed to provide protection for the person subsequently lynched, or (b) that apprehension of danger of mob violence was general within the community where the abduction or lynching occurred, or (c) of any other circumstance or circumstances from which the trier of fact might reasonably conclude that the governmental subdivision had failed to use all diligence to protect the person or persons abducted or lynched, shall be prima facie evidence of liability.

Mr. PACE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PACE: On page 5, line 24, strike out all of subsection (4), section 5.

Mr. PACE. Mr. Chairman, I think I can say that this amendment should be offered for the purpose of maintaining the self-respect of the Congress. It is the prima facie section. It is not essential to the bill. It is a section that sets out how you can make a prima facie case of liability against a county for the \$10,000 damages.

Please understand that the bill provides that if a person is apprehended in your county and brought to my county and lynched, your county is liable for \$10,000 and my county is liable for \$10,000. This section that I seek to strike provides that if there was apprehension of mob violence in your county, which, we will say, is 100 miles from my county, where the lynching took place, but the culprit was taken from your county—if there is any apprehension or rumor of mob violence in your county and the culprit is brought, in the dead of night, to my county, brought across the line and lynched within my county, the people of my county are liable for \$10,000 in damages. The bill does not require that there shall be apprehension or rumors of lynching in my county, but only over yonder where the abduction took place. Certainly not even the author of the bill really would insist upon such an absurd thing as that—that a mere rumor in a county 100 miles from where the lynching took place, or yet in another county entirely, makes out a prima facie case against the county where it does take place for damages of \$10,000. I am, of course, opposed to the bill in all its features, but certainly not even the author of the bill would want to go to that length.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. PACE. I yield.

Mr. VORYS of Ohio. I think the gentleman is in error in his construction of section 5 in that if his county were, we

will say, the scene of a lynching, his county could only be civilly liable if the officers of the county were negligent or refused to use diligence. The county would not be liable unless the officers were negligent or refused to use diligence whether the lynching were in the gentleman's county or some other county.

Mr. PACE. But the gentleman forgets that you make out a prima facie case against my county that there was lack of diligence by showing that there was an apprehension of mob violence 100 or 200 miles away. That would put the entire burden on us instead of where it belonged. Surely the gentleman would not maintain that the burden should be on my county when a culprit is brought 100 miles into my county and lynched in my county. I call the gentleman's attention to the language appearing on page 6 in lines 3, 4, and 5:

That apprehension of danger of mob violence was general within the community where the abduction or lynching occurred.

Certainly that is absurd, and the gentleman would not support any measure that states that that would make out a prima facie case in court for \$10,000 against the county. I say it is just absurd, and I do not believe anyone here who has any respect for the law would want to support it. As I said, I am opposed to the bill in all its features, but let us not go to the absurd of absurdities.

Mr. CREAL. Mr. Chairman, will the gentleman yield?

Mr. PACE. I yield.

Mr. CREAL. The gentleman has said a great deal about a prima facie case. There is no prima facie evidence in the matter at all. Because a lynching took place, it must be at least they have evidence; a case must be made out and proved of misfeasance or malfeasance. It would be the same thing as violation of the law.

Mr. PACE. The gentleman has not read this section.

Mr. CREAL. There is no prima facie case in the lynching.

Mr. PACE. This applies to the \$10,000 damages against the county either where the lynching occurred or where the person was seized.

Mr. CREAL. That is not prima facie. There is no prima facie anywhere in the bill.

Mr. PACE. Well, read it; read it. The language states plainly "shall be prima facie evidence of liability." What does the gentleman maintain these words mean? It means that you have made out a prima facie case against the county when you show that there was apprehension of mob violence 100 miles away.

Mr. GAVAGAN. Mr. Chairman, will the gentleman yield?

Mr. PACE. I yield.

Mr. GAVAGAN. I believe the gentleman is absolutely in error in the weight that he gives to the words "prima facie." I believe he confuses in his mind the ultimate burden of proof with the burden of proof of going forward with the evidence. This creates the burden of proof of going forward with the evidence, but not the burden of proof of establishing the ultimate issue.

This gives the county the opportunity to come in and say: "This mob violence happened way yonder 200 or 300 miles. We had no opportunity to know about it or to protect against it." That then defeats the prima facie case of going forward with the evidence.

Mr. PACE. You have, of course, the right to overcome a prima facie case; but I submit to the gentleman—and I believe that in his calmer moments he will agree with me—that it would be utterly ridiculous to say that a prima facie case is made out against a county by simply saying that there was a rumor of violence 50 or 100 or 500 miles away. Should this bill become law, of course, nobody is ever going to be lynched in the county where the crime is committed. Everybody is going to have sense enough to take the culprit into somebody else's county and make them pay for it.

Let me repeat, I am against in any and every form, and have offered this amendment to show you to what extent you will go when you try to take a hand in somebody else's business. It is futile and absurd.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. PACE].

The question was taken; and on a division (demanded by Mr. PACE) there were—ayes 37, noes 79.

So the amendment was rejected.

The Clerk read as follows:

SEC. 6. If any particular provision, sentence, or clause, or provisions, sentences, or clauses, of this act, or the application thereof to any particular person or circumstance, is held invalid, the remainder of this act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

The CHAIRMAN. Under the rule, the Committee rises automatically.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. McCORMACK, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 801, pursuant to House Resolution 103, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. FISH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 252, nays 131, not voting 40, as follows:

[Roll No. 5]
YEAS—252

Alexander	Edmiston	Kee	Rabaut
Allen, Ill.	Elliott	Keefe	Randolph
Andersen, H. Carl	Elston	Keller	Reece, Tenn.
Anderson, Calif.	Engel	Kelly	Reed, Ill.
Anderson, Mo.	Englebright	Kennedy, Martin	Rees, Kans.
Angell	Evans	Kennedy, Md.	Rich
Arends	Faddis	Kennedy, Michael	Risk
Arnold	Fay	Keogh	Robinson, Utah
Austin	Fenton	Klinzer	Robson, Ky.
Barnes	Fish	Kirwan	Rockefeller
Barry	Fitzpatrick	Kocalkowski	Rodgers, Pa.
Barton	Flannery	Kramer	Rogers, Mass.
Bates, Mass.	Ford, Leland M.	Kunkel	Routzohn
Beam	Ford, Thomas F.	Landis	Rutherford
Bender	Fries	Larrabee	Ryan
Blackney	Gamble	LeCompte	Sacks
Bloom	Gartner	Lemke	Sandager
Boehne	Gavagan	Lesinski	Sasscer
Boland	Gearhart	Lewis, Ohio	Schaefer, Ill.
Bolles	Gehrmann	Luce	Schaefer, Wis.
Bradley, Pa.	Gerlach	Ludlow	Schiffier
Brewster	Gifford	McAndrews	Schuetz
Brown, Ohio	Gilchrist	McCormack	Schulte
Buck	Graham	McDowell	Secombe
Buckley, N. Y.	Grant, Ind.	McGranery	Secrest
Byrne, N. Y.	Gross	McKeough	Seger
Byron	Guyer, Kans.	McLaughlin	Shafer, Mich.
Carlson	Gwynne	McLean	Shanley
Carter	Hall, Edwin A.	McLeod	Shannon
Casey, Mass.	Hall, Leonard W.	Maas	Sheppard
Celler	Halleck	Magnuson	Sheridan
Chipherfield	Hancock	Marcantonio	Short
Church	Harness	Marshall	Simpson
Clason	Hart	Martin, Ill.	Smith, Conn.
Claypool	Harter, N. Y.	Martin, Iowa	Smith, Maine
Cochran	Harter, Ohio	Martin, Mass.	Smith, Ohio
Coffee, Wash.	Hartley	Mason	Smith, Wash.
Cole, Md.	Havenner	Merritt	Smith, W. Va.
Connery	Hawks	Michener	Snyder
Corbett	Healey	Miller	Somers, N. Y.
Costello	Hess	Mitchell	Springer
Crawford	Hinshaw	Monkiewicz	Stearns, N. H.
Creal	Holmes	Mott	Stefan
Crosser	Hope	Mundt	Sullivan
Crowe	Horton	Murray	Sumner, Ill.
Crowther	Houston	Myers	Sutphin
Culkin	Hull	Norton	Sweeney
Cullen	Hunter	O'Brien	Taber
D'Alesandro	Izac	O'Connor	Talle
Delaney	Jacobsen	O'Day	Tenerowicz
Dickstein	Jeffries	O'Leary	Thill
Dingell	Jenkins, Ohio	Oliver	Thomas, N. J.
Dirksen	Jenks, N. H.	Osmer	Thorkelson
Ditter	Jennings	O'Toole	Tibbott
Douglas	Jensen	Parsons	Tinkham
Dowell	Johns	Pfeifer	Tolan
Dunn	Johnson, Ind.	Pittenger	Treadway
Dworshak	Johnson, W. Va.	Plumley	Van Zandt
Eaton	Jones, Ohio	Polk	Voorhis, Calif.
Eberhart	Kean	Powers	Vorys, Ohio

Vreeland
Wallgren
Walter

Ward
Welch
White, Ohio

Williams, Del.
Winter
Wolcott

Wolfenden, Pa.
Wolverton, N. J.
Youngdahl

NAYS—131

Allen, Pa.
Andrews
Ball
Barden
Bates, Ky.
Beckworth
Bland
Boren
Boykin
Brooks
Brown, Ga.
Bryson
Bulwinkle
Burch
Burdick
Burgin
Byrns, Tenn.
Caldwell
Camp
Cannon, Fla.
Cannon, Mo.
Cartwright
Chapman
Clark
Cluett
Coffee, Nebr.
Cole, N. Y.
Collins
Colmer
Cooley
Cooper
Courtney
Cox

Cravens
Cummings
Curtis
Darden
Disney
Doughton
Doxey
Drewry
Duncan
Durham
Ellis
Flannagan
Folger
Ford, Miss.
Fulmer
Garrett
Gathings
Gibbs
Gore
Gossett
Grant, Ala.
Green
Gregory
Hare
Hendricks
Hill
Hobbs
Hoffman
Hook
Jarman
Johnson, Okla.
Johnson, Luthera.
Johnson, Lyndon
Poage

Jones, Tex.
Kefauver
Kerr
Kilday
Kitchens
Kleberg
Lanham
Lea
Leavy
Lewis, Colo.
McGehee
McMillan, Clara G.
McMillan, John L.
Mahon
Massingale
May
Mills, Ark.
Mills, La.
Moser
Murdock, Ariz.
Murdock, Utah
Nelson
Norrell
O'Neal
Pace
Patman
Patrick
Patton
Pearson
Peterson, Fla.
Peterson, Ga.
Pierce
Poage

Ramspeck
Rankin
Rayburn
Richards
Robertson
Rogers, Okla.
Romjue
Satterfield
Scrugham
Smith, Va.
South
Sparkman
Spence
Starnes, Ala.
Steagall
Summers, Tex.
Tarver
Taylor
Terry
Thomas, Tex.
Thomason
Vincent, Ky.
Vinson, Ga.
Wadsworth
Warren
Weaver
Wheelchel
White, Idaho
Whittington
Williams, Mo.
Woodrum, Va.
Zimmerman

NOT VOTING—40

Allen, La.
Andresen, A. H.
Bell
Bradley, Mich.
Buckler, Minn.
Case, S. Dak.
Clevenger
Darrow
Dempsey
DeRouen

Dies
Dondero
Ferguson
Fernandez
Flaherty
Geyer, Calif.
Gillie
Griffith
Harrington
Hennings

Jarrett
Johnson, Ill.
Knutson
Lambertson
McArdle
Maciejewski
Maloney
Mansfield
Monroney
Mouton

Nichols
Reed, N. Y.
Sabath
Schwert
Smith, Ill.
West
Wheat
Wigglesworth
Wood
Woodruff, Mich.

So the bill was passed.

Mr. FISH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FISH. I would like to know whether it is proper to propose a unanimous consent at this time?

The SPEAKER. Not at this juncture. The Clerk will report the pairs.

The Clerk announced the following pairs:

On this vote:

Mr. Hennings (for) with Mr. DeRouen (against).
Mr. Jarrett (for) with Mr. Griffith (against).
Mr. Maciejewski (for) with Mr. Maloney (against).
Mr. Wigglesworth (for) with Mr. Mouton (against).
Mr. Geyer of California (for) with Mr. West (against).
Mr. Schwert (for) with Mr. Allen of Louisiana (against).
Mr. Darrow (for) with Mr. Fernandez (against).
Mr. Sabath (for) with Mr. Mansfield (against).

General pairs:

Mr. Bell with Mr. Dondero.
Mr. Ferguson with Mr. Knutson.
Mr. Dempsey with Mr. Reed of New York.
Mr. Harrington with Mr. Woodruff of Michigan.
Mr. McArdle with Mr. Lambertson.
Mr. Nichols with Mr. Case of South Dakota.
Mr. Wood with Mr. Wheat.
Mr. Smith of Illinois with Mr. August H. Andresen.
Mr. Dies with Mr. Bradley of Michigan.
Mr. Monroney with Mr. Clevenger.
Mr. Flaherty with Mr. Johnson of Illinois.
Mr. Gillie with Mr. Buckler of Minnesota.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. EBERHARTER. Mr. Speaker, my colleague the gentleman from Pennsylvania, Mr. McARDLE, is absent on account of the death of his father. Had he been present he would have voted "yea" on the motion to discharge and "yea" on the final passage of the bill.

I ask unanimous consent to place in the RECORD at this point a telegram which I received from Mr. McARDLE to that effect.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. EBERHARTER]?

There was no objection.

The telegram referred to follows:

PITTSBURGH, PA., January 9, 1940.

HON. HERMAN EBERHARTER,

House of Representatives, Washington, D. C.:

I regret exceedingly that the death of my father, P. J. McArdle, and the necessity of remaining here to help settle his affairs makes it impossible for me to be in Washington to vote to declare lynching a Federal offense. Lynching in whatever section of the country, under whatever circumstances, and regardless of the race or creed of the victim is a barbarous custom tolerance of which is sure to create a state of mind which will condone other fundamental violations of our democratic principles.

JOSEPH A. McARDLE, M. C.

Mr. McKEOUGH. Mr. Speaker, my colleague the gentleman from Illinois, Mr. SABATH, was unexpectedly called back to Chicago this afternoon before the roll call. If he had been present, he would have voted "yea" on the passage of the bill.

EXTENSION OF REMARKS

Mr. CULKIN. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a brief newspaper clipping on conservation.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. CULKIN]?

There was no objection.

Mr. BROWN OF OHIO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD relative to the subject of export of farm products.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. BROWN]?

There was no objection.

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address made on last Monday by the Solicitor General of the United States.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. SWEENEY]?

There was no objection.

Mr. JOHN L. McMILLAN asked and was given permission to extend his own remarks in the RECORD.

Mr. THILL asked and was given permission to extend his own remarks in the RECORD.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD with reference to the bill (H. R. 7693) entitled "Granting pensions to certain soldiers, sailors, and marines who served in the Philippine uprisings and campaigns from July 5, 1902, to December 31, 1913, and for other purposes," and also to insert a letter from S. M. Booth, of Johnson City, Tenn.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. ALEXANDER]?

There was no objection.

Mr. POAGE. Mr. Speaker, I ask unanimous consent to include in my remarks made in the Committee of the Whole quotations from an editorial in yesterday's Washington Post.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. POAGE]?

There was no objection.

Mr. BOREN asked and was given permission to extend his own remarks in the RECORD.

Mr. RANKIN and Mr. NORRELL asked and were given permission to revise and extend their own remarks in the RECORD.

Mr. GAVAGAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GAVAGAN. Am I correct in the assumption the gentleman from Alabama [Mr. HOBBS] secured unanimous consent this morning for all Members to have 5 days in which to extend their own remarks in the RECORD on the bill just passed?

The SPEAKER. The gentleman is correct. It will therefore not be necessary for the Members to make individual requests to extend their own remarks on the bill just passed.

Mr. TINKHAM. Mr. Speaker, I desire, with unanimous consent, to insert in the RECORD an article by Prof. Gustav Cassel entitled "Must There Be an End to Progress?" in the October 1939 number of the Quarterly Review, issued by the

Scandinavian Bank, Stockholm, which includes several statistical tables.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including therein a list of those who attended the New Deal \$100-per-plate shake-down dinner—the Jackson Day dinner.

Mr. EBERHARTER. I object, Mr. Speaker, because of the manner in which the request was made, it being an untrue statement that it was a shake-down dinner.

Mr. MARTIN of Massachusetts. Mr. Speaker, the gentleman should either object or reserve the right to object.

The SPEAKER. The gentleman from Pennsylvania objects to the request.

ANTILYNCHING BILL

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, the vote on the antilynching bill was reached sooner than was expected. Some Members who desired to vote on it were in a committee room where the bells did not ring. I just wish to state in the RECORD the fact that the bells did not ring in that committee room and for that reason they were not present.

EXTENSION OF REMARKS

Mr. BOLLES. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement of the American Wage Earners Protective Association.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief editorial from the Block newspapers.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. Under a previous special order of the House, the gentleman from California [Mr. VOORHIS] is recognized for 30 minutes.

OUR WAR IS THE WAR AGAINST UNEMPLOYMENT

Mr. VOORHIS of California. Mr. Speaker, on all sides one hears it expressed that we want to keep this country out of war abroad. This afternoon I want to emphasize that the very best method of accomplishing that purpose is by recognizing the fact that we have a war of our own here at home to fight. It is a war we have been fighting for the past 10 years with varying degrees of success. It is a war against unemployment, primarily, and against discouragement. It is a war to restore hope, opportunity, and a smooth functioning of our economic system in America. The winning of this war will be the best answer that can be given to the challenge of any dictator in the world or to any so-called un-American activities.

We have two jobs to do, as I see it, one to work for peace and the other to win this war against unemployment. So we come to the work of this Congress and to a consideration of what our duty is in connection with it.

For the past 10 years Americans have been thinking harder than they ever have before. They have been doing this because they had to, and out of this thinking there have emerged a number of facts on which I believe pretty general agreement has been reached. One is that a basic cause of unemployment lies in the fact that the savings of the country do not go promptly into investment. Another is that whenever the volume of active consumer buying power is increased then production and employment also increase. Another is that at no time has sufficient additional purchasing

power been put into circulation to actually draw idle hoards from hiding into investment or to bring about a large enough national income to balance our Budget.

All agree that nothing is fundamentally wrong with our people, our governmental institutions, or our country generally. All can see that we have an abundance of natural resources and the most perfect productive machinery in the world. Every honest and thoughtful person knows that until all our unemployed people are put back to work and until machinery is perfected to give our producers a sustained high level of real market demand we shall not have solved our problem.

REAL JOB OF CONGRESS

The task of this Congress is to end unemployment in America. If this Congress does not do that, then it will be the task of the next Congress. It will remain the primary task and duty of every Congress until it is done. There is no running away from it, no putting it off, for the future of democracy, of human freedom, of all that Americans hold dear, depends upon our successful accomplishment of this task.

The solution of the unemployment problem must be found for us here in the United States, in my opinion, in the establishment and maintenance of a balanced relationship between production on the one hand and active consumer demand upon the other. If our people could steadily and regularly buy what our farms and industries can so easily produce and what our farms have already produced and continuously do produce, we would hold the answer to the challenge of every dictator in the world in the hollow of our hand.

FOUR MAIN FIELDS OF WORK

Therefore it seems to me there are four primary fields in which we must work, four primary fields of legislation to which I hope this Congress will address itself.

The first is the field of taxation, so that we may have a tax system which will discourage the hoarding of funds and their removal from the purchasing power stream, but which will bear as lightly as possible on active, competitive business and its consumers.

The second is the field of pensions, social-security payments, and public works, so that we can assure to the American producers that there will always be a core of sustained and dependable buying power for their goods regardless of how the economic winds may blow.

The third is the field of agriculture, and has to do with measures to adjust the disparity between agricultural and industrial income and buying power.

The fourth is in the field of money, credit, and the financial system generally, which, in my judgment, is the key to the whole situation. I say that because I am convinced it is largely our archaic, debt-based monetary system which today robs the farmers of their lands, dictates what enterprises shall and what ones shall not go forward, and even obtains its tribute from the sovereign Government of this Nation whenever that Government finds it necessary in the general public interest to increase the volume of the medium of exchange in circulation.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Idaho.

Mr. WHITE of Idaho. I do not want to interrupt the continuity of the gentleman's thought, but I do wish to ask the gentleman if he does not believe the American people as a nation have lost control of their credit and currency.

Mr. VOORHIS of California. Yes; I do think so. I think it has been done largely without the people even realizing what was happening, but I think they will continue to be in the position of having lost that control until such time as Congress exercises its constitutional duty to be the sole agency that brings money into circulation originally. I believe the function of creating a medium of exchange is a function of national sovereignty. I have said that a good many times, but I am going to go right on saying it until something is done about the matter.

TAXATION

The President has already suggested that we should take action in the field of taxation. I believe he is right in what he has said. I believe taxes on consumption are already too heavy, and would point out to you that more than half of our current Federal Government revenue is derived from indirect taxes that fall primarily on consumption. I believe if taxes are to be increased, therefore, it should be done by increasing individual income- and inheritance-tax rates and by levying taxes against excess war profits.

AN ATTACK ON MONOPOLY PROBLEM

Those of us who are sincere in wanting to preserve a free economic system in America well know that it is private monopoly which begets public monopoly, and we know also that the inheritance tax, properly and fairly levied, is one of the most available means of preventing the pyramiding in the hands of a few families of monopolistic, industrial, and financial powers.

These general matters of taxation are, of course, things that must come from the Ways and Means Committee primarily, but there is one phase of this tax question upon which I have such strong conviction myself that I have prepared a measure with regard to which I would like to speak briefly this afternoon.

H. R. 7645—TAXATION OF EXCESS PROFITS RESULTING FROM WAR TRADE

At the moment we are confronted by problems presented to us by the outbreak, a few months ago, of the war in Europe and by a continuance of hostilities in the Far East and elsewhere.

There are several matters to be thought of in this connection. The first is that the existence of war abroad inevitably offers the opportunity for increased export trade by certain American industries, particularly those associated with the production of munitions; at the same time there is quite certain to take place a curtailment in the market for certain other types of American products which are bought by foreign buyers in peacetimes, but largely dispensed with in time of war. Some American industries, therefore, will profit from the war situation, others will suffer.

In the second place, it is important to remember that during the years between 1914 and 1917 American corporations which were affected by the war demand of Europe were induced, in many cases, to greatly expand their plant capacity and thus to acquire a substantial interest in the continuance of the war itself. This development furthermore meant that this overexpanded plant capacity would probably become of little value upon the conclusion of peace and would consequently contribute to the bringing on of a post-war depression.

Finally, the question arises whether we are to depend upon the war abroad to restore a tawdry sort of temporary prosperity for this country or whether we are to attack and solve America's critical unemployment problem in a constructive way. If we effectively solve that great problem we can then offer to the dictators of the world a challenge which they cannot meet in the eyes of their own people.

For all these reasons (1) as a matter of simple justice to those lines of American industrial and agricultural business which will not only not be helped but positively injured by the war; (2) as a means of preventing an unhealthy over-expansion in the munitions and allied industries; (3) and as a first step toward the revision of our tax structure along a line more likely to be conducive to the solution of our unemployment problem—for all these reasons it seems to me essential that this Congress pass a war excess-profits tax measure.

I fully realize that there are many ways in which this problem may be handled. One method in which many people strongly believe, but which I have not employed in the preparation of my bill, is the method of basing a profits tax on the percentage of earnings on actual invested capital. I am perfectly frank to say that I am not wedded to any particular program in this connection and that I have introduced my bill primarily for the purpose of bringing this most-important matter before the Congress and the Nation.

The bill which I have introduced is based upon the principle of taxing those profits which are in excess of the average

profits derived by corporations in a base period consisting of any 3 of the following 4 income-tax years: 1935, 1936, 1937, and 1938. The taxpayer may select any 3 of these 4 years at his option, and his average profits in those years are regarded as normal profits under the terms of this bill. No special taxes are provided in the bill, however, on any profits of 5 percent or less of the adjusted declared value of capital stock, even if the average earnings of the corporation in the base period were less than that percentage. Any corporation may elect to use a figure equal to 5 percent of the adjusted declared value of its capital stock as its base period net income. On the other hand, for corporations with especially large profits during the base period the Commissioner has the option of fixing 15 percent of the adjusted declared value of the corporation's capital stock as its base-period net income. In such a case the corporation would pay war excess-profits taxes on that portion of its future earnings which exceeded 15 percent, even though its average earnings in the base period were more than that.

RELATIVE INCOME OF SMALL AND LARGE BUSINESS; EXEMPTION FOR ALL CORPORATIONS OF LESS THAN \$100,000 CAPITAL

This bill exempts completely all corporations whose capital stock is \$100,000 or less. This means that such additional burdens as the passage of this bill will entail would fall only upon the earnings of corporations having a capitalization over and above \$100,000, and in no case upon small business, but only on the larger aggregations of industrial wealth. The justification for this feature of the bill is found in an examination of the dividend records of American corporations during the years 1929 to 1935, inclusive, which show the following disparity of income. During those 6 years American corporations as a whole dipped into their reserves to cover losses totaling \$17,000,000,000. Yet in that same period a small group of 960 supercorporations, representing only two-tenths of 1 percent of the whole number, instead of losing money actually earned \$9,000,000,000, so in reality 99.8 percent of the American corporations were losing heavily in order to provide handsome earnings for 960 of the colossal corporations.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. Yes.

Mr. CRAWFORD. Does the gentleman's survey show a break-down of the earnings of that small number of corporations during the period from 1930 to 1932, inclusive?

Mr. VOORHIS of California. I do not have those figures at the moment. I know where to go to get them. Those I have given are from Standard Statistics. It would seem obvious to me that any reasonable taxing method which might affect this concentration of wealth and earning power in the hands of a few great corporations would be welcomed by Members of Congress. Again, to illustrate the same point, in 1936 there were 286,000 corporations in this country with less than \$100,000 of assets, and 175,000 of those 286,000 corporations had no net income in that year, but in that same year out of 127,000 corporations with assets of \$100,000 and above, nearly two-thirds showed a net income. Finally, among those corporations of a billion dollar capitalization or more—of which there were some 5,000—a little over four-fifths showed a substantial net income. What I am concerned with is the question of the American small enterprise which seems to me to be of considerable importance.

Mr. LEAVY. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. Yes.

Mr. LEAVY. From the gentleman's investigation and research on this subject, would he feel warranted in saying that the excess war profits that he proposes to reach will be largely profits accruing to those supercorporations, or will the profits be scattered throughout all corporations?

Mr. VOORHIS of California. My answer to that would be that the bill exempts from its provisions all corporations with \$100,000 capitalization or less.

Mr. LEAVY. The thought I had in mind is, Who is going to reap more profits, if there are any, the small or the large corporations?

Mr. VOORHIS of California. Of course, I have a few figures here later on to show that in several cases at least I can assure the gentleman it is the big ones. However, this

particular measure takes account of that only in the exemption which it gives to corporations of less than \$100,000 capitalization.

Thus, we have a bill before the House that simply says that whereas it is good for the Government of the United States to move as rapidly as it can in the direction of a balanced Budget, and whereas certain American industries are at present in a position to derive substantial war profits over and above their normal rate in peacetimes, therefore it is no more than fair that these excess profits should be taxed for the benefit of the entire Nation, particularly when to a considerable extent these profits will be the result of the shipment of valuable raw products and materials out of the United States, although it might at some future time be important that those resources be available for our own national defense.

Apparently some question has been raised as to whether any large additions to corporations' earnings are to be expected as a result of the wars abroad. In at least partial answer to this I give the example of the Du Pont concern which earned \$63,000,000 in the 9 months ending September 30, 1939, as against \$31,000,000 in the 9 months ending September 30, 1938, and the United States Steel Corporation, which made a profit of \$10,400,000 for the third quarter of 1939 as compared to \$1,300,000 in the third quarter of the previous year. These figures are indicative of a trend, and that it is a trend caused by the war in Europe I think no thoughtful person will deny.

Of course, if no excess profits are made by particular corporations, then obviously they would have nothing to fear from a tax measure of this sort, and would, on the other hand, stand to share in the improved conditions of the Nation, which I believe would be helped in resulting from a more equitable distribution of the tax burden such as I am convinced this measure would give us.

I give that rather brief outline of the provisions of this bill as illustrative of what seems to be a sound trend in taxation legislation, and the kind of thing that we need to give more consideration to. I do not want to be misunderstood as being against people making profits, far from it. I am in favor of reasonable profits, just like everyone is against sin; but I want the possibility of a reasonable distribution of enterprise in this country, and I want that possibility to be encouraged by the tax structure which we have. I am inclined to think that at present the burden is borne much too largely by consumers and small enterprises, and not largely enough by those enterprises where excessive reserves might be built up, and where, through large inheritances and individual incomes, hoardings might take place.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. CRAWFORD. Before going to the next part of the gentleman's discussion I would like to ask this question. Referring to your remarks with reference to indirect taxation, does the gentleman feel that the new proposal, which is being discussed by Secretary Wallace in the form of a certificate plan, would be an indirect tax, placed directly on the consumer?

Mr. VOORHIS of California. I imagine it would add up to that in the end, largely. I probably ought not answer the gentleman's question so shortly as that, because frankly I have not studied that question as much as I should before expressing a definite opinion. I give you merely my impression of the thing at the present time.

Mr. CRAWFORD. That is about the way it appears to me, as being a consumption tax.

Mr. VOORHIS of California. I am not eager to extend the scope of governmental action. Indeed, I am eager to preserve with every power at our command the opportunities for individual initiative which have been so important a part of the American way of life through the year. My job and the job of other Members would be much easier if we could abandon at once all the efforts of our Government to take action in the economic field. If I believed for one moment that such a course of action would put our people back to work and win our war against unemployment, I would be down

here advocating it with all the vigor at my command. But, on the contrary, I am convinced that to abandon every attempt at economic adjustment would mean far more unemployment and a wave of bankruptcies and foreclosures not only of farms and businesses but even of cities and maybe States. We have a bear by the tail, and our safety lies only in killing the bear, not in turning him loose to destroy us. The bear, of course, is unemployment.

We shall solve our problem not by running away from it but by facing it more boldly and resolutely.

The question is, How shall we work at it so as to interfere to the least extent possible with the freedom of any of our people and at the same time to assure to all a decent opportunity and a reasonable security.

PROPER ECONOMIC FUNCTIONS OF DEMOCRATIC GOVERNMENT

It is not the business of government in a democracy to produce goods. Only where private monopoly of absolutely essential public utilities and natural resources has compelled the assertion of a public interest would I make an exception to that statement. But to remove the obstacles to full production, to enable our people to consume what we can so easily produce, to see to it that the very medium of exchange upon which all production and consumption depend is not clogged in its free flow, these things it seems to me are indeed not only a proper but a necessary duty and obligation of government in a democratic nation today. And not only do I believe that by a proper discharge of these duties we can very largely meet our problem of unemployment, but my fears for the future of our freedom and democracy are largely founded on a concern lest we too long neglect the performance of these duties.

THE MONEY ILLUSION

Unless we bring about a situation where, in the public interest, the Congress of the United States can control the creation and the flow of the medium of exchange of this Nation, our industry and agriculture must continue, as I see it, to be largely controlled by finance. And the natural interest of the financial powers is in keeping money dear and all other things cheap. Under our present monetary system, we can never achieve a condition where our economy and our people will be protected against the sharp inflation and deflation of values, which has been so disastrous in the past. Indeed, most people do not stop to realize that the real worth of our food, our houses, our property, and wealth of every sort changes but slowly and over long periods of time. People gain the same nourishment from bread and the same shelter from a house, the same production from a farm, in depression as in prosperity. Yet the prices of these things may be many times as high in a boom as in a depression. This is because the buying power of the dollar has changed; and since all values are measured in dollars, we think the values of real wealth have changed.

POWER OF THE FINANCIAL SYSTEM

May I point out that the power to add to or to drastically subtract from the volume of our medium of exchange in the form of money and demand bank deposits lies almost wholly today in the hands of the private banking system, which, quite naturally, carries on its business for the sake of its own profit. Thus the power to control the dollar value of all real wealth lies in the hands of one small group of our people pursuing—quite naturally, as I say—their own private interest. I blame no individual. Certainly I do not blame the small banker. I do blame this system and think it is wrong and must, for the sake of the general welfare, be changed. If we would end unemployment, we must end this "money illusion," and, having reestablished prosperity, must thereafter maintain a constant, steady, and dependable relationship between the flow of goods and the flow of money; or, to put it another way around, we must maintain a stable buying power in our dollar.

OLD-AGE PENSION SYSTEM AS ATTACK ON UNEMPLOYMENT

Mr. Speaker, there are a number of approaches to this problem of unemployment that has been suggested, and our task is to devise an approach to that problem which is going to be consistent in every way with the traditions of America

and with our constitutional democracy. In my judgment, although I do not know that it will completely solve the problem, its solution lies in having the Congress recognize that it is a primary duty to see to it that the consumption of the Nation keeps pace with its production and that the primary method it must use in accomplishing this is the establishment of a scientific relationship between the supply of the medium of exchange in active circulation and the productive capacity of the country.

Now, how shall this be done? By illustration, the way that perhaps I would personally prefer would be this: If we had a national system of pensions for our older citizens, we would have a mechanism which could unquestionably be used to establish and maintain this balance between production and consumption. We would have, in the first place, a dependable core of sustained purchasing power upon which all producers and industries in the Nation could constantly depend. We would have reduced the insecurity of every person in this country and thus dealt a blow at the serious problem of surplus savings which we face today. I would pay those pensions out of taxation, of course, as a basic proposition; but wherever a situation presented itself where there were idle men and idle productive capacity in the Nation and a stagnation of the flow of the medium of exchange or money, then I would add to that flow of purchasing power in this country not by increasing the public debt one single dollar, but by exercising the constitutional prerogative of government to put into circulation her national credit or money. I would pay this required additional volume of money into circulation in the form of pensions. It might even be wise to reduce the taxes otherwise relied upon to provide funds for the pensions, for such tax reduction would have the same effect as putting additional money into circulation—particularly if they were general taxes. Thus we would have created a machinery which, in my judgment, properly operated, might give us in large part the answer to our problem.

Approximately the same result would be obtained, of course, by promptly putting unemployed people to work doing necessary public works, for by the payment of wages for necessary public work we are again able to make up the deficiency of consumer buying power relative to production, which is our central problem.

I quote from the Philadelphia Record of the day after the President's message was delivered to Congress, where it said editorially as follows:

If the administration decided to end unemployment—to fight the depression as other nations are fighting their wars—

And that is what I have contended for—

and announced boldly that its policy shall be "a job for every American," our unemployment rolls would begin to vanish as if by magic.

The experience in Sweden proved that. Long before half the unemployed had been put on public-works projects, purchasing power of the nation rose to the point where private employers hired the remainder to manufacture the consumer goods for which a demand had been created. Prosperity was bought, and the price was cheap.

BRIEF OF PROGRAM OF ACTION

As I see it, we have four things to do:

In the first place, Congress must perform its constitutional duty of issuing the money of the Nation. This is a function of sovereignty, and no people is free unless it keeps this power. It must be the agency which creates and puts into original circulation the money and national credit of the Nation. The bank of issue of the Nation, therefore, which today is the 12 Federal Reserve banks, must be a national, not a private, institution. This can readily be accomplished by simply purchasing the stock of these institutions.

Second, we must increase the volume of credit for competitive production and social investment and the volume of money in the hands of consumers of goods in sufficient amount to actually secure full production and full employment. Once this process is started in earnest, many of the funds now lying idle will inevitably begin to seek investment.

Third, establish and maintain a sufficiently effective and scientific tax program and pension and social-security system

so that once full production has been brought about it can be maintained with a balanced Federal Budget and a dollar of stable buying power.

Fourth, as soon as unemployment appears put every unemployed person to work, creating needed social capital. We must do these things fearlessly. And our end and aim will not be to increase the power of government or to widen its field of economic activity. Rather, it will be to remove the obstacles now existing to full and steady production and employment in industry.

Why should there be opposition to this type of program? I am convinced there is only one main reason, and that that reason is fear of debt.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. CRAWFORD. If I understood the gentleman correctly, one of his propositions was that through the means of social security, we will say, to have the Government issue—putting it in plain language—currency and reduce taxes for the same amount simultaneously with the disbursement of assistance funds. Would that not also call for a reduction in governmental expenditures by the amount of the tax reduced?

Mr. VOORHIS of California. Oh, no; not exactly. I am talking about funds for paying the pension; and if it is important from the standpoint of the Nation as a whole to have a greater volume of money in circulation, then to have that medium brought into circulation by Congress instead of by the sale of bonds to banks for bank credit.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 5 additional minutes.

The SPEAKER pro tempore (Mr. GORE). Is there objection to the request of the gentleman from Michigan [Mr. CRAWFORD]?

There was no objection.

Mr. CRAWFORD. Will the gentleman yield further?

Mr. VOORHIS of California. I yield to the gentleman from Michigan.

Mr. CRAWFORD. But with the necessary expenditures in the form of old-age assistance as they move out, unless there is an increase in the volume of business sufficient to bring in additional tax money with which to maintain Government expenditure on the going volume, it would be necessary to reduce expenditures by the amount of that reduction in taxes, would it not?

Mr. VOORHIS of California. But the reduction in taxes would only be with regard to moneys raised for this pension program, which would be replaced by money put into circulation for that purpose. The main principle I am trying to get at is very simple. It is that if a nation like the United States, in all its parts and with all its various economic groups, is in need of an increase in the volume of money in circulation, then it is the duty, responsibility, and right of the Congress to put that money into circulation, and it is not necessary to pay tribute to any private banking system when it does so.

Mr. SMITH of Ohio. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. Do I understand the gentleman assumes there is a fundamental difference between taxing and issuing currency?

Mr. VOORHIS of California. I do. I know, of course, what the gentleman has in mind; namely, that inflation amounts to a tax on the community. But I am not talking about inflation. I would not put into circulation a single dollar if that could not be matched by increased production of real wealth. But if we have unemployment and idle productive capacity which we want to stimulate into activity, and if the putting into circulation of an additional volume of money will result in an increase in production rather than an increase in prices, then certainly we have nothing comparable to taxation. The system I am pleading for would render both inflation and deflation impossible. But today, under our present monetary system, the only way deflation can be prevented is by increasing the public debt, by selling bonds to banks for their privately created credit.

Mr. MARCANTONIO. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from New York.

Mr. MARCANTONIO. I would like to have the gentleman's opinion on a specific and immediate problem which has been presented to us by the Budget. That is the cut in W. P. A. appropriations which will mean that at least 900,000 men will be laid off the W. P. A. on July 1 of this year. This money will be used for the building of warships. What is the gentleman's position on that matter?

Mr. VOORHIS of California. I think such a cut would be wrong. I think, if it is carried out, the consequences may well be the same consequences that took place in 1937. My own judgment of this matter is that, if we are going to take this approach to the unemployment problem, we must prosecute it with vigor. We will have to put into circulation a sufficient increase in the volume of purchasing power of the people to get the result which Sweden got, namely, to actually stimulate production to the point where a full national income will be realized. Then, indeed, the Budget could readily be balanced and without increasing tax rates, either.

THE FEAR OF DEBT—OBSTACLE TO PROSPERITY

Now, to return to the four-point program I referred to a moment ago. The one serious obstacle in the way of this program, upon which the hope of democracy depends, is fear of debt. That fear must be removed. If that fear were removed, we could beat the depression and win our war against poverty. And I am convinced not only the fear but the necessity of increasing public debt can be done away with by a simple, sensible application of the sound monetary principle, about which I have been speaking this afternoon. The Constitution says: "Congress shall coin money and regulate the value thereof." And the principle I would apply is that money should not be a commodity created and destroyed, bought and sold by private dealers in money for their own profit, but a medium of exchange to facilitate the transfer of goods from producers to consumers. Therefore the volume of money in active circulation must bear a steady and scientific relationship to the flow of goods and services, and it is a primary duty of Congress to see that this happens.

Therefore, insofar as an additional volume of money is required for sound economic reasons, it should be created by Congress, and no other agency, and it should be created debt-free at the point of origin.

The greatest economic power in the world is the power to create money. It is a proper power of only one agency and that is the sovereign Government of the Nation. But those who have profited from the exercise of this privilege and who in the past few years have bought billions of gilt-edged Government bonds with nothing at all except their privilege of writing figures in their books—these people naturally enough want to keep that privilege. I do not blame them nor hold ill-will against them. But I ask them today to answer just one question. What are we to do with the gold buried in the Kentucky hills? What good is it? Why have the American people bought and paid for it? Why were the people told for so many, many years that a currency backed by even a 5-percent gold reserve was a sound currency, and why are they told now that we must not issue a dollar of currency or base a dollar of public debt-free credit upon \$17,000,000,000 of gold?

Can it be because, if we did so, then the mystery of money would disappear and no longer would the financial pundits be able to deceive the people into thinking that fiat credit created by banks is sound money while national credit or currency created by the people's Government is not?

On yesterday the gentleman from North Dakota [Mr. BURDICK] spoke in the House and presented some of the facts and arguments contained in the remainder of this speech. I hope neither he nor other Members will mind if I cover some of the same ground that he did.

WHAT IS SOUND MONEY?

Sound money is money which is backed by real wealth. It is money which will over a long period of time buy just about the same amount of goods. It is a money of stable buying power. It is money paid into circulation by a sov-

ereign nation, debt free at the point of origin, and which that nation will accept under all circumstances for any debt owed to it. It is money that is brought into circulation as needed; that is, as the people of the nation by their genius and their toil earn it into circulation by increasing their production. When we learn what sound money is, we will know how to handle the problem of getting ourselves out of a depression.

WHAT ABOUT THIS GOLD?

I do not believe for a single moment that either gold or any other type of backing is necessary to give the money of a great nation a stable value. Stable value will always depend upon the relationship between the volume of money in circulation and the velocity of its turn-over compared to the output of real goods and services. Nevertheless, there are still a good many people who feel that to back money with gold or silver makes it safer and sounder. We who believe in monetary reform can today meet those people on their own ground. We have at this moment \$1,500,000,000 of idle silver seigniorage lying in the Treasury. We have \$282,000,000 of completely idle gold in the same place. We have a stabilization fund of \$1,800,000,000, which is probably three times as large as is necessary, and of which at least a billion dollars could be put to better use. This gold and silver has been bought and paid for by the American people. Why should it not be put to constructive monetary use?

In addition, by slight changes in present law, we could replace all outstanding gold certificates with United States currency, which is really all the gold certificates amount to anyway, since the gold which belongs by law to the United States cannot be used for this redemption. Then, on the basis of a 40-percent gold backing, we could have available a credit or monetary base of many billions of dollars with which to finance this war on unemployment. That is to say, if, instead of requiring 100-percent gold backing, as now required, behind gold certificates, we required only 40-percent gold backing, as is now required, behind Federal Reserve notes, there would be abundant funds to finance this war on poverty, to secure a sharp increase in our production, and thus to bring our Budget into balance at a high level of production. Indeed, by this method we would balance our Budget immediately by the simple process of making a constructive use of this gold for which the American people have actually paid so handsome a price. It is true that if measures of the kind I am suggesting were taken, it would be necessary also to provide against a further unhealthy accumulation of excess reserves in the banks and the possible result of a run-away inflation of bank credit. This, however, could readily be prevented by the institution of a reform long overdue; namely, the putting into effect of a dollar-for-dollar reserve requirement behind demand deposits, so that the money which people believe they have in the banks would be real money and not simply bankers' promises to pay.

These are the methods we should use to finance the war on poverty and unemployment. We should use them now. But we should not permit a single dollar of expansion of our monetary supply to take place unless it could be matched by a corresponding increase in production of goods and services. Once our people were back to work, our industry running at or near capacity and our agricultural prices restored to a fair level, then our policy of expansion should cease, except that we should regularly add to our money supply such amounts as may be necessary to maintain a stable buying power in our dollar on the basis of an expanding production. These principles are all contained in H. R. 4931.

How tragic a thing it is that men's energies must go to waste, their children must go uneducated, and that even democracy must be put in jeopardy all because we do not know how to write figures in books in the proper places and because we let the wrong people write them down. The fear of the Lord is the beginning of wisdom, and I think we have reason to feel that fear so long as we permit this situation to continue. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. HOBBS. Mr. Speaker, I ask unanimous consent, subject to the action of the Joint Committee on Printing, that in connection with the report of Tuskegee Institute which I will insert in the RECORD, I may include a small chart which accompanies this report in the article appearing in the New York Times.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. HOBBS]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOOK. Mr. Speaker, I ask unanimous consent that on Thursday, the 18th of January, after the disposition of business on the Speaker's table, the reading of the Journal, and at the conclusion of any legislative business that may be in order for the day, I may be allowed to proceed for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. HOOK]?

There was no objection.

EXTENSION OF REMARKS

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a short editorial from the Sioux City Tribune.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa [Mr. HARRINGTON]?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SABATH, indefinitely, on account of illness in the family.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 33. Concurrent resolution establishing a joint congressional committee to make a full and complete study and analysis of the Budget for the fiscal year ending June 30, 1941, and the accompanying message of the President; to the Committee on Rules.

ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 884. An act to add certain lands to the Siuslaw National Forest in the State of Oregon;

H. R. 3051. An act for the relief of certain workers performing emergency work at Cairo, Ill., in the Ohio River flood of 1937;

H. R. 3087. An act for the relief of Gdynia America Line, Inc., of New York City, N. Y.;

H. R. 3363. An act for the relief of the American Insurance Co. of New Jersey;

H. R. 3912. An act for the relief of the heirs of John Cauley, deceased;

H. R. 4813. An act for the relief of the estates of Marie R. Morkovsky and Alphons Morkovsky, both deceased;

H. R. 5369. An act for the relief of Maj. Noe C. Killian;

H. R. 5919. An act to provide for the refunding of the bonds of municipal corporations and public-utility districts in the Territory of Alaska, to validate bonds which have heretofore been issued by a municipal corporation or any public-utility district in the Territory of Alaska, and for other purposes;

H. R. 6804. An act for the relief of George E. Miller;

H. R. 6832. An act to provide for the protection of witnesses appearing before any department, independent establishment, or other agency of the United States, or the Congress of the United States; and

H. R. 7327. An act for the relief of the Nevada Silica Sands, Inc.

BILLS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the

President, for his approval, bills of the House of the following titles:

H. R. 884. An act to add certain lands to the Siuslaw National Forest in the State of Oregon;

H. R. 3051. An act for the relief of certain workers performing emergency work at Cairo, Ill., in the Ohio River flood of 1937;

H. R. 3087. An act for the relief of Gdynia America Line, Inc., of New York City, N. Y.;

H. R. 3363. An act for the relief of the American Insurance Co. of New Jersey;

H. R. 3912. An act for the relief of the heirs of John Cauley, deceased;

H. R. 4813. An act for the relief of the estates of Marie R. Morkovsky and Alphons Morkovsky, both deceased;

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H. R. 6832. An act to provide for the protection of witnesses appearing before any department, independent establishment, or other agency of the United States, or the Congress of the United States; and

H. R. 7327. An act for the relief of the Nevada Silica Sands, Inc.

ADJOURNMENT

Mr. PACE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 23 minutes p. m.) the House adjourned until tomorrow, Thursday, January 11, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON NAVAL AFFAIRS

There will be a hearing Thursday, January 11, 1940, at 10 a. m., before the Committee on Naval Affairs, on H. R. 7665, to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matters named:

Tuesday, January 16, 1940:

H. R. 6130, to provide for mandatory or compulsory inspection and permissive or voluntary grading of fish, fishery products, fishery byproducts, shellfish, crustacea, seaweeds, and all other aquatic forms of animal and vegetable life, and the products and byproducts thereof, and for other purposes.

Tuesday, January 23, 1940:

H. R. 200, to amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 ed., title 46, sec. 316).

Tuesday, January 30, 1940:

The following hearing was at first scheduled for Friday, January 5, but was later postponed until Thursday, January 25. Now it has been postponed again, this time being Tuesday, January 30, at 10 a. m.

H. R. 7357, to amend section 4472 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 465) to provide for the safe carriage of explosives or other dangerous or semidangerous articles or substances on board vessels; to make more effective the provisions of the International Convention for Safety of Life at Sea, 1929, relating to the carriage of dangerous goods; and for other purposes.

Tuesday, February 6, 1940:

H. R. 7527, to make effective the provisions of the Minimum Age (sea) Convention (revised), 1936, and for other purposes.

Tuesday, February 13, 1940:

H. R. 1780, to amend section 7 of the act of June 19, 1886, as amended (U. S. C., 1934 ed., Supp. III, title 46, sec. 319), relative to penalties on certain undocumented vessels and

cargoes engaging in the coastwise trade or the fisheries, and for other purposes.

H. R. 5837, to amend section 221 of the Shipping Act, barring certain aliens from participating in the benefits thereof.

H. R. 6770, to amend Revised Statutes 4311 (U. S. C. 251).

H. R. 7694, to amend section 4311 of the Revised Statutes of the United States.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings in the committee room, 247, House Office Building, at 10 a. m., on the following dates on the matters named:

REGULAR ESTABLISHMENT VETERANS

Thursday, January 11, 1940:

H. R. 901. A bill to exempt resident inmates of the United States Soldiers' Home, Washington, D. C., and the Naval Home, Philadelphia, Pa., from pension reduction as prescribed by Veterans Regulation No. 6 series.

H. R. 4548. A bill to provide pensions at wartime rates for disability or death incurred in line of duty as a direct result of the conflict in the Far East.

S. 1643. An act to provide pensions at wartime rates for disability or death incurred in line of duty as a direct result of the conflict in the Far East.

CIVIL WAR

Monday, January 22 and Tuesday, January 23, 1940:
day, January 17, 1940:

H. R. 917. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 1666. A bill granting pensions and increase of pensions to widows, former widows, and children of certain soldiers, sailors, and marines of the Civil War, and for other purposes.

H. R. 2208. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 3386. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 6716. A bill to recognize for the purpose of the pension laws the service in the Civil War of certain members of the Fifty-sixth Regiment Illinois Mechanic Fusileers.

H. R. 6909. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 6927. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 7728. A bill granting an increase of pension to widows of veterans of the Civil War.

SUBMARINE OR AIRCRAFT DISASTERS

Friday, January 19, 1940:

H. R. 6532. A bill to provide pensions at wartime rates for disability or death incurred in line of duty as a direct result of submarine or aircraft disasters.

INDIAN WARS

Monday, January 22, and Tuesday, January 23, 1940:

H. R. 1006. A bill to adjust the rate of pension to soldiers of the Indian wars who served 90 days or more in active service against hostile Indians, and for other purposes.

H. R. 3996. A bill to pension men who were engaged in or connected with the military service of the United States during the period of Indian wars and disturbances.

H. R. 4924. A bill to adjust the rate of pension to soldiers of the Indian wars who served 90 days or more in active service against hostile Indians, and for other purposes.

H. R. 4991. A bill to pension men who were enlisted in the military service of the United States during the period of Indian wars and disturbances, and the widows of such men, and for other purposes.

H. R. 4999. A bill to increase the rates of pension in the case of soldiers who served 90 days or more in the Indian wars during the period from 1817 to 1893, and to grant pensions to widows of soldiers who so served in such wars.

DEPENDENTS OF REGULAR ESTABLISHMENT VETERANS

Thursday, January 25 and Friday, January 26, 1940:

H. R. 7191. A bill to make more equitable provision for pensions for the dependents of deceased veterans of the Army, Navy, Marine Corps, and the Coast Guard.

H. R. 7522. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to dependents of veterans of the World War whose death is due to service.

H. R. 7652. A bill to grant pensions and increase of pensions to widows and dependents of certain deceased members or former members of the military or naval service.

H. R. 7734. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to the dependents of veterans of the World War whose death is due to service.

MEDAL OF HONOR PENSIONS

Thursday, February 1, 1940:

H. R. 3385. A bill to liberalize the provisions of the Medal of Honor Roll Act of April 27, 1916.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1243. A letter from the Attorney General of the United States, transmitting draft of a proposed bill to amend the Criminal Code so as to confer concurrent jurisdiction on courts of the United States over crimes committed on certain Federal reservations; to the Committee on the Judiciary.

1244. A letter from the Acting Secretary of the Interior, transmitting draft of a proposed bill to amend an act entitled "An act providing for the transfer of the duties authorized and authority conferred by law upon the board of road commissioners in the Territory of Alaska to the Department of the Interior, and for other purposes," approved June 30, 1932 (47 Stat. 446); to the Committee on the Territories.

1245. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 19, 1939, submitting a report, together with accompanying papers and an illustration, on reexamination of Mississippi River between Missouri River and Minneapolis, Minn., with a view to determining if the existing project for the section at and near St. Paul, Minn., should be modified in any way at the present time, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 8, 1938 (H. Doc. No. 547); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

1246. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the Treasury Department for the fiscal year 1940, amounting to \$29,300,000 (H. Doc. No. 548); to the Committee on Appropriations and ordered to be printed.

1247. A communication from the President of the United States, transmitting the supplemental estimates of appropriations for the legislative establishment, Library of Congress, for the fiscal year 1941, in the amount of \$1,072,421 (H. Doc. No. 549); to the Committee on Appropriations and ordered to be printed.

1248. A letter from the president, Georgetown Barge, Dock, Elevator & Railway Co., transmitting annual report of the Georgetown Barge, Dock, Elevator & Railway Co. for the year ended December 31, 1939; to the Committee on the District of Columbia.

1249. A letter from the director, national legislative committee, the American Legion, transmitting the proceedings of the Twenty-first Annual National Convention of the American Legion, held at Chicago, Ill., September 25-28, 1939 (H. Doc. No. 550); to the Committee on World War Veterans' Legislation and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. JARMAN: Committee on Printing. House Resolution 342. Resolution authorizing the printing of additional copies of House Report No. 1476 on investigation of un-American propaganda (Rept. No. 1478). Ordered to be printed.

Mr. TAYLOR: Committee on Appropriations. H. R. 7805. A bill making supplemental appropriations for the Military

and Naval Establishments, Coast Guard, and Federal Bureau of Investigation for the fiscal year ending June 30, 1940, and for other purposes; without amendment (Rept. No. 1479). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. LESINSKI: Committee on Invalid Pensions. S. 161. An act granting an increase of pension to Grizelda Hull Hobson; without amendment (Rept. No. 1480). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. TAYLOR:

H. R. 7805. A bill making supplemental appropriations for the Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation for the fiscal year ending June 30, 1940, and for other purposes; to the Committee on Appropriations.

By Mr. AUSTIN:

H. R. 7806. A bill to authorize the striking of an appropriate medal in commemoration of the three hundredth anniversary of the establishment of Greenwich, Conn., as a town; to the Committee on Coinage, Weights, and Measures.

By Mr. BARRY:

H. R. 7807. A bill to provide for the construction of two vessels for the Coast Guard designed for ice breaking and assistance work; to the Committee on Merchant Marine and Fisheries.

By Mr. DEMPSEY:

H. R. 7808. A bill to authorize a preliminary examination and survey of the Mimbres River and its tributaries in the State of New Mexico for flood control, for run-off and water-flow retardation, and for soil-erosion prevention; to the Committee on Flood Control.

H. R. 7809. A bill authorizing the reconstruction or replacement of certain bridges necessitated by the Rio Grande canalization project and authorizing appropriation for that purpose; to the Committee on Foreign Affairs.

By Mr. HEALEY:

H. R. 7810. A bill to amend section 6 of the Federal Employees Compensation Act; to the Committee on the Judiciary.

By Mr. NORRELL:

H. R. 7811. A bill to establish the Hot Springs division of the western judicial district of Arkansas; to the Committee on the Judiciary.

By Mr. WHELCHER:

H. R. 7812. A bill granting an increase of pension to certain veterans who were placed on pension roll in 1922, and to provide domiciliary care, medical and hospital treatment, and burial benefits; to the Committee on Invalid Pensions.

By Mr. PFEIFER:

H. R. 7813. A bill to safeguard the homing pigeon; to the Committee on Agriculture.

By Mr. FISH:

H. J. Res. 415. Joint resolution for the relief of the distressed people of Finland; to the Committee on Foreign Affairs.

By Mr. LELAND M. FORD:

H. J. Res. 416. Joint resolution extending time for construction of work-relief and public-works projects until January 1, 1941; to the Committee on Appropriations.

By Mr. VAN ZANDT:

H. J. Res. 417. Joint resolution providing for the establishment of a National Defense Commission, for the purpose of surveying the national-defense resources and requirements of the United States, including the advisability of adopting a permanent, progressive national-defense policy; the establishment of a Department of National Defense, a National Defense Planning Board; and for other purposes; to the Committee on Rules.

By Mr. RANDOLPH:

H. J. Res. 418. Joint resolution authorizing the Secretary of War to convey certain lands to the State of West Virginia; to the Committee on Flood Control.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANGELL:

H. R. 7814. A bill for the relief of Gerald Henry Simpson; to the Committee on Immigration and Naturalization.

By Mr. BATES of Massachusetts:

H. R. 7815. A bill for the relief of Boston & Maine Railroad; to the Committee on Claims.

By Mr. CLUETT:

H. R. 7816. A bill for the relief of Allen S. Collins; to the Committee on Claims.

By Mr. DARDEN:

H. R. 7817. A bill for the relief of Daniel N. Farnell; to the Committee on Claims.

H. R. 7818. A bill granting an increase of pension to Jennie Griffin Milhado Stickney; to the Committee on Pensions.

By Mr. EDMISTON:

H. R. 7819. A bill to provide for the advancement of John L. Hines on the retired list of the Army; to the Committee on Military Affairs.

By Mr. GATHINGS:

H. R. 7820. A bill for the relief of Richard J. Watson; to the Committee on Claims.

By Mr. GERLACH:

H. R. 7821. A bill for the relief of Anna T. Sifferman Varga; to the Committee on Claims.

By Mr. HEALEY:

H. R. 7822. A bill for the relief of John W. Reardon; to the Committee on Military Affairs.

By Mr. MICHAEL J. KENNEDY:

H. R. 7823. A bill for the relief of Joseph Bruehl; to the Committee on Immigration and Naturalization.

By Mr. LESINSKI:

H. R. 7824. A bill for the relief of Joseph Goluban; to the Committee on Immigration and Naturalization.

By Mr. NORRELL:

H. R. 7825. A bill for the relief of C. S. Hobson; to the Committee on Claims.

H. R. 7826. A bill for the relief of R. F. Brazelton; to the Committee on Claims.

By Mr. RAMSPECK:

H. R. 7827. A bill for the relief of W. E. Floding Co.; to the Committee on Claims.

By Mr. RANDOLPH:

H. R. 7828. A bill granting a pension to John S. Martin; to the Committee on Pensions.

By Mr. RUTHERFORD:

H. R. 7829. A bill granting a pension to Richard Hall; to the Committee on Invalid Pensions.

By Mr. SHAFER of Michigan:

H. R. 7830. A bill for the relief of Otto K. Buder; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6127. By Mr. CURTIS: Petition of the Legislature of the State of Nebraska, petitioning consideration of their resolution with reference to institute the stamp plan for distribution of surplus food commodities in the State of Nebraska as a unit; to the Committee on Agriculture.

6128. By Mr. KEOGH: Petition of the board of social missions of the United Lutheran Church in America concerning the Neely bill (S. 280); to the Committee on Interstate and Foreign Commerce.

6129. Also, petition of the New York Board of Trade, Inc., concerning a tax commission to be created and coordination of taxing and spending committees; to the Committee on Ways and Means.

6130. Also, petition of R. A. Graef Co., Jersey City, N. J., concerning reciprocal-trade treaties; to the Committee on Ways and Means.

6131. By Mr. MERRITT: Resolution of the William A. Leonard Post, No. 422, American Legion, Flushing, N. Y., heartily endorsing the activities of the Dies committee and strongly approving the resolution for the granting of authority and extension of the Dies committee to January 3, 1942; to the Committee on Rules.

6132. Also, resolution of the Twentieth Century Club of Richmond Hill, N. Y., requesting that at such time new legislation for sugar is formulated by Congress, this legislation contain a provision giving our home refining workers and home industry some protection against subsidized competition; to the Committee on Foreign Affairs.

6133. Also, resolution of the New York State Conference Board of Farm Organizations, Ithaca, N. Y., strongly urging continuation of the Federal Farm Mortgage Credit Corporation in view of the fact that many farmers still need this form of farm credit; to the Committee on Agriculture.

6134. By Mr. SCHIFFLER: Petition of the West Virginia Bar Association, urging the passage of Senate bill 915 and House bill 6324, providing for a more expeditious settlement of disputes with the United States, and for other purposes; to the Committee on the Judiciary.

6135. By the SPEAKER: Petition of the National Institute of Municipal Law Officers, Washington, D. C., petitioning consideration of their resolution with reference to the public housing projects; to the Committee on Banking and Currency.

SENATE

THURSDAY, JANUARY 11, 1940

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Dear Lord, who without stint doest give Thyself to us so that, seeking Thee, we find Thee everywhere, and even when we fail to seek we find ourselves in Thee: Harken to us as we pray, for thought and prayer o'erleap all boundaries of space and time, climbing the highest courts of heaven, where perfect peace finds perfect form in Him who wore our human flesh and toiled and suffered as a man, making Thy love available to all.

Help us, therefore, by Thy mercies, O God, to present our bodies a living sacrifice, holy, acceptable unto Thee, which is our reasonable service; and grant that we be not conformed to this world but transformed by the renewing of our minds, that we may prove what is that good and acceptable and perfect will of Thine.

Make us to abhor that which is evil and to cling to that which is good, being kindly affectioned one to another with brotherly love, in honor preferring one another, that the people whom we serve may likewise yield themselves to the sovereignty of love. Through Jesus Christ, our Lord. Amen.

ATTENDANCE OF A SENATOR

JOHN H. OVERTON, a Senator from the State of Louisiana, appeared in his seat today.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, January 10, 1940, was dispensed with, and the Journal was approved.

NOTICE OF ADDRESS BY SENATOR SHEPPARD

Mr. SHEPPARD. Mr. President, I give notice that on next Tuesday, January 16, if I can secure the floor, I shall address the Senate on the subject of the twentieth anniversary of the eighteenth amendment.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed a bill (H. R. 801) to assure to persons within the jurisdiction of every State due process of law and equal protection of the laws, and to prevent the crime of lynching, in which it requested the concurrence of the Senate.

BOARD OF ROAD COMMISSIONERS, ALASKA

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, submitting a draft of proposed legislation to amend an act entitled "An act providing for the transfer of the duties authorized and authority conferred by law upon the Board of Road Commissioners in the Territory of Alaska to the Department of the Interior, and for other purposes," approved June 30, 1932, which, with the accompanying papers, was referred to the Committee on Territories and Insular Affairs.

STATISTICAL STUDIES, DEPARTMENT OF LABOR

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Labor, transmitting, pursuant to law, a report of statistical studies performed by the Department of Labor for other than Government activities during the fiscal year 1939, which, with the accompanying paper, was referred to the Committee on Education and Labor.

EMPLOYEES OF THE WORK PROJECTS ADMINISTRATION

The VICE PRESIDENT laid before the Senate a letter from the Commissioner of Work Projects, transmitting, pursuant to law, a statement showing for each State the names, addresses, positions, and compensation of all employees of the Work Projects Administration whose compensation is at a rate of \$1,200 per annum or more, which, with the accompanying papers, was referred to the Committee on Appropriations.

REPORT OF THE SECRETARY OF THE SENATE

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Senate, transmitting, in compliance with law, his annual report for the fiscal year ended June 30, 1939, which, with the accompanying report, was ordered to lie on the table, and to be printed.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution adopted by the Men's Club of the First Methodist Episcopal Church of Peekskill, N. Y., favoring a complete embargo on the shipment of war materials to Japan, which was referred to the Committee on Foreign Relations.

Mr. CAPPER presented a petition of sundry citizens of Coffeyville, Kans., praying for the enactment of Senate bill 517, to prohibit the advertising of alcoholic beverages over the radio, which was ordered to lie on the table.

Mr. WALSH presented the memorial of members of the Polish-American Citizens' Club, of Westfield, Mass., remonstrating against the uncivilized and barbarous conditions now existing in Poland and other sections of Europe, and especially condemning the mistreatment by invading armies of men, women, and children in civil life, which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the Council of Administration of the Department of the District of Columbia, Veterans of Foreign Wars of the United States, favoring the placing of one of the Government's obsolete destroyers in the Anacostia River in the District of Columbia for use in the training of the personnel of the District Naval Reserve, which was referred to the Committee on Naval Affairs.

Mr. HOLT presented resolutions adopted by the Women's Clubs of Charleston and Fayetteville, and the Woman's Christian Temperance Union, all in the State of West Virginia, protesting against any action which might directly or indirectly involve the United States in war, which were referred to the Committee on Foreign Relations.

PRINTING OF FORTY-SECOND ANNUAL REPORT DAUGHTERS OF THE
AMERICAN REVOLUTION (S. DOC. NO. 144)

Mr. HAYDEN. Mr. President, by direction of the Committee on Printing, I report a Senate resolution and ask unanimous consent for its present consideration.

There being no objection, the resolution (S. Res. 214) was considered and agreed to, as follows:

Resolved, That the Forty-second Annual Report of the National Society of the Daughters of the American Revolution for the year ended April 1, 1939, be printed as a Senate document.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. BARKLEY:

S. 3091. A bill for the relief of Barnet Warren; to the Committee on Claims.

By Mr. WALSH:

S. 3092. A bill for the relief of Maj. John R. Holt; to the Committee on Claims.

By Mr. MINTON:

S. 3093. A bill for the relief of Addison B. Hampel; to the Committee on Claims.

S. 3094. A bill for the relief of Catherine Humler; to the Committee on Finance.

S. 3095. A bill for the relief of Harry Huston (with accompanying papers); to the Committee on Military Affairs.

S. 3096. A bill granting an increase of pension to Gertrude M. Burton; to the Committee on Pensions.

By Mr. AUSTIN:

S. 3097. A bill for the relief of Katherine M. Drier; to the Committee on Foreign Relations.

By Mr. HALE:

S. 3098. A bill authorizing the Secretary of the Navy to accept on behalf of the United States a bequest of certain personal property of the late Dudley F. Wolfe; to the Committee on Naval Affairs.

By Mr. ASHURST (by request):

S. 3099. A bill to amend the Criminal Code so as to confer concurrent jurisdiction on courts of the United States over crimes committed on certain Federal reservations; to the Committee on the Judiciary.

By Mr. HATCH:

S. 3100. A bill authorizing the reconstruction or replacement of certain bridges necessitated by the Rio Grande canalization project, and authorizing appropriation for that purpose; to the Committee on Foreign Relations.

By Mr. WHEELER:

S. 3101. A bill for the relief of certain purchasers of, and entrymen upon, opened lands of certain Indian reservations; to the Committee on Indian Affairs.

By Mr. BORAH:

S. 3102. A bill reviving and renewing patent No. 1,255,159, serial No. 129,524; to the Committee on Patents.

By Mr. McNARY:

S. J. Res. 194. Joint resolution authorizing the Secretary of Agriculture to make a study of a tract of forest land situated in Lincoln County, State of Oregon; to the Committee on Agriculture and Forestry.

By Mr. MINTON:

S. J. Res. 195. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. WALSH:

S. J. Res. 196. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

HOUSE BILL REFERRED

The bill (H. R. 801) to assure to persons within the jurisdiction of every State due process of law and equal protection

of the laws, and to prevent the crime of lynching, was read twice by its title and referred to the Committee on the Judiciary.

TRIBUTES TO SENATOR GLASS ON HIS BIRTHDAY ANNIVERSARY

[Mr. BYRD asked and obtained leave to have printed in the RECORD tributes to Senator GLASS on the occasion of the recent anniversary of his birth, which appear in the Appendix.]

ADDRESS BY SENATOR THOMAS OF UTAH BEFORE INSTITUTE OF
WORLD AFFAIRS AT RIVERSIDE, CALIF.

[Mr. BILBO asked and obtained leave to have printed in the RECORD the address delivered by Senator THOMAS of Utah before the Institute of World Affairs at Riverside, Calif., December 15, 1939, which appears in the Appendix.]

PROHIBITION OF CERTAIN EXPORTS TO JAPAN—LETTER BY
EX-SECRETARY STIMSON

[Mr. KING asked and obtained leave to have printed in the RECORD the letter written by Hon. Henry L. Stimson, former Secretary of War, and later Secretary of State, recommending legislation to prohibit the export to Japan of arms, ammunition, etc., which appears in the Appendix.]

ADDRESS BY RALPH E. MOODY ON LABOR PROBLEMS IN OREGON

[Mr. HOLMAN asked and obtained leave to have printed in the RECORD an address delivered by Hon. Ralph E. Moody before the Members' Forum of the Portland (Oreg.) Chamber of Commerce on January 8, 1940, on the subject How Labor Can Cooperate in Developing Oregon, which appears in the Appendix.]

EVANSVILLE, IND.—ARTICLE BY RAYMOND CLAPPER

[Mr. MINTON asked and obtained leave to have printed in the RECORD an article concerning Evansville, Ind., published in the Washington Daily News of January 8, 1940, which appears in the Appendix.]

OLD-AGE-ASSISTANCE PAYMENTS TO OHIO

The VICE PRESIDENT. Morning business is concluded.

Mr. BURKE. Mr. President, I desire to call attention to a bill which was on the calendar of the Senate until October 31, 1939. I refer to Calendar No. 1186, House bill 5118, for the relief of the State of Ohio.

On October 31, 1939, the senior Senator from New Mexico [Mr. HATCH] raised a point in reference to the bill which was then on the calendar, for the relief of the State of Ohio, and suggested that he thought the Committee on the Judiciary, which had reported the bill, should look into the matter further. At that time I made a statement, and then made the motion that the bill be recommitted. That was done. Since that time the Senator from New Mexico and myself and the proponents of the measure in the other House, the bill having passed the House by unanimous consent, have gone into the matter thoroughly and reached a full agreement in reference to it; and, with the consent and approval of the chairman of the Committee on the Judiciary, as well as of the senior Senator from New Mexico, I now move that the Committee on the Judiciary be discharged from the further consideration of the bill to which I have referred.

The VICE PRESIDENT. Is there objection?

Mr. AUSTIN. Mr. President, reserving the right to object, I should like to inquire what is the purport of the bill. I did not quite understand.

Mr. BURKE. It is a bill for the relief of the State of Ohio. The Social Security Administration withheld payment of the November 1938 payment, and the matter has now been fully corrected.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the motion of the Senator from Nebraska is agreed to.

Mr. BURKE. I now move the immediate consideration of the bill to which I have referred, House bill 5118, and when the bill is taken up by the Senate, I desire to offer an amendment to it.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The Senate proceeded to consider the bill (H. R. 5118) for the relief of the State of Ohio, which was read as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the State of Ohio the sum of \$1,338,160.92, being the amount of payments with respect to old-age assistance under title I of the Social Security Act for the month of October 1938, not paid to such State on account of the refusal of the Social Security Board to certify such amount for payment to such State.

Mr. BURKE. I now offer the amendment which I indicated I would offer.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. It is proposed to strike out all after the enacting clause and to insert the following:

That notwithstanding the provisions of title I of the Social Security Act, the Social Security Board is authorized and directed to ascertain the total of the sums disbursed by the State of Ohio as old-age assistance (money payments) for the month of October 1938, with respect to each aged needy individual eligible under the State old-age assistance plan, who at the time of such disbursement was 65 years of age or older, and was not an inmate of a public institution, not counting so much of such expenditure with respect to any individual for such month as exceeded \$30, and to certify an amount equal to one-half such total of such sums to the Secretary of the Treasury.

The Secretary of the Treasury shall thereupon, out of any money in the Treasury not otherwise appropriated, pay the amount so certified to the State of Ohio.

For purposes of estimates and other certifications with respect to the State of Ohio under title I of the Social Security Act, such amount so paid shall be considered as certification of exactly the correct amount payable with respect to such month, without any increase or reduction of amount with respect to any other periods except for recoveries from estates in or for such month.

Notwithstanding the provisions of title I of the Social Security Act, such amount so paid may be used for purposes other than old-age assistance.

Mr. KING. Mr. President, will the Senator yield?

Mr. BURKE. I yield.

Mr. KING. I inquire if the Senators from Ohio have been advised of the bill in its modified form?

Mr. BURKE. Yes; and they are in full accord with it. Representative JENKINS of Ohio, who is now in the Senate Chamber, is the Member who introduced the bill in the other House, and it was largely through his efforts, with the Senator from New Mexico, that the matter has been worked out and adjusted with the Social Security Administrator and the counsel for the Board, who drew the amendment which I have offered.

Mr. McNARY. Mr. President, I did not understand the nature of the request made by the Senator from Nebraska.

The VICE PRESIDENT. The Senate gave unanimous consent for the consideration of the bill; the clerk reported the bill. Then the Senator from Nebraska offered an amendment proposing to strike out all after the enacting clause, which was the amendment read by the clerk. That is the status of the bill at the present time.

Mr. McNARY. Is the Senator from Nebraska asking for immediate consideration of the bill?

The VICE PRESIDENT. The bill is now before the Senate.

Mr. McNARY. May I ask the Senator from Nebraska if the junior Senator from Ohio [Mr. Taft] has been advised of the measure?

Mr. BURKE. I did not understand the Senator's question.

Mr. McNARY. I will say frankly that there was some disturbance in the Chamber, and I did not hear the request. Probably I would not have consented to it if I had known of it, because I do not think we should legislate in this fashion so early in the session; but, inasmuch as that has been accomplished, I am inquiring about the matter.

This measure appertains, does it not, to the situation in Ohio?

Mr. BURKE. Yes.

Mr. McNARY. Has the junior Senator from Ohio [Mr. Taft] been advised of this measure?

Mr. BURKE. Yes; fully, and the matter is brought up with his entire approval. In fact, it was the junior Senator from Ohio who introduced a similar bill in the Senate. He has been entirely apprised of these proceedings and hopes

action may be taken at this time, as the matter has been long delayed.

Mr. MINTON. Mr. President—

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Indiana?

Mr. BURKE. I do.

Mr. MINTON. I should like to ask the Senator from Nebraska if the senior Senator from Ohio [Mr. Donahey] has been advised of this matter.

Mr. BURKE. I myself have not talked to him; but Representative JENKINS, who handled the bill in the other House, told me he had conferred with the senior Senator from Ohio, and that the bill now meets also with his full and hearty approval.

Mr. HARRISON. Mr. President, I was not in the Chamber when the request was made and granted. I do not want that statement to be interpreted as meaning that if I had been here I would have objected; but I desire to ask the Senator a question, because this subject has been one of controversy within the social security organization, and between certain persons in that organization and the Senators from Ohio and others. May I ask whether all that controversy has been ironed out?

Mr. BURKE. It has been completely and entirely ironed out, and the amendment now proposes to refer the matter to the Social Security Board, so that they may go over it and determine the amount. Every one in the Board, the general counsel, the Administrator, both Senators from Ohio, and all, are in complete accord and agreement on the matter.

Mr. HARRISON. I wish to congratulate the Senators who have brought about that agreement. I am delighted.

The VICE PRESIDENT. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Nebraska [Mr. Burke].

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

ANDREW JACKSON, THOMAS JEFFERSON, AND THE SPOILS SYSTEM

Mr. HATCH. Mr. President, on Monday I introduced two measures which were referred to the Committee on Privileges and Elections. Those bills extend the provisions of the law recently passed by Congress, placing restrictions and limitations upon the right of Federal employees to participate actively in elections.

The bills introduced on Monday extend that legislation to those employees in the States whose employment is made possible by payments from the Federal Treasury. It is not my purpose today to discuss those measures, but it has been pointed out to me that it was quite a coincidence to introduce on Jackson Day measures prohibiting political activity of employees. Monday was Jackson Day. While it was merely a coincidence that the bills were introduced at that time, I would not have hesitated to introduce such legislation on the day our party sets apart to pay honor and tribute to the memory of Andrew Jackson.

Presently, I hope I can make it clear that Andrew Jackson was not the spoilsman people generally credit him with being. There is a side to the public life and character of Andrew Jackson which is not stressed as I should like to see it stressed.

In the speeches made throughout the country last Monday I have failed to find much discussion of the real achievements of President Andrew Jackson. I myself attended the Jackson Day dinner here in Washington. As always, I greatly enjoyed the occasion, and greatly enjoyed the speech of President Roosevelt. While the President's remarks did not center around President Jackson or his administration, nevertheless the President used in that speech a striking phrase which sticks to my memory. That observation was made with reference to Andrew Jackson. The President said:

By their motives shall ye know them.

I should like to make some contribution to the real understanding of President Andrew Jackson and the motives which actuated him throughout his entire public life. For that

reason I take the floor of the Senate today to make these brief observations concerning President Jackson and his motives.

Recently I have been reading a very interesting book by Mr. Hugh Russell Fraser, entitled "Democracy in the Making." This book deals with the Jackson-Tyler era, and gives quite a different picture of Andrew Jackson than is usually portrayed in the histories of the country. In addition to using Mr. Fraser's work quite extensively in the preparation of these remarks, I asked him to give me additional memoranda and data such as he might have. He has very kindly furnished me with that information, and much that I say today shall be the direct result of Mr. Fraser's work and research.

With the author of *Democracy in the Making* I entirely agree that we think of the dollar sign too much in estimating the achievements of Andrew Jackson. No President of the United States ever fought the organized money power as did Andrew Jackson. It was no slight contest which was waged by President Jackson against the money power of his day. It was grim, determined warfare, carried on by both sides with little thought of quarter; it was a battle to the finish.

I quite agree with the President that "by their motives shall ye know them"; and no person can understand the real Andrew Jackson without knowing something about the motives which actuated him.

In the book by Mr. Fraser to which I referred in the beginning and, incidentally, which has won high endorsement by men like Charles A. Beard, Claude G. Bowers, William E. Dodd, William E. Woodward, and others, many new facts are assembled.

On May 10, 1837, there broke one of the greatest depressions this country has ever known. On that day the New York banks closed. The great Bank of the United States of Pennsylvania at Philadelphia shut down on the following day, and in a very short time all its branches all over the country shut down, as did all other banks. Business was at a complete standstill. Rioting broke out in New York and other cities; prices tumbled, and men and women here in rich America were crying for bread. The remarks made at that time remind us strangely of the present day and time, and of only a few short years ago.

The great American philosopher, Ralph Waldo Emerson, said:

Society has played out its last stake. It is checkmated. Young men have no hope. Adults stand like day laborers idle in the streets. None calleth us to labor.

And Daniel Webster said:

It is inconceivable that conditions can ever right themselves. Trade and industry are disorganized. Securities have fallen to one-half and even one-fourth of their value. Unemployment has become general. Wheat is selling in the West for less than 50 cents a bushel.

When this happened, Mr. President, Andrew Jackson had been only a month and a few days out of the White House, and many of our historians have blamed Jackson and his supposedly reckless financial policies for this, our first great depression.

Yet what is the actual truth? What caused that depression? I will tell the Senate what caused it. It was speculation—speculation in the public lands. Andrew Jackson had tried to stop that speculation. Three times he had recommended to the Congress that the public lands cease to be a football of speculation and that they be limited to actual settlers. But three times, Mr. President, Andrew Jackson was virtually ignored. Congress refused to act, and speculation in the public lands rose to a dizzy height. Everybody was speculating in the public lands—merchants, laborers, farmers, mechanics, bootblacks. Paper towns in Wisconsin were bought and sold in New York. Did the settlers get the public lands? No; they got what the speculators let them have. Millions of acres were held off the market, and Andrew Jackson's advice was ignored. A crash was inevitable.

The other day the distinguished and able Senator from Michigan [Mr. VANDENBERG]—and when I say "the distinguished and able Senator from Michigan" I mean that not as a courtesy but exactly as I feel—brought forth a newspaper

clipping from the old Washington Globe saying that the first Jackson Day celebration was held in honor of paying off the national debt. That is true, Mr. President; but he did not tell all the story. He did not tell us that it was the wild and reckless speculation in the public lands—the very thing that brought on the depression of 1837, and which Andrew Jackson tried to stop—which made it possible for the Federal Government to pay off the national debt on January 1, 1835.

Make no mistake about it. The speculators bought vast tracts of land from the Government at \$1.25 an acre and sold and resold them; but they bought so much that the Treasury was able to pay off all its obligations, and a surplus was piling up—a tremendous surplus—mostly in paper money of no value at all; and when the crash of 1837 came it was proved of no value.

But the point I am getting at here, and the point I want to call to the attention of the Senate, is that Jackson's motives were invariably sound and patriotic. He wanted to aid the settlers, not the speculators; and if he had had his way and the sale of the public lands had been limited to actual settlers in 1832, when he made his first recommendation, or in 1834, when he made his second recommendation, it might not have been possible to pay off the national debt on January 1, 1835. Perhaps the Budget might not have been balanced. Andrew Jackson knew that, and yet he continued to recommend that the sale of the public lands be limited to actual settlers. That is a story not told in our history books.

Just as Jackson's motives were patriotic with respect to the public lands, so they were with respect to the Bank of the United States. I do not have to go into that story. In that matter, as is well known, he fought and won for the common people against a gigantic banking monopoly operating on the credit of the Government.

"By their motives shall ye know them!" said the President of the United States. How about some others of Jackson's motives?

The distinguished Senator from Michigan quoted from the Washington Globe as to the extinguishing of the national debt. Let me also quote from the same newspaper an editorial by Frank Blair, Jackson's "brain truster":

The Whigs—

They were the antecedents of our present Republicans—

have been forced to vote for the gold bill, which is a measure hostile to the interests of the bank, will supersede its notes and is the harbinger of a real, sound currency.

What was the gold bill? It was a bill put over by Jackson's floor leader in the Senate, reducing the gold content of the dollar. Think of it; here was the Democratic Party supporting and Andrew Jackson signing a bill providing for a reduction in the gold content of the dollar from 247.5 grains to 232 grains, and thus establishing for the first time in our history the ratio of 16 to 1. The distinguished senior Senator from Oklahoma [Mr. THOMAS] is very familiar with that fact and knows of the vision with which Jackson sought to serve the people, not the bankers; and he will bear me out in my statement in this connection.

I could, Mr. President, cite a score of other significant acts of Andrew Jackson, especially his effort, ignored by Congress, to set up a central Government bank, again, all with the purpose of preventing the exploitation of the people; but I must discuss briefly the most amazing and most persistent myth that was ever connected with Andrew Jackson's name. I refer to the myth that he was a spoilsman or that he ever subscribed to the dogma that "to the victors belong the spoils."

Andrew Jackson, of course, never uttered that phrase. Nor did he subscribe to it, and presently I will show why I make this assertion.

But turn for a moment from this sordid phrase to Andrew Jackson's real record. The most reliable figures as to the number of removals made by Jackson were given in the Washington Telegraph for September 27, 1830. These figures are cited in "Democracy in the Making," page 111, as follows:

This break-down of removals by departments has never been overthrown by dependable evidence. It covers the period to September 1830, it being conceded that Jackson made few removals

after that date. By this estimate Jackson replaced 543 postmasters out of 8,356. Increase this number by more than half again and the result is 843 postmasters out of 8,356. Compare this with Jefferson's 109 out of 433.

In the War Department Jackson removed 3, in the Navy 5, State 6, Treasury 22 (and here let me state that most of these were for corruption and defalcations uncovered by Amos Kendall), marshals and district attorneys combined 30, surveyors 7, registrars 16, consular and diplomatic 7, appraisers 8.

In fact, Mr. President, out of some 11,000 officeholders, the best available evidence shows that Andrew Jackson removed a total of 919.

This is well below the ratio for Jefferson, and far below that of Van Buren and William Henry Harrison, and nothing like the clean sweep that followed the election of Lincoln.

Why, then, has Jackson been slurred with the tag of "spoilsman"? Let me quote again for a moment from *Democracy in the Making*, page 112:

The origin of the special identification of Jackson with the spoils system is not hard to understand. In April 1830 John Holmes, of Maine, took the floor of the Senate to charge that Jackson had removed 1,981 persons within a year of taking office. He produced a set of figures which, he said, proved it. Subsequent investigation showed that his figures were false. Meanwhile, however, the opposition press took up Holmes' charges, widely publicized his bogus estimates, and from these sensational charges and false figures grew one of the greatest myths in American history—namely, that the spoils system in the United States originated with Jackson.

In point of fact, the spoils system was a gradual development, and no man can be singled out for special blame. Indeed, Prof. Erik Eriksson, author of the only complete and exhaustive study made of patronage under Jackson thus far available, arose from his painstaking and carefully documented analysis with this conclusion:

"The small number of Jackson's removals proves that he was not a true spoilsman. It is admitted now that President Jefferson removed about the same proportion of officeholders as did Jackson, and, further, the principles governing the removals were essentially the same. Therefore it is evident that no more blame should attach to Jackson than to Jefferson. If one would be just in his estimate, he must admit that the development of the spoils system was a gradual process for which no one man or administration should be blamed."

Incidentally, many of Jackson's removals were for fraud. Tobias Watkins, Auditor of the Treasury, was found to have stolen \$7,000. He was a close personal friend of ex-President Adams; yet he was arrested, convicted, and imprisoned. The collector at Perth Amboy was discovered to have misappropriated \$68,000; the collector at Elizabeth City, N. C., \$32,791; the collector at Buffalo gave false receipts for money never paid and was credited with it at the Treasury; the collector at Bath, Maine, stole \$56,315; the collector at Portsmouth engaged in smuggling; the collector at Petersburg stole \$24,857; indeed, shortages of more than \$280,000 were discovered in the Treasury Department alone. Had the law of 1820 been enforced, many of these defalcations would have been brought to light.

Much of the fraud during the Adams administration, however, may be traced to the mental attitude of hundreds of clerks who, believing they had lifetime jobs, lived extravagantly and, getting deeper and deeper in debt, finally misappropriated Government funds. When these unfortunates were removed they found themselves in desperate straits, and some, when facing prosecution, committed suicide.

Jackson, in writing to his friend Gen. John Coffee, said:

The most disagreeable duty I have to perform is the removals and appointments to office. There is great distress here, and it appears that all who possess office depend on the emolument for their support, and thousands who are pressing for office [ask] it upon the ground that they are starving. These hungry expectants, as well as those who enjoy office, are dangerous contestants over the public purse unless possessed of the purest principles of honesty; and when any man can get recommendations of the strongest kind, it requires great circumspection to avoid imposition and select honest men.

Mr. President, I know there are many people, perhaps some in this Chamber, who frankly and avowedly believe in the spoils system, and like and admire Andrew Jackson because they think he, too, believed in it. I, of course, dissent from that view.

In connection with this subject of Andrew Jackson's being a spoilsman, I quote from a very interesting work by William E. Woodward, entitled "A New American History," in which Mr. Woodward says:

Jackson was not the spoilsman that he is reputed to have been. He never said "To the victors belong the spoils." That was said by Marcy of New York, and it must be asserted here in fairness to Jackson that he never believed in the philosophy it expressed. Bowers says that more than two-thirds of all Government employees during Jackson's 8 years of administration were members of the opposite party.

Channing points out that only 252 Presidential appointees of the preceding administration out of a total of 612 were removed; and that of the 8,600 postmasters in the country, Jackson removed no more than 600. Many of the conspicuous removals were for fraud.

It must be remembered, however, that in Jackson's day, even as perhaps in our own time, the pressure on the President for appointments to office was exceedingly heavy. Something of the pressure placed on Jackson is revealed in *The Rise of American Civilization*, by Charles A. Beard and Mary R. Beard, where they say:

As soon as the chiefs were installed, a survey of the gentlemen in Federal berths commenced. "No damn rascal who made use of an office or its profits for the purpose of keeping Mr. Adams in or General Jackson out of power is entitled to the least leniency save that of hanging," wrote one of the President's applicants. "You may say to all our anxious Adamsites that the barnacles will be scraped clean off the ship of state," declared a member of the kitchen sanhedrin, "most of them have grown so large and stick so tight that the scraping process will doubtless be fatal to them."

Following the recitation of these threats, the authors continue with their summary of the spoils system under Jackson:

Though the threats were terrifying, in fact the slaughter of the innocents was not as great as the opposition alleged. Indeed, many got only their just desserts; some of the tenants were found to be scoundrels, prosecuted, and convicted for fraudulent transactions while public servants, one of the "martyrs," a personal friend of Adams, being sent to prison for stealing from the Treasury. No doubt hundreds of old and faithful officers were ousted; but on the other hand hundreds were allowed to retain their places in spite of the severe pressure from the Jackson followers, begging for jobs.

It is therefore to the memory of the President to say that like Clive in India, he had reason to be proud of his moderation.

Here the authors continue with their statement to the effect that the custom of wholesale removals from office for party purposes began under Jackson. Yet, even if such removals did begin under Jackson, there is abundant evidence to show that Jackson himself never subscribed to the principle of awarding jobs for party service. Probably the innermost thoughts of Jackson on the subject of removals are expressed in a letter written to his friend, Gen. John Coffee, and which was contained in the quotation previously mentioned. Do the words of that letter sound like the words of a spoilsman? To me the words, "The most disagreeable duty I have to perform is the removals and appointments to office," can hardly be called the words of a machine politician.

There is great distress here, and it appears that all who possess office depend on the emolument for their support, and thousands who are pressing for office [ask] it upon the grounds that they are starving.

The deep concern revealed by these words is not usually associated with one who ruthlessly discharges and fires employees here and there to build his own or his party's political welfare.

These hungry expectants, as well as those who enjoy office, are dangerous contestants over the public purse unless possessed of the purest principles of honesty; and when any man can get recommendations of the strongest kind it requires great circumspection to avoid imposition and select honest men.

Concern for the public purse, moving with great caution to avoid imposition and to select only honest men, are principles befitting the greatest, wisest, and best of statesmen. Such were the principles and motives of Andrew Jackson. I cannot help believing that this letter written to his friend, and without doubt from the depths of his heart, portrays Andrew Jackson as he was—honest, sincere, devoted to country and to duty. The letter is not the letter of the spoilsman. I am grateful to the author for having included this letter in the work he has prepared so painstakingly.

Such research as I have been able to make on the subject of patronage and the spoils system generally compels me to agree with the writers I have quoted. The spoils system cannot be blamed upon any one man or any one administration. Certainly it cannot be laid on the doorstep of President Andrew Jackson.

I make these remarks merely for the purpose of paying some measure of tribute to a great American whose patriotism and statesmanship, in my opinion, are not fully understood and appreciated by the great mass of American people. I

hope that the motives which inspired Andrew Jackson may be the motives of every American citizen.

Mr. President, in speaking as I have concerning Andrew Jackson and in the brief reference I made to another great Democrat, Thomas Jefferson, I would not want to be understood as indicating at all that I consider Thomas Jefferson as a spoilsman, for I do not. Thomas Jefferson definitely declared his opposition to Federal employees participating in elections. Jefferson attempted to stop electioneering by governmental employees and had the following order proclaimed by the department heads:

The President of the United States has seen with dissatisfaction officers of the General Government taking, on various occasions, active part in elections of the public functionaries, whether of the General or the State Governments. Freedom of election being essential to the mutual independence of governments * * * so vitally cherished by most of our constitutions, it is deemed improper—

I remind Senators that I am still quoting from Thomas Jefferson—

it is deemed improper for officers depending on the Executive of the Union to attempt to control or influence the free exercise of the elective right. * * * The right of any officer to give his vote at elections as a qualified citizen is not meant to be restrained, nor however given, shall it have any effect to his prejudice; but it is expected that he will not attempt to influence the vote of others nor take any part in the business of electioneering, that being deemed inconsistent with the spirit of the Constitution and his duties to it.

On February 2, 1801, Thomas Jefferson, writing to Governor McKean, said:

Interference with elections, whether of the State or General Government by officers of the latter, should be deemed cause of removal because the constitutional remedy by the elective principle becomes nothing if it may be smothered by the enormous patronage of the Federal Government.

Thus wrote Thomas Jefferson in 1801.

Andrew Jackson himself, in an inaugural statement, declared it was the duty of the President to prevent the patronage of the Government from interfering in the freedom of elections.

In the beginning, Mr. President, I referred to the bills I introduced on Jackson day—measures intended to prevent the elective principle being smothered by the enormous patronage of the Federal Government; measures intended to prevent the patronage of the Government from interfering in the freedom of elections. These principles were the inspiration of the legislation enacted at the last session of the Congress. Those of us who believe in such legislation advocate it with a strong and vigorous belief that in so doing we are but carrying out the principles of these great and distinguished American patriots, the patron saints of the Democratic Party, Thomas Jefferson and Andrew Jackson.

It is my strong hope that the start made at the last session of the Congress will be continued for the ultimate welfare and good of our country.

LEGISLATIVE PROGRAM RECOMMENDED BY AMERICAN LEGION, DEPARTMENT OF KANSAS

Mr. CAPPER. Mr. President, I desire to place in the RECORD the recommendation for a legislative program made by the American Legion, Department of Kansas, as set forth in a letter to me from Errett P. Scrivner, department commander. The program follows:

- (1) Provide for continuance of the Dies committee.
- (2) Improve our national defense by increase in naval and air forces and in modern equipment for all military forces.
- (3) Curb subversive activities.
- (4) Stop all immigration, at least until our own unemployment problem is solved.
- (5) Universal finger-printing of all citizens, and the finger-printing and registration of all aliens.
- (6) Reasonable compensation for widows and orphans of veterans.

In addition to this program, Commander Scrivner writes me as follows:

We believe that this Nation can keep out of the present European conflict, and that all honorable concessions should be made to avoid our being involved.

Incidentally, as part of our national-defense program, we can see no valid objection to voluntary military training in the Civilian Conservation Corps.

Mr. President, I think that program, on the whole, is a good one for Congress to follow during the present session.

The Dies committee has justified its existence, and I have no doubt that its work will be continued. Our national defense program must be adequate to meet whatever emergencies we may face, but at the same time I think the appropriations proposed should be carefully scrutinized. In fact, I believe it would be desirable to have a complete study made of national defense expenditures and policies for several years back. I want adequate defense, but I do not believe it is either necessary or desirable to indulge in or permit wanton extravagance, or the initiation of undesirable policies in the name of national defense.

This is no time to encourage immigration, when millions of our own people are unemployed and on relief rolls. I will support a program of reasonable compensation for widows and orphans of veterans; to do less would be unworthy of a great Nation.

I certainly believe we can keep out of the European war. It is not our war, and we should exert all our energies to keep out of it.

I am glad to place before the Senate these worthwhile recommendations from Department Commander Scrivner of the Kansas Department of the American Legion.

The PRESIDING OFFICER (Mr. KING in the Chair). Does the Senator from Kansas request that the memorandum be referred to any particular committee?

Mr. CAPPER. No, Mr. President. I read into the RECORD the recommendation for a legislative program made by the American Legion, Department of Kansas.

EMERGENCY POWERS OF GOVERNMENT

Mr. BORAH. Mr. President, the nomination of Mr. Charles Edison to be Secretary of the Navy is on the Executive Calendar.

Mr. Edison has sent to the Speaker of the House of Representatives a letter urging certain legislation of a most extraordinary nature.

For myself, I am not willing to have the nomination acted upon without calling attention to the proposed measure. I would not want, even by implication, to be placed in a position in which it might be thought that I had endorsed any such legislation.

The measure, if enacted, would confer power, or seek to confer power, to seize and confiscate property, such as factories, ships, and other materials, to cancel or modify contracts and agreements, and to interfere with the personal rights of the citizen and his personal liberty—all this to be done in time of peace before a declaration of war upon the part of this Government.

The theory seems to be that in a so-called emergency these arbitrary powers are to be called into existence and exercised. I am unable to ascertain that any explanation, or reason, or arguments accompanied the request or the proposed measure. The bill also provides that in case a factory refuses or fails to comply with its terms, the President may fix a reasonable price, all of which in contemplation of law would be an act of confiscation.

It seems to me that under all the circumstances and the fact that it is based purely upon a question of emergency and not of war, the act would be arbitrary and clearly unconstitutional. It would be in violation of the most fundamental principles of constitutional government and of democratic processes.

It is fair to Mr. Edison to say that, in 1917, the Congress included in its Naval Appropriation bill provisions granting power similar to the powers urged by Mr. Edison. In that instance, however, the law provided that "in time of war" or "of national emergency." Now, however, the provision "time of war" is to be stricken out, and the law is to depend solely upon the question of "an emergency." I am not going to discuss, because it has no relevancy at this time, the question of what could be done "in time of war." I think there are a great many things that cannot be done "in time of war," but there is no need of going into that question. I am dealing now with the question of a mere claim of emergency. May

these powers be granted, some of which are in plain violation of the Constitution, on a claim of emergency? We are proceeding to enact such legislation, not in an emergency connected with war, but in an emergency isolated and alone. I venture to say that no justification for any such authority can be found in constitutional law or in constitutional principles.

If we can do what is provided in this bill because of an emergency, unless that emergency is one which brings the Congress within the war powers of the Government or the terms of the Constitution, then we could also provide, in case of an emergency, for the suspension of the Bill of Rights. We could prohibit free speech, free press, and the right of trial by jury. Under the terms of this measure, as it is urged, there would be no limitation of the powers of Congress if we could only head the bill with the declaration of "an emergency." To me it is a startling proposition. It tends to show how far we have traveled, or are traveling, in the exercise of purely arbitrary powers.

If it should be declared that an emergency exists and that this emergency was of such a nature as to make trial by jury unsafe and unwise, or to make public discussion and free debate contrary to the public interests, we should be quite within the principles of this proposed law.

It should never be forgotten that an emergency does not create power. It does not increase power. Such power as may be found in the Constitution may be exercised because of an emergency, but the emergency itself does not add to or create power. In fact, as we all know, the Constitution was adopted in a period of great emergency. Its grant to the Federal Government and its limitation of power were determined in the light of emergency, and they are not to be altered in any way, shape, or form by emergencies.

Mr. President, democracy is having a pretty tough fight with arbitrary power and with arbitrary governments. The distinguished South African statesman, General Smuts, recently declared that there is less of personal liberty in the world today than there was 150 years ago. That the fight is going against democracy at the present time seems to be believed by practically all, and there are those who believe that democracy will ultimately lose. Nowhere is this more evident than in democracies themselves. Such legislation as now proposed and the seizure of every opportunity to discredit democracy and democratic processes, hastening at all times to advertise the efficiency and the necessity of arbitrary powers, are telling most against democratic principles and democratic processes. Arbitrary governments the world over boast of their superior capacity in meeting the world's problems and point to the admitted practices and methods of democracy to prove their claim. Faith in democracy is dying. Its principles and its methods are not breaking down. Under the cry of emergency we strike down the rights of the citizen and thus advertise to the world again and again that democracy cannot cope with modern exigencies as against the competition of centralized power. With marvelous magnificence the little democracy of Finland has demonstrated to the world the falsity of this cowardly lie.

This bill is only a sample. Many bills have been introduced based upon the same principles as the proposed measure. The Congress could render no greater service to the world for free government and bring to it no greater distinction than by denouncing and striking down these measures one after another.

It is important, vitally important, that we expose and punish, as we are now engaged in doing, the activities of those whose "isms" run counter to the principles of our Government. Whenever and wherever we can reach them through legal methods, let us reach them; and once having laid hands upon them under the law, neither apology nor flimsy excuse nor misguided mercy should interfere with their punishment. The most vicious enemies of human liberty, the most dangerous to free institutions, are the treacherous foes who seek shelter under the laws and institutions which assure free speech, free press, and personal liberty, and then make use of this shelter to destroy the Government which protects them.

It is living up to our own teachings and principles which really counts in this great struggle for the preservation of free institutions. Introducing bills and passing laws which strike at the letter—and if not the letter, the spirit—of democratic principles—these are the things which undermine and break down faith in democracy. Measures introduced and urged which are in themselves impeachments of the whole scheme of democracy do infinitely more harm than a thousand Communists chattering on the street corners. Such attempts at legislation, or such legislation, soon teaches the people that nothing stands between them and their liberty, the rights of property, except the construction which political exigency or the technical views of courts may give to the word "emergency." The jealousy which we should at all times feel and exercise toward every encroachment upon the great principles which protect the rights and the liberty of the people gives way to a search for methods of escaping the force of these principles.

Mr. President, in this period of almost universal assault throughout the world upon the rights, the privileges, and the liberties of the average person, we in America may not sufficiently realize that we have in our Bill of Rights found in our Constitution a complete guaranty against the destruction of the principles in which we believe. So long as the Bill of Rights stands and is preserved in its integrity, so long as we live up to its terms and conditions, there can be no denial of free speech, of free press, no religious persecution, no arbitrary government, no concentration camps, no breaking into homes, no unlawful arrests, no denial of personal liberty.

When so-called emergency legislation strikes at this sacred document in any particular it should be stricken down without hesitancy. If doubts are to be indulged in, they should be resolved against all possible encroachments. The glory of the Bill of Rights is that it is a restraint upon government as well as upon individuals; that it protects the rights of the people against those who have been entrusted with power and who have betrayed their trust. And not only are our interests involved, not only is this Bill of Rights a sacred document of the American people, but when the time comes—as, please God, I am sure it will come—that the oppressed people of the world begin to fight their way back to civilization and away from the frightful "isms" which engulf them in misery and slavery, they will look to this Bill of Rights as embodying their hopes and ideals and will judge it according to the worth and the efficiency which we have by our acts and words given it. Not long ago a traveler from a totalitarian state, after spending months in America, said to his people, "Before any progress can be made in breaking down American institutions, a way must be found to discredit the American Bill of Rights." I have said it is a sacred document. If human liberty is sacred, this document is sacred.

Mr. President, I am interested only in this bill. I do not desire to object to the nominee personally. I know nothing against him. I have understood that he said the measure went up as a matter of routine, basing his proceeding largely upon what had happened during the war. I am also informed by the press that the able chairman of the House committee dealing with this subject has intimated strongly his opposition to the bill. I am speaking therefore to the question of the measure only; I want to record my views against the measure and to give notice that those views will later, if necessary, be urged. But I was not willing to have the confirmation acted upon without a record as to views which are held here with reference to the bill itself.

PROGRESS REPORT OF NATIONAL RESOURCES COMMITTEE

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Public Lands and Surveys:

To the Congress of the United States:

The provision for the wise use and conservation of our national resources must necessarily be one of the primary responsibilities of the Federal Government at all times. Through research leading to the development of programs

and recommendations the National Resources Planning Board and its predecessors have been at work for the past 6 years in the interest of planning for resources conservation and use. This is democratic planning. It is decentralized; it is based on the wishes of the people who, through their elected representatives, decide what plans we will develop and follow; it is planning "from the ground up."

The accomplishments of the National Resources Committee in a large measure have been the results of cooperation with Federal and non-Federal planning groups. Today there are planning organizations by various names in many Federal agencies; there are also 43 State planning boards and hundreds of county and city planning groups. The continuance in operation of these democratic planning activities demonstrates the desire of our people for the utilization of long-range planning to conserve and develop our resources.

The functions and duties of the National Resources Committee, as you know, were transferred under Reorganization Plan No. 1 to the National Resources Planning Board in the Executive Office. The story of the committee's work and a picture of the responsibilities that lie ahead of the National Resources Planning Board are presented in the progress report of the National Resources Committee, which I now transmit for the information of the Congress.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 11, 1940.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. KING in the chair) laid before the Senate messages from the President of the United States submitting several judicial nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

Mr. WAGNER, from the Committee on Banking and Currency, reported favorably the following nominations:

Emil Schram, of Illinois, to be a member of the Board of Directors of the Reconstruction Finance Corporation, for a term of 2 years from January 22, 1940 (reappointment);

Carroll B. Merriam, of Kansas, to be a member of the Board of Directors of the Reconstruction Finance Corporation, for a term of 2 years from January 22, 1940 (reappointment);

Charles B. Henderson, of Nevada, to be a member of the Board of Directors of the Reconstruction Finance Corporation, for a term of 2 years from January 22, 1940 (reappointment); and

Howard J. Klossner, of Minnesota, to be a member of the Board of Directors of the Reconstruction Finance Corporation, for a term of 2 years from January 22, 1940 (reappointment).

Mr. BYRNES, from the Committee on Banking and Currency, reported favorably the nomination of Sam Husbands, of South Carolina, to be a member of the Board of Directors of the Reconstruction Finance Corporation, for a term of 2 years from January 22, 1940 (reappointment).

Mr. HERRING, from the Committee on Banking and Currency, reported favorably the nomination of Albert G. Black, of Iowa, to be Governor, Farm Credit Administration, the office to which he was appointed during the last recess of the Senate.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nomination of sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

DIPLOMATIC SERVICE

The legislative clerk read the nomination of John Cudahy, of Wisconsin, to be Ambassador Extraordinary and Plenipo-

tentiary to Belgium and Envoy Extraordinary and Minister Plenipotentiary to Luxemburg.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of George S. Messersmith, of Delaware, to be Ambassador Extraordinary and Plenipotentiary to Cuba.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of R. Henry Norweb, of Ohio, to be Ambassador Extraordinary and Plenipotentiary to Peru.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of James H. R. Cromwell, of New Jersey, to be Envoy Extraordinary and Minister Plenipotentiary to Canada.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Clarence E. Gauss, of Connecticut, to be Envoy Extraordinary and Minister Plenipotentiary to Australia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Robert M. Scotten, of Michigan, to be Envoy Extraordinary and Minister Plenipotentiary to the Dominican Republic.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DEPARTMENT OF STATE

The legislative clerk read the nomination of Breckinridge Long, of Missouri, to be an Assistant Secretary of State.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DEPARTMENT OF THE TREASURY

The legislative clerk read the nomination of Daniel W. Bell, of Illinois, to be Under Secretary of the Treasury.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

JOHN L. SULLIVAN

The legislative clerk read the nomination of John L. Sullivan, of New Hampshire, to be Assistant Secretary of the Treasury.

Mr. BRIDGES. Mr. President, Mr. Sullivan, whose nomination to be Assistant Secretary of the Treasury is now before the Senate, comes from my State of New Hampshire. He is one of the outstanding Democrats of that State and one of its foremost citizens. I desire to be on record as favoring the confirmation of his nomination.

The PRESIDING OFFICER. Without objection, the nomination of John L. Sullivan to be Assistant Secretary of the Treasury is confirmed.

DEPARTMENT OF THE NAVY

The legislative clerk read the nomination of Charles Edison, of New Jersey, to be Secretary of the Navy.

Mr. WALSH. Mr. President, I move the confirmation of Mr. Edison's nomination.

The motion was agreed to.

The legislative clerk read the nomination of Samuel M. Robinson to be Engineer in Chief and Chief of the Bureau of Engineering, of the Navy, with rank of rear admiral.

Mr. WALSH. I move the confirmation of the nomination of Admiral Robinson.

The motion was agreed to.

The legislative clerk read the nomination of Alexander H. Van Keuren, to be Chief Constructor and Chief of the Bureau of Construction and Repair, of the Navy, with the rank of rear admiral.

Mr. WALSH. I move the confirmation of the nomination of Admiral Van Keuren.

The motion was agreed to.

COLLECTOR OF INTERNAL REVENUE

The legislative clerk read the nomination of John L. Fahs, of Florida, to be collector of internal revenue for the district of Florida.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COLLECTOR OF CUSTOMS

The legislative clerk read the nomination of James Elliott Heath to be collector of customs for customs collection district No. 14, with headquarters at Norfolk, Va.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the Diplomatic and Foreign Service.

Mr. PITTMAN. Mr. President, I ask unanimous consent that the nominations in the Diplomatic and Foreign Service now before the Senate be confirmed en bloc; they are all promotions in the Service.

The PRESIDING OFFICER. Without objection, the nominations referred to are confirmed en bloc.

UNITED STATES PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the United States Public Health Service.

Mr. BARKLEY. I ask unanimous consent that the nominations in the Public Health Service appearing on the calendar may be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Public Health Service are confirmed en bloc.

POSTMASTERS

The legislative clerk proceeded to read nominations of sundry postmasters.

Mr. McKELLAR. Mr. President, I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

That concludes the calendar.

NOTIFICATION TO PRESIDENT OF CERTAIN CONFIRMATIONS

Mr. BARKLEY. Mr. President, in view of the fact that the vacancy in the office of our representative in Canada has existed for some time, and inasmuch as it is planned that the Senate shall adjourn over until Monday next, I ask unanimous consent that the President be notified of the confirmation of the nomination of the Envoy Extraordinary and Minister Plenipotentiary to Canada, and of the other diplomatic nominations which have been confirmed today.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and the President will be notified.

ADJOURNMENT TO MONDAY

Mr. BARKLEY. As in legislative session, I move that the Senate adjourn until Monday next.

The motion was agreed to; and (at 1 o'clock and 7 minutes p. m.) the Senate adjourned until Monday, January 15, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 11, 1940

JUDGES OF THE UNITED STATES COURTS OF APPEALS

Hon. John C. Mahoney, of Rhode Island, to be a judge of the United States Circuit Court of Appeals for the First Circuit, vice Hon. James M. Morton, Jr., retired.

Hon. Armistead M. Dobie, of Virginia, to be judge of the United States Circuit Court of Appeals for the Fourth Circuit. Judge Dobie was given a recess appointment to this post as of December 19, 1939.

UNITED STATES DISTRICT JUDGES

Hon. William J. Barker to be United States district judge for the southern district of Florida, vice Hon. Alexander Akerman, retired.

Hon. John Patrick Hartigan, of Rhode Island, to be United States district judge for the district of Rhode Island, vice Hon. John C. Mahoney, elevated to the United States Circuit Court of Appeals for the First Circuit.

Hon. Alfred D. Barksdale, of Virginia, to be United States district judge for the western district of Virginia. Judge Barksdale was given a recess appointment to this post as of December 19, 1939.

ATTORNEY GENERAL OF PUERTO RICO

Hon. George A. Malcolm, of Michigan, to be the Attorney General of Puerto Rico. Justice Malcolm was given a recess appointment to this post as of November 4, 1939.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 11, 1940

DEPARTMENT OF STATE

Breckenridge Long to be an Assistant Secretary of State.

DIPLOMATIC AND FOREIGN SERVICE

John Cudahy to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Belgium and Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Luxemburg.

George S. Messersmith to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Cuba.

R. Henry Norweb to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Peru.

James H. R. Cromwell to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Canada.

Clarence E. Gauss to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Australia.

Robert M. Scotten to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to the Dominican Republic.

TO BE CONSULS AND SECRETARIES IN THE DIPLOMATIC SERVICE

Julean H. Arnold

Henry M. Bankhead

Alexander V. Dye

Thomas L. Hughes

Sam E. Woods

William E. Dunn

H. Coit MacLean

Lynn W. Meekins

Lacey C. Zapf

Ralph H. Ackerman

H. Lawrence Groves

George C. Howard

Charles A. Livengood

Thomas H. Lockett

Daniel J. Reagan

Ashley B. Sowell

Earl C. Squire

Lloyd V. Steere

Don C. Bliss, Jr.

Merwin L. Bohan

Clarence C. Brooks

Owen L. Dawson

Samuel H. Day

Charles E. Dickerson, Jr.

Walter J. Donnelly

Julian B. Foster

Homes S. Fox

Erwin P. Keeler

Thormod O. Klath

Clayton Lane

Paul G. Minneman

Albert F. Nufer

Paul O. Nyhus

Karl L. Rankin

Gardner Richardson

James T. Scott

Clifford C. Taylor

Jesse F. Van Wickel

Frank S. Williams

A. Bland Calder

George R. Canty

Archie W. Childs

Robert G. Glover

Julian C. Greenup

Malcolm P. Hooper

Leigh W. Hunt

Edward B. Lawson

Charles L. Luedtke

Lester D. Mallory

Oliver B. North

Harold M. Randall

J. Bartlett Richards

James Somerville, Jr.

Robert M. Stephenson

Howard H. Tewksbury

Osborn S. Watson

Paul P. Steintorf

DuWayne G. Clark

Basil D. Dahl

John A. Embry

A. Viola Smith

Barry T. Benson

Charles E. Brookhart

Carl E. Christopherson

Charles H. Ducote

Wilson C. Flake

Leys A. France

Paul S. Guinn

R. Horton Henry

Elizabeth Humes

C. Grant Isaacs

J. Winsor Ives

Edward D. McLaughlin

Alton T. Murray

Avery F. Peterson

Harold D. Robison

Donald W. Smith

Jule B. Smith

William P. Wright

TO BE FOREIGN SERVICE OFFICERS OF CLASS 1

Walter A. Adams	Herschel V. Johnson
Joseph W. Ballantine	John Farr Simmons
Pierre de L. Boal	S. Pinkney Tuck
Monnett B. Davis	George Wadsworth

TO BE FOREIGN SERVICE OFFICERS OF CLASS 2

George L. Brandt
Homer Brett
Joseph Flack

TO BE FOREIGN SERVICE OFFICER OF CLASS 3

Ralph C. Busser

TO BE FOREIGN SERVICE OFFICERS OF CLASS 4

George Atcheson, Jr.
J. Rives Childs
John Carter Vincent

TO BE FOREIGN SERVICE OFFICERS OF CLASS 5

Maurice W. Altaffer	John F. Huddleston
George J. Haering	Joel C. Hudson
A. Dana Hcdgdon	Quincy F. Roberts

TO BE FOREIGN SERVICE OFFICERS OF CLASS 6

H. Merrell Benninghoff	Kenneth C. Krentz
Daniel M. Braddock	Horace H. Smith
James E. Brown, Jr.	Robert S. Ward
Gerald A. Drew	Archer Woodford

TO BE FOREIGN SERVICE OFFICERS OF CLASS 7

Robert English	Edward Paige, Jr.
Willard Galbraith	James K. Penfield
Randolph Harrison, Jr.	John C. Shillock, Jr.
Frederick P. Latimer, Jr.	Stanley G. Slavens
Cecil B. Lyon	Gerald Warner
John B. Ocheltree	

TO BE FOREIGN SERVICE OFFICERS OF CLASS 8

William C. Affeld, Jr.	E. Allen Lightner, Jr.
Charles A. Cooper	H. Gordon Minnigerode
Theodore J. Hohenthal	John S. Service

TO BE VICE CONSULS OF CAREER AND SECRETARIES

Fritz A. M. Alfsen	John L. Goshie
Carl H. Boehringer	Theodore J. Hadraba
Frederick J. Cunningham	John P. Hoover
B. Miles Hammond	Hungerford B. Howard
Coldwell S. Johnston	Frederick D. Hunt
George L. Jones, Jr.	Donald W. Lamm
Charles F. Knox, Jr.	Minedee McLean
George E. Miller	Eugene A. Masuret
Paul H. Pearson	Kathleen Molesworth
Archibald R. Randolph	Jack B. Neathery
Henry E. Stebbins	Katherine E. O'Connor
Joe D. Walstrom	William L. Smyser
Rolland Welch	Earle C. Taylor
John L. Bankhead	Charles O. Thompson
Thomas S. Campen	William Witman 2d.
David M. Clark	E. Edward Schefer
Edward A. Dow, Jr.	

TO BE FOREIGN SERVICE OFFICERS, UNCLASSIFIED, VICE CONSUL OF CAREER, AND SECRETARY IN THE DIPLOMATIC SERVICE

Wymberley DeR. Coert	Julian L. Nugent, Jr.
Adrian B. Colquitt	Joseph Palmer 2d
Thomas J. Cory	Richard H. Post
Robert F. Hale	Charles H. Whitaker
Frederick J. Mann	

DEPARTMENT OF THE TREASURY

Daniel W. Bell to be Under Secretary of the Treasury.
John L. Sullivan to be Assistant Secretary of the Treasury.

DEPARTMENT OF THE NAVY

Charles Edison to be Secretary of the Navy.
Samuel M. Robinson to be engineer in chief and Chief of the Bureau of Engineering in the Department of the Navy, rank of rear admiral.
Alexander H. Van Keuren to be chief constructor and Chief of the Bureau of Construction and Repair in the Navy Department, rank of rear admiral.

COLLECTOR OF INTERNAL REVENUE

John L. Fahs, to be collector of internal revenue for the District of Florida.

COLLECTOR OF CUSTOMS

James Elliott Heath to be collector of customs for customs collection district No. 14, with headquarters at Norfolk, Va.

UNITED STATES PUBLIC HEALTH SERVICE

TO BE MEDICAL DIRECTORS

Lon O. Weldon	James G. Townsend
Howard F. Smith	William H. Slaughter

TO BE SENIOR SURGEONS

Oswald E. Denney
Oliver C. Wenger
Stephen A. DeMartini

TO BE SENIOR DENTAL SURGEON

Norman Y. Hooper

TO BE SURGEON

Maurice A. Roe

TO BE PASSED ASSISTANT SURGEONS

John N. Bowden	Rolla R. Wolcott
Waldo B. Edwards	David J. Zaugg
Howard D. Fishburn	Vernon B. Link
Ralph B. Hogan	Charles M. McGill
Harris Isbell	Norman H. Topping
James F. Lane	James A. Grider, Jr.
Robert D. Mansfield	Byron J. Olson
Theodore L. Perrin	Harold R. Sandstead

TO BE PASSED ASSISTANT DENTAL SURGEONS

Francis A. Arnold, Jr.
William W. Calhoun, Jr.
George E. Waterman

TO BE ASSISTANT SURGEONS

Esta R. Allen	Jacob J. Robbins
Philip K. Condit	Haskell B. Rosenblum
Allen B. Eschenbrenner	Benjamin Wolfman.
John B. Holt	Carl L. Larson
Louis Jacobs	Stanley N. Hilde

POSTMASTERS

ARIZONA

William D. Washington, Ashfork.

ARKANSAS

Lucie H. McDonnell, Altheimer.
Clyde S. Airheart, Augusta.
Ross S. Stevens, Blytheville.
Lewis E. Smith, Cabot.
William Ritchie Morgan, Camden.
Clyde W. Spiller, Charleston.
John W. Page, Dover.
William S. Sampson, Sr., Hartford.
John F. Mulligan, Lake Village.
Leo C. Russell, Lamar.
Marvin E. Newbern, Marianna.
James W. Burton, Marvell.
Finch McCulloch, New Edinburg.
Eugene W. Deering, Van Buren.
Floyd E. Fincher, Waldo.
Edward H. Dunning, Wilmot.

COLORADO

Lena Humiston, Bayfield.
Frank P. January, Cheyenne Wells.
John B. Schutte, Glenwood Springs.
Zebulon M. Pike, Golden.
Henry S. McCullough, Ovid.

IDAHO

Harry L. Yost, Boise.
Albert H. Hartshorn, Jerome.
Henry W. Thomas, Malad City.
Halo M. Hart, Preston.
George A. Hoopes, Rexburg.
Willard Adams, Rigby.
Eleanor K. Grimm, Sun Valley.

KANSAS

Otto T. Kappelmann, White City.

MASSACHUSETTS

Frank A. Malley, Adams.
Gertrude A. Davis, Assonet.
Ignatius B. Cleary, Auburn.
Paul W. Karr, Chatham.
J. Francis Currie, East Bridgewater.
Stephen E. Malone, East Longmeadow.
Augustus Joseph Formhals, Erving.
James R. Mansfield, Haydenville.
John P. Connolly, Hopedale.
Genevieve V. Dion, Linwood.
Mary E. Healy, Littleton.
Charles H. Slowey, Lowell.
Alliston S. Barstow, Marshfield.
James L. Ivory, Millbury.
Emma E. Murphy, Minot.
Thomas F. Coady, North Attleboro.
David J. Templeton, North Cohasset.
Franklin G. Cleasby, Jr., Rehoboth.
William D. Powers, Rockport.
John T. Enneguess, South Acton.
Elsie M. Dearborn, South Attleboro.
David R. Kinsley, West Acton.
Sara H. Jones, West Barnstable.
Amasa W. Baxter, West Falmouth.
Hugh L. Lyons, West Medway.
John J. Troy, West Stockbridge.
Joseph D. Colbert, West Upton.

MISSISSIPPI

Annie S. Langston, Clinton.
George H. Fleming, Crandall.
Cleo S. Parker, Cruger.
Josie P. Bullock, Drew.
Jesse E. Patridge, Duck Hill.
Mable C. Whitaker, Gunnison.
Vivian Bass, Hazlehurst.
William Liston, Kilmichael.
Boyd D. McMillin, Louisville.
Ethel B. Young, Nettleton.
Blanche M. Gallaspy, Pelahatchee.
Thomas R. Pearson, Picayune.
Robert R. Smith, Poplarville.
Joseph Davenport, Port Gibson.
Mary G. Flowers, Roxie.
Grace M. Williams, Silver Creek.
John T. Rainer, Taylorsville.
Julian E. Morgan, Vardaman.

NEW MEXICO

Frances I. Burch, Alamogordo.
James G. Lanier, Aztec.
Paul Nesbitt, Chama.
Wisdom E. Bilbrey, Fort Bayard.
Katherine L. Hall, Hatch.
Oliver Jackson Hull, Ruidoso.
Luis A. Trujillo, Taos.
Higinio M. Vigil, Wagon Mound.

NEW YORK

Andrew D. Peloubet, Athens.
Arthur J. Gormley, Belfast.
Frank M. Hughes, Bolivar.
Anna R. Cronin, Brant Lake.
Seth B. Howes, Brewster.
Theodore Thomas Smith, Camden.
Grace L. Sullivan, Canton.
Katherine G. Bement, Clifton Springs.
William J. Rokos, Congers.
Ellen Longpre, Copiague.
Harrie J. Millspaugh, Corning.
Jacob Tolosky, Dannemora.
James E. Dailey, Deposit.

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PUERTO RICO

Jenaro Vazquez, Central Aguirre.
Felipe B. Cruz, Vieques.

UTAH

James H. Rampton, Bountiful.
June W. Black, Delta.
William H. Case, Duchesne.
James L. Willardsen, Ephraim.
Mary Jeanette M. Smith, Farmington.
Melvin Bryan, Ferron.
Cantril Nielsen, Hyrum.
George T. Williams, Kamas.
Asa Clair Ford, Kanab.
John M. Bernhisel, Lewiston.
Andrew J. Judd, Manti.
Anna M. Long, Marysville.
Rudolph Church, Panguitch.
S. Milton Webb, Richmond.
John M. Madsen, Riverton.
John Austin Pack, Roosevelt.
William Hazen Hillyard, Smithfield.
Frank Gibson Eastman, Tooele.
Millie N. Lyman, Wendover.

WEST VIRGINIA

Frank C. Ellis, Dunbar.
Finley A. Carpenter, Fairview.
Marion T. Jones, Kimball.
Gertie Post Rector, Lost Creek.
Esta B. Combs, Man.
Clyde M. Rightmire, Mill Creek.
Lewis H. M. Christie, Renick.
Russell L. Francis, Smithfield.
Charles Dillard, Walton.
Lee S. Switzer, Weston.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 11, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Immortal God, O Love Divine, Thou who hast borne our sins upon the tree and tasted the sharpness of death for every man, hear our prayer. We praise Thee that Thou hast opened the kingdom of heaven for all mankind. Forbid, dear Lord, that we should by neglect, indifference, or shameless greed crucify Thee afresh. O Lamp of God, that shines from the heights of yonder sacred hill, the Light which comes from the breast of eternity, shine upon the nations. Let the voice of God, full of wisdom and affection, fall upon all peoples and shake the earth. By the blessed thought of Him who for earth's freedom died and lives again, let us choose the righteous side and thus hope and pray to turn the trembling scales of the sad world's sorrow. Through Christ our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

EXTENSION OF REMARKS

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in connection with the Dies committee.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BYRNS of Tennessee. Mr. Speaker, it is distinctly not a partisan matter about which I address the House at this time. It is a matter which concerns every Representative of the American people.

I have long noticed countless evidences of insolence and arrogance on the part of two-bit nitwits in the Federal service in the District of Columbia, but this morning there came the crowning evidence of that action on the part of any one of these Federal taxeaters. I called Mr. Paul Edwards, who has the privilege of being the head of the W. P. A. for the District of Columbia and asked for an appointment with him for one of my former constituents. I was told by his secretary that Mr. Edwards was "too big and too busy" a man to be annoyed by such matters. I told her I wanted an appointment with him. She said if Mr. Edwards could find a vacant place on his calendar he might grant me an audience.

I wish to say to the Members of this House that the time has come to curb the insolence, the arrogance, and the impudence of such persons in the Federal employ, who seem to think that they are the masters of the people who are paying their salaries, instead of their servants. [Applause.]

I wish to say to the House that we are the Representatives in Congress of all of the people of the United States, who pay the taxes and carry the load of government. I wish to say that impudence to us is impudence to those whom we have the honor to represent. I for one have had more than enough of it, and I am willing to join with other Members of Congress to do anything and everything possible to curb this bureaucracy at the first possible moment. [Applause.]

During the time that I have been a Representative in the Congress, which, I believe, is more important than the position occupied by Mr. Edwards, I have never considered myself "too big or too busy" to receive into my office any person who comes there asking for an interview. The taxpayers of the United States pay my salary and pay that of Mr. Paul Edwards, of New Jersey, and I believe that the time has come when the Congress of the United States, representing, as it does, the voters and taxpayers of this great country, should recognize the fact that the situation in Washington has grown well-nigh intolerable and something should and must be done about it at this session of Congress. There are any number of persons on the Federal pay roll in the District who have grown fat in their own conceit and consequently insolent, impudent, arrogant, and insulting to those who seek to interview them on matters of public importance on which they, these insolent bureaucrats, are employed. The time has come, in my opinion, for the Congress of the United States to take back into their hands the government of this great people and to restore it to the sources from which it originally sprang, to the citizens and the taxpayers, rather than to the tyrannical, despotic, insolent, and impudent control of such bureaucrats as Mr. Paul Edwards, his office staff, and those who conduct themselves in like style. [Applause.]

EXTENSION OF REMARKS

Mr. SCRUGHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD to pay a tribute to the late Representative Sirovich on behalf of the Democratic steering committee.

The SPEAKER. Is there objection to the request of the gentleman from Nevada?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent that on next Monday, after the disposition of matters on the Speaker's table and at the conclusion of the legislative business of the day, I may be permitted to address the House for 30 minutes on the subject of the 1941 Budget.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. PAGÁN. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of

the day and following any special orders heretofore made, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the Commissioner from Puerto Rico?

There was no objection.

EXTENSION OF REMARKS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by inserting therein a statement entitled "The American Forum of the Air," containing brief statements by Miss Frances Perkins, Secretary of Labor; Gov. Paul McNutt, Federal Security Administrator; and others. I am informed by the Government Printing Office that the cost of printing this material will be \$202.50.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, I further ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by Henry Monsky, president of B'nai B'rith, in honor of Hon. Irving Lehman, Chief Justice of the New York State Court of Appeals, and his reply thereto.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a timely and inspiring statement on Americanism by the Right Reverend James E. Freeman, D. D., LL. D., bishop of Washington, and also an address by the Honorable Sumner Welles, Under Secretary of State, delivered at the inaugural meeting of the Inter-American Financial and Economic Advisory Committee at the Pan American Union, November 15, 1939.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. THOMAS of New Jersey. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief editorial.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

ANNOUNCEMENT

Mr. GILLIE. Mr. Speaker, when the roll was called yesterday afternoon on the passage of the bill H. R. 801, the antilynching bill, I was attending an agricultural meeting. Had I been present I would have voted "yea."

EXTENSION OF REMARKS

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

EMERGENCY SUPPLEMENTAL APPROPRIATION BILL, FISCAL YEAR 1940

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 7805) making supplemental appropriations for the Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation for the fiscal year ending June 30, 1940, and for other purposes; and, pending that motion, I ask unanimous consent that general debate continue through the day, the time to be equally divided and controlled by the gentleman from New York [Mr. TABER] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7805, with Mr. JONES of Texas in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield myself 30 minutes.

Mr. Chairman, the bill now before the House for consideration is H. R. 7805, containing emergency supplemental appropriations made necessary by the President's Executive order of September 8, 1939, declaring the existence of a "limited national emergency," and providing for certain increases in personnel and equipment for the Army, Navy, Marine Corps, and Coast Guard. The original Budget estimates called for an expenditure of \$271,999,523. This amount has been reduced by the committee to \$267,197,908, or a net reduction made by the committee of \$4,801,615. This net reduction will be further increased during the consideration of the bill, and it is anticipated that the final reduction under Budget estimates will total \$7,387,656.

This being the first appropriation bill taken up for consideration, I should like to make a few general observations on the budgetary situation.

PEACE AND SECURITY OF AMERICA

The mind of every thinking American is today gravely concerned with two matters that vitally and intimately affect his peace and security as a citizen and the freedom of our country as a Nation. In the first place he is concerned, if he is a thinking American, about our security from the standpoint of national defense, and our ability to protect our right to peace, should that right be challenged in any form, by any foe.

In the second place, if he is a thinking citizen, he is concerned over the situation of our national economy, and is anxious to see it so coordinated that it will provide economic security and protection for all of our people.

NATIONAL FINANCES

On the economic front, in my judgment, our country faces a critical situation, a condition that challenges the individual and the collective courage, patriotism, and determination of not only the Congress and the Chief Executive but the people of our country.

We are going into the eleventh year when, as a Nation, we have run our Government by deficit financing. The national deficit or the unbalanced Budget is not just the product of the present regime. The disjointed economic condition of our country, the paradoxical situation—that in the richest country on the face of the earth, where, apparently we seem to have too much of everything—too much of wheat, too much of corn, too much of cotton, too much of hunger, too much of nakedness, too much of unemployment, together with deficit financing—is not just an innovation of the New Deal. We inherited it. It came to us from the "good old days." It started way back down the line. It came on to us immediately from the regime of our predecessor, Mr. Hoover. He and his party started the ball rolling with a deficit in 1931 of \$500,000,000. Followed then a deficit in 1932 of two billion and a half, and so on. I do not believe it is fair to charge any one person, any one party, or any one individual with the economic situation that exists today. It has been a cumulative affair, and produced by a variety of causes.

But the fact remains that the genius and the purpose of both great political parties in our country, if you please, have not been able to so coordinate our national economy as to meet this challenge. I shall not pause here to recall again the condition of our country when the present administration came into power. That is a vivid picture none will forget. There was a grave and a threatening situation. It has been met. Charge us with our failures and credit us with our accomplishments, and I think the result is one which reflects credit and a sincere desire to serve the country at a time of great national crisis.

Now, it does not take an economist or a Philadelphia lawyer to understand the simple, fundamental fact that no individual and no nation—because the same fundamental truths apply to each—can continue to go ahead spending more than it takes in. [Applause.] Some day, somewhere, somehow,

he will run head-on into what we are just about to run into now—pay day! We are up against the ceiling of our national-debt limit; and, my friends, if you think you have had hard problems to tackle, if you think you have had hard nuts to crack, then I would like for you to envision the day when we have sat here, as a Congress, deliberately, and appropriated funds that were not in the Treasury and that we could not borrow and when you have to go to work and increase the national-debt limit of this country.

This is the problem and this is the challenge that we must meet in this session.

MY RECORD

I would like to record here again in the RECORD the fact that year after year, session after session, I have stood in the Well of this House making the appeal that I am making today, admonishing and pleading with my colleagues that we individually and collectively try to take stock of this situation and try to bring about a condition where our expenditures would be more nearly in accordance with the revenues which are collected by the Treasury.

I have persistently advocated a reduction in Federal expenditures and a serious and determined effort to balance the Budget of the Federal Government. I recognized the necessity, during the period of the so-called depression, for the expenditure of large outlays of Federal funds for the purpose of meeting relief needs and stimulating recovery and have consistently supported the President's program in that regard. But I have never subscribed to that school of thought that lavish public spending was sound business judgment or the way to economic stability.

Before the inauguration of President Roosevelt I took a stand on this matter which I have never abandoned, and to clarify the record I want to quote briefly from an address I made in this body on the 29th of December 1932, which is found in the CONGRESSIONAL RECORD of the second session of the Seventy-second Congress, part 1, page 1067:

In my judgment, there is only one logical way to balance the Federal Budget, and that is in the way we are doing it now, and not in the way we did it in the last session of Congress. At the last session of Congress we worked on a revenue bill first, and my complaint was that we were putting the cart before the horse; that the first duty of the legislative body was to try to cut Federal expenditures as low as they could possibly be reduced without impairing necessary functions of government, and then to raise enough revenue to run the Government. The Government has got to operate. We cannot cease functioning. We have got to have enough revenue to pay the bill; but the first duty of Congress is to see how low it can get the bill, and raise additional revenue as a last resort. That is the program of Governor Roosevelt, as I understand it. The press reports him as saying that he believes the way to balance the Budget is to reduce public expenditures to the lowest possible level and then raise sufficient revenue to pay the bill, meet the expenses of the Government, and that is what Congress is doing now.

On March 30, 1937, I addressed the House at length upon the subject, and take the liberty of quoting a few brief paragraphs from that address:

We have come now to another cycle in this campaign of progress. If we would perpetuate these splendid victories, if we would preserve this equality that we have approximated for our agricultural population, if we would perpetuate this new opportunity that we have given to the laboring people of the country, if we would make steadfast the new security that we have brought to the aged and infirm, if we would try to carry on the opportunities for education and advancement that we have afforded to the youth of our country, then we must with steadfast determination, from now on, speed to the task of achieving another objective which has been delayed of necessity—and that the one which calls for a more even balance between our income and our public expenditures.

In sounding this note I would not wish to suggest for a moment that we retreat from these splendid undertakings or abandon this splendid new service which this Government, under its enlightened leadership, is bringing to our people. Many of these emergency functions properly belong to the States and municipalities; but the Federal Government of sheer necessity had to take them up.

With a return to approximately normal conditions then unquestionably again States and municipalities should move prominently and aggressively into the center of this picture, and the Federal Government, in many instances, should move out.

But here again we could not stand on form and ceremony. The job had to be done, and it had to be done quickly. But we are a foolish people if we seek to blind our eyes to the fact that we cannot go on for an indefinite period without regard to the mounting cost of government. We cannot continue to borrow and spend and

spend and borrow unless we are reconciled to meet head-on some day the fiddler when he comes to collect his pay, and come he surely will.

Again, as late as January 24, 1938, I called upon Congress to set our financial house in order, and expressed in that address the very earnest hope that Congress would reassume its legislative prerogative in the matter of appropriations.

One thing I think has been fairly well demonstrated, and that is that you cannot balance the Budget by talking. If eloquent speeches, front-page bombastic statements, and great rabble-rousing orations, or, indeed, very serious and conscientious promises would straighten this thing out and meet the challenge, then it would long ago have been met, because I fancy each and every one of us in the legislative branch, as well as those in the executive branch of the Government, has been long on promises but just a little short on execution. We cannot do it by talk. I remember once some years ago when I had a notion that I wanted to play golf. In fact, I might have been under the illusion that I could play golf, and I persuaded a young friend of mine to go out with me. I went out with him the first day he went around the links. It was a harrowing experience, not only for him and myself but for the rest of the people who were within seeing or hearing distance. When we got back I said, "Well, how do you feel about it?" He said, "I have learned something today." I said, "That is fine; you have made progress if the first time you go around the golf links you have learned one thing, for you have accomplished something. What did you learn?" He replied, "I have learned that you cannot put that ball in the hole by cussing it." Mr. Chairman, you cannot balance the Budget by cussing it and by railing at it. It takes deliberate, firm, and courageous action, and that is what I hope to see during this present session of Congress. [Applause.]

THE PRESENT BUDGET

A few days ago we heard our great President address the Congress on the state of the Union, and then the next day we heard his Budget message read. I was delighted, and, in fact, I was inspired and moved somewhat in the phrase of that good, old Methodist hymn:

This is the day I long have sought
And mourned because I found it not.

Here was a Budget that held out the hope of reducing the national deficit nearly \$2,000,000,000 for the next fiscal year. Here was an objective, if you please, a challenge to the Congress to stop the rising curve of the cost of government which threatens the economic security of our country, to stop it on its upward rush and turn it down again. I was delighted. I accept it at its face value in good faith, and for one, I expect to go down the line 100 percent with the President in this attempt to set our economic house in order. What does it promise? It does not promise to balance the Federal Budget in 1 year. Those gentlemen who make speeches of that kind are just trying to "cuss the ball into the hole." Such a thing cannot be done. You could not balance the Federal Budget in 1 year or in 2 years for that matter without almost causing a revolution in this country. You could not so drastically cut governmental expenses in any 1 year without taking all relief away from people in need of it, without drastically cutting the pensions of our soldiers, without drastically cutting the benefits which we have been giving agriculture, and without practically dismantling many of the necessary governmental functions, which it is just as much our duty to maintain as it is our duty to dispense with those not necessary. The Budget cannot be balanced in 1 year unless we want to levy intolerable and burdensome taxes on the people. No one wishes to do this. What we can do, however, is to set an objective, to try to make these two lines meet, reduce our expenditures, discontinue unnecessary functions of government, and at the same time try to increase the revenues of this country. That is the program which the President has outlined in his Budget. That is the objective which he has set. Of course, it does not please some. A friend of mine once speaking about political controversy—and I was trying to get him to make peace with some of his political enemies—said, "I am always for peace, providing I can lead the procession." We, as Congressmen,

are always for balancing the Budget and we are for economy if it does not cut something in which we are particularly interested. It will never be done unless we are willing to make some sacrifices.

What is this program which the President has outlined, and what is the objective that he has set before Congress in this session? The Budget for 1941 as transmitted by the President shows an excess of expenditure over receipts, exclusive of debt retirement, to be replaced by borrowing, of \$2,876,000,000. The Budget anticipates a reduction of this deficit in the following manner: A return of surplus funds from Government corporations of \$700,000,000. I do not know how that is to be done. I have not figured that out, but that is the headache of the executive branch of the Government. I am going to assume they will figure it out and that they will get that \$700,000,000.

It contemplates raising \$460,000,000 new taxes. That could be done, and it should be done. The people of this country can raise a reasonable amount of additional taxes to help set our economic house in order, and for one I am ready to vote for it whenever the Ways and Means Committee brings us such a program.

On this basis it would leave us a net deficit for fiscal year 1941 of \$1,716,000,000 as against nearly \$4,000,000,000 in this current fiscal year. If that objective could be accomplished, it would be one of the brightest days that has been attained in the economic history of this country in the present decade. And mark you this: If we attain that objective set by the President, we will then be within \$61,000,000 of the total authorized national debt. Everything has to go according to this program or we have reached the ceiling of the national debt limit or gone beyond it. Now, to attain that objective we have a very distinct part, and that is not to, in the aggregate, exceed the amount of budgeted expenditures which the Chief Executive has sent here. I do hope and I do trust that the House of Representatives, under the leadership of the Appropriations Committee, will see to it that if we do go beyond the national-debt limit that it will not be because we have failed to do our part. I do not believe we as Congressmen could perform any greater duty to our constituents in this Congress than to achieve the objective set out by the President in this Budget message. That is, to get back to safe and logical control of our finances.

HOUSE BUILT ON SAND

The Book of Books tells us of a foolish man who built his house on a foundation of shifting sand. The storms came and swept it away. There can be no economic recovery that will last, no real and lasting prosperity that will be secure, so long as our Government runs its fiscal affairs in the red. Such a continued course of procedure is a distinct menace to the economic security of our country. Let me quote to you something the President said on that subject in 1933. Speaking of the unbalanced Budget and deficit financing, he said:

With the utmost seriousness I point out to the Congress the profound effect of this fact upon our national economy. It has contributed to the recent collapse of our banking structure. It has accentuated the stagnation of the economic life of our people. It has added to the ranks of the unemployed. Our Government's house is not in order, and for many reasons no effective action has been taken to restore it to order.

Upon the unimpaired credit of the United States Government rest the safety of deposits, the security of insurance policies, the activity of industrial enterprises, the value of our agricultural products, and the availability of employment. The credit of the United States Government definitely affects these fundamental human values. It therefore becomes our first concern to make secure the foundation. National recovery depends upon it.

Too often in recent history liberal governments have been wrecked on rocks of loose fiscal policy. We must avoid this danger.

It is too late for a leisurely approach to this problem. We must not wait to act several months hence. The emergency is accentuated by the necessity of meeting great refunding operations this spring.

We must move with a direct and resolute purpose now. The Members of the Congress and I are pledged to immediate economy.

That is what our President said in 1933. I believe that that is his philosophy of government today. It certainly is mine. It has been mine from that day to this, as my record in this House will show.

LABOR

May I say to those of you who represent many working people in this country, people who are now working and people who want to work, I do not believe anything would so help that great body of people as to give some encouragement to business and industry that the finances of our Government had been set in order; that it had been brought to a sensible and logical basis; and that business and industry may with assurance go forward and open up with expansion and development in order to give people jobs. I do not believe that those who now work and those who wish to work want gratuities from the Federal Treasury. I do not believe there is anything that would help them more than to try to achieve the objectives set out in the Budget message.

AGRICULTURE

My colleagues who represent the great agricultural population of this country, it is not a complimentary thing to say to the two great political parties—and, my friends, the honors are evenly divided—that the only thing up to this good hour that we have been able to offer agriculture as a solution is bigger and better hand-outs. Oh, on this—the Democratic—side of the aisle we have given them plenty, and on that—the Republican—side of the aisle you gentlemen promise to give them more in the way of subsidies and hand-outs. That is not what agriculture wants in this country. It seems to me there should be a logical solution of this problem. I do not know what it is, but it does seem to me that the purpose and determination of the people of America should be able to find a program, a formula, a solution whereby the man on the farm would be able to get an honest day's living out of an honest day's work. It seems to me the people in America who use the products of his land and the fruit of the sweat of his brow are willing to pay him for an honest day's work. If we are not paying that, then I believe every honest American citizen is willing to pay enough so that he will get it. But I do deplore this idea of at every session of Congress having more and bigger and better subsidies and gratuities. I know that is not necessary, and I know that is not the answer. Any doctor who undertakes to carry his patient on and on and on by giving him a shot of dope every little while is not a very good physician. That is what we are doing with agriculture.

Mr. CANNON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. CANNON of Missouri. Many years ago I attended a camp meeting and when the minister would give voice to some particularly impressive truth the brethren and sisters over in the "amen" corner would give him a loud "amen." I want to take the opportunity now to say "amen" to what the gentleman has said, that neither party up to this time, notwithstanding the fact that both of them have promised the farmer equality, has carried out its commitments. As the gentleman from Virginia well says, giving them bigger and better handouts does not solve this problem. I trust those who have that phase of the question in charge here in the House will take the gentleman's remarks to heart.

Mr. WOODRUM of Virginia. I thank the gentleman.

NATIONAL DEFENSE

Now, I would like to proceed for a moment or two, if I may, on the other matter that I mentioned, the question of the security of our country from the standpoint of national defense.

As I have said, the present bill, which has in it only the items for the Army, the Navy, the Marine Corps, and the Coast Guard made necessary because of the President's Executive order of September 8, 1939, carries a total of \$267,197,908.

As reported by the committee, it is \$4,801,615 less than the Budget estimates. It provides, in my judgment, a very reasonable and a very conservative, but a very necessary, strengthening of our defense forces. In my judgment, the President of the United States was not only justified but he discharged his duty to the American people as Chief Executive and as Commander in Chief of the Army and the Navy when he called upon us to give these necessary additional men and implements to our defense forces.

Following is a brief summary of the items:

	Previously appropriated, 1940	Additional amount now requested	Committee recommendation
War Department.....	\$742,143,291	\$119,999,842	\$116,218,345
Navy Department.....	778,188,011	146,049,256	145,082,238
Federal Bureau of Investigation.....	7,300,000	1,475,000	1,475,000
Coast Guard, including Lighthouse Service.....	37,325,087	4,475,425	4,422,325
Total.....		271,999,523	267,197,908

THE INCREASES

The authorized strength of the United States Army, as carried in the regular 1940 bill, was 280,000. We had previously appropriated for 210,000 enlisted strength of the Army. The Executive order raised this 210,000 to 227,000, an increase of 17,000 in the United States Army, and still 53,000 under the authorized strength which Congress had set for the Army. I cite this in answer to the statement that has so often been made that the Chief Executive had seized upon this authority that he had in an emergency to build up unnecessarily our defense forces. The Army, even with this appropriation given in the emergency, is still 53,000 under what the President could have provided for had he wished to exercise to the fullest extent the Executive authority which he had in the emergency.

The Navy: The authorized strength of the Navy, as set by Congress, is 131,485. The authorized strength in an emergency is 191,000. The regular 1940 appropriations which we have passed provided for 116,000. The Executive order raised them to 145,000, or an increase of 29,000, which leaves it still 46,000 under the authorized emergency strength of the Navy.

The Marine Corps: The authorized strength of the Marine Corps is 38,200. The regular 1940 appropriation bill provided for 19,000. The Executive order increased this to 25,000, or an increase of 6,000, which leaves it still 13,200 under what might have been provided for had the President sought to avail himself of his full authority in the circumstances.

The National Guard: The authorized strength of the National Guard is 424,800. We had previously provided for 196,000. The Executive order increased this number to 235,000, or an increase of 40,000, which leaves it still 189,800 below what might have been provided had the President wished to do so.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. RICH. This Executive order requires the expenditure of one-quarter of a billion dollars for the increase of the Army and Navy. Can the gentleman tell us to what extent the President, by Executive order, might have increased the functions of the personnel of the armed forces and what the peak expenditure would be if he chose to do so?

Mr. WOODRUM of Virginia. The figures I just quoted show, from the standpoint of personnel, what was provided for. They are substantially under what might have been provided for within the discretionary authority of the President. I have no way of translating this into dollar cost, which includes equipment, housing, and the other facilities that go with increased personnel; but, in my judgment, and in the judgment of others who have given a great deal of thought to it, it would probably have been between three-quarters of a billion and a billion dollars instead of the \$271,000,000 now before Congress.

Mr. RICH. That is in addition to this \$271,000,000?

Mr. WOODRUM of Virginia. No. I think altogether it would have been three-quarters of a billion or a billion rather than one-quarter of a billion.

Mr. RICH. One further question, if the gentleman will permit: As to these Budget estimates about which we are congratulating the President because they represent decreases, does the gentleman believe we may get additional Budget estimates during this session that would increase this amount which the President has already given us?

Mr. WOODRUM of Virginia. I believe that is entirely a question of what the Congress does in the way of new authorizations. I believe that problem is up to us. I believe there will be no other Budget estimates unless they are real deficiencies. I do not believe there will be other Budget estimates, but if Congress undertakes to authorize new experiments and new ventures and new subsidies, then we may expect additional Budget estimates for them.

Mr. RICH. But the gentleman believes that we are not going to get additional Budget estimates because of laws that have already been passed.

Mr. WOODRUM of Virginia. I believe not.

Mr. RICH. I hope the gentleman is right.

Mr. WOODRUM of Virginia. But if we do, I may say to the gentleman from Pennsylvania that it is entirely within the hands of Congress whether we grant them.

Mr. MAY and Mr. LAMBERTSON rose.

Mr. WOODRUM of Virginia. I yield first to the gentleman from Kentucky.

Mr. MAY. What I want to suggest to the gentleman from Virginia is that the figures he has given indicate that the largest personnel increase made by the President is in the civilian component of the Army that is not on regular pay.

Mr. WOODRUM of Virginia. I appreciate the gentleman's emphasizing that.

And in that connection may I say the National Guard and the Organized Reserves come in for most generous treatment in these items. The following is a summary of what is carried for the Guard and Reserves:

National Guard:	
(a) 12 additional armory drills.....	\$6,390,000
(b) Additional 7 days' field training.....	5,360,000
(c) Additional special instruction of officers (591).....	505,000
(d) New motor equipment.....	3,846,000
(e) Individual equipment and miscellaneous collateral expenses.....	3,822,000
Total.....	19,923,000
Organized Reserves:	
(a) Active duty of 1,306 Reserve officers other than Air Corps (508 medical and 798 promotion list).....	1,975,000
(b) Active duty, 350 additional officers (Thomason Act).....	520,000
(c) 14 additional days' training for 2,660 14-day trainees.....	471,000
(d) Additional special instruction of officers (283).....	231,000
(e) Earlier employment of Reserve officers on active duty in Panama than previously contemplated.....	121,000
(f) Earlier employment of Reserve officers on active duty in connection with aviation expansion program than previously contemplated.....	200,000
(g) Miscellaneous.....	107,000
Total.....	3,725,000

I now yield to the gentleman from Kansas.

Mr. LAMBERTSON. Following out the question asked by the gentleman from Pennsylvania, we must not forget that we had 25 or 30 supplemental estimates last year after the regular Budget was submitted.

Mr. WOODRUM of Virginia. They were deficiency estimates, and there are always deficiency estimates. We must remember that in many instances we have been cutting agencies very close and sometimes real deficiencies come up. This cannot be prevented. There are always supplemental estimates when we pass some new law authorizing new expenditures. But to get back to the matter in hand.

WHY HAVE A DEFENSE FORCE?

Someone says: "It is not any use to do this. Whom are we getting ready to fight? Who is going to jump on us? Why all this preparation?" This same argument would be just as legitimate and just as good against having any Army or Navy at all. We are not going to fight anybody and nobody is going to jump on us; therefore we do not need any Army or Navy at all. Such an argument in a time like this is not impressive. When you take out an accident policy suppose someone would ask you: "What are you getting ready to do to yourself? Are you going to run your car over a bank, or break your neck?"

If you take out a fire-insurance policy on your house or store, do you contemplate a fire sometime soon? That is, usually, you do not. You are simply taking reasonable and logical precaution against what might or could happen to you.

AMERICA PREPARES FOR PEACE

Mr. Chairman, if there is one thing that America has learned from world conditions, I hope it is that anything can happen anywhere. Let us not as citizens ever be foolish enough to say that "it cannot happen in America." It can happen here. We are not getting ready to make war upon anyone. America is preparing, not for war but for peace. America is arming, not for war but for peace. This program which the President has sent to us as an emergency program is not a war program. It is a peace program. America has always stood for peace. Our traditional policy has been to live in good fellowship and neighborliness, in peace and in accord, with the other nations of the earth.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield myself 10 additional minutes.

Mr. Chairman, never has our battle flag been unfurled in a war of conquest. We have no enemies which we wish to punish and no grudges which we wish to settle. We only ask—we demand the right, however—to live under our own chosen form of government, and we do not want any other nation, or any group, or any concourse of nations, to come here and undertake to tell us what to do about it.

A few years ago under the administration of Mr. Harding there was held a peace conference in the city of Washington. Chief Justice Hughes presided over this conference. Great Britain, France, Italy, and other nations came and sat around the conference table. This was a conference to limit naval armament. A treaty or an agreement was drawn up, but hardly had the ink of the parties signatory become dry until they were back home figuring out ways to get around the solemn obligations which they had made.

Mr. COCHRAN. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Missouri.

Mr. COCHRAN. In view of what happened to the United States Navy after that conference, does not the gentleman think we ought to be relieved of listening to that story again at this time? The gentleman knows we had in process of construction the greatest Navy in the World at that time, and as a result of that conference nearly half a billion dollars of the taxpayers' money was wasted.

Mr. WOODRUM of Virginia. I appreciate the suggestion that we should not say anything about that; however, we should profit by experience. I want to remind you of a few things when there is talk about America becoming a swash-buckling, saber-rattling Nation. We came out of that conference, and Irvin Cobb said that we took a worse licking in that conference than we would ever take or had taken on the field of battle. We came out of that conference and scuttled the greatest Navy that any nation on the face of the earth ever had, provided we had carried it on to completion. We had in the course of construction the greatest Navy that ever sailed the seas of the world. We had previously expended \$330,000,000 on the building of those great battleships. Some of them were from 50 to 55 percent complete, and we are told that it cost us \$25,000,000 to scuttle them. We scuttled those ships in the interest of trying to bring about peace and disarmament among nations. Chief Justice Hughes said it was the most magnificent gesture in the interest of world peace that had ever been made by any civilized nation.

AMERICA FOR PEACE

Our country wants peace. The President in October 1937, speaking at Chicago, said:

America hates war. America hopes for peace; therefore America diligently searches for peace.

Of course, we shall continue to search for peace, but while we are continuing this search for peace we will follow the admonition of another Roosevelt, who said, "Speak softly, but carry a big stick."

May I say to you, my fellow American citizens, that if our eyes are open and our ears attuned to what is happening, we must know there is only one peace argument which the dictators of Europe understand. That is that the other fellow has a little bigger gun. [Applause.]

I for one am not willing to take the responsibility of disarming and dismantling our country and leaving it to be the prey of whoever may wish to come along in the days to come. We shall continue to search for peace. We shall continue to try to live in the ways of peace and when that day comes, and it will come, when the war-weary nations of the earth are ready to listen to reason, then I hope America will be ready to offer its good offices, its sound judgment, and its vigorous leadership toward trying to bring about a lasting peace. But until that time comes we must continue to see to it that our country is prepared.

Someone has said:

Only he deserves freedom and liberty who is prepared to win it for himself every day.

O Freedom! Thou art not, as poets dream,
A fair young girl, with light and delicate limbs,
And wavy tresses gushing from the cap
With which the Roman master crowned his slave
When he took off the gyves. A bearded man,
Armed to the teeth, art thou; one mailed hand
Grasps the broad shield, and one the sword; thy brow,
Glorious in beauty tho' it be, is scarred
With tokens of old wars; thy massive limbs
Are strong with struggling. * * * Oh! not yet
May'st thou unbrace thy corslet, nor lay by
Thy sword; nor yet, O Freedom! close thy lids
In slumber; for thine enemy never sleeps,
And thou must watch and combat 'til the day
Of the new earth and heaven. * * *

Mr. Chairman, in this critical hour the American people look to Congress to point the way to national peace and internal security. Let us not fail them.

Mr. Chairman, I have taken too much time of the Committee, and if there are any questions I will try to answer them. When the bill is read under the 5-minute rule there will be ample opportunity to give detailed information.

Mr. RICH. May I ask the gentleman one more question? I notice quite a bit of publicity about a joint committee being appointed to study the finances of the Federal Government. Yesterday the Senate passed a resolution asking the House Appropriations Committee and the Ways and Means Committee to join in appointing a committee to make a study of the finances of the Federal Government as well as our spending program. Does the gentleman believe the House will participate with the Senate in this worthy project, and what does he think will be accomplished if we go into it? Does he not think it would be a wise thing if the House leaders joined in that investigation?

Mr. WOODRUM of Virginia. I can only speak for myself personally, I will say to the gentleman from Pennsylvania, because I do not know what the leadership of the House think about it or what other members of the Appropriations Committee think.

I believe such a conference, before the present Budget came to Congress, between the revenue-raising groups of both bodies and the appropriating groups might have been most helpful to the Chief Executive in sending his Budget to the Congress. Of course, any conferences that now may be held whereby we can make retrenchments should be encouraged and looked upon with great favor. I do not know exactly what is in the mind of the gentleman who proposed this conference. Again I want to reiterate that you cannot do anything by talking. You cannot do anything by conferring. It takes affirmative action.

Speaking now specifically to the practical problem, five of the subcommittees of the Appropriations Committee of the House of Representatives began hearings on appropriation bills immediately after Thanksgiving. Speaking of my own independent offices subcommittee, we had weeks of careful hearings. No conference such as has been suggested could possibly know as much about the intricate details of that bill, covering forty-some Government departments, as the subcommittee knows. The majority and minority members

have worked on it, and I can say that when we bring that bill in here it is going to be very substantially below Budget estimates, and these cuts will be made in a way that we do not believe will cripple any useful Government function. This statement, I believe, can apply to four or five other appropriation bills.

Mr. RICH. It certainly ought to gain this end, however, that it will give enlightenment to the Senate so that they will not keep on increasing the House appropriation. For the last 5 years they have increased every appropriation we have sent over there. If this plan will only do that much good, it certainly ought to be worth while.

Mr. WOODRUM of Virginia. Of course, anything that will help to hold down appropriations will be worth while, but I wish to say to my friend from Pennsylvania that I am not so much concerned now as to what another body may do. I know very definitely and very positively that if this House of Representatives will in its heart determine that we are going to hold down expenditures, it does not much matter what anybody else does. What I want is a united determination in this Congress to attain this objective, so that if anything happens to it, no man, no woman, no group can point their fingers at the Congress and say, "You are the cause of this thing's happening." [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, as we begin this session of Congress we are faced with problems of a type that have seldom confronted a Congress. Our direct national debt today is approximately \$42,000,000,000; that is, the acknowledged direct national debt which appears upon the daily Treasury statement.

In addition, there is another debt, a direct positive debt that is liquidated, amounting to over \$1,600,000,000, on account of annual gratuities that have been contracted to be paid by the United States Housing Authority under the Housing Act. Further, there is approximately \$6,000,000,000 of contingent liabilities where we have guaranteed the bonds of different organizations. In addition to that amount, there are enormous sums of contracts entered into by various local housing authorities which the Federal Government has guaranteed, and it is absolutely impossible at this stage to tell where we are on those liabilities.

Besides these amounts, at the present time, based on the present status and with the present requirements for the payment of annuities, there is an obligation beyond the amount that can be figured out as possible receipts under the Social Security Act under title II of what I estimate to be exceeding \$10,000,000,000, and I hope to have actuarial figures to present to the House before long. There is probably an obligation under the employees' retirement fund beyond the amount present receipts will provide of several billions of dollars. I expect to have an actuarial estimate to present to the House later in the session. Therefore, the total national debt at this time is approximately \$60,000,000,000.

Now we are presented with a Budget calling for \$8,400,000,000 of expenditure. I have that Budget in front of me. There are a good many points about it that I do not understand, and I do not know whether anyone else understands it.

I find on page XX that estimated receipts on account of social security, titles II and VIII, taxes, are \$632,000,000. The amount provided for transfer to trust funds, which would be largely on that account, is \$225,000,000. In other words, \$407,000,000 of funds that should go into trust funds are not provided to be set up that way, and there is no place where they could be so set up.

I also find that item of \$700,000,000 about which the gentleman from Virginia spoke as return of surplus funds from Government corporations. I pray to God that this \$700,000,000 will be returned to the Treasury.

There is a statement indicating that the national defense expenditures for the fiscal year 1940—that is, this current fiscal year—will approximate \$1,359,000,000. I call attention to the fact that as of the first of the year the expenditures were running at a rate which would exceed that, with the

progressive increases we have to expect, by at least \$100,000,000. The estimated appropriations for national defense for 1941, according to this table on page 19 of the Budget, are \$1,539,000,000. For the current fiscal year our total appropriations and contract authorizations for the Army, without figuring on the \$267,000,000 which is provided in the pending bill, ran approximately \$900,000,000, and for the Navy \$812,000,000. The total in the pending bill of \$267,000,000, added to the other two items, will make a total of approximately \$1,915,000,000, or practically \$2,000,000,000. I confess that I am unable to understand that kind of budgeting.

The statement calls for a reduction in the amount of the working balance in the Treasury of \$1,150,000,000 for this current fiscal year. What the national debt will be by the end of the fiscal year 1941 it is almost impossible to tell. At any rate, the deficit that shows on the balance sheet, without figuring in the other things that have added to the national debt, is going to be upward of \$4,000,000,000.

Yesterday the Senate passed a resolution providing for a set-up of 24 Members, 6 of the Senate Finance Committee, 6 of the Senate Appropriations Committee, 6 of the House Ways and Means Committee, and 6 of the House Appropriations Committee, to study the Budget that has been presented. God knows we do need to study that Budget, and we know that unless there is a better understanding of the problem that we are facing, we are not going to accomplish results along the line of cutting down the appropriations. There has got to be a large group in this Congress that understands the menace to the financial integrity of America before we are going to be able to keep our appropriations down where they belong. Eight billion four hundred million dollars is more than we can possibly raise by taxation. This resolution provides, among other things, that the committee shall attempt to formulate a comprehensive fiscal program which will tend, ultimately and at the earliest practicable date, to bring revenues and expenditures into balance.

Let me say to you that the Appropriations Committee, if it is going to keep these expenditures down where they belong, needs not only the cooperation of the top members of the Ways and Means Committee, but it needs the cooperation and the support of the entire Congress [applause]; and we are not going to get anywhere except by getting out to the people the serious menace we are facing in respect of our fiscal situation, so that they understand the problem we are up against and realize that something must be done to place America upon a sound footing and place her where she is not dependent upon gratuities and grants but upon the sound earnings of her people. [Applause.]

Frankly, I do not believe the House of Representatives can afford to turn down a gesture on the part of the Senate looking to an understanding on the part of the Congress as a whole and of the people generally of this fiscal situation. I believe we should take advantage of that opportunity to bring to the attention of the American people the responsibility that not only belongs to the Executive, to the Senate, and to the House of Representatives, but to the people of the United States. We are not going to get the kind of support we need to balance the Budget unless the people of the United States understand how serious the situation is.

I now want to talk for a few moments about the bill that is before us now. It calls for an appropriation of \$267,000,000, a very considerable part of which is to take the place of funds that were spent by order of the President, issued on the 8th of September, at a time just before he called the Congress to meet on the 21st of September. If there was need at that time for funds to increase different items of our defense, those items should have been submitted to this Congress when it convened on the 21st day of September and not spent for some other purpose than that for which they were appropriated, because to the Congress belongs the power of making appropriations. The proper way to meet emergencies is to let the Congress pass upon the need of such appropriations.

Now, frankly, in my own opinion, many of these items are too large. I am not going to attempt to outline them at this

time, but as some of them are reached I am going to call attention to them and attempt to put some of them in line. Some of them I would not question at this time, because they relate to some items of restoration of appropriations for the maintenance of our fleet, which absolutely must be maintained. Some of them relate to the operation of our patrol off the coast. Some of that, undoubtedly, is necessary. Whether all of it is necessary or not, I, frankly, do not know enough to answer.

A large part of the additional expense that relates to the one-hundred-and-thirty-odd million dollars that goes to the Navy with reference to engineering, construction, and repair, relates to the reconditioning of the old destroyers of the 1918 to 1923 vintage, which have been out of commission at Philadelphia and San Diego, and putting them back into commission. The funds that were provided for the regular maintenance of the fleet are being used for this purpose and, unquestionably, we have got to replace these funds regardless of whether the way that the job was done was the right way to do it or not and regardless of whether the recommissioning of those ships was needed or not.

Frankly I doubt if we need to increase the personnel of the Navy as much as this provides for. I doubt if we need to increase the personnel of the Army as much as has been provided for. I doubt if we need as much for the maneuvers as is provided for, because I do not see any sense in 4 months of maneuvers, but I do not see any valid reason for objecting to the increase that is asked for in the National Guard, increasing the annual drills by 12 and the number in the National Guard by approximately 40,000. I do feel that there are substantial savings that could be made in this bill.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. RICH. A few years ago it was stated that we would soon be a billion-dollar Nation in the preparation for war. I call attention to the fact that in 1939 we appropriated for the Army and Navy over \$2,200,000,000. Last year it was a good bit over a billion and a half. From what the gentleman knows of the appropriations for the Army and the Navy, does he have any idea of what the Congress is going to be requested by the President to appropriate through Executive order, as well as the regular routine of appropriations for the Army and the Navy?

Mr. TABER. The gentleman is asking me to do an impossible thing, that is, to read the mind of the President. I anticipate that the appropriations that will be asked for, including construction of naval vessels, and the meeting of contract authorizations heretofore adopted by this Congress, will run very close to \$2,000,000,000 for the fiscal year 1941, although the Budget estimates do not run that high at the present time. They run nearly that, because there is a supplemental provided for of \$300,000,000 for 1941, which would make their total approximately \$1,839,000,000, besides the administrative expenses, which I have not in mind now, but which undoubtedly will be \$100,000,000.

Mr. RICH. What does the gentleman figure will be the annual operating cost additional to the Federal Government when this program is concluded, or by the end of 1941? How much additional will the annual upkeep be?

Mr. TABER. It is difficult to answer that. It depends on the manner in which we spend money for airplanes, the cost of them, and all that sort of thing. The regular pay and maintenance of the Army itself is easy enough to compute, but when you come to the matter of airplanes and that sort of thing, that is something beyond the ability of anyone to foretell. It depends very largely on the improvements that result in airplanes, and the increases in cost that result from the present hostilities across the water, and no man in the world could estimate anything about that intelligently, or answer that question intelligently. There are four or five hundred million dollars that might go into that particular matter in a year. On the other hand, something might result from those hostilities that would develop a different type of warfare besides the air, and it might develop that some other type is more useful, which might be less expensive. The gentleman is speculating too much there to get anywhere.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. CRAWFORD. Did I understand the gentleman to say that the President had suggested that the working balance be reduced in excess of a billion dollars?

Mr. TABER. He has stated that he was planning to reduce the working balance in the Treasury during the fiscal year 1940, that is, by the end of June next, by \$1,150,000,000. That appears in the Budget on page XIX.

Mr. CRAWFORD. Taking our January 1 figures roughly, the working balance is \$1,700,000,000. If a reduction of that kind should be put into operation—

Mr. TABER. I beg the gentleman's pardon, but the balance shown on January 5 is \$2,449,000,000.

Mr. CRAWFORD. The gentleman has included all your gold and your seigniorage. I am talking about the actual working balance as shown on the Treasury sheet as \$1,700,000,000 on January 8. If we take the \$2,000,000,000 plus, you will have to utilize the so-called free gold held now, plus your seigniorage, to have anything at all.

Mr. TABER. That is correct.

Mr. CRAWFORD. Let us go back to the \$1,700,000,000 actually in balance as of January 8.

Mr. TABER. One billion seven hundred and forty million dollars.

Mr. CRAWFORD. If you take a billion-plus out of that, you would have an actual working balance brought down to around, say, four or five hundred million dollars, which would be ridiculous to talk about with the volume of disbursements running as they are now. We saw an illustration of that in the past calendar year when the market weakened on Government bonds. The Treasury must look ahead and must necessarily have a very large working balance on hand to prevent a real catastrophe in the market value of Government bonds. It seems to me that thing should be literally exploded, blown to pieces, in this discussion.

Mr. TABER. I think the gentleman is correct, except that with disbursements running approximately \$700,000,000 a month, that working balance, with business conditions such as we face, of \$550,000,000 or \$600,000,000 is rather low.

Mr. CRAWFORD. In other words, there is two and a half billion dollars involved. Now, with reference to the seven hundred million which is to be taken from the capital structures of present Government agencies, has the gentleman gone into that sufficiently to give us any additional information as to where those funds are to be drawn from and what agencies are to be affected and how much those capital structures are to be reduced?

Mr. TABER. I have not been able to do that. I do not know just how it could be done.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. VORYS of Ohio. Was there a statement made before your committee of what the national emergency is which requires these expenditures?

Mr. TABER. Well, it was the enforcement of neutrality.

Mr. MASON. Under the 300-mile limit?

Mr. TABER. Well, I do not think it was limited to that. It was the enforcement of neutrality.

Mr. VORYS of Ohio. Well, who are we to enforce it against? Is that shown in the hearings? Why do we have this force, and against whom is it to protect us?

Mr. TABER. Frankly, with the situation as it exists, I can see reason for elaborate patrol of the territory outside of our coasts, because there are so many ships running around without lights all over the sea that there are likely to be disasters beyond the ordinary range. I can see where there would be considerable criticism on the part of our own public if we were not in position to guard our own ships on some sea lanes. I do not anticipate at the present time any attack on the part of any foreign country against us. Of course, you can never tell when some other country might feel that she wanted us in the hostilities on one side or the other. I can see why, within moderate reason, we need to

have our house in order to meet a situation, but we do not need to go too far.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield myself 4 additional minutes.

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. MOTT. The gentleman from Virginia said that the President's proposal for economy was a challenge to the Congress. Now, with reference to this particular bill, is it not a fact that all of the appropriations here are authorized not by authorization of the Congress, but are authorized by the President's Executive orders, and that, instead of this being a challenge to the Congress, this is simply a presentation to the Congress of a bill by the President in which he says, "Here is what I have done under Executive order and this is what it costs to pay for it." Is that not the case?

Mr. TABER. That applies to probably 50 or 60 percent of the bill.

Mr. MOTT. Now, let me suggest another question. At about the time these Executive orders were made Congress was in special session?

Mr. TABER. Congress was about to be called to meet and was to meet within a few days.

Mr. MOTT. In the gentleman's opinion, would it not have been better to have presented this program to the Appropriations Committee, to present the facts and evidence there, and let the committee decide whether they wanted to make these appropriations or not, instead of going ahead and putting this program into effect by Executive order and then calling upon the Appropriations Committee to furnish the money?

Mr. TABER. Unquestionably that is the proper way for the Executive to proceed.

Mr. MOTT. I say this with this in mind: That I am in favor of a very large Army and an adequate Navy, but under the circumstances I do not think that an Executive order was the proper way in which to put this program into effect.

Mr. TABER. That is correct.

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. ELSTON. If it is possible to advise the Congress that \$700,000,000 will be available to be returned from Government agencies, does not the gentleman think it would also be possible for us to be advised as to what agencies might return that money, and how much?

Mr. TABER. I think that is correct. I would like to see them return it now. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 20 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Chairman, it is very unfortunate that there have not been more Members present today to listen to these fine, illuminating speeches by the distinguished gentleman from Virginia [Mr. WOODRUM] and the distinguished gentleman from New York [Mr. TABER]. We should consider it a great honor to listen to such a splendid gentleman as the gentleman from Virginia [Mr. WOODRUM], presenting this bill, and such a splendid gentleman as the gentleman from New York [Mr. TABER], explaining the facts and philosophies of the measure.

It may not be facetious if I say to you that it is too bad also there are not more people here to listen to what I am going to say [laughter and applause], because it may not be too violent an assumption on my part to say that what I am going to talk about may also be very interesting. The subject is interesting, but whether I discuss it interestingly or not will remain to be seen. But I dare say you will agree with me that right now there is probably no question so engrossing, so universal in its interest, as the question of whether our President is going to seek a third term. I want to discuss that proposition as to whether he or any other President should seek a third term.

Mr. Chairman, there is a lively public interest shown in whether any President should ever run for a third term. This interest is intensified by the imminence of a Presidential

election and by propaganda. This is not a new question. It has come up periodically since Washington declined a third term. Heretofore, as now, the reason or excuse for pressing the agitation has usually been that an inordinately large and ravenous group of Federal employees and Cabinet officers were seeking to perpetuate themselves.

The President, by reason of his departure from the well-known policies of the Democratic Party, has divided that party. His adherents call themselves new dealers, leaving the others to call themselves Jeffersonian Democrats. This cleavage is stronger in its animosities than the cleavage between the Jeffersonian Democrats and the Republicans. So strong is this cleavage that only recently when I was debating with Hon. Charles West, one of the best known and ablest of the new dealers, he was asked from the audience where would a Jeffersonian Democrat be classified under the arguments that we were advancing for our respective sides. Mr. West replied, in substance, that he could not and would not assume to speak for the Jeffersonian Democrats, for he himself was not one of them.

That is a very significant statement when one of the substantial Democrats of the Nation out on the hustings is forced to admit that there is a group who call themselves Jeffersonian Democrats to which he cannot readily belong. If it has come to the time when many Democrats cannot be Jeffersonian Democrats, then the Democratic Party must be facing a serious division. If there is any man in our history who is an authority on this question of Presidential succession in office, that man is Thomas Jefferson. There is no doubt that this division is largely responsible for this third-term agitation. A Jeffersonian or a Jacksonian Democrat has found himself at variance with the new dealers in many ways. The Jeffersonian Democrats believe and respect old principles of republican form of government, while the new dealers stress their newness. The former is a party of principles, while the latter is a party of policy. The new dealers refuse to respect precedent. In fact, they boast of their disregard of precedent. They reject the lamp of experience as a guide to their feet. They are new dealers and neither national memories nor racial heritages have any magic with them. The fact that Jefferson said, in effect, that any President who might seek a third term should be defeated does not influence them.

That is a very significant statement from Jefferson. I have not an exact quotation of the words here; I did not want to encumber the Record with them, but that is the substance of his statement, and he goes on record emphatically that, in his judgment, any President who sought a third term should be defeated.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I gladly yield to my distinguished friend from Kentucky.

Mr. ROBSION of Kentucky. I ask the gentleman if he will not please insert in his remarks the actual quotation to which he refers from Jefferson?

Mr. JENKINS of Ohio. Yes; I will. I have it further along in my speech. I will insert the exact quotation of Jefferson.

That Jackson strongly advocated a constitutional amendment limiting the term of the President to one term does not deter the new dealers, for with them the end justifies the means. Neither custom nor Constitution presents any obstacles. They respect no past and fear no future. In all seriousness, this course is not the proper course for America. All around us we see this philosophy of government bringing national dissension in other countries. Making this applicable to the matter under discussion they can see no merit in Jefferson's position. Neither can they recognize that Jackson had a profound conviction that to continue a President in office for a long term of years was dangerous and would surely jeopardize the existence of the Republic. The new dealers have been so accustomed to getting what they want by crying "Emergency! Emergency!" that they now wish to put their party and the Jefferson Democratic Party in the position that there is but one man in either of these two parties that

can "save the Republic." This is a terrible indictment both of the patriotism of the country and the capacity of the members of these two parties. For the new dealers to raise the cry that the country needs to be saved is strange. Do they mean saved from themselves? If that is what they mean, it makes sense. But to argue that it is necessary to elect Mr. Roosevelt for a third term in order to save the country leads us to ask, Has he really been trying to save it for the past 8 years? That, too, might make sense. I repeat, my friends, there is no such an emergency as will require a departure from a course that has been adhered to by the greatest men of the Nation. If we depart from this course and elect a President for a third term, we will find ourselves in the midst of an emergency much more dangerous than any we have yet encountered.

The propaganda employed to make it appear that there is an emergency is easily analyzed. It all springs from one source. It is actuated by those who hold high places at the pleasure of the present President. They know that when Mr. Roosevelt ceases to be President that they will be without positions or party affiliations. Will Robert Jackson, Harold Ickes, or Tommy Corcoran, or Benny Cohen be welcome into Jack Garner's party?

Mr. SCHAFFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. SCHAFFER of Wisconsin. The multimillionaire New Deal Secretary of the Interior indicated an intention to form a new party. Perhaps they might light there.

Mr. JENKINS of Ohio. It might be a good place for them.

It will be a sad day for these paid columnists who have risen to great prominence not by reason of their ability but solely by reason of their adulation of the new dealers to find themselves without inspiration to write. These ambassadors who come back from Europe to tell us that there is but one man that can save us make us stronger in our opinion that they would not have been selected as ambassadors in the first place except for the social urge and ready contributions of their million-dollar wives. There is no denial of the fact that there are many people in our country who approve some or many of the Roosevelt policies, but they are not engaging in this forced propaganda. In fact, it is certain that the President's best friends are counseling him against becoming a candidate for a third term.

These propagandists can find no real argument to justify their persistency in suggesting that the President run for his third term. There is no emergency. There is no war that he can keep us out of. And those who fear that he is trying to put us into a war can allay their fears, for he cannot put us into war.

If these propagandists would strip themselves of their personal interest, they might be able to employ the one argument which unprejudiced persons employ. It is a weak argument, but it is the only argument. They say that there is no constitutional prohibition against a President seeking a third term. There is none against his seeking a fourth or fifth or sixth term, but who would advocate or tolerate a sixth term for any President? To say that the Constitution does not prohibit a third term is no more convincing than to say that the Constitution does not sanction a third term. We know that the framers of the Constitution were overwhelmingly opposed to a life term for the President. We also know that after much consideration the Constitutional Convention adopted a provision favored by Jefferson fixing the term at 7 years, with no second term. This provision was carried in the drafted Constitution for some time and was considered as having been a closed matter until the second or third day before final adjournment, when the matter was taken up again and changed so as to provide for a term of 4 years. They thought that 7 years was too long, but that if a person served acceptably for 4 years the people could be trusted to give him 4 more years, or 8 in all. Jefferson ratified this change, and in doing so said:

My wish, therefore, was that the President should be elected for 7 years and be ineligible afterward. This term I thought sufficient to enable him, with the concurrence of the legislature, to carry

through and establish any system of improvement he should propose for the general good. But the practice adopted I think is better, allowing his continuance for 8 years, with a liability to be dropped at the halfway of the term, making that a period of probation.

There is a real fundamental reason why an Executive should not be selected for long tenure or for successive terms. Jefferson voiced this reason when he said:

If some termination to the services of the Chief Magistrate be not fixed by the Constitution or supplied by practice, his office, nominally for years, will in fact become for life; and history shows how easily that degenerates into an inheritance.

When Jefferson said "his office nominally for years will in fact become for life," he knew what we know, that if we ever break this third-term rule for a President he will be President for life if he desires it.

Some men may be strong enough to carry on the democratic processes of a government for life, but history does not name one. On the contrary, history shows where bureaucracy has throttled the strongest. When the executive usurps the other branches and the orderly processes of government fail, the constitution is impotent. An impotent constitution in the hands of a senile, benevolent dictator is as impotent as in the hands of a despotic dictator. When a dictator, benevolent or despotic, comes in, the constitution goes out.

And when Jefferson said "and history shows how easily that degenerates into an inheritance" he was appraising accurately the situation of his day, for monarchies were then in their heyday. But I would not fear that now. If we lose our form of government—and God forbid that we do—we will not find ourselves under a monarchy. What we need to fear is a repetition of what happened in much of Europe in the past 15 years. Today the real issue in the European conflict is whether life, liberty, and the pursuit of happiness are the inalienable rights of men or whether it is the duty of man to fatalistically fit himself into the mass called humanity, not daring to claim his life as his own and not daring to bring the blessings of liberty to himself or his posterity, and not daring to indulge in the great American pastime, "the pursuit of happiness."

In the debate between Mr. West and myself, a man in the audience asked me a very pertinent question, which I had anticipated. He wanted to know how I justified my opposition to a third term for a President when I had sought and accepted more than three terms as a Member of Congress. I was glad to attempt to answer him, for I felt that this gave me an opportunity to express myself with the emphasis I feel should be given when discussing this issue. The founders of our Government feared the reestablishment of a monarchy. They knew they should have a Federal judiciary to decide national questions and questions between the States. They threw around the courts every possible protection so that they could do their duty free and uninfluenced, so they provided life tenure for them. They gave them no executive power whatever. The Supreme Court can do nothing but interpret the law for the guidance of the people and Congress and the President. The framers of the Constitution assumed that the President and the Senate would put none but lawyers on these courts and none but men of the highest order. Recent events have shown that they slipped a little there. At any rate, there are nine members of the Supreme Court and probably 200 additional Federal judges. The founding fathers also knew that there must be a legislative branch, so they set up a House of Representatives and a Senate. The House was to be close to the people and Members were to be elected for short terms, leaving it to the people to decide who should represent them. The Senate was to represent the States so as to make clear the dual form of our Government. There are now 435 Members of the House and 96 Senators. But there is but one Executive. He is the executive branch. Dictatorships have never come through the judiciary or the legislative branch. They have always come through the executive. And the first act of every dictator is to dissolve the courts and the legislative branch. There have been thousands of Members of Congress since the beginning of the Government, yet most of the influential Members of Congress have been Members with extended service. Our Speaker is serving his twelfth

term, our majority leader is serving his fourteenth term, our minority leader is serving his eighth term, and so it goes. Who is it but will agree that each of them should be reelected if he wishes?

But, my friends, where is there a man so foolhardy as to say that he would favor the reelection of any one man to serve as President for 24 years? Yes; you may say "that is different, I only am voting for a third term now." Yes; I know, but a third term for a President means an abandonment of a precedent that has become by time-honored custom a part of our republican system of government.

Mr. LUDLOW. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. LUDLOW. The gentleman has spoken about likely Democrats, and I ask him about available material on his own side.

Mr. JENKINS of Ohio. I said there were many Democrats who would make good leaders, and I may say to the distinguished gentleman from Indiana that if he were the Democratic candidate I think he would have the support of every Democrat in the United States.

Mr. LUDLOW. What about available timber on that side of the aisle over there? Let me say that there is no more able Member on the Republican side and no Member over there who more faithfully represents the philosophy of the great Republican Party than the distinguished gentleman from Ohio who now occupies the floor [Mr. JENKINS]. There are numerous able gentlemen on that side, and I hope the gentleman will not overlook them in his inventory of candidates. I appreciate the complimentary reference the gentleman made about me, and if he feels that he can deliver the Democratic nomination to me, I will accept, and close the entries right now.

Mr. JENKINS of Ohio. I thank the gentleman for his kind words. In the language of Uncle Joe Cannon, maybe both parties "could go farther and do worse."

That Washington opposed kingdoms, monarchies, and long-term executives is shown by his great sacrifice in laying his life and his fortune on the line.

To suggest that the great Washington would favor any of the trappings of a monarchy would be to the average American sacrilegious. He knew that the Constitutional Convention had turned down the proposal of Hamilton, his best friend, to provide a life term for the President. He had opposed that himself. He knew the action taken by the convention, and he emphatically refused to consider a third term. But, on the contrary, announced early that he would not accept it. While I think Hamilton was probably America's greatest statesman, I cannot subscribe to his theories as to a life tenure for a President.

Mr. HINSHAW. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from California.

Mr. HINSHAW. Did that have anything to do with the President's reference to Alexander Hamilton as a great man during his recent Jackson Day dinner speech?

Mr. JENKINS of Ohio. I do not know. I cannot follow the devious mental processes of the President.

Adams had no chance for a third term.

Jefferson refused it emphatically. Someone has said that he wrote to Lafayette indicating that he might accept a third term. Let us see what he said in this connection. His words are:

There is, however, but one circumstance which could engage my acquiescence in another election, to wit, such a division about a successor as might bring in a monarchist. But that circumstance is impossible.

Jefferson's most passionate hatred was of a monarch for his country.

Not a single President has ever sought a third term in succession. Every President that could have done so refused to do so. The two who sought a third term not in succession—Grant and Theodore Roosevelt—have some extenuating circumstances connected with their third-term efforts. Grant

was succeeded by Hayes, who favored only one term for Presidents. The reconstruction days were trying ones, and because of Grant's great popularity he was prevailed upon to permit his name to be used, but stated:

I would not accept the nomination if tendered to me unless it should come under such circumstances as to make it an imperative duty, circumstances not likely to arise.

Theodore Roosevelt, who succeeded to the unexpired term of McKinley, and was elected to succeed himself, was not a full-fledged second term yet he stated long before the expiration of his full term:

The wise custom which limits the President to two terms regards the substance, and not the form, and under no circumstances will I be a candidate for or accept another nomination.

In spite of this strong pronouncement he did contest with Taft, and he thought—although I did not agree with him—that there was a principle at stake, and that he must fight it out. This, too, was after a term had intervened.

Since no President has asked a third term in succession, why should we think that the present incumbent intends to do so? I have never thought that the present Roosevelt would run for a third term in view of his emphatic statement on the subject. When he entered upon his second term, he said:

I am by no means satisfied with having twice been elected President of the United States by very large majorities. I have an even greater ambition. My ambition relates to January 20, 1941. My great ambition on January 20, 1941, is to turn over this desk and chair in the White House to my successor.

To keep his word he must "turn over this desk and chair" as he promised.

I shall not tire you with a recitation of the statements made by the various Presidents from Washington down, but with permission, I shall insert some of them in the RECORD at this point.

Andrew Jackson, true to form, sniffing the tyranny of monarchs, in burning words, strongly favored a single term of 4 to 6 years.

William Henry Harrison took office pledged to a single term. Hayes favored election for one term only. Cleveland, the only man to serve two nonconsecutive terms, in vigorous words and deeds, strongly opposed a third term.

McKinley said:

I am not and will not be a candidate for a third term.

President Taft said:

I am strongly inclined to the view that it would have been a wiser provision, as it was at one time voted in the convention, to make the term of President 7 years, and render him ineligible thereafter.

The Calvin Coolidge economy was never more strikingly demonstrated than when he eloquently, and with an economy of words, told the world his position. "I do not choose to run," is a national classic. His brief sentence has been the theme of practically every second-term President from Washington to the present time.

The great Democratic Party has, on many occasions, taken a strong position against a third term. I read a plank out of the Democratic platform adopted in the convention of 1896:

We declare it to be the unwritten law of this Republic, established by custom and usage of a hundred years, and sanctioned by the example of the greatest and wisest of those who founded and maintained our Government, that no man should be eligible for a third term of the Presidential office.

Forthrightly the convention nominated William J. Bryan as its candidate.

Again in 1912 the great Democratic Party declared in its platform:

We favor a single Presidential term, and to that end urge the adoption of an amendment to the Constitution making the President of the United States ineligible for reelection, and we pledge the candidate of this convention to this principle.

Woodrow Wilson ran on that platform. It is quite possible that many of my distinguished colleagues voted for Mr. Wilson.

The House of Representatives, as you know, usually decides all major political controversies. We decided this matter long, long ago. On December 15, 1875, by a vote of 234 to 18, the House adopted the following resolution:

Resolved, That in the opinion of this House, the precedent established by Washington and other Presidents of the United States, in retiring from the Presidential office after their second term, has become, by universal concurrence, a part of our republican system of government, and that any departure from this time-honored custom would be unwise, unpatriotic, and fraught with peril to our free institutions.

This resolution was introduced by Congressman Springer, an able Democrat.

On numerous other occasions resolutions of the same import have been introduced in the House of Representatives.

The Senate, usually following the example of the House, took action on this subject when Mr. Coolidge was President. In 1928 Senator Robert La Follette introduced a resolution which after considerable debate was adopted by a vote of 56 to 26. This resolution reads as follows:

Resolved, That it is the sense of the Senate that the precedent established by Washington and other Presidents of the United States in retiring from the Presidential office after their second term, has become, by a universal concurrence, a part of our republican system of government, and that any departure from this time-honored custom would be unwise, unpatriotic, and fraught with peril to our free institutions; and be it further

Resolved, That the Senate commends observance of this precedent by the President.

I am sure you will be interested in knowing the names of some of those who voted for this resolution. Lo! as it was with Abou Ben Adhem long, long ago, so it was with Dear ALBEN BARKLEY, for his name led all the rest. Among other Senators, who voted for that resolution were CARTER GLASS, PAT HARRISON, CARL HAYDEN, and Senators McKELLAR, NEELY, PITTMAN, SHEPPARD, TYDINGS, WAGNER, and WHEELER.

Then, too, I must not omit another distinguished Senator, at present unattached politically, Senator GEORGE NORRIS, who apparently has changed and is now a persistent advocate of a third term. Also let me give you the names of some who voted for that resolution and are yet in the Senate and no doubt ready to vote as they did before: Senator BORAH and Senator HIRAM JOHNSON.

Senator HOLT, of West Virginia, will introduce a resolution in this session of Congress which will contain the same language as the La Follette resolution. He claims his resolution will be voted on in this session. It will be interesting to watch that vote. No doubt, many Senators will change their positions. That may be what it means to be a new dealer.

The great Democratic Party surely has not come to such a low state as to have but one man great enough to be President. My distinguished Democratic friend from Massachusetts [Mr. McCORMACK] has just come into the room. He would be splendid timber for the Presidency. You do not have to hang your hat on one peg, because you have any number of men in your party who can do this job.

Mr. McCORMACK. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I assume my friend is nominating me for the presidency of some social club in my district?

Mr. JENKINS of Ohio. I do not want the gentleman to assume that at all. I know he could grace the presidency of any social club with distinction, but I meant the Presidency of the United States. If your party has run out of capable people, you had better get into another party.

Mr. LUDLOW. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Indiana.

Mr. LUDLOW. Is that a pledge to vote for the gentleman from Massachusetts in case he runs?

Mr. JENKINS of Ohio. No; but I will tell the gentleman what I will do. I will agree to vote for him under certain circumstances, and those circumstances would be that he come over on my ticket. If he runs on your ticket, will you vote for him?

Mr. LUDLOW. Your conditions are too hard. However, in reply to your last question, if our national convention nominates the gentleman from Massachusetts [Mr. McCormack] I will support him with great energy and enthusiasm. He is a very able man and stands high in the estimation of the country.

Mr. JENKINS of Ohio. The Governors of the States usually reflect the sentiment of their people. The election of 1936 brought Democratic Governors to 38 States, while 7 States elected Republican Governors. The United Press polled these 38 Governors as to their views on whether a President, including Roosevelt, should have a third term. Three openly declared themselves against a third term; 29 refused to say that they would favor a third term for any President, including Roosevelt; 6 of these 38 declared for a third term for Roosevelt. Among these 6 are Murphy, of Michigan, now Attorney General; Earle, of Pennsylvania; and Leche, of Louisiana.

In April 1938, before the present war hysteria, Dr. Gallup took a poll of the country on the question, "Would you favor a third term for President Roosevelt?" The poll showed 30 percent for and 70 percent against. It showed 54 percent of the Democrats against. This poll also grouped the people as to their economic station in life, with the result that of those "above the average" only 14 percent favored, while of those listed as "average" only 24 percent favored, and of those listed as "poor" only 40 percent favored.

Another Gallup poll was taken on August 20, 1939, among none but young Democrats between the ages of 20 and 29. No more favorable conditions for the approval of the third-term idea could possibly be arranged. This poll showed only 52 percent for a third term for President Roosevelt, with 48 percent against.

Mr. HOUSTON. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Kansas.

Mr. HOUSTON. Will the gentleman be kind enough to dwell just a little bit on the relief situation in Ohio?

Mr. JENKINS of Ohio. Yes; I shall be pleased to tell the gentleman about that, but it is not apropos to this discussion. I shall make it short. The only thing in the relief situation in Ohio is Democratic politics. That is the whole story. Is that a sufficient answer? Does that answer the gentleman?

Mr. HOUSTON. Does the gentleman mean that the Governor is a Democrat?

Mr. JENKINS of Ohio. No; the gentleman understands what I mean. I mean that, boiled down, the whole situation comes from Democratic politics. In Cleveland, before the election, it was clearly manifest that the relief situation was full of politics. I cannot give you the exact figures, but, for example, I should say that if there were 85,000 persons on relief during the month before the election there were about 35,000 on relief during the month following the election. That is the situation in Ohio. Does the gentleman wish to elaborate on that?

Mr. HOUSTON. Does the gentleman mean the Democrats reduced the relief load that quickly?

Mr. JENKINS of Ohio. The situation explains itself. The gentleman can draw his own conclusions.

Mr. BATES of Massachusetts. It would be relatively an easy matter to feed the people of Ohio if the Federal Government paid practically all the bills, as it does in many States of the Union.

Mr. JENKINS of Ohio. Certainly, as in some of these States where about 90 percent of the relief load is carried by the Government. This is not the condition in Ohio. Ohio pays to the Federal Treasury much more than it draws out. It is true that there is much distress in Ohio; I deplore this very much. But there is no more distress there than in other States. It is all due to the fact that there are about 9,000,000 people out of work and naturally some of them are in Ohio. To relieve this unemployment is the first duty of all of us. The gentleman's party has been in power now about 8 years and it has not made much headway in relieving this situation.

Mr. Chairman, in view of the almost unanimous opposition of all classes of people from Washington down to the present time, why keep the people agitated? The President should not temporize further or keep the people agitated. With great unrest in the world we, of all nations, should not encourage internal unrest and discord. Dictatorship is stalking across the world, recognizing neither right nor justice, disregarding all promises however solemnly entered into, defying nature, and denying God. All this comes from a usurpation of executive power. To break the time-honored custom of two terms for a President and to elect him for a third, a fourth, and a fifth term would launch us on a course that might irresistably lead us to national destruction. The executive branch is one man only. This one man is the Commander in Chief of the Army and the Navy. He names the Secretary of the Treasury that might improperly take from the people the power to control the purse strings of the Nation. He names the Attorney General, who is the legal representative of the Government. To give him the additional power that comes from the control of a million Federal employees by controlling their action for a long and uncertain tenure is a danger which we should recognize before it is too late. Totalitarianism inevitably displaces individual freedom of action in business and chokes free speech and stifles free worship. God forbid that the time may ever come in America when one man shall call himself the state. [Applause.]

[Here the gavel fell.]

Mr. STEFAN. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Chairman, I am sorry I have not more time, for I should like to answer the question asked of my good friend, the gentleman from Ohio [Mr. JENKINS].

I come from the city of Cleveland, regarding whose relief situation a question has been raised. Cleveland is one of the cities of America that has always taken care of its poor and unfortunate. Long before Mr. Roosevelt became President, whenever there were needy persons, we provided for them. Cleveland was the first city in America to establish the community fund.

Since Mr. Roosevelt has become President we have had emergency after emergency, wherein thousands upon thousands of our people have been unemployed. This unemployment was created as a result of his economic philosophy or his lack of an economic philosophy. During these 41 emergencies—and we have felt every one of them—there has been a large influx of population into our city as the result of the good treatment of our people. In spite of the situation created by Mr. Roosevelt and his new dealers, we have managed to struggle along. When the Federal and county governments stepped away from handling direct relief, 3 years ago, the city of Cleveland stepped in.

[Here the gavel fell.]

Mr. STEFAN. Mr. Chairman, I yield 5 additional minutes to the gentleman from Ohio.

Mr. BENDER. Our city administration, operating on a very limited budget, had to assume the additional relief burden created by the Federal administration at Washington. We have been doing a marvelous job, and we resent the implications in the statements of Mr. Ickes and Mr. Roosevelt that Cleveland, or Ohio, has not been taking care of its job.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BENDER. I yield to the gentleman.

Mr. BATES of Massachusetts. Can the gentleman tell the Members of the House how much money the city of Cleveland spent for relief last year or the year before?

Mr. BENDER. I have not the exact figures before me.

Mr. BATES of Massachusetts. Just roughly.

Mr. BENDER. I believe that practically one-third of the entire budget of the city has been used for relief purposes.

Mr. BATES of Massachusetts. One million dollars or five hundred thousand dollars?

Mr. BENDER. Oh, a lot more than that.

Mr. BATES of Massachusetts. The only thought I had in mind is that if it was one-half a million dollars, there is much more being spent for relief in Cleveland than in the cities and towns of many other States of the United States, where the Government itself is paying from 95 to 99 percent of the entire cost of relief.

Mr. BENDER. Let me say further that Washington reduced the number of W. P. A.-ers far in excess of the reduction in any other State in the Union, because we have a Republican administration in Ohio.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield to me?

Mr. BENDER. Certainly.

Mr. JENKINS of Ohio. Let me ask the gentleman from Ohio to do this. I know that what the gentleman is saying is absolutely true, and will not the gentleman put the exact figures in his speech so that we can close the mouths of everybody with respect to what we have been doing in Cleveland?

Mr. BENDER. I want to say this with regard to Governor Bricker: There is not a man in this country who is more sympathetic with the underprivileged than Governor Bricker [applause], but at the same time Governor Bricker is interested in balancing the budget, and he has balanced the budget in Ohio. He is not playing politics with relief.

"Ohio is still here." With these words as his battle cry, Gov. John Bricker, of Ohio, completely routed the forces of the New Deal in the sensational controversy centering about relief difficulties in Cleveland. Democratic spokesmen—prominently including President Franklin D. Roosevelt and Secretary of the Interior Harold Ickes, aided and abetted by Democrat-Republican-Socialist-New Dealer Fiorello LaGuardia, mayor of New York—did their utmost to discredit the Republican administration of the Buckeye State through a series of bitter and uninformed attacks upon the handling of relief in Ohio. Their worst was not enough to destroy the reputation of the State.

Speaking before the Ohio Society of New York, Governor Bricker, a vice president of the society, rallied to the New Deal attack and returned far weightier clouts than his State had received. In unmistakable terms he made it clear that there was no disposition on the part of any Ohio official to minimize the importance of a constructive relief program. He left no doubt that the State administration had cooperated fully with the local representatives of Cleveland and other troubled areas of the State to solve their problems. His national radio audience heard him describe the solution of Cleveland's difficulties on precisely those lines laid down by him in a series of conferences with the city's officers.

But more than this, Governor Bricker did not hesitate to attack the basic evils which have given rise to constant emergencies and almost 4 years of pressing troubles. He assailed the New Deal administration of W. P. A. as a "political racket," and pointed to its padded pay rolls in election years, followed by sharp decreases in the "off years." To replace this partisan system he demanded a new organization of relief, to be administered locally and to be financed by local, State, and Federal participation.

Answering the slanders cast at him by his Democratic opposition, he announced his unwillingness to be "clubbed" into silence by "maligners" and "falsehood, innuendo, and propaganda" or to "flinch before a public crack-down from the White House." He refused to permit Ohio relief to become the "football of disgraceful partisan politics in Washington, New York, and the Department of the Interior." Ohio had not been "taken over by the White House," or Mr. Ickes, and the inference was obvious that so long as Governor Bricker sat in the Governor's office at Columbus, he did not propose to turn over his key to the Secretary of the Interior or his superiors.

The Cleveland predicament came in for its share of examination. In Cleveland during October 1938, just before the congressional elections, there were 74,225 men and women employed on W. P. A. One year later this figure had been cut by 60 percent, down to 30,000.

The biggest cut in Ohio—

Governor Bricker pointed out—

was in Cleveland, the very place that relief needs are greatest. The State has recognized this fact and has distributed this year 35 percent of the State's total relief appropriation to Cleveland's county, although that county contains only about 18 percent of Ohio's population. Throughout all these months, by resolution and by visits of the mayor of Cleveland to the national administration, requests were made, demands were sent that this discrimination by W. P. A. against Cleveland must cease. As this process of punishing Cleveland continued after the election last year, the State relief rolls in Cleveland steadily increased. They increased from 15,744 cases in October 1938 to 28,060 cases in October 1939. Keep in mind that W. P. A. is the Federal program and direct relief is carried at the cost of the State and local communities.

Governor Bricker demonstrated, too, that W. P. A. opened its rolls in Cleveland and elsewhere in Ohio to nonrelief clients, although the Federal law requires that preference be given on the basis of relative needs. To the argument that the Federal Government has done its job while the State and its cities have failed to do their duty, the Governor replied:

Ohio this year has increased her appropriation for general welfare and public assistance out of State and local funds. Ohio and Cleveland have taken care of their people, but the Federal Government has failed miserably in Ohio. There are only two answers to be given for this discrimination. It was either a deliberate attempt to cut the W. P. A. employment in Ohio unfairly as a punishment for not voting right last year or as an embarrassment to a Republican administration. Possibly it was for the purpose of creating such a situation that the Federal administration, with a demagogic gesture of rushing to the rescue, could take credit where blame was due.

The people of America must awaken to a realization of how far this Federal administration will go in playing politics with human misery and relief—how far it will go in its attempt to smear the good name of a State or an administration which dares to do a good job financially as well as in social service. The issue is clear-cut: Shall relief, including work relief, W. P. A., or whatever it may be called, be administered honestly, fairly, with due regard to the needs of the people, or shall it be administered as a political racket—padding the W. P. A. rolls in election years, and forgetting the needs in nonelection years, carrying the burden so the Federal Government can take credit when a national election is on, and passing the buck back to the States and local communities in the other years? This is a question which the American people must answer; and in it is involved a fundamental question of public morals.

Denouncing the tactics of the New Deal in assailing him, the Governor asserted that—

Most new dealers have contempt for any government authority or public official who does balance a budget, does administer relief honestly, does save public money, or shows any interest whatever in the taxpayer.

Constructively, Governor Bricker proposed that the system of Federal control and domination in each relief area of the United States should be reformed:

Work-relief programs in the various States should be administered locally and financed by local, State, and Federal participation, with the assistance of Federal grants in the same manner as prevails in all other public-assistance programs. This principle has the endorsement of the Committee on Mobilization for Human Needs, the National Association of Community Chests, and a great majority of the welfare administrators in the various States. The President has rejected this program for work relief, although the same principle of Federal grants is applied to the other forms of public assistance, such as aid for the aged, and to dependent children, and aid to the blind. It seems significant to me that the program which involves the largest expenditure of Federal moneys and which directly applies to the largest number of voters is operated under a system and on a principle entirely contrary to the other Federal programs.

The Governor declared that he would not be—

Clubbed into a position of fear or silence in the conduct of affairs in the State of Ohio when the very foundations of public morality, political decency, simple honesty, and fundamental human integrity are being eaten away by the unblushing political immorality of the New Deal in its relations to human needs and relief. As Governor of Ohio, I do not propose to condone with official silence a scheme of political manipulation which threatens the very integrity of the ballot simply because that scheme has been bundled up in the glittering trappings of official demagoguery and offered to the Nation in the name of relief.

In Ohio—

He concluded—

we are doing our part. For 7 years promises, experiments, pump-priming, and political manipulation have failed to bring satisfaction to the hopes of the people of the United States. Nor can our

social and economic problems be solved by name calling, crack-down, and purge. Their solution requires integrity, intelligence, and tolerance.

The political "pork barrel" never can become the wheel of American progress. America wants to get off relief. America wants to go to work.

Mr. HOUSTON. Mr. Chairman, will the gentleman yield?

Mr. BENDER. I yield to the gentleman.

Mr. HOUSTON. The good people of Ohio do not resent the Roosevelt administration going in there for the purpose of benefiting the people seeking relief, do they?

Mr. BENDER. The people of Ohio pay a lot more than they get in return for relief or for W. P. A. or for any other purpose.

Mr. HOUSTON. What relief?

Mr. BENDER. We in Ohio contribute a far greater percentage of money than we receive in return, and I will be pleased to supply the gentleman with the figures, because I have them here.

Mr. HOUSTON. Would there be any money put into Ohio for the W. P. A. if they did not ask for it?

Mr. BENDER. Because Roosevelt creates a condition where the people cannot find jobs in private industry and breaks down the efforts of those engaged in private industry and makes it impossible for them to employ persons in gainful occupations, of course, all of these makeshifts follow under such an administration.

Mr. HOUSTON. Did Roosevelt create the flood condition in Ohio?

Mr. BENDER. No; of course not. That is absurd.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield to me?

Mr. BENDER. I yield.

Mr. HINSHAW. I would like to ask the gentleman from Missouri a question. I would like to ask the gentleman from Missouri what happened to the \$1,500,000 that was sent out there to pay for a bridge job but the people who did the work have not yet been paid?

Mr. HOUSTON. Where was that?

Mr. HINSHAW. At Kansas City.

Mr. HOUSTON. I resent that. I am from the great State of Kansas.

Mr. HINSHAW. I have the facts in my office and I can show them to the gentleman.

Mr. BENDER. The United States Senate today has just passed an appropriation bill sponsored by the gentleman from Ohio [Mr. JENKINS] appropriating \$1,300,000 to pay the State of Ohio money that was due it when Davey was Governor and Roosevelt was President. They began squabbling among themselves and created a shortage of \$1,300,000 that was due the old people under the old-age pension fund.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield there?

Mr. BENDER. I yield.

Mr. McCORMACK. I do not mind a lot of general statements being made here, but I do not think that statement fairly represents a true picture. There was an honest misunderstanding and the members of the Ways and Means Committee, myself included, joined with my friend the gentleman from Ohio [Mr. JENKINS], but the statement the gentleman from Ohio is now making, by itself, is not correct. I know the gentleman does not intend to make any incorrect statement, but that statement does not reflect the true situation.

Such things can easily happen and that was the result of the State legislature failing to act within a certain time limit, and we provided in this measure that the money should be paid back which, of course, should be done, and my Democratic colleagues on the Ways and Means Committee were pleased to join with our friend from Ohio [Mr. JENKINS] in seeing that this was done.

Mr. BENDER. And I am glad he did.

Mr. McCORMACK. It was the fair thing to do, but it was not the fault of the Governor or the fault of the President.

Mr. BENDER. It was the fault of the Federal administration having a squabble with the then Governor of the State of Ohio, Mr. Davey.

Mr. McCORMACK. No; I know the gentleman does not mean to make an intentional misstatement, but the gentleman's statement does constitute a misstatement as to the true conditions, and there was more than one State involved.

Mr. BENDER. I am sorry to disagree with the gentleman. He is entitled to his opinion and I to mine.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield the gentleman 2 minutes more in order to ask a question or two. I understood the gentleman to say that Governor Bricker had succeeded in balancing the budget of the State of Ohio.

Mr. BENDER. That is correct.

Mr. WOODRUM of Virginia. Does the gentleman think that reflects a bad economic condition if Ohio is living on a balanced budget?

Mr. BENDER. The Governor of Ohio cut down the number of unnecessary jobs and he cut down the pay rolls. He did what the President has recommended, if we are able to understand his Budget. The Governor did everything essential to be done—and the thing that the gentleman from Virginia was praying for—in taking a lot of New Deal pap suckers off the pay roll that were entirely unnecessary on that roll.

Mr. WOODRUM of Virginia. Does not the gentleman think that if the State of Ohio has balanced the State budget, it has a pretty large obligation to take care of its own unemployment relief and that it should not ask anything of the Federal Government?

Mr. BENDER. We are making a very great contribution to the general welfare of the country in Ohio in paying taxes into the Federal Government funds far in excess of the amount of money we receive in return to take care of our unfortunate people in Ohio.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. BENDER. Gladly.

Mr. COCHRAN. Will the gentleman tell the House if the statement in the newspaper to the effect that when that acute situation existed in Cleveland the President issued orders for thousands of men to be placed on the W. P. A. is correct?

Mr. BENDER. The orders were there for the men to be on the W. P. A., but they were not taking care of them as agreed after the passage of the last appropriation.

Mr. COCHRAN. I mean just recently when you had that bad situation in Cleveland. Did not the President then issue orders that the W. P. A. go into Cleveland and put the unemployed to work?

Mr. BENDER. No.

Mr. COCHRAN. Is not that true?

Mr. BENDER. Wait a moment. I would like to have my time extended, in order to answer the question.

Mr. COCHRAN. That question can be answered by yes or no.

Mr. BENDER. No.

Mr. COCHRAN. He did not?

Mr. BENDER. No.

Mr. COCHRAN. Then the gentleman means to say that the W. P. A. Administrator did not follow out the orders of the President?

Mr. BENDER. The W. P. A. Administrator had not been following out the orders that were in the instructions in the bill that passed in the last session.

Mr. COCHRAN. I am not talking about the bill; I am talking about the order of the President.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. TABER. I yield 1 minute more to the gentleman from Ohio.

Mr. BATES of Massachusetts. Mr. Chairman, if the gentleman will permit, I ask the gentleman from Virginia this question, which is in line with the question that he asked the gentleman about the ability of the city of Cleveland to take care of its own, because of present economic conditions. I have given a good deal of thought to this problem. Does the

gentleman from Virginia think there is any justification for the Federal Government to step into any State where the industrial conditions have continually improved from 1920 to 1929, 1935 and 1938, and where the gross farm income is pretty nearly on a level with that of 1929, and pay from 95 to 99½ percent of the cost of relief? Does the gentleman think that is right?

Mr. WOODRUM of Virginia. I do not.

Mr. BATES of Massachusetts. But that is so; that evidence is before the gentleman's committee.

Mr. WOODRUM of Virginia. It is not before my committee.

Mr. BATES of Massachusetts. It was before the gentleman's committee last year, and there is a number of situations of that kind.

Mr. BENDER. Ohio is doing its share, and Cleveland is doing its share. The trouble is right here in the city of Washington.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. TABER. Mr. Chairman, I yield 15 minutes to the gentleman from Wisconsin [Mr. BOLLES].

Mr. BOLLES. Mr. Chairman, ladies and gentlemen of the Committee, on Wednesday, January 3, I introduced a joint resolution in this Chamber. Its purpose was to stop all appropriation for maintaining an embassy of these United States in the Union of Soviet Socialist Republics, and estop all expenditures from the State Department for diplomatic agents of the United States to the Soviet Russian Government. The resolution was as follows:

Resolved, etc., That no moneys appropriated for the fiscal years ending June 30, 1940, and June 30, 1941, shall be used for the purpose of maintaining an embassy in the Union of Soviet Socialist Republics of Russia or for the purpose of assigning or sending diplomatic officers or employees of the State Department as representatives of the United States to the Union of Soviet Socialist Republics of Russia or for the compensation or maintenance of such officers or employees within that country.

There is neither ambiguity nor equivocation about the resolution. It means what it says—a closing of diplomatic relations with the Soviet for the 2 years specified.

I have not introduced this because we have heard in America the Macedonian cry of Finland, "Come over and help us." This resolution in no way places the United States in the position of an ally of Finland nor does it mean the extension of aid with American armed forces across the sea. But it does say to the Soviet that we can no longer abide the violation of the agreements made by Russia when we gave her recognition 7 years ago. That recognition was not by act of Congress. It did not have the support or confirmation by this House or Senate. It was done by correspondence between President Roosevelt and the Commissar of National Affairs for the Soviet Republics, Maxim Litvinov.

At this point, Mr. Chairman, I desire to insert in this address the two most important commitments made by the Soviet Government through Commissar Litvinov.

The first has to do with Communist propaganda and organization of subversive movements in the United States.

WASHINGTON, November 16, 1933.

MY DEAR MR. PRESIDENT: I have the honor to inform you that coincident with the establishment of diplomatic relations between our two Governments it will be the fixed policy of the Government of the Union of Soviet Socialist Republics:

1. To respect scrupulously the indisputable right of the United States to order its own life within its own jurisdiction in its own way and to refrain from interfering in any manner in the internal affairs of the United States, its Territories, or possessions.
2. To refrain and to restrain all persons in Government service and all organizations of the Government or under its direct or indirect control, including organizations in receipt of any financial assistance from it, from any act, overt or covert, liable in any way whatsoever to injure the tranquillity, prosperity, order, or security of the whole or any part of the United States, its Territories or possessions, and, in particular, from any act tending to incite or encourage armed intervention or agitation or propaganda, having as its aim the violation of the territorial integrity of the United States, its Territories or possessions, or the bringing about by force of a change in the political or social order of the whole or any part of the United States, its Territories, or possessions.
3. Not to permit the formation or residence on its territory of any organization or group—and to prevent the activity on its terri-

tory of any organization or group or of representatives or officials of any organization or group—which makes claim to be the Government of, or makes attempt upon the territorial integrity of, the United States, its Territories, or possessions; not to form, subsidize, support, or permit on its territory military organizations or groups having the aim of armed struggle against the United States, its Territories, or possessions, and to prevent any recruiting on behalf of such organizations and groups.

4. Not to permit the formation or residence on its territory of any organization or group—and to prevent the activity on its territory of any organization or group, or of representatives or officials of any organization or group—which has as an aim the overthrow or the preparation for the overthrow of, or the bringing about by force of a change in, the political or social order of the whole or any part of the United States, its Territories, or possessions.

I am, my dear Mr. President,

Very sincerely yours,

MAXIM LITVINOV.

The second is a wobbly effort to discuss religious freedom:

WASHINGTON, November 16, 1933.

MY DEAR MR. PRESIDENT: In reply to your letter of November 16, 1933, I have the honor to inform you that the Government of the Union of Soviet Socialist Republics as a fixed policy accords the nationals of the United States within the territory of the Union of Soviet Socialist Republics the following rights referred to by you:

1. The right to "free exercise of liberty of conscience and religious worship" and protection "from all disability or persecution on account of their religious faith or worship."

This right is supported by the following laws and regulations existing in the various republics of the Union:

Every person may profess any religion or none. All restrictions of rights connected with the profession of any belief whatsoever, or with the nonprofession of any belief, are annulled (decree of Jan. 23, 1918, art. 3).

Within the confines of the Soviet Union it is prohibited to issue any local laws or regulations restricting or limiting freedom of conscience, or establishing privileges or preferential rights of any kind based upon the religious profession of any person (decree of Jan. 23, 1918, art. 2).

2. The right to "conduct without annoyance or molestation of any kind religious services and rites of a ceremonial nature."

This right is supported by the following laws:

A free performance of religious rites is guaranteed as long as it does not interfere with public order and is not accompanied by interference with the rights of citizens of the Soviet Union. Local authorities possess the right in such cases to adopt all necessary measures to preserve public order and safety (decree of Jan. 23, 1918, art. 5).

Interference with the performance of religious rights, insofar as they do not endanger public order and are not accompanied by infringements on the rights of others is punishable by compulsory labor for a period up to 6 months (Criminal Code, art. 127).

3. "The right and opportunity to lease, erect, or maintain in convenient situations" churches, houses, or other buildings appropriate for religious purposes.

This right is supported by the following laws and regulations:

Believers belonging to a religious society with the object of making provision for their requirements in the matter of religion, may lease under contract, free of charge, from the town soviet, special buildings for the purpose of worship and objects intended exclusively for the purposes of their cult (decree of Apr. 8, 1929, art. 10).

Furthermore, believers who have formed a religious society or a group of believers may use for religious meetings other buildings which have been placed at their disposal on lease by private persons or by local soviets and executive committees. All rules established for houses of worship are applicable to these buildings. Contracts for the use of such buildings shall be concluded by individual believers, who will be held responsible for their execution. In addition, these buildings must comply with the sanitary and technical building regulations (decree of Apr. 8, 1929, art. 10).

The place of worship and religious property shall be handed over for the use of believers forming a religious society under a contract concluded in the name of the competent district executive committee or town soviet by the competent administrative department or branch or directly by the subdistrict executive committee (decree of Apr. 8, 1929, art. 15).

The construction of new places of worship may take place at the desire of religious societies, provided that the usual technical building regulations and the special regulations laid down by the People's Commissariat for Internal Affairs are observed (decree of Apr. 8, 1929, art. 45).

4. "The right to collect from their coreligionists * * * voluntary offerings for religious purposes."

This right is supported by the following law:

Members of groups of believers and religious societies may raise subscriptions among themselves and collect voluntary offerings, both in the place of worship itself and outside it, but only amongst the members of the religious association concerned and only for purposes connected with the upkeep of the place of worship and the religious property, for the engagement of ministers of religion and for the expenses of their executive body. Any form of forced contribution in aid of religious association is punishable under the criminal code (decree of Apr. 8, 1929, art. 54).

5. Right to "impart religious instruction to their children either singly or in groups or to have such instruction imparted by persons whom they may employ for such purpose."

This right is supported by the following law:

The school is separate from the church. Instruction in religious doctrines is not permitted in any governmental and common schools, nor in private teaching institutions where general subjects are taught. Persons may give or receive religious instruction in a private manner (decree of Jan. 23, 1918, art. 9).

Furthermore, the Soviet Government is prepared to include in a consular covenant to be negotiated immediately following the establishment of relations between our two countries provisions in which nationals of the United States shall be granted rights with reference to freedom of conscience and the free exercise of religion, which shall not be less favorable than those enjoyed in the Union of Soviet Socialist Republics by nationals of the nation most favored in this respect. In this connection I have the honor to call to your attention article 9 of the treaty between Germany and the Union of Soviet Socialist Republics, signed at Moscow October 12, 1925, which reads as follows:

"Nationals of each of the contracting parties * * * shall be entitled to hold religious services in churches, houses, or other buildings, rented according to the laws of the country, in their national language, or in any other language which is customary in their religion. They shall be entitled to bury their dead in accordance with their religious practice in burial grounds established and maintained by them with the approval of the competent authorities so long as they comply with the police regulations of the other party in respect of buildings and public health."

Furthermore, I desire to state that the rights specified in the above paragraphs will be granted to American nationals immediately upon the establishment of relations between our two countries.

Finally, I have the honor to inform you that the Government of the Union of Soviet Socialist Republics, while reserving to itself the right of refusing visas to Americans desiring to enter the Union of Soviet Socialist Republics on personal grounds does not intend to base such refusals on the fact of such persons having an ecclesiastical status.

I am, my dear Mr. President,
Very sincerely yours,

MAXIM LITVINOV.

The two most important paragraphs in these commitments are in the first of these letters, dated November 16, 1933. Its purpose was to stop all communistic propaganda in this country. I want to read to you particularly that paragraph 4, so that you will be familiar with what was agreed to, and it requires no very great dissertation on what has actually happened. Mr. Litvinov, for the Soviet Union, agreed:

Not to permit the formation or residence on its (the United States) territory of any organization or group; and to prevent the activity on its territory of any organization or group, or of representatives or officials of any organization or group which has as an aim the overthrow or the preparation for the overthrow of or the bringing about by force of a change in the political or social order of the whole or any part of the United States, its territories, or possessions.

That agreement has not been kept. It has been constantly violated. The communistic problem in this country has increased more than one hundred fold ever since this commitment was made by the Soviet through its commissar. The time has arrived, my fellow Members of Congress and the people of the United States, to make serious, emphatic objection to such violation.

That is why I have introduced this resolution which has its effect of breaking off our diplomatic relations and ending our unnatural association with a government which has no sense of responsibility for its commitments. This resolution is at least a notice to Russia and the Soviet Socialist Republics that we no longer will tolerate this continuation of purpose, although that Government has agreed that the things that are done shall not be done.

What is the real purpose of the Soviet? In December 1926 Stalin, expanding upon the platform of Lenin, talked about the victory of socialism within 10 or 20 years; and he said:

This victory will be a victory not only within the U. S. S. R. but a victory on the world scale.

Then he proceeds to say—quoting Dictator Stalin:

And what is meant by "victory on the world scale"? Does it mean that such a victory is equivalent to the victory of socialism in a single country? No; it does not. Lenin in his writings carefully distinguished the victory of socialism in a single country from victory "on the world scale." What Lenin really means when he speaks of "victory on the world scale" is that the success of socialism in our country, the victory of consolidating socialism in our country, has such an immense international significance that it (the

victory) cannot be limited to our country alone but is bound to call forth a powerful movement toward socialism in all capitalist countries; and even if it does not coincide with the victory of the proletarian revolution in other countries, it must in any event lead to a strong proletarian movement of other nations toward world revolution. Such is the revolutionary outlook according to Lenin, if we think in terms of the outlook for the victory of the revolution, which, after all, is the question in which we in the party are interested.

I find this quotation which I have read to you in the statement of Carl Radek, at that time one of the great leaders of the Soviet movement, but who, getting in the way of Stalin, has been liquidated by a firing squad.

There is and has been from the beginning but one purpose in the action of the Soviet Union. And it was always very clever. It was a creature of Marxian socialism. It built itself into a nation on the doctrine of Karl Marx, and its bible was the Communist Manifesto. This position is inescapable. Without Marx, there would be no Soviet Union. It was taught by Marx that it could take any position or do anything for the purpose of making its way in the world and to build up the dictatorship of the proletariat.

We are interested here in America and all over the world in another statement which was made by Radek, and that is:

Never, and under no conditions, did it (the Soviet Union) participate in the plundering of other nations, because participation in such a plunder would be contrary to the international solidarity of the workers.

O my friends, two and a half million Poles, and others in Finland, cry out the falsity of that statement!

In the correspondence between Litvinov and President Roosevelt there is no mention of recognition. This correspondence is a series of agreements and understandings. One author says that it was "unparalleled in the history of American diplomacy." And he adds naively "but not in the annals of the Soviet Union," and later:

The American settlement is almost unique in that there is no parallel treaty. More properly speaking, the settlement, while casting nonunion treaties, form actually members' stipulations lifted almost bodily from well-known Soviet threats, and logically follows the schema of the earliest Soviet powers.

Strange as it may seem, there is under these early arrangements for actual recognition but one mention of recognition in any of the collateral doctrines, and that occurs in a note from Acting Secretary of State Phillips to Sirge Huget, the residuary legatee of the Kerensky regime, referring, under date of November 16, 1933, to "the recognition of the Union of the Soviet Socialist Republics by the Government of the United States."

It may still be a question whether we actually recognized Russia. We know that Congress took no action. It never was presented to Congress. It was done entirely by administrative action.

A reading of this correspondence between President Roosevelt and Litvinov discloses five distinct factors:

First. The promises of state collaboration.

Second. The pledges regarding propaganda.

Third. The guaranties of religious freedom.

Fourth. The stipulations regarding protection of nationals.

Fifth. The waiver and extrication of certain claims.

It is not necessary for me to tell this House nor its Members, nor the people of the United States, that the protection of this country against Soviet propaganda and communistic evangelism has not been kept. The stipulations and guaranties in reference to religious freedom is, if you will read the Litvinoff answer carefully, a tricky statement. What has happened has fully justified the statements of Secretary Hughes and President Coolidge and many times reiterated in their attitude against Russian recognition. The fact is, my fellow Members of Congress, that the very basis of Soviet diplomacy is deception. To those of us who opposed recognition from the first has come justification for that attitude.

The President of the United States, on November 16, 1933, addressed a note to Litvinov which in effect extended recognition through him to his Government and expressed the desire to reestablish normal diplomatic relations by the exchange of ambassadors.

The President added:

I trust that the relations now established between our people may forever remain normal and free, and that our nations henceforth may cooperate for their mutual benefit and future pledges of the people of the world.

The same day Litvinov replied, stating that his Government was glad to reestablish normal diplomatic relations and concurring in the hopeful views for the future as expressed by the President. And later we established diplomatic relations. Now, confronting the constant violation of these agreements, long subversive and submerged, and facing as we do the determination of Russia to carry out its world revolutionary conquest based upon the direction of the dead Karl Marx, it is our duty to resume our place as a nation upholding justice, honesty, and morals.

The great moving reason for this administrative executive recognition was the almighty dollar. It was not diplomatic peace we were seeking; it was trade. It was dollar diplomacy to the *n*th power. We have been selling the Soviet a lot of machinery for the establishment of great mills and electrical plants in Russia. Without recognition, we had sold at first \$4,350,000 in 1923, and jumped to \$114,398,587 in 1930.

Here the Soviet Government had established a great trading and propaganda center. It was exposed by the evidence before the Fish committee as not only a trading organization, but became the central financial agent for communistic proselyting in the United States. There was never an even flow of trade. Russian demands were abnormal because the program in Russia was abnormal. Then came the question of credits, and we were not in any position, nor had we the desire to extend credits. We remembered that there were \$800,000,000 of debts, claims, and unpaid interest due the United States, so credits were not available, and Russia wanted to buy where she could have credits, and the amount of their exports fell within 3 years to around \$8,000,000.

Wild and extravagant statements had been made as to what we were going to do in trade with Russia. Mark Twain's Col. Mulberry Sellers, famous for his eyewater for Egyptians—"there's millions in it"—was a piker compared with some of these recognition addicts in their claims for increased trade. It did not pan out. While we increased trade with Russia so that last year we sold \$69,000,000 worth of goods, there has been no year when we sold as much as we did before recognition.

I want to approach the subject in no attitude of intemperate language. Other nations than Russia have been founded on assassination, mass murder, and ruthlessness. No dictator can be a dictator without the purge of those who disagree. It has been so from the beginning of the human race. It matters not in whatever form dictatorship comes—the formula for power is the same. It is the old Augustine doctrine that there are no inherent rights in any individual—that all rights come from the ruling force. We have thrown away the historical calendar of 10 centuries and gone back to the days of the serf villein and the regimented individuals in Russia, as in some other countries in Europe.

The soul of the world is upset. The struggle upward of great peoples has been halted. Democracy is crying in the wrecked streets of war-torn lands. Blood is on the lintel of millions of door posts. Fear possesses the minds of millions. Sweden and Norway, in the pathway of the Soviet Union ambitions, seeing what happened to Poland and what is going on in Finland, may well have visions of "red" armies despoiling their coasts and cities, villages, and people.

We may well break off our diplomatic relations with Russia because, entirely outside these warlike movements of the Soviet and devoid of any item of sympathy or financial aid in Finland, the solemn obligations because of which we established that diplomatic relationship have been violated. The marriage contract made by the Soviet Union with President Franklin D. Roosevelt has been broken by the party of the second part, said Soviet Union. My resolution provides for a divorce, a mensa et thoro. Later it may be necessary to make the divorce complete and permanent without alimony. My proposal is that it be accomplished without bloodshed.

My colleagues of the House, can we longer be wedded to Muscovite barbarism or the butchery of Stalin?

I ask the Committee on Foreign Relations to make an early report on that resolution and that we be given opportunity to vote upon it promptly. [Applause.]

Mr. GIFFORD. Mr. Chairman, will the gentleman yield? Mr. BOLLES. Yes.

Mr. GIFFORD. To whom is that resolution addressed—to the chairman of the Committee on Foreign Affairs?

Mr. BOLLES. I introduced it here in the House.

Mr. GIFFORD. By any action of others, can the Department of State be instructed to withdraw the United States representative?

Mr. BOLLES. I will show the gentleman how this is accomplished by reading the resolution. The resolution takes all of the "biscuits off the table." It reads as follows:

Resolved, etc., That no moneys appropriated for the fiscal years ending June 30, 1940, and June 30, 1941, shall be used for the purpose of maintaining an embassy in the Union of Soviet Socialist Republics of Russia or for the purpose of assigning or sending diplomatic officers or employees of the State Department as representatives—

Mr. GIFFORD. The gentleman does not need to read any further. That is the old-fashioned way of the Congress asserting its rights by simply depriving them of the money; but the thought I wanted to ask the gentleman to put over is this: How can this administration criticize a great leader like Stalin for changing his mind because a very great man at a later date, under different conditions, would have acted so differently? [Laughter.] You heard that at the Andrew Jackson dinner if you listened in.

Mr. BOLLES. I did not listen in. I was very busy. [Laughter.] I have read fiction so long that I do not like to listen to it. [Laughter.]

Mr. GIFFORD. I wanted to remind the gentleman that great men in a very short time—for instance, from 1932 to this date—will change their minds, and they should not be criticized.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. BOLLES. I yield to the gentleman.

Mr. McCORMACK. The gentleman has made a very fine contribution, and I am sorry to see his contribution in part destroyed by facetious injections, but I want to try to make a contribution also to the gentleman's efforts. I was chairman of a special committee 5 years ago that investigated communism, nazi-ism, fascism, and bigotry in this country. We made a report then that the Litvinov agreement had been violated. We uncovered direct evidence showing that it had been violated, and the gentleman's statement that there has been a constant violation of the Litvinov agreement is supported by the evidence. I join with the gentleman in saying that the best way is to make a motion, when the appropriation bill comes before the House, to eliminate the appropriation for the next fiscal year. I intend to make such a motion when the bill is taken up in the House.

Mr. BOLLES. I thank the gentleman.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield the gentleman from Wisconsin 3 additional minutes.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. BOLLES. I yield.

Mr. RANDOLPH. I assure the gentleman there are many of us on both sides of the aisle who are sincerely in sympathy with the purpose expressed in the speech and resolution offered by the gentleman who has just addressed the Committee. I am very certain that the communistic Government of Russia has violated, as the gentleman from Massachusetts [Mr. McCORMACK] has so well said, the agreement made with the United States Government. I feel that although perhaps we may be charged with being overly concerned, this Congress can well give prompt and careful consideration to such a resolution as has been presented, because I feel in my own heart that there has been an absolute disregard for the pledge made by Russia to this country. I trust that some-

thing can be done to sever diplomatic relations with such a nation. [Applause.]

Mr. BOLLES. I thank the gentleman for his contribution.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BOLLES. I yield.

Mr. SCHAFER of Wisconsin. I do not believe that the New Deal will sever diplomatic relations with Soviet Russia, which were negotiated under Finklestein, who calls himself Litvinov. Immediately following his negotiating the recognition of Russia, the New Deal preached, practiced, and emulated the Soviet conception of regimental bureaucracy as preached and practiced in Moscow. I want to ask the gentleman a question with reference to another related matter. The New Deal administration's so-called neutrality bill, the Bloom bill, was enacted in the special session of this Congress. This bill requires that the President issue a proclamation and apply the provisions of that act when he finds a state of war to exist. Do you not believe it is about time that the President, if he has not been able to find that war exists, should send an emissary to find that a state of war exists between the Communists of Moscow and the Polish people and the Communists of Moscow and the Finnish people, and that he should then issue the proclamation required under his own so-called Neutrality Act?

Mr. BOLLES. May I say to the gentleman that a distinguished Member of this House called the State Department and was informed that they did not know of any state of war existing between Russia and Finland. [Laughter.]

Mr. MURDOCK of Arizona. I am in favor of the gentleman's resolution, and I shall support it.

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Chairman, a few moments ago, while the gentleman from Ohio [Mr. BENDER] was speaking, I asked him if it was not a fact that when there was an acute situation in the city of Cleveland recently the President of the United States issued orders for an additional quota under the Works Progress Administration for that city. I was unable to get a direct answer from the gentleman from Ohio at the outset, but when I insisted he could answer the question "Yes" or "No," he said "No."

I have just talked to Mr. Emerson Ross, Chief of the Division of Statistics of W. P. A., and Mr. Ross told me that the President did issue an order for 7,000 additional men to go to work in Cleveland immediately. If those 7,000 men have not been placed to work in the past 30 days, the fault lies solely with the city of Cleveland for not providing the projects, which, as we all know, is required under the law.

The gentleman from Ohio also stated that because they had a Republican Governor in Ohio the Democratic administration was not treating the State fairly in connection with W. P. A. I asked Mr. Ross what the situation was with reference to W. P. A. employment in Ohio in comparison with its population. He told me the employment under W. P. A. in Ohio was 6.8, while the population in Ohio was 5.4. In other words, W. P. A. in Ohio has today more than the quota to which it is entitled under its population.

Now, let us see what the chief official of Cleveland says about W. P. A. As I understand it, the gentleman from Ohio [Mr. BENDER] is Congressman at large, and being a Congressman at large in a large State, naturally he cannot go into the conditions in his own home city as he could if his duties related solely to that city. Undoubtedly his mayor, Mr. Burton, who is also a Republican, is competent to speak for his own city. Mr. Burton appeared before the Woodrum committee investigating W. P. A. What did he say? He said there were no politics in W. P. A. in Cleveland. That was his language. Go get his testimony and find out what your mayor of Cleveland said before a committee of the present Congress. You will find it on page 424 of the printed hearings. The gentleman from Missouri [Mr. CANNON] asked Mayor Burton the following question, "Has the W. P. A. projected itself into the politics of your city?" Mayor Burton replied, "No, sir." This statement was made on May 8, 1939, after the reduction

the gentleman referred to. Of course, it is needless for me to say all States and cities were subject to the same reduction.

Furthermore, the mayor of Cleveland made a speech over the radio in which he said there were no politics in the handling of W. P. A. or in other relief in the city of Cleveland. The answer to the gentleman's charges is found in the statement of his mayor, who belongs to his own political party.

Mr. SECCOMBE. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. My time has expired.

Mr. TABER. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Chairman—

Mr. SECCOMBE. Mr. Chairman, will the gentleman yield?

Mr. BENDER. I yield.

Mr. SECCOMBE. Would the gentleman mind telling me what date it was that the mayor of Cleveland made the statement that there were no politics in W. P. A.?

Mr. BENDER. I do not know.

Mr. SECCOMBE. It was early last year before the election, was it not?

Mr. BENDER. I do not know.

Mr. SECCOMBE. But politics entered into it right after that.

Mr. COCHRAN. I will tell him when it was.

Mr. SECCOMBE. Why did the gentleman not give the date when he made the statement on the floor?

Mr. COCHRAN. It was in the middle of 1939, and you have not had an election since then. Go down stairs and get the record.

The CHAIRMAN. Does the gentleman from Ohio [Mr. BENDER] yield for this purpose?

Mr. BENDER. I do not, Mr. Chairman.

The CHAIRMAN. The gentleman from Ohio declines to yield.

Mr. BENDER. Since the gentleman from Missouri and the gentleman from Kansas questioned me, I have checked the record as to Ohio's performance, and the latest available information it is possible for me to get is that for the year 1938 Ohio paid in Federal taxes \$287,289,233. Ohio received for all purposes from the Federal Government in return \$165,072,954. In other words, we received from the Federal Government only 57 percent of what we paid in. In that same year the State of Kansas paid in \$16,644,000 and received \$48,582,000, or 291 percent, of what was paid in. In Missouri they paid in \$109,104,000 and received in return \$84,044,000, or 77 percent, of what they paid to the Federal Government in taxes that year.

Regarding W. P. A., apparently the administration of W. P. A. in Cleveland was derelict in its duty when you say and they say here in Washington that we are permitting people in Cleveland to starve and at the same time they find opportunity to place 7,000 more. This figure I say is incorrect.

If they prorate the need for additional W. P. A. employment for the current year we were far under our quota.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 2 additional minutes to the gentleman from Ohio.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. BENDER. I decline to yield.

I might inform the gentleman from Missouri that I am well informed as to conditions in Cleveland, because it is my home city. I know exactly how the mayor of Cleveland feels. He was here, and he appeared before the committee. He is a Republican. He has to work with the gentlemen down here and he is going to be just as nice to them as he possibly can. For that I admire him and respect him. He is a fine gentleman. I will say to you, however, that if you will examine the records for the year 1938, the election year, you will find my statement verified by the record as to the number who were employed before election. Then you will see the number on the rolls immediately after the election and during the entire period since.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BENDER. I yield.

Mr. SCHAFFER of Wisconsin. I want to congratulate the gentleman from Ohio for straightening out the record in the controversy between the Republican Governor of Ohio and the New Deal leaders. Governor Bricker of Ohio opened up both barrels on the New Deal and apparently hit the bull's eye. That is why the New Deal leaders, from the President down, have been squawking, squealing, and apologizing since the Governor's exposé. I believe the New Deal crowd is more interested in trying to smear the Governor because of the 1940 and not the 1938 election. They no doubt have observed the reaction throughout the country and realize that Governor Bricker of Ohio is an exceptionally formidable potential dark horse Republican candidate for the Presidency in 1940.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. HOOK].

Mr. HOOK. Mr. Chairman, I was rather surprised at the statement of the gentleman from Ohio. In the first place when he said that the 7,000 jobs that were authorized by the increased quota of the W. P. A. in Cleveland under the order of the President was a responsibility of the W. P. A., and their fault that the men did not go to work, he misinformed the House. For the information of the gentleman from Ohio and the Members of this body let me say that the Ohio State relief organization, under control of the Republicans, must certify them as eligible for W. P. A. work before they are authorized to be placed at work on the W. P. A. That Republican relief organization is responsible if they are not working, not the President nor the W. P. A.

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I cannot yield; the gentleman would not yield to me.

I was astounded at the other remark when he intimated that a great Republican mayor from the great city of Cleveland would practically prevaricate in order to sustain his position. I am surprised at the confession.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Chairman, in going over the hearings on this bill I find something which I believe the Members of Congress should examine very carefully. I want to read from page 304 of the hearings, the testimony of Mr. Edgar Hoover in support of his request for the appropriation contained herein. At the outset, may I say that I do not propose to oppose this appropriation. Any appropriation that is needed to fight espionage and sabotage against our national defense is well spent; at the same time, I feel very strongly that the operations of the Federal Bureau of Investigation should be limited to the purposes and scope of uprooting spies, saboteurs, and other violators of the law. However, when the activities of the F. B. I. are extended to what to me smacks very much like the activities of a Gestapo or any of the so-called intelligence bureaus that exist in the dictator countries, I submit the Members of Congress should pause and examine this situation very closely. I now read from page 304, Mr. Hoover's testimony in which he states:

In September of 1939 we found it necessary to organize a General Intelligence Division in Washington. The establishment of this Division was made necessary by the President's proclamation directing that all complaints of violations of the national-defense statutes and proclamations be reported to the Federal Bureau of Investigation. This Division now has compiled extensive indexes of individuals, groups, and organizations engaged in these subversive activities, in espionage activities, or any activities that are possibly detrimental to the internal security of the United States.

This language is very wide and most dangerous and to me indicates preparations for a drive that will be very similar to the activities of the Palmer days. This language indicates to me the beginning of a disease which will make our democratic body very, very sick. The creation of a super secret service body in a democracy is injecting our democratic institutions with the virulent toxine of an antidemocratic activity under the guise of so-called protection of so-called national defense. Himmler's super secret service in Germany has kept Hitler alive and German democrats dead or dying in concentration camps.

Mr. Hoover states further:

The indexes have been arranged not only alphabetically but also geographically, so that at any time, should we enter into the conflict abroad, we would be able to go into any of these communities and identify individuals or groups who might be a source of grave danger to the security of this country. Their backgrounds and activities are known to the Bureau. These indexes will be extremely important and valuable in grave emergency.

I submit that if Mr. Hoover has the names of those who are guilty of or suspected of engaging in espionage or sabotage, it is Mr. Hoover's duty and it is the duty of the Department of Justice and other law-enforcement agencies to immediately apprehend these people and put them in jail rather than leave their names on mere index cards. If, on the other hand, these people are not engaged in espionage or sabotage, but their names are put down on these index cards simply because of the views they may entertain, which may be contrary to the views entertained by Mr. Hoover and other people in power, then I submit the preparation of these indices is most dangerous to the constitutional rights of the American people. They constitute a real serious menace to civil liberties in the United States and they lay the foundation, I repeat, for Palmer raids, for a Palmer system, and for a Gestapo system in the United States. This innovation in the Federal Bureau of Investigation can be correctly described as the index-card menace to American liberty.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield the gentleman from New York [Mr. MARCANTONIO] 1 additional minute.

Mr. MARCANTONIO. Mr. Chairman, furthermore, this type of language creates the very kind of hysteria that leads a country into war. The United States will go into war only as a result of a hysteria which is engendered by those who want to get us into war. This is hysteria language that will get us into war. Mr. Hoover uses the words "should we enter the conflict abroad." Then he paints the tremendous picture of 10,000 communications being received monthly by this Bureau, as he testifies in these hearings; put that picture before the American people and you are engendering war hysteria. By this type of testimony given by an important member of the Department of Justice two facts become obvious: First, we are preparing a general raid against civil rights, a black-out against the civil liberties of the American people, a system of terror by index cards such as you have in the Gestapo countries of the world; second, we are engendering a war hysteria which is a menace to the peace of the United States. [Applause.]

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman, several items appear in the pending deficiency bill which raise a question of policy with respect to national defense that I hope the Committee will indulge me very briefly as I seek to bring into this question such thought as I have devoted to it. In view of the conflagration in Europe, the whole question of adequate national defense is going to receive major emphasis in this session of the Congress. Every Member of this House, of course, is interested in a defensive establishment that is adequate for our needs in the light of world conditions. I am more concerned, however, with the whole pattern that is being projected, in view of the possible expenditures that may be entailed so far as the long-term future is concerned. When I think of the Army, I recall the story of a little town or village that purchased a fire truck. They were going to have suitable dedicatory exercises and they called on one member of the fire department to be ready to state a toast on the occasion of that dinner. He had great difficulty in contriving this toast, but on the night of the dinner, after they had been suitably invigorated by substantial viands, he stood up and stated: "Fellow citizens, I hope this fire truck may be like the old maids of the village, always ready but never called for."

I hope our defensive establishment may be like that—always ready but never called for. When we discuss the question of readiness, it means readiness not only in the

light of what is happening in Europe today but it should be ready and it should follow a pattern under which we can dip down into the structure of national defense any time, whether it be today or 10 or 20 years hence, and say it is ready. It is a state of high efficiency which is achieved through economical methods.

There are two items in this bill that bring the whole question of policy to mind. The first one is an item of \$18,000,000 for field exercises, which are in a state of commencement already and probably will run until June of next year. In addition thereto, there is an item of more than \$22,000,000 for the purpose of transportation in order to articulate this program of mass maneuvers that General Marshall has designed for the Army.

It is interesting to read General Marshall's testimony. He says, first, that transportation is the most expensive item in connection with a mass maneuver to be held somewhere in the southeast part of this country; transportation, because you have to reach everywhere in this country, find your troops in different garrisons, posts, and cantonments, and send them down into the section where this mass maneuver is to take place. That is No. 1.

Secondly, he has stated that this is one of those infrequent things, and that one of the weaknesses in our Army is the fact that they can only plot these tactical diagrams on paper, but that it is theoretical because it has never been translated into terms of terrain action. I rather agree with the Chief of Staff that you have to do more than merely shuffle a lot of colored pins around a map in order to make a good soldier and develop the right kind of teamwork.

The third point is this—and he emphasizes this fact—that our Army units, in particular the Regular Army divisions, are so diffused in the country today that it becomes a matter of real expense to pick them up in one section or another and move them into the areas where a mass movement or a mass maneuver must take place.

In the light of that testimony I took down the annual report of the Secretary of War last night in connection with the number of military posts we have in the country, and I found that it was not a new subject with me. In the current annual report of the Secretary he states that not so long ago the War Department advocated the abolition of many of the smaller and more inconsequential garrisons in the country for the purpose of concentration, but that presently under the system of training we are following, it probably lends itself to that system of training, and hence nothing has ever been done about it.

May I emphasize that with the more than 250 military posts that we have in the country, which you can check from the Army Record, which I obtained from the Library yesterday, you will find them scattered all over the country. Almost every State has one. New York has 26, and Massachusetts has 13, and they are of all shades and descriptions and sizes. It seems to me that it is a hodge-podge pattern that ought to have the attention of Congress before we go too far in dumping a lot of money into this program, only to find that ultimately we have saddled the taxpayers of the country with a tremendous depreciation and maintenance expense and that we cannot draw back.

I found one Army post, for instance, that has only 53 officers and 400 men. Consider what you have to maintain when you maintain an Army post. If you have 400 men, you have to have hospital facilities, you have to have a sewage system, you have to have a heating plant, you have to have a lighting plant, you have to have all those auxiliary facilities that are enjoyed by almost any municipality.

Suppose we could take 10 or 15 such establishments and concentrate them somewhere. It would mean definite economies as far as the taxpayers are concerned, and then it would get close to the thing General Marshall emphasized in the hearings, namely, that you do not have to reach way out hundreds of miles away in order to get enough Regular Army troops and corps troops to have an effective maneuver and somehow articulate the things the strategists and tacticians have been setting out on paper for a great many years.

Many of these posts are a relic of frontier days. As the frontier was pushed westward they went down into Kansas and Arizona or into North Dakota and established garrisons there. Then little by little a larger increment of troops was placed there, more buildings and facilities and structures were erected, and so we took on a quality of permanency. This whole diffused set-up today is nothing else except testimony to a great patchwork of camps, garrisons, and posts in the country, that does not make for an efficient military structure.

After all, when we talk about national defense the whole purpose is to take a raw recruit and dump him into a system of discipline and training and develop there an efficient fighting unit, properly armed with all the implements and the requirements of warfare. That is simply translating the thing in terms of factory language. Yet I fancy, if you got some of the better organizers in the country together and laid this thing out on paper for them, they would say that we are following a very inefficient and ineffective plan today that is going to cost a great deal of maintenance money as time goes on.

Look at what we have spent. When the National Industrial Recovery Act was before the Congress some years ago we made available a great chunk of funds for Executive allocation. How much of it went to public works for national-defense purposes for the Army? One hundred and two million dollars. A good deal of that money was used to build structures in different parts of the country. There came the Emergency Relief Acts of 1935, 1936, and 1937. We gave the Army \$61,000,000 more for that purpose. In 1938 we gave them \$74,000,000 and in 1939, \$51,000,000. So we have made available for housing facilities for the Army \$253,000,000, expended in different sections of the country.

When you set up a series of barracks, heating plants, lighting plants, hospitals, fire stations, and all the rest, do not forget that there is a continuing repair cost every year; do not forget that there is a continuing maintenance cost every year; so that the further we project this building and construction program in all sections of the country, the more we add to the repair requirement in the Budget year after year, and, in my judgment, that does not constitute efficiency.

This bill will provide for maximum strength of the Army of 227,000. Suppose that were allocated among 48 States of the Union. Suppose you had one camp or one post in each State in the Union. That would be 48. Suppose you had a little more than that, so that you had 100. It would make it possible to eliminate almost 150 garrisons in this country in the interest of efficiency and in the interest of efficient expenditure of the taxpayers' money.

I am satisfied that a committee consisting of a few Members of the House, a few Senators, a few Representatives of the War Department, and a few very capable organization experts, to be appointed by the President, could go through this whole military set-up and make recommendations that would save this country \$100,000,000 a year, and not impair its efficiency. When you translate that in terms of years to come, it is going to mean a great deal as far as the taxpayer is concerned, and that is my principal interest.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 2 additional minutes to the gentleman from Illinois.

Mr. DIRKSEN. There is not a Member of Congress who is not interested in adequate defense, but I am satisfied that you want to get a dollar's worth for every dollar that is expended.

I do not pretend to be an amateur tactician or a sapient strategist. Standing on the side lines I just look at the map of the United States of America and see a camp in North Dakota, several in Illinois, several in Massachusetts and in Kansas and in Missouri and in North Carolina and elsewhere. It seems to me if the strategic spots in the country were picked out and you had a camp there, and then probably one for every State so that the civilian military training system could be carried out and so that the National Guard maneuvers might be provided for, then you would take adequate care of

the whole training program, reduce the tremendous and recurring expense of maintenance and construction and repair, year after year, and then give us an efficient national-defense establishment for a whole lot less than it is costing at the present time.

Sooner or later, despite the fact that the people have a very sweet attitude on this thing now and are willing to have themselves taxed for the purpose of a better and more efficient national defense, there will come a time when they will rebel as this thing continues to hug the \$2,000,000,000 mark every year for Army and Navy regular and supplemental appropriations, and it occurs to me that the Congress might well give attention to this program of reducing the number of military posts in the country and then subserving the thing that General Marshall emphasizes in this report, the need for mass maneuvers without the tremendous incidental cost of transportation and all the other things that go with it. You would then have the necessary requirement of troops in each section of the country and would not have to depend on the delivery of motor transportation to the Army before that kind of mass maneuver can be properly carried on. So as we address ourselves to national defense in this session, let us have some regard for the establishment of a durable pattern that will be just as good 25 years hence as it will be in 1940. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. BATES].

Mr. BATES of Massachusetts. Mr. Chairman, following up somewhat the discussion that is taking place on the floor of the House this afternoon with respect to the relief situation in the State of Ohio, I want to take just a few moments to speak on the general problem of relief and also the outlook the Members of Congress should have in approaching the whole question.

I made the statement this afternoon that in the distribution of relief money through the medium of W. P. A. the Federal Government is going into many States of the Union and paying nearly the entire cost of relief. There are many instances of States wherein the Federal Government assumes well over 95 percent, and this, mind you, in those States of the Union where industrial conditions have consistently improved through the period from 1920, 1929, 1935, and 1937.

Much of this information was before the Appropriations Committee when it had the relief bill under consideration a year ago. I well recall on the floor of the House when the W. P. A. bill was under discussion that I quoted the Governor of one of the States, and I will read what he had to say in the newspaper, without naming the State again:

If you come intent on material gains, bear in mind that—

Naming his State—

is today the most prosperous State in the Union.

Despite this most prosperous situation, the Federal Government in that particular case in 1938 spent \$23,413,000, or 95.1 percent of the cost of relief. And bear this in mind, particularly in relation to the city of Cleveland. We are informed that that city has spent a great deal of money locally from its own taxes for direct relief, and amounting, perhaps, to \$1,000,000 or more, whereas in the State that the Governor said was the most prosperous in the Union the Federal Government in 1938 contributed over \$23,000,000, while the State itself and all the cities and towns of that State were spending only \$1,199,000 during the same period for direct relief.

Mr. SCHAFER of Wisconsin. What State was that?

Mr. BATES of Massachusetts. Well, the State was Louisiana, but that is only one of many States. There are a number of others where the Federal Government pays from 95 to 98 percent of the cost of relief.

Mr. TABER. Mr. Chairman, will the gentleman yield for a question there?

Mr. BATES of Massachusetts. Yes.

Mr. TABER. That is the State where a bunch of them are under indictment for irregularities?

Mr. BATES of Massachusetts. I do not wish to comment on that, because, otherwise, it is a pretty good State, and many

things like that have happened in my State that the State itself or the people are not responsible for. Time alone will take care of that, I hope. The point I wish to bring to the attention of this House is that I have made it my business in the past 2 years to visit many of these States and confer with the municipal officials, including the mayors of the cities, the chairmen of the finance committees, and the city managers, in order to determine just what the local problem is insofar as relief is concerned; and in many of these States the total expenditures for direct relief is less than that for each of half a dozen cities I could name in my own State. When I mention the relief cost of the State I mean the total expenditures by all the cities and towns of the State for direct-relief purposes.

As we peruse the records and see how much revenue is coming from those States, and then compare it with the huge sums the Federal Government puts back into them by way of Federal grants, the question uppermost in my mind is, How long can we continue that condition? There are many other cases where the Federal grants run from 2 to 10 times the amount of the Federal internal-revenue collections from those States. The gentleman from Kansas seems to be complaining this afternoon about relief conditions in the city of Cleveland and in the State of Ohio. Yet, if the State of Ohio, which contributes nearly twice as much money to the Federal Government as it gets back, was used the same as the State of Kansas, it would have no complaint. The State of Kansas in 1938 contributed \$16,000,000 to the Federal Government and received \$48,000,000. Kansas certainly is used pretty well by the Federal Government.

If the Federal Government is willing to pay the bill and drag that money from the great industrial States of the Union, then, of course, we cannot blame those States to which I have referred for taking the money. It is up to us to put a stop to that particular situation, which is not only bringing ruination to these industrial States of the Union, but I believe is eliminating local responsibility from those who ought to assume it in this relief problem.

Mr. DARDEN. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. Yes.

Mr. DARDEN. I was interested in the gentleman's observation in respect to taxes paid in contrast to relief received. What has the gentleman to say about a situation such as this: Take the Ford Motor Co., for example. It pays its income taxes in the State of incorporation, and yet that income tax is passed on to consumers in every State in the Union, and is paid in part by every State in the Union. Is it a fair test to take States, say, like New York and New Jersey, or the small State of Delaware, where there is a tremendous number of incorporations, and use them as an indication that the State pays much more than it receives, while other States receive less than they pay?

Mr. BATES of Massachusetts. The only question I raise in that respect is that the economic condition of these industrial States is built up around the industries that come there. When these industries come into our states, it is not all "gravy." They bring many problems, not only relief but the need for sewers and schools and highways, and every kind of municipal service, and when we directly attack that source of revenue around which the economic condition of the State has been built, then we strike at the very basis on which they depend for revenue.

But aside from that, I am speaking about those States where, because of Federal contribution, Federal grants, Federal subsidies, and so forth, there has come statutory exemption of taxes for real estate on properties of from one to five thousand dollars, assessed value, and in many States the assessed value represents only 50 percent of the real value.

When they exempt factories from taxation for 5 to 15 years, when they have no income or inheritance tax that many other States depend on for a major source of income, when they are getting to be tax-dodging States and refuse to raise locally sufficient money to take care of their relief problem, then I resent the Federal Government reaching into these other industrial States of the Union and impairing their

source of revenue upon which they must depend in order to exist under the most depressing economic conditions that exist at the present time.

That is my complaint. No State ought to expect the Federal Government to pay 95 to 99 percent of the cost of relief and then, by local tax exemption, get off scot free from assuming the local responsibility that ought to be theirs and would be theirs if our Members of Congress will see to it that they properly assume their rightful burdens of government. [Applause.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. DARDEN].

Mr. DARDEN. Mr. Chairman, we have had a great deal of discussion this afternoon on matters not bearing directly on the bill under consideration. I want to talk for only a moment or two on some of the features included in this bill with reference to the Navy.

I was very much interested in what the gentleman from Michigan [Mr. SHAFER] had to say about the Army. I think the same thing is true about the naval forces of the United States. I think we have an excellent Navy. It is a splendid force—both officers and men. The appointment of Mr. Edison only a few days ago as successor to Mr. Swanson was a particularly happy one.

There is no question about the fact that keeping up the defense of the country entails a heavy financial burden. I think we all appreciate that, and we realize that it is a sacrifice which on account of the times must be met. We must make no mistake about the fact that these are desperate years in which we are living and that the only people who will survive are the people who are able to take care of themselves. This country has nobody to whom it can turn in time of grave emergency. It is of vital consequence that no money be wasted on the naval or military forces of the United States, but it is equally important that they be kept on an adequate and well-prepared basis. I do not believe it an extravagant statement to say that the genuine desire and effort on the part of the party in power in Great Britain—the Labor Party in the first instance and later the Baldwin Government—to forward the cause of peace by disarmament, and like views held by our own administrations through this same period, contributed as much to the unfortunate situation abroad in the world today as any other single thing. Had we been able to keep our armament at a strength that would have commanded respect of our views in the period from 1922 down to 1933 or 1934, we would not now be faced with the necessity of tremendous naval expansion and the very heavy cost incidental to it. It is my belief that the territorial integrity of China would have been preserved without a shot being fired. Nor would Hitler have had the opportunity to ruthlessly overrun his weak neighbors. The success of Hitler has been due no more to the preparation of his own armed forces than to the failure of the western democracies to arm.

Dictatorship rests on armed force. It fears nothing except power—power great enough to curb its lawlessness and oppression.

The requests that have been made in this bill are reasonable. Many of you know that during periods of peace it has been the custom to keep the Navy on an 85-percent war basis. I have been of the opinion that the Navy, at all times, ought to be on a war footing; that it ought to be manned 100 percent, because it is an arm of the national defense, and we are not able, quickly, to bring it to 100 percent strength. The training of the personnel of the Navy requires time. The construction of naval vessels is a very slow and tedious undertaking. It is a truism, almost, that all wars are fought with the naval power in existence at the outbreak of the war. Countries are rarely able to add to their naval strength during a period of conflict. So, the requirements that are being met in this bill are simply those necessary to put our fleet, the United States Fleet, on a war basis. A basis which will permit us to deal immediately and effectively with an enemy.

I think, frankly, there is some question—and I hope to have an opportunity at a later time to say something about it—as to the amount of money being spent in reference to the neutrality patrol. Admiral Ellis is doing good work with his command in the Atlantic, but I think there is grave question about the 300-mile limit set out in the declaration of Panama. It has, of course, no legal basis; it is not an area that we are called upon to defend, or in which we have any legal right superior to any other power. We have no rights beyond the territorial limits of the United States. We have interests in our shipping wherever it may be. But to draw a line in the western part of the Atlantic and claim control over the water lying within it is not only folly—it is a dangerous precedent. No step should be taken by this Government that might tend to embroil us within the limitation of 300 miles off our coasts. The seas are free. We have fought to maintain this doctrine. Why should we seek to repudiate it now. Our interest lies in its assertion, not its denial, with the exception of this expenditure—and it is not great—in this bill, the request for some \$150,000,000 for the United States Navy is a reasonable request. It is money that is needed, and it is money which I hope the Congress will be inclined to make available, and available immediately. [Applause.]

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 5 minutes to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK of Arizona. Mr. Chairman, I was presiding at the time the gentleman from Illinois [Mr. DIRKSEN] spoke. I listened carefully and found myself agreeing quite generally with his remarks in favor of an economy to be brought about through a wise concentration of our Army camps and posts. I am aware of the fact that we have many relics of an earlier date. I am also aware of the fact that Members of Congress, perhaps like myself, more or less locally minded, each feels the need in his own State or district of having an Army post. Perhaps the West today is covered with Army posts which are relics of the day when the Indian wars made such posts necessary. So I want to express general approval of the proposal advanced by the gentleman from Illinois [Mr. DIRKSEN] and others.

I have a feeling, of course, that the Army, the Army officers, the military organizations, taking all factors into account, ought to lead the way in this sensible suggestion of reorganization for our physical defense plans, so to speak. I am aware, of course, that strategic locations will be thereby considered. Do not smile if I may seem to blow hot and cold in the same breath by wanting to consolidate and yet keep all of mine—one. I recall that I mentioned to members of the House Military Affairs Committee in the Seventy-Fifth Congress that I thought Fort Huachuca, down in southern Arizona—this was 2 years ago—ought to receive some consideration and rehabilitation. Such has since been done to a certain extent, but perhaps not to a sufficient extent.

One member of the committee asked me: "Why should we give any thought to that distant outpost down on the southern desert?" I explained that it was the only military post we had between El Paso and the Pacific Ocean, a long stretch and a very strategic border. It is not that I am thinking of our neighbor on the south, who might cause trouble, but I was thinking then and am still thinking of this, that in the event of an Asiatic war, or an enemy striking us from across the Pacific, that that particular back door, if left unguarded or partially so, would be our vulnerable point. I would say that it is one of the first ten which must be kept up.

I am not refuting the gentleman from Illinois [Mr. DIRKSEN] now, for I noticed he said that perhaps one post ought to be retained in each State for the training of civilians and for other purposes. Such a plan would take care of Fort Huachuca for Arizona, but I believe we should have more protection along that border. I am calling attention to the fact that something more is needed besides the persuasive power of a Congressman pulling for his district.

I have faith in the impartial, scientific judgment of our Army officials and those charged by us with the responsibility of protecting our country. So, with this understanding, I want to express approval of the proposals made from the floor on this matter of economy. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. There being no further requests for time the Clerk will read.

The Clerk read the bill down to line 11, page 2.

Mr. WOODRUM of Virginia. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. JONES of Texas, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 7805, making supplemental appropriations for the Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation, for the fiscal year ending June 30, 1940, and for other purposes, had come to no resolution thereon.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—CONSERVATION OF NATIONAL RESOURCES (H. DOC. NO. 561)

The SPEAKER laid before the House the following communication from the President of the United States, which was read and, with accompanying papers, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed, with illustrations.

The Clerk read as follows:

To the Congress of the United States:

The provision for the wise use and conservation of our national resources must necessarily be one of the primary responsibilities of the Federal Government at all times. Through research leading to the development of programs and recommendations, the National Resources Planning Board and its predecessors have been at work for the past 6 years in the interest of planning for resources conservation and use. This is democratic planning. It is decentralized; it is based on the wishes of the people, who, through their elected representatives, decide what plans we will develop and follow; it is planning "from the ground up."

The accomplishments of the National Resources Committee in a large measure have been the results of cooperation with Federal and non-Federal planning groups. Today there are planning organizations by various names in many Federal agencies; there are also 43 State planning boards and hundreds of county and city planning groups. The continuance in operation of these democratic planning activities demonstrates the desire of our people for the utilization of long-range planning to conserve and develop our resources.

The functions and duties of the National Resources Committee, as you know, were transferred under Reorganization Plan No. 1 to the National Resources Planning Board in the Executive Office. The story of the committee's work and a picture of the responsibilities that lie ahead of the National Resources Planning Board are presented in the progress report of the National Resources Committee, which I now transmit for the information of the Congress.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 11, 1940.

EXTENSION OF REMARKS

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in the committee today and to include therein certain statements and brief extracts from the hearings.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

There was no objection.

ADJOURNMENT

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 28 minutes p. m.) the House adjourned until tomorrow, Friday, January 12, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON NAVAL AFFAIRS

There will be a hearing Friday, January 12, 1940, at 10 a. m., before the Committee on Naval Affairs, on H. R. 7665, to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matters named:

Tuesday, January 16, 1940:

H. R. 6130, to provide for mandatory or compulsory inspection and permissive or voluntary grading of fish, fishery products, fishery byproducts, shellfish, crustacea, seaweeds, and all other aquatic forms of animal and vegetable life, and the products and byproducts thereof, and for other purposes.

Tuesday, January 23, 1940:

H. R. 200, to amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 ed., title 46, sec. 316).

Tuesday, January 30, 1940:

The following hearing was at first scheduled for Friday, January 5, but was later postponed until Thursday, January 25. Now it has been postponed again, this time being Tuesday, January 30, at 10 a. m.

H. R. 7357, to amend section 4472 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 465) to provide for the safe carriage of explosives or other dangerous or semidangerous articles or substances on board vessels; to make more effective the provisions of the International Convention for Safety of Life at Sea, 1929, relating to the carriage of dangerous goods; and for other purposes.

Tuesday, February 6, 1940:

H. R. 7527, to make effective the provisions of the Minimum Age (sea) Convention (revised), 1936, and for other purposes.

Tuesday, February 13, 1940:

H. R. 1780, to amend section 7 of the act of June 19, 1886, as amended (U. S. C., 1934 ed., Supp. III, title 46, sec. 319), relative to penalties on certain undocumented vessels and cargoes engaging in the coastwise trade or the fisheries, and for other purposes.

H. R. 5837, to amend section 221 of the Shipping Act, barring certain aliens from participating in the benefits thereof.

H. R. 6770, to amend Revised Statutes 4311 (U. S. C. 251).

H. R. 7694, to amend section 4311 of the Revised Statutes of the United States.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings in the committee room, 247 House Office Building, at 10 a. m., on the following dates on the matters named:

CIVIL WAR

Monday, January 15; Tuesday, January 16; and Wednesday, January 17, 1940:

H. R. 917. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 1666. A bill granting pensions and increase of pensions to widows, former widows, and children of certain soldiers, sailors, and marines of the Civil War, and for other purposes.

H. R. 2208. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 3386. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 6716. A bill to recognize for the purpose of the pension laws the service in the Civil War of certain members of the Fifty-sixth Regiment Illinois Mechanic Fusileers.

H. R. 6909. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 6927. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 7728. A bill granting an increase of pension to widows of veterans of the Civil War.

SUBMARINE OR AIRCRAFT DISASTERS

Friday, January 19, 1940:

H. R. 6532. A bill to provide pensions at wartime rates for disability or death incurred in line of duty as a direct result of submarine or aircraft disasters.

INDIAN WARS

Monday, January 22, and Tuesday, January 23, 1940:

H. R. 1006. A bill to adjust the rate of pension to soldiers of the Indian wars who served 90 days or more in active service against hostile Indians, and for other purposes.

H. R. 3996. A bill to pension men who were engaged in or connected with the military service of the United States during the period of Indian wars and disturbances.

H. R. 4924. A bill to adjust the rate of pension to soldiers of the Indian wars who served 90 days or more in active service against hostile Indians, and for other purposes.

H. R. 4991. A bill to pension men who were enlisted in the military service of the United States during the period of Indian wars and disturbances, and the widows of such men, and for other purposes.

H. R. 4999. A bill to increase the rates of pension in the case of soldiers who served 90 days or more in the Indian wars during the period from 1817 to 1898, and to grant pensions to widows of soldiers who so served in such wars.

DEPENDENTS OF REGULAR ESTABLISHMENT VETERANS

Thursday, January 25, and Friday, January 26, 1940:

H. R. 7191. A bill to make more equitable provision for pensions for the dependents of deceased veterans of the Army, Navy, Marine Corps, and the Coast Guard.

H. R. 7522. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to dependents of veterans of the World War whose death is due to service.

H. R. 7652. A bill to grant pensions and increase of pensions to widows and dependents of certain deceased members or former members of the military or naval service.

H. R. 7734. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to the dependents of veterans of the World War whose death is due to service.

MEDAL OF HONOR PENSIONS

Thursday, February 1, 1940:

H. R. 3385. A bill to liberalize the provisions of the Medal of Honor Roll Act of April 27, 1916.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a hearing before a subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m., Tuesday, January 16, 1940, on H. R. 6652, to aid consumers by setting up standards of quality based on performance as a guide in the purchase of consumer goods.

Hearings will begin Monday, February 5, 1940, at 10 a. m., before the Petroleum Subcommittee of the Committee on Interstate and Foreign Commerce. State regulatory bodies will be heard first.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1250. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 15, 1939, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of Salmon River, Oreg., authorized by the River and Harbor Act approved June 20, 1938 (H. Doc. No. 551); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

1251. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated

December 19, 1939, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of and review of reports on Little Manatee River and inlets, Florida, and channel to navigable waters in Tampa Bay, authorized by the River and Harbor Act approved June 20, 1938, and requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted April 7, 1938 (H. Doc. No. 552); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

1252. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 15, 1939, submitting a report, together with accompanying papers and an illustration, on reexamination of New River, Fla., with a view to determining whether any further improvement, including removal of shoals from the Intra-coastal Waterway through the town of Fort Lauderdale to South Fork, is advisable at this time, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted April 29, 1937 (H. Doc. No. 553); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

1253. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 11, 1939, submitting a report, together with accompanying papers and an illustration, on reexamination of East River, N. Y., with a view to determining whether any modification in the existing project from Brooklyn Navy Yard to Long Island Sound (Throgs Neck) is advisable at the present time, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted November 27, 1935 (H. Doc. No. 554); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

1254. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 15, 1939, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Watson Bayou, Panama City, Fla., from deep water in St. Andrews Bay to the head of navigation, authorized by the River and Harbor Act approved June 20, 1938 (H. Doc. No. 555); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

1255. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 11, 1939, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Middle River and Dark Head Creek, Back River to Chesapeake Bay via Hart Island Narrows and a cut-off channel from Gunpowder River to Chesapeake Bay via Spry Island Narrows, Md., authorized by the River and Harbor Act approved August 26, 1937 (H. Doc. No. 556); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

1256. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 11, 1939, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Wellfleet Harbor, Mass., authorized by the River and Harbor Act approved August 26, 1937 (H. Doc. No. 557); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

1257. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 19, 1939, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Craig Harbor, Alaska, authorized by the River and Harbor Act approved August 26, 1937 (H. Doc. No. 558); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

1258. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 11, 1939, submitting a report, together with accompanying papers and an illustration, on reexamination of Hampton Creek, Va., with a view to extending the navigation

channel into Sunset or Herberts Creek, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted May 11, 1939 (H. Doc. No. 559); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

1259. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 15, 1939, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Portland Harbor, Maine, north of House Island, to determine advisability of removing shoal, authorized by the River and Harbor Act approved August 26, 1937 (H. Doc. No. 560); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

1260. A letter from the Secretary of Labor, transmitting a report of statistical studies performed by the Department of Labor for other than Government activities during the fiscal year 1939; to the Committee on Labor.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 7831. A bill granting increase of pensions to sundry widows; without amendment (Rept. No. 1481). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 1344. A bill granting a pension to Joseph J. Mann; without amendment (Rept. No. 1482). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 1312. A bill granting a pension to Ernest Francis White; without amendment (Rept. No. 1483). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 685. A bill granting a pension to John H. Botner; without amendment (Rept. No. 1484). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 689. A bill granting a pension to Cora Arlena Ballard; without amendment (Rept. No. 1485). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 1379. A bill granting a pension to Timothy A. Linehan; without amendment (Rept. No. 1486). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 1509. A bill granting a pension to Albert E. Wells; without amendment (Rept. No. 1487). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 1550. A bill granting an increase of pension to Christopher C. Popejoy; without amendment (Rept. No. 1488). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 1695. A bill granting a pension to Bertha C. Keith; without amendment (Rept. No. 1489). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 1743. A bill granting a pension to Bertha R. Ettner; without amendment (Rept. No. 1490). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 2143. A bill granting a pension to Helen M. Crowley; without amendment (Rept. No. 1491). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 2273. A bill granting a pension to Lizzie May Wilbur Clayton; without amendment (Rept. No. 1492). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 2285. A bill granting a pension to Maud Patterson; without amendment (Rept. No. 1493). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 3928. A bill granting an increase of pension to James J. Scanlon; without amendment (Rept. No. 1494). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 4394. A bill granting a pension to James G. Bailey; without amendment (Rept. No. 1495). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 4962. A bill granting a pension to Artracey K. Burden; without amendment (Rept. No. 1496). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 5007. A bill granting a pension to John W. Swoveland; without amendment (Rept. No. 1497). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 5153. A bill granting an increase of pension to Gail E. Plunkett; without amendment (Rept. No. 1498). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 5831. A bill granting a pension to Conner Brown; without amendment (Rept. No. 1499). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 6496. A bill granting an increase of pension to William H. Shanklin; without amendment (Rept. No. 1500). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 6674. A bill granting a pension to Helen Moore Bristol; without amendment (Rept. No. 1501). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 6681. A bill granting a pension to Capt. Victor Gondos, Jr.; without amendment (Rept. No. 1502). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 7045. A bill granting an increase of pension to Florence Sharp Grant; without amendment (Rept. No. 1503). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 7684) for the relief of Clay A. Wilcox, and the same was referred to the Committee on the Civil Service.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DURHAM:

H. R. 7832. A bill granting to post offices of the third class an allowance for additional clerk hire during the period of vacation of the postmaster; to the Committee on the Post Office and Post Roads.

By Mr. BUCKLER of Minnesota:

H. R. 7833. A bill to set aside certain lands for the Minnesota Chippewa Tribe in the State of Minnesota, and for other purposes; to the Committee on Indian Affairs.

By Mr. DELANEY:

H. R. 7834. A bill to authorize the Secretary of the Navy to acquire certain lands adjacent to the Navy Yard, New York; to the Committee on Naval Affairs.

By Mr. KENNEDY of Maryland:

H. R. 7835. A bill to provide an additional sum for the payment of a claim under the act entitled "An act to provide for the reimbursement of certain personnel or former personnel of the United States Navy and United States Marine Corps for the value of personal effects destroyed as a result of a fire at the Marine Barracks, Quantico, Va., on October 27, 1938," approved June 19, 1939; to the Committee on Claims.

By Mr. SUMNERS of Texas:

H. R. 7836. A bill to amend subsection (C) of section 35 of the Criminal Code, as amended (52 Stat. 198; U. S. C., Supp.

IV, title 18, sec. 82), relating to theft of and depredations against property of the United States; to the Committee on the Judiciary.

By Mr. MAAS:

H. R. 7837. A bill relating to the retirement of certain commissioned and warrant officers of the Navy or Marine Corps; to the Committee on Naval Affairs.

By Mr. PETERSON of Georgia:

H. R. 7838. A bill to amend Public Law No. 257, Seventy-sixth Congress, approved August 4, 1939, so as to provide pensions to peacetime veterans of the Regular Army, Navy, Marine Corps, and Coast Guard suffering from arrested tuberculosis contracted while in the service; to the Committee on Invalid Pensions.

H. R. 7839. A bill authorizing the payment of an indemnity to the Spanish Government on account of the death of Juan Neira, a Spanish subject, killed at Savannah, Ga., by a United States truck; to the Committee on Foreign Affairs.

By Mr. WARREN:

H. Res. 344. Resolution providing for the appointment of a special committee of the House of Representatives to investigate the campaign expenditures of the various candidates for the House of Representatives, and for other purposes; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD:

H. R. 7840. A bill granting a pension to Clarence Leslie Skipper; to the Committee on Invalid Pensions.

By Mr. BARRY:

H. R. 7841. A bill for the relief of Merrill G. McKay; to the Committee on Military Affairs.

By Mr. BOEHNE:

H. R. 7842. A bill granting an increase of pension to Michael Burger; to the Committee on Invalid Pensions.

By Mr. CAMP:

H. R. 7843. A bill for the relief of Clifford J. Williams; to the Committee on Claims.

By Mr. CASEY of Massachusetts:

H. R. 7844. A bill to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of M. Grace Murphy, administratrix of the estate of John H. Murphy, deceased, against the United States; to the Committee on Claims.

By Mr. CROWTHER:

H. R. 7845. A bill for the relief of Arthur Reid; to the Committee on Military Affairs.

H. R. 7846. A bill granting a pension to James Underwood; to the Committee on Invalid Pensions.

By Mr. GREGORY:

H. R. 7847. A bill for the relief of Mary W. Gardner; to the Committee on Claims.

By Mr. HAVENNER:

H. R. 7848. A bill conferring jurisdiction on the United States District Court for the Northern District of California to hear, determine, and render judgment upon the action of Steve L. Zegura, Steve Zegura, Jr., and B. Dragomir Zegura, or of any of the same; to the Committee on Immigration and Naturalization.

By Mr. JOHNSON of West Virginia:

H. R. 7849. A bill granting a pension to Minnie L. Clark; to the Committee on Invalid Pensions.

By Mr. KENNEDY of Maryland:

H. R. 7850. A bill to allow credit in the accounts of certain former disbursing officers of the Veterans' Administration, and to relieve certain employees from financial liability, and for other purposes; to the Committee on Claims.

H. R. 7851. A bill for the relief of certain disbursing officers of the Division of Disbursement, Treasury Department; to the Committee on Claims.

H. R. 7852. A bill for the relief of Edward Smith; to the Committee on Claims.

H. R. 7853. A bill for the relief of the Gallup Mercantile Co., of Gallup, N. Mex.; to the Committee on Claims.

H. R. 7854. A bill for the relief of Roy F. Lassly; to the Committee on Claims.

H. R. 7855. A bill for the relief of Morrison-Knudsen Co., Inc., and W. C. Cole; to the Committee on Claims.

H. R. 7856. A bill for the relief of Edward C. Mackenroth; to the Committee on Claims.

H. R. 7857. A bill for the relief of O'Brien Bros., Inc., New York City, N. Y.; to the Committee on Claims.

H. R. 7858. A bill for the relief of Mary D. Briggs and Simeon G. Rigor; to the Committee on Claims.

H. R. 7859. A bill for the relief of Robert E. Newton; to the Committee on Claims.

By Mr. POWERS:

H. R. 7860. A bill granting an increase of pension to Mary Merrill Scott; to the Committee on Pensions.

By Mr. ROBERTSON:

H. R. 7861. A bill conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Hannah S. Bray, Jane Bickers, and Frances Bickers; to the Committee on Claims.

By Mr. TENEROWICZ:

H. R. 7862. A bill for the relief of Stanley Walter Hasiak; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6136. By Mr. BARTON: Resolution of the Mid-West Club, Inc., of 86 Riverside Drive, New York City, that the United States of America sever all diplomatic relations with the Union of Soviet Socialist Republics, etc.; to the Committee on Foreign Affairs.

6137. By Mr. BROOKS: Resolution of the Sons of Confederate Veterans, urging the President to issue an Executive order to transfer the Arlington-Lee Mansion from the jurisdiction of the Department of the Interior to the War Department; to the Select Committee on Government Organization.

6138. By Mr. COFFEE of Washington: Resolution of the Ladies' Auxiliary, No. 3, of the International Longshoremen's and Warehousemen's Union, Alma Nelson, secretary, of Seattle, Wash., asserting that the Dies committee has violated civil liberties; has engaged in unlawful search and seizure; that it has smeared organized labor, and therefore urging that the House of Representatives forthwith dissolve the Dies committee, and refuse to authorize its continuation; to the Committee on Rules.

6139. By Mr. FLAHERTY: Petition of the Central Labor Union of Boston and vicinity, 120 Boylston Street, Boston, Mass., regarding activities of the Dies committee; to the Committee on Rules.

6140. By Mr. HAVENNER: Petition of students attending Marina Junior High School, San Francisco, Calif., urging that the President of the United States order naval and military units to assist civic bodies in the celebration of Aviation Day on August 19 of each year to such extent as he may deem advisable and to invite the Governors of the various States to participate in appropriate observance of the day; to the Committee on the Judiciary.

6141. By Mr. HOUSTON: Petition of 6 citizens of Wichita, Kans., urging enactment of House bill 1, to impose on persons operating 10 or more retail stores under the same general management a graduated excise tax; to the Committee on Ways and Means.

6142. By Mr. MARTIN of Massachusetts: Resolution adopted by the Boston City Council on December 4, 1939; to the Committee on Rules.

6143. By Mr. MONKIEWICZ: Petition of the Yankee Division Veterans' Association, Department of Connecticut; to the Committee on Foreign Affairs.

6144. By Mr. THOMAS of New Jersey: Resolution adopted by Vernon Valley Parent-Teachers' Association of Sussex

County, N. J., urging that the Dies committee be authorized to continue its activities and investigations with sufficient appropriation; to the Committee on Rules.

6145. Also, resolution adopted by Labor's Non-Partisan League of New Jersey, disapproving the President's inhuman disregard for the unemployed and their dependents by sacrificing their welfare and security for an increased war budget, and urging that there be no enactment of sugar legislation in 1940 or thereafter which would deprive the refining workers in New Jersey and the Nation of the amount of work they are now able to obtain under the quotas of the Sugar Act of 1937, etc.; to the Committee on Appropriations.

HOUSE OF REPRESENTATIVES

FRIDAY, JANUARY 12, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

We give Thee thanks, our Father and our God, lover of our souls, to whom our lives are bound by ties death cannot break. Forgive our lack of faith, for Thy presence often seems to us like a clouded mirror that has been breathed upon. The Lord shall preserve our going out and our coming in, and His love and mercy ever wait at the door to welcome us. Deepen our reverence for Thee, O God; increase within us the divine that it may dominate the human. We pray that our chief desire shall be to hallow Thy name in thought, word, and deed, emulating the earthly life of our Master. Enable us to put into daily practice the sublime injunction:

All things whatsoever you would that men should do to you, do you even so to them, for this is the law and the prophets.

In our Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 5118. An act for the relief of the State of Ohio.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein some correspondence I have received from a Government agency, as well as a short newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement made before the Committee on Ways and Means yesterday morning by the Honorable Cordell Hull.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. McDOWELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. McDOWELL. Mr. Speaker, yesterday, on this floor, the distinguished and beloved gentleman from Tennessee made various pertinent and pungent observations regarding the status of the administrative office of W. P. A., in the District of Columbia. I rise to accede and concur with the gentleman's remarks and to compliment him for the crystal-like clarity in which he views one of the smuggest organizations in Washington, D. C.

I was interested to read in the newspaper that the Administrator declared,

My office is always open, and I am always personally available, not only to Representatives and Senators, but to their representatives. I have always been only too glad to discuss, with the Representatives of the people, any question which may help to alleviate conditions.

I was also interested to read where the Administrator maintained his office had informed the gentleman from Tennessee to send his constituent around and he would be immediately taken care of. That is a happy solution. I have dug up a needy citizen of the Nation, and I shall forthwith send him to the District of Columbia W. P. A. office with the childlike faith that the Administrator's generous offer includes Representatives holding to the Republican philosophy of government.

STATE OF OHIO

Mr. McLAUGHLIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5118) for the relief of the State of Ohio, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Strike out all after the enacting clause and insert:

"That notwithstanding the provisions of title I of the Social Security Act, the Social Security Board is authorized and directed to ascertain the total of the sums disbursed by the State of Ohio as old-age assistance (money payments) for the month of October 1938, with respect to each aged needy individual eligible under the State old-age assistance plan, who at the time of such disbursement was 65 years of age or older, and was not an inmate of a public institution, not counting so much of such expenditure with respect to any individual for such month as exceeded \$30, and to certify an amount equal to one-half such total of such sums to the Secretary of the Treasury.

"The Secretary of the Treasury shall thereupon, out of any money in the Treasury not otherwise appropriated, pay the amount so certified to the State of Ohio.

"For purposes of estimates and other certifications with respect to the State of Ohio under title I of the Social Security Act, such amount so paid shall be considered as certification of exactly the correct amount payable with respect to such month, without any increase or reduction of amount with respect to any other periods except for recoveries from estates in or for such month.

"Notwithstanding the provisions of title I of the Social Security Act, such amount so paid may be used for purposes other than old-age assistance."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONNERY. Mr. Speaker, as was pointed out just a few minutes ago by a gentleman on the Republican side, my warm friend and able colleague the distinguished gentleman from Tennessee [Mr. BYRNS] yesterday took occasion to call to the attention of the Members of the House the fact that we have present in the various governmental departments and agencies certain individuals who are "insolent, arrogant, and impudent two-bit nitwits." I am not going to argue the point with the gentleman from Tennessee, because I believe we all agree with that.

However, I do have an interest in the matter, inasmuch as the name of Paul Edwards was made the main subject of the assault by my able colleague the gentleman from Tennessee [Mr. BYRNS]. Paul Edwards is the local director of the W. P. A. for the District of Columbia, having but recently been nominated for and assigned to that position. I have enjoyed a fine friendship with Paul Edwards for several years, that friendship resulting from the admiration I came to have for him for the fine job of work he did when he was thrust into my State of Massachusetts a few years ago to clean up a bad mess in the W. P. A.

W. P. A. in Massachusetts at that time was in a frightful condition, but Paul Edwards courageously tackled the job and saw it through to a finish, with the result that the fine-working W. P. A. machinery which we now have in the State of Massachusetts can be accredited solely to his efforts. Withstanding a storm of abuse and criticism, he cleaned up a very bad situation.

Knowing Paul Edwards and his fine record, I sincerely regret the incident which has been called to the attention of the Members of this House by my warm friend from Tennessee. I am sure that the difficulty experienced by my colleague was entirely a misunderstanding, and I am certain that if he could come to know Mr. Edwards personally he would find that Mr. Edwards is anything but an arrogant, impudent, insolent nitwit. He would find him, in fact, to be the same fine gentleman and character as is the gentleman from Tennessee [Mr. BYRNS]. I know he would find him a conscientious, able, intelligent executive, ready and eager to cooperate not only with him but with every Member of this Congress.

I should be happy to act in bringing these two fine gentlemen together, if my good friend from Tennessee so desires; and I hope the gentleman will take advantage of my offer, as I am sure that he would discover that Mr. Edwards does not come within the category he mentioned yesterday, but rather is a high type of official.

For my own part, let me state that I feel that if we had a few more like Paul Edwards in responsible positions in our Government departments and agencies we Members of Congress would suffer fewer headaches.

ELECTION TO COMMITTEES

Mr. MARTIN of Massachusetts. Mr. Speaker, I offer several resolutions which I send to the desk and ask their immediate adoption.

The Clerk read as follows:

House Resolution 345

Resolved, That the following Members be, and they are hereby, elected to the Committee on Rules of the House of Representatives, to wit: EARL C. MICHENER, of Michigan; CHARLES A. HALLECK, of Indiana.

The resolution was agreed to.

The Clerk read as follows:

House Resolution 346

Resolved, That ALBERT L. VREELAND, of New Jersey, be, and he is hereby, elected to the Committee on the Judiciary of the House of Representatives.

The resolution was agreed to.

The Clerk read as follows:

House Resolution 347

Resolved, That CHARLES F. RISK, of Rhode Island, be, and he is hereby, elected to the Committee on Interstate and Foreign Commerce of the House of Representatives.

The resolution was agreed to.

The Clerk read as follows:

House Resolution 348

Resolved, That JOHN Z. ANDERSON, of California, be, and he is hereby, elected to the Committee on Naval Affairs of the House of Representatives.

The resolution was agreed to.

The Clerk read as follows:

House Resolution 349

Resolved, That CLARE E. HOFFMAN, of Michigan, be, and he is hereby, elected to the Committee on Labor of the House of Representatives.

The resolution was agreed to.

The Clerk read as follows:

House Resolution 350

Resolved, That the following Members be, and they are hereby, elected to the Committee on Agriculture of the House of Representatives, to wit: FRANK O. HORTON, of Wyoming; CLIFF CLEVINGER, of Ohio.

The resolution was agreed to.

The Clerk read as follows:

House Resolution 351

Resolved, That EDWIN A. HALL, of New York, be, and he is hereby, elected to the following committees of the House of Representatives: Committee on Roads, Committee on Public Buildings and Grounds, Committee on War Claims.

The resolution was agreed to.

The Clerk read as follows:

House Resolution 352

Resolved, That JOHN JENNINGS, Jr., of Tennessee, be, and he is hereby, elected to the following committees of the House of Representatives: Committee on Claims, Committee on the Post Office and Post Roads.

The resolution was agreed to.

RESIGNATIONS FROM COMMITTEES

The SPEAKER laid before the House the following resignations from committees:

JANUARY 11, 1940.

HON. WILLIAM B. BANKHEAD,

Speaker, House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: I herewith submit my resignation as a member of the Committee on Immigration and Naturalization.

Very truly yours,

CLIFF CLEVINGER.

JANUARY 11, 1940.

HON. WILLIAM B. BANKHEAD,

Speaker, House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: I herewith submit my resignation as a member of the Committee on Expenditures in the Executive Departments.

Very truly yours,

CLIFF CLEVINGER.

JANUARY 11, 1940.

HON. WILLIAM B. BANKHEAD,

Speaker, House of Representatives, Washington, D. C.

MY DEAR SPEAKER BANKHEAD: This is my resignation as a member of the House Committee on Agriculture.

Respectfully yours,

CLARE E. HOFFMAN.

JANUARY 11, 1940.

HON. WILLIAM B. BANKHEAD,

Speaker, House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I herewith tender my resignation as a member of the Committee on Immigration and Naturalization and the Committee on Public Buildings and Grounds.

Respectfully,

JOHN Z. ANDERSON.

The SPEAKER. Without objection, each of the several resignations will be accepted.

There was no objection.

EXTENSION OF REMARKS

Mr. FISH. Mr. Speaker, I ask unanimous consent to place in the RECORD the proceedings of the Thirty-sixth Annual Meeting of the United States Group or the American Group of the Interparliamentary Union. This meeting was held last January in the rooms of the Committee on the Library of the Senate. It contains very largely a speech of Senator BARKLEY, and in view of the fact that this is a semigovernmental organization, Mr. Speaker, I ask unanimous consent not only to have it printed in the RECORD but also that the request be granted now even though it may go half a page or so beyond the space limit.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

[Mr. ALEXANDER addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. ALEXANDER asked and was given permission to revise and extend his remarks and to include therein a letter from Mr. A. M. Kleinschmitt, traffic manager of the Minnesota State Prison Industries.

EXTENSION OF REMARKS

Mr. EDWIN A. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein an editorial by Mr. Tom R. Hutton, appearing in the Birmingham Press of January 10, 1940, entitled "A Theory Sustained."

The SPEAKER. Is there objection?

There was no objection.

NATIONAL LABOR RELATIONS BOARD

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, reviewing attorneys of the National Labor Relations Board examine hundreds, sometimes thousands, of pages of testimony. Then they orally present to the Board their conclusions or findings. The Board then, stating its conclusion on the issues, directs the reviewing attorney to write an opinion in conformity to those conclusions which it has expressed, which the Board adopts. Then when the case gets to the circuit court of appeals, that court under the act adopts the opinion of the Board if there is evidence in the record to sustain it. So what you have is this: The reviewing attorney writes the opinion adopted by the Board, which is then adopted by the circuit court of appeals.

Now, if you will go over to the caucus room in the old House Office Building where the committee is doing such a good job, the Smith committee, and take a look at the "reviewing attorneys," you will understand why there has been so much trouble. Those girls who are acting as "reviewing attorneys" for the Board are fine young ladies. They are good looking; they are intelligent appearing; they are just as wonderful, I imagine, to visit with, to talk with, and to look at as any like number of young ladies anywhere in the country, but the chances are 99 out of 100 that none of them ever changed a diaper, hung out a washing, or baked a loaf of bread. None of them has had any judicial or industrial experience to qualify her for the job they are trying to do, and yet here they are—after all—good looking, intelligent appearing as they may be, and well groomed all of them, writing opinions upon which the jobs of hundreds of thousands of men depend and upon which the success or failure of an industrial enterprise may depend and we stand for it.

These young women, these girls—and I make no criticism of them—are orally stating to the Board their conclusions of what is shown by the testimony. They have not on all occasions heard the witnesses testify. They have been deprived of judging from the appearance of the witness on the stand; from the witness' demeanor, the degree of the witness' interest or bias, or lack of either, the weight which should be given to the testimony of any particular witness.

Nevertheless, they go before the Board, state their conclusions, influenced undoubtedly by their previous training and experience—and some of these attorneys have been recommended by the C. I. O.'s general counsel—and the Board, the National Labor Relations Board, bases its opinion upon those conclusions. Then the judges in the circuit court of appeals adopt the decision of the Board, if there is evidence in the record to sustain that decision.

I have repeated my statement as to the procedure of the Board because that procedure is most startling. I am wondering how, when this situation comes to the attention of the judges of the circuit courts of appeal—courts which have always had the respect and the confidence of the people as a whole—they will feel when they discover the flimsy foundation upon which they have based their decisions.

Probably they will try to escape the disgrace of the procedure by stating, as they have so often, that the fault and the remedy lies with Congress. Undoubtedly, the major fault does rest upon us. But the courts, too, have had a responsi-

bility to see that citizens had equal protection of the law. The courts had the responsibility of refusing to uphold acts of Congress which denied due process, equal protection of the law, to employees and to employer alike.

But let us here in Congress no longer delay, no longer shirk our duty. Let us at the very first opportunity abolish this Board and amend the law so as to protect the rights of all those who come within its provisions.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein a short excerpt from an article in this week's Liberty by our colleague the gentleman from Texas [Mr. DIES].

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein an article that appeared in the Washington Post of January 12.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. GRANT of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an article which appeared in the Alabama Legionnaire by the gentleman from Mississippi [Mr. RANKIN].

The SPEAKER. Is there objection?

There was no objection.

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an article by the gentleman from Alabama [Mr. SPARKMAN] entitled "Study of Nation's Military Installations."

The SPEAKER. Is there objection?

There was no objection.

Mr. THORKE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter to myself from the Fortune Magazine in respect to an editorial appearing in that magazine on War and Peace and my reply thereto.

The SPEAKER. Is there objection?

There was no objection.

EMERGENCY SUPPLEMENTAL APPROPRIATION BILL, FISCAL YEAR 1940

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 7805) making supplemental appropriations for the Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation for the fiscal year ending June 30, 1940, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 7805, with Mr. JONES of Texas in the chair.

The Clerk reported the title of the bill.

Mr. WOODRUM of Virginia. Mr. Chairman, I move to strike out the last word. This bill as presented to the House by the committee was predicated on a program outlined by the Army and the National Guard, which contemplated the attainment of certain objectives in the way of increased enlisted personnel, as of December 31. The program has not moved as rapidly as the War Department had anticipated. The enlisted personnel of the Army, as provided for in this bill, which the program contemplated would be attained by December 31, is now estimated not to be reached until February 15, according to their present schedule. The National Guard program is now estimated not to be reached until March 1. That drag in the program will make it possible to make additional reductions in the applicable appropriations carried in the bill. The clerk of the committee has been at work with the budget officers and they have furnished us with a list of amendments which may be made to a number of the appropriating items, which will bring about further reductions

totaling \$2,586,656, which, added to the decrease of \$4,801,615, which the committee effected in the Budget estimates in reporting the bill, will leave the bill as standing before the House, if the committee amendments are adopted, in the total sum of \$264,611,252, or \$7,388,271 under the Budget recommendations. I emphasize that these reductions do not mean a curtailment of the program. They mean simply that the program has not moved as quickly, and the objectives have not been attained as rapidly as had been anticipated when the Budget estimates were sent up, and the committee reported the program to the House.

I ask unanimous consent to extend my remarks in the RECORD, and to have inserted in them a tabulation of these several amendments as they will be offered by the committee from time to time as we reach the items in the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The table is as follows:

ARMY AND NATIONAL GUARD—COMMITTEE AMENDMENTS TO BE PROPOSED

Location	Subject	Bill amount	Amendment amount	Decrease
Page 5, line 10.....	Pay of the Army.....	\$13,281,675	\$12,714,196	\$567,479
Page 6, line 5.....	Army subsistence.....	2,872,488	2,737,488	135,000
Page 11, line 14.....	National Guard, caretakers of animals and matériel.....	27,155	15,700	11,415
Page 11, line 17.....	National Guard, camps of instruction.....	5,360,277	4,583,752	776,525
Page 11, line 23.....	National Guard, general expenses.....	185,077	175,641	9,436
Page 12, line 9.....	National Guard, drill pay.....	6,388,687	5,469,962	918,725
Page 13, line 6.....	National Guard, equipment.....	7,243,023	7,218,287	24,936
Page 13, line 16.....	Organized Reserves.....	3,725,382	3,617,282	108,100
Total of items affected by amendments.....		39,083,764	36,532,108	2,551,656

NAVY—COMMITTEE AMENDMENT PROPOSED

Page 14, line 25.....	Miscellaneous expenses.....	\$720,000	\$685,000	\$35,000
Total reduction proposed by amendments.....				2,586,656
Reductions made by committee in reporting bill.....				4,801,615
Total reductions in Budget estimates.....				7,388,271

Mr. LAMBERTSON. Mr. Chairman, I move to strike out the last two words. I am sorry that I did not get an opportunity to address the committee on this bill before, but I was engaged in the Subcommittee on Agriculture. My attitude may be a little singular on this bill. I am a member of this deficiency subcommittee, and I think I am right in my attitude and that I represent a large number of my constituency and also the constituency of the United States. I am opposed particularly to the \$18,000,000 for the 8 months Army maneuvers. I am not against national defense. I resent, first of all, the action of the President of the United States in acting on September 8, under the emergency provision of the National Defense Act and the Neutrality Act when Congress was meeting on the 21st of September, only 13 days away. Further, in the same week that he declared an emergency, the call for the special session of Congress was made. There was no effort on his part to cooperate with the Congress on the importance of this program, but he took advantage of the acts which gave him this power in congressional recess to declare an emergency and make these increases. I do not think it is compatible with our democracy that we should let that go unnoticed.

Mr. Chairman, this is the first appropriation bill to be considered by the Congress in this session. If gentlemen are going to do business in the matter of reducing expendi-

tures, here is a good place to start on the first bill, regardless of what the bill is, and thereby show their attitude. Your attitude on the other bills will be shown by your attitude on this first bill. The gentleman from Virginia [Mr. WOODRUM] is a wonderful and a brilliant man, but to me his first speech was a paradox. He spoke wonderfully of reductions, and then he spoke wonderfully also of accepting practically what the Army experts—the brain trust of our national defense—suggested.

They are the "brain trust" of our national defense. We should accept their suggestions to a reasonable degree, but they are always scared. They never think our Navy is big enough. We have been increasing the Navy all of the 7 or 8 years of this administration. Some people think that we have not anything to start with right now. I cannot understand the attitude of some of our economy friends who would advocate economy and then swallow a bill like this. We reduced it only \$4,000,000 out of \$266,000,000, and now, after exerting ourselves and going through some more labor, we cut off two and a half million more from this big bill. Nobody knows what is adequate national defense. There will be a second Army deficiency and a third one in all probability right along this line, if we let these men have their way, and we subject our sober second thought in this purported emergency to the proposals that are going to come up from the Army and the Navy.

There is no emergency any more than there was 4 months ago. We are a long way from a real emergency. Nobody is half as scared today as they were that week when the national emergency was declared. Who are you afraid of? Russia? The Allies seem to be taking pretty good care of Germany, and they are a long way off. They can hold up all sorts of conceivable things to scare us. I do not propose to be scared. I think we have an adequate defense. When we ask these experts in the committee about what some other generals have thought, who disagreed with them, they do not answer. It is a sort of a prerogative that they can refuse to answer because there are so many hidden secrets about it. [Applause and laughter.]

[Here the gavel fell.]

The pro forma amendments were withdrawn.

The Clerk read as follows:

FIELD EXERCISES

For an additional amount for the conduct of special field exercises, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$18,000,000, to remain available until June 30, 1941: *Provided*, That this appropriation may be used for troop movements and travel of personnel of the Regular Army in connection with field exercises, including special combat training for small units, and settlement of claims (not exceeding \$500 in any one case) for damages to or loss of private property resulting from such exercises, heretofore or hereafter accrued, when payment thereof will be accepted by the owners of the property in full satisfaction of such damages, and when each claim is substantiated in such manner as the Secretary of War may prescribe by regulation and is approved by the Secretary of War, such action thereon to be conclusive.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: On page 4, line 10, strike out "\$18,000,000" and insert in lieu thereof "\$9,000,000."

Mr. TABER. Mr. Chairman, I am offering this amendment with the idea that the proposed field exercises or maneuvers could well be accomplished within a space of 2 months rather than 4 months. Now, let us look at the picture a little. We are providing for the concentration of the National Guard units for about 2 weeks in connection with these maneuvers. Unquestionably, it is desirable that our general officers and our officers as a whole have an opportunity to learn how to command and handle troops in larger numbers than they have had the opportunity in the maneuvers held heretofore, because so many of their outfits have been skeleton forces.

We have heard of maneuvers abroad, of large army units, never lasting more than a couple of weeks, and some of the time only a week. Now, in order to be especially liberal I am suggesting that this figure be cut down from \$18,000,000 to

\$9,000,000, and that this period of maneuvers be provided for on the basis of 2 months rather than 4 months. We would save \$9,000,000.

We are bringing this appropriation bill here with the proposals which the gentleman from Virginia [Mr. WOODRUM] has suggested, with a reduction of less than six and one-half million dollars on a proposed Budget estimate of \$271,000,000. To my mind, we have gone pretty wild on this proposition. We have gone pretty wild in building up the personnel of the Army without building up the material with which they can operate. I think we should at least be half-way conservative and cut this figure for maneuvers from 4 months to 2 months.

I hope that this amendment will be adopted and that we will be able to save \$9,000,000 and be able to put that maneuver proposition on a more moderate and what seems to me to be a more intelligent basis. I do not see how, with the National Guard available for 2 weeks, that 4 months' maneuvers are necessary. I think we can very readily cut this down from \$18,000,000 to \$9,000,000 and still have plenty of money for the operations of defense.

Personally, I like to see the Army strong enough to meet our needs. I believe it would be strong enough to meet our needs with very considerable cuts, and I believe that this cut should be made and could be made to advantage, and that we could save a little money and really improve these maneuvers by bringing them within a space of 2 months, and not having so much time when they do not have a large number of troops that will be added by the National Guard available to participate.

I hope this amendment will be adopted. [Applause.]

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I rise in opposition to the amendment.

If we would pursue the logic of my good friend from New York [Mr. TABER], we could increase the saving to \$18,000,000 and not have any maneuvers at all. If the object of passing this bill is to save money, we could just not appropriate any money and save \$267,000,000.

With my high regard for the opinion of my good friend from New York, I must say I would rather trust the judgment of General Pershing and General Marshall as to how these maneuvers should be conducted, and what it is necessary to do in order properly to prepare our armed forces, than to trust the judgment of the gentleman from New York [Mr. TABER] or my own judgment.

I do not believe we have ever had a greater Chief of Staff of the American Army than we have today. If he does not know his business and cannot be trusted, then certainly we should have some drastic changes in our military set-up.

Nobody claims that the \$18,000,000 is too much money for what he proposes to do. They propose now to have maneuvers in all of the corps areas. They have never had that before. It has been done once every 4 years. If you will turn to page 138 of the hearings, which time does not permit me to read now, there is quoted there three paragraphs from General Pershing's book, showing the drastic need for these Army maneuvers, showing how the American Expeditionary Force in the World War was severely handicapped because the force sent over there, while individually of the finest type America could produce, had never had the collective training that was necessary. If you will read the splendid statement of General Marshall, he likens the situation to this: He said if you will take the finest football players that America can produce in each individual position and give them a set of fine rules and put them out on the field, unless they have rehearsed and had teamwork, a high-school team can whip them. That is exactly the situation.

The field maneuvers of the Army, which is a continuous program starting last fall and running through next summer would be interrupted and interfered with if you reduce this amount. It would cut into the program just that much. Maneuvering is the very heart of the defense program as provided for in this emergency legislation, and I think it would be a great mistake to take it out on the theory of

economy. If you feel it is a question of saving money, then save it all, do not appropriate any of it; but if you are going to have such training let us take the judgment of those whom we have selected because of their peculiar fitness and knowledge of the subject and do the job in its entirety. We must rely upon their information and advice in this respect.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Miss SUMNER of Illinois. As I read page 138 of the hearings the reason given there for the difficulty in France was that they had been changing the personnel all the time. The personnel was constantly changed because they had not had maneuvers ahead of time.

Mr. WOODRUM of Virginia. They had to be changed in order to be trained. That is exactly why the Army wants these maneuvers. If we have complete training as divisions, corps, and armies, our forces will be ready for defense purposes when they are called upon. If we only have maneuvers with isolated units, they will only be partially trained. The very largest groups must know how to function when brought together.

Mr. Chairman, I hope the amendment will not be adopted.

Mr. LAMBERTSON. Mr. Chairman, I rise in support of the amendment.

The real reason given by General Marshall when he came before the subcommittee for this \$18,000,000 was the psychology of the generals, that it would be a fine thing for the psychology of the generals. That was the essence of it. But when it comes to needing six or seven divisions in the maneuvers for so long a time, in the psychology of the American people, if it means anything, it means war, if we have these 8 months' maneuvers, and spend \$18,000,000 on it. The psychology of my people will accept it as meaning war.

Talk about the psychology of the generals! The psychology of the people is to be thought about in this regard. I feel that if there ever was a thing that ought to be cut down or cut out without cutting out the whole bill, then here is the best place to make the cut. Even if we defeat this item or defeat the bill, it would not mean that we would not have an army and a navy. They could bring back another bill. But we will register our protest against accepting the Army and Navy heads' dictum for everything, laying aside all our own judgment. Wait until you get down to agriculture and see some of the things they are going to do to you in the name of national emergency and patriotism. Those feelings are strong now, but wait until they come along to you in these other bills that are coming in. Then you will begin to say, "I wish I had started early in this session on the Army and the Navy." Here is your chance now. What are you going to do with it? Some of you are going to be very red in the face before the session is over because of the things they are going to do to you in order to finance the Army and the Navy. This is the time to start. [Applause.]

Mr. SHAFER of Michigan. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the holding of Army maneuvers is not an innovation. We have held Army maneuvers for years for the purpose of properly training our officers and troops in event of an emergency. Such maneuvers as are planned for Fort Benning this year are, in my opinion, absolutely essential from a national-defense standpoint.

I see no reason why the Nation should become excited over the fact that Army maneuvers are being conducted in one section of the country. Maneuvers were held in Michigan 4 years ago and the residents of my State, or that section, did not become worried concerning them. The opposite reaction was noted. The maneuvers, instead of exciting the citizens of Michigan, served to create confidence in the Nation's military forces.

I took the floor of this House yesterday in support of this legislation and I related experiences during a recent visit to Fort Benning, Ga., where these proposed maneuvers are to be held. I observed during my visit the preparations now being

made to conduct these maneuvers. A good job is being done down there in Georgia, and it is an important job. In my opinion, it is essential that the proposed appropriation be passed, if we are to prepare an adequate defense for this Nation.

Our Army maneuvers should not cause any citizen to become alarmed. They are absolutely essential in the training of our officers and men. These maneuvers will cost money. That is certain. But the results obtained will be worth the expenditure. I am sure of that.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. SHAFFER of Michigan. I will yield to the gentleman.

Mr. SNYDER. I quite agree with the gentleman. I think that had any of the Members visited Plattsburg this summer, when they had 50,000 of our soldiers up there and had seen the mistakes that were made, realizing what it would have meant had it been a real battle instead of a maneuver, they would change their minds. These mistakes were made because they had not previously been able to get these large groups of men together and train them to know what to do under certain circumstances. I believe that had you been up there for 2 days, as I was, you would all vote against this amendment.

Mr. SHAFFER of Michigan. I believe the holding of these maneuvers serve to create confidence in our Army on the part of our people. I believe they should be held and I feel that the full appropriation should be voted. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 50, noes 93.

So the amendment was rejected.

The Clerk read as follows:

For an additional amount for pay of the Army, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$13,281,675: *Provided*, That this appropriation shall not be subject to the limitations as to numbers of commissioned officers and enlisted men specified under this head in such act.

Mr. WOODRUM of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WOODRUM of Virginia: Page 5, line 10, strike out "\$13,281,675" and insert "\$12,714,196."

The amendment was agreed to.

The Clerk read as follows:

Subsistence of the Army: For an additional amount for subsistence of the Army, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$2,872,488.

Mr. WOODRUM of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WOODRUM of Virginia: Page 6, line 5, strike out "\$2,872,488" and insert "\$2,737,488."

The amendment was agreed to.

The Clerk read as follows:

For an additional amount for the purchase of draft and pack animals and horses, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$15,000.

Mr. RICH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we talk about horses in the paragraph of the bill just read, and I rise at this time to speak of a horse of a different color. We are now asked to appropriate the sum of \$267,000,000 for additional military operations by Executive order. After statements we have heard from the President of the United States on economy, it is really a horse of a different color. I want to call attention to a statement made by the President of the United States in his address in St. Louis, Mo., on October 21, 1932, as follows:

I called attention in my address at Pittsburgh on Wednesday night to the great importance of Federal Budget making as the foundation of the national credit. I pointed out that the Hoover administration had been responsible for deficit after deficit—that as one disastrous year succeeded another no attempt was made to arrange the finances of the country so that at least the mounting

loss of revenue might not be turned into a deficit for the next year. It is my pledge and promise that this dangerous kind of financing shall be stopped and that rigid governmental economy shall be enforced by a stern and unrelenting administration policy of living within our income.

The national deficits since that time—Mr. Roosevelt's record—are as follows:

National deficit:	
1934	\$3,255,393,297
1935	3,782,966,360
1936	4,952,928,957
1937	3,252,539,719
1938	1,449,625,881
1939	3,600,514,404
1940 (estimated)	4,032,813,641

The point I make is that the statements made previously by the President of the United States and the things he is doing today are horses of a different color. Let us take this bill, for instance. I shall insert in the Record the increase in our Army and Navy for each year from 1936 to 1940.

The following table shows the regular appropriations for the Army and the regular appropriations for the Navy for the years 1936 to 1940, inclusive:

Regular annual appropriation with deficiency

Army:	
1936	\$351,485,626.43
1937	388,244,859.00
1938	415,263,154.00
1939	460,201,254.00
1940	742,125,171.00
Navy:	
1936	481,731,379.00
1937	528,102,532.00
1938	516,543,308.00
1939	586,556,744.00
1940	778,188,011.00

Mr. Chairman, this bill is brought before us today because of Executive orders by the President of the United States which ask us to expend an additional \$267,000,000. The Congress of the United States gave the power to the President, as I understand it, by Executive order to increase the expenditures of the Federal Government from \$1,000,000,000 to \$1,500,000,000 more. This he may do by Executive order. Then he asks us to appropriate the money. I was always under the impression it was the duty of the Congress and the Members of the Congress to say what the increase shall be in our military forces.

I am in favor of an adequate national defense, but I am not in favor of putting the question of what is an adequate national defense in the hands of the President of the United States. I am not in favor of putting that question into the hands of the leaders of the Army or Navy, either. The information that I get from the various bureaus of the Government is to the effect that every bureau of the Government wants to increase in size and power, and these bureaus want to increase because of the power it will give certain individuals. I sometimes question whether the men who are at the head of our Army and Navy are thinking as much of adequate national defense as they are thinking of the fact that if we appropriate this money it will provide an opportunity for the creation of more admirals and more generals and will create more power to be placed in the hands of the heads of the Army and Navy of this country. I am opposed to that. The exorbitant cost to the people of this country does not warrant it.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. Is it not a fact that the real danger to America and our democratic institutions is not from a potential enemy from without but from within? Should we continue the New Deal spending spree much longer, we will meet bankruptcy and inflation face to face and our Army and Navy will not be able to save America from chaos and ruin, no matter how perfect and effective they might be.

Mr. RICH. That is just the road we are traveling on now. [Here the gavel fell.]

Mr. RICH. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania [Mr. RICH]?

There was no objection.

Mr. RICH. Mr. Chairman, we are heading for the greatest catastrophe this Nation has ever seen, and it is going to happen from within, not from without. I am not afraid of being attacked by some foreign nation. I think we can live at peace with Canada, and I think we can live at peace with Mexico. I am not afraid of the people of those countries, because they are our neighbors; they are going to be friendly with us and we will be friendly with them.

Let me call your attention to this morning's paper, in which appears the headline, "Navy asks \$2,000,000,000 for 195 ships, which will lay down a fleet in 2 years to beat any coalition of nations if the Allies lose."

Mr. Chairman, that is the kind of propaganda that will involve the Nation in hatred and to war. It is that sort of propaganda that creates hatred in the minds of the people of one nation toward another. Such articles cause peoples to become unfriendly toward each other. What we need in this country today is more religion. We need more teaching of the people of this country and the people of the world. We should teach the people to live as friendly neighbors to each other. We should teach them to solve their problems, not by wrecking this Nation and other nations by a program of building up a huge army or navy that will surpass anything that might be turned loose on either land or sea. God forbid this country ever getting into war again.

Mr. Chairman, I am in favor of building up our preparedness, but I hope someone will define the word "preparedness." Let anyone come out and tell us what are the absolute essentials and what are the things that are necessary, so that we might maintain peace with the nations of the world. It has not been done so far. Let the President of the United States, the Chief of the Army or Navy, or other high-ranking officials get together and send us a plan so that we will know what we are doing and will not have to take all of these Executive orders at their face value. I do not want to follow the leaders blindly. The men who have charge of our various committees are men of the highest type that we have in the House of Representatives. We have a lot of respect for their judgment, but they are trying to carry out the requests of the leaders of the Army and Navy without a definite plan or a definite policy being presented to us. The cost of the Army and Navy is running into billions of dollars every year. We will have requests from agriculture, from labor, and from all other branches of government, and if we are not careful we will find later on that we have come to a parting of the ways. We will have a bankrupt nation. What good are battleships to a nation of that kind?

That will be when this country goes bankrupt, because of our foolish and unwise spending instead of having a policy that has been planned judiciously, honestly, and conscientiously for the best interests of the American people. The time will come when we must try to keep this Nation from going into bankruptcy by cutting down expenses, and it seems to me that this is a good time to start, by cutting down some of the items that have been proposed and some of the items that will be proposed for larger national-defense appropriations. I not only hope but pray that we as conscientious Members of Congress will try to coordinate the various branches of the Government in order that we may protect America and protect the peace of the world, not with arms but with a conscientious will to do the things we have been taught, that is, to treat our neighbors as we would treat ourselves and to seek the good will of all peoples in all the nations of the world. [Applause.]

[Here the gavel fell.]

Mr. HOBBS. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I rise not so much to oppose the pro forma amendment, because it will rise of its own lightness if anyone will think a minute. It needs no opposition. I will say to the gentleman, however, that even if this bill did exactly what

he says it does, I cannot conceive of any better hands to which this trust that he decries could be committed than the hands of the President of the United States. No matter whether he be a Democrat or a Republican, we can safely trust our Chief Executive, the Commander in Chief of our Army and Navy, to discharge that trust faithfully and honestly for the common good. The same applies to the high-ranking officers of our Army and Navy. I resent bitterly, as one humble Member of this House, the attack that has just been made upon them in calling them, in effect, bureaucrats anxious to magnify their own importance and that of their bureaus.

However, the primary purpose of my rising was to call the attention of the House to this small bill, which is not subject to the criticism I shall now advance against the general policy or practice of our great Committee on Appropriations. There has never been in the history of parliamentary government a more able, honest, diligent, hard-working committee than the House Committee on Appropriations. I believe, however, that sometimes we get so close to a problem, with our nose to the grindstone, that we do not lift our eyes to look at the whole picture. For this reason, with the highest regard for every member of this great committee and for its leadership on both sides of the aisle, and for its staff of expert assistants, I am questioning whether we give enough time to House Members to prepare for the consideration of our appropriation bills.

This House is the initiating custodian of the money power. We can either turn the cock and let the hose through which comes the money from the Treasury run freely or we can step on the hose. This particular bill is a very small one. It has only 29 pages. It carries, in my humble judgment, hardly a sufficient appropriation for the purposes it is designed to effectuate. That is not the question, however. I do not know. You members of that committee do know, because you are all experts on the subject. What I am saying is that while this bill is small, being only 29 pages, and while the hearings are thin, with only 325 pages, they were filed during the period of debate on the antilynching bill the day before yesterday, and we have not had a chance to study them for a minute.

Many bills are brought in that way, I believe, too precipitately. I am told that the full Appropriations Committee sometimes does not see the bill that is to be taken up in the House at 12 o'clock on a certain day until that very morning. Other Members of the House never see bill, report, nor hearings until debate is begun on the floor. Some of these bills are a hundred pages in length, carry a billion dollars of appropriations, and the printed hearings fill hundreds of pages. I maintain that this is unwise practice. It means legislation by subcommittee rather than by the House. Most respectfully I invite the attention of this great committee to the whole picture as some of us on the outside see it.

Another point to which I should like to invite your attention is that this bill is only a part of our Budget obligation. It may be wise for you to think of having an appropriations bill covering the entire Budget, to be worked out in detail by your subcommittees, submitted to your full committee for a full month of study, possibly, and then brought before the House for a full month of debate, after we of the House have had an opportunity for a month to study the whole picture presented by bill, report, and the hearings. It seems to me in that way we would have a check and a double check against our appropriations, which we do not have now. I believe every Member of the House, no matter how ignorant he may be about money matters and about appropriations, is entitled to a fair opportunity to post himself upon the subject matter of these appropriation bills, which are so carefully worked out by excellent subcommittees and their expert helpers, but are seen by few others.

I commend these thoughts to the attention of the Committee on Appropriations and the other Members of the House. [Applause.]

[Here the gavel fell.]

The pro forma amendments were withdrawn.

The Clerk read as follows:

MILITARY POSTS

For an additional amount to be added to the appropriation "Construction of buildings, utilities, and appurtenances at military posts," contained in the Military Appropriation Act, 1940, \$611,800, to be applied as follows: For temporary shelter, Air Corps, Puerto Rico, \$319,000; temporary hangar, Air Corps, Panama, \$92,800; additional amount for housing for shop testing facilities, Chanute Field, Ill., \$200,000.

Mr. ALEXANDER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ALEXANDER: On page 7, line 14, insert the following:

"Provided, however, That for the purpose of reducing the cost of Government buildings and other structures and of stimulating interest in efficient designs, plans, and specifications, any department or bureau having charge of building same is hereby authorized to employ competent professional engineers and/or architects engaged in private practice to prepare designs, plans, and/or specifications for new buildings and other structures or to assist in preparing designs, plans, and/or specifications therefor, and to compensate them for such services.

"The said department or bureau is hereby further authorized to employ competent professional engineers and/or architects engaged in private practice to prepare alternate designs, plans, and/or specifications, hereinafter called "alternate designs", for new buildings or other structures which are estimated to cost \$200,000 each, or more, the conditions of such employment to be as follows: The Government agency may, if deemed expedient, pay the out-of-pocket cost of the preparation of the said alternate design, including only labor, material, supplies, general office overhead expense, and necessary travel and sustenance expense in connection therewith, but no compensation for or salaries of principals. The said alternate designs shall be advertised and submitted for bids at the same time and under the same conditions that the designs, plans, and/or specifications prepared by the department or bureau staff, hereinafter called the "base plans", are advertised and submitted for bids. The alternate design may apply to the structural design or any division of the work, but the bids on the alternate design and the base plans shall be for the complete building or structure in each case and shall be compared on that basis. If the low bid or the sum of the low bids on the alternate design compared with the low bid or the sum of the low bids on the base plans show a gross saving to the Government equal to or greater than twice the amount of the full fee or fees of the private engineers and/or architects who prepared them and including their out-of-pocket costs, the Government shall pay them the said full fee or fees, otherwise not more than the amount of their out-of-pocket costs as hereinbefore defined. Not more than one alternate design shall be prepared for each division of the work for each building or other structure. The alternate design shall comply with Government building codes and/or standards and be equal to the base plans as to strength, durability, utility, and quality, all of which shall be clearly defined to the private engineers and/or architects before the alternate designs are prepared."

Mr. WOODRUM of Virginia. Mr. Chairman, I make the point of order against the amendment that it is general legislation on an appropriation bill.

The CHAIRMAN. Does the gentleman from Minnesota desire to be heard on the point of order?

Mr. ALEXANDER. Mr. Chairman, it seems to me it is appropriate to consider the amendment at this time, in view of the fact that the amendment would make it possible for us to effect a saving in the \$11,000,000 or \$12,000,000 that we contemplate spending for buildings under this bill.

The CHAIRMAN. The Chair has examined the amendment and is of the opinion that it is clearly in conflict with clause 2 of rule XXI, which forbids legislation on a general appropriation bill. The Chair, therefore, sustains the point of order.

The Clerk read as follows:

For an additional amount for Engineer service, Army, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$2,000,000, to remain available until June 30, 1941.

Mr. ALEXANDER. Mr. Chairman, I move to strike out the last word.

In order to get before the House and before the Members here the matter I just attempted to insert in the bill by way of an amendment, I want to make a slight explanation of the features of the amendment which I offered.

The amendment provides that bureau heads or department heads may, if they see fit, hire outside architects and engineers to prepare plans and specifications and alternate de-

signs in the construction of buildings costing over \$200,000. I want to tell the Members of the House of Representatives that in this United States of ours we have various kinds of building and engineering designs which have been perfected. They are not all alike, and if this amendment of mine had been allowed in this bill it would have made it possible to save upward of 25 or 30 percent in the cost of construction of these buildings which are contemplated in the sections of the War Department deficiency appropriation bill, which have just been read and in which we are about to appropriate for construction the sum of ten to twelve million dollars. We could save, in other words, upward of \$3,000,000 if we would make it possible for our Army engineers and for the men in charge of these various bureaus of the Army and the Navy and Coast Guard to avail themselves of the modern, up-to-date engineering designs which are being used every day throughout the United States by businessmen and concerns that are engaged in constructing buildings.

I know if any of you gentlemen had that many millions of dollars to spend personally, and you were contemplating putting it into buildings, instead of calling in one engineer or one architect you would call in at least three different engineers and architects, and you would get their opinions and their designs and plans and estimates on your contemplated buildings. In this way you would protect yourself against any exorbitant charges, and you would be able to carry on your plans in an efficient manner. I know this is the way it is done in private industry and business, and I assume we should carry on in the same way here in the House of Representatives when we spend the people's money.

This amendment of mine would not affect the total expenditures, except as it might effect a saving in design and construction costs. In other words, I am not attacking any of the proposed items in the bill. I am only suggesting, in the case of the erection of these buildings that are contemplated here, we make it possible to use these alternate designs as provided in my amendment and which are being used every day in private construction. Right over here in Baltimore in the last few years this method was used in the construction of a large building and they made a saving of \$40,000 besides getting a building with 50 percent more floor area as the difference between the original estimates and the final cost, by using these alternate designs.

It seems to me what we, as Members of Congress, want to do in the operation of the business of the Government is to do these things in an efficient manner, and here is an opportunity to inject efficiency in government. If engineers and architects, outside of the Government service, have something which is more efficient and which will effect a saving, it seems to me we should make it possible for our bureaus and Government departments to avail themselves of it, and I wish there could be some way whereby this matter could be reopened before the closing of debate on this bill so we could make it possible to include this particular amendment in the pending bill and for that matter in all future appropriations, because it is something that would make it possible to effect a saving, without any loss to anybody; in fact, it would doubtless be so great a saving in this present bill that we could pay approximately one-half of the annual salaries of the 531 Members of the House and Senate. I cannot imagine our coming down here and taking up the time we do, spending the people's money in the way we do, without justifying our service here by making savings of an efficient sort where we can do it. It may be fine to say we have cut out this or we have cut out that, when, perhaps, you have cut out something that is essential and needful such as the waterway appropriation I previously mentioned this morning; but here is an opportunity to effect a saving and cut down on expenditures without hurting anybody and at the same time add to the efficient operation of the Government. I hope each of you will take time to study the amendment reported above and let us take action on it. [Applause.]

[Here the gavel fell.]

Mr. SMITH of Ohio. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, yesterday afternoon the able and courageous gentleman from Virginia [Mr. WOODRUM], who has charge of this bill, made what appears to me an astounding statement. What I have to say about this statement is not to be taken as reflecting in the least upon the good name and high standing this gentleman enjoys in this House. I regard him as having no peer either in this or the other legislative body in ability, courage, and forthrightness.

Nevertheless, I believe this statement should be examined, because it reflects a state of affairs in the Congress that all should know about.

Inasmuch as his remarks have not been published in the RECORD, I must speak from memory. If I am in any way wrong, I wish to be corrected.

With reference to the \$700,000,000 which is set up in the Budget as representing receipts to be recovered from excess capital funds from Government corporations, if my memory serves me correctly, the gentleman from Virginia indicated he did not understand this particular item, that the President has indicated he will supply this amount; further, that he did not consider it his problem, but that it was the President's headache.

I certainly cannot agree with him that the raising of this \$700,000,000 is the business of the President. Does not the Constitution specifically provide in section 7 that all bills for raising revenue shall originate in the House of Representatives, and that the Senate alone may propose or concur with amendments relating thereto? Certainly it will not be gainsaid that the purpose of the framers of the Constitution is clear and unmistakable. Yet here we have the Executive taking to himself the authority to raise this enormous amount of revenue without Congress having the least idea as to whether it will really be raised or where it will come from. Congress knows next to nothing about the financial state of these corporations. There is no capital budget to show their condition. Before any value whatever could be attached to this item it would be necessary to know what the losses of all these corporations are in depreciation, loans, and so forth. It is only after these losses are known and charged against the capital structure that we can possibly have any idea as to the real value of any of the capital that may be recovered and added to receipts.

The losses by these corporations are now running into the hundreds of millions of dollars. The last report of the Home Loan Bank Board shows a loss of nearly \$60,000,000 of the Home Owners' Loan Corporation alone. The Reconstruction Finance Corporation has already canceled two and three-fourths billions of its securities.

The important question is, How much is this \$700,000,000 already encumbered by losses?

Now, I feel Congress would certainly be derelict in its duty if it allows this matter to pass in the condition it now stands. I have tried, but in vain, to find out something about it. Neither the Finance Committee nor the Budget Commission appears to know anything about it. The most information I have yet been able to obtain about this item is that it is "an over-all guess coming from the executive department."

As the gentleman from Virginia so strongly emphasized, it is the Congress that is responsible for Government finances. How is it possible to reconcile this position with that of committing to the Executive the raising of this vast sum, concerning the amounts and sources of which the Congress is wholly ignorant?

It appears to me we have represented here something that shows the chaotic state of our national finances. It seems to me, also, we have shown here that the Congress has lost in a very great measure one of the basic functions for which it was created, namely, the control of the purse strings of the Nation.

I want to protest against this abdication of congressional authority, and I ask that the executive department submit promptly to the Congress the full details of his plan to raise this \$700,000,000. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For an additional amount for compensation of help for care of materials, animals, and equipment, including the compensation of

employees engaged upon Federal property custodial and accounting work in the offices of property and disbursing officers for the United States, \$27,155.

Mr. WOODRUM of Virginia. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 11, line 14, strike out "\$27,155" and insert "\$15,700."

The amendment was agreed to.

The Clerk read as follows:

For an additional amount for expenses, camps of instruction, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$5,360,277.

Mr. WOODRUM of Virginia. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 11, line 17, strike out "\$5,360,277" and insert "\$4,583,752."

The amendment was agreed to.

The Clerk read as follows:

For an additional amount for general expenses, equipment, and instruction, National Guard, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$185,077.

Mr. WOODRUM of Virginia. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 11, line 23, strike out "\$185,077" and insert "\$175,641."

The amendment was agreed to.

The Clerk read as follows:

For an additional amount for pay of National Guard (armory drills), \$6,388,687.

Mr. WOODRUM of Virginia. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 12, line 9, strike out "\$6,388,687" and insert "\$5,469,962."

The amendment was agreed to.

The Clerk read as follows:

For an additional amount for arms, uniforms, equipment, etc., for field service, National Guard, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$7,243,023, and all of the sums appropriated in this title on account of the National Guard shall be accounted for as one fund.

Mr. WOODRUM of Virginia. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 13, line 6, strike out "\$7,243,023" and insert "\$7,218,087."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. SHORT. Mr. Chairman, will the gentleman please explain why he is reducing these appropriations under the head of the National Guard?

Mr. WOODRUM of Virginia. It is because of the slowing up of the program. It is not because of any curtailment. These amounts have been worked out satisfactorily with the National Guard.

Mr. SHORT. Oh, they are revised figures?

Mr. WOODRUM of Virginia. These amendments offered are satisfactory to the National Guard.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WOODRUM of Virginia. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. WOODRUM of Virginia: Page 13, line 8, after the word "fund", add the following: "of which not to exceed \$15,000 may be used for the pay of employees in the National Guard Bureau."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For an additional amount for Organized Reserves, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$3,725,382: *Provided*, That not to exceed \$80,000 of this appropriation may be used for establishment, operation, and maintenance of Organized Reserve headquarters.

Mr. WOODRUM of Virginia. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 13, line 16, strike out "\$3,725,382" and insert "\$3,617,282."

The amendment was agreed to.

Mr. WOODRUM of Virginia. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. WOODRUM of Virginia: Page 13, line 16, after the word "Provided", insert: "That this appropriation shall not be subject to the limitations as to Reserve officers on active duty specified under this head in the Military Appropriations Act of 1940: *Provided further.*"

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For an additional amount for miscellaneous expenses comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$720,000, of which there shall be available not to exceed \$200,000 for telephone, telegraph, and teletype rentals and tolls, telegrams, radiograms, and cablegrams; \$4,000 for allowances for civilian employees in attachés' offices; and \$176,400 for the pay of employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department.

Mr. WOODRUM of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WOODRUM of Virginia: Page 14, line 25, strike out "\$720,000" and insert "\$685,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. DITTER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I should like to direct the attention of the Committee just briefly to the procedure that was followed by the executive departments and the Navy in connection with the Bureau of Yards and Docks.

The Bureau of Yards and Docks is that bureau of the Navy that has to do with the improvement of shore facilities. In the appropriation bill last year the following language was a part of the bill which made provision for the Bureau of Yards and Docks, and I read:

Provided further, That the Secretary of the Navy is authorized to commence, continue, or complete the construction of, or make provision for, by contract or otherwise, projects heretofore authorized and appropriated for under this head.

The committee that has studied this supplemental appropriation which is now before us found that the Bureau of Yards and Docks, instead of adhering to the policy set forth in this provision, either by contract obligations or by actual work, started a program of public works to the extent of \$57,000,000. There had been no authorization for it. No appropriation for many of the items had been made. The Congress had in no instance, or at least only in a very, very few instances, been asked to pass upon the projects in question. Under the cloak of an emergency, programs were initiated which may or may not have the approval of the Congress.

I presently rise to question the wisdom rather than question the motive of the Executive in carrying out that policy. It seems to me that before obligations of this kind were contracted for, before these projects were started, the Congress, which was in session, should have had the opportunity to pass on the projects and give legislative authority for them. Instead, projects were started, obligations were incurred, and programs were initiated that this Congress knew absolutely nothing about, but that this Congress would be required subsequently to carry out.

I want to point out the type of some of these projects. For a long time the Navy, and the Congress as well, has felt that it would be wise to have fireproof construction in the erection of hospitals for the Naval Establishment. This present program threw that policy to the winds. Fire traps—

and that is just what we may call them—were started and will be continued under this program. They said, "This is temporary construction." I want to tell you how temporary this construction is. It is just as temporary as the Navy Building right down here in the city of Washington. That was built as a temporary Navy Building. It has been down there for a good many years, and it will stay there probably for a great many more years. But under the excuse of "temporary construction" that building was put there, just as the present construction program is being excused under the cloak of a "temporary program."

I have seen too much of this in the past. I want the attention of my distinguished friend from Virginia [Mr. WOODRUM], the leader of the economy bloc on the other side of the aisle—and I pay him my respects for the diligent work that he has done. But I want to point out to him the danger of endorsing, without question, this policy of the Navy Department. During the emergency days of 1933, 1934, and 1935, when they seemed to have so much money down there at the other end of Pennsylvania Avenue that they did not know what to do with it, all types of projects were started by the Navy under the N. I. R. A., under the W. P. A., under the P. W. A., and every other emergency fund possible. Those projects were started, and then the obligation was saddled on the Congress to provide the money to maintain those projects. We are going right into the same line here as that carried out in that old day, permitting the executive establishment of the Government to create obligations, to start programs, to load upon the taxpayers a debt obligation, without this Congress having the opportunity of saying a word as to what the projects shall be or what the amounts thereof will entail. I say we ought to stop, look, and listen. If this Congress had not been in session, some excuse might be found for the policy of the administration.

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Without objection, it is so ordered. There was no objection.

Mr. DITTER. I say there would be little in the way of probable questions raised had the Congress not been in session throughout the entire time that these obligations were incurred or the program started. We were here. The other body was debating neutrality. My energetic friend from Virginia [Mr. WOODRUM] was straining to have something to do. So were the rest of you men. But we were marking time. But they were not marking time down at the other end of Pennsylvania Avenue. They were as diligent as could be loading on your shoulders—loading on the shoulders of the taxpayers of the country—these obligations that sometime, somehow, somebody will have to pay.

We probably cannot correct the mistake that has been made. Probably we cannot pull in on the loose check rein that was used under the emergency powers, but at least we can take notice of what has been done and endeavor as far as we can to exercise that responsibility which the American people feel is ours in protecting their interests, including financial stability, as a part of the national-defense program.

The developments in connection with the expenditure of funds appropriated for national defense and the question of the powers of the President in that connection give rise to many perplexing legal and administrative problems. On one hand, there are the general laws and rules governing the appropriation and expenditure of public funds, and, on the other hand, the powers of the President over the Army and Navy, both in time of war and in case of an emergency. The President has great powers in respect to national defense, and the exact line of division of authority between the President and Congress has never been worked out precisely.

On September 8, 1939—3 days after the proclamation of the neutrality of the United States in the European war—President Roosevelt issued a proclamation stating—

That a national emergency exists in connection with and to the extent necessary for the proper observance, safeguarding, and enforcement of the neutrality of the United States and the strengthening of our national defense within the limits of peacetime authorizations.

On the same day, September 8, 1939, the President issued Executive orders authorizing the increase of the enlisted strength of the active list of the Regular Army to 227,000 men, of the National Guard to 235,000 men, of the Regular Navy to 145,000 men, and the Marine Corps to 25,000. Provisions were also made for increasing the commissioned strength of the Army, Navy, and Marine Corps by the use of retired and Reserve officers.

Both the War and Navy Departments were authorized to waive or modify the monthly or other apportionments of their appropriations for contingent expenses or other general purposes for the fiscal year ending June 30, 1940. At a press conference on October 3, 1939, the President announced that he had ordered the War and Navy Departments to ignore statutory limitations on expenditures for Army and Navy hospitalization, housing, and reconditioning of 100 World War destroyers which have been considered obsolete. It was stated that the President had discussed the matter with two Supreme Court justices and the Comptroller General and had decided to anticipate congressional approval of the expenditures necessitated by the emergency program. It was said in the New York Times that Comptroller General Brown had suggested that the President not ask for a formal ruling of the General Accounting Office on the matter at that time, since Congress undoubtedly would straighten out the matter. At the press conference President Roosevelt said that he had clear authority to increase the strength of the Army and Navy, and that he also had the implied authority to direct expenditures incident to such increases, such as housing and hospitalization.

Before examining specifically the President's acts and contentions, it is well to review briefly the general laws and rules in regard to appropriations and expenditures. In the first place, attention should be called to clause 7, section 9, of article I of the Constitution, which provides:

No money shall be drawn from the Treasury, but in consequence of appropriations made by law. * * *

And, of course, it is well known that money may be used only for the purposes for which it is appropriated. The statutes provide:

Except as otherwise provided by law, sums appropriated for the various branches of expenditure in the public service shall be applied solely to the objects for which they are respectively made, and for no others (U. S. C., title 31, sec. 628).

Furthermore, the laws provide that no establishment of the Government shall expend, in any one fiscal year, any sum in excess of appropriations made by Congress for that fiscal year, or involve the Government in any contract or other obligation for the future payment of money in excess of such appropriations, unless such contract or obligation is authorized by law. The amounts of money appropriated by Congress for each agency are to be apportioned by monthly or other allotments so that they will last out the whole year. But if, in case of an emergency, it is certified by the head of the establishment, such requirements of allotments may be waived.

In the first place, it seems clear that the President acted clearly within his legal right in ordering the increase in the enlisted strength of the Army, Navy, and Marine Corps.

The maximum size of the National Guard as provided in the statutes is in excess of number authorized by the President, but he is given no specific authority to order an increase (U. S. C., title 32, sec. 121). There is ample authority for the President to order Reserve officers of the Army and Reserve and retired Navy and marine officers to active service in time of an "emergency" (U. S. C., title 10, sec. 369; U. S. C., title 34, sec. 423; and U. S. C. Supp., title 34, sec. 853c; and secs. 5, 6, 7, and 8 of act of April 3, 1939 (Public, 18, 76th Cong.)).

In no case has the President ordered an increase in the armed forces in excess of the maximums provided by law. The President, in the absence of specific action of Congress, is the judge of the existence of the emergency.

Since there is statutory authority for the President to order the increase in the armed forces in time of emergency such

condition would appear to be sufficient emergency for waiving the apportionments of the Army and Navy appropriations for the fiscal year 1940. The effect of such action is that the money appropriated for national defense will be spent at a more rapid rate than anticipated and will not last the whole fiscal year. The determination of how and for what purposes the national defense moneys may be spent, however, depends largely upon the provisions of the appropriation acts and authorizations. The President has no general authority to overrule them. Such power must be specifically or impliedly granted if it exists.

First, there is the question of the pay of the increased force of enlisted men and officers. It seems logical to assume that since the President has the power to order the increase, money already appropriated for pay of the Army and Navy may be used for the additional men. In the Navy Department Appropriation Act for 1940 (Public, No. 90, 76th Cong.) a total of \$183,455,545 was appropriated for the pay of naval personnel, with some specific allocations included. There was also an appropriation of \$20,389,000 for the pay of the Marine Corps, broken down into specific amounts for specific purposes. There is no stipulation in the act as to the number of men to be paid, except in a few specific cases. So it seems clear that the additional men may be paid out of the amounts appropriated for pay, the emergency having been declared and the monthly or other allotments waived. Additional amounts must be appropriated by Congress to carry the Navy through the fiscal year. The President does not have, so far as it can be discovered, statutory power to authorize the payment of naval personnel after the appropriation for such purpose has been exhausted. Nor does there seem to be any statutory authority for disregarding the specific allocations for pay of certain types of personnel or the transfer of funds from one specific appropriation to another. To summarize then, the increased personnel may be paid as long as the total amounts appropriated are not exceeded or the specific allocations not disregarded.

One might conclude that the rules just discussed in connection with naval appropriations apply to the Army as well. Generally speaking they do, but the Military Establishment Appropriation Act for 1940 (Public, No. 44, 76th Cong.) introduces some differences. For instance, the appropriation for the pay of the Army totals \$170,371,405 with specific amounts set for officers' pay and pay of enlisted men. But the act states that \$36,017,416 is for the pay of not to exceed 13,106 commissioned officers, and \$69,688,880 for pay of an average of not to exceed 165,000 enlisted men. The President has authorized the increase of the enlisted strength to 227,000. Can the stipulation of the appropriation act be disregarded? On one hand there is the general statute which states that money appropriated shall be applied solely to the objects for which it is made and the specific mandate of the Military Establishment Appropriation Act for 1940. On the other hand, it may be argued that since the President has the power to order the increase in the enlisted strength, it is implied that the new men shall be paid along with the others; otherwise the granting of discretionary authority to the President would be meaningless. Furthermore, there is the constitutional power of the President as Commander in Chief of the Army and Navy. A strict following of the law would seem to support the first point of view, but there is a reasonable doubt involved. In the past Congress has practically always made an appropriation to correct a situation of this kind. In any case it seems desirable that the matter be considered thoroughly and some understanding reached upon the part of the Congress and the Executive as to what justification there is for disregarding the stipulations and restrictions placed in appropriation bills.

Furthermore, it seems clear that, in the absence of specific exception, the funds appropriated for subsistence, clothing, and hospitalization of the Army and Navy may be used to provide those services for the additional men. The proper rule is that the monthly allotments may be waived but that only the funds appropriated for such purposes may be used. There is no statutory authority to exceed the amounts appro-

apropriated or to divert funds. There is apparently no provision in the Army and Navy appropriations for 1940 which would disturb the general rule.

When it comes to the question of capital improvements—the building of barracks, hospitals, and ship improvements—a somewhat different situation prevails. It has been customary for Congress to specifically authorize the construction of certain forts, military posts, barracks, ships, docks, and so forth, and to appropriate specific amounts to carry out the authorizations. At the same time Congress also makes lump-sum appropriations for construction of various categories of capital improvements. There seems to be no statutory authority for the President or the War or Navy Departments to change these specific appropriations or use the money so appropriated for any other purpose, emergency or not. However, where there is a lump-sum appropriation, there is discretionary authority to determine what units may be constructed or repaired. Ordinarily the amounts appropriated are based upon the justifications submitted to the Appropriations Committee. The agency must keep within the total amount appropriated and observe such restrictions as are placed in the appropriation acts. Again the declaration of an emergency does not disturb this rule.

In the Military Establishment Appropriation Act for 1940 specific appropriations are made for certain military posts and the acquisition of land at particular places. On the other hand, there are general lump-sum appropriations for the construction and maintenance of barracks, quarters, other buildings, and utilities and the construction and repair of hospitals. However, there are important limitations upon the use of funds for barracks, the most important of which is that no part of the funds shall be available for construction of a permanent nature of an additional building or an extension or addition to an existing building, the cost of which in any case exceeds \$20,000. There is also a lump-sum appropriation, with some restrictions, of \$53,173,100 for ordnance and munitions. The War Department can spend the funds appropriated to it more rapidly than anticipated and can undertake the construction of new barracks, and so forth, but it must observe the specific item appropriations and the restrictions placed on the use of the lump-sum amounts.

The situation in respect to appropriations for construction and repair for the Navy is similar. In the Navy Department Appropriation Act for 1940—Public, 90, Seventy-sixth Congress—there are specific appropriations of \$4,000,000 to modernize the *Lexington* and *Saratoga*, of smaller amounts for various purposes, and of \$207,593,712 for “construction and machinery” and \$46,011,000 for “armor, armament, and ammunition” under the general heading “Replacement of naval vessels” and to be used for vessels authorized by the act of May 17, 1938 (52 Stat. 401-403), or other acts. Neither of such appropriations—

Shall be available for obligation for any purpose as to ships commissioned prior to July 1, 1938, nor as to any ship commissioned subsequent to such date after 12 months shall have elapsed from commissioning date.

There is no statutory authority to divert the specific appropriations for any other purposes. But there are also several important lump-sum appropriations with few specific restrictions placed on their use: \$26,317,500 to the Bureau of Engineering for repairs, preservation, and renewal of machinery, boilers, and so forth; \$24,422,500 to the Bureau of Construction and Repair for designing, constructing, and repairing naval vessels; \$32,548,000 to the Bureau of Ordnance for ordnance and ordnance stores; and \$8,530,000 to the Bureau of Yards and Docks for maintenance and \$55,328,550 for public works and utilities, but as I have said before the latter amount seems to be all allocated for specific projects already authorized.

The question arises as to what authority there is for the Navy to recondition 100 World War destroyers which have been considered obsolete. There is no specific appropriation for such work and apparently no authorization for it. Clearly no part of the nearly quarter-of-a-billion-dollar appropriation for replacement of naval vessels can be used

for such purpose. But it seems quite clear that the work can be undertaken with the funds appropriated for the general purposes of “Emergency” and “Construction and repair.” This means that some of the construction and reconditioning work planned will have to be put aside until additional funds are provided, but there apparently is no barrier to starting the reconditioning of the obsolete destroyers. It would be preferable, of course, to have a specific authorization and appropriation for such work.

As a general principle, public works are not started unless there is a specific authorization from Congress and an appropriation for such work. A priority list is prepared by the Navy Department which is the result of the study of the needs of the establishment and which forms the basis upon which new construction programs are started. In fact the priority list is available to the bureau chiefs as the general Navy program for the year is projected. Unfortunately, it must be admitted that in connection with the emergency construction program undertaken by the Bureau of Yards and Docks since September, the priority list was ignored entirely. In fact the Bureau chief during the course of the hearings accepted the characterization applied to these projects as “random shots.”

As I have already pointed out, public-works projects have been started under special funds, such as W. P. A., N. I. R. A., and P. W. A., but the cost of the maintenance should always be considered. Certainly the type, extent, and desirability of the project should be passed upon by the body which will be called upon for funds for future maintenance and operation.

The accustomed procedure has been for the Naval Establishment to follow the spirit as well as the words of the appropriation acts. The limitation to which I have directed your attention, it seems to me could have been followed without serious danger to our national security. Again I say, I raise the question of the wisdom of the course taken. I know that many Members of the House interpreted the limitation as a means of restricting the construction program to specific items justified before the Appropriations Committee. The general practice of the Bureau, as well as other Government agencies, not to undertake construction projects without authorizations and appropriations, could be said to fortify this interpretation.

I submit that the same ends could have been reached, the same security could have been provided, the same program for our national defense could have been undertaken without inviting the objection of an undue exercise of Executive authority. At all events, it is the duty of the Congress in these days of uncertainty and chaos to determine the extent of our defense program. This body will be the one upon whom the responsibility will fall if this defense machinery is to be put into operation. It should be the one to determine the parts that are to become units of that defense organization. [Applause.]

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I reciprocate the felicitations of my good friend and very able and conscientious member of our committee and very diligent Congressman representing the interests of his constituency.

Generally speaking, perhaps something should be said about the manner in which the authority of the President was exercised in the emergency. Some criticism has been made of the fact that Executive orders were issued increasing the military and naval personnel and incurring the expenses incident thereto, rather than coming to Congress for it. In the first place, at the time the Executive order of September 8 was issued Congress had not been called in special session. It was called in special session very shortly after that, it is true; but those of us who know the ways of Congress, who know how easy it is for matters to get tied up and delayed by debate and action that may be embarrassing in a great emergency, I think, will agree that there are emergency occasions when the Chief Executive must take such action as he

deems wise. I do not believe anyone will seriously question the fact that when the world was again plunged into conflict this fall there was an emergency and there were reasonable grounds for immediately taking steps to see to our defense forces. The President, therefore, did not increase the appropriations of the Government. That is not an accurate statement. The President was advised by the Attorney General that he had the authority to increase the enlisted strength of our armed forces up to the full peacetime strength or emergency strength which the existing statutes provide for. If he could do that, necessarily, the agencies concerned with those forces must secure the waiver of their appropriation apportionments and spend at a faster rate from their existing appropriations in order to pay, subsist, clothe, house, hospitalize, transport, equip, and otherwise care for those forces. There are existing statutes concerning the Army and Navy that give pretty broad discretion in the matter of providing for their personnel when existing funds run short.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. DITTER. But the gentleman will concede that those appropriations had been made for other specific purposes than those to which they were diverted as a result of the emergency that was declared.

Mr. WOODRUM of Virginia. That is correct. However, those specific purposes were the same purposes as those for which money necessarily had to be expended in order to care for the enlarged personnel. That is the emergency power that Congress has given in connection with appropriations when the Chief Executive acts on his integrity as Chief Executive and declares an emergency and as Commander in Chief acts in that emergency to increase the personnel of the armed forces, that brings about a situation that requires the funds that have been appropriated by Congress for the military and naval forces to be reapportioned and expended at a faster rate than was originally contemplated in order to care for the emergency.

Mr. DITTER. Mr. Chairman, will the gentleman indulge me a moment further?

Mr. WOODRUM of Virginia. Certainly.

Mr. DITTER. Does the gentleman contend that the Executive has that power in the light of the definite limitation that I gave with reference to the appropriation measure?

Mr. WOODRUM of Virginia. I think he does.

Mr. DITTER. In other words, does the gentleman's contemplation of the Executive power in an emergency include casting aside all of the limitations of congressional action?

Mr. WOODRUM of Virginia. I do not go so far as to say that it includes casting aside all limitations of congressional action. The Attorney General ruled that the President had the authority to increase these forces as he did by the Executive orders. So far as I know, there have been no rulings of the Comptroller General to the effect that the consequent expenditures were illegal. There probably is some difference of opinion on the subject, but it does seem to me that if the President has the power to increase the personnel for the Army and Navy, those agencies should have the right to use their existing funds for similar purposes and take care of that personnel.

Mr. DITTER. If the gentleman will indulge me further might I ask whether the gentleman will agree with me that it probably would have been wiser—laying aside for the moment the mooted question of legality—may it not have been wiser to have followed the course of congressional action rather than assuming the purely arbitrary power of emergency?

Mr. WOODRUM of Virginia. If we choose to take a retroactive view, looking upon it now when there have been brushed aside the clouds that were hanging so heavily and ominously at that moment. Now when everyone is tranquil, peaceful, and happy again, it is very easy to say that he should have done thus and so; but looking at it as of that time, where we stood at the moment, the tocsin of war had sounded, the world was plunged into a great holocaust, nation after nation was going down in defeat because it had

not looked to its defenses and preparedness, then I say that any Chief Executive or Commander in Chief who did not act immediately and vigorously to see that his defense forces were prepared would be derelict in his duty. [Applause.]

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. CASE of South Dakota. It is my understanding of the power of the President that he could disregard the monthly apportionment of funds, but not that he could shift an appropriation made for one specific purpose over to some entirely different purpose.

Mr. WOODRUM of Virginia. But I do not think it could be called an entirely different purpose when for instance money appropriated to build an Army post at one place was in an emergency used possibly to build a temporary hospital or temporary barracks at another place.

Mr. CASE of South Dakota. The gentleman, of course, begs the question by an illustration of that kind because the facts are not exactly analogous to the incident cited by the gentleman from Pennsylvania.

Mr. WOODRUM of Virginia. My understanding is that the President had the right to declare that an emergency existed and to increase the personnel of the armed forces. In view of the emergency, the authority existed to waive the apportionment of the existing appropriations and expend them at a faster rate, and thus bring about the necessity for additional appropriations. In all this vast undertaking there may of necessity be some fine points raised in connection with a few items. It would be a miracle if there were not. But in the overwhelming proportion of the action taken I think that the President acted wisely, and the agencies, acting in accordance with his Executive orders, have stayed within bounds.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. DITTER. Do I understand that the gentleman's sense of the security of the Nation was in any way seriously disturbed in the early days of September?

Mr. WOODRUM of Virginia. My sense of the security of the Nation was not seriously disturbed because I did not believe that any time very soon any nation was going to challenge America or be knocking at our doors to cause us trouble. The gentleman will realize, however, that to build up an army and navy and to maintain an army and navy requires time; it cannot be done in a day or a month; and the program contemplates the building up of the Army and the Navy for national defense. Without this program, I do not know that I could look ahead a year without a sense of fear.

Mr. LAMBERTSON. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Briefly; yes.

Mr. LAMBERTSON. Speaking of the state of people's minds around the 3d of September, can the gentleman recall a single public demonstration in the United States by any crowd of people asking the President to do anything or accosting him of our danger?

Mr. WOODRUM of Virginia. I do not believe any Chief Executive has ever taken action which was more generally approved, regardless of how much he may be differed with on other occasions, than the manner in which the President and the Secretary of State have conducted the affairs of America in this national emergency. [Applause.]

Mr. DITTER. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Pennsylvania.

Mr. DITTER. May I point out to the gentleman that I opened my statement by saying I questioned not the motive but the method and the wisdom of the procedure that was followed.

Mr. WOODRUM of Virginia. I appreciate what the gentleman said. I want to say one thing more, in a spirit of good humor, to my distinguished friend from Philadelphia, who complains about building temporary barracks and hospitals. If the President had not acted in the emergency, the navy yard over in Philadelphia would not have had those 30 or more destroyers to recondition for the Government and which they have done so splendidly; the naval aircraft factory over at Philadelphia would not have had to build those 100 planes that they are building, and building splendidly, and, I am sure, to the edification, happiness, and prosperity of my friend's constituents. I did not observe the gentleman complain about that part of the program.

Mr. DITTER. Mr. Chairman, the pleasantry of my distinguished friend from Virginia, I believe, will permit a further indulgence. May I tell him that I represent no part of Philadelphia.

Mr. WOODRUM of Virginia. The great State of Pennsylvania.

Mr. DITTER. I represent a very humble section of the State of Pennsylvania. I would certainly feel unfortunate were I to believe that I circumscribed my appreciation of the need of national defense by attempts at logrolling. That might be in order among some of my friend's distinguished colleagues who lay claim to that which the New Deal has long boasted of, but we feel, probably unduly, that we will not stoop to lowering national-defense needs to purely local interests.

Mr. WOODRUM of Virginia. That is a very nice statement. [Here the gavel fell.]

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, since the discussion has taken the turn it has, it seems to me it is highly appropriate that attention be directed to the constitutional responsibilities of this body with respect to appropriations in general, and with respect to the particular responsibility this body has in reference to appropriations for the Army and Navy. Whatever might be said about national defense or about the justification for any appropriation whatsoever, the fact remains the Constitution lays upon this body, the House of Representatives, the responsibility for originating appropriation measures.

I want to direct the attention of the Members especially to section 8 of the Constitution, which deals with the subject of the Army and the Navy and the powers of the Congress with reference thereto. Section 8 says:

The Congress shall have power—

Then enumerates several powers, among them these—

to raise and support armies, but no appropriation of money to that use shall be for longer than 2 years.

The next power is—

To provide and maintain a navy.

It seems to me that it is difficult for the gentleman from Virginia or any other Member of the House to maintain that we should accept any situation as an emergency that would excuse us from the responsibility of examining these appropriations or of making them. Since the Congress was called in special session almost immediately after the President declared his special emergency, how can anyone maintain that this body should be divested of its responsibility for providing and maintaining the Navy?

The Constitution went even further in enumerating the special powers and responsibilities of the Congress and said:

To make rules for the government and regulation of the land and naval forces.

I was interested in the debate that arose with respect to this \$18,000,000 item for maneuvers. Certainly the chief of staff and his subordinates should be expected to give the Congress the benefit of their viewpoint and their advice on a policy of training; but this Congress cannot escape the plain responsibility for making "rules for the government and regulation of the land and naval forces," nor can it escape the responsibility of determining the defense policy of this coun-

try and whether the training shall be primarily that of the type of an expeditionary force or that of defensive training.

The distinguished gentleman from Virginia referred to the testimony of General Pershing given in the hearing. I may say that I hope every Member will read that testimony and, in fact, read the entire hearings on this particular bill, because it is more or less a preview of the problems and responsibilities we will have when we consider the regular appropriation bills. But mark you this, General Pershing's statement was made with reference to the experience of an expeditionary force in France.

This Congress must determine whether or not it is to be our policy to train men for mass maneuvers which could only be conceived for expeditionary purposes, or whether we are going to have these men trained in mobile, small units for such type of defense as might be necessary if we have a defensive policy. If we are to have an aggressive policy of sending expeditionary forces abroad, where large masses of troops are going to be needed, then possibly we should appropriate even more than \$18,000,000 for mass maneuvers.

The Constitution puts this further responsibility upon the Congress:

To provide for calling forth the militia to execute the laws of the Nation, to suppress insurrection, and repel invasion; to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress.

It seems to me in the discussion at this stage of the session, when we are getting our sights set upon what will probably be one of the major problems of the session—in the providing for adequate defense—we ought to pay a little attention to the constitutional responsibility of this body in determining what these appropriations shall be, and not surrender that all to the Chief Executive. [Applause.]

The Clerk read as follows:

For an additional amount for "Construction and repair," comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$15,514,000, of which not to exceed \$145,000 shall be available for the pay of employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHAFER of Wisconsin: On page 17, line 25, after the period at the end of the line, insert: "Provided, That no part of the moneys herein appropriated shall be used to construct, repair, or operate any vessels for use in patrolling the 300-mile Welles neutrality zone established by the Panama Conference of American Nations."

Mr. SCHAFER of Wisconsin. Mr. Chairman, I sincerely hope that this amendment will be adopted. I am in favor of an adequate national defense. It was Abraham Lincoln who pointed out the geographical location of the United States and said that the real danger to our country would come from within and not from without. I have studied the history of many nations which continued a reckless spending spree of public money, and year after year expended \$2 for every dollar collected in tax revenues as the New Deal has been doing. I have studied the history of nations which were plunged into bankruptcy and resulting inflation which in devastating effects is secondary only to a major war of invasion. I am in favor of an adequate national defense for America. I am, however, opposed to unnecessary expenditures in the name of national defense which will increase our national debt and contribute to plunging the Government of the United States into bankruptcy, with resulting inflation which will bring distress, misery, despair, and devastation such as we have never dreamed of.

In 1932, well do I remember, the total annual appropriations for our entire national defense were a little more than \$800,000,000. In 1932 the present President of the United States was running about this country promising to reduce

the cost of government 25 percent and condemning the Republican administration for their extravagance in spending a total of about \$800,000,000 annually for national defense. The President is now asking for an annual appropriation of about \$2,000,000,000 for national defense. Let us not carry this national-defense spending program to the point where it will materially help in sacrificing our country on the altars of bankruptcy and inflation.

The taxpayers expended a considerable amount of money when Congress was called into session to establish a neutrality policy for the United States in compliance with the constitutional provisions which give Congress, and the Congress alone, the authority to establish a neutrality policy. The Congress in its wisdom enacted the so-called Bloom bill as the neutrality policy for the United States. Notwithstanding this fact, we find our multimillionaire Under Secretary of State, Mr. Sumner Welles, while Congress was in session considering a neutrality policy, traveling at the taxpayers' expense to Panama and offering the Welles neutrality program, which included a 300-mile Welles neutrality zone. This multimillionaire, Mr. Welles, without authority of international law and without authority of the law of the United States, and in clear violation of international law and in clear violation of the laws of the United States, promised that the overburdened taxpayers of our country would be called upon to produce tax dollars in order that our Navy could patrol the 300-mile Welles neutrality zone.

In all candor and in all sincerity, I hope that the Members of this House, irrespective of their party affiliations, will, in the interest of preserving the integrity of the American Congress and its constitutional right to determine our country's neutrality policy, and as a protest against the usurpation of our multimillionaire New Deal Under Secretary of State, Mr. Welles, will support my amendment. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The amendment was rejected.

The Clerk read as follows:

Sec. 203. The Secretary of the Navy is authorized to exceed the statutory limit on repairs and alterations to vessels commissioned or converted to meet the existing emergency.

Mr. CASE of South Dakota. Mr. Chairman, I make the point of order that section 203 is legislation on an appropriation bill.

The CHAIRMAN. Does the gentleman from Virginia desire to be heard on the point of order?

Mr. WOODRUM of Virginia. Will the gentleman from South Dakota reserve the point of order for a moment?

Mr. CASE of South Dakota. I shall be pleased to reserve it for a moment, Mr. Chairman. I should like to have the chairman of the subcommittee at the same time make any statement he can with respect to the authorization proposed in the preceding section, 202.

Mr. WOODRUM of Virginia. As to the authorization in section 202, to acquire and convert one transport, I may say that the Navy Department has secured that vessel from the Maritime Commission at no cost to the Navy. There is no expenditure involved there.

Section 203 is unquestionably legislation and is subject to a point of order if anyone wishes to make it; but it becomes necessary in the carrying out of this emergency program to exceed the statutory limit on alterations and repairs in connection with some of these vessels. To refuse to permit this to be done may stop work on some of the vessels. These vessels are badly needed for use in connection with neutrality and the strengthening of our defense. They have been out of commission, but by changing this limit as proposed here they can be made serviceable and do as well as new ships. This would be good economy. If this section does not remain these ships could not be repaired, and we would have to go to greater expense to get other ships to take their places. The section is subject to a point of order, however, if the gentleman wishes to press it.

The CHAIRMAN. Does the gentleman desire to press the point of order?

Mr. CASE of South Dakota. In view of the explanation given by the chairman of the subcommittee, Mr. Chairman, I withdraw the point of order.

Mr. WOODRUM of Virginia. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. JONES of Texas, chairman of the Committee of the Whole House on the state of the Union, reported that the Committee, having had under consideration the bill (H. R. 7805) making supplemental appropriations for the Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation, for the fiscal year ending June 30, 1940, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

Mr. WOODRUM of Virginia. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The motion was agreed to.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The bill was ordered to be engrossed, read a third time, and was read the third time.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I offer a motion to recommit the bill to the committee with instructions.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. SCHAFER of Wisconsin. I am opposed to the bill, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. SCHAFER of Wisconsin moves to recommit the bill to the Committee on Appropriations with instructions to that committee to report the bill back forthwith with the following amendment: On page 17, line 25, after the period at the end of the line, insert "Provided, That no part of the moneys herein appropriated shall be used to construct, repair, or operate any vessels for use in patrolling the 300-mile Welles neutrality zone established by the Panama Conference of American Nations."

Mr. WOODRUM of Virginia. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill. The question was taken and the bill was passed.

A motion to reconsider was laid on the table.

RESIGNATIONS FROM COMMITTEES

The SPEAKER laid before the House the following resignations from committees:

HON. WILLIAM B. BANKHEAD,

Speaker of the House of Representatives.

MY DEAR MR. SPEAKER: I hereby tender my resignation from membership on the Committees on the Post Office and Post Roads and Pensions.

Very sincerely yours,

CHARLES F. RISK,
First District, Rhode Island.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

The Clerk read as follows:

The Honorable WILLIAM B. BANKHEAD,

Speaker of the House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: This letter is to advise you that it is impossible for me to serve longer on either the Roads or the Irrigation and Reclamation Committees and that I am therefore tendering my resignation from these committees.

Respectfully yours,

FRANK O. HORTON, M. C.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

COMMITTEE ON ELECTIONS NO. 2

Mr. BUCK. Mr. Speaker, I offer a privileged resolution, which I send to the Clerk's desk.

The Clerk read as follows:

House Resolution 353

Resolved, That J. HARDIN PETERSEN, of Florida, DAN R. MCGEEHEE, of Mississippi, and JOHN M. COFFEE, of Washington, be, and they are hereby, elected members of the standing Committee of the House of Representatives on Elections No. 2.

The resolution was agreed to.

EXTENSION OF REMARKS

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include therein an editorial from the New York Herald Tribune.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DUNN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include a letter I received from President Roosevelt.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CULKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include certain comments on the subject of pollution.

The SPEAKER. Is there objection?

There was no objection.

CONDUCT OF DEPARTMENTAL EMPLOYEES

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, it was with amazement and sincere regret that I heard my distinguished colleague from Tennessee call the attention of the Congress to the "two-bit arrogance" of Washington bureaucrats. Of course, I am in complete agreement with the position taken by the distinguished gentleman in his complaint that Members of Congress are not shown proper respect and do not receive proper cooperation from many of the high and mighty clinging to the Federal pay roll under one guise or another. I, too, have suffered the sad experience of having Federal employees refuse to answer queries for information, connect me with responsible departmental heads, or even give their own names so that complaints might be registered against their actions. Such is not to be unexpected by a Republican Congressman. In fact, it is rather the usual rather than the unusual. But to have such treatment extended to a Democratic Congressman under this benign and liberal administration, always so thoughtful of the poor and unfortunate—including Congressmen—is another thing.

It is almost beyond understanding that such a thing could and should happen, especially to the son of one of the most illustrious Democratic Speakers ever to preside in this House.

As a newspaper publisher, as well as a Republican Congressman, I was especially interested in the story appearing in the Washington Post this morning relative to the controversy which has arisen between my distinguished colleague from Tennessee and bureaucrat Paul Edwards, W. P. A. administrator for the District of Columbia. As a defense to the treatment received by my colleague or his secretary, the plea is made that "an average of 35 calls a day are received from Members of Congress or their secretaries at the office of Paul Edwards, local W. P. A. administrator." Can it be that 35 Members of Congress bother Mr. Edwards each day in behalf of the poor and the lowly, the undernourished and the underprivileged of the District? Oh, no! According to the newspaper story, and I quote therefrom:

The W. P. A. administrator has been besieged recently with demands that he find well-paying jobs for constituents of Congress-

men, a W. P. A. official said, but he considers his first responsibility is to give employment to bona fide District residents.

Do the W. P. A. officials or Mr. Edwards dare to insinuate that any Member of this Congress has ever attempted to have one of his constituents, not a bona fide resident of the District of Columbia, given a fat and well-paying job at the expense of the poor, the hungry, and the unfortunate? Does Mr. Edwards or his assistants mean to say that politics is being played in local W. P. A. administration? Can it be, and is it, that political patronage even extends down into the humanitarian field of public relief, and that the money appropriated by this Congress for relief purposes is being expended to give well-paying jobs to deserving and worthy congressional henchmen? Certainly, if the newspaper report is at all correct, Mr. Edwards and other W. P. A. officials are casting serious reflection upon the Congress of the United States and the membership thereof. Let us have the names of these Congressmen, Mr. Edwards, who have been taking up your valuable time and embarrassing you with demands for political patronage. Let the world know who does this heaping of abuse upon your shoulders in attempting to interfere with your bureaucratic rights and privileges. Give us the names. Give us facts, whether they be Democrats or Republicans, Mr. Edwards. The people and the Congress have a right to know.

ORDER OF BUSINESS

Mr. RAYBURN. Mr. Speaker, Monday next is consent day. There is a rather short calendar, and I think in all probability it will be run through in from 30 to 40 minutes. Tuesday next, under the rules, would be Private Calendar Day, but we are very anxious to go along on Tuesday with the independent offices appropriation bill. Therefore I ask unanimous consent—and I do this after consultation with the gentleman from Massachusetts [Mr. MARTIN]—that after the call of the Consent Calendar on Monday next it may be in order to call the calendar for omnibus private bills.

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. I am agreeable to the request that the gentleman has made. I think the membership of the House would like to know about the full program for next week, if the gentleman from Texas can tell us.

Mr. RAYBURN. On Monday, as stated, the Consent Calendar will be called as well as the calendar for omnibus private bills. It is anticipated that the independent offices appropriation bill will be taken up on Tuesday, Wednesday, and Thursday, and that after that we will have no program unless something we do not now know about will be reported.

The SPEAKER. The gentleman from Texas asks unanimous consent that on Monday next at the conclusion of the call of the Consent Calendar it may be in order to take up bills on the omnibus private bills calendar, and that the business on Tuesday, under the rule, be dispensed with. Is there objection?

There was no objection.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection?

There was no objection.

CONDITION OF UNITED STATES ARMY

The SPEAKER. Under special order heretofore made, the gentleman from Pennsylvania [Mr. SNYDER] is recognized for 20 minutes.

Mr. SNYDER. Mr. Speaker, with the world in arms and hundreds of millions in Europe and Asia suffering the horrors of war, the patriotic, prudent American may well ask: What of our own defenses? How are we guarding our people—our men, our women, our children—against possible attacks from land, from the sea, and from the air? What further steps are necessary to give us reasonable protection against military assaults on our territory and our institutions?

As chairman of the Subcommittee on Military Appropriations, I felt it my duty to find the answers to these questions if possible. This information should be sought, I felt, not solely through testimony given at committee hearings, but also from first-hand knowledge, obtained through personal visits to our defense installations.

Therefore, during the past few years I have visited practically every military post in continental United States, in the Panama Canal Zone and in our island possessions. I have flown in almost every type of airplane used by our Army Air Corps. I have watched the fabrication of our guns and projectiles at our great manufacturing arsenals. In addition, I have visited many commercial plants engaged in manufacturing aircraft and other supplies for our armed forces. I have ridden on our Army transports, inspected our coast defenses, visited our supply bases, and examined in detail the plans for our national defense.

As a result of this extensive tour of our military establishments I would like to be able to say to you, Mr. Speaker, and to you, gentlemen of the House of Representatives, that our defense against all possible aggression is adequate. Unfortunately, this is not the case.

After the most thorough study, based on personal observations, it is my considered judgment that we still lack the necessary personnel, the complete fortifications and air bases, the required numbers of modern weapons and equipment, the essential transportation and auxiliary facilities. Our defense program is still in a state of incompleteness.

At the same time, I would be remiss in my duty if I did not advise you that in the past few years, and particularly in the last few months, tremendous strides have been made in securing for our Nation an adequate land defense. If we continue to strengthen all elements of our Army at the present rate, we may hope in the next 2 or 3 years to have a defense force on land and in the air thoroughly competent to cope with any probable threat.

Not quite 7 years ago the present President of the United States, by virtue of his inauguration, became the Commander in Chief of the Army. In taking stock of his Military Establishment he found:

A skeletonized Regular Army consisting of 12,297 officers and 121,788 enlisted men, including Philippine Scouts, scattered in weak garrisons at a hundred more or less isolated posts.

Included in this strength was the Army Air Corps, with a total of 1,282 officers and 13,497 enlisted men, operating a total of 1,775 planes.

A National Guard of 14,000 officers and 175,000 enlisted men.

A Reserve Corps composed of 119,485 officers and 5,028 enlisted men.

The arms and equipment of all elements of the Army were almost entirely those left over from the World War, the greater portion being obsolescent.

The Army had no semiautomatic rifles and was woefully lacking in heavy machine guns, modern trench mortars, anti-tank guns, and modernized light artillery.

Except for a baker's dozen of experimental machines, the tanks of the Army were of World War vintage, utterly useless against modern machines.

We were almost entirely deficient in modern antiaircraft artillery.

Our military airplanes were of a type that soon became obsolescent.

In a motor age, the Army was forced to rely very largely on animal transportation, with horse-drawn artillery and supply wagons.

With the armies of the world tending toward increased mobility, our Army had actually retrogressed in this respect. Such motor vehicles as we possessed were World War remnants, nearly 15 years old.

Advanced military training, other than for individuals and small units, was practically at a standstill. Funds were not made available for the training of large units. Brigades were seldom assembled, divisions almost never.

The housing of the Army approached a national disgrace. Large numbers of enlisted men were sheltered in dilapidated structures erected for temporary use during the war. Some troops had been under tentage since 1919. At one post junior officers occupied quarters in which bathrooms served also as kitchens. At others officers and enlisted men and their families were living in shacks that offered little in the way of creature comforts and which were fire hazards.

Stocks of supplies remaining after the World War had been largely exhausted and no provision had been made for replacement or modernization.

In short, in the name of economy our Army had been permitted to dwindle in size and effectiveness until our defenses were dangerously inadequate, and we would have been utterly unable to muster and adequately equip a respectable war force under a year and a half.

The present administration was faced with the colossal task of completely rehabilitating our national defense and repairing the damage of a decade and a half of neglect.

How well was this done? What has been accomplished in the past 7 years? Take stock with me of our present land and air defenses. Today we have—

A Regular Army of approximately 13,387 officers and we are rapidly approaching the President's quota of 227,000 enlisted men, nearly double that of 1933.

Included in the Regular Army is a highly efficient Air Corps with 2,039 officers and 41,797 enlisted men, with 5,500 military airplanes on hand or under order, an increase of 337 percent in personnel and 323 percent in aircraft.

We have a National Guard of about 16,000 officers and current recruiting is nearing the total of 235,000 enlisted men.

We now have 116,719 in the Officers' Reserve Corps, 3,054 in the Enlisted Reserve, and 24,581 in the Regular Army Reserve.

While we have not entirely made good our deficiencies in modern arms and equipment, we have made a splendid start. Our efficient arsenals and many civil industries are working to capacity in the manufacture of new weapons, planes, and equipment. Educational orders have been placed with a number of private industries to familiarize them with the production of critical noncommercial matériel.

We now have substantial numbers of the finest semi-automatic rifle in the world. Production of this weapon is being accelerated to the end that our troops may be completely supplied in another year and a half, after which a reserve stock will be manufactured.

Our Army now has a sizable quantity of fast, light tanks. These machines are at least the equal of the best. They are well protected against hostile rifle and machine-gun fire and have cross-country speeds in excess of 30 miles per hour. We are now manufacturing a considerable number of medium tanks, heavier weapons, but capable of comparatively rapid cross-country maneuvers.

Hundreds of pieces of antiaircraft artillery are now in production, with deliveries being made daily. To provide for the protection of our great cities and industrial areas, an air-defense command has just been created. This new system of defense against air attack will include air and ground troops, with facilities for rapid transmission of air-raid alarms.

We are procuring large numbers of new machine guns, anti-tank weapons, searchlights, aircraft detectors, and other essential military equipment.

Probably the most spectacular improvement has been made in our air arm. Instead of the weak and scattered air organization which survived a decade and a half of neglect, we now have a highly efficient, well-integrated, well-equipped Air Corps, ready to bring its full strength to bear at any threatened point. That portion of the Air Corps in continental United States has been welded into a compact organization known as the General Headquarters Air Force. Similar organizational improvements and strengthening in personnel and equipment have been made in our overseas departments.

Our aircraft is superior in quality, and our manufacturing facilities have so expanded recently that quantity production of most types of military aircraft is now possible.

Recent orders placed for thousands of motor vehicles will tremendously increase the mobility of our Army. Mobility has been further advanced by the reorganization of our regular Infantry divisions. Instead of the ponderous, incomplete divisions of the World War type we now have relatively small, compact units, of tremendous fire power.

Our light Field Artillery has largely been transformed from horse-drawn to motor-drawn. The gun carriages have been changed to permit high-speed towage, and alterations are rapidly being made in the guns to increase materially the effectiveness of their fire.

Motor trucks have supplanted our animal-drawn supply wagons with, of course, a tremendous increase in efficiency.

Widely scattered regiments and battalions have recently been brought together into divisional groupings for extended field training in their new organization. At this moment, four of the new type Regular Army divisions are concentrated for training in the southern part of the United States. In a few days, a fifth division will embark with the fleet in Puget Sound and put to sea to make a landing on the coast of California. Army and Navy land and sea planes will cooperate in operating against the ships and carrier-based aircraft.

Later this spring, four of these five divisions, together with elements of our Air Corps, the mechanized force and a Cavalry division, will be formed into corps to engage in extended maneuvers, the first genuine corps or army training in time of peace in this country. For once the Army will be given the same opportunity as the Navy to have its team and leaders.

New air fields, important air bases and depots have been established, and others are under construction.

After we have observed the destructive work of airplanes on the battlefronts of Europe, especially the slaughter administered Poland by the German air force, we know that in our national-defense equipment we must have a lot of the best airplanes in the world as well as antiaircraft equipment.

I would like to see the authorization for aircraft in the Army raised to 8,000 planes instead of 6,000 where it now stands.

Mr. FADDIS. Mr. Speaker, will the gentleman yield at that point?

Mr. SNYDER. Certainly.

Mr. FADDIS. Does not the gentleman think that the organization would be top-heavy if we should increase the airplane force to the extent indicated by the gentleman and not increase the other components of the Army?

Mr. SNYDER. I might say that my idea would be to have that increase possible in case of an emergency. Say the Congress would not be in session. I suggest that we might have authority to go ahead and build up to 8,000 planes, say, by Executive order. I agree with the suggestion of the gentleman that we should bring the other elements of the Army up in proportion; that is, at the same time we should increase our Army, if possible, to the strength of 280,000.

Mr. PIERCE. Mr. Speaker, will the gentleman yield?

Mr. SNYDER. Yes.

Mr. PIERCE. How many have we now?

Mr. SNYDER. Two hundred and twenty-seven thousand, and we have 5,500 airplanes on order or already delivered.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. SNYDER. Yes.

Mr. SHORT. Does the gentleman believe that the blitzkrieg by Germany in Poland was successful because Germany not only had bombing planes and attack planes and pursuit planes but also tanks, artillery, and infantry, all four of which are necessary to conduct a successful land campaign? One of the greatest needs for our Army at the present time is to coordinate and synchronize the different branches of the service, particularly to have sufficient ordnance and matériel to equip the men we already have enlisted.

Mr. SNYDER. I thank the gentleman very much for that contribution, because it corresponds with the last statement

I made. I said that for once our Army will have the same opportunity as the Navy. It would have its team.

Mr. FADDIS. And if the gentleman will permit, I suggest to the gentleman from Missouri [Mr. SHORT] it is my belief that at the present time Mr. Hitler is afraid to reveal to the world just how little effectiveness his air corps has had and for that reason he is not employing it as he was expected to employ it. He is overbalanced as far as airplanes are concerned.

Mr. SHORT. It makes little difference how many airplanes a nation has unless it has pilots and ground force to fly and service them.

Mr. FADDIS. To back up their operations.

Mr. SNYDER. Now, may I proceed just along that line for an additional statement? It is evident that in case of emergency we would have to protect not only our shores but our industrial centers. To protect our industrial centers, take as an example the Pittsburgh industrial area, which during the last war manufactured and fabricated more steel material for the Army than any other two centers in the country. We must place a rim of airports and landing fields around the city of Pittsburgh—in a radius of 50 to 75 miles—and have selected antiaircraft placements in this circle by the hundreds.

We should not only have airports at such places as New Castle, Butler, Kittanning, Vanderbilt, Greensburg, Indiana, Beaver, Latrobe, Somerset, Uniontown, Waynesburg, and Washington, but we should have selected and mapped out level farm fields for emergencies. Arrangements should be made in advance with the farmers, just like we make with industry, that in case of a national emergency their fields would be used for landing purposes.

Mr. DITTER. Mr. Speaker, will the gentleman yield.

Mr. SNYDER. I yield to the gentleman.

Mr. DITTER. The gentleman suggests that we buy those farms?

Mr. SNYDER. No, sir. We do not have to buy them from those patriotic people. They would be glad to say, "Light here all you want to."

Mr. DITTER. Would there be any liability attached?

Mr. SNYDER. No; no liability; just give it to the Nation free.

Mr. DITTER. Suppose the acreage was with crop at the time?

Mr. SNYDER. If it were in time of emergency, I believe most of them would do just like my good friend from Pennsylvania and myself would do. We would say, "Go ahead and land in the crops."

Mr. DITTER. Is it not true that the topography of the western part of Pennsylvania is such that the securing of sites of this kind is rather difficult, for instance, in the gentleman's immediate vicinity?

Mr. SNYDER. What I was getting at was, if we knew ahead of time, we have enough level spots in that 75-mile radius around Pittsburgh where we could map out places to land.

Mr. DITTER. Will my friend yield further?

Mr. SNYDER. I will be glad to.

Mr. DITTER. The gentleman would not be exclusive enough to omit from the realm of his selected group, that splendid eastern part of Pennsylvania, would he?

Mr. SNYDER. No. I would do the same thing around Philadelphia. [Laughter.] I said, "as an example," if the gentleman will remember. I said, "the Pittsburgh industrial area and the Philadelphia industrial area, or Detroit, or any other industrial centers."

Mr. DITTER. Naturally I am concerned about the eastern part of the State.

Mr. SNYDER. Yes; and so am I. I would like to help you protect it.

Mr. FADDIS. Will my distinguished friend yield for an observation?

Mr. SNYDER. I yield to the distinguished gentleman.

Mr. FADDIS. I believe it might be well for those of us from the western part of the State to admonish our friend

from the eastern part of the State that he should get away from the old idea that prevailed during the Revolutionary period, when the residents of eastern Pennsylvania looked down on the residents of western Pennsylvania as a bunch of barbarians and backwoodsmen, uncultured, and as a land of howling savages, when, as a reality, they were keeping the Indians from coming in and slaughtering those people in the eastern part of the State. [Laughter.]

Mr. DITTER. Mr. Speaker, will my distinguished friend yield further so that I may have an opportunity to reply to my friend?

The SPEAKER pro tempore (Mr. Izac). The time of the gentleman from Pennsylvania has expired.

Mr. DITTER. Mr. Speaker, I ask unanimous consent that the distinguished gentleman from Pennsylvania [Mr. SNYDER] may have an additional 10 minutes for the learned discourse that he is presently giving to the House.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Indiana [Mr. Crowe] is entitled to recognition.

Mr. CROWE. I will be glad to yield, if I do not lose my time.

The SPEAKER pro tempore. The gentleman will not lose his time.

Mr. CROWE. I will be glad to yield.

The SPEAKER pro tempore. Without objection, the gentleman from Pennsylvania is recognized for an additional 10 minutes.

There was no objection.

Mr. DITTER. Will my distinguished friend yield for a moment so that I may answer the colloquy of his colleague?

Mr. SNYDER. I will be glad to yield.

Mr. DITTER. May I say in answer the Whisky Rebellion, for which the western part of Pennsylvania is always apologetic, has caused it more trouble than the Indians. I am not concerned about the topography, but rather the stigma that the vast State carries because of what went on in days gone by—in those days of the Whisky Rebellion. [Laughter.]

Mr. FADDIS. Will the gentleman yield further?

Mr. SNYDER. I yield.

Mr. FADDIS. Of course, we are deeply concerned about the concern of the gentleman from the outskirts of Philadelphia about the one-time morals of the western part of the State.

Mr. DITTER. I resent that reference to skirts. I must ask that those words be taken down, Mr. Speaker. I have nothing whatever to do with the outskirts of Philadelphia [Laughter], nor with any skirts of Philadelphia, for that matter. [Laughter.] My sense of the gentleman's fairness prompts me to say that I believe he will take that out of RECORD. I represent the county of Montgomery, in the State of Pennsylvania, than which there is no finer or better county.

Mr. FADDIS. Mr. Speaker, I ask unanimous consent to withdraw the words "outskirts of Philadelphia" and substitute therefor "the county of Montgomery which we understand is out of debt entirely on account of the public works relief program of the administration in Washington. [Laughter and applause.]

Mr. DITTER. Mr. Speaker, I know my friend will indulge me again.

The SPEAKER pro tempore. Does the gentleman yield to the gentleman from Pennsylvania?

Mr. SNYDER. Yes, I yield.

Mr. DITTER. May I again correct my distinguished friend from Pennsylvania [Mr. FADDIS] that the financial stability of the county of Montgomery is in no way associated with nor due to the abortive relief efforts of the present administration. We were out of debt long before the New Deal came in. We have only been threatened with debt as a result of the mismanagement of the New Deal. [Laughter.]

Mr. FADDIS. Mr. Speaker, will the gentleman yield further?

Mr. SNYDER. Certainly.

Mr. FADDIS. In view of the words the gentleman has just spoken, are we to be led to believe that he was misinforming the House about a year ago when he made a joyous speech about burning the mortgages or what not of the fair county of Montgomery? The gentleman from Montgomery County boasts now that they had been out of debt long before the New Deal came into existence, but about a year ago he took this floor and spoke about his county's just getting out of debt. Now, which are we to believe?

Mr. DITTER. We were out of debt then, Mr. Speaker, we are out of debt now, and we believe we are going to be able to keep out of debt by reason of a Republican victory in 1940.

Mr. SNYDER. Mr. Speaker, as perhaps you know, the Poles were wiped out, comparatively speaking, in 3 days, and one of the chief reasons why the Germans were so successful with their airplanes and bombers was that the Poles had concentrated their men, equipment, and cavalry. They had their airplanes in large numbers on different fields and the Germans not only destroyed their planes, but they scientifically bombed all the runways in the first 48 hours so they could not take off with the planes they did have on the ground. Hence a plan such as I recommend for each industrial center in the United States is in keeping with what we are compelled to look forward to if might and force gain the day across the waters.

Another weakness in our national-defense set-up is roads. If the transcontinental road program as set forth in my bill, H. R. 1939, now before Congress, were ready for use our national-defense web would be at least 20 percent stronger because of the mobility and flexibility. It is evident now that we cannot put several million of our men to work in private industry under the present social, economic, and industrial scheme. Therefore we could put a million men to work in building these highways on an 8-year program and thus naturally help unemployment. When they were completed transportation costs on food and all materials could and would be reduced 15 percent. We could cut our national-defense bill at least \$200,000,000 a year and still have as much, if not greater, national-defense workability and strength.

While the procurement of supplies has been primarily for the purpose of equipping troops of the Regular Army and National Guard, the necessity of establishing a reasonable reserve of nonperishable items has not been overlooked. Initial steps have been taken to build up stocks of strategic raw materials, such as rubber and manganese, for which we are largely dependent on foreign sources.

I believe the gentleman from Pennsylvania is in favor of that, is he not?

Mr. DITTER. Usually I am for whatever the gentleman is for.

Mr. SNYDER. I know the gentleman believes in a strong national defense.

Mr. SHORT. Mr. Speaker, will the gentleman yield at that point?

Mr. SNYDER. I yield.

Mr. SHORT. I wonder if the gentleman from Pennsylvania has given any thought to the matter of decentralization of aircraft and munitions industries? In other words, does he not feel that it would be wise to have some of these manufacturing plants in the interior of the country at places less vulnerable than seacoast points?

Mr. SNYDER. I am very glad the gentleman brought that out, and in reply I may say that not only do I believe in it but I acted on it, not only myself as chairman of the subcommittee but my subcommittee practically as a whole 3 years ago, 2 years ago, 1 year ago, and again this year. For instance, in the matter of the Edgewood Arsenal, where our chemical warfare research and manufacture centers, we have in that one place not only the facilities of manufacture but storage of the manufactured product. I do not blame the commanding officer of that post for requesting enlarged facilities; but your committee thought it would not be wise to build additional facilities at that point, a place that we consider one of the most critical points in the United States so far as danger

is concerned, not only from water but from land approaches as well. We felt that rather than spend more money there we should establish another storage place or perhaps two manufacturing units so that in case of emergency, should one be put out of commission, we would still have the other to rely on. The same reasoning applies in the case of other equipment. I am more convinced of the soundness of this theory each day, especially as we see what happens across the seas. We do not know what is going to happen in the next day or month, but God forbid that as much can happen as is anticipated by some of our pessimists.

It is just as I have talked to you about our airports. We cannot consider our present airport facilities sufficient in case of emergency, but we must have a very great many fields that can be used for emergency landings and take-offs. So with reference to the location of these strategic industries, they should be at a number of places. They should not all be put in Pennsylvania, they should not all be put in Illinois, they should not all be put in the New England States, the Southern States, or on the west coast. I wish they were scattered, but you are not to blame, as I see it, and I do not know of any Army or Navy man to blame. I do not blame any President, I do not blame any Secretary of War or Secretary of the Navy, or Chief of Staff. It is just a combination of circumstances that kept growing and growing. But now that we are looking at the picture as a whole I am sure the gentleman agrees with me that these adjustments ought to be made.

After 40 years of American possession we have suddenly realized what the Spaniards learned 400 years ago, that Puerto Rico is of vital military importance to the security of the New World. The Caribbean is the strategic area of the Western Hemisphere, and Puerto Rico is in the key position of that region. This is especially true in these days of aerial and submarine warfare. Puerto Rico is the vital outpost to the defense of the Panama Canal and the entire Gulf of Mexico. The President recently directed that a military department be established there. On my visit to that interesting island in December, I was greatly impressed with the rapid progress that has been made in installing the land and air defenses and with the highly efficient staff which had been so quickly created.

Steps are being taken to establish an air base in Alaska to supplement our protection of the northwestern area of the United States and to support the Navy along the Aleutian Islands.

At the same time, our harbor defenses have been strengthened and modernized.

The housing situation, so depressing in 1933, has been materially improved. Comfortable barracks and quarters have replaced dilapidated, expensive to maintain, wartime structures.

While this tremendous progress in strengthening our national defense is highly satisfactory, much remains to be done. However, if the same attention is given to this important problem in the future, as in the recent past, we may feel certain that our defense program will be complete within the next few years. From then on the question will be one of maintenance, not augmentation.

Never again should we permit economy or neglect to emasculate our Army. So long as we consider this country to be a world power we must maintain, year in and year out, on a sound basis, a reasonable posture of national defense. Due economy is only possible if we follow a well-thought-out plan, follow it consistently through the years, and not involve ourselves in the necessity of the sudden and therefore unduly expensive business of rehabilitating that which we have permitted to fall into disrepair, if not decay.

In 1920 the Congress enacted the National Defense Act, the finest piece of military legislation in our history. It provided for a peace strength of 18,000 officers and 280,000 enlisted men for the Regular Army and approximately 435,000 men for the National Guard. It likewise established a comprehensive

organization and system for our Army, sufficiently elastic to cover all contingencies. The ink was scarcely dry on the new statute when the Congress started on the emasculation of the military system it had just created. The size and effectiveness of the Army progressively declined each year until the low ebb of 1933 was reached. Congressional economy was translated into disarmament. Lack of funds forced the Army to eliminate from its rolls 17 Infantry regiments, 12 Field Artillery regiments, and 4 Coast Artillery regiments, as well as numerous auxiliary units in 1921. The following year a further reduction of 4 Infantry regiments, 2 Field Artillery regiments, 4 Air Corps squadrons, and a tank company was made. Existing units were reduced in strength to skeleton size. At the same time hundreds of Army officers were discharged or retired and several hundred others were demoted in the interest of economy. In 1926, 4 more regiments of Infantry and 2 Field Artillery battalions were dropped. The remaining regiments were further skeletonized and numerous smaller units were made inactive. A belated increase was made in the Air Corps without, however, increasing the Army as a whole. This necessitated the transfer of 6,000 enlisted men from the ground troops to the air arm, thus further depleting the already emaciated regiments.

Practically nothing was done during this period to provide modern equipment for the Army. War surpluses were being consumed without replacement. Reserves were used up. Little or no consideration was given to the maintenance or improvement of our military plant.

Faced with such a situation, President Roosevelt took resolute action. Despite the fact that we were in the midst of a tremendous depression, he courageously approved increases in expenditures to strengthen our defense. Acting on the recommendations of two great Secretaries of War, the late Honorable George H. Dern, and our present Secretary, the Honorable Harry H. Woodring, the President initiated a progressive improvement of our land and air defenses.

The four-army organization was perfected. A system of army maneuvers was inaugurated. The commissioned and enlisted strength of our Regular Army and National Guard was gradually augmented. The enrollment at the West Point Military Academy was increased.

Additional training was provided for our National Guard, our Reserve officers, and for our R. O. T. C. and C. M. T. C. students. The Regular Army Reserve was established. The President approved the splendid bill of the gentleman from Texas [Mr. THOMASON], under which several hundred young Reserve officers receive a year's training with the Regular Army. Some 65 or more of these young officers are now commissioned annually in the Regular Army.

New and improved weapons were provided. Coast defenses were modernized. Provision was made for trebling our fighting planes. Our skeletonized divisions were reorganized and reequipped.

New impetus was given our program of industrial preparedness.

I need not remind you, gentlemen, that all this was expensive—tremendously expensive—the more so because of the extent of the damage that had been done the military machine.

While pay and allowances of American soldiers are small compared with salaries in civil life, they are large in comparison with the pittance received by soldiers in the large foreign conscript armies. The American standard affects Army costs as it does all others. Subsistence, clothing, shelter, and most of the labor and materials entering into the fabrication of military supplies all cost more here than in any other part of the globe.

But, granting the cost, I maintain that our land and air defense is the cheapest possible insurance for the maintenance of this democracy in peaceful tranquillity.

A year ago the President called attention to "the old, old lesson that the probability of attack is mightily decreased by the assurance of an ever-ready defense." The late Col.

Edwin M. House, closely associated with the Wilson administration prior to and during the World War—perhaps we should say the first World War—declared:

I am sure, given a large army and navy, that the United States would have become the arbiter of peace, and probably without the loss of a single life.

In other words, the expenditure of a moderate amount for peacetime defense would probably have kept us out of war and saved us from the staggering cost of blood and treasure that we experienced in the tragic years of 1917 and 1918. What could be better and cheaper insurance against disaster?

We can readily understand the need of a police force and a fire department for the protection of a large city. If a mayor or a city council should propose, in the name of economy, to abolish or seriously to curtail the police and fire departments, irate property owners would be quick to protest. Our National Government is in many aspects an extension of our municipal governments. As the existence of a strong police department operates to discourage crime, so the provision for adequate national defense in a democracy discourages bellicose nations and thus tends to preserve the peace for which we all hope and pray.

The peoples of the world may eventually dwell in peace and amity; national boundaries may again be held sacred; international obligations may come to be scrupulously observed; and the call to arms may some day be a forgotten signal; but, unfortunately, current history gives no indication that the hoped-for millennium is at hand.

We must therefore vigilantly guard our great democracy. We must adopt a program for the maintenance of adequate defenses, based, as the President has stated, not on panic but on common sense.

The President has submitted to the Congress a national-defense budget that, in my judgment, represents the minimum of our requirements. You will note that for the coming fiscal year the President asks for a Regular Army of 227,000 men, instead of the authorized peace strength of 280,000 men. While I am in accord with this figure at the moment, I believe that we should look toward the attainment of full peace strength for both the Regular Army and the National Guard within the next few years. An addition of perhaps the equivalent of a full division each year should be made.

Our initial protective force consists of our Regular Army and National Guard. It should be complete in numbers and well rounded in organization. It ought to be fully supplied with modern equipment, backed by adequate reserves of ammunition. It must be as efficient as peacetime training can make it.

The training of our Army should never cease. Field exercises should not be limited to a few weeks in the summer for a few troops, but for the Regular Establishment there should be annual maneuvers in the winter season.

Every effort should be made to provide our National Guard with the maximum amount of instruction consistent with its personnel of citizen-soldiers. It is not a reserve force. With our Regular Army, the National Guard constitutes our first line of defense. In addition to increased training for our Regular Army and National Guard, provision should be made for more training for our Reserve officers.

Modern arms and equipment should be speedily provided for all existing military organizations, with ample reserve stocks for units to be formed at the outbreak of hostilities. We should continue our experimental work with a view to developing the most effective military equipment in the world.

Especially should we continue to keep abreast of the rapidly changing developments in aircraft and in protection against air attacks. At present our military airplanes are probably superior to those of every other country. Let us maintain that superiority. In my judgment we should increase our quota of fast pursuit planes and of the improved and powerful long-range bombers of the flying-fortress type.

We are still lacking in adequate antiaircraft protection for the Panama Canal Zone, for Hawaii, for Puerto Rico, and for our metropolitan cities located on the seaboard. An early

increase in this protection through the installation of modern antiaircraft artillery is highly important.

No discussion of our Military Establishment is complete without a recognition of the vision, the judgment, and the courage of our President, who, years ago, reversed the descending course of our preparedness and began the process of securing for our country a genuine national defense.

We must recognize, too, the splendid ability of his civilian and military advisers, the Secretary of War, the Honorable Harry H. Woodring; the Assistant Secretary of War, the Honorable Louis Johnson; and the unusually able group of officers of the War Department. The country is singularly fortunate in having had at this crucial period the services of these brilliant officers.

In my judgment, the present session of the Congress is charged with no more important duty than that of providing for the common defense. Let us approach this task in a spirit of national unity, guided by no interest other than that of serving our country. [Applause.]

[Here the gavel fell.]

The SPEAKER pro tempore (Mr. WALTER). Under the special order of the House heretofore made, the gentleman from Indiana [Mr. CROWE] is recognized for 5 minutes.

Mr. CROWE. Mr. Speaker, I am considerably concerned with the forest-purchasing program for national forests because of the status of the service in Indiana. When the national forest purchase units were established in Indiana a total purchase unit was set up, of which a net of 638,000 acres is considered purchasable.

When the land-acquisition program was halted in 1936 the Federal Government had acquired 35,000 acres. They also had options on an additional 65,000 acres.

The understanding was at the time this service was started in Indiana that it would be a continued agency. People who were sent in to take options were not instructed to consolidate them, but were sent out to get options where they could within the area. Accordingly the Government-owned land is not in one bloc, but is widely scattered and intermingled with private lands. The result is some farmers have sold and moved away. Others have been left entirely isolated from their friends and neighbors. The work has been practically at a standstill in Indiana for the past 3 years. The office and the skeleton organization must be maintained, even though a small fractional part of the purchases have been made. This, of course, increases the expense per acre tremendously.

Three million dollars was appropriated last year for the further purchase of forest lands, of which \$100,000 has been set aside for Indiana. Options are again being taken, and it is expected to buy approximately 20,000 acres with this amount. At that rate it would take many years to completely consolidate and take over this area. It occurs to me that even \$3,000,000, which was appropriated this year, is a very nominal, small sum for this service of the Government; but to reduce that to \$1,000,000, which is contemplated in the present Budget, is unreasonable if we consider conservation of our natural resources is a worth-while function of the Government.

In 1 city alone in Indiana, with a population of 4,800, a total of 1,350 employees have steady employment with an annual consumption of 21,000,000 board-feet of lumber. The timber, however, in Indiana is now largely depleted. Many factories in small towns have folded up and quit because they could not afford to ship logs from long distances, and immediate lumber is not available. I am interested in a thing which is not alone for the immediate but looking to the future and future conservation of natural resources, of which timber is the greatest of any natural resource that can be augmented, built up, and increased. Let us not take the cramps in spending to the extent that we eliminate one of the most worth-while agencies of our Government. When the Budget reduces money for this purpose to \$1,000,000, they entirely lose sight of any value of natural resources for the future, and they live only in the immediate today.

Mine seems to be a lone voice crying in the wilderness on this subject at this session of Congress. A number of years

ago, in fact, under the administration of President Taft, a policy was established by the Federal Government of purchasing forest lands, lands for the most part that had been cut over, from which the valuable timber had been removed, lands which had been left to the destructive forces of erosion and fire. In my State of Indiana we have such lands the same as are found in many other States. In fact, this service of reforestation and rehabilitation of these lands has been established in 29 of the 48 States—yes; in a way in 31, but 2 have been used only as nurseries for growing millions of saplings to be used in the reforestation work.

There is quite an area in the southern part of the State of Indiana which has been denuded and much of which has been burned over. In a great amount of it, although not all, the undergrowth has been constantly destroyed.

That is true to a great extent all over the United States, as I understand it. The thing I am attempting to bring to the attention of the House and to the country, as far as possible, and to the Congress of the United States, is the value of continuing this program which has been in effect now since about the year 1909. Valuable lands have been bought and reforested. After a number of years valuable timber, saw logs, and saw timber can be taken out if the land is properly taken care of. It is one of the cheapest crops to grow that there is. Of course, it is not a crop that you can plant today and reap tomorrow. I think that is the reason the Congress and the Government at this time are entirely overlooking it. I think we take certain steps and go a long way with them, then we suddenly develop another line of thought and spend money as a nation for something else. I believe a good businessman, a good industrialist, or a good man in any line of thought, if he expects to do a thing worth while and pursue it to completion, will set himself on a straightforward course and pursue that course year after year. If the course is good, it will ultimately succeed, but if it is not worth pursuing, if it is not worth continuing, if conservation of the national resources of this country is not worth pursuing and following up year after year, then I should say any department of the Government that that is not true of should be entirely discontinued. I am not for discontinuing the Forest Service of the United States and the growth of timber. It is one of the greatest industries we have. Timber will grow on land that is not valuable and which will not produce any other crop; so we might put our waste land to use by the Federal Government in the growing of timber. On those lands we might put the poor people in position to live; they might get a few hundred dollars from these lands with which to go to better land. They could buy a few acres of the better land and maintain themselves and make a living for their families.

Mr. Speaker, instead of the \$1,000,000 which is to be appropriated according to the Budget this year, I ask that the Members seriously consider the bill I have introduced which asks for \$15,000,000 for that purpose. The appropriation should not be less in the coming year than it was for the year which will close on June 30 this year, which was \$3,000,000. I think my request is for a very nominal sum and should be granted by the Congress of the United States. I believe the bill should be approved and signed by the President of the United States. Fifteen million dollars is not a large sum to spend in a year for the conservation of one of our country's greatest asset—timber—a natural resource which grows while you sleep.

Mr. SHORT. Will the gentleman yield?

Mr. CROWE. I yield to the gentleman from Missouri.

Mr. SHORT. First, I want to thank the gentleman from Indiana for the splendid statement he has made and to assure him quickly that he will receive my wholehearted support in this worthy endeavor. I think there are few dollars spent by the Government that yield a larger return than those spent for reforestation work, not only in providing timber on our submarginal lands, but it also aids in flood control, the promotion of wildlife, and the conservation of our national resources.

Mr. CROWE. I thank the gentleman from Missouri.

Mr. JENKINS of Ohio. Will the gentleman yield?

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Mr. CROWE. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. I have just come from a hearing before the Appropriations Committee, and I am doing the best I can to accomplish what the gentleman is recommending. Last year several of us appeared before the Appropriations Committee, and only by reason of the very merit of our proposition were we able to raise the appropriation a million dollars. The Senate increased it \$2,000,000, but it was cut back. I do not know whether the gentleman has stressed this point or not, but for the benefit of those who might be listening, may I say that in the gentleman's section and in my section of Ohio we can grow the finest walnut, hickory, white oak, and poplar that is grown anywhere in the United States.

Mr. SHORT. Except in the Seventh District of Missouri.

Mr. JENKINS of Ohio. I was just coming to that. That territory runs across southern Ohio, over into Indiana and into Missouri. All of that seems to be the same sort of territory, and it grows the most valuable timber, as I have just indicated, and I hope everyone will join with the gentleman from Indiana and the rest of us in bringing this about.

Mr. CROWE. I thank the gentleman from Ohio.

[Here the gavel fell.]

Mr. CROWE. Mr. Speaker, I ask unanimous consent to proceed for 1 additional minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana [Mr. CROWE]?

There was no objection.

Mr. CROWE. Mr. Speaker, I want to augment what the gentleman from Ohio and the gentleman from Missouri said about the value of the timber in their two States. May I say that the same strata, the same quality of lumber, seems to run through the States of Missouri, Indiana, and Ohio, and on to the Atlantic coast. We in Indiana have a very fine, high-grade quality of hardwood of various kinds and of about the same quality grown in the two States mentioned. Throughout that section of the country hundreds of millions of board feet of lumber can be produced within the next 10 to 20 years if this program is continued. [Applause.]

The SPEAKER pro tempore. Under a previous special order of the House, the Resident Commissioner from Puerto Rico [Mr. PAGÁN] is recognized for 15 minutes.

Mr. DITTER. Will the gentleman yield to me for a unanimous-consent request?

Mr. PAGÁN. I yield to the gentleman.

LEAVE OF ABSENCE

Mr. DITTER. Mr. Speaker, I ask unanimous consent that leave of absence may be extended our colleague the gentleman from New York [Mr. BARTON] for the next week because of serious illness in the family.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania [Mr. DITTER]?

There was no objection.

THE LATE SANTIAGO IGLESIAS

Mr. PAGÁN. Mr. Speaker, I hope I will not take all the time that has been granted me, but I feel that I have to take some of the time of the House to speak about a matter which may not be important to all of the Members. However, I do not wish to defer any longer complying with my duty.

Mr. Speaker, I consider it is my first duty in Congress to make some remarks about my illustrious predecessor as Resident Commissioner from Puerto Rico.

About a month ago, on the dawn of a sad morning, unforgettable to his people, my predecessor, the Resident Commissioner from Puerto Rico, Hon. SANTIAGO IGLESIAS, passed to the Great Beyond.

A hard worker, a bold fighter, and a beloved leader for my land on the seas, he had devoted more than 40 years to the awakening, to the betterment, to the welfare, and to the social and economic freedom of our common people.

The terrific news of his sudden death in a Washington hospital was a thunderstroke to us all over there. He was rather an aged man, but he had been always moderate and austere in his personal habits, simply devoted to his family and to his

public task, he was in sound health and in a very good shape. A malarious mosquito bite while he was in Mexico on public duty carried him away in a few days. During more than 30 years he often came to Washington as unofficial spokesman of the working classes and the common people, and during the last 7 years he had been the official representative of Puerto Rico in Washington, elected by unprecedented majority of the popular vote.

He was so sincere, so upright and honest, gifted with a broad understanding of human nature and always meaning good, with a feeling and desire to be helpful to his people and to everyone. I know that he had many good friends among the Members of this House and that his unexpected passing was heartfelt by us over there as well as by his friends over here. As his successor, as head of his party, and as Congressman from Puerto Rico, I want to make this public acknowledgment, voicing the gratitude of his people for the public and private remarks made by his friends of Congress praising his character and expressing their feelings of sorrow for the passing of the good man and of sympathy toward his family and his people.

To this great democratic gathering of Congress usually come, elected by their States and Districts, very distinguished citizens and very able leaders of their constituencies and States. With the exception of those who rise to national renown, many Members' background and broad abilities are somewhat unknown to their fellow Members from other States. It often happens that among those who do not rise or do not care to rise to national renown come men from many congressional districts who are very high-type citizens, endowed with wide learning and abilities, the stories of whose lives are captivating and inspiring, who have had a long record of public life and achievements in their own States, really models of the best citizenry, born leaders of men, fathers of their people, of high goals and sterling character, who would shine with the selected others in the roll of honor and fame of the whole country of these United States.

Among those, one was the late Honorable SANTIAGO IGLESIAS. Born in Spain 67 years ago, under the rule of monarchy, he, with an innate longing for freedom and democracy, fled as a very young man to America. In Cuba, under the military ruthlessness of the Spanish generalships, he, a liberal and lover of freedom, pleaded and fought for the Cuban patriots and made common cause against the military clique of his own countrymen who misruled Cuba. Banished from Cuba by the oppressors of that brave people, he came to Puerto Rico, yet a young man in his twenties. He married a Puerto Rican lady and became a tender father of and fostered up 11 Puerto Rican children.

When SANTIAGO IGLESIAS came to Puerto Rico, at the last days of Spanish rule in my island, he at once, soldier of liberty and democracy, gave up himself to awaken the Puerto Rican workingmen and all the common people to his modern ideas of civil rights, social equality, and economic freedom. His word was a bold, new, and enlightening message to Puerto Rico. Our workingmen at that period were practically feudal serfs, poverty stricken, economically and politically oppressed, and were mere forgotten and downtrodden peons, without any consciousness of citizenship and without any grasp of the future.

When the American flag came over to Puerto Rico after the Spanish-American War, SANTIAGO IGLESIAS hailed the new regime, and he made himself known to American officers and soldiers, spoke so enthusiastically of freedom, that he was nicknamed by Americans as "Mr. Liberty."

It had happened that when the guns of Admiral Sampson, of the American Fleet, bombarded the Morro Castle and the city of San Juan at the opening of the Spanish-American War, SANTIAGO IGLESIAS was in prison, due to his speeches and activities against misrule and oppression. One of the bombs penetrated through his cell in prison, fell so near SANTIAGO IGLESIAS that his life was close near to an end. Put free by the American officers, he helped out a lot to see that Puerto Ricans welcomed the new flag and came to admire and cherish American institutions of democracy and free-

dom. During the short American military rule in Puerto Rico, when the local government was practically given up to certain very illustrious Puerto Ricans, but who had been brought under former ideas and institutions, SANTIAGO IGLESIAS had to leave Puerto Rico, and came to continental United States, and had to earn a living as a common laborer in the works of the Brooklyn Bridge in New York that was then under construction. Here he became an American citizen, before any one of the Puerto Ricans, and 2 years later, when civil government was established, he returned back to Puerto Rico and began a life struggle for the awakening of our people, for the economic betterment of the workingmen, for the welfare of the island. His was the main voice heard in a 40-year fight to raise up conditions of labor, to make the common man be conscious of all the rights and privileges under American democratic institutions, and to put in the minds and in the hearts of Puerto Ricans the love for America and the aim and hope that the destiny of our island be united forever with the destiny of these great United States—striving that some time in the near future Puerto Rico may be admitted as a sister State in the Federal Union.

During his struggle for 40 years, SANTIAGO IGLESIAS had been a live wire, a human dynamo, an energetic, honest, and far-sighted statesman at the service of the people. He was a man of principles and always against all odds stood with courage and fearlessness by them. During his last election campaign, he was shot at by a fanatic while he was speaking at a mass meeting, and, wounded, he finished up his speech.

When SANTIAGO IGLESIAS died he had won his battle. He lived to see the workingmen and the common people recognized as citizens, with equal rights and with equal protection under the law and enjoying measures of social reform. He had been elected to the highest post to which a Puerto Rican may be chosen, as the Representative to this Congress of the United States. His death was a blow to all. While his body laid in state at the senate hall of our insular capitol about 200,000 of grateful Puerto Ricans who beloved him, from all cities and towns and mountains, came to give their last glance to the great man. Funeral ceremonies were held before his body and 17 speakers took part, on behalf of all the political parties of the island in united front of bereavement before his body, of the labor organizations, of the legislative, the judiciary, and the executive branches of our government, and sundry civic organizations, voicing the feeling of sorrow and paying tribute to the great leader. The learned and distinguished Member of this House, Hon. MARY T. NORTON, speaking on behalf of her fellow Members of Congress, delivered also a very nice, touching, and inspired oration. It was of significance that the kind and humane chairwoman of the Committee on Labor of this House just paid tribute to the pioneer, the crusader, the builder, and the forestanding leader of labor in Puerto Rico.

For me, especially, SANTIAGO IGLESIAS will have always a sanctuary in the bottom of my heart. He was my political tutor and I was his close associate and lieutenant for about 20 years. I stepped to his seat in the insular senate when he was elected to Congress in 1932, when for the first time his party won the overwhelming majority in the island. As floor leader of the insular senate that I was for several years, I followed him in the leadership of his party and did my best as sponsor of the American ideals and the measures of social justice that he had stood for.

SANTIAGO IGLESIAS should be remembered always as a great American, always loyal to this country and to its institutions of freedom and democracy. As the unworthy successor of him in this great representative body, I pray the Almighty God that always in spirit he will inspire me to do my best.

I thank you. [Applause.]

ADJOURNMENT

Mr. CRAVENS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 10 minutes p. m.), under its previous order, the House adjourned until Monday, January 15, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON NAVAL AFFAIRS

There will be a hearing Monday, January 15, 1940, at 10:30 a. m., before the Committee on Naval Affairs, on H. R. 7665, to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matters named:

Tuesday, January 16, 1940:

H. R. 6130, to provide for mandatory or compulsory inspection and permissive or voluntary grading of fish, fishery products, fishery byproducts, shellfish, crustacea, seaweeds, and all other aquatic forms of animal and vegetable life, and the products and byproducts thereof, and for other purposes.

Tuesday, January 23, 1940:

H. R. 200, to amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 ed., title 46, sec. 316).

Tuesday, January 30, 1940:

The following hearing was at first scheduled for Friday, January 5, but was later postponed until Thursday, January 25, 1940. Now it has been postponed again, this time being Tuesday, January 30, 1940, at 10 a. m.

H. R. 7357, to amend section 4472 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 465) to provide for the safe carriage of explosives or other dangerous or semidangerous articles or substances on board vessels; to make more effective the provisions of the International Convention for Safety of Life at Sea, 1929, relating to the carriage of dangerous goods; and for other purposes.

Tuesday, February 6, 1940:

H. R. 7527, to make effective the provisions of the Minimum Age (sea) Convention (revised), 1936, and for other purposes.

Tuesday, February 13, 1940:

H. R. 1780, to amend section 7 of the act of June 19, 1886, as amended (U. S. C., 1934 ed., Supp. III, title 46, sec. 319), relative to penalties on certain undocumented vessels and cargoes engaging in the coastwise trade or the fisheries, and for other purposes.

H. R. 5837, to amend section 221 of the Shipping Act, barring certain aliens from participating in the benefits thereof.

H. R. 6770, to amend Revised Statutes 4311 (U. S. C. 251).

H. R. 7694, to amend section 4311 of the Revised Statutes of the United States.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings in the committee room, 247 House Office Building, at 10 a. m., on the following dates on the matters named:

CIVIL WAR

Monday, January 15; Tuesday, January 16; and Wednesday, January 17, 1940:

H. R. 917. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 1666. A bill granting pensions and increase of pensions to widows, former widows, and children of certain soldiers, sailors, and marines of the Civil War, and for other purposes.

H. R. 2208. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 3386. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 6716. A bill to recognize for the purpose of the pension laws the service in the Civil War of certain members of the Fifty-sixth Regiment Illinois Mechanic Fusiliers.

H. R. 6909. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 6927. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 7728. A bill granting an increase of pension to widows of veterans of the Civil War.

SUBMARINE OR AIRCRAFT DISASTERS

Friday, January 19, 1940:

H. R. 6532. A bill to provide pensions at wartime rates for disability or death incurred in line of duty as a direct result of submarine or aircraft disasters.

INDIAN WARS

Monday, January 22, and Tuesday, January 23, 1940:

H. R. 1006. A bill to adjust the rate of pension to soldiers of the Indian wars who served 90 days or more in active service against hostile Indians, and for other purposes.

H. R. 3996. A bill to pension men who were engaged in or connected with the military service of the United States during the period of Indian wars and disturbances.

H. R. 4924. A bill to adjust the rate of pension to soldiers of the Indian wars who served 90 days or more in active service against hostile Indians, and for other purposes.

H. R. 4991. A bill to pension men who were enlisted in the military service of the United States during the period of Indian wars and disturbances, and the widows of such men, and for other purposes.

H. R. 4999. A bill to increase the rates of pension in the case of soldiers who served 90 days or more in the Indian wars during the period from 1817 to 1898, and to grant pensions to widows of soldiers who so served in such wars.

DEPENDENTS OF REGULAR ESTABLISHMENT VETERANS

Thursday, January 25, and Friday, January 26, 1940:

H. R. 7191. A bill to make more equitable provision for pensions for the dependents of deceased veterans of the Army, Navy, Marine Corps, and the Coast Guard.

H. R. 7522. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to dependents of veterans of the World War whose death is due to service.

H. R. 7652. A bill to grant pensions and increase of pensions to widows and dependents of certain deceased members or former members of the military or naval service.

H. R. 7734. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to the dependents of veterans of the World War whose death is due to service.

MEDAL OF HONOR PENSIONS

Thursday, February 1, 1940:

H. R. 3365. A bill to liberalize the provisions of the Medal of Honor Roll Act of April 27, 1916.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Tuesday, January 23, 1940:

There will be a hearing before a subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, January 23, 1940, on H. R. 6652, to aid consumers by setting up standards of quality based on performance as a guide in the purchase of consumer goods.

NOTE.—This hearing was originally scheduled for Tuesday, January 16, 1940.

Monday, February 5, 1940:

Hearings will begin Monday, February 5, 1940, at 10 a. m., before the Petroleum Subcommittee of the Committee on Interstate and Foreign Commerce. State regulatory bodies will be heard first.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1261. A letter from the president, Board of Commissioners of the District of Columbia, transmitting a report of the official operations of the District of Columbia government for the fiscal year ended June 30, 1939; to the Committee on the District of Columbia.

1262. A letter from the Governor of Hawaii, transmitting copy of the laws passed by the Territory of Hawaii, regular session of 1939; to the Committee on the Territories.

1263. A letter from the Acting Secretary of the Treasury, transmitting draft of a proposed bill to amend an act entitled "An act for the relief of Mrs. A. R. Barnard, Charles A.

Stephens, Donald W. Prairie, and dependents of Vern A. Needles," approved July 15, 1939; to the Committee on Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. ELLIOTT: Committee on the Disposition of Executive Papers. House Report No. 1504. Report on the disposition of records in the Department of the Navy. Ordered to be printed.

Mr. ELLIOTT: Committee on the Disposition of Executive Papers. House Report No. 1505. Report on the disposition of records in the Department of the Treasury. Ordered to be printed.

Mr. ELLIOTT: Committee on the Disposition of Executive Papers. House Report No. 1506. Report on the disposition of records in the Federal Communications Commission. Ordered to be printed.

Mr. ELLIOTT: Committee on the Disposition of Executive Papers. House Report No. 1507. Report on the disposition of records in the Department of the Treasury. Ordered to be printed.

Mr. ELLIOTT: Committee on the Disposition of Executive Papers. House Report No. 1508. Report on the disposition of records in the Department of the Treasury. Ordered to be printed.

Mr. ELLIOTT: Committee on the Disposition of Executive Papers. House Report No. 1509. Report on the disposition of records in the Department of the Navy. Ordered to be printed.

Mr. ELLIOTT: Committee on the Disposition of Executive Papers. House Report No. 1510. Report on the disposition of records in the Department of the Interior. Ordered to be printed.

Mr. ELLIOTT: Committee on the Disposition of Executive Papers. House Report No. 1511. Report on the disposition of records in the Department of the Interior. Ordered to be printed.

Mr. ELLIOTT: Committee on the Disposition of Executive Papers. House Report No. 1512. Report on the disposition of records in the United States Civil Service Commission. Ordered to be printed.

Mr. ELLIOTT: Committee on the Disposition of Executive Papers. House Report No. 1513. Report on the disposition of records by the Board of Governors of the Federal Reserve System. Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 7863. A bill to amend section 602 (e) of the Communications Act of 1934, as amended, relating to a study of radio requirements for ships navigating the Great Lakes and inland waters of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. BOEHNE:

H. R. 7864. A bill to authorize the construction of a bridge across the Ohio River at or near Cannelton, Perry County, Ind.; to the Committee on Interstate and Foreign Commerce.

By Mr. COCHRAN:

H. R. 7865. A bill to amend the act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto, approved June 6, 1892, and acts amendatory thereof; to the Committee on the District of Columbia.

By Mr. IZAC:

H. R. 7866. A bill to amend the act of June 6, 1924, entitled "An act to amend in certain particulars the National Defense Act of June 3, 1916"; to the Committee on Military Affairs.

By Mr. KEAN:

H. R. 7867. A bill to provide for convening Congress whenever a national emergency is declared; to the Committee on the Judiciary.

By Mr. KEFAUVER:

H. R. 7868. A bill to amend section 107 of the Judicial Code to create a mountain district in the State of Tennessee, and for other purposes; to the Committee on the Judiciary.

By Mr. MAY:

H. R. 7869. A bill to promote the efficiency of the national defense; to the Committee on Military Affairs.

By Mr. MOTT:

H. R. 7870. A bill to extend the provisions of the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911, to include Astoria, Oreg.; to the Committee on Merchant Marine and Fisheries.

By Mr. O'CONNOR:

H. R. 7871. A bill for the relief of certain purchasers of, and entrymen upon, opened lands of certain Indian reservations; to the Committee on the Public Lands.

By Mr. PEARSON:

H. R. 7872. A bill relating to sales and contracts to sell in interstate and foreign commerce, and to be cited as Federal Sales Act; to the Committee on Interstate and Foreign Commerce.

By Mr. RANKIN:

H. R. 7873 (by request). A bill to permit post-mortem ratings and payment thereon of accrued awards of compensation, pension, or emergency officers' retirement pay; to the Committee on World War Veterans' Legislation.

H. R. 7874 (by request). A bill to define the term "permanent and total" disability as applied to World War veterans; to the Committee on World War Veterans' Legislation.

By Mr. SECCOMBE:

H. R. 7875. A bill to suspend immigration for permanent residence in the United States during the duration of hostilities between countries on the Continents of Europe and Asia; to the Committee on Immigration and Naturalization.

By Mr. SOMERS of New York:

H. R. 7876. A bill granting pensions and increase of pensions to widows and former widows of soldiers, sailors, and marines of the Civil war, and for other purposes; to the Committee on Invalid Pensions.

By Mr. WHELCHER:

H. R. 7877. A bill to amend the Railroad Retirement Act; to the Committee on Interstate and Foreign Commerce.

By Mr. JONES of Texas:

H. R. 7878. A bill to amend the crop-loan law relating to the lien imposed thereunder, and for other purposes; to the Committee on Agriculture.

By Mr. HAVENNER:

H. J. Res. 419. Joint resolution to amend the joint resolution entitled "Joint resolution providing for the importation of articles free from tariff or customs duty for the purpose of exhibition at the Golden Gate International Exposition to be held at San Francisco, Calif., in 1939, and for other purposes," approved May 18, 1937, as amended; to the Committee on Ways and Means.

By Mr. HEALEY:

H. J. Res. 420. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. REECE of Tennessee:

H. Res. 354. Resolution authorizing an appropriation of \$5,000 for payment of expenses of the fiftieth anniversary of the Legion of Valor; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARTON:

H. R. 7879. A bill for the relief of Nicholas G. Niedermiller, Peter A. Beklemishev, and Nicholas M. Tikhmenev; to the Committee on War Claims.

By Mr. BATES of Massachusetts:

H. R. 7880. A bill for the relief of Edna Emery; to the Committee on Claims.

H. R. 7881. A bill for the relief of William Henry Partlow; to the Committee on Naval Affairs.

By Mr. DEMPSEY:

H. R. 7882. A bill fixing the pension status of John T. McCabe; to the Committee on Invalid Pensions.

By Mr. LELAND M. FORD:

H. R. 7883. A bill for the relief of Robert E. Doherty; to the Committee on Naval Affairs.

By Mr. HANCOCK:

H. R. 7884. A bill granting an increase of pension to Elizabeth Earnshaw; to the Committee on Invalid Pensions.

By Mr. KOCIALKOWSKI:

H. R. 7885. A bill to record the lawful admission to the United States for permanent residence of Stanislaw and Agnieszka Boraca; to the Committee on Immigration and Naturalization.

By Mr. RUTHERFORD:

H. R. 7886. A bill granting a pension to Corillia Silver; to the Committee on Invalid Pensions.

By Mr. SECCOMBE:

H. R. 7887. A bill for the relief of William H. Wagner; to the Committee on Military Affairs.

By Mr. WADSWORTH:

H. R. 7888. A bill granting a pension to Josephine F. Gardner; to the Committee on Invalid Pensions.

By Mr. WHELCHER:

H. R. 7889. A bill for the relief of John B. Chastain; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6146. By Mr. CARLSON: Petition of J. A. Somer and 18 other citizens of Ellsworth County, Kans., urging passage of House bill 1; to the Committee on Ways and Means.

6147. By Mr. CULKIN: Petition signed by residents of Jefferson County, N. Y., to use all honorable means to bring about a continuance of the Dies committee and to vote for a just and adequate appropriation for such continuance of said committee; to the Committee on Appropriations.

6148. By Mr. FITZPATRICK: Petition of Mrs. Valencia O. H. Moore, of Yonkers, N. Y., and a number of others, to keep this country out of war, to the Committee on Foreign Affairs.

6149. By Mr. KEAN: Resolution of the Women's Overseas Service League, New Jersey unit, favoring the equal-rights amendment; to the Committee on the Judiciary.

6150. By Mr. McLAUGHLIN: Petition of the Legislature of Nebraska, fifty-fourth (extraordinary) session, Legislative Resolution No. 3, petitioning the Secretary of Agriculture of the United States of America to institute the stamp plan for distribution of surplus-food commodities in the State of Nebraska as a unit; to the Committee on Ways and Means.

6151. By the SPEAKER: Petition of the American Committee for Democracy and Intellectual Freedom, New York, N. Y., petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

SENATE

MONDAY, JANUARY 15, 1940

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

God of our fathers, Lord of the land we love, who hast placed in the keeping of men and within the compass of justice, kindness, and religious trust the solemn hope of life and its permanent interests: Inspire our leaders with the spirit of those great-souled men who, with unsullied integrity, administered power as a sacred trust and preserved for us our priceless heritage of freedom and national ideals. Grant that we may never fail them and their hopes as we endeavor to hold fast that which they secured for us by the travail of their souls. Help us to go forward in their spirit that we may raise

our Nation unto new heights of greatness, inspired by the knowledge that Thy mercy surrounds us all and that though at times we experience failure with its halting gloom, nevertheless we are sure of ultimate victory through Him who is the Comrade of the shadow as well as of the light, Jesus Christ, our Lord. Amen.

ATTENDANCE OF SENATORS

GEORGE W. NORRIS, a Senator from the State of Nebraska; JOSEPH C. O'MAHONEY, a Senator from the State of Wyoming; CLAUDE PEPPER, a Senator from the State of Florida; and TOM STEWART, a Senator from the State of Tennessee, appeared in their seats today.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 11, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	King	Schwartz
Ashurst	Downey	Lee	Schwellenbach
Austin	Ellender	Lodge	Sheppard
Bailey	Frazier	Lucas	Shipstead
Bankhead	George	Lundeen	Slattery
Barbour	Gerry	McCarran	Smathers
Barkley	Gibson	McKellar	Stewart
Bilbo	Glass	McNary	Taft
Borah	Green	Maloney	Thomas, Okla.
Brown	Guffey	Mead	Tobey
Bulow	Gurney	Miller	Townsend
Burke	Hale	Minton	Truman
Byrd	Harrison	Murray	Tydings
Byrnes	Hatch	Neely	Vandenberg
Capper	Hayden	Norris	Van Nuys
Chandler	Herring	O'Mahoney	Wagner
Chavez	Hill	Pepper	Walsh
Clark, Idaho	Holman	Pittman	Wheeler
Clark, Mo.	Holt	Radcliffe	White
Connally	Hughes	Reed	Wiley
Danaher	Johnson, Calif.	Reynolds	
Davis	Johnson, Colo.	Russell	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Iowa [Mr. GILLETTE], and the Senator from Louisiana [Mr. OVERTON] are absent from the Senate because of illness.

The Senator from Florida [Mr. ANDREWS] and the Senator from South Carolina [Mr. SMITH] are detained on important public business.

The Senator from Utah [Mr. THOMAS] is absent on official business for the Special Committee on Civil Liberties.

Mr. AUSTIN. I announce that the Senator from North Dakota [Mr. NYE] is necessarily absent, and that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent on official business of the Senate.

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

TENNESSEE VALLEY AUTHORITY (H. DOC. NO. 565)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Agriculture and Forestry and ordered to be printed:

To the Congress of the United States:

So much publicity has been given by the press and in other ways to the power-development feature of the work of the Tennessee Valley Authority that it is fair to assume that many of our citizens and even Government officials hold a belief that the purpose of the act creating the Authority was primarily the development of electric power.

It is perhaps time to call attention to this utter fallacy.

The original legislation, based on my recommendation to the Congress in 1933, was intended—in part as an experimental project—to raise the standards of life by increasing social and economic advantages in a given area, in this case the whole of the watershed which runs into the Tennessee River and including portions of many States.

Part of this objective meant the elimination of very large annual damage to life and property as a result of floods; and therefore it was planned to build a series of dams in the Tennessee River and on some of its many tributaries. The building of such dams would, it was figured, reduce property damage, which had averaged \$20,000,000 a year for a long time. The building of such dams would also make possible the production of a large amount of electric power and would also afford barge navigation for many hundreds of miles up the river.

Furthermore, the original objective of the law included many other things, such as the planting of water-retaining forests near the headwaters of the many rivers and streams, the terracing of farm hillsides, the building of small check-dams, the development of fertilizer, the diversification of crops and other soil-building methods, the improvement of highways and other forms of transportation, the bringing in of small industries, the extension of rural electric lines, and many other similar activities.

In other words, it is time that people should understand that power development was only a part—and ultimately only a relatively small part—of a great social and economic experiment in one of our major watersheds.

From time to time I have transmitted to the Congress special reports from the Tennessee Valley Authority relating to special subjects in the progress of this great task. I am transmitting herewith the latest of these reports, a monograph on the Recreation Development of the Tennessee River System. This summarizes "the results that have been accomplished through certain experiments and demonstrations in this field and contains specific conclusions and recommendations with respect to additional legislation on this subject." It is coming to be realized more and more that in the improvement of our American civilization we cannot stop at hospitals and schools any more than we can confine ourselves to strictly economic subjects. Recreation in its broad sense is a definite factor in the improvement of the bodies and minds of our future citizens.

I hope that this report, which is only one of many which the Tennessee Valley Authority has made from time to time, will dispel any erroneous impression that the Tennessee Valley Authority's work is concerned principally with the mere development of electric power.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 15, 1940.

[NOTE: Report accompanied similar message to the House of Representatives.]

CONTROL OR ERADICATION OF THE PINK BOLLWORM

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and with the accompanying papers, referred to the Committee on Agriculture and Forestry:

To the Congress of the United States:

There is transmitted herewith a letter from the Secretary of Agriculture submitting a report in response to the act—Public, No. 351—passed at the first session of the Seventy-sixth Congress, instructing the Secretary of Agriculture, with the assistance of the Secretary of State, to carry on discussions with responsible officials of the Republic of Mexico and if he deemed it necessary with the States of the United States concerned with respect to the control or eradication of the insect pest of cotton known as the pink bollworm.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 15, 1940.

OPERATIONS UNDER EMERGENCY RELIEF APPROPRIATION ACTS

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which

was read, and with the accompanying report, referred to the Committee on Appropriations:

To the Congress of the United States:

As required by the provisions of the Emergency Relief Appropriation Acts of 1938 and 1939, I present herewith a report of the operations under these acts to the end of the calendar year 1939.

This report contains detailed and summary statements of the Treasury Department reflecting expenditures made, obligations incurred by classes and amounts, and the status of funds under each of the above-mentioned acts. In addition thereto, similar information is presented for the Relief Acts of 1935, 1936, and 1937. These statements have been compiled as of December 31, 1939.

Reports of operations of the Work Projects Administration, the National Youth Administration, the Farm Security Administration, the Public Works Administration, and other agencies receiving funds under the Emergency Relief Appropriation Act of 1938, the Public Works Administration Appropriation Act of 1938, and the Emergency Relief Appropriation Act of 1939 are also included.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 15, 1940.

FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and with the accompanying papers, referred to the Committee on Foreign Relations:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State, showing all receipts and disbursements on account of refunds, allowances, and annuities for the fiscal year ended June 30, 1939, in connection with the Foreign Service retirement and disability system as required by section 26 (a) of an act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor, approved February 23, 1931, as amended by the acts of April 24, 1939, July 19, 1939, and August 5, 1939.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 15, 1940.

[Enclosure: Report concerning retirement and disability fund, Foreign Service.]

AMENDMENT OF ACT FOR THE RELIEF OF MRS. A. R. BARNARD ET AL.

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to amend an act entitled "An act for the relief of Mrs. A. R. Barnard, Charles A. Stephens, Donald W. Prairie, and dependents of Vern A. Needles," approved July 15, 1939, which, with the accompanying paper, was referred to the Committee on Claims.

REPORT OF NATIONAL BOARD FOR PROMOTION OF RIFLE PRACTICE

The VICE PRESIDENT laid before the Senate a letter from the Secretary of War, transmitting, pursuant to law, the annual report of the activities of the National Board for the Promotion of Rifle Practice for the fiscal year ended June 30, 1939, which, with accompanying report, was referred to the Committee on Military Affairs.

AVIATION PERSONNEL OF THE NAVY AND MARINE CORPS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Navy, transmitting, pursuant to law, the report of the board convened by the Secretary of the Navy to investigate and report upon all matters concerning the regular and reserve aviation personnel of the Navy and Marine Corps, which, with the accompanying report, was referred to the Committee on Naval Affairs.

WITHDRAWALS AND RESTORATIONS OF PUBLIC LANDS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting, pursuant to law, a report of the withdrawals and restorations of public lands for the year ended December 31, 1939, which, with the

accompanying report, was referred to the Committee on Public Lands and Surveys.

RELIEF OF ROY F. LASSLY

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation for the relief of Roy F. Lassly, former acting chief disbursing clerk, Department of the Interior, which, with the accompanying paper, was referred to the Committee on Claims.

LAWS OF HAWAIIAN LEGISLATURE

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Territory of Hawaii, transmitting, pursuant to law (through the Governor of Hawaii and the Acting Director of the Division of Territories and Island Possessions, Department of the Interior), copy of the laws passed by the Legislature of the Territory of Hawaii, regular session of 1939, which, with the accompanying document, was referred to the Committee on Territories and Insular Affairs.

LAND-BANK-COMMISSIONER LOANS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Agriculture, transmitting a copy of a letter addressed by him to Senator WAGNER favoring the enactment of House bill 7342 to extend the existing authority to make land-bank-commissioner loans, which, with the accompanying paper, was referred to the Committee on Banking and Currency.

REPORT OF UNITED STATES MARITIME COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the United States Maritime Commission, transmitting, pursuant to law, the report of the Commission for the period ended October 25, 1939, which, with the accompanying report, was referred to the Committee on Commerce.

REPORT OF THE FEDERAL COMMUNICATIONS COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Federal Communications Commission, transmitting, pursuant to law, the Commission's annual report for the fiscal year ended June 30, 1939, which, with the accompanying report, was referred to the Committee on Interstate Commerce.

REPORT OF THE GOVERNMENT OF THE DISTRICT OF COLUMBIA

The VICE PRESIDENT laid before the Senate a letter from the president of the Board of Commissioners of the District of Columbia, transmitting, pursuant to law, a report of the operations of the District government for the fiscal year ended June 30, 1939, which, with the accompanying report, was referred to the Committee on the District of Columbia.

LOUISIANA PRIMARY ELECTION

The VICE PRESIDENT laid before the Senate a letter from Norma S. Lee, temporary chairman, Progressive Democrats, New Orleans, La., enclosing copy of a letter addressed to Hon. E. A. Conway, secretary of state of Louisiana, relating to the primary election to be held in that State on January 16, 1940, which, with the accompanying papers, was referred to the Committee on Privileges and Elections.

PETITIONS

The VICE PRESIDENT laid before the Senate a resolution adopted by Chapter 3, Old-Age Security Association, Chickasha, Okla., favoring the enactment of legislation providing that each person over 60 years of age shall receive a pension of \$50 per month, which was referred to the Committee on Finance.

Mr. CAPPER presented petitions of sundry citizens of Fredonia, Kans., praying for the enactment of Senate bill 517, to prohibit the advertising of alcoholic beverages over the radio, which were ordered to lie on the table.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Callo-way, one of its reading clerks, announced that the House had

agreed to the amendment of the Senate to the bill (H. R. 5118) for the relief of the State of Ohio.

The message also announced that the House had passed a bill (H. R. 7805) making supplemental appropriations for the Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation for the fiscal year ending June 30, 1940, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 5118) for the relief of the State of Ohio, and it was signed by the President pro tempore.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHANDLER:

S. 3103. A bill granting a pension to John E. Runyon, Jr.; to the Committee on Pensions.

S. 3104. A bill to prohibit the transfer of employee contributions under the Railroad Unemployment Insurance Act, and for other purposes; to the Committee on Finance.

By Mr. HAYDEN:

S. 3105. A bill to assist the States in the improvement of highways; to the Committee on Post Offices and Post Roads.

By Mr. HOLMAN:

S. 3106. A bill authorizing the use of special canceling stamps and postmarking dies at the Portland, Oreg., post office in connection with the annual Portland Rose Festival; to the Committee on Post Offices and Post Roads.

By Mr. McKELLAR:

S. 3107. A bill for the relief of Perkins Gins, formerly Perkins Oil Co., of Memphis, Tenn.; to the Committee on Claims.

By Mr. CHAVEZ:

S. 3108. A bill to authorize a preliminary examination and survey of the Rio Grande and tributaries, New Mexico, with a view to the control of floods; to the Committee on Commerce.

By Mr. McCARRAN:

S. 3109. A bill to provide for the bonding of Federal officials and employees; to the Committee on Education and Labor.

S. 3110. A bill to establish a system of longevity pay for postal employees; to the Committee on Post Offices and Post Roads.

By Mr. WHEELER:

S. 3111. A bill for the relief of Thomas L. Gardner;

S. 3112. A bill for the relief of George A. Stuffle; and

S. 3113. A bill for the relief of Caleb Brunell; to the Committee on Claims.

S. 3114. A bill granting a pension to Margaret Foley Johnson; to the Committee on Pensions.

S. 3115. A bill to provide for the establishment and maintenance of an assay office at Helena, Mont.; to the Committee on Mines and Mining.

By Mr. NEELY:

S. 3116. A bill for the relief of Glaspy V. Wolfe; to the Committee on Claims.

S. 3117. A bill to amend the military record of James Ledsome, and for other purposes; to the Committee on Military Affairs.

By Mr. PEPPER:

S. 3118. A bill for the relief of Victor Farley (with accompanying papers); to the Committee on Claims.

S. 3119. A bill for the construction of a fish hatchery at or near Marianna, in Jackson County, Fla.; to the Committee on Commerce.

S. 3120. A bill authorizing the appointment of certain former midshipmen as ensigns, and for other purposes; to the Committee on Naval Affairs.

S. 3121. A bill to prohibit Federal agencies from purchasing articles or materials in a State at a lower rate than that established by the law of such State; to the Committee on Education and Labor.

By Mr. BARBOUR:

S. J. Res. 197. Joint resolution requesting the President to call a national farm conference, and authorizing the establishment of an advisory farm council; to the Committee on Agriculture and Forestry.

HOUSE BILL REFERRED

The bill (H. R. 7805) making supplemental appropriations for the Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation for the fiscal year ending June 30, 1940, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

LEVY OF TAXES IN CERTAIN GOVERNMENT RESERVATIONS

Mr. WHEELER submitted an amendment intended to be proposed by him to the bill (H. R. 6687) to authorize the levy of State, Territory, and District of Columbia taxes upon, with respect to, or measured by sales, purchases, or use of tangible personal property or upon sellers, purchasers, or users of such property measured by sales, purchases, or use thereof occurring in United States national parks, military and other reservations, or sites over which the United States Government may have jurisdiction, which was referred to the Committee on Finance and ordered to be printed.

SUPPLEMENTAL APPROPRIATIONS FOR MILITARY AND NAVAL ESTABLISHMENTS—AMENDMENT

Mr. WHEELER also submitted an amendment intended to be proposed by him to the bill (H. R. 7805) making supplemental appropriations for the Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation, for the fiscal year ending June 30, 1940, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 8, after line 14, insert the following:

"CUSTER HISTORICAL MUSEUM

"To enable the Secretary of War to carry out the provisions of the act entitled 'An act to provide for the erection of a public historical museum in the Custer Battlefield National Cemetery, Montana, approved August 10, 1939, \$25,000, to remain available until expended."

AMENDMENTS TO INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. KING submitted two amendments intended to be proposed by him to Interior Department appropriation bill, fiscal year 1941, which were referred to the Committee on Public Lands and Surveys and ordered to be printed, as follows:

At the proper places insert the following:

"Construction of water-conservation and utilization projects in Utah: For the construction of water-conservation and utilization projects in the State of Utah in accordance with the provisions of the act entitled 'An act authorizing construction of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States,' approved August 11, 1939, \$10,000,000."

"Facilities for water storage and utilization in Utah: For construction of facilities for water storage and utilization in the State of Utah in accordance with the provisions of the act entitled 'An act to promote conservation in the arid and semiarid areas of the United States by aiding in the development of facilities for water storage and utilization, and for other purposes,' approved August 28, 1937, \$10,000,000."

AIR CARRIER STOPS AT NEWARK AND NEW YORK CITY

Mr. BARBOUR submitted the following resolution (S. Res. 215), which was referred to the Committee on Commerce:

Resolved, That the Senate Committee on Commerce is authorized to make a full and complete study and investigation as to whether the currently effective designation of points at which air carriers are required to make stops in the vicinity of Newark, N. J., and New York, N. Y., and the policy and decisions of the Civil Aeronautics Authority with respect to the designation of such points, are in conformity with the provisions of the Civil Aeronautics Act of 1939 and adequately serve the public interest.

TRANSFER OF VESSELS TO NORWEGIAN REGISTRY

Mr. CLARK of Missouri submitted the following resolution (S. Res. 216), which was referred to the Committee on Commerce:

Resolved, That the United States Maritime Commission is requested to transmit to the Senate as soon as practicable the fol-

lowing information in connection with the transfer of vessels owned by the United States Lines to Norwegian registry: (a) the date of construction of such vessels and the cost thereof; (b) the date they were purchased by the United States Lines or any predecessor in interest, and the price paid therefor; (c) the amount of mail pay received for the operation of such vessels by the United States Lines or any predecessor in interest; (d) a complete recitation of the financial transactions involved in the transfer of the vessels; (e) a recitation of the facts, showing what control or interest is held by any American citizen in the Norwegian company to which such transfer was made; and (f) in general, all the information which would go to the bona fides of the transaction.

JACKSON DAY ADDRESS BY THE PRESIDENT

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD the Jackson Day address delivered by the President of the United States, at Washington, D. C., January 8, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR KING BEFORE NATIONAL CONFERENCE OF UNITED PALESTINE APPEAL

[Mr. PITTMAN asked and obtained leave to have printed in the RECORD the address delivered by Senator KING on January 7, 1940, before the National Conference of the United Palestine Appeal at Washington, D. C., which appears in the Appendix.]

RECIPROCAL-TRADE AGREEMENTS

[Mr. LUCAS asked and obtained leave to have printed in the RECORD a letter on the subject of reciprocal-trade agreements written by Senator VANDENBERG to the Secretary of State on November 24, 1939, and the reply of the Secretary of State of December 15, 1939, which appear in the Appendix.]

JACKSON DAY ADDRESS BY HON. HENRY A. WALLACE

[Mr. HERRING asked and obtained leave to have printed in the RECORD the address delivered by Hon. Henry A. Wallace, Secretary of Agriculture, at the Jackson Day dinner held at Des Moines, Iowa, January 8, 1940, which appears in the Appendix.]

PROPOSED FORTIFICATION OF GUAM

[Mr. BORAH asked and obtained leave to have printed in the RECORD an editorial from the Washington (D. C.) Times-Herald of today relative to the proposed fortification of the island of Guam, which appears in the Appendix.]

COMPETITIVE BIDDING FOR RAILROAD-BOND ISSUES

Mr. TRUMAN. Mr. President, I desire to make a remark or two on a proposed bond issue of the Louisville & Nashville Railroad, application for which is now pending before the Interstate Commerce Commission.

Some time ago an effort was made by the committee investigating railroad finance to have all railroad-bond issues and borrowings made on competitive bidding. In times past it has been customary for Kuhn, Loeb & Co., Morgan, Stanley & Co., and a clique of New York bankers who have controlled the railroads to buy such bonds without competitive bids. The Louisville & Nashville Railroad now has pending before the Interstate Commerce Commission application for authority to sell some \$60,000,000 of bonds. Morgan, Stanley & Co. have created a syndicate of some 70 or 80 bankers in the United States to prevent competition on bids for these bonds.

The Chesapeake & Ohio Railroad, the Cincinnati Terminal Co., and the Terminal Co. of St. Louis recently sold their borrowings on competitive bids and received a much better price than the New York bankers wanted to pay for them. Specifically, Morgan, Stanley & Co. offered 95½ for the Chesapeake & Ohio bonds; that is, they told the Chesapeake & Ohio that 95½ would probably be what they would offer. Those bonds were sold at par to competing bankers on competitive bids and are now selling for 107.

I should like to place in the CONGRESSIONAL RECORD as part of my remarks an article by Jay Franklin, which was published in the Cleveland Plain Dealer of the 13th of January; and I earnestly urge the Interstate Commerce Commission and the Securities and Exchange Commission to require all offerings of railroad bonds to be made on competitive bids.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WE THE PEOPLE—FINANCING RAILROADS; CASE OF THE L. & N.; COMPETITIVE BIDDING

(By Jay Franklin)

(Released by Consolidated News Features, Inc.)

A little cloud no bigger than a man's pocketbook has appeared on the political horizon in cases before the Securities and Exchange Commission and the Interstate Commerce Commission, and is expected to blow into a typhoon of tycoons in the next few years.

This is the question of whether the financing of railroads and public utilities should be thrown open to competitive bidding or remain, as in the past, part of the patronage of the New York bankers. Since, in the long run, railway and utility rates are determined by the financial structure, the trend of public policy is to insist that financial costs shall be regulated by competition rather than fixed by privilege.

It is this issue which caused the recent furor over the Securities and Exchange Commission's decision in the Michigan Consumers Power deal involving Wendell L. Willkie's Commonwealth & Southern. It is this issue which underlies the Government's gingerly approach to the costs of the telephone company as affected by the charges of American Telephone & Telegraph's Western Electric for equipment. It is this issue which is attracting a flock of high-priced legal ravens to the Louisville & Nashville Railway case which is about to come up before the Interstate Commerce Commission.

MERELY A SYMPTOM OF THE TREND

In the case of L. & N., as with the Consumers Power case, a banking syndicate in which Otis & Co., of Cleveland, and Halsey, Stuart & Co., of Chicago, are associated, it is the agency which is raising the issue of competitive finance. This, however, is merely a symptom of the trend toward real financial decentralization in the United States and the transfer from New York to rising financial communities in the West and South of some of the unified business controls traditionally exercised by such firms as J. P. Morgan & Co. and Kuhn, Loeb & Co.

The L. & N. has pending before the I. C. C. an application for approval of \$60,000,000 bonds which were tentatively awarded without competition to Morgan, Stanley & Co. on terms which are said to be disadvantageous to the railway and designed to facilitate monopolistic control of railway finance. Offering of these bonds was hurried through between the Christmas and New Year's holidays without time for adequate preliminary discussion with the I. C. C. or with the officials of the 14 States served by the railroad.

The Otis group is understood to take the position that it will not make the case a banker's squabble, but will rely on the I. C. C. to do its "duty" to the public in establishing the competitive principle in railway finance. Since this is a world in which major decisions are taken chiefly under pressure, this position is expected to lead to an I. C. C. approval of the original Morgan-L. & N. deal.

TREMENDOUS SAVINGS MADE BY C. & O.

However, the trend is away from this sort of financial preference, whether achieved by contract, usage, or packing boards of directors with banking-house nominees. Competition initiated by one railway group recently resulted in tremendous savings to the Chesapeake & Ohio Railroad, the Cincinnati Union Terminal Co., and the Terminal Railroad Association of St. Louis. Similar savings also have been made by six railroads through the competitive sale, under I. C. C. requirements, of their equipment trusts.

Justice William O. Douglas, of the Supreme Court, when chairman of the S. E. C., made a speech in 1937 in which he said there should be bona fide competitive bidding in cases where the bankers are dispensing themselves the patronage of a monopoly, whether by reason of directorship, voting trusteeships, strategic investment positions, or otherwise.

In 1925, Chairman Eastman of the I. C. C. said, in a dissenting opinion on a New York Central case: "An unhealthy situation exists with respect to the marketing of railroad securities. * * * I am convinced that competitive bidding would tend to bring about healthier financial conditions."

ORDER TO DISPENSE WITH CALL OF CALENDAR

The PRESIDING OFFICER (Mr. CLARK of Missouri in the chair). The routine morning business is closed. The consideration of bills on the calendar under rule VIII is in order.

Mr. BARKLEY. I ask unanimous consent that the calling of the calendar be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. CLARK of Missouri in the chair) laid before the Senate messages from the President of

the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

Mr. BURKE. Mr. President, I submit the unanimous report of the Committee on the Judiciary in favor of the confirmation of the nomination of Frank Murphy, of Michigan, to be an Associate Justice of the Supreme Court of the United States, vice Pierce Butler, deceased.

The PRESIDING OFFICER. The report will be placed on the Executive Calendar.

Mr. NEELY, from the Committee on the Judiciary, reported favorably the nomination of Robert H. Jackson, of New York, to be Attorney General.

Mr. HUGHES, from the Committee on the Judiciary, reported favorably the nomination of Francis Biddle, of Pennsylvania, to be Solicitor General.

Mr. ADAMS, from the Committee on Public Lands and Surveys, reported favorably the following nominations:

Alvin J. Wirtz, of Texas, appointed during the recess of the Senate, to be Under Secretary of the Interior, vice Harry Slattery, resigned; and

George A. Lingo, of Alaska, to be register of the land office at Anchorage, Alaska (reappointment).

Mr. McKELLAR, from the Committee on Appropriations, reported favorably the following nominations:

R. L. MacDougall, of Georgia, to be Work Projects administrator for Georgia, the office to which he was appointed during the last recess of the Senate; and

Dean W. Miller, of Idaho, to be Work Projects administrator for Idaho, the office to which he was appointed during the last recess of the Senate.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nomination of sundry postmasters.

RECONSTRUCTION FINANCE CORPORATION

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

The legislative clerk read the nomination of Emil Schram to be a member of the Board of Directors of the Reconstruction Finance Corporation.

The PRESIDING OFFICER (Mr. CLARK of Missouri in the chair). Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Carroll B. Merriam to be a member of the Board of Directors of the Reconstruction Finance Corporation.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Charles B. Henderson to be a member of the Board of Directors of the Reconstruction Finance Corporation.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Howard J. Klossner to be a member of the Board of Directors of the Reconstruction Finance Corporation.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Sam Husbands to be a member of the Board of Directors of the Reconstruction Finance Corporation.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

FARM CREDIT ADMINISTRATION

The legislative clerk read the nomination of Albert G. Black to be Governor of the Farm Credit Administration.

Mr. McNARY. Mr. President, I have been requested by the senior Senator from Wisconsin [Mr. LA FOLLETTE] to announce that if he were present he would vote for the confirmation of Dr. Black.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

That completes the calendar.

ADJOURNMENT

Mr. BARKLEY. As in legislative session, I move that the Senate adjourn.

The motion was agreed to; and (at 12 o'clock and 22 minutes p. m.) the Senate adjourned until tomorrow, Tuesday, January 16, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 15, 1940

COMMISSIONER OF THE DISTRICT OF COLUMBIA

Melvin C. Hazen, of the District of Columbia, to be a Commissioner of the District of Columbia for a term of 3 years, and until his successor is appointed and qualified. (Reappointment.)

COAST GUARD OF THE UNITED STATES

Assistant Lighthouse Engineer Thomas Bates McKinstry to be a lieutenant (junior grade) in the Coast Guard of the United States, to rank as such from December 1, 1939.

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY TO QUARTERMASTER CORPS

Capt. Charlie Quillian Lifsey, Infantry, with rank from October 1, 1933.

PROMOTIONS IN THE REGULAR ARMY

TO BE CHAPLAINS WITH THE RANK OF CAPTAIN

Chaplain Robert Leland Schock (first lieutenant), United States Army, from December 4, 1939.

Chaplain John Oscar Woods (first lieutenant), United States Army, from December 4, 1939.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 15, 1940

RECONSTRUCTION FINANCE CORPORATION

TO BE MEMBERS OF THE BOARD OF DIRECTORS

Emil Schram
Carroll B. Merriam
Charles B. Henderson
Howard J. Klossner
Sam Husbands

FARM CREDIT ADMINISTRATION

Albert G. Black to be Governor of the Farm Credit Administration.

POSTMASTERS

HAWAII

Takeo Takeshita, Hanapepe.
Daniel A. Devine, Hilo.
Albert P. Lino, Honolulu.
Lemon W. Holt, Kahului.
Dick C. Pang, Kamuela.
Ernest C. Rapozo, Kapaa.
James G. Takemoto, Naalehu.
Lee Loon, Pahala.
Masaru Yokotake, Waimea.
Margaret C. White, Wahiawa.

KENTUCKY

Thomas E. Cooper, Beaver Dam.
Thomas L. Gorby, Cave City.
Ray Flowers, Columbia.

Charles W. Hardin, Crestwood.
Sidney F. Sprake, Cynthiana.
Howard L. Cummins, Falmouth.
William T. Miller, Hawesville.
John M. Farra, Lancaster.
Herman Porter Meredith, Leitchfield.
Anna Vincent, Martin.
Presley J. Blackburn, Princeton.
Mary B. Helm, Stanford.

OREGON

Helen I. Brown, Canby.
Frank J. Doohar, Cornelius.
Blanche M. Brown, Hubbard.
Clarence C. Miller, Jefferson.
Maud W. Thomas, Malin.
A. Phenton Groblebe, Mill City.
John F. Paden, Newport.
Sylvester D. Goshert, Nyssa.
Edna M. Jamieson, Port Orford.
Jennie J. Shatto, Scappoose.
William P. Fisk, Sherwood.
Emil F. Messing, Vernonia.
William C. Sorsby, Wauna.
Edward F. Kelso, Yoncalla.

RHODE ISLAND

Daniel W. Coggeshall, Bristol.

SOUTH DAKOTA

Warren S. Leeper, Blunt.
Harold F. Gilbert, Buffalo.
Joseph H. Coughlin, Carthage.
Harry E. Henegar, Chamberlain.
Grover C. Kenworthy, Deadwood.
James A. Nesby, Dell Rapids.
John H. Francis, Dupree.
Carl H. Schyan, Flandreau.
Otto V. Bruner, Geddes.
Adolph P. Koevenig, Hill City.
Walter Ulmer, Hosmer.
Robert Maley, Sr., Howard.
Jennings H. Harris, Humboldt.
Iris I. Engler, Ipswich.
Julius Pfitzer, Java.
John Krambeck, Lead.
Charles E. Smith, Lemmon.
George W. Lawrence, Mount Vernon.
Kathleen Kochenderfer, New Underwood.
William E. Ruckle, Onida.
Herald A. Krebs, Quinn.
Henry J. Werner, Ramona.
Frederick J. Bowar, Reliance.
Bernard Mayer, Roscoe.
Mary V. Breene, Seneca.
James P. O'Neill, Spearfish.
Strauther M. Blair, Sturgis.
Cornelius J. Martin, Tripp.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 15, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Bless the Lord, O my soul and all that is within me, bless His holy name. Bless the Lord, O my soul, and forget not all His benefits. It is He that hath made us and not we ourselves. We are His people and the sheep of His pasture. Behold, now are we the sons of God. Our Heavenly Father, hold to our lips the Holy Grail and from that blessed cup may we drink deep of the water of life. We pray Thee to take out of our hearts all bitterness and may a grave be dug deep enough to bury all wrongs. We thank Thee for our glorious country; help us to stress our problems and think more of

our privileges; give us a larger sympathy for all men and a holy ambition to be of service in a needy world. In our Saviour's name. Amen.

The Journal of the proceedings of Friday, January 12, 1940, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries.

EXTENSION OF REMARKS

Mr. PARSONS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a speech made by Commissioner Max O'Rell Truitt in New York on January 11.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. RANDOLPH] may have permission to extend his remarks in the RECORD and to include therein an address delivered before the National Aeronautic Association, at New Orleans, relative to the development of aviation.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

DANIEL W. BELL

Mr. COCHRAN. Mr. Speaker, 28 years ago Dan Bell, of the Treasury Department, came here at a salary of \$700 a year. He has now been advanced to the highest grade it is possible for a civil-service employee to attain. This has been done without any political influence.

Mr. Speaker, I ask unanimous consent to extend my remarks concerning Mr. Bell and to include therein a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

EXTENSION OF REMARKS

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a very brief editorial from the Dallas News.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HILL asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. SCHIFFLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Wellsburg Herald, and I also submit a second request to extend my remarks in the RECORD and to include another short editorial.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. ALEXANDER. Mr. Speaker, I have received a letter in this morning's mail from a friend in Minneapolis named J. T. Miller, in which he calls attention to an article by a writer up in New York, named James McMullin, who states that we are accepting British and French paper currency at this time through the Federal Reserve banks. I want to read a part of the article. It is very important, it seems to me, in view of what happened to us in the way of extension of credit to Europe willy-nilly during the World War period:

An example of effective though unadvertised cooperation is found in the fact that the New York Federal Reserve Bank is accepting

British and French paper currency—on order from Washington—at the pegged rate of 176½ francs to the pound sterling. Significantly, the Federal Reserve refuses to give out any information about the pounds and francs it has acquired. Insiders are convinced that the amount is already substantial and steadily increasing.

The vital point is that this currency is nonredeemable. Therefore we are in effect accepting large quantities of paper of dubious future worth at a valuation set by the nations that issue it. This is just dandy from the British and French viewpoint.

But suppose the Allies lose the war, or that protracted hostilities force them to resort to internal inflation. In either event, the United States would be stuck with huge sums of virtually worthless pounds and francs. Such a development could do incalculable damage to our own economy—especially to bonds and other fixed obligations. So this form of support for the Allies involves plenty of risk for ourselves.

Why cannot we learn from past experience to do things in a businesslike way? If we are going to extend credit, why not get good security, not worthless paper?

Mr. ALEXANDER asked and was given permission to extend his remarks and to include therein the article referred to by him.

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, the report is that the State Department has sent Mr. A. A. Berle, Jr., Assistant Secretary of State, to Ottawa, Canada, to conclude a treaty with that country in reference to the St. Lawrence and Great Lakes waterway.

We have tried to establish a yardstick down in the South, using Muscle Shoals as the yardstick to determine whether power should be manufactured by the Government, and in this way put the Federal Government into business. We have also gone out to the Grand Coulee, in the State of Washington, with the idea of developing another great power project. Each one of these projects will require before conclusion of construction close to \$1,000,000,000. Some yardsticks, I must admit. Billion-dollar yardsticks. Government money of the taxpayer yet to be paid for. Why start another at this time?

It seems to me that the State Department and this administration should find out whether these yardsticks are going to be workable yardsticks and in the best interests of the American people before we start with another billion-dollar yardstick. It seems to me Congress should not permit any treaty to be concluded that will establish the St. Lawrence waterway project in the manner contemplated by this administration until we determine by actual operation whether these projects are going to be feasible and practicable, and also whether they are going to be in the best interest of the American people. Why, Mr. Speaker, we have put the Government into more business, competing with private citizens and private business, since March 4, 1933, under the New Deal Roosevelt administration than during any previous period in the history of America. Why should we be a communistic Government? Mr. Speaker, your party promised in 1932 in your platform that you were for the elimination of Government in business. But instead you have just done the opposite. Why not stop now before you wreck the Nation? You are on the verge of it now, and yet you go on and on. The people of America should wake up and repudiate the New Deal this November at the polls. It is too late if you think you can stand this wild orgy of spending any longer. America, wake up. South, West, North, and East.

EXTENSION OF REMARKS

Mr. SANDAGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial from the Boston Christian Science Monitor commenting on the traffic safety record of Providence.

The SPEAKER. Is there objection?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a report upon the export of agricultural products, and

also unanimous consent to extend my remarks in the *RECORD* and to include an editorial from the Jeffersonville (Ohio) Citizen.

The SPEAKER. Is there objection?
There was no objection.

STUDY OF SOCIAL-SECURITY PROBLEM

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to proceed for one-half minute and to extend my remarks in the *RECORD*.

The SPEAKER. Is there objection?
There was no objection.

Mr. CARLSON. Mr. Speaker, I am today introducing a House concurrent resolution authorizing the President of the Senate and the Speaker of the House of Representatives to appoint a committee of 10 members for a special study of our social-security problems. This committee shall consist of 5 members of the Finance Committee of the Senate and 5 members of the Ways and Means Committee of the House. Six of these members are from the majority party and 4 from the minority party. This committee would be authorized to study every possible phase of our social-security problem and report recommendations to Congress at the earliest possible date.

The extended hearings held last year by the Ways and Means Committee of the House under the able leadership of our distinguished chairman, the gentleman from North Carolina [Mr. DOUGHTON], convinces me that committee would be given a real assignment, but I sincerely believe that Congress has not as yet met its responsibility in dealing with this problem. It means so much to the future of our national welfare and well-being that it may easily affect our very form of government. We must not evade our responsibility.

Under our present social-security program it is expected that 900,000 citizens who have made a small contribution will receive old-age insurance checks totaling about \$114,000,000 this year. These pensions are payable only to citizens who have been fortunate enough to have had employment and met the other retirement qualifications of our present act.

This phase of protection for old age is not open to farmers, farm workers, to a large number of self-employed persons, to domestic workers, and a large number of Government workers. This means that about one-third of our Nation's workers cannot qualify for benefits; their future is not protected by our present national plan. They have but one recourse, and that is to prove destitution as the basis of charity for old-age assistance. The millions of citizens who cannot qualify but must assist indirectly to support our present national social-security program have some rights.

In this session of Congress a determined effort will be made to increase Federal contributions from one-half to two-thirds for title I of the present Social-Security Act. We must again meet the problem of a 100-percent Federal, self-supporting, or pay-as-you-go pension. We should study realistically the present social-security program, which many of us believe will impair the credit of our National Treasury if plans are not made to care for the ever-increasing liability of the millions of annuitants. Certainly no one who has had any business experience believes that business and industry can or will assume the proposed 9-percent tax that must be levied in 1949 to carry the present program.

The problem is here now, and it will not be solved until it is solved correctly. It is our problem. It will grow instead of diminish, and the sooner we meet it squarely the better for our Nation.

EXTENSION OF REMARKS

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the *RECORD* and to include a brief editorial appearing in the Washington Post on Saturday last.

The SPEAKER. Is there objection?
There was no objection.

Mr. OLIVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the *RECORD* and to include a copy of a radio broadcast made by me Saturday evening.

The SPEAKER. Is there objection?
There was no objection.

Mr. WINTER. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein an article from the Baxter Springs Citizen, a paper published in my district, of issue January 8, 1940, in relation to an article entitled "Zinc Ore Prices Reduced Again"; also, to extend my remarks by including an article from the same paper which includes a letter written by the secretary of the Tristate Co. to Senator BENNETT CLARK, of Missouri.

The SPEAKER. Is there objection?
There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include two brief editorials.

The SPEAKER. Is there objection?
There was no objection.

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks in the *RECORD*.

The SPEAKER. Is there objection?
There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a radio address which I delivered.

The SPEAKER. Is there objection?
There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent that after the disposition of business on the Speaker's table on Friday next I be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection?
There was no objection.

RESIGNATIONS FROM COMMITTEES

The SPEAKER laid before the House the following communication, which was read:

JANUARY 12, 1940.

HON. WILLIAM B. BANKHEAD,

Speaker, House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I hereby offer my resignation from the Committee on Elections No. 1 to take effect immediately.

With kindest regards, I am,
Sincerely yours,

ALBERT L. VREELAND, M. C.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

The SPEAKER also laid before the House the following communication, which was read:

JANUARY 12, 1940.

HON. WILLIAM B. BANKHEAD,

Speaker, House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I hereby offer my resignation from the Committee on the Civil Service to take effect immediately.

With kindest regards, I am,
Sincerely yours,

ALBERT L. VREELAND, M. C.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

CONSENT CALENDAR

The SPEAKER. Today has been fixed for the calling of the Consent Calendar. The Clerk will call the first bill.

WAPATO SCHOOL DISTRICT, YAKIMA COUNTY, WASH.

The Clerk called the bill (H. R. 3824) to provide funds for cooperation with Wapato School District No. 54, Yakima County, Wash., for extension of public-school buildings to be available for Indian children of the Yakima Reservation.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?
There was no objection.

EXPENSES OF INDIANS, QUINAIELT RESERVATION, WASH.

The Clerk called the bill (H. R. 2654) authorizing the payment of necessary expenses incurred by certain Indians allotted on the Quinaielt Reservation, State of Washington.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

RAILROADS IN ALASKA

The Clerk called the bill (H. R. 4868) to amend the act authorizing the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

AUTHORIZING OFFICERS OF UNITED STATES INDIAN SERVICE TO MAKE ARRESTS

The Clerk called the bill (H. R. 5409) to authorize certain officers of the United States Indian Service to make arrests in certain cases, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

PAYMENT OF AWARDS OF SPECIAL MEXICAN CLAIMS COMMISSION

The Clerk called the next bill, H. R. 1821, to provide for the payment in full of the principal of awards of the Special Mexican Claims Commission.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SAN FRANCISCO BAY EXPOSITION

The Clerk called the next business, House Joint Resolution 242, to authorize the appropriation of an additional sum of \$606,650 for Federal participation in the world's fair to be held by the San Francisco Bay Exposition, Inc., in the city of San Francisco during the year 1939.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

GENERAL CLAIMS CONVENTION, UNITED STATES AND MEXICO

The Clerk called the next bill, S. 326, for the payment of awards and appraisals heretofore made in favor of citizens of the United States on claims presented under the General Claims Convention of September 8, 1923, United States and Mexico.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

CLEVELAND NATIONAL FOREST, CALIF.

The Clerk called the next bill, H. R. 2728, to add certain lands to the Cleveland National Forest in Orange County, Calif.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is hereby authorized to acquire by purchase any or a part of certain lands adjacent to the Cleveland National Forest in Orange County, Calif., and described as followings: Beginning at stake TCFR 3 located

at the northeast corner of Rancho Mission Viejo or La Paz grant in section 33, township 6 south, range 6 west, San Bernardino meridian; thence south one degree forty-five minutes west sixteen and sixty one-hundredths chains to stake TCFR 2 on the township line between section 33, township 6 south, range 6 west; San Bernardino meridian, and section 4, township 7 south, range 6 west, San Bernardino meridian; thence south forty-five minutes east eighty chains to the one-mile point on the westerly boundary of township 7 south, range 6 west, San Bernardino meridian; thence due west eighty chains; thence due north one hundred and fifty-nine and twenty-five one-hundredths chains, more or less, to the grant line on the north boundary of said grant which runs south fifty-one degrees ten minutes east, thence south fifty-one degrees ten minutes east, along said grant line one hundred and one and twenty one-hundredths chains, more or less, to stake TCFR 3, the point of beginning and containing one thousand and fifteen and seventy-nine one-hundredths acres, more or less, and which, in his judgment, should become the property of the United States in order that they may be so managed with other lands of the United States as to minimize soil erosion and flood damage and to increase recreational facilities.

Sec. 2. It is understood that from the description contained herein that there must be excepted the present right-of-way held for the California State highway, which traverses the area and which right-of-way is recorded with the county recorder, Orange County, Calif.

Sec. 3. There is hereby authorized to be appropriated such sum as the Secretary of Agriculture may find necessary to carry out the provisions of this act, but not to exceed \$45,000.

With the following committee amendment:

Page 2, line 21, after "the facilities", add a semicolon and the following: "said lands, upon their acquisition, to become part of the Cleveland National Forest, Calif., and thereafter to be subject to the laws, rules, and regulations applicable to national-forest lands."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACCUMULATED SICK LEAVE AND VACATION TIME FOR POSTMASTERS

The Clerk called the next bill, H. R. 5784, to provide for the conservation and transfer of accumulated sick leave and vacation time due classified civil-service employees who succeed to the position of postmaster, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TABER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

MERITORIOUS SERVICE MEDAL FOR CIVIL-SERVICE EMPLOYEES

The Clerk called the next bill, S. 1582, to authorize the President to bestow a Meritorious Service Medal upon civil-service officers and employees of the United States, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WASHINGTON

The Clerk called the next bill, H. R. 6167, to provide that the district judge for the western district of Washington, authorized to be appointed under the act of May 31, 1938, shall be a district judge for the eastern and western districts of Washington.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the bill (S. 1554) may be substituted for the House bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the district judge, authorized to be appointed for the western district of Washington under the act entitled "An act to provide for the appointment of additional judges for certain United States district courts, circuit courts of appeals, and certain courts of the United States for the District of Columbia,"

approved May 31, 1938 (Public Act No. 555, 75th Cong., 3d sess.), shall be a district judge for the eastern and western districts of Washington.

Mr. COSTELLO. Mr. Speaker, I offer an amendment.
The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Page 1, line 11, after the word "Washington", insert the following proviso: "Provided, however, That whenever a vacancy shall occur in the office of district judge appointed pursuant to the authority granted by this section such vacancy shall not be filled."

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 6167) was laid on the table.

TRIALS AND JUDGMENTS OF FEDERAL JUDGES

The Clerk called the next bill, H. R. 5939, to provide for trials of and judgments upon the issue of good behavior in the case of certain Federal judges.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALTER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

MONUMENT TO THE MEMORY OF FATHER PIERRE GIBAULT

The Clerk called the next business, House Joint Resolution 219, to provide for the erection of a monument to the memory of the patriotic priest, Father Pierre Gibault.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. TABER. Mr. Speaker, I ask unanimous consent that this joint resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PASSAMAQUODDY BAY

The Clerk called the next business, Senate Joint Resolution 57, authorizing the Secretary of War to cause a completion of surveys, test borings, and foundation investigations to be made to determine the advisability and cost of putting in a small experimental plant for development of tidal power in the waters in and about Passamaquoddy Bay, the cost thereof to be paid from appropriations heretofore or hereafter made for such examinations.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this joint resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

DISPUTES WITH THE UNITED STATES

The Clerk called the next bill, H. R. 6324, to provide for the more expeditious settlement of disputes with the United States, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

SEQUOIA NATIONAL PARK

The Clerk called the next bill, H. R. 1790, to authorize additions to the Sequoia National Forest, Calif., through exchanges under the act of March 20, 1922, or by proclamation or Executive order.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMENDMENT OF FEDERAL CROP INSURANCE ACT

The Clerk called the next bill, H. R. 6972, to amend the Federal Crop Insurance Act.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

OSAGE INDIANS

The Clerk called the next bill, H. R. 6314, authorizing an appropriation for payment to the Osage Indian Tribe of Indians on account of their lands sold by the United States.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

DISTRICT COURT, DISTRICT OF ALASKA

The Clerk called the next bill, S. 1335, relating to the filing of affidavits of prejudice in the district court for the District of Alaska.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 707, chapter 70, of title II of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900, as amended (sec. 3305 of the Compiled Laws of the Territory of Alaska, 1933), is amended by striking out the period at the end of paragraph "Fourth" and inserting in lieu thereof a semicolon and the following new paragraph:

"Fifth. Whenever any party, or an attorney for any party, to any action or proceeding, civil or criminal, shall make and file an affidavit that the judge before whom the action or proceeding is to be tried or heard has a personal bias or prejudice either against him or his attorney or in favor of any opposite party, or attorney for an opposite party, to the suit, and that it is made in good faith and not for the purpose of delay. Every such affidavit shall state the facts and the reasons for the relief that such bias or prejudice exists, and shall be filed within 1 day after such action, suit, or proceeding is at issue upon a question of fact, or good cause shall be shown for the failure to file it within such time. No party or attorney shall be entitled to file more than one such affidavit in any case."

Mr. DIMOND. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIMOND: Page 2, line 4, after the period, insert: "The provisions of this subdivision shall apply only to the district court."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OSAGE PRODUCTION TAX

The Clerk called the next business, House Joint Resolution 289, to amend section 5 of Public Law No. 360, Sixty-sixth Congress.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That section 5 of the Osage Act (S. 4039, Public No. 360, 66th Cong.; 41 Stat. 1249) be amended to read as follows:

"Sec. 5. That the State of Oklahoma is authorized from and after the passage of this act to levy and collect a gross production tax, not to exceed the existing rate, upon all oil and gas produced in Osage County, Okla., except as herein otherwise provided, and all taxes so collected shall be paid and distributed, and in lieu of all other State and county taxes levied upon the production of oil and gas as provided by the laws of Oklahoma. The Secretary of the Interior is hereby authorized to pay, through the proper officers of the Osage Agency, to the State of Oklahoma, from the amount received by the Osage Tribe of Indians as royalties from production of oil and gas, 3 percent, upon the condition that one-third of such sums as received from time to time by said State shall be paid over to Osage County, Okla., the remaining two-thirds to be distributed in like manner as gross production tax under the laws of said State."

With the following committee amendment:

Strike out all after line 5 and substitute:

"Sec. 5. That the State of Oklahoma is authorized from and after the passage of this act to levy and collect a gross-production tax, not to exceed the existing rate, upon all oil and gas produced in Osage County, Okla., except as herein otherwise provided, and all taxes so collected shall be paid and distributed, and shall be in lieu of all other State and county taxes levied upon the production of

oil and gas as provided by the laws of Oklahoma. The gross-production tax on the royalty interests of the Osage Indians shall be at the rate of 3 percent, and said tax shall be paid by the Secretary of the Interior, through the proper officers of the Osage Agency, to the State of Oklahoma from the amount received by the Osage Indians from the production of oil and gas upon the condition that one-third of such sums as received from time to time by said State shall be paid over to Osage County, Okla., the remaining two-thirds to be distributed in like manner as gross-production tax under the laws of said State."

The committee amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHOCTAW AND CHICKASAW NATIONS IN OKLAHOMA

The Clerk called the next bill, H. R. 7135, to authorize the leasing of the undeveloped coal and asphalt deposits of the Choctaw and Chickasaw Nations in Oklahoma.

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LIMITATION OF COST OF BUILDINGS IN NATIONAL PARKS

The Clerk called the next bill, S. 2624, to amend the act of August 24, 1912 (37 Stat. 460), as amended, with regard to the limitation of cost upon the construction of buildings in national parks.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

STATE OF NEVADA—PARKS

The Clerk called the next bill, H. R. 6692, authorizing the Secretary of the Interior to convey certain land to the State of Nevada to be used for the purposes of a public park and recreational site and other public purposes.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I understand that an identical bill (S. 2) passed both the Senate and the House but was vetoed by the President.

The SPEAKER. The Chair will entertain a motion to strike the bill from the calendar.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill may be stricken from the calendar.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

APPOINTMENT OF ADDITIONAL DISTRICT AND CIRCUIT JUDGES

The Clerk called the next bill, H. R. 7079, to provide for the appointment of additional district and circuit judges.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

Mr. WALTER. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, I object.

FACILITATING THE PROCUREMENT OF AIRCRAFT

The Clerk called the next bill, H. R. 7267, to facilitate the procurement of aircraft for the national defense.

Mr. TABER. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

COMPACTS OR AGREEMENTS AMONG STATES BORDERING ON ATLANTIC OCEAN WITH RESPECT TO FISHING

The Clerk called the next business, House Joint Resolution 302, to authorize compacts or agreements between or among the States bordering on the Atlantic Ocean with respect to fishing in the territorial waters and bays and inlets

of the Atlantic Ocean on which such States border, and for other purposes.

Mr. BLAND. Mr. Speaker, I ask unanimous consent to make a statement before consideration of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. BLAND]?

There was no objection.

Mr. BLAND. Mr. Speaker, this joint resolution is identical in its present form with a Senate bill that passed the last session of Congress but received a Presidential veto. At the time this joint resolution was reported I thought it contained the proper language that the President stated ought to be in there, but through an oversight of mine it was not included. Unquestionably that language ought to be in, and an amendment which will be offered to this joint resolution will strike out section 4 and provide that the compact must receive the consent of Congress. There is a committee amendment which will have to be adopted, and then the amendment I shall offer is on page 2, line 15, to strike out all of section 4 and insert in lieu thereof the following:

Any such compact or agreement shall not be obligatory on the signatory States unless it has been approved by the legislatures of such States and by the Congress of the United States.

In answer to an inquiry of the gentleman from Michigan, when the Senate bill was up for consideration, I think I said that language was in there, and I thought it was at the time.

Mr. WOLCOTT. Will the gentleman yield?

Mr. BLAND. I yield to the gentleman from Michigan.

Mr. WOLCOTT. I hope the gentleman's amendment, if adopted, will establish a precedent in this respect. I want to commend the gentleman for creating a situation which I think is a very healthy one indeed, because I have always objected to the ratification of compacts by Congress between States before the compact was entered into.

Mr. BLAND. The gentleman asked me if the language was in there, and I thought it was. In fact, I think I said it was. I stated it was in the form in which the Great Lakes compact passed and was signed by the President. This language is the language that was in the Great Lakes compact, which has received the approval of the President.

Mr. WOLCOTT. Insofar as I know, there will be no objection to the joint resolution with the amendment which the gentleman will offer.

Mr. RICH. Will the gentleman yield?

Mr. BLAND. I yield to the gentleman from Pennsylvania.

Mr. RICH. The gentleman from Michigan has stated he is glad to see these compacts between States ratified. This morning I called attention to the fact that Mr. Berle was sent up to Canada to ratify a compact for the St. Lawrence waterway. It seems to me the House ought to vote on a project of that kind so that the Congress knows what is going on in this country without giving the power to the President and the Secretary of State.

Mr. BLAND. I am inclined to agree with the gentleman on that.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, That the consent of Congress is hereby given to any two or more of the States of Maine, New Hampshire, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, and Florida to enter into compacts or agreements, not in conflict with any law of the United States, for cooperative effort and mutual assistance for the uniform, common, or mutual regulation of fishing or of any species of fish, mollusks, or crustacea in the territorial waters and bays and inlets of the Atlantic Ocean on which such States border or to which their jurisdiction otherwise extends and of anadromous fish spawning in the inland waters of those States.

SEC. 2. The consent of Congress is hereby granted to States other than those specified but which have jurisdiction over inland waters frequented by anadromous fish of the sea to enter into compacts or agreements authorized by this act.

SEC. 3. The consent of Congress is hereby given to any of the aforementioned States to establish such agencies or authorities, joint or otherwise, as they may deem desirable for making effective compacts or agreements herein authorized.

Sec. 4. Any compact or agreement herein authorized shall become binding or obligatory only upon those signatory States whose legislatures shall have approved such compact or agreement.

Sec. 5. The right to alter, amend, or repeal this resolution is hereby expressly reserved.

With the following committee amendments:

Page 1, line 4, after "New Hampshire", insert "Massachusetts."

Page 2, line 15, strike out all of section 4 and insert in lieu thereof the following:

"Sec. 4. Any such compact or agreement shall not be binding or obligatory upon the signatory States unless it has been approved by the legislatures of such States and by the Congress of the United States."

The committee amendments were agreed to.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL MISSISSIPPI PARKWAY

The Clerk called the next bill, H. R. 3759, to authorize a national Mississippi River Parkway, and matters relating thereto. (By Mr. DeROUEN.)

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. Wolcott]?

There was no objection.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein an address delivered by George N. Peck, at the Denver meeting of the Livestock Association.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. Woodruff]?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to insert the speech of Dr. Coulter, the economist, on that same occasion.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. Woodruff]?

There was no objection.

CONSENT CALENDAR

ESTABLISHMENT OF A NATIONAL LAND POLICY

The Clerk called the next bill, H. R. 1675, to establish a national land policy, and to provide homesteads free of debt for actual farm families.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. Wolcott]?

There was no objection.

CLAIMS OF THE KIOWA, COMANCHE, AND APACHE TRIBES OF INDIANS IN OKLAHOMA

The Clerk called the joint resolution (H. J. Res. 290) referring the claims of the Kiowa, Comanche, and Apache Tribes of Indians in Oklahoma to the Court of Claims for finding of fact and report to Congress.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that the joint resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AMENDMENT OF THE EMERGENCY FARM MORTGAGE ACT OF 1933, AS AMENDED

The Clerk called the next bill, H. R. 7342, to amend the Emergency Farm Mortgage Act of 1933, as amended.

Mr. TABER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. JONES of Texas. Reserving the right to object, Mr. Speaker, I hope the gentleman will not press his request. The time for making these mortgages expires on February 1,

and there are about 10,000 applications pending. This program is working very well. This bill simply extends the present method for another 2-year period. The refinancing of these farm mortgages is a program that has saved many of the farms. The moneys are available already for continuing this program and pending applications for refinancing farm mortgages should be acted upon and the program should be continued.

Mr. TABER. Is this the Commissioner-loan section?

Mr. JONES of Texas. Yes. This bill just extends for 2 years the period within which these loans may be made. I hope the gentleman will let the bill go through, because there are some really important applications pending.

Mr. TABER. Very well.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. JONES of Texas. I yield to the gentleman from Pennsylvania.

Mr. RICH. What proportionate number of the mortgages that have already been made does the gentleman believe will have to be foreclosed by the Federal Government?

Mr. JONES of Texas. I believe a very small percentage of them will have to be foreclosed; as a matter of fact, the foreclosures under the land-bank system have been less than half the percentage of foreclosures of outside mortgages. The delinquencies are comparatively small. I have not the latest figures on them, but a few months ago less than 15 percent were delinquent in the entire system.

Mr. RICH. From the reports we have had from a number of the Federal agencies, these agencies have had to take over many, many farms, which they are unable to get rid of.

Mr. JONES of Texas. There have been quite a few farms returned, but the gentleman must remember that more than a third of the farm mortgages of the Nation are in this land-bank system, and it is tremendously important. This bill will enable a great many farms to be saved that would otherwise be lost.

Mr. RICH. There will be 10,000 applications if this power is extended for another year?

Mr. JONES of Texas. There are that many applications pending. Whether that number of applications will be accepted I do not know, but 16,000 mortgages were refinanced last year.

Mr. RICH. How long will this privilege be extended?

Mr. JONES of Texas. Two years.

Mr. RICH. Does the gentleman contemplate any larger number next year than the 16,000 applications there were last year?

Mr. JONES of Texas. No; I believe there will probably be fewer than there were last year, because the situation is getting in somewhat better shape. However, this cannot be forecast definitely.

Mr. RICH. I thought that after 5 or 6 years of giving the farmers of this country the handouts that you have there would be no necessity for further ones. You gave \$41,000,000 last year to the farmers of Texas and only \$1,000,000 to the farmers of Pennsylvania.

Mr. JONES of Texas. I will state to the gentleman that this is a business institution which makes loans of money. These loans are made to farmers all over the Nation. The gentleman is talking about another program. At the proper time I shall be glad to discuss the merits of that program in connection with the tariff program in which his people are so much interested. I hope the gentleman will not object to the extension of this program, because he should approve of it.

Mr. RICH. If you are trying to help the farmers, I want you to help the farmers of Pennsylvania just as you are helping the farmers of Texas.

Mr. JONES of Texas. The farmers of Pennsylvania have the same privileges in connection with this institution as the farmers of Texas or any other State.

Mr. RICH. I am speaking not only of this institution but of all institutions, and in connection with these handouts I want to be sure you will look out for the Pennsylvania farmer.

Mr. JONES of Texas. We have tried to be fair to all of them.

Mr. TABER. Mr. Speaker, I withdraw my request.

The SPEAKER. The gentleman from New York withdraws his request.

Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "Farm Credit Act of 1939."

Sec. 2. The tenth sentence of section 32 of the Emergency Farm Mortgage Act of 1933, as amended (U. S. C., title 12, sec. 1016), is further amended by striking out "February 1, 1940," in the two places in which it appears and inserting in lieu thereof "June 1, 1942."

With the following committee amendment:

Strike out lines 3 and 4, and in line 5 strike out "Sec. 2. The" and insert "That the."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE OR FERRY ACROSS RIO GRANDE AT BOCO CHICA, TEX.

The Clerk called the next bill, H. R. 3138, authorizing J. E. Pate, his successors and assigns, to construct, maintain, and operate a bridge or ferry across the Rio Grande River at Boco Chica, Tex.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

DEVILS DEN SPRINGS, IN DECATUR COUNTY, GA.

The Clerk called the next bill, H. R. 4040, declaring Devils Den Springs, in Decatur County, Ga., to be nonnavigable.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

TOLL BRIDGE ACROSS MISSOURI RIVER IN THE CITY OF OMAHA, NEBR.

The Clerk called the next bill, H. R. 7069, authorizing Douglas County, Nebr., to construct, maintain, and operate a toll bridge across the Missouri River at or near Florence Station, in the city of Omaha, Nebr.

Mr. JENSEN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

REMOVAL OF THE STATUE OF JOHN MARSHALL

The Clerk called the next business, House Joint Resolution 260, authorizing the removal of the statue of John Marshall from its present site on the Capitol Grounds to a new site in proximity to the Supreme Court Building.

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, how much will this joint resolution cost?

Mr. COSTELLO. Mr. Speaker, I may state to the gentleman that when this joint resolution was on the calendar previously I asked that it be passed over, due to the fact the joint resolution did not provide for any site to which the statue of John Marshall would be removed. However, since that time I have been given information that the Fine Arts Commission and the Supreme Court Justices have agreed upon a definite location to which the statue would be removed, and now it is agreed that the statue of John Marshall would be placed in the rotunda of the Supreme Court Building. The cost would be approximately \$10,000 for the construction of a new base, I believe.

Mr. BREWSTER. Four thousand.

Mr. COSTELLO. It would cost \$4,000 to construct a new base on which the statue would be placed in the Supreme Court Building, and, in view of the fact that a definite location is assured, I have no objection to the present consideration of the joint resolution.

Mr. SCHAFER of Wisconsin. There is not any possibility that any land will be purchased if this joint resolution is

passed, and we are to understand it will be placed in the Supreme Court Building and at no other place?

Mr. COSTELLO. I understand definitely that is the fact. I have a letter here which is apparently a copy of a letter from Justice Stone regarding the location of the statue in the Supreme Court Building. In view of the fact we have been given assurance as to where the statue will be located, I have no objection; but I agree with the gentleman we should not approve bills of this character that do not specify a location for statues of this kind.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the Architect of the Capitol is authorized and directed to move the statue of John Marshall from its present site on the Capitol Grounds to a new site either on the grounds of the Supreme Court Building or on the Capitol Grounds between the Capitol and the Supreme Court Building. Such new site shall be selected by the United States Supreme Court Building Commission.

Sec. 2. There is authorized to be appropriated such sum as may be necessary to carry out the provisions of this joint resolution.

With the following committee amendment:

Page 1, line 9, strike out the words "Building Commission."

The committee amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ABRAHAM LINCOLN NATIONAL PARK, KY., AND FORT M'HENRY NATIONAL PARK, MD.

The Clerk called the next bill, H. R. 5573, to change the designation of Abraham Lincoln National Park, in the State of Kentucky, and the Fort McHenry National Park, in the State of Maryland.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

CHOPAWAMSIK RECREATIONAL DEMONSTRATION PROJECT

The Clerk called the bill (H. R. 5638) to provide for the operation of the recreational facilities within the Chopawamsic recreational demonstration project, near Dumfries, Va., by the Secretary of the Interior through the National Park Service, and for other purposes.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

ADMINISTRATION OF BLUE RIDGE PARKWAY

The Clerk called the bill (H. R. 4282) to amend the act of June 30, 1936 (49 Stat. 2041), providing for the administration and maintenance of the Blue Ridge Parkway, in the States of Virginia and North Carolina, by the Secretary of the Interior, and for other purposes.

The SPEAKER. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

Mr. WOLCOTT. Mr. Speaker, I object.

SALE OF CERTAIN LANDS IN ALASKA

The Clerk called the bill (H. R. 7252) to authorize the Secretary of the Interior to sell or lease for park or recreational purposes, and to sell for cemetery purposes, certain lands in Alaska.

The SPEAKER. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

CESSION OF CERTAIN LANDS IN GREAT SMOKY MOUNTAINS NATIONAL PARK

The Clerk called the bill (H. R. 6813) to accept the cession by the States of North Carolina and Tennessee of exclusive jurisdiction over the lands embraced within the Great Smoky Mountains National Park, and for other purposes.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

SALE OF CERTAIN PUBLIC LANDS IN ALASKA

The Clerk called the bill (H. R. 6658) to authorize the lease or sale of certain public lands in Alaska, and for other purposes.

The SPEAKER. Is there objection?

Mr. SCHAFFER of Wisconsin. Mr. Speaker, I object.

ACQUISITION OF THE ESTATE OF PATRICK HENRY

The Clerk called the bill (S. 1919) to provide for the acquisition by the United States of the estate of Patrick Henry in Charlotte County, Va., known as Red Hill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DONDERO. Mr. Speaker, reserving the right to object, what will be the cost of the acquisition of Red Hill?

Mr. COSTELLO. Mr. Speaker, the bill provides for a cost not to exceed \$125,000. I do not know how much land is included in the proposed amendment.

Mr. BURCH. Approximately 1,000 acres. There are certain buildings and also beautiful boxwood.

Mr. SCHAFFER of Wisconsin. Mr. Speaker, in view of the fact that our Federal Treasury is almost bankrupt, I shall object to the consideration of this bill.

SECOND ASSISTANT SECRETARY OF AGRICULTURE

The Clerk called the bill (S. 1955) to authorize the Secretary of Agriculture to delegate certain regulatory functions, and to create the position of Second Assistant Secretary of Agriculture.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That as used in this act—

(a) the term "regulatory order" means an order, marketing agreement, standard, permit, license, registration, suspension, or revocation of a permit, license, or registration, certificate, award, rule, or regulation, if it has the force and effect of law, and if it may be made, prescribed, issued, or promulgated only after notice and hearing or opportunity for hearing have been given; and

(b) the term "regulatory function" means the making, prescribing, issuing, or promulgating of a regulatory order; and includes (1) determining whether such making, prescribing, issuing, or promulgating is authorized or required by law, and (2) any action which is required or authorized to be performed before, after, or in connection with, such determining, making, prescribing, issuing, or promulgating.

Sec. 2. There is hereby established in the Department of Agriculture the position of Second Assistant Secretary of Agriculture, to be appointed by the President, by and with the advice and consent of the Senate. The compensation of the said Second Assistant Secretary of Agriculture shall be fixed by the Secretary of Agriculture at a rate not to exceed \$9,000 per annum commensurate with the duties of the position created but in no event to exceed the compensation of the Assistant Secretary of Agriculture. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this act. The Second Assistant Secretary of Agriculture is hereby authorized to perform only such duties in the conduct of the business of the Department of Agriculture as may be delegated to him by the Secretary of Agriculture under section 3 of this act.

Sec. 3. Whenever the Secretary of Agriculture deems that the delegation of the whole or any part of any regulatory functions which the Secretary is, now or hereafter, required or authorized to perform will result in the more expeditious discharge of the duties of the Department of Agriculture, he is authorized to make such delegation to the Under Secretary of Agriculture or to the Assistant Secretary of Agriculture or to the Second Assistant Secretary of Agriculture. The Secretary may at any time revoke the whole or any part of a delegation made by him under this section.

Sec. 4. Whenever a delegation is made under section 3, all provisions of law shall be construed as if the regulatory function or the part thereof delegated had (to the extent of the delegation) been vested by law in the individual to whom the delegation is made, instead of in the Secretary of Agriculture. A revocation of delegation shall not be retroactive, and each regulatory function or part thereof performed (within the scope of the delegation) by such individual prior to the revocation shall be considered as having been performed by the Secretary.

With the following Committee amendment:

Strike out all after the enacting clause and insert:

"That as used in this act—

"(a) the term 'regulatory order' means an order, marketing agreement, standard, permit, license, registration, suspension or revocation of a permit, license, or registration, certificate, award, rule, or regulation, if it has the force and effect of law, and if it may be made, prescribed, issued, or promulgated only after notice and hearing or opportunity for hearing have been given; and

"(b) the term 'regulatory function' means the making, prescribing, issuing, or promulgating, of a regulatory order; and in-

cludes (1) determining whether such making, prescribing, issuing, or promulgating is authorized or required by law, and (2) any action which is required or authorized to be performed before, after, or in connection with, such determining, making, prescribing, issuing, or promulgating.

"Sec. 2. Whenever the Secretary of Agriculture deems that the delegation of the whole or any part of any regulatory functions which the Secretary is, now or hereafter, required or authorized to perform will result in the more expeditious discharge of the duties of the Department of Agriculture, he is authorized to make such delegation to any one or two, but not exceeding two, employees of the Department of Agriculture whom the Secretary may designate for this purpose: *Provided*, That such designation shall be limited to persons holding positions not below the equivalent of two top grades in the classified service. In the event that delegations are made to two such employees the Secretary may divide the functions to be delegated hereunder between the employees so designated in such manner as he deems will best enable expeditious discharge of the duties to be performed. The Secretary shall assign to the position or positions thus created a title or titles appropriate to the functions to be delegated. The Secretary may at any time revoke the whole or any part of a delegation made by him under this section.

"Sec. 3. Whenever a delegation is made under section 2, all provisions of law shall be construed as if the regulatory function or the part thereof delegated had (to the extent of the delegation) been vested by law in the individual to whom the delegation is made, instead of in the Secretary of Agriculture. A revocation of delegation shall not be retroactive, and each regulatory function or part thereof performed (within the scope of the delegation) by such individual prior to the revocation shall be considered as having been performed by the Secretary.

"Sec. 4. The authorizations contained in section 2 shall not be deemed to prohibit the delegation to the employee or employees designated by the Secretary under section 2, of such other functions as the Secretary may be authorized by law to delegate to employees of the Department of Agriculture.

"Sec. 5. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act."

The amendment was agreed to, and the bill, as amended, was ordered to be read a third time; was read the third time and passed, and a motion to reconsider laid on the table.

The title was amended so as to read: "An act to authorize the Secretary of Agriculture to delegate certain regulatory functions."

RETIREMENT OF EMPLOYEES OF LAND-GRANT COLLEGES

The Clerk called the next bill, S. 1850, to aid the States and Territories in making provisions for the retirement of employees of the land-grant colleges.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TABER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

BANDMASTERS

The Clerk called the next bill, H. R. 3840, to amend the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 6 of the National Defense Act of June 3, 1916, as amended, is amended by adding at the end thereof the following:

"In addition there shall be created a new rank of bandmaster in the United States Army and National Guard in lieu of the present warrant officer band leaders, who shall be appointed and commissioned bandmasters by the President, by and with the advice and consent of the Senate.

"Sec. 6. Bandmasters: Bandmasters hereafter commissioned shall be entitled to the same benefits in respect to pay, allowances, and retirements as are applicable to commissioned officers of the various grades of the Army, which said pay, benefits, allowances, and retirements shall be as follows: Bandmasters with less than 5 years' service to rank with second lieutenants; bandmasters with service of 5 years or over to rank with first lieutenants. All prior active band-leader service as chief musician, master sergeant, warrant officer, commissioned and enlisted, in Regular Army or National Guard, shall be credited toward computing the rank present band leaders shall receive on first appointment. There shall be one bandmaster for each band of the Army. First, appointments as bandmasters shall be made from band leaders now in the service who are found to be physically qualified; second, subject to such examination as the President may prescribe, from noncommissioned officers and other enlisted musicians who have had at least 1 year of service in a Regular Army or National Guard band: *Provided*, That band leaders

now in the service who fail to pass the prescribed physical examination because of physical disability incident to the service shall be placed upon the retired list of the Army with 75 percent of the pay to which they would have been entitled if appointed bandmasters as hereinbefore prescribed: *Provided further*, That no bandmaster shall suffer the loss of pay by reason of the provisions of this act."

Sec. 2. The limitations now prescribed by law upon the number of commissioned officers of the Army, and the number of commissioned officers in the various grades, is hereby increased to, and only to, the extent necessary to give effect to the provisions of this act. The number of warrant officers authorized by law shall be decreased by the number of band leaders receiving commissions in pursuance of the provisions of this act.

Sec. 3. Wherever the word "Army" or "service" appears herein, it shall be construed to include the Regular Army, National Guard, and Organized Reserves.

Sec. 4. This act shall take effect immediately following its enactment.

Sec. 5. This act may be cited as the "Army Bandmasters' Act."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STATUE OF GEORGE WASHINGTON

The Clerk called the next bill, H. R. 6158, authorizing the selection of a site in the District of Columbia and the erection thereon of a statue of George Washington.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Architect of the Capitol is authorized and directed to select a suitable site within the Capitol grounds of the United States in the District of Columbia for the erection of a statue of George Washington, and to erect thereon the replica in bronze, cast by the Gorham Co. and now in its possession, of the statue by J. Q. A. Ward, which stands on the steps of the Subtreasury Building in the city of New York. Such statue shall be erected upon a suitable granite pedestal, the design of which shall be approved by the National Commission of Fine Arts.

Sec. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$25,000, or so much thereof as may be necessary, to carry out the provisions of this act.

Sec. 3. It is hereby authorized and directed that the statue of John Marshall, now on the west terrace of the Capitol Grounds, shall be relocated and reerected on John Marshall Place at the direction of the Commission of Fine Arts.

With the following committee amendment:

Page 2, line 7, strike out all of section 3.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OSAGE TRIBE OF INDIANS

The Clerk called the next business, House Joint Resolution 288, authorizing the Osage Tribe of Indians to submit claims to the Court of Claims.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. COCHRAN. Mr. Speaker, reserving the right to object, the gentleman from Wisconsin [Mr. SCHAFER], a moment ago, in objecting to a bill, said he did so in view of the fact that the Federal Treasury was almost bankrupt. As this joint resolution will probably cost the Government several millions of dollars, and it is reported by the same gentleman from Wisconsin [Mr. SCHAFER], I am going to object, not solely because of the condition of the Treasury but because I do not feel after careful consideration there is any merit to the claim.

Mr. SCHAFER of Wisconsin. Will the gentleman yield? Mr. COCHRAN. I yield.

Mr. SCHAFER of Wisconsin. This joint resolution does not provide for a raid on the Federal Treasury. It simply provides that these Indians shall have their day in court, and it is not on all fours with the bill to which I objected. This joint resolution was considered by the Committee on Indian Affairs and reported by the unanimous vote of the Republican and Democratic members of the committee. If the gentleman is going to object, I hope he will have some valid objection to the joint resolution which would justify him in denying these Indians the right to have a court consider the merit of their claims.

Mr. COCHRAN. In response to the gentleman from Wisconsin, I will give him valid objections. In the first place, this joint resolution sends the case to the Court of Claims "to determine and render judgment, not only on all legal, but also on equitable claims" growing out of an act of Congress that we passed nearly 20 years ago. If I am not badly mistaken, the attorney, who will probably receive a large amount of the fees if the objective is ever obtained, was a Member of the United States Senate at the time the legislation now complained of was passed.

Mr. SCHAFER of Wisconsin. Will the gentleman yield further?

Mr. COCHRAN. In just a moment. If the legislation was unconstitutional, why did not one of the Senators from the State or one of the Representatives raise the question then?

Then again, even after it became law, they had an opportunity to test its constitutionality but did not do so.

Now, nearly 20 years after all this money has been paid in and after all the benefits for which it was spent have been received, you want to place the burden on the United States Treasury, which is the taxpayers' pocketbook.

If that is not a Treasury raid, I do not know what is. This joint resolution provides that, notwithstanding the statute of limitations, the Court of Claims is given jurisdiction. If judgment is given, the joint resolution further provides for all back interest to be paid at the rate paid under Federal income-tax laws, which is 6 percent. In the original language \$1,200,000 is mentioned as the approximate amount that can be recovered. This, with 6 percent, is a tidy sum. As much as 10 percent of the amount recovered can go to the attorneys.

Mr. Speaker, we owe something to the taxpayers of this country and I do not feel it is fair to them to set aside the statute of limitations at this late date.

Therefore, Mr. Speaker, I object.

LIMITING THE OPERATION OF PRESENT LAWS WITH RESPECT TO COUNSEL IN CERTAIN CASES

The Clerk called the next bill, H. R. 7032, to limit the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

RELIEF OF INDIANS WHO HAVE PAID TAXES ON ALLOTTED LANDS

The Clerk called the next bill, H. R. 952, for the relief of Indians who have paid taxes on allotted lands for which patents in fee were issued without application by or consent of the allottees and subsequently canceled, and for the reimbursement of public subdivisions by whom judgments for such claims have been paid.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COCHRAN. Mr. Speaker, I object.

AMENDING EMPLOYERS' LIABILITY ACT

The Clerk called the next bill, H. R. 4989, to amend an act entitled "An act relating to the liability of common carriers by railroad to their employees in certain cases," approved April 22, 1908, as amended (U. S. C., title 45, ch. 2).

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALTER. Mr. Speaker, inasmuch as the subject matter of this bill is contained in a bill passed at the last session of the Congress, I ask unanimous consent that the bill be laid on the table.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

SISSETON AND WAHPETON BANDS OF INDIANS—PAYMENT FOR CERTAIN LANDS

The Clerk called the next bill, H. R. 793, authorizing payment to the Sisseton and Wahpeton Bands of Sioux Indians for certain lands ceded by them to the United States by treaty of July 23, 1851.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COCHRAN. Mr. Speaker, reserving the right to object, I think it would be well for the Members to read the report on this bill and also read the letter from the Attorney General of the United States. Talk about your Treasury raids! Here is a bill that comes out of the committee of which the gentleman from Wisconsin [Mr. SCHAFER] is a member. The gentleman objected to my action on a previous bill. The Attorney General said that this amount has been paid several times and it will cost the Government over \$4,000,000 to carry out the purposes of this bill, including about 150-percent interest.

The Attorney General's language, in part, follows:

An act approved on April 11, 1916 (39 Stat. 47), conferred jurisdiction on the Court of Claims to hear, determine, and render judgment on claims of the Sisseton and Wahpeton Bands of Sioux Indians against the United States. Pursuant to the authority so granted, suit was filed by the Indians in the Court of Claims on March 17, 1917, in which one of the claims asserted was for the principal of the aforesaid sum of \$1,472,000. The Court of Claims determined the matter on the merits and held that the plaintiffs were not entitled to recover. The decision of the Court of Claims was affirmed by the Supreme Court (*Sisseton and Wahpeton Bands of Sioux Indians v. United States*, 58 Ct. Cls. 302; affirmed, 227 U. S. 424).

The purpose of the bill under consideration is to provide for the payment of this principal, with interest at 5 percent since 1901. This would require the payment of 190-percent interest, or \$2,796,800, thus extending the total amount to be appropriated to \$4,268,800 in satisfaction of a claim the principal amount of which has already been paid two and a half times, and which the courts have held the Indians are not entitled to recover.

In view of the foregoing considerations, I am unable to recommend the enactment of the bill.

Therefore, Mr. Speaker, I object.

PUBLISHER'S NAME AND ADDRESS ON PUBLICATIONS

The Clerk called the next bill, H. R. 5757, to require that periodicals sent through the mails or introduced into interstate commerce contain the name of the publisher, the place of publication, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That it shall be unlawful to deposit for conveyance in the United States mail, or to introduce into commerce by any means, any magazine, periodical, or other publication, published at regular intervals, unless such publication contains conspicuously printed on one of the first five pages the name and address of the publisher thereof, the place of publication, and the names of the editor, managing editor, business manager, and owner or owners thereof, and if such publication is published by a corporation, the name of each officer of the corporation.

Sec. 2. Any individual, partnership, or corporation violating any provision of section 1 of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$10,000 or by imprisonment for not more than 1 year, or by both fine and imprisonment.

Sec. 3. As used in this act the term "commerce" means commerce between any State or Territory of the United States or the District of Columbia and any place outside thereof.

Sec. 4. Section 1 shall not apply to (1) any newspaper published at regular intervals of not longer than 1 week, (2) any copy of any publication after the first retail sale thereof or after delivery to any subscriber, or (3) any issue of any publication published prior to the effective date of this act.

Sec. 5. This act shall take effect 90 days after the date of its enactment.

With the following committee amendments:

Page 1, lines 5 and 6, strike out "published at regular intervals." Page 1, line 7, strike out "the first five" and insert in lieu thereof the word "its."

Page 2, line 6, strike out "\$10,000" and insert "\$2,500."

Page 2, lines 13 to 18, inclusive, strike out section 4.

Page 2, line 19, strike out "5" and insert "4."

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TURTLE MOUNTAIN INDIAN AGENCY, N. DAK.

The Clerk called the next bill, S. 1036, to authorize the purchase of certain lands adjacent to the Turtle Mountain Indian Agency in the State of North Dakota.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to acquire, by the method most advantageous to the United States and within the limits of the funds herein authorized to be appropriated, land adjacent to the Turtle Mountain Indian Reservation in the State of North Dakota, such land to become a part of such reservation and to be used for the benefit of the Turtle Mountain Indians.

Sec. 2. There is hereby authorized to be appropriated the sum of \$200,000, or so much thereof as may be necessary to carry out the purposes of this act.

With the following committee amendment:

Strike all matter after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he hereby is, authorized to purchase privately owned lands and improvements within and adjacent to the Turtle Mountain Reservation, N. Dak., title to be taken in the United States of America in trust for the Indians of the Turtle Mountain Reservation. For the purpose of making the purchases herein authorized, the Secretary of the Interior is hereby authorized to use any available funds heretofore or hereafter appropriated pursuant to the authority contained in section 5 of the act of June 18, 1934 (48 Stat. 984): *Provided*, That title to the land so purchased may, in the discretion of the Secretary of the Interior, be taken for the surface only: *Provided further*, That lands purchased under this authority shall not be allotted in severalty.

"Sec. 2. For the purpose of this act, the Indians of the Turtle Mountain Reservation shall include the following: (1) All Indians carried on the official census of the Turtle Mountain Reservation as of the date of this act; (2) all unenrolled Indians who were members of the band or bands which constituted the Turtle Mountain Tribe prior to October 8, 1904, but who failed to apply for enrollment on the roll closed on that date, and their descendants of one-half or more Indian blood. The roll of Turtle Mountain Indians as defined in this act shall be prepared under the direction of the Secretary of the Interior and shall be kept current by striking the names of deceased persons and adding the names of Indians of one-fourth or more Indian blood who are descendants of persons enrolled on said roll: *Provided*, That Turtle Mountain Indians domiciled in Canada shall not be included."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FISH HATCHERY, PUT IN BAY, OHIO

The Clerk called the next bill, H. R. 6481, to authorize the conveyance of the United States Fish Hatchery property at Put in Bay, Ohio, to the State of Ohio.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Commerce is hereby authorized to convey to the State of Ohio, for the use of the Ohio State University in its research program, what is known as the United States Fish Hatchery property at Put in Bay, in Ottawa County, Ohio, consisting of 1.69 acres, more or less, of land, together with the improvements thereon, said hatchery being no longer maintained and operated by the United States Bureau of Fisheries.

With the following committee amendments:

(1) Page 1, line 3, strike out the word "Commerce" and insert in lieu thereof the words "the Interior."

(2) Page 1, line 4, following the word "convey", insert the words "at any time within 3 years of the effective date of this act."

(3) Page 1, following line 10, insert a new section as follows: "Sec. 2. Such conveyance shall contain the express condition that if the State of Ohio shall at any time cease to use the property as above prescribed, or shall alienate or attempt to alienate such property, or shall fail to perform any contract entered into with the United States for the transfer of the property, title thereto shall revert to the United States for the use of the Department of the Interior, or other agencies of the United States, or for disposal under the act of August 27, 1935 (49 Stat. 885; U. S. C., 1934 ed., title 40, sec. 304a), or under the act of August 26, 1935 (49 Stat. 800; U. S. C., 1934 ed., title 40, sec. 345b).

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNUAL AND SICK LEAVE

The Clerk called the next bill, H. R. 1975, to amend the Annual and Sick Leave Acts of March 14, 1936.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I have not the bill before me. Can the gentleman from Georgia give us some information regarding it?

Mr. RAMSPECK. Yes. If no objection is made, it is my purpose to ask unanimous consent to substitute for this bill one that has already passed the Senate. The purpose of the bill is to correct a ruling made by the Comptroller General in which he held that employees on annual leave on a day which included a holiday should be charged with the holiday; in other words, if they were taking leave and a holiday came along, they were to be charged with it. This, we think, is erroneous. We do not feel that an employee ought to lose the benefit of his holiday simply because it occurs when he is taking annual leave.

Mr. KRAMER. I think they should be charged with the holiday. They have too much leave now.

Mr. RAMSPECK. I would not argue at this time with the gentleman from California, but I do not agree with him. There is a question about this matter of leave. We thrashed it out when this act was passed.

Mr. MURDOCK of Arizona. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. MURDOCK of Arizona. Does this bill refer to Saturday afternoons as well as holidays?

Mr. RAMSPECK. Yes; it relates to that also, because the Comptroller ruled that if they took leave for the half day Saturday they had to take it for the full day even though they do not work a full day on Saturday.

Mr. MURDOCK of Arizona. I approve the bill as the gentleman from Georgia wishes to amend it. It seeks to clarify the law and correct it in justice to employees.

Mr. RAMSPECK. The bill has the approval of the Budget Bureau, the Civil Service Commission. As far as I know, there is no objection to it.

Mr. WOLCOTT. Further reserving the right to object, Mr. Speaker, it is rather unusual and sometimes embarrassing to have these bills called up which have not been on the calendar 3 legislative days. I am sure I do not know that I would have any objection to the bill in view of the explanation given by the gentleman from Georgia; in fact, it sounds as if the bill might be very desirable; but I do not believe we should break a precedent which we have established and maintained for several years of not calling bills up out of order on the Consent Calendar. For this reason I hope the gentleman will not insist on bringing it up, because otherwise it will have to be brought up under the rules.

Mr. RAMSPECK. I have no desire to violate the rules. I thought it had been on the calendar long enough to be called today.

Mr. WOLCOTT. It was put on the calendar last Friday, I believe, the 12th. Under the rules it must be on the calendar 3 legislative days to be eligible to be called.

Mr. RAMSPECK. If the gentleman wants to have it go over without prejudice, I certainly will not object.

Mr. WOLCOTT. I wish the gentleman would withdraw his request, because I do not believe under the rules we can consider it, and I would have to make a point of order against it, but do not want to be in the position of objecting to it because I do not believe it is objectionable.

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

DISTRICT JUDGE, WESTERN DISTRICT OF WASHINGTON

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to return to Calendar No. 344, and to vacate the proceedings whereby S. 1554, to provide that the district judge for the western district of Washington authorized to be appointed under the act of May 31, 1938, shall be a district judge for

the eastern and western districts of Washington, was amended and substituted for H. R. 6167.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, may I ask the gentleman from Washington the calendar number of the bill?

Mr. LEAVY. It is Calendar No. 344 and has to do with a judicial position in the State of Washington. The purpose was to make it a permanent position but under the amendment that was adopted it has been made a temporary position.

Mr. WOLCOTT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WOLCOTT. Has the bill been passed?

The SPEAKER. The bill has been passed. The Chair understands there was some misapprehension as to the effect of the amendment offered by the gentleman from California.

Mr. WOLCOTT. Do I understand that the gentleman's amendment makes the appointment merely temporary, not permanent?

Mr. LEAVY. No; the amendment that was offered by the gentleman from California makes a temporary position out of a position that is now permanent.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. May I say to the gentleman from Michigan that this judgeship was created in 1938 and was a permanent position. Since the Judiciary Committee considered this bill the need for an additional judge has increased, due to the fact one of the judges has resigned and a second one died.

Mr. WOLCOTT. Then I understand the amendment which was agreed to as a committee amendment was done through inadvertence?

Mr. WALTER. Yes; that is correct.

The SPEAKER. Is there objection to the request of the gentleman from Washington [Mr. LEAVY] that the proceedings by which the Senate bill was read a third time and passed be vacated?

There was no objection.

The SPEAKER. Is there objection to the present consideration of the bill, S. 1554, to provide that the district judge for the western district of Washington, authorized to be appointed under the act of May 31, 1938, shall be a district judge for the eastern and western districts of Washington?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the district judge, authorized to be appointed for the western district of Washington under the act entitled "An act to provide for the appointment of additional judges for certain United States district courts, circuit courts of appeals, and certain courts of the United States for the District of Columbia," approved May 31, 1938 (Public Act No. 555, 75th Cong., 3d sess.), shall be a district judge for the eastern and western districts of Washington.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. WOLCOTT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WOLCOTT. Do I understand now that the bill which we have just had under consideration, H. R. 6167, has had stricken from it the committee amendment as contained in lines 2 to 5, page 2 of the bill, in addition to any amendment offered by the gentleman from California?

Mr. COSTELLO. Mr. Speaker, I may say to the gentleman that the amendment I offered carried that particular provision, but my amendment was offered to the Senate bill. The Senate bill did not carry the temporary proviso which which was in the House bill. After talking with the gentleman from Washington, it is my understanding that the need for that position is a permanent one, not temporary. The reason the temporary clause was put in the House bill was because at that time there was contemplated creating an additional judgeship through another bill, which would have

created five additional judgeships. They do not now intend to do that, the idea being merely to create this one judgeship.

Mr. WOLCOTT. It is understood that the Senate amendment is not a part of the bill and the proceedings by which that amendment or any other amendment has been adopted are vacated?

The SPEAKER. The Chair may say that the amendment is not now a part of the Senate bill just passed.

ACQUISITION OF THE ESTATE OF PATRICK HENRY

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to return to Calendar 475 and consider the bill (S. 1919) to provide for the acquisition by the United States of the estate of Patrick Henry in Charlotte County, Va., known as Red Hill, to which I previously objected.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. SCHAFER]?

There was no objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to acquire, by purchase or otherwise, on behalf of the United States, at a cost not to exceed \$125,000, the estate of Patrick Henry in Charlotte County, Va., known as Red Hill.

Sec. 2. The property acquired under the provisions of this act shall be a permanent public memorial to Patrick Henry, and shall be administered as the Patrick Henry National Monument, as provided in the act entitled "An act to provide for the establishment of a national monument on the site of Red Hill, estate of Patrick Henry," approved August 15, 1935.

Sec. 3. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this act.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I objected to the consideration of the pending bill because it provided for an appropriation of \$125,000. I was greatly surprised to find that an objection to the consideration of this bill would cause a vitriolic condemnation of the Committee on Indian Affairs for reporting bills which would merely give American Indians their day in court. The Committee on Indian Affairs, of which I am a member, has spent many days considering the merits of these Indian bills, and almost every bill reported by that committee has been reported by a unanimous vote. This bill, S. 1919, honors the memory of Patrick Henry, a noble American patriot, who said, "Give me liberty or give me death." The record of America insofar as the Indians are concerned is a denial of liberty and the giving of death. In view of the fact that my opposition to this Patrick Henry bill has apparently denied American Indians the opportunity of having their day in court in order to determine the merits of their claims, and in the hope that the objector might change his mind in order that these Indians might have justice, I shall withdraw my objection. Mr. Speaker, I withdraw my objection to the consideration of S. 1919, to acquire the estate of Patrick Henry, provided the committee reporting the bill will offer an amendment which was adopted in the committee by unanimous vote, an amendment which reduces the authorized expenditure from \$125,000 to \$100,000. I shall be happy to withdraw my objection if that amendment is offered, in the hope that many American Indians might have an opportunity to obtain justice. [Applause.]

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 5, after "hereby", insert the words "authorized to be."

The committee amendment was agreed to.

Mr. O'CONNOR. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. O'CONNOR: Page 1, line 5, after the word "exceed", strike out "\$125,000" and insert "\$100,000."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—CONTROL OR ERADICATION OF THE PINK BOLLWORM (H. DOC. NO. 564)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Agriculture and ordered to be printed:

To the Congress of the United States:

There is transmitted herewith a letter from the Secretary of Agriculture submitting a report in response to the act, Public, No. 351, passed at the first session of the Seventy-sixth Congress, instructing the Secretary of Agriculture, with the assistance of the Secretary of State, to carry on discussions with responsible officials of the Republic of Mexico, and if he deemed it necessary with the States of the United States concerned, with respect to the control or eradication of the insect pest of cotton known as the pink bollworm.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 15, 1940.

FURTHER MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM (H. DOC. NO. 563)

The SPEAKER laid before the House the following further message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State showing all receipts and disbursements on account of refunds, allowances, and annuities for the fiscal year ended June 30, 1939, in connection with the Foreign Service retirement and disability system as required by section 26 (a) of an act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor, approved February 23, 1931, as amended by the acts of April 24, 1939, July 19, 1939, and August 5, 1939.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 15, 1940.

FURTHER MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—TENNESSEE VALLEY AUTHORITY (H. DOC. NO. 565)

The SPEAKER laid before the House the following further message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Military Affairs and ordered to be printed, with illustrations:

To the Congress of the United States:

So much publicity has been given by the press and in other ways to the power-development feature of the work of the Tennessee Valley Authority that it is fair to assume that many of our citizens and even Government officials hold a belief that the purpose of the act creating the Authority was primarily the development of electric power.

It is perhaps time to call attention to this utter fallacy.

The original legislation, based on my recommendation to the Congress in 1933 was intended—in part as a experimental project—to raise the standards of life by increasing social and economic advantages in a given area, in this case the whole of the watershed which runs into the Tennessee River and including portions of many States.

Part of this objective meant the elimination of very large annual damage to life and property as a result of floods; and, therefore, it was planned to build a series of dams in the Tennessee River and on some of its many tributaries. The building of such dams would, it was figured, reduce property damage which had averaged \$20,000,000 a year for a long time. The building of such dams would also make possible the production of a large amount of electric power and would also afford barge navigation for many hundreds of miles up the river.

Furthermore, the original objective of the law included many other things, such as the planting of water-retaining forests near the headwaters of the many rivers and streams, the terracing of farm hillsides, the building of small check dams, the development of fertilizer, the diversification of crops and other soil-building methods, the improvement of highways and other forms of transportation, the bringing in of small industries, the extension of rural electric lines, and many other similar activities.

In other words, it is time that people should understand that power development was only a part—and ultimately only a relatively small part—of a great social and economic experiment in one of our major watersheds.

From time to time I have transmitted to the Congress special reports from the Tennessee Valley Authority relating to special subjects in the progress of this great task. I am transmitting herewith the latest of these reports, a monograph on the Recreation Development of the Tennessee River System. This summarizes "the results that have been accomplished through certain experiments and demonstrations in this field and contains specific conclusions and recommendations with respect to additional legislation on this subject." It is coming to be realized more and more that in the improvement of our American civilization we cannot stop at hospitals and schools any more than we can confine ourselves to strictly economic subjects. Recreation in its broad sense is a definite factor in the improvement of the bodies and minds of our future citizens.

I hope that this report, which is only one of many which the Tennessee Valley Authority has made from time to time will dispel any erroneous impression that the Tennessee Valley Authority's work is concerned principally with the mere development of electric power.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 15, 1940.

**FURTHER MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—
OPERATIONS UNDER EMERGENCY RELIEF APPROPRIATION ACTS OF
1938 AND 1939**

The SPEAKER laid before the House the following further message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Expenditures in the Executive Departments:

To the Congress of the United States:

As required by the provisions of the Emergency Relief Appropriation Acts of 1938 and 1939, I present herewith a report of the operations under these acts to the end of the calendar year 1939.

This report contains detailed and summary statements of the Treasury Department reflecting expenditures made, obligations incurred by classes and amounts, and the status of funds under each of the above-mentioned acts. In addition thereto, similar information is presented for the Relief Acts of 1935, 1936, and 1937. These statements have been compiled as of December 31, 1939.

Reports of operations of the Work Projects Administration, the National Youth Administration, the Farm Security Administration, the Public Works Administration, and other agencies receiving funds under the Emergency Relief Appropriation Act of 1938, the Public Works Administration Appropriation Act of 1938, and the Emergency Relief Appropriation Act of 1939 are also included.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 15, 1940.

EXTENSION OF REMARKS

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein comments on the citrus district of California.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BROWN of Georgia. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include

therein an editorial appearing in the Evening Star, of Washington, D. C., on Friday, January 12, entitled "Mr. Hull's Statement."

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

PRIVATE CALENDAR

The SPEAKER. Under the unanimous-consent agreement heretofore made, the Clerk will call the first bill on the Private Calendar.

The Clerk called the first bill on the Private Calendar, H. R. 6183, for the relief of sundry aliens.

The Clerk read as follows:

Title I—(H. R. 1163. For the relief of Jacob Labovitz)

That in the administration of the immigration and naturalization laws the Secretary of Labor is hereby authorized and directed to cancel the warrant of arrest and the order of deportation against Jacob Labovitz heretofore issued on the grounds that on February 9, 1926, admission to the United States had been fraudulently gained pursuant to the commission of a passport or visa offense which, subsequent to such admission, has heretofore been held by the Attorney General of the United States to be within the purview of "crimes involving moral turpitude," and thereupon Jacob Labovitz shall hereafter be deemed to have been lawfully admitted to the United States for permanent residence at New York, N. Y., on February 9, 1926. Any declaration of intention to become a citizen or any petition for citizenship heretofore filed by or any admission to citizenship ordered and certificate of naturalization heretofore issued to Jacob Labovitz which were predicated upon the claim of lawful admission to the United States for permanent residence on February 9, 1926, shall hereafter be deemed valid unless the original 7-year period of validity of such declaration of intention has heretofore expired or Jacob Labovitz has heretofore been found otherwise not eligible to such benefit under the naturalization laws.

Mr. HANCOCK. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HANCOCK: On page 1, beginning in line 3, strike out all of title I.

Mr. HANCOCK. Mr. Speaker, this is the first of 40 or 50 similar bills scheduled to come up for consideration today. Practically all of them relate to cases involving fraudulent entry; that is, the aliens came here under forged passports, or something of that sort. In nearly every case the alien has managed to avoid the immigration authorities for 10 or 12 years, has married, and has had children born in America. It is claimed that to deport the alien now would cause a great deal of human suffering and hardship. I have no doubt that is true in a great many instances. In some cases it would be a very cruel and inhuman thing to deport the alien. I do not wish to deport them under such circumstances, but we should not confer the honor of American citizenship upon them.

Having this situation in mind, several Members, after consulting with the authorities on immigration, prepared a bill which was passed by this House as an amendment to the Smith bill last summer. The bill sets up a board in the Department of Labor with discretion to suspend or cancel the deportation orders where undue hardship would result. I believe we should withhold action on bills of the kind now under consideration until the Senate has had an opportunity to pass on that bill. There are two or three thousand similar cases pending before the Department of Labor. If we are going to consider them all in the committee and in the House, we will be busy all summer on immigration bills and will not have time to do anything else.

No harm will be done by withholding action on these bills today. Most of these cases have been pending from 3 to 6 years. We know the Department of Labor has no intention of deporting the persons involved. If you agree with me, I hope you will delete this first item. We might better know the mind of the House at the beginning than at the end of the session on this proposition. If the first item is killed, I shall move that we dispense with further proceedings under the call of the Private Calendar today. The leaders inform me that it is the intention to confine ourselves entirely to deportation cases.

I have no prejudice whatever in this matter, but I do believe it is unfair and improper for us to confer upon the aliens who

came in here fraudulently, and deliberately so, all the rights and privileges of the honest aliens who complied with our laws in entering this country.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. HANCOCK. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. I am sure the gentleman is very familiar with the fact, but I do not know whether he has accented it enough—in the last session of Congress this House passed a bill to change the reference of these cases, the bill providing that a board shall be set up in the Department of Labor which shall consist of 3 members, and this board shall have the right to go into all these cases, sorting out the cases which have some merit in them. The board may then recommend certain cases favorably to the House Committee on Immigration and Naturalization, that committee will then bring in here a clean bill. The 40 or 50 cases which are up for consideration today were knocked off the calendar twice in recent sessions. Some of these cases have been pending 5 or 6 years. There may be 1 case out of 50 which has merit, but I am informed by a member of the Committee on Immigration and Naturalization that practically every one of these bills represents a case of fraud of some kind. Why should we pass 50 or 60 of these bills today when, in the Senate, there is pending a bill providing for the setting up of the board to which I have referred? When that is done, everybody ought to be satisfied. We ought to support the amendment offered by the gentleman from New York. I am not in favor of working any hardship on anybody. There is not much danger of deporting any of them. They have not been deported. There is a lot of sob stuff about that. Do not be misled. Vote for this motion, and then the next step will be to put all these bills over until the new board is set up. For years I have opposed this business of passing private bills in cases of this kind. It only means that the fellow who has a criminal record has the nerve to bombard his Congressman to introduce a bill for him, while many a poor fellow who is not used to the ways of the world cannot get anybody to speak for him. Nobody will go further to help a poor deserving alien than I will. The fact that practically every one of these in this list of 50 or so is here fraudulently proves my contention that these crooked fellows are the ones who want special bills passed for them.

Mr. KRAMER. Mr. Speaker, will the gentleman yield?

Mr. HANCOCK. I yield to the gentleman.

Mr. KRAMER. I think there is some truth in what both the gentleman from Ohio and the gentleman from New York have just said, but their statement does not apply to all the bills before this committee. I have been a member of this committee ever since I have been a Member of the House and I have taken a great deal of interest in the hearings we have held, and all the persons named in these cases have had a hearing before the committee. A great deal of time has been devoted to the hearings before the committee, and there have been a great many questions asked, and while there are some trivial cases of what you might call a violation of law, there are other cases that have been pending for some time, which both of the gentlemen say ought to be knocked out. I agree that some of the cases should be knocked out, because we do not want any such bills to pass, but as a general rule, every one of these cases is a meritorious case. I am in favor of some commission being formed, but at the same time the Committee on Immigration has done the work with respect to these particular cases. They have been doing this work for the almost 8 years that I have been on the committee, and if you are going to ask the committee to do the work all over again and make a report on these parties, it will be a duplication of effort.

[Here the gavel fell.]

Mr. SCHULTE. Mr. Speaker, the statement has been made here that most of these cases are cases of fraudulent entries. The gentleman from New York said "all of them," and that is not true.

Mr. HANCOCK. I did not mean to say all of them. I thought I said the vast majority of them.

Mr. SCHULTE. The gentleman is again wrong. To begin with, let me make this statement. It is no easy task to serve as a member of the Immigration Committee. It is a difficult assignment. Of course, it is very popular in some sections of the country to try to annihilate the alien because of the fact he is an immigrant, and most of the immigrants are in the heavily populated sections of the country, and, therefore, find themselves without a friend a great many times, and especially so in some sections. Irrespective of the merits of his case, and very few times that is taken into consideration, but it seems to be popular in certain sections of the country for the Representatives to go back and tell their constituents that they helped to send all the foreigners out of the country, but at the same time that is not fair to the alien. After all, we were all aliens to the shores of this country at one time. Certainly all of our forefathers did not come over on the *Mayflower*. A great many of us are sons of immigrants. We have all contributed our proportionate share to the well-being and the welfare of this Nation, and certainly none of us are over two or three generations removed from the alien class.

Now, let us be fair to the alien. A committee of this House has gone into this bill very thoroughly. I have the pleasure of being one of the ranking members of this committee. We have gone into each and every one of these so-called alien bills with respect to their merits or demerits. There are a great many bills, I will say to my friend, that we have turned down in spite of the pleadings of the Members of Congress who introduced them. Every one of these bills has been introduced by a Member of the Congress trying to protect his constituents, and when they come before our committee they do so with the thought in mind that they are doing their just duty and exercising their rights in protecting their constituents. Certainly there is not a Member of this House who would introduce such a bill and try to protect an alien who has no right to be here. I do not believe the gentleman from Ohio [Mr. JENKINS] would do that, and certainly he has sufficient regard and respect for his fellow Members to believe that they would not do such a thing either. The result is that every one of these bills, as I have said, has been judged on its merit, and if these bills were not meritorious, I will say to my good friend that we would not be here pleading for them now.

Mr. HANCOCK. Mr. Speaker, will the gentleman yield?

Mr. SCHULTE. I yield.

Mr. HANCOCK. May I remind the gentleman that in the Seventy-fifth Congress many of these bills—I will not say all of them—were defeated by a vote of this House.

Mr. SCHULTE. And may I say to my good friend that it is easier to get into heaven than it is to pass an immigration bill through this House because of the temper of the House.

Mr. HANCOCK. I am confining my opposition to the fraudulent cases and that is the nature of the first one of these bills. The man was a Lithuanian by birth. The Lithuanian quota was filled and he went to Germany, obtained a false birth certificate, and came in as a German, which was a plain, bare-faced, and deliberate fraud.

Mr. LELAND M. FORD. Mr. Speaker, if the gentleman will yield, that happens to be my bill and I will give you the facts about it. This man was born in Germany. His father died and when he was 2 years old his mother went back to Lithuania. Then she married again. Then this man wanted to come into the United States.

Mr. HANCOCK. I suggest to the gentleman from California that he is talking about another bill.

Mr. LELAND M. FORD. Very well, if I am mistaken about the bill.

Mr. HANCOCK. We will reach the gentleman's bill at some other time.

Mr. SCHULTE. Mr. Speaker, that is just an example of what the House has been in favor of—that is, just what my good friend from California [Mr. LELAND M. FORD] has been trying to tell us.

Mr. HANCOCK. But the gentleman from California has been talking about another case.

Mr. SCHULTE. The gentleman from New York said that they were all fraudulent or that a majority of them were. He names one such case, and they are all similar. Each and every one is similar to the bill mentioned by the gentleman from California, and I say that there is a lot of merit in each and every one of these cases. Think of the hardship involved. Men have been in the United States for 10 or 15 or 20 years, they own their homes and have made this possible through hard work and self-denial. They have been married to American citizens, and have raised American children, and sent them to American schools. They have paid their taxes, and are doing everything that the gentleman from Ohio [Mr. JENKINS], as well as every other American is doing, to make this a great nation, and then when he wants to do the right thing by applying for citizenship they find out that he entered the country illegally, and because of that unforgivable sin of coming into this great land without having a passport, he is politely and firmly told by this Congress that he must leave the country immediately because he is here illegally, and that they will deport him, that we care nothing about his family or his property or anything else, it is just "out with you" and that is all there is to it. My friends, let me make this appeal to you. In deporting 90 percent of these mothers and fathers of whom a great many of us are anxious to keep here, it will be like death entering that home to separate that family, because we realize that after spending 10, 15, or 20 years of their lives in this country they have lost all contact with the land of their birth, and in addition to that their family will never have funds enough to follow him or her back to their native land. That is what I mean when I say you have allowed a thing as sad as death to enter that home. I appeal to you to consider these bills on their merits.

The SPEAKER. The time of the gentleman from Indiana has expired. The question is on the amendment offered by the gentleman from New York.

The question was taken; and the amendment was agreed to.

The SPEAKER. The Clerk will read the next title.

The Clerk read as follows:

Title II—H. R. 745. For the relief of Soterios G. Stamoulis

That in the administration of the immigration and naturalization laws the Secretary of Labor is hereby authorized and directed to cancel the order of deportation against Soterios G. Stamoulis, heretofore issued on the grounds that on June 15, 1925, admission to the United States had been fraudulently gained pursuant to the commission of a passport or visa offense which, subsequent to such admission, has heretofore been held by the Attorney General of the United States to be within the purview of "crimes involving moral turpitude," and thereupon Soterios G. Stamoulis shall hereafter be deemed to have been lawfully admitted to the United States for permanent residence at Detroit, Mich., on June 15, 1925. Any declaration of intention to become a citizen or any petition for citizenship heretofore filed by or any admission to citizenship ordered and certificate of naturalization heretofore issued to Soterios G. Stamoulis, which were predicated upon the claim of lawful admission to the United States for permanent residence on June 15, 1925, shall hereafter be deemed valid unless the original 7-year period of validity of such declaration of intention has heretofore expired or Soterios G. Stamoulis has heretofore been found otherwise not eligible to such benefit under the naturalization laws.

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent that we dispense with further proceedings under the call.

The SPEAKER pro tempore (Mr. BLAND). The gentleman from Indiana asks unanimous consent that further proceedings under the call be dispensed with. Is there objection?

Mr. THILL. Mr. Speaker, I object.

Mr. SCHULTE. Then, Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Indiana to dispense with further proceedings under the call.

The question was taken; and the motion was agreed to.

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent that we continue with the Private Calendar, starting with No. 518.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to proceed with the calendar, starting with No. 518.

Mr. COSTELLO. Mr. Speaker, I rise to a point of order. The request to call the Private Calendar was limited to im-

migration omnibus bills today. For that reason it is not in order to call up other bills on the Private Calendar.

The SPEAKER pro tempore. In the opinion of the Chair the proposal is a request for unanimous consent merely. Therefore, the point of order is not well taken. Anyone can object.

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. The committee on this side of the House has not had opportunity to go into these other bills and did not expect the matter to come up today. Therefore, I object.

The SPEAKER pro tempore. The gentleman from Massachusetts objects.

EXTENSION OF REMARKS

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my remarks made today, and quote briefly from the report of the committee.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article by Mr. Charles A. Beard and another article by Prof. Harold M. Vianacke.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. JENKINS of Ohio. Mr. Speaker, I have a very interesting report here from one of the departments of Ohio with reference to a certain tract of land in Ohio. I ask unanimous consent to extend my remarks in the RECORD with reference to that at this point.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. JENKINS of Ohio. Mr. Speaker, the cooperative extension work in agriculture and home economics at the Ohio State University in Columbus has recently issued a news release that is very interesting. It sets forth that Mr. Albert B. Gatch, who lives at Milford, Ohio, has a field of blue grass on his farm that has not been plowed for 140 years. The following is what this news release has to say:

CLERMONT COUNTY FIELD UNPLOWED IN 140 YEARS

COLUMBUS, Ohio.—An Ohio farmer looking at his land in 1799, the year that George Washington died, was pleased to find a thrifty growth of bluegrass among the stumps in one field. His great-grandson, Albert B. Gatch, Milford, in 1939 saw his cattle in that field which has not been plowed in the intervening 140 years.

Four generations of the Gatch family have so managed this and other pastures on the farm that they furnish cheap forage for livestock year after year. One of their management principles has been to keep livestock off the pasture in winter to prevent holes being punched in the turf to permit the start of erosion.

There may be older pieces of unplowed bluegrass sod on Ohio farms but the 20-acre field is the oldest which the men on the Soil Conservation Service staff at Dayton have been able to find. The agronomists in the Dayton office claim the field on the Gatch farm is an answer to the theory that bluegrass sod must be plowed periodically or the quality of the forage will deteriorate.

D. R. Dodd, extension agronomist, Ohio State University, has maintained for years that the judicious use of lime and fertilizer on Ohio pasture lands will earn farmers some of the best returns on the amount of money invested that can be obtained from farm enterprises. Bluegrass sod not only provides milk and meat efficiently and economically but is a safe deposit vault for the productivity of the soil beneath it.

Clermont County has many formerly fertile fields which are now useless for agriculture. The county also has one field which has produced a crop each year for 140 years without losing the ability to continue that production.

I hope that many other farmers whose farms are adapted to growing bluegrass will read this article.

COMMITTEE ON ADEQUACY OF PHOSPHATE

Mr. PETERSON of Georgia. Mr. Speaker, I ask unanimous consent that the Joint Committee on Adequacy of Phosphate be allowed until midnight tonight to file a report.

The SPEAKER pro tempore. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on Thursday next after the conclusion of the legislative business and the special orders already made, I be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

THE 1941 BUDGET

The SPEAKER pro tempore. Under special order the gentleman from Ohio [Mr. SMITH] is recognized for 30 minutes.

Mr. SMITH of Ohio. Mr. Speaker, two things stand out prominently in this Budget: First, it is exceedingly labile—that is, highly plastic and unpredictable, and adaptable to wide changes and modifications, all in the direction of unlimited increases in expenditures. Indeed, it is not a Budget in a true sense.

Second, it is an admission that the Federal finances are now out of control. The President has in his last so-called Budget message finally admitted his complete inability to lead the way to a balanced Budget. Disregarding the big hole he has left, through which he can plunge for billions more to spend, and after some very doubtful and tentative estimates of receipts, he still has a deficit of \$1,716,000,000, in defense of which he says:

Blue-pencil inroads are not easy to make. * * * I have carefully checked the individual estimates under these broad categories, and I am satisfied that no lower figures can be obtained except at the expense of impairing the efficiency with which laws are administered or of working undue hardship on individuals and economic groups. I refuse to accept the responsibility of adopting either alternative.

Therefore, those who call for further cuts should have the courage and honesty to specify where they should be made.

And then the climax—

I constantly marvel at glib generalities to the effect that if one has but the will to do so anybody can reduce Government expenditures by vast sums sufficient immediately to "balance the Budget."

"Sufficient immediately," indeed. After 8 years, the maximum of time fixed by the Father of our Country that a President should serve, which precedent has been scrupulously followed by all of our Presidents up to now, at least; after 8 long years, with regular annual deficits of billions of dollars, we are told that we should not expect results immediately.

After stating to the Nation in his Pittsburgh, October 1932, speech—

If Government lives beyond its income for a year or two, it can usually borrow temporarily at reasonable rates, but if, like a spendthrift, it throws discretion to the winds and is willing to make no sacrifices at all in spending; if it extends its taxing to the limit of the people's power to pay and continues to pile up deficits, then it is on the road to bankruptcy—

And accusing the previous administration of—

spending altogether too much money for Government services that are neither practical nor necessary—

And further accusing it of being—

the greatest spending administration in peacetimes in all history. * * * piled bureau on bureau, commission on commission, and has failed to anticipate the dire needs and earning powers of the people.

And saying:

Bureaucrats, commissions, and commissioners have been retained at the expense of the taxpayer.

Then suddenly turning a complete somersault after elected, he increased all these evils, adding hundreds of thousands of new political jobs, a multitude of boards, bureaus, and commissions, billions in taxes, and more than twenty billions of Federal debt. Now, at the wind-up of his second term, after he has had all the time ever given any other President to make good, with no signs of any abatement in spending, we are told it is too much for us to expect a reduction of "sums sufficient immediately to 'balance the Budget.'"

After all this disastrous failure, 8 long years after stating to Congress (March 10, 1933)—

I ask you very simply to assign to me the task of reducing the annual operating expenses of our National Government. We must move with a direct and resolute purpose now—

The President now deliberately throws up his hands and says to the country, "I can't do it; if anybody else can, let him show the way."

In other words, we are now baldly told by the President that, as he sees it, the Frankenstein is out of control; that the spending cannot be stopped; that our Nation is doomed to go the way of European totalitarianism.

Our country never witnessed anything like this before. I believe this to be an expression of the greatest defeatism that has ever taken place in our country or any other.

Notwithstanding, the President, as usual, extols the virtues of the revolutionary remedies applied to cure our sick economy, and also makes the usual apologies for the unconscionable spending, blaming it to some esoteric change in our economic life, to "changing attitudes," international conditions, and so forth.

He still persists in defending the most fallacious idea that the depression was brought on by too little political regulation and control of the affairs of men; that it can be cured if only enough of these are instituted, if only enough political machinery can be created to sufficiently regiment and coerce our people.

I do not believe, of course, that all of our present plight can be blamed to this administration. Far from it. The trouble we are in has been developing for many years. The point I am making now is that the remedies which have been applied in the last few years to cure the disease are false and vicious remedies, and instead of relieving are aggravating the disease.

Our distress may be seen by examining a few figures and observing some important facts in our present situation. Estimated expenditures are given in the Executive's Budget message as \$8,424,000,000 and the deficit as \$1,716,000,000. This supposes the raising of \$460,000,000 in new taxes.

Judging from past Budget estimates made by the President his last can, of course, have little value. Nineteen hundred and thirty-six expenditures exceeded his original estimate by \$360,000,000 (all figures relating to actual estimates of expenditures taken from the regular annual Budgets); those of 1937 by \$1,353,000,000; those of 1938 by \$1,468,000,000; those of 1939 by \$1,637,000,000; and those of 1940 will exceed his original estimate by several hundred million.

Revised estimate of expenditures for relief and recovery in 1935 was overestimated by \$2,561,000,000 and for 1936 by \$1,806,000,000. Estimate for relief and recovery funds for 1937 was underestimated by \$1,912,000,000, for 1938 by \$1,920,000,000, and for 1939 by \$1,472,000,000.

On the receipts' side of the Budget is shown \$700,000,000, which is to be "recovered from excess capital funds of Government corporations."

As I indicated in my remarks last Friday, the item of \$700,000,000 which is to be recovered from excess capital funds of Government corporations and added to receipts is of doubtful value until something is known about these corporations, their assets, liabilities, losses, and so forth. Congress now knows nothing about these corporations. Nothing in the Budget indicates from which Government corporations this is to be taken. I have tried to get some information about it but have failed. It appears even the Budget Commission does not know. The only information I have been able to obtain is that the \$700,000,000 is an "over-all guess by the Executive department." No capital budget is set up for these corporations. Practically nothing is known of their true condition. We do know, however, that many of them have suffered heavy losses. Until all the losses, including depreciation charges, of all of these corporations—not merely of the ones from which the \$700,000,000 may be taken—are known and properly charged against their capital, it cannot be determined what part of this amount could be considered as real receipts and what part is already incumbered. The losses of the Government corporations are now mounting into the hundreds of millions. The last report of the Federal Home Loan Bank Board shows a loss to date of about \$60,000,000 of the Home Owners' Loan Corporation alone. Up to June 1939 approximately \$2,709,450,000 of the obligations of the R. F. C. were canceled (1941 Budget, p. 897).

The Budget is further vitiated by wholly false entries. On page 898, under receipts for the U. S. H. A., are listed "Principal maturities on investments" and "Interest on loans," actual for 1939 and estimated for 1940 and 1941, totaling \$12,-111,218. Under expenditures are listed "Loans to public-housing agencies," similarly totaling \$310,112,177, and "Contributions to public-housing agencies," likewise totaling \$20,-000,000. It has now been conclusively proven by the provisions of the Housing Act itself that the U. S. H. A. makes no loans whatever to any public-housing agencies, that the latter are merely dummies of the U. S. H. A., set up by it to carry on its financial manipulations; that no part of the rents goes to pay any interest or retire any part of the capital cost; that the annual Federal contributions completely amortize these false loans and, in addition, pay to the U. S. H. A. the handsome fabricated housing profit of 30 percent.

The money for these spurious loans is obtained by Federal borrowing. The annual Federal contributions are obtained either in the same manner or by taxation. Can there be any question therefore that this schedule represents a false entry, that it is plain deception?

Under "Contingent liabilities" is listed \$114,157,000 already spent and \$314,157,000 to be spent in 1940 and 1941. There is no question that these amounts should be listed as direct liabilities and added to the Federal debt. Thus the present estimated expenditures will, by this one item alone, exceed the debt limit in 1941 by \$473,000,000, even if \$460,000,000 of new taxes are provided.

Approximate expenditures for work-relief programs are given in his message as \$1,300,000,000, though the sums involved total in the Budget itself \$1,440,000,000.

Two billion fourteen million dollars were appropriated for these programs last year, as follows: W. P. A., \$1,477,000,000; N. Y. A., \$99,979,240; C. C. C., \$294,955,000; Farm Security Administration, \$143,000,000. Presumably, 1941 allocations for these agencies are: W. P. A., \$1,000,000,000; N. Y. A., \$85,000,000; C. C. C., \$230,000,000; Farm Security Administration, \$125,000,000.

But in giving this estimate for W. P. A. the President is careful to say:

If conditions fail to meet our hopes, additional funds may be necessary. I may, therefore, submit revised estimates later in the session.

Nine hundred million dollars for agricultural programs is estimated, parity payments excluded. But, the President adds:

I do not suggest in any way abandonment of the policy of parity payments heretofore adopted, and future events may call for some appropriations to this end.

He also reminds Congress, "in passing," that it failed to provide funds for "parity payments already made or obligated for 1938 and 1939." The latter is \$212,000,000.

Therefore, the Budget is so beclouded with uncertainty as to make it practically useless for the purpose of arriving at even an approximate figure for 1941 expenditures. To make matters worse, the President renews his request for the lend-spend legislation that was defeated last summer. He speaks of—

* * * capitalizing certain capital expenditures of the Government that have proved to be self-liquidating.

What the term "self-liquidating" means is anybody's guess. In trying to make a good case for the spending policy and to make the Federal debt look as small as possible, he says:

The Government has \$7,000,000,000 of cash, gold available for debt retirements, and proprietary interest in Government corporations, which reduces the net debt to \$35,000,000,000.

We suppose he refers in part to the \$2,000,000,000 unexpended portion of the so-called profit derived from the debasement of the gold dollar. Certainly, should this be used to retire debt it would be repudiation. If repudiation of that amount, why not of more, or of all?

Large claims are made for offsets in the Federal debt by "recovery loans and investments," without saying anything about the heavy losses in loans, depreciation, and so forth,

that are being suffered, nor that practically all of these so-called investments are in either nonproductive things or are merely replacements of self-sustaining private enterprise with non-self-sustaining Government projects, which latter must be fed by tax money to keep them going.

Just a little looking under the surface of things will reveal some important evidence to indicate that our sick economic body is not improving as is being so volubly proclaimed. There is, in fact, abundant evidence to prove that the Nation is much more ill basically than it has been at any time since 1929 and that it is continually growing worse. Let us examine just a little of this evidence.

Following 1933—

Said the President—

the fiscal policy of the Government was more realistically adapted to the needs of the people. All about were idle men, idle factories, and idle funds.

IDLE MEN

National Industrial Conference Board figures show the annual number of unemployed from 1930 to April 1, 1933, 1 month after the present administration came into power, was 8,488,000.

The annual number of unemployed from April 1, 1933, to the end of 1939, 81 months, was 9,319,000.

Therefore, the annual number of unemployed since the incumbency of the present administration has been about 821,000, 9 percent, higher than during the years of the depression preceding.

Of even more importance, the proportion of unemployed to the total labor force in the 81 months of the present administration was 4 percent higher than in the previous 39 months.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. SMITH of Ohio. Yes; I yield to the gentleman.

Mr. SCHAFER of Wisconsin. The gentleman has incorporated the unemployment statistics from the beginning of the present New Deal administration?

Mr. SMITH of Ohio. That is right.

Mr. SCHAFER of Wisconsin. From March 4, 1933?

Mr. SMITH of Ohio. That is right.

Mr. SCHAFER of Wisconsin. In order to obtain a correct comparison between the New Deal and the anti-New Deal administrations, should you not show the unemployment figures in 1932 and 1931, because at the 1930 election the New Deal acquired complete control of the House of Representatives, elected its Speaker, and had a working majority in the Senate? The New Deal, therefore, has been in control of the policies of the Federal Government since the 1930 election.

Mr. SMITH of Ohio. That is more or less correct.

The unemployment figures of the Department of Labor show even a worse picture. These give the average annual number unemployed in the first 39 months of the depression the incumbency of the present administration has been as 9,074,000 and in the 81 months following as 10,518,000. Therefore, the average annual number of unemployed since 1,444,000, or 16 percent greater than in the depression period preceding.

Has the actual income of the people been improved since 1933? The real test is a comparison between the average annual per capita income adjusted by the cost of living, or the general price level, since April 1933, with that of the period of the depression preceding.

Adjusted by the general price level, which shows most accurately the general well-being of the people, the average annual income from 1930 to April 1, 1933, was \$539 as against \$530 in the period following through 1938, which is \$9, or about 1 percent less in the latter than the former.

But what may be considerably more significant is the annual per capita realized private-production income of the two periods. In the depression period up to April 1, 1933, the annual per capita realized private-production income, adjusted by the general price level, was \$446 as compared with \$411 in the period from April 1, 1933, through 1938. Thus

the private-production income in the former period was \$35—8½ percent—more than in the latter.

These figures tend to show what was to be expected; that the present program of the Government is destroying private industry. If in connection with these unemployment and income figures are considered the hundreds of thousands of new Federal and State nonproductive political jobs that have been created by national legislation in the past few years, the more than twenty billions of debt added; the more than four billions in taxes and debts such legislation forced on the States; and the more than five billions of Federal taxes exacted from the people, all for stimulating employment and increasing the purchasing power of the people, certainly there is no ground for claiming anything has been done since 1933 either to solve unemployment or to increase the real purchasing power of the people. All evidence indicates the contrary and that these problems are more grave now than at any time hitherto. So far, only the means of the totalitarian governments have been applied to solve them; namely, the confiscation and consumption of savings and capital by taxation and forced loans.

Mr. GIFFORD. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman.

Mr. GIFFORD. In speaking of repudiation of the debt, the President has always been so jolly about it. I would like to insert here when he said—

If we pay interest don't we pay it to ourselves?

Does the gentleman recall that?

Mr. SMITH of Ohio. Yes.

Mr. GIFFORD. And further, I should like to interject at this point a little ditty:

And should you hint that I am heaping up a debt and expense account with nothing to defray it and the bill is growing bigger, cease to fret, for I merely need assess myself to pay it. If I borrow, don't I borrow from myself? If that threatened day of reckoning ever comes, I shall tax myself and pay myself a pension.

[Laughter.]

Mr. SMITH of Ohio. I thank the gentleman.

IDLE FACTORIES

Today, the machines which do the greater part of the work performed in modern industry stand idle about one-fourth of the time they were used in 1929. (Industrial Conference Board.)

IDLE FUNDS

In 1933 reserves in member Federal Reserve banks stood at \$2,343,000,000, and excess reserves at \$528,000,000 (Federal Reserve Rept., 1937). At present these reserves stand at the colossal figures of \$11,720,000,000 and \$5,300,000,000 respectively. Without resort to borrowing, member Reserve banks today have available more than thirty billions of credit. The additional bank credit that could be made available for lending is so colossal as to be beyond all comprehension. All informed persons recognize it as a dire threat to our entire economy.

If "idle funds" was a cause of the depression in 1933, then nothing has been done to mitigate the evil, for not only is the available bank credit much larger now than it was then, but the amount of loans outstanding has actually been continuously less since. The June 1939 Federal Reserve Report shows loans of all banks outstanding about \$5,000,000,000 less than at the end of 1932.

Loans outstanding now are about twenty billions less than in 1929. On the other hand, the banks' investment portfolios are bulging larger and larger with Government securities, thus indicating the draining away of capital from private productive enterprise into nonproductive Government projects. The reason for this shift is not greater confidence in Government credit but less in the future value of the dollar.

Irredeemable paper money destroyed the capital investment market, and hence the future of our youth.

The President states the interest charge on the Federal debt for 1941 will be \$1,100,000,000. With apparent satisfaction, he points out that the average interest rate paid on public debt in 1929 was 3.9 percent, while the present computed rate is 2.6 percent.

The total interest charge on the debt for 1932 was \$672,000,000 and the rate 3.5 percent (annual report of the Secretary of the Treasury, June 30, 1933). Therefore, even though there has been a reduction in interest rate—22 percent—since 1932, there has been an absolute increase of interest cost of 88 percent.

It may be true that the easy-money policy forcing low interest rates, the lowest in our history, is a temporary blessing to the Government. It probably also serves momentarily as an important political expedient. It should not be overlooked, however, that this interest rate is wholly artificial. It results not from excess savings but from the heavy deficit financing which, at bottom, is forced Government borrowing.

Against the temporary and evanescent benefits flowing to the Government from the easy-money policy are the injurious effects on trust and savings accounts, on life-insurance premiums and dividends, and other savings and investments. It has raised insurance premiums and decreased dividends. It has literally robbed the endowment funds of our hospitals and higher institutions of learning. Depositors in mutual savings banks alone are losing approximately \$200,000,000 a year because of the easy-money policy of the Government.

With the average account in mutual savings banks standing at \$625, the easy-money policy has in effect pilfered the pennies of the modest-income groups in our country. (The Effects of Easy-Money Policies on Savings Institutions, etc., by Winthrop W. Aldrich, Chase National Bank.)

Indeed, the easy-money policy of the Government, along with other programs, is destroying the fruits of industry and thrift, the real and only lasting guaranty man has yet found, to provide for the exigencies incident to sickness and old age, which have not been and cannot be replaced in value by legislative machinery, however ingeniously devised.

Of course, we all want adequate defense. But what protection to us will our Army and Navy be, however well equipped, if the Nation breaks down financially? The very sinews of war depend on the state of health of our money and finances. With the President already committed to repudiation, who can deny that our national finances are already in the process of breaking down?

The answer to all this failure and defeatism is for Congress and our whole Nation to wake up and see the real foe that now threatens our people, which is not Hitler or Stalin, but our own program of self-destruction. [Applause.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. LEONARD W. HALL, indefinitely, on account of illness.

To Mr. MALONEY, for 10 days, on account of public business.

ENROLLED BILL SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 5118. An act for the relief of the State of Ohio.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, if no one else desires to enlighten this large and enthusiastic audience at this time, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 59 minutes p. m.) the House adjourned until tomorrow, Tuesday, January 16, 1940, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1264. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Navy Department, for the fiscal year 1940, amounting to \$31,000,000 (H. Doc. No. 562); to the Committee on Appropriations and ordered to be printed.

1265. A letter from the Secretary, United States Maritime Commission, transmitting the report of the United States

Maritime Commission for the period ended October 25, 1939; to the Committee on Merchant Marine and Fisheries.

1266. A letter from the president, Board of Commissioners, District of Columbia, transmitting the draft of a proposed bill to amend section 1262 of the Code of Laws for the District of Columbia; to the Committee on the District of Columbia.

1267. A letter from the Secretary of War, transmitting the draft of a proposed bill relating to the citizenship and compensation of employees on certain War Department construction work in the Panama Canal Zone; to the Committee on Military Affairs.

1268. A letter from the Acting Secretary of the Interior, transmitting the draft of a proposed bill for the relief of Roy F. Lassly, former acting chief disbursing clerk, Department of the Interior; to the Committee on Claims.

1269. A letter from the Acting Secretary of the Interior, transmitting a copy of a letter from the Commissioner of the General Land Office dated January 6, 1940, transmitting report of the withdrawals and restorations contemplated by the statute; to the Committee on the Public Lands.

1270. A letter from the Chairman, Federal Communications Commission, transmitting the Fifth Annual Report of the Federal Communications Commission for the fiscal year ended June 30, 1939; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. PETERSON of Florida: Special Joint Committee on Phosphate. House Joint Resolution 425. Joint resolution to amend Public Resolution 112 of the Seventy-fifth Congress, and Senate Joint Resolution 182 of the Seventy-sixth Congress; without amendment (Rept. No. 1514). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 7828) granting a pension to John S. Martin; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 7860) granting an increase of pension to Mary Merrill Scott; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOEHNE:

H. R. 7890. A bill to revive and reenact the act entitled "An act authorizing the owners of Cut-Off Island, Posey County, Ind., to construct, maintain, and operate a free highway bridge or causeway across the old channel of the Wabash River," approved April 30, 1934; to the Committee on Interstate and Foreign Commerce.

By Mr. CARTWRIGHT:

H. R. 7891. A bill to assist the States in the improvement of highways; to the Committee on Roads.

By Mr. HARTER of Ohio:

H. R. 7892. A bill to authorize a preliminary examination and survey of the Cuyahoga River and its tributaries in the State of Ohio for flood control, for run-off, and water-flow retardation, and for soil-erosion prevention; to the Committee on Flood Control.

By Mr. FULMER:

H. R. 7893. A bill to provide that Federal grants for old-age assistance shall match State contributions two for one up to \$10 and equal State contributions in excess of \$10; to the Committee on Ways and Means.

By Mr. ALEXANDER:

H. R. 7894. A bill to amend Veterans' Regulation No. 10 (a), section 1, paragraph VI, defining the term "child"; to the Committee on World War Veterans' Legislation.

H. R. 7895. A bill to authorize waiver of recovery of payments under Public Law No. 484, Seventy-third Congress, as amended, and for other purposes; to the Committee on World War Veterans' Legislation.

H. R. 7896. A bill to amend Veterans' Regulation No. 10, paragraph VII, to define the term "parent"; to the Committee on World War Veterans' Legislation.

By Mr. SCRUGHAM:

H. R. 7897. A bill to amend the act entitled "An act for the relief of unemployment through the performance of useful public work, and for other purposes," approved March 31, 1933; to the Committee on Labor.

By Mr. THOMASON:

H. R. 7898. A bill providing compensation for overtime service rendered by officers and employees in the Bureau of Entomology and Plant Quarantine, Department of Agriculture; to the Committee on Agriculture.

H. R. 7899. A bill extending the provisions of pension laws relating to Indian war veterans to members of Companies E and F, Frontier Battalion, Texas Rangers, and for other purposes; to the Committee on Invalid Pensions.

By Mr. McLEOD:

H. R. 7900. A bill to provide for the acquisition by the United States of the Grosse Ile Airport; to the Committee on Naval Affairs.

By Mr. DISNEY:

H. R. 7901. A bill to transfer certain Indian lands to the Grand River Dam Authority, and for other purposes; to the Committee on Indian Affairs.

By Mr. KERR:

H. R. 7902. A bill to amend the Federal Employer's Liability Act of April 22, 1908, with respect to the time within which suits may be commenced; to the Committee on the Judiciary.

By Mr. CASE of South Dakota:

H. R. 7903. A bill to provide for a liberalization of that portion of section 5 of Public Law No. 198, Seventy-sixth Congress, which precludes payment of the amount of compensation provided for thereunder in the event that the monthly payment of compensation under veterans' regulation No. 1 (g) and the monthly payment of yearly renewable term of automatic insurance is equal to or more than the amount of compensation therein authorized; to the Committee on World War Veterans' Legislation.

By Mr. LESINSKI:

H. R. 7904 (by request). A bill to provide eligibility for pensions, if otherwise entitled thereto, to the widow of any deceased veteran, if married to and living with the veteran for 2 years immediately preceding his death or if she gave birth to a child by the veteran; to the Committee on Invalid Pensions.

H. R. 7905 (by request). A bill to provide the same pension benefits to any veteran, or the dependents of any deceased veteran otherwise entitled, if the death or disability resulted from an injury received in actual combat in a military expedition or occupation, or by reason of any accident involving the operation of a submarine or an airplane, as would be payable to any such veteran or the dependents of any such deceased veteran, if he had served during a war period; to the Committee on Invalid Pensions.

By Mr. FADDIS:

H. R. 7906. A bill to extend the time within which applications for benefits under the World War Adjusted Compensation Act, as amended, may be filed; to the Committee on Ways and Means.

By Mr. JENKS of New Hampshire:

H. J. Res. 421. Joint resolution authorizing the President of the United States of America to proclaim March 4 of each year General Pulaski Day for the observance of the birth of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. LUDLOW:

H. J. Res. 422. Joint resolution to create a Committee on Fiscal Planning; to the Committee on Rules.

By Mr. CASEY of Massachusetts:

H. J. Res. 423. Joint resolution authorizing the President of the United States of America to proclaim October 11 of each year, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. PETERSON of Florida:

H. J. Res. 424. Joint resolution to authorize the United States Maritime Commission to acquire certain lands at St. Petersburg, Fla.; to the Committee on Merchant Marine and Fisheries.

H. J. Res. 425. Joint resolution to amend Public Resolution No. 112 of the Seventy-fifth Congress and Senate Joint Resolution No. 182 of the Seventy-sixth Congress; to the Committee on Rules.

By Mr. O'TOOLE:

H. Con. Res. 39. Concurrent resolution to sever diplomatic relations with the Union of Soviet Socialist Republics of Russia; to the Committee on Foreign Affairs.

By Mr. CARLSON:

H. Con. Res. 40. Concurrent resolution creating a joint committee to study social security; to the Committee on Rules.

By Mr. DEMPSEY:

H. Res. 355. Resolution to amend House Resolution 199, Seventy-sixth Congress, providing compensation for a superintendent and messenger for the radio room of the House radio press gallery; to the Committee on Accounts.

By Mr. KRAMER:

H. Res. 356. Resolution concerning inquiry of plot to sabotage Boulder Dam; to the Committee on Foreign Affairs.

By Mr. RANKIN:

H. Res. 357. Resolution providing for the printing of the National Electric Rate Book, published by the Federal Power Commission, as a House document; to the Committee on Printing.

H. Res. 358. Resolution providing for the printing of the National Electric Rate Book, published by the Federal Power Commission, as a House document; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BYRNE of New York:

H. R. 7907. A bill granting an increase of pension to Mrs. Joseph H. Caine; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee:

H. R. 7908. A bill granting a pension to Francis J. White; to the Committee on Invalid Pensions.

By Mr. BOEHNE:

H. R. 7909. A bill granting an increase of pension to Sarah Conrad; to the Committee on Invalid Pensions.

By Mr. CASE of South Dakota:

H. R. 7910. A bill for the relief of Betty Jane Bear Robe; to the Committee on Claims.

By Mr. CHURCH:

H. R. 7911. A bill for the relief of John P. von Rosenberg; to the Committee on Claims.

H. R. 7912. A bill for the relief of Ethel Cohen; to the Committee on Claims.

By Mr. CLUETT:

H. R. 7913. A bill granting a pension to James C. Riley; to the Committee on Invalid Pensions.

By Mr. COLLINS:

H. R. 7914. A bill for the relief of Simon A. Brieger, as legal representative of the estate of Thomas Gerald Brieger, a deceased minor; to the Committee on Claims.

By Mr. DEMPSEY:

H. R. 7915. A bill for the relief of Mr. and Mrs. J. W. Johns; to the Committee on Claims.

By Mr. DOUGLAS:

H. R. 7916. A bill granting 6 months' pay to Lillian M. Reymonda; to the Committee on Naval Affairs.

By Mr. LELAND M. FORD:

H. R. 7917. A bill granting a pension to Harriet L. Roberts; to the Committee on World War Veterans' Legislation.

By Mr. JOHNSON of West Virginia:

H. R. 7918. A bill for the relief of Velvie W. Smith; to the Committee on Claims.

H. R. 7919. A bill granting an increase of pension to Nancy E. Allen; to the Committee on Invalid Pensions.

By Mr. MERRITT:

H. R. 7920. A bill for the relief of the estate of Harold Weil; to the Committee on Claims.

By Mr. RANDOLPH:

H. R. 7921. A bill for the relief of Mae Shirey, widow of David R. P. Shirey; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6152. By Mr. HART: Petition of the National Maritime Union of America, New York, N. Y., in opposition to the continuation of the Dies committee or any appropriation for same; to the Committee on Rules.

6153. Also, petition of the Industrial Association of Perth Amboy, Perth Amboy, N. J., to provide funds for the continuation of the Dies committee; to the Committee on Rules.

6154. Also, petition of the Chamber of Commerce of Paterson, N. J., to amend the National Labor Relations Act; to the Committee on Labor.

6155. Also, petition of the New Jersey International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators, of the fourteenth district, opposing Senate bill 280; to the Committee on Interstate and Foreign Commerce.

6156. Also, petition of Dyers and Finishers' Local, No. 1932, Passaic, N. J., urging that provision be made to exclude the importation of refined sugar made by cheap tropical labor, in order that American workmen can regain the work they have lost; to the Committee on Agriculture.

6157. By Mr. HOPE: Petition of P. G. Hockaday and 13 other citizens of Hutchinson, Kans., urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6158. Also, petition of Mrs. W. D. Hamilton and three other citizens of Hutchinson, Kans., urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6159. Also, petition of Walter E. Froese and three other citizens of Hutchinson, Kans., urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6160. Also, petition of Wes Jones and five other citizens of Hutchinson, Kans., urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6161. By Mr. LAMBERTSON: Petition of M. A. Warren and 136 other citizens of Marshall County, Kans., urging the passage of the Townsend National Recovery Plan in this session of Congress; to the Committee on Ways and Means.

6162. By Mr. MERRITT: Resolution of the Bison City Lodge, No. 922, Brotherhood of Railway Clerks, American Federation of Labor, stating that this lodge is unalterably opposed to the St. Lawrence seaway project; to the Committee on Military Affairs.

6163. Also, resolution of the Air Reserve Association of the United States, stating that the Air Reserve Association of the United States strongly endorses the sense of the provisions of Senate bill 2225; to the Committee on Military Affairs.

6164. By Mr. OSMERS: Petition of the Journeymen Tailors' Union, Local 195, Newark, N. J.; Bergen County Committee of Labor's Nonpartisan League of New Jersey; United

Sugar Refinery Workers, Local Industrial Union 151, Edgewater, N. J.; the New Jersey Women's Club in New York, the Contemporary of Newark, all resolutions, asking the Congress to protect the rights of American labor by the exclusion of the importation of refined sugar produced by cheap labor abroad into the United States; to the Committee on Foreign Affairs.

6165. By Mr. PFEIFER: Petition of the Central Trades and Labor Council of Greater New York and Vicinity, opposing the Neely block-booking movie bill (S. 280); to the Committee on Interstate and Foreign Commerce.

6166. Also, petition of the New York State League of Savings and Loan Associations, New York City, opposing Senate bill 591, to amend the United States Housing Act of 1937; to the Committee on Banking and Currency.

6167. By Mr. KEOGH: Petition of the National Automobile Dealers Association, Detroit, Mich., concerning the Wagner National Labor Relations Act; to the Committee on Labor.

6168. Also, petition of the Central Trades and Labor Council of Greater New York and vicinity, concerning the Neely bill (S. 280); to the Committee on Interstate and Foreign Commerce.

6169. By Mr. VAN ZANDT: Petition of Ruth Bentley Mabee and others, of State College, Pa., urging discontinuance of the Dies committee and asking public support and congressional appropriation for the La Follette Civil Liberties Committee; to the Committee on Rules.

6170. By the SPEAKER: Petition of R. L. Dorn, Spokane, Wash., and others, petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

6171. Also, petition of Helen Pulman, 2634 North Twenty-eighth Street, Philadelphia, Pa., and others, petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

SENATE

TUESDAY, JANUARY 16, 1940

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Eternal God whose sovereign power brings Thee from the unsearchable depths of eternity: We beseech Thee to reveal Thyself unto us as the life of our life, the love of our love, and the soul of our soul.

Give us not only the courage to meet the challenge of our high vocation but also the patience to fulfill the tender obligations of every day's most quiet need. Help us to realize as never before that the fruitful things of life do not come from the abundance of our possessions but from the spirit of understanding of our fellow men; from the sacrament of our friendship for the lonely and distressed; and from the divine quality of our mercy shown to those estranged from life, its beauty, and its holiness. So may we find Thy perfect law of goodness; so may the words of our mouths and the meditations of our hearts become acceptable in Thy sight, O Lord, our Strength and our Redeemer. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Monday, January 15, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the bill (S. 1554) to provide

that the district judge for the western district of Washington, authorized to be appointed under the act of May 31, 1938, shall be a district judge for the eastern and western districts of Washington.

The message also announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 1036. An act to authorize the purchase of certain lands adjacent to the Turtle Mountain Indian Agency in the State of North Dakota; and

S. 1335. An act relating to the filing of affidavits of prejudice in the District Court for the District of Alaska.

The message further announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 1919. An act to provide for the acquisition by the United States of the estate of Patrick Henry in Charlotte County, Va., known as Red Hill; and

S. 1955. An act to authorize the Secretary of Agriculture to delegate certain regulatory functions, and to create the position of Second Assistant Secretary of Agriculture.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 2728. An act to add certain lands to the Cleveland National Forest in Orange County, Calif.;

H. R. 3840. An act to amend the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended, and for other purposes;

H. R. 5757. An act to require that periodicals sent through the mails or introduced into interstate commerce contain the name of the publisher, the place of publication, and for other purposes;

H. R. 6158. An act authorizing the selection of a site in the District of Columbia and the erection thereon of a statue of George Washington;

H. R. 6481. An act to authorize the conveyance of the United States Fish Hatchery property at Put in Bay, Ohio, to the State of Ohio;

H. R. 7342. An act to amend the Emergency Farm Mortgage Act of 1933, as amended;

H. J. Res. 260. Joint resolution authorizing the removal of the statue of John Marshall from its present site on the Capitol Grounds to a new site in proximity to the Supreme Court Building;

H. J. Res. 289. Joint resolution to amend section 5 of Public Law No. 360, Sixty-sixth Congress; and

H. J. Res. 302. Joint resolution to authorize compacts or agreements between or among the States bordering on the Atlantic Ocean with respect to fishing in the territorial waters and bays and inlets of the Atlantic Ocean on which such States border, and for other purposes.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Downey	King	Schwartz
Ashurst	Frazier	Lee	Schwellenbach
Austin	George	Lodge	Sheppard
Bailey	Gerry	Lucas	Shipstead
Bankhead	Gibson	Lundeen	Slattery
Barbour	Gillette	McKellar	Smathers
Barkley	Glass	McNary	Stewart
Bilbo	Green	Maloney	Taft
Brown	Guffey	Miller	Thomas, Okla.
Bulow	Gurney	Minton	Tobey
Burke	Hale	Murray	Townsend
Byrd	Harrison	Neely	Truman
Byrnes	Hatch	Norris	Tydings
Capper	Hayden	O'Mahoney	Vandenberg
Chandler	Herring	Overton	Van Nuys
Clark, Idaho	Hill	Pepper	Wagner
Clark, Mo.	Holman	Pittman	Walsh
Connally	Holt	Radcliffe	White
Danaher	Hughes	Reed	Wiley
Davis	Johnson, Calif.	Reynolds	
Donahay	Johnson, Colo.	Russell	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE], the Senator from Arkansas [Mrs. CARAWAY], and the Senator from New Mexico [Mr. CHAVEZ] are absent from the Senate because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Louisiana [Mr. ELLENDER], the Senator from Nevada [Mr. MCCARRAN], the Senator from New York [Mr. MEAD], the Senator from South Carolina [Mr. SMITH], and the Senator from Montana [Mr. WHEELER] are detained from the Senate on important public business.

The Senator from Utah [Mr. THOMAS] is absent on official business for the Special Committee on Civil Liberties.

Mr. AUSTIN. I announce that the Senator from North Dakota [Mr. NYE] is necessarily absent, and that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent on official business.

The VICE PRESIDENT. Eighty-two Senators have answered to their names. A quorum is present.

FIXED AND SEMIFIXED INVESTMENT TRUSTS

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, a report on fixed and semi-fixed investment trusts, supplementing the Commission's over-all report on its study of investment trusts and investment companies, which was referred to the Committee on Interstate Commerce.

Original manuscript submitted to the Speaker of the House of Representatives.

PETITIONS

Mr. HOLT presented a resolution adopted by American Legion Post, No. 12, of Taylor County, W. Va., favoring the prompt enactment of legislation to enlarge and expand the national cemetery at Grafton, W. Va., which was referred to the Committee on Military Affairs.

Mr. CAPPER presented a letter in the nature of a petition from Doran C. Woods, chairman of legislation, and Mrs. F. W. Nichols, president of Parent-Teacher Association; and Prof. Finis M. Green, principal, all of the Theodore Roosevelt Junior High School, Pittsburg, Kans., praying for the enactment of Senate bill 517, to prohibit the advertising of alcoholic beverages over the radio, which was ordered to lie on the table.

RECIPROCAL-TRADE AGREEMENTS

Mr. SLATTERY. Mr. President, I present a resolution adopted by the City Council of Chicago, Ill., with reference to the reciprocal-trade policy of the Government, which I ask may be printed in the RECORD and appropriately referred.

There being no objection, the resolution was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Whereas in the present session of Congress, there is contemplated legislation to renew the authority of reciprocal-trade agreements; and

Whereas it is in the best interests of the people of the United States to further these trade agreements for the benefit of increased trade and prosperity; and

Whereas under the leadership of Secretary of State Cordell Hull, these trade agreements, during the past year, have encouraged the sale of American goods abroad and have brought about a closer union of the nations that participated in the agreement, especially the pan-American republics; and

Whereas the preservation of a free economy is of fundamental importance to all nations; and

Whereas industrial communities, and especially the city of Chicago, will continue to find a wide foreign market for their commodities by reason of our present trade program: Therefore be it hereby

Resolved, That the City Council of Chicago express its approval of the reciprocal-trade policy of our Government and go on record favoring the continuance thereof.

REPORTS OF COMMITTEE ON MILITARY AFFAIRS

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (S. 2122) to authorize the sale of the Wilnot National Guard target range, Arizona, reported it with an amendment and submitted a report (No. 1156) thereon.

Mr. AUSTIN, from the Committee on Military Affairs, to which was referred the bill (H. R. 3931) for the relief of Charles H. LeGay, reported it without amendment and submitted a report (No. 1157) thereon.

Mr. MINTON, from the Committee on Military Affairs, to which was referred the bill (S. 2782) for the relief of Harold W. Kinderman, reported it without amendment and submitted a report (No. 1158) thereon.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BAILEY:

S. 3122. A bill for the relief of Josie Styron Easley; to the Committee on Claims.

By Mr. GILLETTE:

S. 3123. A bill for the relief of Joseph Dolak, father of Gene Dolak, deceased; to the Committee on Claims.

By Mr. KING:

S. 3124. A bill amending the act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto, approved June 6, 1892, and acts amendatory thereof; to the Committee on the District of Columbia.

By Mr. PEPPER:

S. 3125. A bill to authorize research by the Public Health Service relating to the cause, diagnosis, and treatment of the common cold, "flu," and pneumonia; to the Committee on Finance.

By Mr. SHEPPARD:

S. 3126. A bill relating to personal-injury suits by seamen, and to amend the act of March 4, 1915 (ch. 153, sec. 136, 38 Stat. 1135, act of June 5, 1920 (ch. 250, art. 33, 41 Stat. 1007); to the Committee on Commerce.

S. 3127. A bill relating to Reserve medical officers qualified as flight surgeons;

S. 3128. A bill relating to the retirement of certain commissioned and warrant officers of the Army;

S. 3129. A bill relating to the military record of Lt. Col. Herbert B. Hayden, United States Army, retired; and

S. 3130. A bill relating to the citizenship and compensation of certain employees on military construction work in the Panama Canal Zone; to the Committee on Military Affairs.

By Mr. HILL:

S. 3131. A bill to extend the benefits of the United States Employees' Compensation Act to members of the Officers' Reserve Corps and of the Enlisted Reserve Corps of the Army who were physically injured in line of duty while performing active duty or engaged in authorized training between dates of February 28, 1925, and July 15, 1939, both inclusive, and for other purposes; to the Committee on Military Affairs.

(Mr. KING subsequently introduced Senate bill 3132, which was referred to the Committee on Banking and Currency and appears under a separate heading.)

By Mr. THOMAS of Oklahoma:

S. 3133 (by request). A bill for the relief of the Cherokee Indian Nation or Tribe, and for other purposes; to the Committee on Indian Affairs.

S. 3134. A bill for the relief of James T. Bingham (with accompanying papers); to the Committee on Military Affairs.

By Mr. JOHNSON of Colorado:

S. 3135. A bill to amend subsection (f) of section 1 of the act entitled "An act to establish a retirement system for employees of carriers subject to the Interstate Commerce Act, and for other purposes," approved August 29, 1935, as amended; to the Committee on Interstate Commerce.

By Mr. O'MAHONEY:

S. 3136. A bill to authorize an appropriation for the construction of small reservoirs under the Federal reclamation laws; to the Committee on Irrigation and Reclamation.

By Mr. PEPPER:

S. J. Res. 198. Joint resolution to authorize the United States Maritime Commission to acquire certain lands at St. Petersburg, Fla.; to the Committee on Commerce.

S. J. Res. 199. Joint resolution amending Public Resolution No. 112 of the Seventy-fifth Congress, and Public Resolution No. 48 of the Seventy-sixth Congress; to the Committee to Audit and Control the Contingent Expenses of the Senate.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred as indicated below:

H. R. 2728. An act to add certain lands to the Cleveland National Forest in Orange County, Calif.; to the Committee on Public Lands and Surveys.

H. R. 3840. An act to amend the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended, and for other purposes; to the Committee on Military Affairs.

H. R. 5757. An act to require that periodicals sent through the mails or introduced into interstate commerce contain the name of the publisher, the place of publication, and for other purposes; to the Committee on Post Offices and Post Roads.

H. R. 7342. An act to amend the Emergency Farm Mortgage Act of 1933, as amended; to the Committee on Agriculture and Forestry.

H. R. 6158. An act authorizing the selection of a site in the District of Columbia and the erection thereon of a statue of George Washington; and

H. J. Res. 260. Joint resolution authorizing the removal of the statue of John Marshall from its present site on the Capitol Grounds to a new site in proximity to the Supreme Court Building; to the Committee on the Library.

H. J. Res. 289. Joint resolution to amend section 5 of Public Law No. 360, Sixty-sixth Congress; to the Committee on Indian Affairs.

H. R. 6481. An act to authorize the conveyance of the United States fish-hatchery property at Put in Bay, Ohio, to the State of Ohio; and

H. J. Res. 302. Joint resolution to authorize compacts or agreements between or among the States bordering on the Atlantic Ocean with respect to fishing in the territorial waters and bays and inlets of the Atlantic Ocean on which such States border, and for other purposes; to the Committee on Commerce.

AMENDMENT TO SUPPLEMENTAL MILITARY APPROPRIATION BILL—SURVEYS AND MAPPING

Mr. HAYDEN submitted an amendment intended to be proposed by him to House bill 7805, making supplemental appropriations for the Military and Naval Establishments, and so forth, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 14, after line 19, insert a new paragraph as follows:

"SURVEYS AND MAPPING

"Of the money appropriated by this title not to exceed \$5,000,000 may be expended for the fiscal year ending June 30, 1940, for topographic surveys and mapping as proposed in Senate Document No. 54 (76th Cong., 1st sess.): *Provided*, That such funds may be expended for the same objects (but not limited to the amounts specified for such objects) enumerated in the Interior Department Appropriation Act for the fiscal year ending June 30, 1940, under the heading 'Geological Survey'."

AMENDMENTS TO THE INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. KING submitted an amendment intended to be proposed by him to the Interior Department appropriation bill, fiscal year 1941, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

Under the caption "Bureau of Reclamation" and the subheading "Reclamation fund, special fund construction," strike out "Provo River project, Utah, \$750,000" and in lieu thereof insert "Provo River project, Utah, \$3,500,000."

Mr. O'MAHONEY submitted an amendment proposing to appropriate \$1,000,000 for investigation, survey, and construction of water-conservation and utilization projects in the State of Wyoming, in accordance with law, intended to be proposed by him to the Interior Department appropriation bill, fiscal year 1941, which was referred to the Committee on Appropriations and ordered to be printed.

LXXXVI—23

ADVISORY COUNCIL ON EMPLOYMENT SECURITY

Mr. WAGNER. I submit a concurrent resolution, together with an explanatory statement, and ask that the explanatory statement, together with two editorials, may be printed in the RECORD following the concurrent resolution.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The concurrent resolution (S. Con. Res. 34) was read and referred to the Committee on Finance, as follows:

Resolved by the Senate (the House of Representatives concurring), That there is hereby authorized to be established by the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives, in cooperation with the Social Security Board, an Advisory Council on Employment Security, representing employers, employees, and the general public, to study and report to said committees on the following matters:

1. Scope and coverage of unemployment insurance laws.
2. Amount, character, and duration of, and eligibility and disqualification for, unemployment insurance benefits.
3. Advisability and nature of individual employer and State unemployment experience ratings for tax purposes.
4. Size, character, adequacy, and disposition of unemployment insurance reserves.
5. Source, character, and method of financing unemployment insurance and placement activities.
6. Coordination of unemployment insurance with other forms of social insurance, and with relief, work relief, and other programs for alleviating economic distress and promoting job opportunities among the unemployed.
7. Pertinent experience in the operation and administration of existing laws.
8. Any other matters which either of the above-mentioned committees or the Social Security Board may deem relevant to the inquiry.

Sec. 2. The Social Security Board shall furnish all necessary technical assistance in connection with such study.

Sec. 3. The council shall file the first preliminary report of its findings and recommendations on or before January 1, 1941, and shall file its final report not later than January 1, 1942.

The explanatory statement and editorials submitted by Mr. WAGNER are as follows:

RESOLUTION TO ESTABLISH ADVISORY COUNCIL ON EMPLOYMENT SECURITY

Since the enactment of the Social Security Act in 1935 public discussion of amendments has been concerned almost exclusively with old-age security. Gratifying and far-reaching improvements in our old-age insurance system were enacted last year and are now being put in operation, following the report of the Advisory Council established in 1937. The time is clearly at hand for the consideration of other social-security problems of equally pressing national concern.

While old-age insurance looks largely to the long future, the Federal Government's stake in the effective functioning of unemployment insurance, in diminishing the relief load and cushioning national purchasing power, is immediate and substantial. About 27,000,000 wage earners are covered under the present Federal-State unemployment insurance program. In 1939, although industrial production mounted to 1929 levels, between nine and ten million workers searched in vain for gainful employment in private industry. Unemployment insurance payments were made to 4,500,000 unemployed workers in an amount exceeding \$425,000,000. The average duration of benefits among the totally unemployed was 9½ weeks.

The Social Security Board and the States, in their respective spheres, have launched the unemployment-insurance program under particularly trying circumstances, and benefits are now payable in every State. Notwithstanding present accomplishments, increasing administrative experience and changing economic conditions have presented many knotty problems in administration, tax rates, reserves, and benefit payments. These problems must be solved if unemployment insurance is to become a truly effective first line of defense against the economic hazards of unemployment.

A Nation-wide advisory council on employment security would give proper perspective to various efforts for amendment and achieve for the entire system that expert guidance and progressive development which characterized the old-age-insurance amendments. In so doing we would be following the example of Great Britain, where the Ministry of Labor is assisted by an unemployment-insurance statutory committee, which acts in an advisory capacity on questions relating to the operation of the program.

The proposed advisory council will be established by the Senate Finance Committee and the House Ways and Means Committee, in cooperation with the Social Security Board. It would consist of experts representing employers, employees, and the general public. No appropriation is authorized; the Social Security Board, as in the case of the former Advisory Council, would render all necessary technical assistance.

The council is directed to study and report to the above-named committees on the following aspects of the problem:

1. Scope and coverage of unemployment-insurance laws.
2. Amount, character, and duration of, and eligibility and disqualification for, unemployment-insurance benefits.

3. Advisability and nature of individual employer and State unemployment-experience ratings for tax purposes.

4. Size, character, adequacy, and disposition of unemployment-insurance reserves.

5. Source, character, and method of financing unemployment-insurance and placement activities.

6. Coordination of unemployment insurance with other forms of social insurance, and with relief, work relief, and other programs for alleviating economic distress and promoting job opportunities among the unemployed.

7. Pertinent experience in the operation and administration of existing laws.

8. Any other matters which either of the above-mentioned committees or the Social Security Board may deem relevant to the inquiry.

These specifications cover in broad outline the manifold problems which could properly be considered by the advisory council. Following the example set by the memorandum under which the Advisory Council on Old Age was established, these authorizations are stated in broad terms in order that the council may not be unduly restricted in following lines of study which may seem to it advisable.

The council is directed to make its first preliminary report not later than January 1, 1941, and its final report not later than January 1, 1942.

A similar proposal was offered by me at the close of the last regular session as an amendment to the revised social-security bill providing for an unemployment insurance advisory council. It passed the Senate by unanimous vote, but failed of adoption because, I am informed, the conferees believed the matter should be dealt with in a separate resolution such as I am now offering.

This resolution proposes a sound mechanism for constructive advances toward the solution of our foremost domestic problem—full employment security.

[From the New York Times of July 28, 1939]

UNEMPLOYMENT INSURANCE

It would be deeply regrettable if the House and Senate conferees did not retain the amendment to the revised social-security bill providing for an unemployment insurance advisory council. Such a body is clearly needed to give the problem of unemployment insurance the same careful study that the Social Security Advisory Council was able to give to the problem of old-age insurance. No one can doubt the great value of the work done by the latter body. Congress acknowledged that value in the handsomest way by adopting the substance of the Council's suggestions in the new bill, even though these differed very sharply in principle as well as detail from the provisions of the present law.

Unemployment insurance is not a simple but a difficult problem. We have never recognized clearly, for example, what its relations are or ought to be to the whole broad problem of relief. As a result, our State unemployment insurance laws contain some very dubious provisions which the unemployment-insurance section of the new bill will make worse rather than better.

If the conferees do not see fit to retain the Wagner amendment in the new bill, then certainly Congress should act to establish an unemployment insurance advisory council by passing a joint resolution to that effect.

[From Social Security (published by the American Association for Social Security) for June-July 1939]

URGENTLY NEEDED—A COMMISSION TO STUDY UNEMPLOYMENT INSURANCE

The amended Social Security Act, as passed by the House of Representatives, strikingly reveals a most profound contrast between the changes in the old-age-insurance system and those in the unemployment-insurance program. Whereas the changes in the old-age-insurance system are constructive, realistic, and in line with the principles of social insurance, the unemployment-insurance amendments not only continue all the incorporated fallacies but may even make confusion worse confounded.

The explanation is not far to seek. The changes in the old-age-insurance program are wise because some 2 years ago the Senate Finance Committee and the Social Security Board created an Advisory Council to study this question. This Council, composed of outstanding representatives of employers, labor, and the public, did what harassed congressional committees cannot possibly do—it spent nearly 18 months carefully and deliberately studying the various issues involved. When its recommendations were made, Congress was only too glad to follow most of them.

The association is convinced that constructive changes in the unemployment-insurance program will come only after thorough study by a similar group. The problems involved here are too intricate and complex for overburdened congressional committees. The creation of a committee or council, similar to the Advisory Council set up 2 years ago for old-age insurance, to study the various problems of unemployment insurance is therefore urgently needed. Only such a group will be able to give the question thorough consideration and shed the necessary light on this problem. The Senate Finance Committee should not delay in creating such a body or in recreating the old Council for the study of unemployment-insurance problems as well as the problems of old-age assistance.

RECOGNITION OF STATE OF WAR BETWEEN RUSSIA AND FINLAND

Mr. DANAHER. Mr. President, I send to the desk a concurrent resolution and respectfully ask unanimous consent that it be read forthwith.

The VICE PRESIDENT. The concurrent resolution will be read.

The concurrent resolution (S. Con. Res. 35) was read as follows:

Whereas for these last many weeks the world, including the United States, has unhappily been advised of the existence of war between the Union of Soviet Socialist Republics and the Republic of Finland; and

Whereas daily intelligence from abroad has moved our people to deepest sympathy for those who, through no fault of their own, find themselves embroiled in such war; and

Whereas the daily press is replete with accounts of the battles between vast armies of said nations and of bombing attacks and reprisals therefor upon the part of the said belligerents; and

Whereas notwithstanding the provisions of section 1 of the joint resolution of Congress approved November 4, 1939, the President of the United States has failed to "find that there exists a state of war" or "that it is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States," or any of such facts; and

Whereas pursuant to said section 1 of said joint resolution "the Congress by concurrent resolution" may find that there exists such a state of war between said foreign states and that it is necessary to promote the security of the United States or to preserve the peace of the United States; and

Whereas the United States desires to preserve its neutrality in said war and desires also to avoid involvement therein: Now, therefore, be it

Resolved by the Senate (the House of Representative concurring),

1. There exists a state of war between the Union of Soviet Socialist Republics and the Republic of Finland.

2. The westward movement of the armies of said Union of Soviet Socialist Republics threatens to result in the conquest of the Republic of Finland and in other and grave threats to the peace and security of nations other than those already proclaimed at war by the President of the United States in his proclamation dated November 4, 1939.

3. It is necessary to promote the security of the United States.

4. It is necessary to preserve the peace of the United States.

5. Because of the existence of said state of war and because of the necessity to promote the security of the United States it is imperative that the President issue a proclamation naming the Union of Soviet Socialist Republics and the Republic of Finland as the states involved in said war.

6. Because of the existence of said state of war and because of the necessity to preserve the peace of the United States it is imperative that the President issue a proclamation naming the Union of Soviet Socialist Republics and the Republic of Finland as the states involved in said war.

7. The United States reaffirms its asserted neutrality in wars between all foreign states and between the aforesaid states in particular, and desires to maintain its integrity as a neutral nation.

The VICE PRESIDENT. Does the Senator desire the concurrent resolution referred to a committee?

Mr. DANAHER. I respectfully ask that it be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. It will be so referred.

LOANS TO FINLAND

Mr. KING. Mr. President, I am advised that there has been introduced by the Senator from Michigan [Mr. BROWN] a bill, which is pending before the Committee on Banking and Currency, the purpose of which is to extend credit, directly or indirectly—I am not sufficiently conversant with it to determine as to that—to the Republic of Finland. I express no opinion as to whether that bill should be enacted into law. I believe, however, that it should receive consideration at the hands of the Congress.

I have been repeatedly asked to introduce, for the consideration of the Senate, a bill for the extension of credit to agencies of Finland, primarily to enable them to obtain food supplies in the United States. In view of the concurrent resolution just submitted by the Senator from Connecticut [Mr. DANAHER], which will undoubtedly receive consideration by the appropriate committee, I invite attention to the bill introduced by the Senator from Michigan; and, at the request of a number of citizens, I now introduce a bill to enable Finland to finance the purchase of articles and materials grown or manufactured in the United States.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3132) authorizing the Reconstruction Finance Corporation to make certain loans to the Republic of Finland, was read twice by its title.

Mr. KING. Mr. President, I express no opinion as to what course our Government should pursue in giving aid to the heroic people of Finland, who are fighting against a powerful foe for the preservation of their liberty. Finland is not a belligerent in the sense that she engaged in military activities. Finland is being invaded by the army of one of the most powerful governments of the world. Her towns, cities, and hamlets are being bombed and destroyed, and men, women, and children—noncombatants—are the victims of a most fiendish war of extermination being carried on by Stalin and his army.

As I stated, I make no suggestion as to what course should be pursued in extending loans and credits; but the concurrent resolution which was submitted by the Senator from Connecticut [Mr. DANAHY], together with the bill introduced recently by the Senator from Michigan [Mr. BROWN], will be considered by the appropriate committees. I ask that the bill which I have been requested to introduce be referred to the same committee to which the bill introduced by the Senator from Michigan has been referred, so that the entire matter may be considered at the same time.

The VICE PRESIDENT. Without objection, the bill introduced by the Senator from Utah [Mr. KING] will be referred to the Committee on Banking and Currency.

RECOGNITION OF STATE OF WAR BETWEEN JAPAN AND CHINA

Mr. GILLETTE. Mr. President, I submit a concurrent resolution which I ask to have referred to the Committee on Foreign Relations.

The concurrent resolution (S. Con. Res. 36) was read and referred to the Committee on Foreign Relations, as follows:

Whereas section 1 (a) of the Neutrality Act of 1939 provides:

"That whenever the President, or the Congress by concurrent resolution, shall find that there exists a state of war between foreign states, and that it is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States, the President shall issue a proclamation naming the states involved; and he shall, from time to time, by proclamation, name other states as and when they may become involved in the war": Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress (1) hereby finds that a state of war exists between the Empire of Japan and the Republic of China and that it is necessary to promote the security and preserve the peace of the United States and to protect the lives of citizens of the United States; and (2) requests the President to issue a proclamation in accordance with the provisions of section 1 (a) of the Neutrality Act of 1939.

Mr. GILLETTE. Mr. President, in connection with the concurrent resolution submitted by me, let me say that it proposes a finding on the part of Congress that a state of war exists between the Empire of Japan and the Republic of China.

Mr. President, I did not take this action without long and careful consideration, and my hesitation was influenced by two important factors. One was that I feel, and have always felt, that the line of demarcation between any two of the coordinate branches of Government should be strongly marked. I was also impressed, as I am sure every other American has been impressed, with the superb way in which the State Department has handled our international relations, and particularly with reference to the continued state of affairs in the Far East, consistently maintaining a position on the part of the United States which cannot be misunderstood by any nation.

In addition to this consideration, I realized that it would be a step toward putting into effect the present neutrality law, with its consequent restrictions on American commerce, which is a very serious factor, and one which should not be taken lightly in determining our course with reference to a matter of this kind. However, after weighing these considerations, I decided to offer the concurrent resolution

because the present law, in section 1 (a), places on the Congress a responsibility corresponding with that which has been placed on the President in the matter of finding a condition of war to exist if and when it does exist throughout the world.

I wish to take just a few minutes of the time of the Senate to read into the RECORD two excerpts which I feel will be of intense interest to every Member of the Senate. First, I wish to read from an address delivered by Admiral H. E. Yarnell, retired, who from July 1936 to July 25, 1939, handled the affairs of this country as Commander of the Asiatic Fleet in a way which elicited, and justified, I am sure, the complimentary opinion of the world. In an address in New York last month Admiral Yarnell said, in part:

There is taking place in the Far East a war that has caused in the 2 years and more of its duration more death, destruction, misery, and suffering than resulted from the Great World War of 25 years ago. This is a statement that may be challenged, but I believe it is true.

Forty million people in China have been driven from their homes to far distant areas. Of these 40,000,000, it is a conservative estimate that from five to ten millions have died of disease, privation, and starvation.

Over 2,000,000 Chinese soldiers have been killed in battle and four or five millions have been wounded.

Two million people were driven from their homes in the fighting that took place in the vicinity of Shanghai. Most of their homes were destroyed. * * *

In April of this year, I made a cruise up the Yangtze as far as Hankow. The river, this great artery of central China, was devoid of life except for Japanese transports and men-of-war. Not a sign of life could be seen in many of the towns and villages. * * * Canton was a city of 1,000,000 population, and less than 100,000 remained when it was occupied by the Japanese.

Let me add further for the RECORD an excerpt from a statement made last month by Dr. Walter H. Judd, who also appeared before the Committee on Foreign Relations of this body. Dr. Judd said, in part:

Japan's Premier officially announced that her objective was to "beat China to her knees until there can no longer be any spirit of resistance." The methods used for accomplishing that end, ranging from terrorism and bombs to narcotics and economic enslavement, have been observed and reported by hundreds of absolutely dependable American witnesses. They have set an all-time high for barbarity and ruthlessness.

Despite the revulsion of American citizens at Japan's conduct, and our numerous notes and speeches protesting Japan's more than 600 violations of American rights under the treaties, we have been, and still are, allowing Japan unlimited access to our markets and materials. We are the unofficial but indispensable partners in Japan's crime. We are furnishing a steadily increasing percentage of the essential war materials which Japan herself does not have, and which alone enable her to destroy China—in violation of the very treaty we sponsored and persuaded China to accept. In 1937 we supplied 54 percent; in 1938, 56 percent. Since war broke out in Europe, and England cannot supply her 21 percent, or Germany her 8 percent, Japan's purchases from us jumped 21 percent between last August and October. Was there ever a time in the world's history when a single nation had such gigantic power over the destinies of one-fourth of all the human beings in the world as our country has today through its financial, industrial, and material strength alone? And with that kind of power goes terrific responsibility.

For example, over 90 percent of Japan's aviation gasoline is American. The largest shipment in 2 years left last month from San Pedro harbor—almost 2,000,000 gallons of 92-octane-rating gasoline in one vessel. An embargo on this one item alone could practically stop the bombings of open cities which we so piously condemn.

If I may interpolate there, he is referring again to the effect it might have on our legitimate trade. Let me quote further:

Over 90 percent of Japan's scrap iron and steel and copper she gets from the United States. Special steels and alloys, trucks, lumber, lubricating oils, leather, go from our ports every week. As Japan's purchases of war materials have risen to 71 percent of her imports from us, she must buy that much less of our more stable peacetime exports, which causes corresponding suffering to the Americans in those industries. Our sales of other than war materials to Japan have fallen off disastrously in the last 2 years. For instance, Japan was the largest foreign buyer of our most depressed commodity—cotton. From \$56,000,000 worth in the first 8 months of 1937, our exports of cotton to Japan have fallen off to \$22,000,000 worth in the same period of 1939—a loss of 61 percent.

Having in mind these various factors, Mr. President, I felt justified in submitting a concurrent resolution on which the

Congress of the United States could base its responsibility under the peace act of 1939.

SURVEY OF INDIAN CONDITIONS

Mr. THOMAS of Oklahoma submitted the following resolution (S. Res. 217), which was referred to the Committee on Indian Affairs:

Resolved, That Senate Resolution 79, agreed to February 2, 1928, and continued by subsequent resolutions, authorizing the Committee on Indian Affairs, or any subcommittee thereof, to make a general survey of the condition of the Indians in the United States, hereby is continued in full force and effect during the Seventy-seventh and succeeding Congresses.

APPROPRIATIONS FOR THE UNITED STATES HOUSING ADMINISTRATION

Mr. LODGE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a brief letter from Prof. Charles W. Killam, of Harvard University, relating to the United States Housing Administration. Professor Killam was chairman of the Cambridge Housing Authority, and I think his letter will be of great interest to all the Members of the Senate.

The VICE PRESIDENT. Is there objection to the request of the Senator from Massachusetts?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CAMBRIDGE, MASS., January 13, 1940.

HON. HENRY CABOT LODGE,

Senate Office Building, Washington, D. C.

DEAR SIR: As former chairman of the Cambridge Housing Authority and for many years interested and active in matters of building codes, tenement-house legislation, zoning codes, city planning, and low-cost housing, I respectfully urge careful consideration of the bases upon which the United States Housing Authority should be given more money.

I believe that it should be made perfectly clear by the wording of the act and by all publicity of the Authority that the amortization and interest of loans is not paid from income from the project but from the "annual contributions" from the Government; that is, the Government taxes the people as a whole to pay principal and interest on its own loans to house a relatively small part of the people.

Slum clearances in cities are made difficult by the high land costs; therefore, that land should not be limited in its economical development by undue restrictions on the land coverage and building heights.

New Towne Court in Cambridge is an example of only 20 percent coverage and three-story buildings on an area costing about \$2.88 per square foot for land, exclusive of streets given by the city. This coverage and this height limit are grotesquely out of line with Cambridge apartment-house practice in general. New Towne Court was a Public Works Administration project, but the United States Housing Authority regulations, as published in Summary of General Requirements and Minimum Standards for United States Housing Authority-Aided Projects, United States Housing Authority, 699, July 13, 1939, though less extravagant, are still so severe that they are likely to make subsidy costs so high that the benefits of low-cost housing will not be extended to as many people as would be possible by a more realistic and economical use of these great sums.

Land coverage is limited to a maximum of 35 percent by the printed regulations of the United States Housing Authority, but the enforcement is evidently keeping the coverage still less. The average coverage of high-grade apartment houses in Cambridge is about 57 percent and these apartment districts have not become slums. There is no reason why poor people, housed in very large part by public grants, should have so much more light and air than the self-supporting taxpayers who supply the public grants.

If poor people insist upon living close in to metropolitan centers, they should not expect the Federal Government to supply them with wide open spaces, playgrounds, swimming and wading pools, recreation buildings, and other amenities which apartment-house dwellers cannot afford and which large areas of adjacent remaining slums cannot afford.

These facilities should be provided by the municipality in any neighborhood where there are children, rich or poor, and they should be open freely to the whole neighborhood, not to tenants of the project alone. Playgrounds for small children can be provided on roofs or in basements; larger children and adults should go to the same playgrounds and neighborhood centers as the rest of the population. If the municipality refuses to provide these municipal needs for the neighborhood as a whole, the United States Housing Authority should refuse to pay for a project which provides only for its own lucky group.

The regulations and standards issued by the Administrator should be studied by Congress before granting additional millions. Standards should not be set altogether by starry-eyed reformers, but the point of view of people who have had practical and responsible experience in these matters should be incorporated. The oft-repeated statements by United States Housing Authority employees that housing is allowed to be a local matter should be

checked up to see how much the local authorities are limited by the regulations of the Administrator.

The United States Housing Authority Act, section 7 (a), states that "the Authority may publish and disseminate information pertinent to the various aspects of housing." This dissemination has been entirely inadequate in proportion to the \$800,000,000 appropriated to the Authority. We are told that funds requested for research were refused by Congress. If the Government is to continue to give away great sums of money for low-cost housing, it may well authorize substantial sums for research. The \$198,000 appropriated for the National Bureau of Standards for research in materials and methods suitable for use in low-cost housing is entirely inadequate. Economies in building construction, as well as in standards and use of land, can only be discovered by thorough research concentrated on that subject, and the benefits of low-cost housing can reach large numbers of those most in need only on the basis of much more economical results than at present possible.

Much more technical information should be available from the experience and research of the Public Works Administration and the United States Housing Authority, and this information should be made available as freely as practicable, not only to local authorities but to the whole building industry, private as well as public. There ought to be valuable technical information available as a byproduct of the billion-dollar expenditures already appropriated for housing. Too much of the information disseminated by the United States Housing Authority is propaganda to persuade localities into asking for new projects. Localities ought to be free to make up their minds with the aid of information furnished from Washington, but the United States Housing Authority employees should not take sides in the local discussion.

Publications and speeches of the Administrator and his traveling subordinates spend too much time and money in urging more housing and too little time and money in finding out what the localities actually need and how that need can be most economically met.

Subsidized low-cost housing suffers from immoderate friends and immoderate enemies. It needs friendly and constructive critics.

Yours sincerely,

CHARLES W. KILLAM.

TREND OF LABOR DISPUTES UNDER NATIONAL LABOR RELATIONS ACT

[Mr. WAGNER asked and obtained leave to have printed in the RECORD a letter addressed by him to the New York Herald Tribune with reference to the National Labor Relations Act, an editorial by Bernarr Macfadden published in Liberty magazine on the same subject, and a reply thereto, also published in Liberty magazine, which appear in the Appendix.]

STATEMENT BY HON. AUGUSTINE LONERGAN ON RECIPROCAL-TRADE AGREEMENTS

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a statement by former Senator Augustine Lonergan made at a meeting of New England businessmen at Greenfield, Mass., in February 1938, relative to the reciprocal-trade agreements, which appears in the Appendix.]

ADDRESS BY MISS JEANNETTE RANKIN FOR THE BUSINESS AND PROFESSIONAL WOMEN'S CLUB, HELENA, MONT.

[Mr. FRAZIER asked and obtained leave to have printed in the RECORD a radio address delivered by Miss Jeannette Rankin, former Member of Congress, for the Business and Professional Women's Club of Helena, Mont., on September 29, 1939, which appears in the Appendix.]

ARTICLE BY WALTER LIPPMANN ON PROPOSED LOAN TO FINLAND

[Mr. KING asked and obtained leave to have printed in the RECORD an article entitled "The Case for a Finnish Loan," written by Walter Lippmann and published in the Washington Post of Tuesday, January 16, 1940, which appears in the Appendix.]

ARTICLE BY H. ELIOT KAPLAN ON POLITICAL PRIVILEGES IN PUBLIC OFFICE

[Mr. HATCH asked and obtained leave to have printed in the RECORD an article by H. Eliot Kaplan entitled "Political Privileges in Public Office," which appears in the Appendix.]

EDITORIAL BY RAYMOND MOLEY ON ASSOCIATE JUSTICE FRANK MURPHY

[Mr. BURKE asked and obtained leave to have printed in the RECORD a portion of an editorial by Raymond Moley published in Newsweek for January 15, 1940, relative to Associate Justice Frank Murphy, of the United States Supreme Court, which appears in the Appendix.]

EDITORIAL BY CARL GOERCH ON HIGHWAY DEATHS

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an editorial on the subject of highway deaths

written by Carl Goerch and published in the State magazine, of Raleigh, N. C., which appears in the Appendix.]

EDITORIAL IN NEW YORK HERALD TRIBUNE ON FEDERAL HOUSING ADMINISTRATION

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an editorial from the New York Herald Tribune of January 8, 1940, relative to the Federal Housing Administration, which appears in the Appendix.]

CITIZENSHIP FOR PEOPLE OF GUAM

[Mr. GIBSON asked and obtained leave to have printed in the RECORD a resolution adopted by the Young Men's League of Guam on October 23, 1939, relative to citizenship for the people of Guam, which appears in the Appendix.]

EXECUTIVE SESSION

The VICE PRESIDENT. The routine morning business is closed.

Mr. BARKLEY. Mr. President, in view of the large number of nominations in which Senators are interested, and their desire to dispose of them promptly, I ask unanimous consent that the Senate now proceed to the consideration of executive business, at the conclusion of which the Senate will automatically resume the consideration of legislative business.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kentucky?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several judicial nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

Mr. McKELLAR, from the Committee on Appropriations, reported favorably the following nominations:

Lawrence Westbrook, of Texas, to be regional director, region VI, Work Projects Administration, the office to which he was appointed during the last recess of the Senate; and

Harry Slattery, of South Carolina, to be Administrator of the Rural Electrification Administration for a term of 10 years, to which office he was appointed during the last recess of the Senate.

Mr. McKELLAR also, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

ROUTINE ARMY NOMINATIONS—REPORTS OF COMMITTEE ON MILITARY AFFAIRS

Mr. SHEPPARD. Mr. President, from the Committee on Military Affairs, I report favorably all Army nominations which were referred to the Committee on the 4th and 8th instants. These reports contain over 1,100 nominations of routine character; and because of the expense of printing the names on the Executive Calendar, I ask unanimous consent for the present consideration of the nominations.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. SHEPPARD. Mr. President, in order to effect a further saving in printing, I ask unanimous consent that the RECORD shall not contain the printed names of the officers but shall refer to them as having been nominated by the President on a particular date.

The VICE PRESIDENT. Is there objection? The Chair hears none; and, without objection, the nominations are confirmed.

Mr. SHEPPARD. I ask unanimous consent that the President be notified of the confirmation of these nominations.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the President will be notified.

SUPREME COURT OF THE UNITED STATES

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

The legislative clerk read the nomination of Frank Murphy, of Michigan, to be an Associate Justice of the Supreme Court of the United States.

Mr. McNARY. Mr. President, I have been requested by the senior Senator from Wisconsin [Mr. LA FOLLETTE] to announce that if he were present he would vote for the confirmation of this nomination; and the Senator from Wisconsin wishes the same statement to be made relative to the nomination following, that of Mr. Jackson to be Attorney General of the United States.

Mr. VANDENBERG. Mr. President, if there is to be no roll call, I wish the RECORD to show that I would vote in favor of the confirmation of Mr. Murphy.

Mr. WAGNER. Mr. President, my colleague [Mr. MEAD] is unavoidably absent today. He desired to have the fact recorded that if he were present, he would vote for the confirmation of this nomination.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. BROWN. I ask unanimous consent that the President be notified of the action of the Senate.

The VICE PRESIDENT. Is there objection?

Mr. ASHURST. Mr. President, I do not rise to object; but I think I ought to say to the Senate that the Committee on the Judiciary yesterday adopted a rule which I believe to be a wise one; that is to say, that whenever a nomination is reported to the Senate, favorably or unfavorably, no Member, at least of the Judiciary Committee, will ask for immediate consideration of the nomination, so that all judicial nominations shall go to the Executive Calendar and there remain for at least a day.

This request, as I understand, does not fall within that rule. Therefore, of course, I have no objection to it.

The VICE PRESIDENT. Is there objection to the request of the Senator from Michigan?

Mr. McNARY. Mr. President, I wish to state to the able Senator from Arizona, the chairman of the Judiciary Committee, that it has been my policy for several years that unless there is a very great emergency no nomination shall be confirmed without first going to the Executive Calendar and having its status developed.

Mr. ASHURST. Let me say that the Senator's example in that behalf, and his stand on that rule, are what converted me to its wisdom.

The VICE PRESIDENT. Is there objection to the request of the Senator from Michigan? The Chair hears none, and the President will be notified.

DEPARTMENT OF JUSTICE

The legislative clerk read the nomination of Robert H. Jackson, of New York, to be Attorney General of the United States.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. WAGNER. As previously stated, my colleague [Mr. MEAD] is unavoidably absent. He desires to have the RECORD show that if present he would vote for the confirmation of Mr. Jackson.

Mr. McNARY. As I have heretofore stated, the senior Senator from Wisconsin [Mr. LA FOLLETTE] has requested me to announce that if he were present he would vote for the confirmation of Mr. Jackson.

Mr. WAGNER. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The VICE PRESIDENT. Is there objection to the request of the Senator from New York? The Chair hears none, and the President will be immediately notified.

The legislative clerk read the nomination of Francis Biddle, of Pennsylvania, to be Solicitor General of the United States.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. GUFFEY. Mr. President, I ask unanimous consent that the President be immediately notified.

The VICE PRESIDENT. Without objection, the President will be notified of the confirmation.

DEPARTMENT OF THE INTERIOR

The legislative clerk read the nomination of Alvin J. Wirtz, of Texas, to be Under Secretary of the Interior.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of George A. Lingo, of Alaska, to be register of the land office at Anchorage, Alaska.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

WORK PROJECTS ADMINISTRATION

The legislative clerk read the nomination of R. L. MacDougall, of Georgia, to be administrator for Georgia.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Dean W. Miller, of Idaho, to be administrator for Idaho.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. Mr. President, I ask that all the nominations of postmasters be confirmed en bloc, with the exception of the nomination of Jessie B. Searle to be postmaster at Redrock, Okla. The Senators from the State of Oklahoma desire that this nomination be passed over, and I ask that the nomination be passed over, and that all the other nominations of postmasters be confirmed en bloc.

The VICE PRESIDENT. Is there objection to the request of the Senator from Tennessee? The Chair hears none, and the nominations of postmasters are confirmed en bloc, with the exception noted.

That completes the nominations on the Executive Calendar. Under the unanimous-consent agreement the Senate will immediately resolve itself into legislative session, and under a previous notice given by the senior Senator from Texas [Mr. SHEPPARD] that he desired to address the Senate today, the Chair recognizes the Senator from Texas.

TWENTIETH ANNIVERSARY OF EIGHTEENTH AMENDMENT

Mr. SHEPPARD. Mr. President, failure continues to be written across the pathway of repeal.

In 1936 I pointed out that there were at that time 200,000 places for sale of beverage alcohol, as against 177,791 saloons before national prohibition. Today the number of retail outlets is estimated to be over 400,000.

The Federal Alcohol Administrator, W. S. Alexander, tells us in his report for 1939 that, as of June 30, 1939, the inventories of whisky in bond reached an all-time high of approximately 478,000,000 gallons, in comparison with the highest preprohibition inventory of about 278,000,000 gallons in 1914.

One of the most alarming developments of 1939 was the Nation-wide invasion of the highways by drink joints that are luring multitudes of boys and girls in America to ruin.

Observe also the many news items about popular campaigns against roadhouses—many of them licensed outside incorporated towns where no police protection is provided.

Apparently drinking conditions in America have not ceased to provide a lucrative field for the bootlegger, who violates the laws relating to legalized liquor with the same impunity with which he violated the laws prohibiting liquor.

Government officials were locating illicit stills in 1939 at the rate of 200 a week, according to a report by the Federal Alcohol Tax Unit at congressional hearings last year.

A bootleg ring was uncovered within the last year or so in the city of New York involving more than a hundred individuals, among whom were city police and Federal investigators. Prohibition can well say, "Thou canst not say I did it."

This New York City ring was indicted for conspiring to defraud the United States Government of \$3,000,000 in liquor taxes. Of the 106 men indicted, 84 received sentences on April 1, 1939.

A little later a smaller gang was found guilty of defrauding the United States Government of two and a half million dollars in taxes through the operation of 11 illicit liquor stills in Dutchess County, N. Y. Earlier in the year 68 men were indicted in up-State New York on the charge of defrauding the United States Government of \$5,000,000 in liquor taxes, involving the possession of 28 unregistered stills.

In Ohio an examiner for the State bureau of liquor control was quoted in the newspapers as declaring on January 3, 1939, that a half dozen bootlegging gangs were depriving Cincinnati of \$300,000 in liquor taxes. The Federal Alcohol Administrator says that bootlegging activities were depriving the State liquor stores and the State of Ohio itself of a substantial amount of legal revenues, that five other States had appealed to him for aid in repelling similar incursions by bootleg organizations. The Administrator also states in his last annual report that the business of bootlegging tax-paid liquor across State lines is extremely lucrative; that an illicit liquor dealer in the State of Iowa, where liquor sales are handled by the State, was found to be importing \$30,000 worth of liquor per month from wet States; that the Kentucky-Tennessee border had five wholesalers whose sales were almost exclusively to bootleggers; that approximately a million gallons of distilled spirits were sold by 8 wet State wholesalers to Mississippi bootleggers during the first 10 months of 1939; that a Maryland concern sold \$100,000 worth of liquor per month during the year to North Carolina and Virginia bootleggers.

Mr. CHANDLER. Mr. President—

The PRESIDING OFFICER (Mr. SMATHERS in the chair). Does the Senator from Texas yield to the Senator from Kentucky?

Mr. SHEPPARD. I yield.

Mr. CHANDLER. I wish to make an observation for the benefit of the Members of the Senate and my distinguished friend the senior Senator from Texas. The Senator from Texas just mentioned a situation which was the cause of considerable complaint, arising from certain illegal movements of liquor from the States of Tennessee and Kentucky into other States, including Texas. I am sure the Senator from Texas will be very much pleased to know that the situation concerning which such complaint was made has been entirely corrected. My reason for making that statement is that on July 1, last year, when the border wholesalers involved in the transactions complained of, who formerly had been licensed by the tax commissioner of Kentucky, applied for new licenses, the issuance of new licenses was denied by the tax commissioner, and those wholesalers are not now in business. I know the Senator from Texas will be pleased to hear that.

Mr. SHEPPARD. I am delighted to hear that, Mr. President; but, judging from what has happened in the past, it is my opinion that it will only be a short time until they or others will be back doing the same thing again.

Mr. CHANDLER. Mr. President, I will say that I hope not. As Governor of Kentucky, I had the pleasure of sitting in at the conference and agreeing to the order which was issued denying the relicensing of those border wholesalers who were, as the Senator said quite correctly, at that time engaged in bootlegging liquor, thus depriving the National Government and the various States of proper taxes.

Mr. SHEPPARD. I thank the Senator, and I congratulate him on his vigilance. The nature of the liquor traffic, however, is such that it defies regulation.

Add to these specific cases taken at random the testimony of the director of the Distilled Spirits Institute, Dr. Wesley A. Sturges, at a meeting of the United Restaurant Liquor Dealers of Manhattan in New York City last February as reported by the press. At that time Dr. Sturges said that every legal distiller in the United States has at least 100 illegal competitors, who can market their liquor for \$3.25 per gallon less than

legal producers. The Bureau of Internal Revenue tells us that there are now in operation 284 legal distillers. On the basis of the statement of Dr. Sturges, these legal distillers have 28,400 illegal competitors.

There is another kind of bootlegging which may be even more demoralizing to our democracy than that illustrated by these examples. It is the regular violations of law by licensed liquor dealers—the beer taverns which sell hard liquor, and the retail outlets which sell to drunkards and minors—even to children of tender years.

Listen to the testimony of Dr. Sturges, on March 17, 1939, when he told the Temporary National Economic Committee what he had heard about young people's cocktail parties. He said that complaints had been coming to him all the time of young people's cocktail parties in hotels and tap-rooms and the like, of sales after hours, of sales to drunks contrary to law, and that the whole thing was bringing an unfavorable reputation to the industry and its composite set-up.

However serious bootlegging may be as operated by rings and gangs, the violation of law by licensed dealers is much more appalling. Reports of such violations constitute some of the most sinister chapters in the tragedy of repeal. Rural communities, as well as city districts, are feeling the impact of the liquor scourge.

Orrin De Mass, chairman of the Michigan license board is quoted as saying, according to the Detroit News of July 7, 1939, that Michigan is advancing toward prohibition because of three groups: First, the low, rotten type of law-violating licensees; second, the men who voted wet and now forget to protect what they fought for, who want to buy their liquor after hours and help the violator in place of helping the State; third, the class whose duty it is to enforce the liquor laws, and who are failing in that duty.

Joseph Lawrence, director of the Bond and Spirits Division of the Department of Justice, said before the Appropriations Committee of the House last April that there appeared to be something about the liquor traffic that continued to make people violate the law regulating it; that in current criminal compromises in connection with the liquor traffic could be observed the names of former bootleggers; that hundreds of regularly operating liquor concerns had also been reported to the Department of Justice for criminal violations since repeal.

In this statement Joseph Lawrence presented a large part of the case against the liquor traffic, the chief source of the existence and the spread of alcoholic drink.

The influence to which he alluded emanates from the subtle, devastating, habit-forming drug named alcohol; destructive of mental, moral, and physical strength; possessing such power over such numbers of mankind as to create a source of enormous profit on the one hand, a mass of human wrecks and weaklings on the other, the former a temptation to illegal gain, the latter an invitation to addictions that impair vital relationships of society, both breeders of corruption and of crime, twin threats to individual well-being and to the education and restraint essential to democracy.

America's crime record is a national disgrace. The most serious phase of the crime situation is the proportion of youthful criminals. So long as the greatest single crime cause—intoxicating liquor—is permitted, protected, and to a great extent promoted by government, crime in this country will continue to be as deadly and as costly as war.

Since repeal a wave of gambling has swept over America which threatens the economic and moral fabric of the Nation. The affinity between liquor and gambling is well known. Drinkers are most easily influenced to gamble, and gamblers, as a rule, are most easily influenced to drink. The effect of the combination of liquor and gambling, especially among the poorer classes, is already most deplorable and rapidly growing worse.

At a time when democracy is being upheld as an ideal before the world it is well to consider the relationship of a protected and promoted liquor traffic to political corruption.

Not only are the material and moral values of the Nation imperiled by a promoted liquor interest, but the very machinery of democracy for the expression of the will of the people is too often dominated by those whose power is derived from a commercialized traffic in intoxicating liquors.

One of the most glaring inconsistencies of our modern American civilization is the promotion of extensive and intensive safety campaigns while the attitude of government is favorable toward the greatest single cause of accidents that cripple and kill. Our people are urged to drive safely, and at the same time the attitude of government toward liquor permits the erection of huge signs along our highways to urge the consumption of something that is responsible for more traffic mishaps than any other single cause. Newspapers and magazines often publish liquor advertisements in the same issue with safety appeals. In one breath radio announcers often urge care in driving, and in the next urge the use of something that makes care unlikely, if not impossible. The expenditure of millions for safer highways, while permitting the advertisement of intoxicants along the highways themselves, can hardly be considered as intelligent education, intelligent engineering, or intelligent enforcement in the interest of safety.

Our Government is struggling with the problem of providing employment for youth. At the same time, an attitude of government favorable to liquor so weakens our basic economic structure that the chances for gainful employment are vastly decreased. Furthermore, an attitude of government favorable to liquor induces many of our young men and women to become addicted to a habit which hinders them in their efforts to obtain and to hold jobs. Employers hesitate to hire young men and women whose drinking habits are certain to destroy their reliability and efficiency.

One of the major concerns of the people of the United States is the problem of national defense. An attitude of government which permits and encourages the expenditure of billions for useless intoxicants impairs the greatest material and moral resource of the Nation, a resource most vital in time of war—its man power. No one, wet or dry, will argue that either the physical or mental well being of men is increased by indulgence in intoxicants. And yet the strength, endurance, intelligence, and alertness of our forces on land and at sea are even more important than the ships they sail, the airplanes they fly, or the guns they fire.

The United Brewers' Industrial Foundation has made great promises to clean house. They established a code of self-regulation and instituted a clean-up campaign, inviting all good citizens to help. Although the campaign has not advanced far enough to prove its value, there is little evidence that it will be successful.

Of a similar pattern was the promotion of citizens' committees by the Distilled Spirits Institute last year to center public opinion on the conduct of the alcoholic-beverage industry and the enforcement of liquor-control laws. The organization of such a committee in Connecticut was reported by the Hartford Courant of December 28, 1938. The same story was carried by the Washington Star of December 21, 1938, from which we learned that the Distilled Spirits Institute had encouraged the movement and had given financial aid to the creation of the citizens' committee in Connecticut. Later news dispatches mention similar activities in Maryland.

Such movements are doomed to fail. There is no modern Hercules to divert the cleansing flood of some modern river Alpheus into the Augean stables of the liquor traffic.

One of the biggest medical and health problems of 1939 was what to do with the increasing number of alcoholic addicts. Alcoholism has been growing at an alarming rate year by year since repeal. Medical authorities are alive to the seriousness of the situation. The medical journals attest this fact.

Dr. Merrill Moore, in the Boston City Hospital, has made a study of the strides of alcoholism over a period of years. That study is described in the New England Journal of Medicine of July 13, 1939. As a result of that study, Dr. Moore came to the conclusion that, along with tuberculosis

and syphilis, alcoholism can today be classed among the major problems in public health.

Editorial comments in the same issue of the New England Medical Journal stress the same fact. The editor says that tuberculosis, syphilis, and alcoholism are three of the major problems in public health; that tuberculosis has long received the most attention both from the public-health agencies and the public; that the attacks on syphilis are now being pushed at an accelerated pace, thanks to the work of the United States Public Health Service, the State and local agencies, the newspapers, and the public; but that the treatment of alcoholism as a public-health problem has fallen far behind the other two.

What alcohol needs is another torpedo from the good ship Constitution of the United States.

In my address of a year ago before this body I mentioned the fact that the American Association for the Advancement of Science had set up a research council on alcoholism. This council made an active search in 1939 to find approaches to the problem of alcohol addiction, but no new approaches have been announced.

Many who oppose prohibition as a method urge temperance as a solution of the problem. The nature of beverage alcohol makes impossible such a solution.

Private institutions for cure of addicts are springing up in all localities. Right here in Washington one has opened its doors within the year. What are we doing to arrest this growing evil?

Prevention is the only cure, and prevention means prohibition.

Democracy is a popular theme in these times of stress and strain. Daily we grow increasingly anxious that our country and our form of government may be preserved as it was conceived in 1787. That this may be done we renew our strength by calling again to mind the great purposes of our democracy, among which are the promotion of the general welfare and the preservation of the blessings of liberty. Unless we promote constantly these two purposes our democracy will fail in fact if not in name. In counting the dangers that threaten the fruits of a free life in a free land no danger can be reckoned more formidable than legalization of alcoholic beverages.

How long will men in places of public responsibility ignore the existence of this danger? How long will we, the representatives of the people in Congress assembled, who are charged with the advancement of the general welfare, refuse to assume responsibility?

Our form of government is not a pure democracy where a direct vote of the people is called on all the issues to be settled. It is a democracy in which the people delegate authority to representatives chosen by them at the polls, and no authority delegated is more impelling than that of preserving the general good. How are we using that authority?

The promise by those favoring repeal that there would never be a reestablishment of saloons certainly implied an attitude of government in the interest of sobriety rather than an attitude of government that permits, if it does not actually approve, practices that can only result in a constant increase in the drinking of intoxicants, with all the accompanying evils.

The ultimate solution of the liquor problem is the restoration of an attitude and policy of government that completely withdraws the sanction of Government from the liquor trade.

Meanwhile the Government should withdraw the privilege from the liquor traffic of using inherently legitimate influences and facilities in the promotion of the profits from the trade in habit-forming alcoholic beverages.

The person who wishes to read about intoxicating liquor should be compelled to search for the special information he desires and not be privileged to turn conveniently to newspapers and periodicals devoted to general information and literature.

The person who wishes to purchase intoxicating liquors should be compelled to search for the supply in some place devoted exclusively to the distribution of this dangerous commodity and not be privileged to obtain his supplies in

merchandising establishments which deal in inherently legitimate commodities.

The person who wishes to hear about beer, wine, or whisky should be compelled to listen to voices that speak only of intoxicants with facilities used exclusively for that purpose.

The publication of liquor advertisements in newspapers and magazines where they cannot well be ignored by young or old, the radio broadcasting of appeals in the interest of beer and other intoxicants, subjecting millions of women and children to alcoholic beverage salesmanship, and the display of intoxicants among necessities and harmless luxuries in stores frequented by multitudes of women and children all represent a fraud on those who trusted the Government to protect the people instead of promoting liquor by the repeal of the eighteenth amendment.

In the language of Bishop Hughes, this is the time for the lifted voice and the sounding trumpet.

One thing is certain:

We cannot continue to pour nearly two billion gallons of alcoholic drink every year into the veins of our democracy and expect it to retain the vitality essential to its protection and its progress. [Manifestations of applause in the galleries.]

PROPOSED LOAN TO FINLAND

Mr. McNARY. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McNARY. I inquire if the Chair has received a letter from the President in connection with the proposed loan to Finland?

The PRESIDING OFFICER. The Chair has received such a letter.

Mr. McNARY. Before it is read, then, by the clerk, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Downey	King	Schwartz
Ashurst	Frazier	Lee	Schwellenbach
Austin	George	Lodge	Sheppard
Bailey	Gerry	Lucas	Shipstead
Bankhead	Gibson	Lundeen	Slattery
Barbour	Gillette	McKellar	Smathers
Barkley	Glass	McNary	Stewart
Bilbo	Green	Maloney	Taft
Brown	Guffey	Miller	Thomas, Okla.
Bulow	Gurney	Minton	Tobey
Burke	Hale	Murray	Townsend
Byrd	Harrison	Neely	Truman
Byrnes	Hatch	Norris	Tydings
Capper	Hayden	O'Mahoney	Vandenberg
Chandler	Herring	Overton	Van Nuys
Clark, Idaho	Hill	Pepper	Wagner
Clark, Mo.	Holman	Pittman	Walsh
Connally	Holt	Radcliffe	White
Danaher	Hughes	Reed	Wiley
Davis	Johnson, Calif.	Reynolds	
Donahey	Johnson, Colo.	Russell	

The PRESIDING OFFICER. Eighty-two Senators having answered to their names, a quorum is present.

The Chair lays before the Senate a communication from the President of the United States, which will be read.

The legislative clerk read as follows:

THE WHITE HOUSE,
Washington, January 16, 1940.

MY DEAR MR. PRESIDENT: Last month when the Republic of Finland paid the regular installment on her debt to the United States, I directed the Secretary of the Treasury to place the money in a separate account pending such action, if any, as the Congress might desire to take with respect to it.

There is without doubt in the United States a great desire for some action to assist Finland to finance the purchase of agricultural surpluses and manufactured products, not including implements of war. There is at the same time undoubted opposition to the creation of precedents which might lead to large credits to nations in Europe, either belligerents or neutrals. No one desires a return to such a status.

The facts in regard to Finland are just as fully in the possession of every Member of the Congress as they are in the executive branch of the Government. There is no hidden

information; and the matter of credits to that Republic is wholly within the jurisdiction of the Congress.

This Government will have early occasion to consider a number of applications for loans to citizens and small countries abroad, especially in Scandinavia and South America. That raises the question for the determination of the Congress as to whether my recommendation made to the Congress some months ago, for enlarging the revolving fund in a relatively small sum, for relatively small loans, should be considered. It goes without saying that if the applications for loans can be acted upon favorably by the Congress, this matter will be kept within the realm of our neutrality laws and our neutrality policies.

An extension of credit at this time does not in any way constitute or threaten any so-called involvement in European wars. That much can be taken for granted.

It seems to me that the most reasonable approach would be action by the Congress authorizing an increase in the revolving credit fund of the Export-Import Bank and authorizing the Reconstruction Finance Corporation to purchase loans and securities from the Export-Import Bank to enable it to finance exportation of agricultural surpluses and manufactured products, not including implements of war.

It is wholly within the discretion of the Congress to place a ceiling on the amount of such loans. Whether this legislation should include an additional increase in the revolving credit fund of the Export-Import Bank, in order to provide for additional loans to increase our trade with South and Central America, is also within the discretion of the Congress.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

HON. JOHN N. GARNER,
President of the Senate of the United States,
Washington, D. C.

The PRESIDING OFFICER. Without objection, the communication will be referred to the Committee on Banking and Currency.

Mr. CONNALLY. Mr. President, the letter relates to the foreign relations of the United States. Why should it not go to the Committee on Foreign Relations? Why should it go to the Committee on Banking and Currency?

Mr. BARKLEY. Mr. President, I will say to the Senator from Texas, that measures proposing to increase the revolving fund of the Export-Import Bank, which is a subsidiary of the Reconstruction Finance Corporation, have, from the very beginning, been considered and acted upon by the Banking and Currency Committee. I happen to be a member of both that committee and the Committee on Foreign Relations, and it seems to me it would be a mistake to break the chain of jurisdiction which the Banking and Currency Committee has always had with respect to the Reconstruction Finance Corporation and the Export-Import Bank, which was created under a law reported from the Committee on Banking and Currency.

This increase in the revolving fund, if it is authorized, not only involves a loan to Finland or any other foreign country, but, as a matter of fact, the recommendation has already been made that for the general purposes involved in the creation of the Export-Import Bank its revolving fund be increased by seventy-five or one hundred million dollars. Of course that involves not only possible loans to corporations for the benefit of foreign countries but loans to corporations for the benefit of our trade and the exportation of our products; so it seems to me that the reference to the Banking and Currency Committee is the proper reference.

Mr. CONNALLY. Mr. President, does the original act creating the Export-Import Bank authorize that institution to make any loans to governments as such?

Mr. BARKLEY. I do not recall that it does; but heretofore, as the Senator knows, a loan of \$25,000,000 was made for the benefit of China. It was made by the Export-Import Bank, but it was made to an American corporation; and there is no intention to depart from that procedure. There is no suggestion in the letter of the President that a direct loan

be made by the Government of the United States to the Government of Finland, or any other government.

As a matter of fact, as the Senator knows, there has been discussed in the press and in conferences the question of the wisdom of making a direct loan out of the Treasury of the United States, by the Government of the United States, to the Government of Finland; and I think the consensus of opinion is that it is better to pursue the same policy we have heretofore pursued—that is, to make such loans to American corporations for the purpose of facilitating the exportation of American products, although the loans may be guaranteed by financial institutions in foreign countries, as in the case of China, when the loan was guaranteed by the Bank of China. So, I do not think there is any circumstance or any condition that would justify a change of reference of a bill of this sort, which really only suggests an increase in the revolving fund of the Export-Import Bank, which, so far as legislation is concerned, was originally a creature of the Committee on Banking and Currency.

Mr. McNARY and Mr. WAGNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas has the floor. Does the Senator from Texas yield, and, if so, to whom?

Mr. CONNALLY. I yield first to the Senator from Oregon.

Mr. McNARY. Mr. President, I appreciate the courtesy of the distinguished Senator from Texas. I have no interest in the reference of this letter to either of the committees involved; but the jurisdiction of matters pertaining to foreign relations has always been in the Foreign Relations Committee of the Senate. I recall that all matters appertaining to the foreign debts and their cancelation or reduction have been referred to the Foreign Relations Committee; and this letter does involve a policy of this country in the matter of assisting other countries in distress. I also realize that the Committee on Banking and Currency has jurisdiction over the bill which is the subject matter of the President's letter; namely, a bill increasing the structure of the Export-Import Bank.

Occasionally it occurs here that there is a conflict in jurisdiction, or jurisdictions may run parallel. As I feel deeply in the matter, I was about to suggest that this communication should be referred to both committees. I think it first should go to the Committee on Banking and Currency, and then I think it should be referred to the Committee on Foreign Relations.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield to the Senator from Kentucky.

Mr. BARKLEY. I will say to the Senator from Oregon and to the Senate that several days ago the Senator from Michigan [Mr. BROWN] introduced a bill authorizing the Reconstruction Finance Corporation to loan \$60,000,000 to Finland. The bill was referred to the Committee on Banking and Currency, as it should have been, I think; and the Committee on Banking and Currency has been called to meet tomorrow to consider not only that bill but any other measures on the same general subject that may be introduced, and, of course, presumably to consider any recommendation which the President may make with regard to the matter.

The letter of the President does not contemplate simply an increase in the revolving fund of the Export-Import Bank for the purpose of making a loan to Finland, directly or indirectly. It contemplates the possible increase of the fund for general purposes, one of which might be a loan for the benefit of Finland. It is difficult to refer a letter or a bill to two committees. I realize that the letter does involve indirectly, if not directly, a matter of our foreign policy; and yet heretofore, when loans have been made for the indirect benefit of a foreign country, the Foreign Relations Committee has not been invoked as a matter of jurisdiction to determine that matter.

Mr. McNARY. Mr. President, the observation just made by the distinguished leader is a very sensible one, but I do not think it alters my position in any way whatever. The reference of the bill introduced by the Senator from Michigan

[Mr. BROWN] was not brought to the attention of the Senate. Frankly, I did not know that the bill had been introduced until I saw it where I usually find information, in the press; so that matter cannot be used as a precedent at this time.

The letter of the President as read from the desk does involve the policy of this country in dealing not only with Finland but with the other nations to which the President refers. I am merely stating, as one who is interested in good legislation, that it might properly go to the committee of which the Senator from New York is chairman, and then, after a study there, it might be referred to the committee having jurisdiction of matters pertaining to our foreign policy, namely, the Committee on Foreign Relations. I offer the suggestion in the best of faith, without attempting in any way to slight the power or jurisdiction of any committee.

Mr. CONNALLY. Mr. President, I am not actuated in this matter by any pride about committee membership. It is not a technical point I make merely to have the letter referred to a committee of which I happen to be a member. I suggest, however, that the original act creating the Export-Import Bank did not contemplate any direct loans to governments. It contemplated the lending of money to increase the foreign trade of the United States, the importing and the exporting of commodities, and the granting of credits. If the measure proposed goes no further than to provide for loans to private concerns to increase exportations, I have no objection to the matter going to the Committee on Banking and Currency, but there is a difference if it is now proposed to enlarge the authority of the Export-Import Bank whereby it can make loans of Government money. It is idle to talk about it not being Government money; it is Government money; whether it is in my hip pocket or in my front pocket it is all Government money. If it is proposed to enlarge the authority of the Export-Import Bank to make loans to foreign governments, directly, or under such a thinly veneered cover as to make it perfectly apparent that loans are to be made to such governments, I shall move to rerefer the bill, when it comes before us, to the Committee on Foreign Relations.

Mr. President, I am not trying to hamper the activities of the Committee on Banking and Currency. The leader on this side, the Senator from Kentucky [Mr. BARKLEY] is a member of both committees, and the Senator from New York [Mr. WAGNER] is a member of both committees, and I cannot see any real objection on their part, from that standpoint, to having the matter referred to either committee; but the Committee on Banking and Currency should stay within its jurisdiction. We all know that this proposal, no matter whether it be handled through the Export-Import Bank or by the Government directly, will affect our foreign relations. It may not affect them unfavorably, and I hope it will not, but certainly in every chancery in the world that cares anything at all about such matters, it will be viewed as a gesture of the United States in taking sides in a war already in existence in foreign countries.

The Committee on Foreign Relations held hearings for 3 or 4 months last spring on the subject of neutrality and the arms-embargo repeal. The Committee on Foreign Relations had the burden of helping draft the neutrality law which the extraordinary session was called to consider, and, with all due respect to the Committee on Banking and Currency, learned as it is in finance and in all of the ramifications of the banking laws—and I understand it has been engaged in a very exhaustive study of the whole banking structure since the last session, and as I recall, we gave them an appropriation in order to encourage their study, and to stimulate their activities—this is not a question of credit, it is a question of foreign policy.

Mr. WHITE. Mr. President—

Mr. CONNALLY. I must first yield to the Senator from New York.

Mr. WAGNER. Mr. President, last week a bill was introduced by the junior Senator from Michigan [Mr. BROWN] which dealt with a proposed loan to Finland, and authorized the R. F. C. to make such a loan. The chairman of the Com-

mittee on Banking and Currency had nothing at all to do with the reference of that particular bill, but the Presiding Officer at the time, I think properly, referred it to the Committee on Banking and Currency, which committee deals with all legislation having to do with the activities of the Reconstruction Finance Corporation, just as it has had to do with all the activities of the Export-Import Bank from its very inception.

The loan now proposed is similar to the loans which are now made in some instances by the Export-Import Bank. There is no legal prohibition against a loan to a foreign government, although as a matter of policy loans of that type have not heretofore been made.

Mr. CONNALLY. Mr. President, will the Senator permit me to interrupt him at that point?

Mr. WAGNER. I wish to finish, because I think I will be able to satisfy the Senator.

Mr. CONNALLY. I wish to ask the Senator a question on the very point he is now bringing out.

Mr. WAGNER. Very well.

Mr. CONNALLY. The Senator says there is no prohibition against the Export-Import Bank making loans to governments. Could the Export-Import Bank make a loan to the German Government, now in a state of war, and would the Senator favor such a loan?

Mr. WAGNER. That is purely an academic question—

Mr. CONNALLY. It is academic, yes, but the Senator is dealing in abstractions.

Mr. WAGNER. The Export-Import Bank has the authority to help finance American producers and manufacturers in selling American commodities to foreign nationals, and in some instances the loans have been guaranteed by banks of foreign countries which are completely controlled by a foreign government. That is a mere technicality. But I think I will satisfy the Senator in what I propose to say.

So far as the activities of the Export-Import Bank, the limitation upon its jurisdiction, and the amounts in the revolving fund which may be utilized are concerned, that has always been a matter exclusively for study by the Banking and Currency Committee. Therefore I think it is proper that this subject should be considered by the Banking and Currency Committee, because that committee has more experience with that subject matter than has any other committee.

But I rather like the suggestion made by the Senator from Oregon that at this time the President's letter be referred both to the Committee on Banking and Currency and to the Committee on Foreign Relations. After the Committee on Banking and Currency shall have concluded its deliberations, whatever it may do—and I am in no position to say what the conclusions of the committee will be with respect to the subject matter embodied in the letter—then it will be for the Senate to decide. There may be a recommendation from the committee—although I cannot speak for the committee—that if a question of foreign policy is involved, to which the Committee on Foreign Relations, of course, has given greater and more expert study than other committees, that committee should also consider the question of foreign-relations policy. Of course, there would be no objection upon my part, as chairman of the Committee on Banking and Currency, to the Committee on Foreign Relations also considering the other phase of this question. I should think that would satisfy the Senator.

Mr. CONNALLY. Mr. President, did the Senator from Maine desire to interrupt?

Mr. WHITE. If the Senator will yield, I wanted to point out that, although this message makes reference to loans of money, although it refers to the Export-Import Bank as the agency through which loans have been made and may be made, the real crux of the message and the effect of the message is to raise a question of foreign policy, for the determination, first, of some committee of this body, and then of the body itself. That is the thing about which the people of the United States are talking at this time. I have no question that it was the purpose of the President in transmitting

this message to us to present squarely to the Congress of the United States the question as to whether we were or were not to make a loan to Finland. References to the amount of loans and references to the agency are wholly servient and collateral and incidental to the main question of foreign policy. That being so, I agree with the Senator from Texas that the matter referred to should go to the Committee on Foreign Relations.

Mr. GEORGE and Mr. REED addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Texas yield; and if so, to whom?

Mr. CONNALLY. I will yield in a moment. Of course, the Senator from Maine is responsible for his own deductions and conclusions. I yield first to the Senator from Georgia.

Mr. GEORGE. Mr. President, perhaps I am trespassing upon the time of the Senator from Texas—

Mr. CONNALLY. Not at all. It is not my time; it is the time of the Senate.

Mr. GEORGE. I have long been impressed with fundamental objections to some things which have been carried on, and this is merely an occasion to express myself in that regard.

I do not think that any loan should be made to a foreign government or for the benefit of a foreign government by any mere creature of the Congress. I have all respect for and confidence in Mr. Jesse Jones, but I know, as everyone else knows, that the loan of \$25,000,000 made by the Export-Import Bank to a corporation for the benefit of China was a loan made to China. China was not only a foreign nation, but it was a belligerent foreign nation, and I do not think that under any circumstances any loan whatsoever to a foreign government or for the benefit of a foreign government should be authorized by Congress through any mere agency such as the Reconstruction Finance Corporation or the Export-Import Bank. I think there is a very vital question of foreign policy here involved, and I think it is a question as to which sooner or later the Congress of the United States will be held to very strict accountability by the American people. They do not know why the loan was made to China, or what is meant by increasing the capacity or power of the Export-Import Bank to make loans to foreign governments. They simply interpret such loans as loans made to foreign governments, for when the loans are made for the benefit of foreign governments they are actually made to foreign governments, and the Congress should assume the responsibility.

Though I have every confidence in Mr. Jesse Jones, I am no longer willing to vote to give a single dollar of credit or power to Mr. Jones, or the Reconstruction Finance Corporation, or the Export-Import Bank, to be used for the benefit of any foreign nation. I may have the utmost sympathy for a certain foreign nation, I may have complete sympathy with the cause for which that nation finds itself for the moment involved in a struggle, but the Congress of the United States cannot permit any mere agency to exercise so vital a power as the one in question without utterly abrogating all the responsibility which the Constitution puts upon the House and the Senate, and which the American people, through the votes of their States, have put upon us here as Members of this body.

Mr. President, I know very well the purposes for which the Reconstruction Finance Corporation was created. It was not created under the present administration. It was created under a former administration. When it was created it was never dreamed that the Reconstruction Finance Corporation or any of its subsidiaries should ever extend a dime of credit to any foreign government. That was never contemplated. But if such a thing is contemplated, let the Congress say whether the United States wishes to make a foreign loan. Let us not place the decision for such action in the hands of Mr. Jones, or the President of the Export-Import Bank, whoever he may be for the moment, or any other mere agency of the Government. Let the Congress say whether the Government shall make a loan to Finland or whether it shall make a loan to China, and let us state

to the American people that we are making loans to these foreign countries.

Mr. WAGNER. Mr. President, will the Senator yield to me for a suggestion?

Mr. GEORGE. I yield.

Mr. WAGNER. My suggestion is to let the Committee on Banking and Currency consider this subject matter, as it has always considered similar subject matters, and, in the event the Committee on Banking and Currency should report favorably a measure authorizing a loan, that measure should then be referred to the Committee on Foreign Relations for its report before being taken up for consideration by the Senate.

Mr. GEORGE. Mr. President, if the Senator from New York will permit me, I wish to say that I thoroughly concur in that suggestion. However, I think it is far more important, if loans are to be made to foreign governments, that the Senate should authorize the making of the loans.

Mr. WAGNER. The Senate would, of course, eventually decide whether or not the loan should be authorized.

Mr. GEORGE. Yes; but if the Senator from New York will excuse me, I wish to say that we have not been doing it that way. We made a loan to China through the Export-Import Bank. We have made loans to certain South American countries. Loans have been made to those countries under the mere guise of aiding them. The loans have been made for their benefit. I do not complain about the making of such a loan if we want to make it; but I say, Mr. President, that, in my humble judgment, the Congress of the United States, in a matter of such grave importance, should assume the full and complete responsibility for the act. As for myself, I do not hesitate to say, whatever respect I have for Mr. Jones and for those associated with him, that I do not want him to make loans to foreign governments under a corporate structure which primarily the Congress set up to aid and to handle the domestic affairs of the United States. It is no reflection on Mr. Jones, but Mr. Jones has not been commissioned by the American people to decide the important questions involved in a loan to Finland, for instance. We all sympathize with Finland, but Finland is simply a foreign country, fighting, let us say, for principles which we hold dear. She is, however, a belligerent, and under international law a loan to Finland would be an unneutral act. Of course, it would be, because the money would buy the things that a nation must have in order to wage war. Under the sound principles of international law, it could not well be differentiated from the act of sending an American battleship to Finland. If we wish to do that, let us do it. But let us stop this miserable program of whipping the devil around the stump, and letting Jesse Jones or anybody else associated with Jesse Jones fix the foreign policy of this Nation. It is not their responsibility. We have a responsibility here, and we have merely found some convenient ways in which to shirk that responsibility.

I apprehend, Mr. President, that the American people will hold us responsible for what we do now with respect to foreign loans. We labored here at an extraordinary session to pass a neutrality act. The very heart of that Neutrality Act is the imposition of restrictions upon credits to foreign governments and restrictions upon American shipping, and the important purpose was to free any foreign nation from the embargoes existing under the old laws so far as arms and munitions were concerned.

If we lift the restrictions on American shipping and lift the restrictions in the Neutrality Act on credit to foreign nations, it is easy to see that we destroy the very heart of that act. We cannot do it with any degree of safety, and there is no need to bring the hard case here which makes a bad law in a court, and makes a bad law in a legislative body. This is a hard case. Everyone sympathizes with Finland. Nearly everyone in the United States sympathizes with China. The hard case is presented, and a bad law follows, and a very fatal step is taken from which we cannot retrace our course.

Break down the restrictions on credit carried in the Neutrality Act in the case of Finland, or any other hard case, and

the hour will soon approach, as the war between Germany and France and Great Britain becomes more acute, when the pressure will be doubled and redoubled to break down the restrictions upon credits to France and upon credits to Great Britain. Is there anyone who doubts that? That may not be the thought here in the Senate, but there is no one in the United States who intelligently observes what is going on who for a moment doubts or questions it.

Mr. President, I think the suggestion made by the distinguished Senator from New York [Mr. WAGNER] and the distinguished leader on the other side are entirely proper. It often happens that a matter is properly within the jurisdiction of two committees, which may have two different functions. The Committee on Foreign Relations is not sufficiently prepared, nor is it sufficiently familiar with the history of the Reconstruction Finance Corporation Act and all the amendments to it to enable it to deal with more than the mere question of banking. I grant that properly the matter should be considered by the Committee on Banking and Currency, and undoubtedly it should then go to the Committee on Foreign Relations. But, Mr. President, the question which to me seems far more important, infinitely more important, is whether it is the sense of the Congress that the decision with respect to the question of loans to foreign governments, foreign governments now engaged in war to which we are not a party, shall be delegated to the Export-Import Bank, or some other subsidiary corporation, whatever we may think of those who manage such institutions. The important question is whether we should delegate to others the grave matter of deciding whether we should make loans to belligerent countries.

Mr. CONNALLY. Mr. President—

Mr. REED. Mr. President, will the Senator yield to me for a moment?

Mr. CONNALLY. In a moment I will yield to the Senator from Kansas. First I should like to ask the Senator from New York a question. The bill on the subject now under discussion which is pending before his committee is the bill introduced by the Senator from Michigan [Mr. BROWN]. I understand there is no other bill on the subject pending before his committee. Am I correct in that assumption?

Mr. WAGNER. That is correct.

Mr. CONNALLY. Is it the view of the Senator from New York that there should be an agreement by which the bill and the letter from the President should be referred to the Committee on Banking and Currency and then go to the Committee on Foreign Relations?

Mr. WAGNER. The bill is now before the Committee on Banking and Currency.

Mr. CONNALLY. That is true.

Mr. WAGNER. There is no other bill pending. I suggest that the bill and the letter first go to the Committee on Banking and Currency and then to the Committee on Foreign Relations. If the Senate Committee on Banking and Currency reaches any conclusion which embodies an authorization for a loan, then, in view of the fact that the question of foreign policy is not one for consideration by our committee, the matter will be referred to the Committee on Foreign Relations, which will, of course, pass upon that question. Thus both committees will consider the proposed legislation.

Mr. CONNALLY. I thank the Senator.

Mr. President, I have before me a copy of the bill before the Banking and Currency Committee. I had understood—no doubt I was in error—from the Senator from New York and the Senator from Kentucky that the bill before the Banking and Currency Committee was in the form of an amendment to the Export-Import Bank Act.

Mr. WAGNER. No; the Senator misunderstood me. The letter—

Mr. CONNALLY. I am talking about the bill before the committee. We all heard the letter read. We understand that. I am talking about the bill before the committee.

Mr. WAGNER. The bill authorizes the Reconstruction Finance Corporation to make the loan. The letter proposes that the procedure we have adopted under the law to make loans

to foreign nationals through the Export-Import Bank be pursued in this particular case. It would be a matter of study for the Banking and Currency Committee as to which agency should make the loan, if a loan were to be authorized at all. That matter having always been before the Banking and Currency Committee, it ought to be considered by that committee. Then the bill should be referred to the Committee on Foreign Relations, because it deals, of course, with the subject of our foreign policy.

Mr. CONNALLY. I do not know who was responsible for referring the bill to the Committee on Banking and Currency, but I wish to suggest that the bill never had any business going to the Banking and Currency Committee to begin with.

The bill provides:

That the Reconstruction Finance Corporation is authorized and empowered to make loans—

In behalf of agriculture? No. In behalf of some American corporation in Finland? No—
to the Republic of Finland—

The Senator from Michigan [Mr. BROWN] is at least entitled to credit for coming out from behind the bushes and saying exactly what he means—

to the Republic of Finland in an aggregate amount not exceeding \$60,000,000, for the purpose of enabling the Republic of Finland to finance the purchase of—

Agricultural commodities? It may be that. It may be something else—

such articles and materials (whether or not such articles and materials are the growth, produce, or manufacture of the United States or any of its territories or possessions) as it deems necessary.

The bill provides funds to be used for the purchase of commodities, whether or not such commodities are produced in the United States. Under the provisions of the bill the Republic of Finland could purchase guns, airplanes, muskets, bayonets, high explosives, poison gas, and flame-throwers. They could buy anything for the purpose of carrying on the war, or for any other purpose.

All such loans shall be made on such terms and conditions as the Federal Loan Administrator shall prescribe.

As suggested by the Senator from Georgia [Mr. GEORGE], the bill turns over to the Loan Administrator the transaction of the loan. I make no reflections on Mr. Jones. When Congress says, "We will not do it; we want to sidestep it; we will give you the authority," we cannot blame the Administrator for exercising the authority, because he thinks we mean it when we pass a law and tell him to do something.

There is always pressure on administrators. Mr. Jones' position is somewhat like that of the Banking and Currency Committee. The Banking and Currency Committee is thinking only about banking and currency. It is not thinking about foreign relations, or neutrality, or involvement in a war, or getting in bad with all the other countries of the world, or sending somebody over to Europe, in the final analysis, to fight a war. It is thinking about banking and currency. It is asking, "Is this a good loan or a bad loan?" Of course, Mr. Jones is not responsible.

Mr. WAGNER. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. WAGNER. Of course, the committee has not yet considered the details of the proposed legislation. We have only a proposal.

Mr. CONNALLY. No; but I have heard the chairman of the committee speak on the floor, and I have heard the majority leader speak. We know what is in their minds.

Mr. WAGNER. What is in my mind?

Mr. BARKLEY. Mr. President, I do not know how the Senator knows that. I have not committed myself to any sort of loans, direct or indirect.

Mr. CONNALLY. I heard the Senator's explanation of what he thought ought to be done about this matter.

Mr. BARKLEY. No; the Senator misunderstood me. I have not stated what I thought ought to be done.

Mr. CONNALLY. I beg the Senator's pardon.

Mr. BARKLEY. On the contrary, if the Senator will read a communication which I addressed to the editor of the Washington Star on the first day of this session in response to a telegram from the editor as to the making of a direct loan to Finland, and the editorial in that day's issue of the Washington Star, he will see that neither then nor since have I committed myself on a loan.

Mr. CONNALLY. I do not wish to impute to the Senator any sentiments he does not entertain. I am sorry I did not read the articles about which he speaks. I withdraw all I have said in that connection.

Mr. BARKLEY. There are some questions which ought to be considered in regard to the matter.

Mr. CONNALLY. I withdraw all I said about the views of the Senator from New York and the Senator from Kentucky.

Mr. WAGNER. I am sure the Senator did not hear uttered from my lips a word of approval or disapproval of this particular proposed legislation.

Mr. CONNALLY. To be frank, what I understood from the tenor of the remarks of the Senator from Kentucky and the Senator from New York was that so long as the loan was to be made by the Export-Import Bank to some foreign corporation, or to an American corporation in Finland, although the ultimate benefit of it might go to the Finnish Government, the transaction would be within the proper limits. If I am in error about that, I beg the Senator's pardon.

Mr. WAGNER. I referred to some loans that have been made by the Export-Import Bank under the law as it now exists; and I gave the Senator an illustration of how those loans were made. I made no reference to the proposed loan, because I have not committed myself in any way on any kind of a loan to Finland, nor on the broad legislation here proposed; nor has the committee. I am only one member of the committee. The committee has not as yet considered the question of whether a loan is to be authorized, and, if so, how.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. BARKLEY. I am sorry that I left an erroneous impression on the Senator from Texas or any other Senator. I was arguing the point of jurisdiction of the committee. I was not committing myself. I do not know what sort of bill I shall vote for as a member of the committee. We are not responsible for the language of the bill offered by the Senator from Michigan, which provides a direct loan of \$60,000,000. I have expressed myself publicly and privately, in terms which I think are not capable of misunderstanding, as to my attitude toward the Government of the United States, as a government, making the sort of loan to another government which may involve us in difficulties with foreign countries.

Mr. CONNALLY. Does not the Senator recognize that under the provisions of the bill a loan by the Reconstruction Finance Corporation would be a loan by the Government of the United States to Finland?

Mr. BARKLEY. It would be a direct loan to the Government of Finland. For the reasons which I have stated, I do not want to preclude myself from considering the merits of the bill. As to the machinery and terms of the loan and as to the amount, I certainly am free and not committed in any sense.

I will say to the Senator from Texas that I have no idea what kind of bill, if any, may be reported by the Committee on Banking and Currency. If a bill were reported making no reference to foreign loans, but simply increasing the revolving fund of the Export-Import Bank for general purposes, I do not know whether or not it would be proper to refer such a bill to the Committee on Foreign Relations, because, so far as the bill itself would be concerned, it would have nothing to do with foreign relations, although there might be a possibility that the same type of loan could be made under an increase in the revolving fund of the Export-Import Bank, as has been made heretofore.

I also realize that a loan by the Government of the United States or any of its agencies to or for the benefit of a foreign

country might involve us in diplomatic situations which would require the most careful consideration; and for that reason, when I was requested by the editor of the Washington Star, before the present session began, to express my deliberate reactions toward a direct loan to Finland before Congress met, without waiting for Congress to assemble, while the telegram was delayed in its receipt, I certainly took the position that the Government of the United States had no authority under the present law, without some sanction on the part of Congress, to make a direct loan out of the Treasury, in the name of the Government of the United States, to the Government of Finland; and that I thought that in considering all sorts of loans, or the possibility of loans, we must take into consideration the possibility of violating the spirit of our Neutrality Act, as well as the possibility of becoming so committed to such a policy that we might be embarrassed in the future in dealing with applications of other countries for similar loans.

All these matters involve the question of our foreign policy, and to that extent ought to be considered by the Committee on Foreign Relations. In agreement with the Senator from New York, I will say that if the Committee on Banking and Currency should report a bill under the terms of which our foreign relations were involved I certainly not only would not object to referring, but would be in favor of referring such a bill to the Committee on Foreign Relations. But if the Committee on Banking and Currency should report a bill merely providing for an increase in the revolving fund of the Export-Import Bank, without reference to foreign loans of any kind, I doubt very much whether it would serve any purpose to refer the bill to the Foreign Relations Committee.

Mr. CONNALLY. If the Senator knew that the purpose of the bill was to make a loan, directly or otherwise, purely for the benefit of a foreign government, would he still feel the same way?

Mr. BARKLEY. I will say to the Senator that in requesting an increase of \$100,000,000 in the revolving fund of the Export-Import Bank I think neither Mr. Jones nor the President at that time contemplated such a loan as we are now discussing. As a matter of fact, during the last regular session of Congress, which adjourned early in August, Mr. Jones had asked for a larger increase than we gave him in the revolving fund or the capital stock of the Export-Import Bank. I think we reduced his request by \$25,000,000. As I recall, he asked for \$100,000,000 and we gave him \$75,000,000.

Mr. WAGNER. That is correct.

Mr. BARKLEY. The purpose of the \$100,000,000 he then asked for was to finance the exportation of American products, just as they had been financed up to that time. I doubt not, even if there were now no war between Russia and Finland, that the Export-Import Bank and the President would be justified in asking for an increase in the capital stock in order that the exportation of American products might be facilitated. However, I have no desire, I will say to the Senator from Texas, to quibble over the jurisdiction of committees. I think this bill was properly referred, because it deals with the Reconstruction Finance Corporation, although it authorizes direct loans to Finland. While the President discusses in his letter loans to Finland and possibly loans to other countries, the only recommendation he really makes is an increase in the revolving fund or the capital stock of the Export-Import Bank.

The Committee on Banking and Currency might take action to increase the capital stock of the Export-Import Bank and at the same time put a restriction upon the foreign loans. It can do that; it is within its jurisdiction; and if it did that, of course, there might be no occasion to rerefer the bill to any other committee. But I will say to the Senator that whatever the terms of the bill which may be reported by the Committee on Banking and Currency if it shall report a bill—and I have no assurance that it will report any bill of any sort—which in any way involves our fundamental relations and our diplomatic relations with foreign countries, I not only think that the Committee on Foreign Relations ought to be given an opportunity to consider it but that the

Senate of the United States and the House of Representatives, the two Houses forming the Congress of the United States, ought to consider most carefully where such a policy might lead us with respect to our neutrality and our commitments that may rise up or may not rise up to plague us in the future.

Mr. CONNALLY. The Senator said if they reported a bill which did so and so that he would be willing that the course suggested be followed; but who is to determine that? Is the Committee on Banking and Currency to determine it?

Mr. BARKLEY. Any Senator here can move to rerefer a bill.

Mr. CONNALLY. Certainly the Senator from Texas knows that, but we want an agreement here, if we are going to make any agreement, that will bind both the Banking and Currency Committee and the Foreign Relations Committee. I am not going to be satisfied to refer it to the Banking and Currency Committee, and then if it decides that it wants the Committee on Foreign Relations to consider the matter, in that event to have the bill referred to that committee.

Mr. BARKLEY. No; I did not suggest any thing of that sort. I do not think the Committee on Banking and Currency ought to be the judge whether this bill shall go to the Committee on Foreign Relations.

Mr. CONNALLY. That is the point exactly.

Mr. BARKLEY. But I said whatever sort of bill the Committee on Banking and Currency may report to the Senate, then, it would be in order for the bill to be referred to the Committee on Foreign Relations, whether or not the Banking and Currency Committee favored such action.

Mr. CONNALLY. I think I would be agreeable to that.

Mr. BARKLEY. The Senate is in complete control.

Mr. WAGNER. I inquire of the Senator from Texas if that is satisfactory.

Mr. CONNALLY. Not yet.

Mr. REED and Mr. HARRISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas has the floor. Does he yield; and if so, to whom?

Mr. CONNALLY. For the time being, I yield to the Senator from Kansas; and then I will yield to the Senator from Mississippi.

Mr. REED. Mr. President, I find myself in complete concurrence with the Senator from Texas.

Mr. CONNALLY. I am very much gratified to hear the Senator say so.

Mr. REED. Well, it does not often happen.

Mr. CONNALLY. Then I rather doubt my position.

Mr. REED. But I think we are dealing with two sets of circumstances. We sat here in extraordinary session for several weeks, during which the only matter discussed was foreign policy. I happened to be one of the Senators on this side of the aisle who voted for the neutrality bill in the end. By that bill we went a long way in restricting ourselves and our rights under so-called international law. What for? In order to keep us out of possible foreign entanglements. The war in Europe is probably going to spread, so far as any human being can now foresee. I share the universal admiration for Finland and my sympathies are completely with Finland. If there is any country in the world that has established a right to credit it is Finland. But that is not the question. The question is as to our own policy. The Export-Import Bank and the R. F. C. are governmental agencies through which financial transactions are conducted. If we should decide in this body that we were going to make loans to foreign governments, I agree with the Senator from Georgia that we ought to have the frankness and candor and the courage to take the responsibility for ourselves, and that we ought not to resort to the subterfuge of trying to make loans or making loans through a mere fiscal or financial agency of the Government. The thing that underlies this bill is our foreign policy and the relation any action which may be proposed will have to that policy which this body voted for just a few weeks ago. I think the Senator from Texas is correct; that the first question that ought to be settled in connection with this bill is its relation

to our foreign policy. Therefore, in my opinion, it should go to the Committee on Foreign Relations.

Mr. CONNALLY. I thank the Senator from Kansas. He has said that he rarely ever agrees with the Senator from Texas, but I think he really agrees with me oftener than he says so.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. BARKLEY. As I see it, there is no real fundamental difference here among us.

Mr. CONNALLY. I am glad there is not.

Mr. BARKLEY. We have confidence in all our committees; they are all creatures of the Senate; I certainly would be the last Member, in any way, to express any lack of confidence in any of the committees. I believe, as I said, that this bill ought to go first to the Committee on Banking and Currency.

Mr. CONNALLY. Let me ask the Senator a question.

Mr. BARKLEY. I will ask the Senator to permit me to proceed a little further. I am going to make a unanimous-consent request.

Mr. CONNALLY. I am not going to permit the Senator to ask unanimous consent until he yields to me.

Mr. BARKLEY. I certainly yield to the Senator, if I have the floor.

Mr. CONNALLY. The Senator said he thought this bill ought to have gone originally to the Committee on Banking and Currency. The Senator has already said that it proposes a direct loan to Finland. Under the present law that cannot be done. He has already said that it would affect or might affect or possibly could affect our foreign relations. That being the case, why should it not have gone to the Committee on Foreign Relations to start with?

Mr. BARKLEY. The bill proposes an increase in the authority of the Reconstruction Finance Corporation, and all legislation in the first instance creating that Corporation and amending its power has gone to the Committee on Banking and Currency.

Mr. CONNALLY. The Reconstruction Finance Corporation cannot loan now directly to any government, and the bill proposes to change the law.

Mr. BARKLEY. I realize that.

Mr. CONNALLY. Very well; let the Senator proceed. I think I will agree to what he is about to propose.

Mr. BARKLEY. I was going to suggest, in the form of a unanimous-consent request, that this bill go to the Committee on Banking and Currency, and that whatever bill may be reported by that committee shall be then referred to the Committee on Foreign Relations before any action is taken on it by the Senate.

Mr. CONNALLY. I agree to the proposition, the bill being now before the Banking and Currency Committee, that when that committee acts the bill shall then be referred to the Committee on Foreign Relations.

Mr. BARKLEY. Of course, my request includes the letter of the President.

Mr. CONNALLY. The letter ought to go to both committees.

Mr. BARKLEY. I have no objection to that.

Mr. CONNALLY. Very well; let the Senator amend the request and provide that the letter shall go to both committees.

Mr. BARKLEY. I will restate my unanimous-consent request. The bill introduced by the Senator from Michigan now being before the Banking and Currency Committee, I ask unanimous consent that the letter from the President be referred to the Committee on Banking and Currency and also to the Foreign Relations Committee; and if and when a bill shall be reported by the Committee on Banking and Currency as a result of the President's letter or as the result of its own initiative and deliberations, that before action is taken by the Senate on such bill it be then referred to the Committee on Foreign Relations.

The PRESIDING OFFICER. Is there objection?

Mr. McNARY. As that was my original proposition, of course, I shall concur in the request now made.

Mr. AUSTIN. Mr. President, reserving the right to object, I wish to make an inquiry. If I interpret the request accurately, two committees will be considering the same issue at the same time, and one of them will be authorized to make a report before the other may take any action. Is that the meaning of the request?

Mr. BARKLEY. The request is that the letter of the President be referred to the Committee on Banking and Currency, and also to the Committee on Foreign Relations; and if and when the Committee on Banking and Currency reports a bill, either as a result of the letter of the President or upon its own initiative, that the bill then be referred to the Committee on Foreign Relations before the Senate shall take it up for action.

Mr. AUSTIN. I thank the Senator.

Mr. BARKLEY. The request contemplates a bill of some kind being reported by the Committee on Banking and Currency and then being referred to the Committee on Foreign Relations at a later stage.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

SELECTION OF STATE EMPLOYEES UNDER JOINT FEDERAL AND STATE PROGRAMS

Mr. NEELY. Mr. President, let me invite Senators to transport themselves from foreign scenes of camps and sieges and battles to the United States, where they all will be more or less engaged in political warfare from now until sunset on the 5th day of next November.

Near the end of the first session of the present Congress the Committee on Civil Service approved, with amendments, a bill designed to place under strict civil-service law all State employees engaged in the execution of programs which are jointly financed by the State and Federal Government.

In pursuance of the instructions of the committee, I orally reported that bill to the Senate. I have since prepared a written report, which I now present as follows:

[Senate Rept. No. 1159, 76th Cong., 3d sess.]

Mr. NEELY, from the Committee on Civil Service, submitted the following report (to accompany S. 282):

The Committee on Civil Service, in pursuance of an order of reference made by the Senate during the first session of the Seventy-sixth Congress, considered S. 282, a bill designed to require those employed by States in connection with cooperative Federal and State programs to be selected solely upon the basis of merit, and reported it on August 3, 1939, with amendments, with the recommendation that it be passed in its amended form. The committee now submits the following written report to accompany the said bill:

The numerous benefits which have accrued to all the people in general and the personnel employed in the service of the Federal Government in particular as a result of the Civil Service Act of 1883 are well known. The principle of selection of Federal employees upon the basis of merit is so generally approved that it is doubtful whether a single member of the Congress would vote for the repeal of the civil-service law. This Congress has twice clearly indicated that it favors the extension of the principles of the Civil Service Act.

The bill to prevent pernicious political activities was passed during the first session of the Seventy-sixth Congress. The President, in the course of observations which he made at the time he approved that bill, referred to the fact that it made applicable to all employees of the Federal Government (with a few exceptions) the rules to which civil-service employees have been subject for many years.

The bill which was passed during the first session of this Congress and which is now known as the Social Security Act amendments of 1939 provides, among other things, that in the execution of the various programs under the act in which the Federal and State Governments cooperate the States must provide for the establishment and maintenance of personnel standards on a merit basis. The pending bill requires the States to select the employees on such programs upon a merit basis as a condition precedent to their receiving Federal funds for use in the carrying out of such programs.

In brief, the bill, in effect, requires the various State governments to use the Federal funds allotted to them for the benefit of all the people instead of for the benefit of a particular political party or faction. If passed, it will effectively protect all State employees, whose salaries or wages are wholly or partially paid with Federal funds, against the nefarious, disgraceful practice of certain State political machines by means of which those employed on cooperative State and Federal projects are compelled to contribute 2 percent or

more of their salaries monthly to a political machine for alleged party or factional purposes.

In recent years the principle of Federal and State cooperation in the discharge of governmental functions has been widely extended. Among the more important of the programs prosecuted in this way are those which pertain to Federal aid to highways, social security, public health, agricultural extension service and agricultural experiment stations, public works, the distribution of surplus agricultural commodities, the establishment of public employment agencies, and the maintenance of agricultural colleges. The Federal Government extends its aid to the States in many different forms. In some cases, as, for example, in the provision for old-age assistance, the Federal contribution provides money not only to compensate the personnel necessary for administration but also to enable the States to make the payments to the beneficiaries. In other cases, as, for example, in the unemployment compensation program, the Federal aid is limited to the providing of funds necessary for the administration of the program. Another form of Federal aid is exemplified by the distribution of surplus agricultural commodities. Under this program the Federal Government provides the commodities and the States provide the personnel necessary for the distribution. The exact number of those employed by the States in connection with cooperative State and Federal programs is not, at present, ascertainable. But it is believed that those thus employed are more numerous than all those who are employed directly and exclusively by the Federal Government.

A few of the States select those who are employed on cooperative programs in pursuance of State civil-service systems. It is believed that the great majority of such cooperative employees are entirely destitute of the protection which the merit system of selection supplies. It is believed that few, if any, who are now selected upon the basis of merit under State law are either protected against political coercion or enforced contributions by their superiors or prohibited from participating actively in political management or political campaigns.

The reasons why those employed by the States on cooperative programs should be selected solely upon the basis of merit, be restrained from pernicious political activity, and be protected against the payment of tribute levied upon their salaries by heartless machine politicians are identical with the reasons that impelled the Congress to pass the Hatch bill to improve the Federal service, purify Federal politics, and protect Federal employees.

It is manifestly just as reprehensible for a candidate for a State office to coerce or collect tribute from State highway employees—a part of whose compensation is supplied by the Federal Government—as it would be for a candidate for a Federal office to commit a similar offense against those employed by the Works Progress Administration. The anomaly of Federal workers employed on a cooperative program and compensated from the Federal Treasury being selected in accordance with civil-service laws while State workers, who are employed in connection with the very same program and compensated with funds which come from the same sources, being selected upon a nonmerit basis is intolerable and should be outlawed without delay. To perpetuate this condition would be to approve political skulduggery and encourage governmental inefficiency.

The President, in his message of August 2, 1939, approving the so-called Hatch Act, directed attention to the fact that in behalf of the integrity of Federal elections, the Congress might be warranted in providing restrictions similar to those contained in the Hatch Act for all State employees. The pending bill does not go so far because the committee believed that in attempting to extend the principles of the Civil Service Act to State employees, it would be safer from the standpoint of constitutionality to limit the extension of the act to those State employees who are compensated in whole or in part with Federal funds, or are engaged in connection with cooperative State and Federal programs.

The first section of the bill provides that after 60 days from the date of its enactment no moneys appropriated by the Congress for allocation to the States shall be paid to any State unless it has in operation a State civil-service plan approved by the United States Civil Service Commission.

Section 2 specifies the requirements of an acceptable State civil-service plan. It must provide that those employed by the State in connection with State and Federal cooperative programs be selected solely upon the basis of merit after an open, competitive, fair and practical examination; and must prohibit the promotion of such employees unless the quality of their service has been such as to merit promotion. The plan, while preserving to such employees the right to vote as they please and to privately express their opinions on all political subjects, must prohibit employees from contributing to political funds and from taking an active part in political management or political campaigns. The plan must also contain provisions designed to prevent the political coercion of such employees by their superiors. The State civil-service plan must be administered by a commission, the members of which may not all be affiliated with the same political party. It is specifically provided that nothing in the bill shall be deemed to prohibit States from giving employment preference to veterans similar to that given by the Federal Government.

The United States Civil Service Commission is required to approve any plan which fulfills the conditions specified in section 2. But the Commission is authorized to withdraw its approval of a State civil-service plan if it finds, after hearing, that the plan has been so changed or is so administered that it does not conform to the

provisions of this section. The Commission is required to cause notice to be printed in the Federal Register of any action taken by it in approving or withdrawing its approval of a State plan.

The requirements for civil-service plans are such that several of the States must adopt new legislation in order to bring themselves within the purview of the bill. Since the legislatures in some of the States will not be in session before the bill becomes effective, a method is provided by section 3 to make it possible for the States to continue to receive Federal funds for cooperative programs until their legislatures meet and have an opportunity to enact the necessary legislation.

Section 4 of the bill authorizes the United States Civil Service Commission, upon request from a State civil-service commission, to give examinations to applicants for employment under the civil-service laws of such State, to grade the examination papers of such applicants, and to prepare registers of applicants found to be qualified as a result of such examinations. The purpose of this provision is to save the States the necessity of providing the personnel and facilities necessary for the holding of examinations and the establishment of registers. The States would be required to reimburse the Commission for its expenses incurred in conducting examinations and establishing registers. But for a number of the States, it would probably be more economical to do this than to provide their own personnel and prepare and hold their own examinations. Should the States generally avail themselves of the opportunity thus provided to use the facilities of the United States Civil Service Commission, they would thereby promote uniformity of examinations and diminish the difficulties of the Commission in determining whether State eligibility registers conform to the requirements of the law.

During the reading of the report,

Mr. DAVIS. Mr. President, will the Senator yield?

Mr. NEELY. I gladly yield to the Senator from Pennsylvania.

Mr. DAVIS. Am I to understand that the bill which the Senator is discussing is to prevent State employees who receive part of their compensation from Federal funds from participating in any way in politics?

Mr. NEELY. They are not prohibited from expressing their political views in private, or from voting or attending political meetings. But they are barred from such political activity as would constitute a violation of what is known as the Hatch law.

Mr. DAVIS. Mr. President, will the Senator further yield?

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from West Virginia further yield to the Senator from Pennsylvania?

Mr. NEELY. Certainly.

Mr. DAVIS. Can the Senator tell me the number of those who are employed in the Agricultural Departments of the Federal Government and of the States?

Mr. NEELY. In my opinion, no one knows the number of those now employed on Federal and State cooperative programs. There is certainly no available publication that contains this information.

Mr. DAVIS. Will the Senator further yield?

Mr. NEELY. Gladly.

Mr. DAVIS. Is not the Senator of the opinion that it would be wise for the Secretary of Agriculture to try to ascertain the number employed by the States, so that we might know what it is?

Mr. NEELY. The information would be valuable.

Mr. HATCH. Mr. President—

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from New Mexico?

Mr. NEELY. I yield to the Senator from New Mexico.

Mr. HATCH. I rise merely in response to what the Senator from Pennsylvania [Mr. DAVIS] said, implying that there is some duty on the Secretary of Agriculture to ascertain the number of these employees in the States. I think no such duty rests upon the Secretary of Agriculture. He has not been responsible for the condition in any sense whatever. He has no duty, no responsibility to discharge or perform until Congress acts; and it is quite unfair even to imply, as I am sure the Senator from Pennsylvania did not mean to imply, that the Secretary of Agriculture had been remiss in his duties in this regard, because he has not been.

Mr. NEELY. Mr. President, I approve the observations of the Senator from New Mexico and concur in his opinion to the effect that the able Senator from Pennsylvania did not

mean to impute any neglect of duty to the eminent Secretary of Agriculture, Mr. Wallace.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. NEELY. I yield.

Mr. MINTON. How will it be possible to extend the benefits of the Civil Service Act to State employees? Is it not possible to guarantee them their jobs? The only thing that can be done will be to take something away from them.

Mr. NEELY. Nothing will be taken away from them. The bill, if passed, will emancipate them and protect them against involuntary contributions of their services and salaries for political or factional purposes.

The failure of a State to comply with the law will result in the suspension of Federal aid.

Mr. LUCAS. Mr. President, will the Senator from West Virginia yield?

Mr. NEELY. I yield.

Mr. LUCAS. The statement of the Senator raises a question in my mind about which I should like to interrogate him for just a moment. I am thinking now about an allocation or grant that is made by the Federal Government to the State of Illinois for the construction of a public highway. Am I to understand that under the bill the Senator proposes the man who uses a shovel in helping in the construction of such a highway would be compelled to pass a civil-service examination before he would be able to participate in such work in Illinois?

Mr. NEELY. All whom the State employs on a program, wholly or in part financed by the Federal Government, would be selected on the basis of merit instead of that of political expediency.

Mr. LUCAS. Who would determine whether or not a ditch digger is going to be employed upon the basis of merit or whether it would be a question of politics?

Mr. NEELY. Eligibility will be determined in the manner specified in the bill just as the eligibility of a janitor of a post office is now determined by the Civil Service Commission.

Mr. LUCAS. Will the Senator yield further?

Mr. NEELY. Certainly.

Mr. LUCAS. In other words, the contractor who is the lowest bidder on a highway contract in Illinois will be compelled, before he can employ anyone, to take what the Civil Service Commission, or whatever commission is set up in the bill, would give to him insofar as common laborers are concerned.

Mr. NEELY. No; in my opinion in such case the law would not apply. In the circumstances specified the employee would not be subject to the demands of a State political machine for contributions to campaign funds or to the orders of such machine to help, hold, or steal an election. Therefore, he would not be subject to the provisions of the bill.

Mr. LUCAS. I am not talking about stealing an election or setting up the machinery for stealing an election; I am talking only about the common laborer whom I have in mind, who is going to work upon one of these highways. As I understand the Senator's bill, he would be subject to the civil-service rules before he could go out and use a shovel. I disagree with the Senator insofar as his statement about the contractor is concerned, because the Federal Government is going to furnish part of the funds and the State of Illinois is going to furnish a part of the funds, and in Illinois the State does not build all roads. We let contracts to private contractors for the construction of many miles of roads, and the money that goes into a highway may be coming partially from Federal sources and partially from the State of Illinois. I do not see how it is possible to make a distinction simply because a contract is given to a private individual.

Mr. NEELY. In the case in Illinois to which the Senator has referred, does any political machine have the power to compel those employed by the contractor to contribute 2 percent of their salaries to the State political organization?

Mr. LUCAS. No; and no one has any power to do that at any time. If an individual contributes anything in Illinois, he does it voluntarily.

I desire to ask the Senator one other question, as to whether or not the bill, if it should be enacted, would keep an individual who is under the civil service from making a voluntary contribution of 2 percent, or 4 percent, or any other percentage?

Mr. NEELY. The bill does not prohibit voluntary contributions. It is designed to protect employees against involuntary contributions.

Mr. LUCAS. What evidence was there before the committee demonstrating or showing that there were certain political machines coercing and forcing employees to contribute?

Mr. NEELY. No evidence was taken, because the committee manifestly considered it unnecessary to prove self-evident truths.

Mr. LUCAS. Let me ask the Senator one more question, if I may. Was there any direct evidence before the committee which convinced the committee beyond any question of a doubt that a certain political machine in the Senator's State, or in any other State was coercing and intimidating certain State employees, and forcing them to contribute any specific amount toward an election?

Mr. NEELY. As I have just stated, no evidence was taken by the committee. Personally I have quite a collection of affidavits in my office in which the affiants allege all and more than the Senator's question states or implies.

Mr. LUCAS. Before the Senator from Illinois votes upon a bill of this kind, he would like to know what the evidence discloses before the committee of which the Senator is a member, because that is very important to me. It is one thing to make a charge of intimidation and coercion upon the part of individuals who are within a State machine, and it is another thing to bring the proof adduced before the committee; and that is what the Senator from Illinois is interested in.

I think the committee report should show some facts along the line the Senator is discussing before we are compelled to vote upon this bill, and I think the Senator ought to tell us about those facts.

Mr. NEELY. Mr. President, it is my hope that in the course of the debate that precedes a vote on the bill sufficient evidence will be adduced to convince the Senator from Illinois that political conditions which now exist in certain States should be reformed, and that the desired reformation can be accomplished only by passing the measure now under consideration.

Mr. LUCAS. Of course, the Senator knows more about what is going on in the State of West Virginia than the Senator from Illinois does, but I do not want the Senator from West Virginia to use an example in his own State and attempt to apply that to every other State in the Union, unless he has the facts to prove it.

Mr. NEELY. Mr. President, the innocent do not fear the death penalty provided by the law against murder. The politically pure in heart and conduct, whether in West Virginia or Illinois, will never fear the penalties provided by the pending bill, nor will they ever be compelled to pay them.

Mr. LUCAS. Mr. President, will the Senator further yield?

Mr. NEELY. I yield.

Mr. LUCAS. I wish to say to the Senator from West Virginia that there is no one more interested than the Senator from Illinois in clean election and in antagonism against anyone who would intimidate or coerce any individual who is on a State or Federal pay roll for the purpose of obtaining money or votes in order to control an election. What the Senator from Illinois is complaining about is assertions and charges that were made by the Senator from West Virginia. As I understood from the Senator's statement, there was no evidence which was adduced before the committee which would prove the fact that there has been such coercion and intimidation in any part of the United States except from the personal

knowledge of the Senator from West Virginia as to what happened in his own State.

If there is no evidence before the committee proving the assertions of intimidation and coercion, I say that is wrong, and that, Mr. President, is what I am complaining about.

In my experience as an attorney at law for a considerable number of years I have never been able to win any lawsuits by categorical assertions and conclusions. I had to produce facts upon which to base those assertions and conclusions. The Senator from West Virginia must show me some facts about these State machines, and I do not care whether they are in his State, whether they are in New York, in Illinois, or in any other State.

I never yet have known of a State, whether it was Democratic or Republican, that did not have some kind of a State machine. I have never seen anyone yet who was running for public office, whether it was the Senator from West Virginia or the Senator from Illinois, who was not anxious to obtain and enlist all of the support that he could get, honorably and honestly, of course. But when it is said that this State or that State throughout the United States, through a corrupt political machine, is intimidating and coercing this individual and that individual to the tune of paying 2 or 4 or 6 percent, or whatever they are compelled to pay, I say that those charges should be proven by competent evidence before a committee; and, so far as I am concerned, until those charges are proven, until the report shows that those charges are true, I cannot support the Senator's bill.

Mr. NEELY. Mr. President, let us hope that at the proper time there may be submitted sufficient evidence to convince the Senator that he should support the bill.

May I inquire of the able Senator from Illinois whether he voted for the Hatch bill?

Mr. LUCAS. I refer the Senator from West Virginia to the Senator from New Mexico [Mr. HATCH] in respect to that matter. Let me say to the Senator from West Virginia that the Senator from Illinois has never followed the path of speculation and conjecture upon fundamental problems of government. The Senator from Illinois attempts to analyze every bill that is before the Senate with the best ability and judgment that God endowed him, and he tries to decide the questions upon the merits as he sees them, and that is exactly the way he will continue to act so long as he is in the United States Senate, politics notwithstanding.

Mr. NEELY. Mr. President, all that is to the Senator's credit. But will he not state whether he voted for or against the Hatch bill?

Mr. LUCAS. As I said previously, I refer the Senator from West Virginia to the Senator from New Mexico [Mr. HATCH].

Mr. HATCH. Mr. President, does the Senator from West Virginia desire me to answer that question?

Mr. NEELY. Yes; I should welcome an answer from the Senator from New Mexico or any other reliable source.

Mr. HATCH. The bill to which the Senator referred was referred to the Committee on Privileges and Elections. The Senator from Illinois [Mr. LUCAS] is one of the able committee members. Throughout the consideration of that bill the Senator from Illinois not only worked with the committee but he conferred with me more than once, and he earnestly supported the bill, I think, in its entirety from the time it was referred to the committee until it was favorably reported by the committee, and he voted for the measure on the floor of the Senate.

Mr. NEELY. Were any hearings on that bill conducted by the committee?

Mr. HATCH. We took no testimony before the committee. We did not seek to apply the bill to any special state of facts. In fact we kept away from anything of that sort. We discussed the situation merely from the standpoint of principle and legislation—what the law ought to be. We did not try to say that here there has been corruption, or there there has been corruption, but we tried to build a law simply from the standpoint of principle and legislation which should be enacted.

Mr. NEELY. Mr. President, the Senator from New Mexico, to my knowledge, has read the bill to which this report refers.

Mr. HATCH. Yes.

Mr. NEELY. Does the Senator consider that it refers to any isolated case or specific situation in a particular State?

Mr. HATCH. No.

Mr. NEELY. Does he not think that it is as general in its nature as the Hatch law and that it applies to every State in the Union?

Mr. HATCH. Yes.

Mr. NEELY. Since the Senator from Illinois cannot vote for the pending bill without record evidence to support it, can the Senator from New Mexico inform us how the Senator from Illinois was induced to vote for the Hatch bill, on which there were no hearings, and in support of which not a word of evidence was ever recorded?

Mr. LUCAS. Mr. President, the only thing I was complaining about—and I will come back to the same thing I said before—is that the Senator asserted that there were corrupt machines which were intimidating and coercing folks who were on the State pay rolls of this country for the payment of 2 percent and other sums into a State political machine, and I merely asked the Senator what facts he had on which to base that assertion. That is all.

Mr. NEELY. Will the Senator, on his responsibility as a Member of this body, say that he believes that the practice mentioned does not now prevail in any State in the Union?

Mr. LUCAS. Oh, I believe a lot of things occur in this country, but believing something and proving it are two different things. As I said before, I am simply one of those individuals who are realistic enough to wait until information comes forward before they take action.

Mr. HATCH. Mr. President, will the Senator yield again?

Mr. NEELY. I yield.

Mr. HATCH. Several sections of the bill to which the Senator is referring relate specifically to relief. There were ample charges of misuse of funds, and we did have before our committee and made use of the full and complete report of the Sheppard committee, which had assembled the facts and laid them before our committee.

Mr. NEELY. Mr. President, I ask unanimous consent that the report, as I have read it, be printed in the RECORD without interruption, and that the colloquies which have occurred appear at the conclusion of the report.

Mr. MINTON. Mr. President, what was that unanimous-consent request?

The PRESIDING OFFICER. The Senator from West Virginia asked leave to have the report printed in the RECORD without interruption and to have the colloquy which occurred during the reading of the report appear at the conclusion of the report.

Mr. MINTON. I have no objection to that, Mr. President. I simply do not want any more "Hatch Acts" passed without knowing about the matter.

The PRESIDING OFFICER. Without objection, the request of the Senator from West Virginia is granted.

CORRECTION OF STATEMENT CONCERNING BOOK BY STEPHEN RAUSHENBUSH

Mr. MINTON. Mr. President, on October 23, 1939, in the course of the debate on the Neutrality Act, in a colloquy with the senior Senator from Missouri [Mr. CLARK], I made some reference to a book written by Mr. Stephen Raushenbush. My remarks were to the effect that in writing the book use was made of the Munition Committee's records before they were available to the public. I made that statement in good faith in the course of the debate, not having in mind the exact date the book came off the press. Mr. Raushenbush has written me a letter taking exception to that statement, and pointing out wherein I was in error. I suppose he is in possession of the facts. I had no intention of doing any injustice to Mr. Raushenbush. In order that this error may be corrected I ask unanimous consent that Mr. Raushenbush's letter to me be printed in the RECORD at this point as part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., November 5, 1939.

MY DEAR SENATOR MINTON: I am sure you will wish to rectify an injustice which, I feel sure, you did to me unintentionally.

In the CONGRESSIONAL RECORD of October 23, 1939, on page 718, you are reported as having said that I "wrote a book, using the Munitions Committee's records before they were made available to the public."

This is a reflection on my honesty and integrity as a public servant and as an individual. This is of intense importance to me.

Your statement was completely incorrect. The Munitions Committee disbanded in March 1936, after which date no further documents were put into the record. I resigned at that time, with the thanks of the committee members for loyal and hard work. The book to which you refer did not appear until over a year later in May of 1937. No work on it was done while I was with the committee or during the life of the committee. It was not even thought of at the time. Further, not a single document not put into the public record was used in that book or in a later one which appeared in the fall of 1937, or in any other of my writings at any time. The work on the book, War Madness, was not even begun until January 1937, 9 full months after the end of the committee's work.

This is a complete and total denial of the comment made on the floor. Nobody will be able to find any reference in any of my works to information not made public by the Senate committee, nor were there any publications before the Senate committee had finished completing its work.

It may interest you that the book in question was not written for profit. My wife and I wrote it without any such expectation, and although it has sold over 150,000 copies, we have not received a penny. We believed at the time it was important for the public to know the results of that particular investigation.

I realize that my name was an incidental to the debate at the time, and not a major issue. Yet the unwarranted and unjustified reflection on me has gone out to the country. This is a result you doubtless did not intend, and I am sure you believed your informants, whoever they were, were not in error.

I do not in any way to embarrass you, but my name and reputation are my only wealth and you can understand my desire to protect them. I am appealing to your sense of justice. Would it not be possible for you to find some way to withdraw the statement made on the floor, in the heat of debate, or in some other way, counteract the effect?

Very sincerely yours,

STEPHEN RAUSHENBUSH.

Senator SHERMAN MINTON,
Senate Office Building, Washington, D. C.

PROGRAM OF THE SENATE

Mr. BARKLEY. Mr. President, I wish to announce for the benefit of the Senate that it is proposed to adjourn until Thursday next, and that on Thursday we shall attempt to call the calendar for the consideration of unobjected-to bills. Also I have in mind one or two bills which we may seek to take up separately after the calendar has been called if they are not passed on the call of the calendar.

INSPECTION OF COAL MINES

Mr. NEELY. Mr. President, I avail myself of this opportunity to give notice that on Thursday next, after the call of the calendar, I shall move that the Senate proceed to the consideration of Senate bill 2420, No. 927 on the calendar, which provides for Federal inspection and examination of coal mines which produce coal that is carried in interstate commerce.

ADJOURNMENT TO THURSDAY

Mr. BARKLEY. I move that the Senate adjourn until 12 o'clock noon on Thursday next.

The motion was agreed to; and (at 2 o'clock and 49 minutes p. m.) the Senate adjourned until Thursday, January 18, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 16, 1940

UNITED STATES DISTRICT JUDGE

Hon. Thomas Glynn Walker, of New Jersey, to be United States district judge for the district of New Jersey. Judge Walker was given a recess appointment to this post as of December 20, 1939.

UNITED STATES MARSHAL

Edwin G. Bolder, of Michigan, to be United States marshal for the western district of Michigan. Mr. Bolder is now serving in this office under an appointment which expired August 23, 1939.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 16, 1940

SUPREME COURT OF THE UNITED STATES

Frank Murphy to be an Associate Justice of the Supreme Court of the United States.

DEPARTMENT OF JUSTICE

Robert H. Jackson to be Attorney General.
Francis Biddle to be Solicitor General.

DEPARTMENT OF THE INTERIOR

Alvin J. Wirtz to be Under Secretary of the Interior.

REGISTER OF LAND OFFICE

George A. Lingo to be register of the land office at Anchorage, Alaska.

WORK PROJECTS ADMINISTRATION

R. L. MacDougall to be State administrator of the Work Projects Administration for Georgia.

Dean W. Miller to be State administrator of the Work Projects Administration for Idaho.

APPOINTMENTS, PROMOTIONS, AND TRANSFERS IN THE REGULAR ARMY AND APPOINTMENTS IN THE NATIONAL GUARD OF THE UNITED STATES

NOTE.—The nominations of all persons named for appointment, promotion, or transfer in the Regular Army, and the nominations of all persons for appointment in the National Guard of the United States, which were received on the 4th and 8th instant, were confirmed en bloc. The names of the persons confirmed today will be found in the CONGRESSIONAL RECORDS for January 4 and 8, 1940, beginning on pages 32 and 102, respectively, under the caption "Nominations."

POSTMASTERS

ARKANSAS

William A. Branch, Paragould.
James Hervey Bemis, Prescott.
Herman H. Horst, Stuttgart.

CALIFORNIA

Charles W. Spencer, Aptos.
Joseph Freitas, Atwater.
Will A. Shepard, Auburn.
Clinton R. Chism, Bellflower.
R. Bruce Munro, Big Bear Lake.
Ica C. Adams, Brawley.
Richard J. Wallace, Brentwood.
David Angus Vogt, Bridgeport.
Ira H. Grim, Campbell.
Frederick L. Cary, Canoga Park.
Ernest S. Bixler, Carmel.
Minnie O. Bauhaus, Carpinteria.
Charles D. Printz, Caruthers.
Frank E. Faustino, Castroville.
Manuel W. Lewis, Centerville.
Walters R. McCutchen, Coachella.
Frank Micheletti, Colma.
Raymond D. Siler, Corning.
William M. Kincaid, Cucamonga.
Catherine L. Gasich, Cupertino.
Ruby M. Podva, Danville.
Edna M. Shelley, Dorris.
Theo C. Gibson, Encino.
Harry E. Crenshaw, Escondido.
William J. Flowers, Ferndale.
Roy L. Terrell, Jr., Grass Valley.
Grace L. Harris, Holtville.
Flo C. Wendelken, Idyllwild.

David S. Mason, Sr., Ione.
Joseph M. Arnold, King City.
Pauline New, La Crescenta.
Ada E. Purpus, Laguna Beach.
William S. Williams, Loomis.
Oliver G. Miller, Maricopa.
Harry B. Morey, Menlo Park.
John H. Meyer, Millbrae.
Elvin M. Mitchler, Murphys.
Thomas H. Crosby, National City.
William H. Adams, Newport Beach.
Bertha R. Dal Porto, Oakley.
Frances M. C. Enos, Pescadero.
Hetty C. Bryans, Pixley.
Elizabeth S. Pelle, Pleasanton.
Joseph L. Hamilton, Puente.
Garrett E. Curley, Rivera.
Katherine A. Creedon, Rodeo.
Harold P. Thoreson, San Bernardino.
Floyd Godfrey, San Dimas.
Albert G. Stewart, Sanger.
Wilkin B. Sheldon, San Martin.
Philip T. Hill, Santa Monica.
Eugene J. Cordeau, Jr., San Ysidro.
Lutheria F. Cunningham, Saratoga.
Joseph P. Quinlan, South San Francisco.
William E. Emick, Temple City.
George H. Gischel, Tracy.
Myrtle M. Knouse, Westminster.
E. H. Cain, Westmorland.
Alva A. Wilson, Willits.
Olye Beard, Yorba Linda.
Fred C. Alexander, Yosemite National Park.

COLORADO

George Cole, Monte Vista.

CONNECTICUT

Helen O. Gatchell, Andover.
Frank E. Hurgin, Bethel.
Mary W. Pinney, Bloomfield.
Francis A. Gagnon, Danielson.
Charles E. Batayte, Granby.
Thomas S. White, New Milford.
Patrick H. McCarthy, Newtown.
Louis P. Despelteau, North Grosvenor Dale.
Raymond Cuzzocreo, Orange.
Francois X. Vadnais, Putnam.
Joseph H. Fahey, Springdale.
William B. Hanley, Stafford Springs.
James O. White, Taftville.
Nellie U. Schumey, Warehouse Point.
Samuel Berkman, Yantic.

FLORIDA

Sam Wooten, Bradenton.
Alexander M. McDaniel, Bunnell.
William P. Wilkinson, New Smyrna Beach.
Helen A. Thompson, Orange City.

GEORGIA

Blanche Chambless, Alapaha.
Ire Leggett, Baxley.
John G. Butler, Blakely.
Essie T. Patterson, Byromville.
James Paul Williams, Chipley.
Wiley H. Johnston, Cordele.
Nathan J. Thompson, Hamilton.
Morgan Thompson, Hawkinsville.
Olive S. Fraser, Hinesville.
William Peyton Cravey, Milan.
George S. Gardner, Montezuma.
Sara K. Polk, Moreland.
Spencer K. Allen, Nahunta.
Joseph D. Holland, Nashville.
Isaac F. Arnow, St. Marys.
Doddridge K. Houser, Shannon.

IDAHO

Edward W. Cronkhite, American Falls.
 Carl A. Rohrman, Culesac.
 Ralph R. Fluharty, Eagle.
 Hastings Brown, Kamiah.
 Clyde B. Urban, Kimberly.
 Chester F. Angel, Lapwai.
 Mercedes Tremblay, Priest River.
 Harry B. Colwell, Rupert.
 Ezekiel L. Holman, Sugar.
 Herman A. Krier, Troy.

INDIANA

Cary A. Davis, Albion.
 Otto N. Hennefent, Alexandria.
 C. Blanche Webster, Bloomington.
 James W. Odell, Chalmers.
 Earl W. Miller, Coal City.
 Gerald L. Knox, Converse.
 Leo W. Kirsch, Decatur.
 Evan G. Moreland, Hymera.
 Orval E. Monahan, Jonesboro.
 Rowland R. Morgan, Knightstown.
 Harry R. Groat, Lagrange.
 George L. Bridenbager, Liberty.
 Samuel S. Poor, Macy.
 John R. Smith, Pierceton.
 Gerald W. Strole, Rensselaer.
 Hester B. Worden, Rolling Prairie.
 William L. Newbold, Rushville.
 Russell L. Hildebrand, Sandborn.
 Edward Lee Bliss, Vevay.
 Sarah I. Crews, West Terre Haute.

IOWA

William W. Sullivan, Algona.
 Kathryn A. Fagan, Ayrshire.
 Dorothy E. Wagner, Bagley.
 Elbert R. Adams, Blockton.
 George L. Lorton, Bonaparte.
 Augustus W. Lee, Britt.
 Carl O. Fatland, Cambridge.
 Rose M. Brooks, Cleghorn.
 LeVerne Riggs, Cumberland.
 Joseph P. Burke, Dunlap.
 Carl E. N. Jensen, Elk Horn.
 Blanche M. Olsen, Ellsworth.
 John B. Murphy, Fairbank.
 Edward A. Kregel, Garnavillo.
 Carl O. Roe, Garner.
 Anna C. Lundvick, Gowrie.
 Otis T. Newgaard, Hubbard.
 L. B. Sutton, Inwood.
 Christian Anker Hald, Kimballton.
 Glenn C. Teeter, La Porte City.
 James A. Phelan, Larchwood.
 Raymond A. Johnson, Latimer.
 DeEtta I. Peterson, Manly.
 Mark A. Trumbull, Manson.
 Bessie E. Sykes, Maynard.
 Glendon R. Streepy, Menlo.
 Esther S. Wheeler, Newhall.
 William J. Gleason, New Hampton.
 Ellsworth G. DeJong, Orange City.
 Theodore F. Schmitz, Ossian.
 Tomie L. Smith, Pleasantville.
 Florence M. White, Riceville.
 Harry V. Brooks, Saint Charles.
 Arend Balster, Jr., Scotch Grove.
 Chris H. Bokmeyer, Sheffield.
 Cleveland J. Long, Stanwood.
 Augustus J. Oberg, Stockport.
 Lewis R. Kinsey, West Branch.
 Carroll E. Caslow, Yale.
 Donald H. Grimm, Zeoring.

KANSAS

George S. Frere, Arma.
 Zenobia A. Kissinger, Bennington.
 Harold F. Mills, Bunkerhill.
 Max Dolan, Clifton.
 Hubert C. Akers, Dighton.
 Elizabeth L. Betts, Dorrance.
 George Leo Duncan, Douglass.
 Rolan C. Barrett, Frankfort.
 Charles Cicero, Frontenac.
 Bertha E. McClain, Gaylord.
 Dominic Brungardt, Grainfield.
 Pauline A. McCann, Hardtner.
 Thomas H. Boyle, Hoisington.
 Matilda E. Albright, Hope.
 Alfred M. Nall, Johnson.
 Amy Pickrel, Kanorado.
 William Westling, Marquette.
 Leslie Eugene Harvey, Minneapolis.
 Albert Cameron, Mulberry.
 Carrie C. Scott, Oxford.
 Margaret K. Converse, Pawnee Rock.
 Edward J. Neely, Pomona.
 Dick A. De Young, Prairie View.
 Raymond E. Elder, Quenemo.
 Caroline Doerschlag, Ransom.
 Raymond K. Artas, Russell.
 Wendel J. Schulte, Westphalia.

MAINE

Charles L. Ripley, Andover.
 Charles H. Cahill, Bath.
 Arthur E. Herrick, Bethel.
 Claude D. Garnache, Biddeford Pool.
 William P. Rosebush, Brownville Junction.
 John J. Harriman, Cherryfield.
 Armand J. Dupont, Chisholm.
 Albert G. Mahar, Dennysville.
 William W. Eustis, Dixfield.
 George L. Hawes, East Corinth.
 Carlton A. Simmons, Friendship.
 Earle B. Files, Gorham.
 Helen L. Swan, Hampden Highlands.
 Donald L. Needham, Hebron.
 Ernest F. McCloskey, Howland.
 Loton R. Pitts, Naples.
 Clarence M. Staples, North Berwick.
 Albert A. Towne, Norway.
 Charles E. Hamlen, Ocean Park.
 Jeremiah M. Minahane, South Berwick.
 Henry J. Saucier, Van Buren.
 Mary M. Freeman, Washburn.
 Michael J. Kennedy, Woodland.
 Thomas J. Donohue, York Beach.

MARYLAND

Thomas Bayard Crew, Betterton.
 Margaret T. Johnson, College Park.
 Egbert L. Quinn, Jr., Crisfield.
 James C. Shriver, Cumberland.
 Edmund H. Bray, Easton.
 Claudine M. Friend, Friendsville.
 Edward J. Donohue, Frostburg.
 Herbert C. Estep, Glen Burnie.
 Showard T. Culver, Hebron.
 Beverly L. Barnes, La Plata.
 Russell B. Hoshall, Parkton.
 Mary C. Bishop, Queenstown.
 John W. Davis, Ridgely.
 George L. Edmonds, Rockville.
 Francis H. Blake, Sparks.
 Millard H. Weer, Sykesville.
 Herman W. Hurst, Vienna.
 Harry W. Barrick, Woodsboro.
 Edward F. Cavey, Woodstock.

MICHIGAN

Marion E. Shaw, Armada.
 Robert E. Bradin, Barryton.
 Jack W. Foster, Bellaire.
 Ernie T. McGlothlin, Belleville.
 Clifford F. Eastman, Beulah.
 Paul H. Totten, Brooklyn.
 William H. Cronin, Brown City.
 Verne R. Moran, Carney.
 Dennis D. Davis, Cedar Springs.
 Edwin Dutcher, Cedarville.
 Roger J. Tobin, Channing.
 Sarah G. Howard, Custer.
 James A. McDonald, Detour.
 Milo E. Potter, Dundee.
 Darwin Clinton Moore, Durand.
 Earl E. Young, East Lansing.
 John A. Campbell, Ewen.
 Jennie R. Bingham, Farwell.
 Dennis E. Kelleher, Fenton.
 Harry T. McKerring, Flushing.
 Ernest Halfmann, Fowler.
 William J. Putnam, Goodrich.
 Philip J. Debri, Grandville.
 James McDonnell, Grayling.
 Daniel A. Holland, Hancock.
 Henning R. Sjolander, Ishpeming.
 Peter P. Quinlan, Keego Harbor.
 Marie L. Yaroch, Kinde.
 Geraldine M. O'Hearn, Marne.
 Elizabeth M. Lynch, Mayville.
 Charles Davidson, Memphis.
 John H. Holmers, Mio.
 Joseph Villemure, Newberry.
 Fred E. Van Atta, Northville.
 Bert A. Onsted, Onsted.
 Joseph L. Dobbek, Ontonagon.
 Francis E. Maloney, Osseo.
 Myrtie M. Miller, Perrinton.
 Frank L. Brighenti, Ramsay.
 Frank D. Kruger, Ravenna.
 John L. Lucas, Romeo.
 Charles F. Crawford, Schoolcraft.
 Edmund L. Ashworth, Shepherd.
 Lynn G. Whitmore, Sherwood.
 Lyle O'Connor, Sparta.
 William A. Hammond, Spring Lake.
 John J. Corbett, Stambaugh.
 Anthony M. Rokosz, Standish.
 Clifford B. Brown, Stephenson.
 Spencer E. Pinckney, Stockbridge.
 Albert M. Lewis, Swartz Creek.
 Franklin A. Kolb, Unionville.
 Edwin J. Simpson, Walkerville.
 Norman J. Halmich, Warren.
 Julia C. Haynor, Wheeler.

MONTANA

Joseph W. Campbell, Absarokee.
 Frank J. J. Finnegan, Anaconda.
 Mearl L. Fagg, Billings.
 Howard H. Harrison, Bridger.
 Clarence W. Hektner, Dutton.
 Clarence A. Smithy, Hamilton.
 Joseph Raymond Wine, Helena.
 William T. Shaw, Jr., Lodge Grass.
 Frank L. Jimerson, Nashua.
 Mary E. Matthews, Oilmont.
 Sophia J. Guthrie, Reedpoint.
 Margaret Huppe, Roundup.
 Peter P. Brandenthaler, Terry.
 Alice E. Hansen, West Yellowstone.
 Hiram B. Cloud, Wolf Point.

NEBRASKA

Melvin A. Brinegar, Alexandria.
 Francis J. Brennan, Alliance.
 R. Elmer Harmon, Auburn.
 Alberta L. Walkington, Bartley.
 William J. McCorkindale, Bellevue.
 George D. Carroll, Brady.
 William Fred Hund, Cedar Bluffs.
 Albert Bernard Hassmann, Coleridge.
 Earl B. Hardeman, Crete.
 Fred Ferguson, Deshler.
 Augusta Z. Bowen, Dunning.
 John L. Withers, Elwood.
 Margaret E. Patterson, Gretna.
 Tom D. Morris, Holdrege.
 Ben D. A. Quigley, Indianola.
 George D. Parker, Johnson.
 George L. O'Gara, Laurel.
 Frank E. Faling, Maywood.
 Rose T. Fleming, Monroe.
 Lenna L. McReynolds, Nehawka.
 Kenneth A. Scofield, Neligh.
 Patrick F. Tully, North Bend.
 Harold M. Morris, Oshkosh.
 Albert H. Bahe, Ohioa.
 Ben G. Worthing, Overton.
 Archer E. Ovenden, Pawnee City.
 Irene H. Roberts, Paxton.
 Bruce P. Boyd, Pierce.
 Milo W. Price, Plattsmouth.
 Adolf E. Kaspar, Prague.
 Mary B. Kanaly, Rulo.
 Otto E. Nelson, St. Paul.
 William P. Cowan, Stanton.
 Earl W. Isgrig, Tekamah.
 Mary E. Corkle, Tilden.
 William M. Gross, Wisner.

NEVADA

Mary C. McNamara, Elko.
 Alfred Tamblin, Ely.
 John J. Noone, Goldfield.

NEW MEXICO

Robert W. Cumpsten, Hagerman.

NEW YORK

Josephine Adams, Blue Point.
 John Hartigan, Chatham.
 Jeremiah J. Reagan, Clymer.
 Timothy C. Sullivan, Comstock.
 Helen S. Peck, Crown Point.
 Laura M. Sullivan, Dundee.
 John F. Kelly, Fleischmanns.
 Nellie B. Taillon, Fort Covington.
 John V. Kelly, Friendship.
 Sister Mary Valeria Desmond, Gabriels.
 J. Edward Moore, Grand Gorge.
 Frank L. Brady, Harriman.
 William A. Danaher, Horseheads.
 Burton D. Calkin, Lake Huntington.
 Charles E. Williams, Middlesex.
 Eugene M. Galley, Montour Falls.
 Joseph F. Hubert, Northport.
 Harry Ray Phelps, Painted Post.
 Frederick M. Jones, Red Creek.
 Cletus T. Glackin, St. Bonaventure.
 John W. Moore, Savona.
 Majorie W. Gehrke, Sidney Center.
 George W. Kelly, Sodus.
 Eugene F. Govern, Stamford.
 Mary C. Eichhorn, Thornwood.
 Joseph Hilton, Voorheesville.
 William J. Eagan, Wappingers Falls.
 John W. Gurnett, Watkins Glen.

Leon L. Baker, Willsboro.
Walter J. Reynolds, Woodhull.

NORTH CAROLINA

Thomas B. Miller, Apex.
Bethany Campen, Bayboro.
Wiley H. Taylor, Beaufort.
Clendenon D. Mallonee, Candler.
Paul A. Williams, Clayton.
James O. Purnell, Franklinton.
Claude M. Peeler, Granite Quarry.
William G. Crutchfield, Haw River.
Benjamin H. Mintz, Marble.
James A. Barnes, Middlesex.
John M. Kennette, Mooresville.
Frances G. Thompson, Morven.
Margaret T. Ledbetter, Polkton.
Annie L. Scott, Sanford.
Henry E. Earp, Selma.
Orlando H. Hodges, Spray.
Fred M. Mills, Wadesboro.
Eugene J. Johnson, Wallace.
Paul E. Merchant, Weldon.

OKLAHOMA

Jean C. Petty, Caddo.
Abraham Van Dyke Robinson, Claremore.
Christopher C. Copeland, Cordell.
Jesse W. Haydon, El Reno.
Louie S. Andersen, Harrah.
Lizzie E. Capehart, Jay.
Bessie R. Willis, Maysville.
Charles E. Fair, Sulphur.
Clarence Knappenberger, Watonga.
Ethel N. Anderson, Waurika.
John E. Jennings, Wynne Wood.

OREGON

Earl B. Burch, Amity.
Marvin O. Hawkins, Coquille.
Martin W. Moseley, Halfway.
Mabel M. Cummings, Philomath.

SOUTH CAROLINA

James M. Riley, Allendale.
James R. Thompson, Andrews.
Dewey Stephens, Dillon.
Paul M. Davis, Donalds.
John H. Payne, Johnston.
Raymond R. Phillips, Seneca.

TENNESSEE

Mamie D. Phillips, Brighton.
Vance C. Pendleton, Bullsgap.
Jere Gardenhire, Carthage.
Ethelbert C. Cross, Clinton.
James S. Akin, Copperhill.
Pearl M. Harris, Dandridge.
William H. Pritchett, Dresden.
Grace G. Shell, Elizabethton.
John T. Franklin, Gallatin.
Elder M. Ogle, Gatlinburg.
Emmie A. Williams, Green Briar.
Robert M. Cobb, Mascot.
Everett M. Smith, Maynardville.
Bertha L. Loy, New Market.
David H. Ensley, Old Hickory.
Moda M. Marcum, Oneida.
William E. Hobbs, Petros.
William T. Christian, Roan Mountain.
Hugh L. Hicks, Rockwood.
Hamilton H. Taylor, Sr., Rutherford.

TEXAS

Allan H. White, Amherst.
Edgar W. Burkett, Andrews.
Richard W. Taylor, Asherton.
Dorothy Wilson Hancock, Beeville.
Thomas R. West, Benjamin.

Leon C. Smith, Bishop.
Louise H. Clark, Blossom.
William G. Davis, Boerne.
Alpha R. Garton, Booker.
John E. Morris, Borger.
William F. Robinson, Bowie.
Claud A. Howard, Bronson.
Ephraim B. Hyer, Buckholts.
Jewell M. Barber, Buda.
Ross H. Johnson, Burnet.
I. Walton Ingle, Caddo Mills.
Emma C. Brannon, Carthage.
Victor Debbs Brown, Centerville.
Marie W. Smith, Chapel Hill.
Luther H. McCrea, Cisco.
Roy Leonard Doak, Cleburne.
Alvin L. Bronstad, Clifton.
Raymond C. Clemer, Clyde.
Roy B. Miller, Crawford.
Edna Williams, Eden.
George H. Barney, Sr., Ennis.
Thomas R. Bennett, Falfurrias.
Barbara H. Smith, Floydada.
Alva C. Cotney, Follett.
Cleo K. Hinton, Forney.
Curtis R. Blake, Frost.
Cecil H. Tinsley, Gainesville.
Floy H. Latham, Gary.
Juanita M. Thomas, Gause.
Elinor M. Thomas, Goose Creek.
Sue DeFord, Gordon.
Chevis R. Cleveland, Granbury.
Anton C. Mussil, Granger.
Jeff Gray, Groom.
Blanche J. Bergin, Gruver.
Hugh E. Minshew, Hawkins.
Ansley M. Winsett, Higgins.
Balda J. McMillan, Hughes Springs.
Boliyar C. Ivy, Huntington.
Eunice N. Seale, Jasper.
William R. Seale, Karnes City.
Henry W. Haynie, Kemp.
James A. Greer, Kopperl.
Alwyn L. Golden, Leonard.
Woster E. Everett, Lometa.
James Knox Bivins, Longview.
Lucian Everett Wilhite, Lueders.
Walter J. Box, Lyford.
E. Otho Driskell, Mansfield.
Charles C. Canuteson, Moody.
Mary N. Winder, Morton.
John M. Green, Mount Enterprise.
Floyd Lee Haymes, Munday.
Clyde H. Prestwood, Navasota.
Crecy Longmire, Newgulf.
Cecil R. Coale, Orange.
Jewell H. Smith, Penwell.
William Eugene Whitley, Pilot Point.
Charlie C. Truitt, Pittsburg.
Zella Cook, Pleasanton.
Manda R. Fields, Ponta.
Bronson C. Howell, Port Neches.
Phil S. Bouchier, Post.
Pennie S. Langen, Premont.
Mary S. Henry, Rocksprings.
Wyatt Williamson, Royse City.
Marie J. Peterman, Santa Rosa.
Oscar C. Hope, Scottsville.
Clarence O. Bruce, Seagoville.
Louise McElroy, Shepherd.
Robert A. Meuth, Skidmore.
Bluford W. Dodson, Snyder.
Marvin S. Chambers, Spearman.
Mary E. Holtzclaw, Tatum.
Frank Folsom, Teague.

Helen A. Milhan, Terrell Wells.
 Andy A. Baker, Tolar.
 John M. Strawn, Trent.
 Roy C. Owens, Tyler.
 Emmett R. Cunningham, Van.
 Revis F. Curry, Wellington.
 Thomas J. Lilley, Whitewright.
 Pat Hardage, Wichita Falls.
 Ellis Campbell, Wills Point.
 Robert E. Blair, Windom.
 Rowland A. Butler, Winnsboro.
 Harvey O. Jones, Winters.

VIRGINIA

John Owen Lynch, Alexandria.
 Harvey R. Stebbins, Ashland.
 Oneda Carbaugh Osburn, Bluemont.
 Leon W. Jones, Buckingham.
 Utah A. Amburgey, Castlewood.
 Edwin B. Sanders, Chilhowie.
 James Tolby Owens, Clintwood.
 Elizabeth B. Mosby, Columbia.
 William J. Story, Courtland.
 Thomas B. McCaleb, Covington.
 Margaret T. Daniel, Craigsville.
 Samuel H. Dawson, Crozet.
 John Wesley Moore, Eastville.
 Beatrice B. Higginbotham, Forest.
 Elizabeth L. MacMillan, Glasgow.
 Philip R. Cosby, Grottoes.
 Lawrence L. Jacobs, Hanover.
 William B. Owen, Jarratt.
 James E. Thomas, Marion.
 Grover T. Huffman, New Castle.
 David E. Earhart, Nokesville.
 Pitt M. Watts, Orange.
 Harry Thomas, Scarborough, Parksley.
 Gladys L. Robinson, Pound.
 Edgar W. Sims, Rapidan.
 Harvey G. McGlothlin, Richlands.
 Vincent W. Joyner, Smithfield.
 Zuleime H. Sealock, Sperryville.
 William W. Ware, Jr., Toano.
 Kenneth C. Johnson, Willis Wharf.

WASHINGTON

Kenneth K. King, Addy.
 Tollie M. Livingston, Bridgeport.
 Jennie B. Simmons, Carnation.
 William W. Woodward, Darrington.
 James C. Weatherford, Dayton.
 Joseph C. Larin, Eatonville.
 Walter A. Gross, Enumclaw.
 Dirk C. Thiemens, Ephrata.
 Walter A. Arend, Friday Harbor.
 Harry Lynehan, Ilwaco.
 Mary Mallory, Mansfield.
 Leon L. Stock, Marysville.
 Gladys E. Gillmore, Medical Lake.
 Felix P. La Sota, Metaline Falls.
 Loren E. Harris, Moses Lake.
 Roy Emerson, North Bonneville.
 David N. Judson, Oak Harbor.
 Iriene E. Olson, Oakville.
 Arthur A. Barnes, Pasco.
 Floyd L. Magill, Randle.
 Edwin C. Peddicord, Richland.
 Will H. Lamm, Stevenson.
 William T. Davis, Toppenish.
 Leroy McClain, Washougal.
 Eva S. Baccus, Yacolt.

WEST VIRGINIA

William Perkins, Bradshaw.
 Virgil W. Knight, Burnsville.
 Wilma J. Starcher, Cowen.

Samuel A. Cockayne, Glen Dale.
 Clair W. Overstreet, Matewan.
 William H. Johnson, War.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 16, 1940

The House met at 12 o'clock noon.

Rev. Joseph M. M. Gray, D. D., Litt. D., chancellor, the American University, Washington, D. C., offered the following prayer:

O God and Father of us all, whate'er our name or sign, let Thy blessing, we pray Thee, rest upon this Congress now in session, that its discussions may report progress and understanding and its decisions register not the issues of controversy but the achievements of wisdom. Grant, we pray Thee, that all law here enacted may strengthen righteousness, that all restraints imposed may be so directed as to sustain our American democratic ways of life.

Enhance, we pray Thee, the force and meaning of our American tradition with gifts of ever-deepening insight into those qualities of obligation and advantage without which there can be neither genuine liberty nor the just exercise of power.

In this world in time of war we pray Thee to direct our minds of those strategies of domestic accord and international cooperation upon which alone the freedom and security of men everywhere may rest. We pray Thee to grant to the President of these United States and to all in authority the endowment of health and rectitude, and to all the people of our Commonwealth we pray Thou wilt give the benefactions of industry and honor. We ask through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address I delivered last night.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by inserting some short editorials from the Cincinnati Enquirer on the subject of the elimination of stream pollution.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Chattanooga Times.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article from the Wall Street Journal about the State of Alabama, the North Discovers the South.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PATRICK. Mr. Speaker, I ask unanimous consent again to extend my remarks and to include therein a speech on the State of Vermont.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

INDEPENDENT OFFICES APPROPRIATION BILL, 1941

Mr. WOODRUM of Virginia (from the Committee on Appropriations) reported the bill (H. R. 7922) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1941, and for other purposes (Rept. No. 1515), which was referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. DIRKSEN reserved all points of order against the bill.

THE LATE HONORABLE NATHAN L. STRONG

Mr. TIBBOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. TIBBOTT. Mr. Speaker, it is fitting and proper that we pause for a few moments to pay tribute to a former distinguished Member of this body who has recently been summoned by death. There are those serving here now who will remember Hon. Nathan L. Strong, from the Twenty-seventh Pennsylvania District, which district I now have the honor to represent, and who will be saddened to learn that his long and useful life came to a close on December 14, 1939. He died at his home at Brookville, Pa., at the age of 80 years, after an illness which confined him to his bed for several weeks.

Nathan L. Strong was born at Summerville, Jefferson County, Pa., November 12, 1859, a son of Frederick J. Strong, who was a member of Company G, Eleventh Pennsylvania Cavalry, in the Civil War, and Roxy Wolcott (Jacox) Strong, who was a direct descendant of Oliver Wolcott, one of the signers of the Declaration of Independence.

In the life of Nathan L. Strong one can see the accomplishments made by an American youth under adverse circumstances. The fact that it was impossible for him to remain in school did not prevent him from fitting himself for the battles of life. At an early age of 18, while employed as a telegraph operator, he spent his evenings and leisure moments studying law, finally being admitted to the bar in the State of Pennsylvania in 1891. Two years after his admittance to the bar he was selected district attorney in his home county of Jefferson, and later engaged in the active practice of law and of promoting the building of a railroad through the district which he represented in Congress.

Mr. Strong was elected to the Sixty-fifth, or "war," Congress, and his record as a Member of this body was so outstanding that his constituency returned him to Congress for eight consecutive terms.

He was an authority on mineral resources of Pennsylvania and a valuable member of the Committee on Mines and Mining. He was also an outstanding member of the Rivers and Harbors Committee, and it was through his efforts that improvements on the Allegheny River were made, which was a great service to the transportation in the large mining and industrial section of Pennsylvania through which that stream runs.

During his 18 years' service in Congress, Nathan L. Strong took seriously the duties and responsibilities of his office. He was most zealous in behalf of his constituents, giving his best efforts to any and all who appealed to him for aid. He was a loyal and patriotic citizen. Personal gain was always a minor motive in his life. His ambition being the development of the resources of the hills and valleys of his birth that the community might be prosperous; that the owners of land might realize upon the buried treasures; and that men might have employment. He was a man who had visions that became realities.

His was a life well lived, and we mourn his passing. To his sorrowing widow, Mary S. Strong, let us extend our most sincere sympathy, and our hope that she might find consolation in the fact that a faithful servant has gone to his just reward.

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered by Dr. Fosdick.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a Jackson Day speech made by the Honorable Paul V. McNutt.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech by Professor Emerson on the Scandinavian neutrals.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. THORKEKELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein quotations from four books and three magazines. I may say this will exceed the amount permitted, but I have an estimate from the Public Printer.

The SPEAKER. What is the amount of the estimate?

Mr. THORKEKELSON. It will exceed two pages, but I have an estimate with me from the Public Printer.

The SPEAKER. It is usual for a Member to state the amount of the estimate.

Mr. THORKEKELSON. It is \$202.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. THORKEKELSON]?

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, what is it from—what magazine?

Mr. THORKEKELSON. From Liberty and other magazines.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. THORKEKELSON]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SMITH of Illinois. Mr. Speaker, I ask unanimous consent that on Friday of this week, after the disposition of business on the Speaker's table and at the conclusion of the legislative business in order for the day and previous special orders, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SMITH]?

There was no objection.

TRADE AGREEMENTS

Mr. SANDAGER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island [Mr. SANDAGER]?

There was no objection.

Mr. SANDAGER. Mr. Speaker, in his statement before the Committee on Ways and Means last Thursday, Secretary of State Hull made the following observation:

No evidence of serious injury has been adduced in the assertions and allegations which have been put forward by the opponents and critics of the trade-agreements program.

In answer to this may I say that on various occasions I have called the attention of the House to the damage done the lace industry of Rhode Island and of other States, and because of the assertion of Secretary Hull, I feel impelled to again cite the fact that, owing to the Franco-American trade agreement, the American lace industry today is practically at a standstill. In 1938 the loss in wages to American lace workers because of the trade agreement amounted to over \$3,500,000, and the loss for last year will be revealed as even greater.

The reason for this is apparent when the increase in French imports of lace since the Franco-American trade pact went into effect June 15, 1936, is shown.

Here are the figures:

Importations of laces in chief value of silk		Pounds
12 months average, 1932 to 1935	-----	11,721
1936	-----	46,641
1937	-----	151,642
1938	-----	247,623
1939 (10 months only)	-----	275,168

Nineteen hundred and thirty-nine, full year, will total at least 300,000 pounds as compared to 11,721 pounds normal average.

Veilings of rayon and silk

	Pounds
12 months average, 1932 to 1935.....	9,160
1936.....	21,647
1937.....	66,986
1938.....	107,437
1939 (10 months only).....	95,740

Nineteen hundred and thirty-nine, full year, will total over 100,000 pounds as compared to 9,160 pounds normal average.

Cotton laces (of 12 points or finer)

	Pounds
1936 (6 months).....	210,052
1937.....	431,111
1938.....	523,523
1939 (10 months).....	871,529

NOTE.—Prior to June 15, 1936, this item was not segregated in Government reports.

It is interesting to note that, despite the war, importations of this item are increasing materially. The following are importations for the month of October:

	Pounds
1936.....	20,271
1937.....	30,173
1938.....	50,496
1939.....	83,716

The jubilation over this upturn of business for Calais, where most of the French lace-manufacturing industry is located, is evidenced by an article which appeared in the French newspaper *LaPhare de Calais* last year, which reported as follows:

One hundred and ten millions of francs in lace manufactured in 1938, nine-tenths of which was exported to the United States.

The lace industry, which is one of the principal national industries, has already had for a certain time—that is, since the operation of the Franco-American treaty—a revival which cannot help but accentuate itself and indicates a continued success.

One can assert that the revival in our industry was brought about by the Franco-American treaty.

From what precedes, one can prophesy happy prospects for 1939, lace being everywhere in fashion, and prices permit meeting foreign competition.

Let us rejoice with all our hearts for this revival of a wonderful industry for the benefit of its creators, its workers, and for the entire Calais industry.

Later—to be specific, on June 3, 1939—we find the United States Consul James G. Carter, located at Calais, France, reporting that—

The Calais lace industry credits its current favorable position largely to American demand occasioned by benefits arising from the Franco-American trade agreement, the relatively low value of the franc compared with the dollar, and a distinct fashion trend in favor of lace.

And again, on November 16, 1939, United States Consul James G. Carter is quoted in a press release to this effect:

Calais' lace industry continues to offer a substantial contribution to France's export trade with the United States, notwithstanding the difficulties resulting from the war, according to a report from Consul J. G. Carter, Calais, made public by the Department of Commerce.

While activity in the lace industry has been reduced by more than 60 percent, shipments to the United States have not been affected in the same proportion, the report said. Outside of the American market, sales of French lace have become practically extinct, and France's total lace production may be considered to be destined for the United States.

From the above report it becomes obvious that importations of French laces, despite the war, continue to flood our American market to the detriment of American lace workers.

For 1938 the production of American lace dropped to 40 percent of the pre-trade-pact era. What production has existed in America has been at price levels so low, due to the tremendous influx of French laces into our market, that several American mills have been forced to close their doors, throwing their workers out of employment.

The difficulty of successful competition here with the French lace workers is further revealed in the fact that the American lace-manufacturing industry has been operating on a 40-hour week and with a minimum wage of \$13 per week, whereas it is reported that unskilled labor in French lace plants is receiving as low as from 50 to 60 francs per week of 48 hours, or \$1.13 to \$1.35 per week, about 10 percent of what the unskilled American worker in a lace mill receives.

The wages of skilled workers presents another graphic discrepancy. Following is a table showing the comparative weekly wages of lace workers in France and the United States:

Workers	United States	France
Brass-bobbin winders.....	\$21.20	\$5.40
Spoolers.....	15.20	4.05
Warpers.....	30.00	5.94
Bobbin presses.....	23.50	5.40
Menders.....	20.00	3.68
Sample girls.....	20.00	3.95
Card punchers.....	30.00	7.23
Machinists.....	35.00	9.20
Dyers (formula).....	50.00	11.18
Twist hands (weavers).....	55.00	18.00

Another factor which has contributed to the utter inability of the American lace industry to compete with France has been the depreciation of the franc.

On the effective date of the agreement—June 15, 1936—the French franc was valued at \$0.0653; on October 15, 1936—4 months later—at \$0.0466; on May 15, 1938, at \$0.0279; on December 13, 1939, at \$0.0224.

Article XI of the agreement makes provisions for abrogation or modification of the agreement "in event of a wide variation in the exchange rates." Our Government has taken no action, despite this wide variation.

Furthermore, the first paragraph of the preamble to the French agreement states that because there is stability in fact between the currencies, the agreement has been concluded. Since the World War the French franc has displayed great instability.

Responsible leaders in the American lace manufacturing industry claim that many petitions have been made to the Committee for Reciprocity Information, as well as to the State Department, to invoke article XI of the French treaty, which permits of abrogation or modification "in the event a wide variation in exchange rates occurs."

That the sad plight of the American lace manufacturing industry is directly attributable to the Franco-American treaty and the depreciation in value of the French franc must be obvious from the above facts.

However, our State Department has denied assistance to our American workers, claiming that the drop in production of American lace and its attendant unemployment was due to shifts within the industry and not to the afore-mentioned causes.

As may be noted, the new European war has not relieved this deplorable situation but, in fact, has tended to aggravate it through a further depreciation of French currency.

Therefore, in the light of Secretary Hull's statement that "no evidence of serious injury has been adduced in the assertions and allegations which have been put forward," I again call his attention and the attention of Congress to the damage done our lace industry and feel confident that my colleagues from other parts of the country can bring forward evidences of similar injury to industries which once flourished in their States. [Applause.]

EXTENSION OF REMARKS

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein an editorial appearing in the Bloch newspapers.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. SPRINGER]?

There was no objection.

Mr. FISH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FISH. Mr. Speaker, the press reports today that there will be a message from the White House relative to Finnish relief. Can the Speaker give the House any information as to that?

The SPEAKER. The Chair will refer the inquiry to the majority leader.

Mr. RAYBURN. Mr. Speaker, it was announced yesterday a letter would be sent to the President of the Senate and the Speaker of the House, but there was nothing definitely stated that it would be today or tomorrow.

Mr. FISH. Can the majority leader give us any information as to whether it will be presented today?

Mr. RAYBURN. I cannot.

Mr. FISH. That is all I want to know.

Mr. RAYBURN. I am informed now, and I did not have this information a few minutes ago, that the message or letter will probably be here within an hour.

Mr. FISH. The reason I ask the question is because I was wondering whether the letter will be read. It will not come in as a message to the Congress. It will go to the Speaker. Is it the intention of the Speaker to have it read to the House at that time?

Mr. RAYBURN. I presume that is a matter in the hands of the Speaker. I do not suppose the Speaker will object to having the letter read at the time it is received or before the House adjourns this afternoon.

Mr. FISH. May I inquire of the Speaker if he will state what the procedure will be?

The SPEAKER. The Chair is not disposed to state at this time what the procedure will be with reference to a letter from the President of the United States.

EXTRANEUS MATTER IN THE RECORD

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

There was no objection.

Mr. RAYBURN. Mr. Speaker, may I say a few words about printing matter in the RECORD. Every Member of the House appreciates one of the reasons why I have not taken the responsibility of objecting to editorials and magazine articles going into the RECORD. Usually they are put in at another place. However, this custom has grown and grown until I feel it is my duty to take this responsibility and I now state that hereafter I will object to extensions of remarks which include newspaper articles, magazine articles, or the like, for which special permission of the House must be granted to insert on account of the matter of cost. I think it has grown to the point where something must be done.

It has been my hope all along that the Committee on Printing would at some time bring in a rule and that it would take the responsibility of looking after the RECORD in that respect. Of course, I know how hard it is to control and I sympathize with the members of that committee, but I shall object hereafter to any of these extraneous matters going into the RECORD where the cost is more than provided by law. [Applause.]

Mr. RANKIN. Will the gentleman yield?

Mr. RAYBURN. I yield to the gentleman from Mississippi.

Mr. RANKIN. The gentleman is referring to material that covers several pages?

Mr. RAYBURN. Yes; in cases where special consent is required on account of the cost.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. RAYBURN. I yield to the gentleman from Pennsylvania.

Mr. RICH. I wish to congratulate the majority leader on his statement. I also wish to say that as far as the House members of the Joint Committee on Printing are concerned, the gentleman from Alabama [Mr. JARMAN], and I believe the gentleman from Massachusetts [Mr. CONNERY] is in sympathy with the attitude of the majority leader; but I may say that it has not been the fault of the House members of the Joint Committee on Printing that action has not been taken to keep extraneous matter out of the RECORD and keep it a record of the House and Senate as it should be.

Mr. RAYBURN. I stated that I knew the difficulties the House members of the committee were having.

[Here the gavel fell.]

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RABAUT. In connection with this matter of printing, last year as chairman of the legislative subcommittee of appropriations, I made the suggestion that if the RECORD were to be printed in a little different form we could effect an annual saving of \$135,000. Nothing has been done about it up to the present time. While we are talking about savings we might think of that.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. WOODRUM of Virginia and Mr. VOORHIS of California asked and were given permission to extend their own remarks in the RECORD.

INDEPENDENT OFFICES APPROPRIATION BILL, 1941

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 7922) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions and offices, for the fiscal year ending June 30, 1941, and for other purposes; and pending that motion, I ask unanimous consent that general debate continue through the day, and that the time be equally divided and controlled by myself and the gentleman from Illinois [Mr. DIRKSEN].

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7922, with Mr. WARREN in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield myself 30 minutes.

Mr. Chairman, the independent offices appropriation bill now before the Committee for consideration is the bill that carries appropriations for the bureaus and departments and agencies known as the independent establishments, or that are not under any Cabinet officer.

At the outset I wish to express my very deep appreciation of the fine cooperation of the Independent Offices Subcommittee, both the majority and minority members. Hearings were begun on this bill immediately after Thanksgiving and they are printed in two large volumes. I believe you will find that the items were gone into carefully and painstakingly. We hope that we have accomplished something.

I wish to express particularly my appreciation of the fine work of Mr. Duvall, who handled the bill for us this year in the absence of Mr. Orr, the clerk of the committee, who usually handles the bill.

I wish to note particularly at this time with very deep sorrow the absence of the ranking minority member of the subcommittee, the gentleman from Massachusetts [Mr. WIGLESWORTH]. The gentleman from Massachusetts is one of the serious-minded and able members of the minority party in this House. His presence and application are always a contribution. I am sure the committee and the House will know with great sorrow and concern that he is detained at home on account of the very critical illness of his mother, and I know that all of us send up a prayer for her safety and a speedy recovery.

The Budget estimates for the independent offices for the next fiscal year total \$1,194,704,473. The bill comes to you with reductions under Budget estimates aggregating \$94,492,166. [Applause.] The bill as it comes to you is \$16,233,625 below what was appropriated during the current fiscal year for the same activities.

We believe these reductions have been made and can be made without seriously crippling any useful and needed Government activity. I wish at the outset to express the very earnest hope that the Members of the House will assist the committee in maintaining these reductions, even though in

some instances we may have to support reductions that have been made in programs and activities in which we are personally and as Members of Congress greatly interested.

I want to go through the report which has been filed—and it is available to members of the committee if you wish to call for it—to call attention to a few of the points which I believe will be of particular interest to the Committee, and then submit to such questions as the Committee may wish to ask.

In the first place, I wish to speak of the question of administrative promotions. This being the first general appropriation bill, it is appropriate to discuss that briefly at this point. Last year the Committee on Appropriations asked the Bureau of the Budget to conduct a survey and study of the custom and procedure in the making of administrative promotions in the several agencies and bureaus of the Government, believing there was a great lack of uniformity. In some bureaus and agencies administrative promotions have been made fairly regularly, and in others there had been practically none. However, the Bureau of the Budget has not been able to complete its survey and study of that problem. It will be several months before we get the final report.

In the meantime, however, there was included in the Budget for 1941, and there run through all the appropriation bills, certain items of new money for administrative promotions, aggregating in the whole Budget something over \$3,000,000, this being in addition to the approximately \$3,000,000 to \$4,000,000 estimated to become available from lapsed money and savings; so that the total money to be available in the next fiscal year would be something like six or seven million dollars for the administrative promotions if the recommendations of the Budget were to be followed.

In laying out this program the Budget used a formula seeking to provide more uniformity in making administrative promotions. The formula provided that those employees in grades where the salary was less than \$3,200 per year, and who had not had a promotion since June 30, 1938, and whose efficiency ratings made them eligible for promotion, should have a one-step promotion, and that those whose salaries were in grades where the minimum salary was \$3,200 and above, and who had eligible efficiency ratings, and had not had an increase since June 30, 1936, might have a one-step promotion.

The Appropriations Committee has approved this general plan with the exception that it recommends promotions be made to eligible employees in grades having a minimum salary of \$3,200 or above, who, on June 30, 1940, have not had a promotion since June 30, 1935, and to those eligible receiving less than \$3,200 per annum who have not received a promotion since June 30, 1937. This policy will govern all the regular bills as they come to the House. We adopt the formula for making administrative promotions of the Bureau of the Budget, but make it a 3- and 5-year limit rather than a 2- and 4-year limit. We take out the new money added for administrative promotions, which is the \$3,000,000, but permit the bureaus and agencies to utilize lapsed money or savings for the making of administrative promotions within the formula set out, provided that these lapses and these savings may not be used in excess of the estimated lapses and savings reported by the Bureau of the Budget. If this sounds complicated, I am sorry, but we cannot state it much more simply. In ordinary parlance it simply means that the question of making administrative promotions in the departments will continue in the next fiscal year practically as it has existed in this existing fiscal year with the exception that they cannot pile up unnecessary and unusual deficits for the purpose of making raises and they must make the raises in accordance with this formula. So if anyone states that the Congress hereby is stopping all administrative promotions, that is not accurate, because we have not done any such thing. We are still leaving it to the departments to make promotions if they have the money to do so in accordance with this formula, and by the time the next regular bills come to the House we will have a definite report from the Bureau of the

Budget and, perhaps, be able to make more definite recommendations in this regard.

Another matter that appears in all of the bills is an item for personnel management. There was set up a council of personnel administration. It has been in existence for about a year. It was initiated under an Executive order issued by the President, and it seeks to coordinate personnel management and supervision in the different agencies and bureaus, and bring about a more nearly uniform, and a more nearly definite program. Estimates were sent to Congress last year for increased personnel in many of the agencies on account of this personnel management program and they were not reported by the committee, and were not contained in the bill. Again, the committee has deleted from the bills something like \$750,000 that runs through all of these measures on account of this personnel management program, leaving it to the agencies and bureaus to go ahead with their activity in that regard wherever they may be able to use their own establishment or their own personnel for that purpose. The committee did not feel, at this time, it could justify embarking upon a new program of this kind that calls for a substantial increase in personnel in many of these departments that are already very extensively manned.

Going on through the bill and touching one or two instances where changes have been made in Budget estimates, we come to the Civil Aeronautics Authority. Their program is set out very fully in the report, on pages 6 and 7, if you are interested in reading it. They are doing a very splendid job. The committee has given them the Budget estimate, with the exception that it reduced the amount for civilian pilot training from \$6,000,000 to \$5,000,000. This still gives them \$1,000,000 more next year than they had this year, and we felt, under the circumstances presented to our committee, that perhaps the program would not move as fast as the Civil Aeronautics Authority had counted on and that \$5,000,000 would, perhaps, be ample to carry it on through the next fiscal year.

The Federal Works Agency is one of the new outfits set up under the reorganization bill. The committee made a change in the office of the Administrator of the Federal Works Agency respecting its appropriation by undertaking to put it on the same basis that the Budget had put the office of Federal Loan Agency.

In the case of the Federal Loan Agency the Bureau of the Budget required the Administrator of the Federal Loan Agency, who is Mr. Jesse Jones, as we all know, to draw his personnel or the funds with which to employ the personnel in his office from the agencies that come under his management and control.

In the case of the Federal Works Agency the Bureau of the Budget undertook to appropriate new funds over and above the amount set out for the component units under that agency. The Appropriations Committee felt that by economy and efficiency and good business judgment and management, such as we feel confident Mr. Carmody can put into that organization, he certainly will be able to draw his personnel and the funds necessary to finance his own administrative force from the large units and large agencies that come under him for administration. We provided therefore that the \$200,000 for his own administrative staff should be taken from the agencies coming under the Federal Works Administration, which are the United States Housing Authority, the Public Roads Administration, the Public Buildings Administration, and Public Works Administration.

On page 17 of the report mention is made of the building construction program for the District of Columbia. No estimates were sent by the Bureau of the Budget to the Committee for any new public construction outside of the District of Columbia. There are funds there for post-office buildings and for Federal buildings in accordance with our 3-year program inaugurated several years ago. There is carried in this bill the yearly part of that appropriation to carry on that program, but no new post-office building program was sent to the committee, notwithstanding the fact there are

many places in the country where new construction might easily be justified on account of lack of space and high rents being paid by the Government.

However, there was sent to us a building-construction program for the District of Columbia. It contemplates an aggregate cost of \$25,820,000 and calls for an expenditure in this next fiscal year of \$6,970,000. It provides for a General Accounting Office, site and building; a Federal office building, site and building; Bureau of Economics, site and building; a west-central heating plant; State Department, annex building site; and an item of \$1,000,000 for acquisition of property in the District of Columbia. The Committee on Appropriations felt that in the circumstances such as exist at the present time, when all of us are pledged to try to avoid unnecessary outlays, certainly there would be no justification, or it would be at least hard to justify embarking on a large public-construction program in the District of Columbia, so those items have been left out of the bill.

In the matter of public roads, the committee reported the full authorization and full Budget estimate for the Federal-aid highway system of \$100,000,000. It reported the full Budget estimate and authorization for secondary or feeder roads of \$15,000,000. It reported the Budget estimate for public-land highway construction of \$1,000,000, which is \$1,000,000 less than the authorization.

On the matter of grade crossings, the committee reduced the Budget estimate of \$30,000,000 to \$25,000,000, a reduction of \$5,000,000. We did that, believing that there is no logical reason now why the grade-crossings program should not be curtailed and fitted into the general program of highway construction; and in that connection I call attention to the fact that since the so-called emergency has existed public grade-crossing projects have received \$90,000,000 in regular appropriation bills, and that project received \$200,000,000 in the 1935 Relief Act; also \$33,000,000 of N. R. A. funds, making a total of \$323,000,000 that this grade-crossing program has received up to the present time, not counting the \$25,000,000 carried in this bill. That is an auspicious program. Of course, it is something in which many of use have been vitally interested, and it has reduced many highway hazards, but in the circumstances the committee felt that some reduction in the interest of slowing up this part of the program perhaps could be justified.

Mr. PARSONS. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes.

Mr. PARSONS. I notice the Budget estimates have been eliminated in this bill for the National Resources Planning Board. Can the gentleman give us the reason for that?

Mr. WOODRUM of Virginia. Under the Executive office of the President, the reorganization bill placed, among other things, the National Resources Planning Board and the Office of Government Reports. The Office of Government Reports was formerly known as the National Emergency Council, its name being changed by reorganization plan No. II. The Budget estimate for each of these agencies sent to the committee was a little more than \$1,000,000, and in each instance slightly in excess of the sum available to them for the current fiscal year. The items were left out of this bill and are not included for the reason that there is no basic law on which to justify the appropriation. They are not authorized by law, and the committee has no right to bring an appropriation to the House which is not authorized by law. Until there is some authorization for them the Committee on Appropriations is powerless to recommend appropriations to the House.

Mr. PARSONS. Is it expected that some allocation will be made out of other funds for the continuation of these agencies?

Mr. WOODRUM of Virginia. I cannot answer that, because I do not know.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes.

Mr. COCHRAN. In the last session of Congress a bill was introduced to make permanent the National Resources Commission or Board, which name was later changed to the National Resources Planning Board by Executive order. That

bill came to the committee of which I am chairman, but I was advised later by the Bureau of the Budget that such legislation was not necessary; that it was already authorized by law. So the matter was dropped entirely, and no consideration given to the legislation. I ask if the gentleman from Virginia is positive that there is no authorization of law under which the President by Executive order can set up such an organization?

Mr. WOODRUM of Virginia. I could not find any parliamentary who says that there is, and personally I do not think it is authorized by law. Some of these functions, perhaps, might be performed by the Executive office if they were taken in as a part of the Executive offices set-up, but as a separate agency and appropriated for as a separate agency I will say to the gentleman we have not been able to find any parliamentary opinion that has justified it.

Mr. COCHRAN. I asked the question solely for the reason that I know we are going to have a recommendation, in view of the action of your committee, for legislation setting up such an agency, and I wanted to get the gentleman's opinion.

I know there is considerable opposition to the creation of such a permanent organization. Personally, I am inclined to feel much good could be accomplished by a proper organization planning for the future. For instance, if we had arranged years ago plans for various public-works projects, State and National, and had the plans and specifications all worked out when the depression arrived, when the Government came to the rescue of the unemployed, we could have put into operation the construction of what we felt were the best projects rather than by simply giving men employment on projects that had no permanent benefits.

Whether or not the Congress would make such an organization permanent by legislation I would not attempt to say, as I had some experience with two committees, being chairman of both the Committee on Expenditures and the Select Committee on Reorganization; and if the sentiment displayed at the time is an indication of what might happen in the future, there is serious doubt in my mind a bill would be favorably reported. I understand the Committee on Rivers and Harbors and the Committee on Public Lands have both considered the subject but no legislation was ever reported to the House.

Now, if the gentleman will permit me to refer to another matter about which he spoke—the building program in the District of Columbia: The gentleman knows that I am not in favor of some of the large appropriations for the beautiful marble and limestone structures that have been set up in the District of Columbia, but you have eliminated in this bill the item for the General Accounting Office. It so happens that I am in direct contact with that office almost daily. Their records are scattered in 15 or 20 buildings in the District of Columbia. I want to tell the gentleman from Virginia and the House if we ever have a real fire where those records are stored the \$9,000,000 that you save in the construction of a building for the General Accounting Office in this bill will be a mere trifle as compared with what the Government of the United States will lose if those records are destroyed. If those records in the possession of the General Accounting Office are lost, it will cost the United States Government hundreds of millions of dollars, rather than \$9,000,000. You will recall you had a fire at the post office 2 or 3 years ago. It was among files in the hall belonging to the General Accounting Office. Some of them affected the Minnesota fire claims. If what I heard is true, the loss of those records cost plenty of money. While I am for economy, I think this Congress should certainly provide some kind of a building, if it is only a fireproof concrete warehouse costing \$1,000,000, in which to house the valuable records of the General Accounting Office. The General Accounting Office records can never go into The Archives, as they are used to settle claims—some of the claims a hundred years old.

Mr. WOODRUM of Virginia. I am quite in sympathy with what the gentleman says, if we had the money or there was any way to get it. I would be willing to consider very seriously the construction of a building of the type the gentleman suggests. I think, supplementing The National

Archives, we should have in Washington, not in the metropolitan center but somewhere near the departmental center of Washington, a large utilitarian type of fireproof building, where thousands and thousands of these files in the various Government departments, which cannot be destroyed but yet which are not of sufficient importance to go through the routine of putting them into The National Archives to be preserved, may be housed. They should be taken out of these departments, where we are paying \$1 or \$1.50 a square foot rent for file cases, and put them under a small file force for the use of the Government in such a building. I think that expenditure might be justified, if we get to the point where we can spare money for that purpose.

Mr. COCHRAN. I see by the hearings where the National Archivist agreed with the suggestion made by the chairman of the committee, the gentleman from Virginia [Mr. WOODRUM], upon that very subject. For 10 years I have had a bill before the Congress to build a warehouse for Government files. I had the fight almost won by getting money through the P. W. A., but there was an argument, in which the National Archivist—whose only thought is expansion—joined, with the result that they finally put in The Archives Building three and one-half million dollars' worth of additional stacks that were not necessary. The money could have been used for the construction of a storage building that he now says and you now say is necessary. I notice further that the Archivist says only 20 percent of the space he has in his building is occupied with records now. If he had kept his mouth out of that at that time, we would have had the storage building now by using the three and a half million dollars that they put into stacks. [Applause and laughter.] A storage building is for active files which are needed from time to time and which cannot be transferred to The Archives or destroyed; but by placing them and the file clerks in the warehouse, valuable space can be assigned for personnel. I am trying to save the Government money and save valuable records from being destroyed by fire. Your committee handles the appropriation for the General Accounting Office. The officials will confirm what I say.

Mr. WOODRUM of Virginia. I am in hearty sympathy with the gentleman's plan to build such a building, but I think the difficulty at the time was that the impression got around that the building which the gentleman wanted to build at that time was to be in lieu and instead of The National Archives project.

Mr. COCHRAN. That might be true, but I advocated it long before The National Archives Building was started. The Senator from Utah, Mr. Smoot, is the one responsible for The Archives Building. It serves a good purpose, but we do not have to go crazy on the subject, and that is what I contend we have been doing.

Mr. ENGEL. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. ENGEL. I was under the impression that there was something said by the gentleman on the floor a year ago that the Census Building, which we are now constructing, after the census is concluded, is going to be used for the purpose of storing these records. Does the gentleman recall anything about that?

Mr. WOODRUM of Virginia. I probably said something like that—that it might be used for something like that, or for housing some of these other agencies where we are paying very high rent. I do not think the Government can afford to pay \$1 or \$1.50 a square foot to house filing cases. I do not think we should even take the valuable space of the new Census Building and put filing cases in there. We ought to put some of these agencies there which we are renting expensive space to house; but there should be such a building outside, on cheap land, where it would have good fire protection, that would not cost a lot of money.

Mr. ENGEL. I was under the impression that when the Census Building was completed it was to be that type of building.

Mr. WOODRUM of Virginia. No. It is a Federal office building.

Now, if there are no other questions on what I have mentioned, I would like to talk about the Veterans' Administration.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. VOORHIS of California. I would like to go back to the National Resources Planning Board item. Do I understand that has been completely eliminated?

Mr. WOODRUM of Virginia. There is no authority in law for it, I will say to the gentleman. We had no legal authorization upon which to base an appropriation.

Mr. VOORHIS of California. But there have been appropriations made?

Mr. WOODRUM of Virginia. No; not appropriations made in a regular appropriation bill.

Mr. VOORHIS of California. Why does it appear in this bill? Has it previously appeared in this bill?

Mr. WOODRUM of Virginia. No. Heretofore it has been provided for in emergency appropriation or relief acts. The Reorganization Act put the National Resources Planning Board under the executive offices.

Mr. VOORHIS of California. So that is the reason why for the first time it appears in this bill?

Mr. WOODRUM of Virginia. That is right.

Mr. VOORHIS of California. Does not the gentleman feel that it is important to have somebody, some place, that can give an over-all view of a lot of the things we are trying to do, and be of some assistance in interpreting those efforts in the light of the general public interest and the general needs of the Nation? Is not that function very important?

Mr. WOODRUM of Virginia. Undoubtedly it is an important function, but I would not care to commit myself on everything that is done by the Resources Planning Board. The fact remains, however, that the committee, regardless of how it may have felt about the merits or demerits of the agency, could not bring in an appropriation without authority of law, for it would be subject to a point of order, and there is every reason to believe that such point of order would have been made.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. O'CONNOR. The gentleman has referred to the item carrying appropriations for the new post-office buildings under the 3-year plan. Is it not true that under this plan we would only be provided with one new post office in each congressional district every 3 years?

Mr. WOODRUM of Virginia. Two in the 3-year period where the district could qualify as needing a new building on account of post-office receipts and space requirements.

Mr. O'CONNOR. I may say to the gentleman from Virginia that I do not believe that is fair. In my own district, for instance, there are 17 cities eligible for new post-office buildings. Under this plan, it would take 35 years before the current needs are met. Would an amendment be in order to increase that appropriation in this bill?

Mr. WOODRUM of Virginia. It would not for this reason: Authorizations for new public construction is the jurisdiction of the Committee on Public Buildings and Grounds. Heretofore, by acquiescence, we have carried along in the appropriation bill these emergency-program amounts, but it was done with the consent of the Committee on Public Buildings and Grounds. It has been done also because no Member of the House felt inclined to make a point of order against the item. I will say to the gentleman it is not the work of the committee. While I am not indicating to him that I will be for it, my personal idea is that I do not feel there should be a building program this year.

Mr. O'CONNOR. Does not the gentleman feel that Members of Congress know more about the needs of their respective districts than the Budget Director here in Washington? And should not the Members of Congress write the amounts that should be appropriated for this purpose than being directed by some department here in Washington?

Mr. WOODRUM of Virginia. That brings up the question, I may say to the gentleman from Montana, of going back to

the old days when they wrote public-buildings bills on the floor of the House, an era that I do not believe the gentleman would want to go back to.

Mr. O'CONNOR. I was not here then.

Mr. WOODRUM of Virginia. An era when traveling through the country in sparsely settled areas one would suddenly turn a corner and come face to face with a monumental stone building—I mean a monument to the influence and prestige of some Congressman or Senator. I do not believe we would want to go back to that. There are undoubtedly places in the country where there is vital need for public-building construction, where the building can be justified as a business proposition because of space requirements and rent being paid. I am not debating that; I am simply saying that except and until they send some program of that kind here, certainly no Member of Congress is going to justify more monumental buildings for the District of Columbia if the condition is such that we cannot meet those requirements in the districts.

What I hope to see in Washington is some reduction in agencies and in space requirements; and I believe we will come nearer getting that if it is a little bit harder to get space than if we are willing to put up monumental buildings. If we put up the buildings, we surely will find something to put in them.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield myself 15 additional minutes.

Mr. Chairman, I would like to talk for a few moments about the appropriations for the Veterans' Administration, which is, of course, the largest item in the independent offices appropriation bill, and is even larger this year than it was in the last year.

The amount included in the bill is \$580,180,544, and I have here a chart that I will insert at this point which outlines the amounts requested under the various appropriations.

Veterans' Administration, fiscal year 1941

Salaries and expenses:	
01 Personal services.....	\$64,075,418
02 Supplies and materials.....	17,990,640
05 Communication service.....	313,135
06 Travel expenses.....	1,666,476
07 Transportation of things (service).....	803,275
10 Heat, light, power, water, etc.....	2,116,278
11 Rents.....	278,540
12 Repairs and alterations.....	2,749,268
13 Special and miscellaneous current expenses.....	358,265
2200 Grants to State homes.....	1,637,200
2250 Burial expense.....	3,820,023
30 Equipment.....	1,151,678
Transfers to other Government departments.....	4,699,980
Transfers from other Government departments.....	—306,937
	\$101,403,240
Printing and binding.....	120,000
Army and Navy pensions.....	456,492,304
Military and naval insurance.....	20,000,000
Hospital and domiciliary facilities.....	2,165,000
Total.....	580,180,544

It can readily be seen that the major portion of the Veterans' Administration budget is for direct payment to the veterans in the form of compensation and insurance. In connection with actual expenditures during the fiscal year 1939 it is interesting to note that 83.14 percent was for direct benefits, 14.17 percent covered indirect benefits to veterans, and only 2.69 percent was expended for administrative costs. It may be of further interest to note that there has been disbursed for pensions and compensations since the year 1790 through June 30, 1939, a total of \$13,702,692,413.96.

The chart to which I am now pointing, showing Army and Navy pensions, I will place in the RECORD in tabular form. It is impossible to put it in the RECORD in this graphic form, but I will put it in the form of a table.

Number of veterans and dependents remaining on pension rolls as of June 30

	1941			1940		
	Veterans	Dependents	Total	Veterans	Dependents	Total
Yellow-fever roll of honor.....	10	10	10	10	10	10
War of 1812.....	1	1	1	1	1	1
Mexican War.....	135	135	135	147	147	147
Indian Wars.....	2,084	3,956	6,040	2,293	4,100	6,393
Civil War.....	1,571	45,504	47,075	51,335	53,722	105,057
Spanish-American War.....	156,831	63,788	220,619	160,237	60,427	220,664
Regular Establishment (peacetime).....	37,356	11,131	48,487	35,498	10,237	45,735
Compensation (World War, service-connected).....	355,488	355,488	355,488	355,002	355,002	355,002
Pension (World War, non-service-connected).....	68,216	68,216	68,216	59,965	59,965	59,965
Emergency officers' retirement (World War).....	1,789	1,789	1,789	1,801	1,801	1,801
Death compensation (World War, service-connected).....	101,972	101,972	101,972	101,421	101,421	101,421
Death compensation (World War, non-service-connected).....	25,251	25,251	25,251	19,913	19,913	19,913
Total.....	623,345	251,738	875,083	617,193	247,581	864,774

Pensions, Veterans' Administration

By projects	Fiscal year		
	1941	1940	1939
1. Yellow-fever roll of honor.....	\$15,000	\$15,000	\$15,000
2. War of 1812.....	240	240	190
3. Mexican War.....	82,614	91,434	102,844
4. Indian wars.....	3,016,020	3,226,530	3,418,795
5. Civil War.....	24,366,480	28,268,493	33,178,752
6. Spanish-American War.....	127,899,389	126,426,920	125,297,730
7. Regular Establishment (peacetime).....	17,545,717	16,659,646	11,839,643
8. Compensation (World War, service-connected).....	173,031,340	171,965,408	166,948,863
9. Pensions (World War, non-service-connected).....	22,392,469	19,684,098	17,100,318
10. Emergency officers' retirement pay (World War).....	2,950,158	2,969,886	2,991,326
11. Death compensation (World War, service-connected).....	60,025,387	58,873,377	51,436,166
12. Death compensation (World War, non-service-connected).....	11,508,186	8,993,404	4,389,241
Total.....	442,833,000	437,174,436	416,718,868
Estimated deficit fiscal year 1940, requested in 1941 estimate.....	+13,659,304	—13,659,304	—
1940 appropriation obligated in 1939.....	—	+8,547,868	—8,547,868
1939 appropriation obligated in 1938.....	—	—	+1,829,000
Total.....	456,492,304	432,063,000	410,000,000

This chart shows the number of veterans, dependents, and disbursements in each group in all of the different wars. For instance, you will observe that we still have 1 pensioner from the War of 1812, and we will have 135 from the Mexican War. We will have 6,040 from the Indian wars. The Civil War veterans, of course, are passing away and the numbers and amounts are less. The Spanish-American War has not yet reached its peak in cost, but it has just about leveled off, and before a great while there will be a reduction in that.

Then we have the pensions for the Regular Establishments and World War service-connected compensation. There has been a slight increase in this, but both numbers and amounts should about be at the peak, because it is very difficult now to establish new service-connected disabilities if they have not been established up to this time.

Service-connected pensions have dropped from what they were in pre-economy bill days, but still the item is increasing.

As a matter of interest, I will insert a statement showing the total expenditures for pension and compensation, by wars, through June 30, 1939:

Total expenditures for pension and compensation through June 30, 1939	
War of the Revolution.....	\$70,000,000.00
War of 1812.....	46,216,790.57
Indian wars.....	80,051,305.57
War with Mexico.....	61,309,665.40
Civil War.....	8,006,583,061.14

Total expenditures for pension and compensation through June 30, 1939—Continued

War with Spain.....	\$1,412,175,727.52
Wars unclassified—pensions paid prior to June 30, 1918.....	16,513,425.54
Participants yellow-fever experiments.....	148,613.75
Regular Establishment.....	170,862,379.65
World War.....	3,838,831,444.82
Total.....	13,702,692,413.96

The grand total for pensions and compensation for the next fiscal year is \$442,833,000. In addition to that is the matter of \$13,659,304, which is included in this bill but it is really a deficiency made necessary because of added benefits and privileges authorized in the last Congress for World War veterans. This makes a grand total in the bill for this purpose of \$456,492,304.

The administrative expenses of the Veterans' Administration for the next fiscal year is \$101,403,240, broken down as you see it above. There is printing and binding, \$120,000; Army and Navy pensions, \$456,492,304; military and naval insurance, \$20,000,000; and hospital and domiciliary facilities, \$2,165,000.

For military and naval insurance the bill includes \$20,000,000, a reduction of \$6,791,000 when compared with the appropriation granted for 1940. This appropriation covers payments arising from contracts with World War veterans for what was known as war-risk insurance. The payments now being made are those to veterans who suffered a permanent and total disability as the result of war service or during the post-war period in which they carried this type of insurance; payments to beneficiaries of soldiers who died in service or during the post-war period in which this type of insurance was in force; and payments to the Government life-insurance trust fund to meet obligations sustained by that fund incident to the extra hazards of military or naval service of persons so engaged while protected by Government life policies.

This is our contribution to the World War risk policies. Under these World War risk policies the Government has paid to the veterans approximately \$2,000,000,000, and the veterans contributed something over \$450,000,000. It is often said that the veterans have paid for all the insurance they got. I am heartily in favor of the insurance which they received; but let us remember the fact that that is not an

accurate statement. They paid less than 25 percent of the cost of the war-risk insurance. The war-risk insurance should not be confused with Government life insurance, which is self-sustaining. However, this appropriation is for the old war-risk insurance, for which we have spent \$2,000,000,000, and 75 percent of that has been paid out of the Public Treasury.

I will insert in the RECORD a chart showing a break-down of disbursements for this purpose during the fiscal years 1939, 1940, and 1941.

Military and naval insurance, Veterans' Administration

By projects	Fiscal year		
	1941	1940	1939
1. Disability awards.....	\$6,877,036	\$6,948,557	\$7,054,166
2. Death awards.....	6,084,664	9,842,643	25,197,165
3. Lump-sum disability awards (compromise or litigation).....	781,565	714,025	629,546
4. Lump-sum payments (payments to beneficiaries completed).....	2,648,335	2,929,682	2,727,147
5. Transfers to Government life-insurance fund.....	3,576,000	3,144,000	2,758,419
6. Refunds (premiums).....	32,400	32,400	27,496
Total.....	20,000,000	23,611,307	38,393,939

HOSPITAL AND DOMICILIARY FACILITIES

There has been included under this appropriation heading the amount of \$2,165,000. Projects involving expenditure under this appropriation require the recommendation of the Federal Board of Hospitalization and the approval of the President, thus affording the essential coordination of Federal expenditures for these purposes necessary to secure maximum budgetary control of appropriated funds. The contemplated projects have been divided into two groups, namely, major reconditioning, replacements, and new construction involving no additional beds, \$1,515,000; and construction providing additional beds, \$650,000.

The second group, totaling \$650,000, represents projects through which a total of 298 additional beds for neuropsychiatric patients will be obtained.

I shall insert for your information a detailed statement showing a comparison of beds available for the fiscal years 1939 and 1940, and the estimated number available for 1941, divided as to types.

Activity	New beds in 1941	Beds available as of—			Average number of beds available			Percent of utilization of beds in—		
		June 30, 1941	June 30, 1940	June 30, 1939	1941	1940	1939	1941	1940	1939
Hospital beds:										
Neuropsychiatric.....	1,129	34,207	33,078	29,231	34,036	31,859	28,635	97	97	96.69
Tuberculosis.....		5,281	5,281	5,280	5,281	5,280	5,165	84	84	83.34
General.....	146	15,410	15,264	12,685	15,326	13,552	12,028	90	90	89.46
General (homes).....	230	8,365	8,135	7,736	8,178	7,971	7,606	84	84	83.47
Total.....	1,505	63,263	61,758	54,932	62,821	58,662	53,434	93	92	92.37
Domiciliary beds.....	430	20,011	19,581	16,892	19,706	18,499	16,821	93	93	92.63
Grand total.....	1,935	83,274	81,339	71,824	82,527	77,161	70,255	93	92	92.44

There is included under the first appropriation, "Salaries and expenses," the amount of \$101,403,240, which covers all expenses of administration, including salaries and operating expenses of the central office in Washington, 45 hospitals, 39 combined facilities, 13 regional offices, 7 homes, and 2 supply depots; the cost of travel and examination of beneficiaries; payment of burial expenses and reimbursement for such expenses; repairs and alterations to hospitals, homes, and other property in which the Veterans' Administration facilities are housed; payments to contract facilities wherein Veterans' Administration patients are hospitalized; reimbursement to States at the statutory rate for those veterans cared for in State soldiers' homes who are eligible for admission to Veterans' Administration facilities; in general, all items of

expense which are not direct monetary benefits to the veterans. By reference to the chart which I inserted above you will note that the various classifications of expenditure under this appropriation are itemized. This amount represents an increase of \$4,403,240 when compared with the appropriation of \$97,000,000 granted for the present fiscal year.

I have a small chart here, which I will also insert in the RECORD, showing the break-down for this and accounting for the increase of \$4,000,000-plus:

Salaries and expenses, Veterans' Administration

Appropriation, fiscal year 1940.....	\$97,000,000
Appropriation estimate, fiscal year 1941.....	101,403,240
Increase in 1941 over 1940.....	4,403,240

Salaries and expenses Veterans' Administration—Continued

EXPLANATION OF INCREASE	
Beds in Veterans' Administration facilities.....	1,935
Personnel—Increase in personnel required to operate new beds.....	965
Salaries (this increase required for above personnel and for full year's salary of employees appointed during 1940 for new beds and 8-hour day).....	\$2,981,023
Beds utilized in other Government hospitals (average).....	380
Amount transferred to other Government departments.....	\$509,019
Subsistence, medicine, and other supplies.....	\$1,139,250
Hospital patient-days (Veterans' Administration facilities).....	1,975,020
Number rations (Veterans' Administration facilities).....	2,565,793
Burials.....	\$220,023
Payments to State homes.....	\$197,760
Patients' travel; freight; heat, light, water, etc., for new beds.....	\$268,004
Purchase of Equipment (reduction).....	—\$799,902
Less increase in reimbursement from other Government departments.....	—\$111,937
Net increase.....	\$4,403,240

It is entirely accounted for by the added facilities and services given the veterans. We will bring in during the next fiscal year 1,935 additional beds in these Government facilities. Those beds are almost exclusively for the neuropsychiatric veterans. We have not for a number of years built general hospital facilities, except in a few instances where studies show an absolute need, because that type of case has not required new construction, due to the fact we are able to use Public Health hospitals and Army and Navy hospitals for any ordinary ailments or surgical or medical treatments, but for the neuropsychiatric cases, the mental cases, we have and are continuing to engage in new construction to provide additional facilities, because that type of case has not reached its peak. We have to employ 965 additional people to take care of these 1,935 beds, such as physicians, nurses, orderlies, attendants, and all the other services connected therewith. Here is a break-down for each of the units making up this \$4,403,240, which is the increase in the administrative expenses of the Veterans' Administration.

Permit me to say that if there had been added to this \$97,000,000 a pro rata increase in the cost of administrative expenses on account of these 1,935 additional beds, the sum instead of being \$4,403,240 would have probably been in excess of \$6,000,000, so that probably 20 or 25 percent, maybe 30 percent of this increased cost has been absorbed by the Veterans' Administration in their very splendid and very efficient management and handling of the affairs of the veterans of the United States.

Mr. ENGEL. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Michigan.

Mr. ENGEL. Before the gentleman finishes with the Veterans' Administration, I would like to have him comment on the action of the Veterans' Administration regarding the deduction that is made from the pay of attendants and low-grade employees for quarters, clothing, laundry, and so forth.

Mr. WOODRUM of Virginia. For years the service organizations have called the attention of the committee to the situation existing among orderlies, attendants, and the lower-paid employees in the veteran facilities and in the Administration homes. In my judgment, their basic pay is too small to begin with. I would like to see their pay increased. The care of a mentally sick veteran is an extremely important duty and it is very difficult to get the right type of people and hold them in those positions and pay them less than a hundred dollars a month. During these depression years just passed it has been easier than at other times, but not only have they been a poorly paid group of people but it has been the custom of the Veterans' Administration to deduct the matter of allowance for quarters, laundry, and subsistence of approximately \$30 or \$35 a month, and they deduct that in many cases whether the orderly actually lived on the station and had the benefit of quarters, laundry, and subsistence or not if it was so provided in his contract of employment. The Veterans' Administration did it upon the

theory that back in the earlier days when they built Veterans' Administration facilities they put up barracks and constructed quarters for this type of personnel, and having gone to that expense of building quarters the Veterans' Administration employee should live and take the benefit of them; therefore they made these deductions; but as the number has increased and we quit building barracks and quarters for orderlies and attendants and, as has developed in many cases, they do not live upon the station, that situation has become aggravated and very acute. I am very glad to say, without going into more voluminous detail, that we have in the hearings a very definite, positive statement from General Hines, Administrator of Veterans' Affairs, that beginning with the next fiscal year, and before that if it can be put into operation, it will discontinue the custom of making these arbitrary deductions from attendants and orderlies and deduct only in cases where it is necessary that these employees actually live upon the station or where they receive the benefit of these allowances.

Mr. ENGEL. The House, by resolution, instructed the War Veterans Committee to visit the hospitals in the various States. Under that resolution I personally visited Camp Custer. I obtained from the superintendent at Camp Custer a statement showing for each employee the amount of salary he received, the amount of deduction made, and the number of dependents. At Camp Custer I found that after making those deductions sometimes they had as low as \$60 a month to support as many as six dependents, and I am certainly pleased to see this adjustment made.

Mr. VAN ZANDT. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. The figure the gentleman gave covering the cost of hospital and domiciliary facilities brings to my attention the fact that during the present year the Veterans' Administration has hospitalized hundreds of employees of other agencies of the Federal Government. I wondered whether or not the committee took into consideration the necessity of charging these departments of our Government for the hospitalizations, examinations, and so forth, made by the Veterans' Administration.

Mr. WOODRUM of Virginia. That is on a reimbursable basis.

Mr. VAN ZANDT. It is this year?

Mr. WOODRUM of Virginia. Yes; with the exception of physical examinations made for the Civil Service Commission.

Mr. VAN ZANDT. Is not the cost of hospitalization and examination of employees of other Federal agencies included in the total cost of the Veterans' Administration?

Mr. WOODRUM of Virginia. It does not figure specifically here because where they spend a dollar for that the other agency reimburses them. For instance, if they take a Civilian Conservation Corps enrollee—and much of this expense has been incurred in connection with such enrollees—and put him in a veterans' hospital, the Civilian Conservation Corps reimburses the Veterans' Administration for what they have mutually agreed is the cost of that procedure.

Mr. VAN ZANDT. My purpose in asking the question is based on the fact that when General Hines appeared before the World War Veterans' Committee he stated, as I recall it, that no such arrangement was in effect at that time, but that they had plans for the coming fiscal year.

Mr. WOODRUM of Virginia. Until the present fiscal year, the Veterans' Administration was not reimbursed for the cost of physical examinations and hospitalization furnished beneficiaries of the Employees' Compensation Commission or W. P. A. However, this has now been taken care of. I know the Veterans' Administration puts patients in naval hospitals, army hospitals, and in St. Elizabeths, and the Veterans' Administration always reimburses those agencies for such care. I was under the impression, although I may be in error, that the Civilian Conservation Corps enrollees are the ones who principally use Veterans' Administration facilities.

Mr. VAN ZANDT. There are also employees of the W. P. A., the civil service, the post office, and so forth.

Mr. WOODRUM of Virginia. Yes.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Connecticut.

Mr. MILLER. In this question of not deducting for quarters and food, will there be a tendency for attendants to live off the reservation? Will there be any option allowed there?

Mr. WOODRUM of Virginia. There will be an option to this extent: That of necessity a certain number of the attendants and orderlies have to live on the station, because it is necessary to have them within call in case of emergency.

Mr. MILLER. That is the point I wanted to bring out. I would hate to see such a tendency arise.

Mr. WOODRUM of Virginia. General Hines makes that reservation, because it is necessary to have such employees, but he believes enough of the attendants will be single men who will be willing to live on the station.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. I did not quite understand the gentleman's reply to the question of the gentleman from Connecticut [Mr. MILLER]. During vacation I went through the veterans' facility in my district. I tried to make some kind of investigation. I understood from the men employed there that even when it was not necessary for them to be on call they were required to have their meals there and to have a room there. Would this mean that they would still be required to follow that procedure?

Mr. WOODRUM of Virginia. It has been pretty much the general rule up to the present time that such deductions were made whether they had the advantage of the facilities or not, but under the new arrangement that will not be done except when they live on the station or have the advantage of the facilities.

Miss SUMNER of Illinois. While we are on that point, I wonder if the gentleman knows that the Government charges something like a dollar a day for their meals and makes a profit on it?

Mr. WOODRUM of Virginia. Not a dollar a day, I may say to the gentlewoman.

Miss SUMNER of Illinois. I mean that a dollar a day is deducted from the attendants' pay.

Mr. WOODRUM of Virginia. It is approximately \$30 a month, and this includes the meals, the lodging, and the laundry.

Miss SUMNER of Illinois. I understood there was approximately a 35-cent profit to the Government on the meals.

Mr. WOODRUM of Virginia. That statement has been made, but it is very emphatically denied by the Veterans' Administration.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I call the attention of the gentlewoman from Illinois to the hearings, part 1, pages 611 to 614. On page 613 General Hines gives the cost of a meal at 26 cents. The whole subject is gone into quite fully on the pages I have mentioned, bearing out the fact that the chairman and the members of the subcommittee went into this question quite thoroughly and received definite assurance that this policy would be adopted and put into effect this fiscal year as far as possible, surely by the first of July.

Mr. ENGEL. Mr. Chairman, will the gentleman yield further?

Mr. WOODRUM of Virginia. I yield to the gentleman from Michigan.

Mr. ENGEL. At the time I made my statement on the floor of the House, and after I had gone to Camp Custer, I gave the figures that the authorities at Camp Custer had given me. As I recall those figures, it was costing the Veterans' Administration approximately \$13 a month for meals and the Administration was getting \$22.50 for them. Further, the Veterans' Administration was actually charging the attendants

for meals, quarters, and laundry during the time they were taking their regular leave, either sick leave or regular annual leave, charging them for meals they did not eat. In other words, if an employee went on leave for 30 days, he was charged \$22.50 for meals he did not eat.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield myself 2 additional minutes.

The gentleman's statement that they charged the men for meals when the men were on leave is not borne out by the facts. General Hines, in answer to a specific question on that point, stated that the amount charged to the attendant or orderly for meals was figured on an 11-month basis and prorated during the 12-month period. Therefore, according to their figures—I do not say their figures are right or wrong, but I have great confidence in them—it is on an 11-month basis. The gentleman would have a lot of argument with the officials of the Veterans' Administration if he undertook to show they were charging the orderlies and attendants a profit on their meals. Maybe he could convince them, but I do not believe he could. They certainly do not think they are doing that.

Mr. ENGEL. At the time I was at Camp Custer I obtained these figures from the superintendent of the hospital and the men in charge. I made a statement on the floor of the House and protested to the Veterans' Administration about it at the time. Later Representative SHAFER of Michigan placed my report in the RECORD, over a year ago. This is the first time I have ever heard anyone say that the figures then given were not correct. The Veterans' Administration did not so inform me at the time I made the report nor since.

Mr. WOODRUM of Virginia. At any rate, it is a moot question, because the matter has been remedied.

Mr. BLAND. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. BLAND. I have been informed that in one of the veterans' facilities in my district they make deductions where they have not the quarters and where they know they cannot take care of such people on the ground.

Mr. WOODRUM of Virginia. I do not think that statement can be justified. Deductions are made from certain employees' salaries for subsistence, who do not reside on the stations, but no deductions are made for quarters unless quarters are available. Of course, when a gentleman comes for such a job they tell him what they will pay him, and just what the deductions will be, and he is glad to get the job, and also that they have only had money to do so-and-so with. However, the committee has not felt that is the thing to do and we have tried to remedy it and we have remedied it, so it is now water over the dam.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. MILLER. Can the gentleman advise us whether the Veterans' Administration is giving any study to the problem of retirement for their employees?

Mr. WOODRUM of Virginia. I do not know about that, but it is my understanding that all permanent employees have now been brought under civil service and are eligible to the retirement benefits.

Mr. MILLER. I do not expect the gentleman, of course, to go into that matter in any detail, but they have now been functioning for 20 years, and many of their most valuable men are getting along in years. They are not getting now the pick of the graduates of medical schools because of lack of any retirement plan.

Mr. WOODRUM of Virginia. I thank the gentleman.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COCHRAN, Chairman of the Committee of the Whole House on the state of the Union, reported that the Committee having had under consideration the bill H. R. 7922, the independent offices appropriation bill, had come to no resolution thereon.

COMMUNICATION FROM THE PRESIDENT OF THE UNITED STATES—
LOAN TO FINLAND

The SPEAKER. The Chair thinks it proper to lay before the House a communication from the President of the United States addressed to the Speaker, which the Clerk will read. The Clerk read as follows:

THE WHITE HOUSE,
Washington, January 16, 1940.

MY DEAR MR. SPEAKER: Last month when the Republic of Finland paid the regular installment on her debt to the United States, I directed the Secretary of the Treasury to place the money in a separate account pending such action, if any, as the Congress might desire to take with respect to it.

There is without doubt in the United States a great desire for some action to assist Finland to finance the purchase of agricultural surpluses and manufactured products, not including implements of war. There is at the same time undoubted opposition to the creation of precedents which might lead to large credits to nations in Europe, either belligerents or neutrals. No one desires a return to such a status.

The facts in regard to Finland are just as fully in the possession of every Member of the Congress as they are in the executive branch of the Government. There is no hidden information; and the matter of credits to that Republic is wholly within the jurisdiction of the Congress.

This Government will have early occasion to consider a number of applications for loans to citizens and small countries abroad, especially in Scandinavia and South America. That raises the question for the determination of the Congress as to whether my recommendation made to the Congress some months ago, for enlarging the revolving fund in a relatively small sum, for relatively small loans, should be considered. It goes without saying that if the applications for loans can be acted upon favorably by the Congress, this matter will be kept within the realm of our neutrality laws and our neutrality policies.

An extension of credit at this time does not in any way constitute or threaten any so-called involvement in European wars. That much can be taken for granted.

It seems to me that the most reasonable approach would be action by the Congress authorizing an increase in the revolving credit fund of the Export-Import Bank and authorizing the Reconstruction Finance Corporation to purchase loans and securities from the Export-Import Bank to enable it to finance exportation of agricultural surpluses and manufactured products, not including implements of war.

It is wholly within the discretion of the Congress to place a ceiling on the amount of such loans. Whether this legislation should include an additional increase in the revolving credit fund of the Export-Import Bank, in order to provide for additional loans to increase our trade with South and Central America, is also within the discretion of the Congress.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

Hon. WILLIAM B. BANKHEAD,
Speaker of the House of Representatives,

Washington, D. C.

INDEPENDENT OFFICES APPROPRIATION BILL, 1940

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 7922, the independent offices appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 7922, the independent offices appropriation bill, with Mr. COCHRAN in the chair.

Mr. DIRKSEN. Mr. Chairman, I yield myself 30 minutes. As a minority Member, in the absence of the gentleman from Massachusetts, Representative WIGGLESWORTH, let me express to the chairman of this subcommittee, the gentleman from Virginia [Mr. WOODRUM], the appreciation of the minority Members for the temperate and very indulgent way in which he has permitted us to exercise all the functions and all of

the prerogatives of committee members in seeking to establish a case that would be in the interest of the general welfare of the country; and may I observe to the Members on my own side that the absence of the gentleman from Massachusetts [Mr. WIGGLESWORTH] is due to the critical illness of his mother. It is doubtful whether he will share in the deliberations of this bill, and we shall miss him; because he has been most diligent upon his labors, starting early in December, when the hearings on this bill commenced. May I also pay my tribute to the clerk of the committee, Mr. Duvall, who has contrived a very clear and explicit report, and who has done an excellent job in attending to all those routine labors that go along with the work of this committee.

This has been a rather interesting bill. There are some interesting items, and some interesting surgery has happened to the bill both in the subcommittee and in the full committee. I would first direct attention to the hearings and to the testimony provided by the Director of the Bureau of the Budget. I think I share with all of you and have shared for a long time some mystical feeling that all of the wisdom and all of the omniscience seemed to be reposed in the Bureau of the Budget. It has become somewhat of a formula in Congress when a Member is interested in a \$6,000 or a \$10,000 item to go to a member of the Committee on Appropriations, particularly the chairman of a subcommittee, and the question that is always directed to him is, "Has this been approved by the Budget?"

It is almost the formula followed in the routine household where a little girl asks something of her mother and the mother replies, "Have you asked your father about it?" And so we have been constrained for a long time to say, "Has this been before the Budget?" I continued with that high degree of devotion and conviction that the Bureau of the Budget knows all about it, but if you want to see some rather revealing and refreshing testimony you should read the testimony of Director Smith and his assistant, Mr. Lawton. But the thing I want to emphasize to you is this: In response to a question as to the amount of field investigation made by the Bureau of the Budget in connection with the expenditures, for instance, for regional offices of the Home Owners' Loan Corporation, or the State offices, or the many field offices for the Soil Conservation Service, or the P. W. A., or the other billions of dollars that are being expended in the field and not in Washington, he said, in effect, on page 13 of the hearings, that virtually no investigation had been made. Let me read to you the answer. I asked this question?

What field investigations do these two men make, if any?

I was referring to the two men in the Bureau of the Budget to whom the departmental estimates are submitted on or before September 15, as provided in the Accounting Act of 1921. Here is what Mr. Lawton answered:

Up to the present time they have made very few. They have only been able to get out in the field in years when Congress has adjourned early—perhaps for a month. If Congress stays in session until August, as it did last year, there is no opportunity to get into the field. That is one of the reasons for the increase requested here, so that at least one man can remain in the field a large share of the time.

Fancy the billions of dollars that are being expended out of the Treasury, and here comes the Bureau of the Budget before the Committee on Appropriations and tells us in all candor that no field investigations are being made of those expenditures. How are you going to render an intelligent accounting of our fiscal stewardship to the people of this country unless we know how these moneys are being expended, and whether or not the taxpayers are receiving a dollar's worth of benefit for every dollar that is disbursed out of the Federal Treasury? Still another abuse is that if they recommend a department cut in expenditures they leave it to the department to determine where and how and in what function the economy shall be made. This question was addressed to Mr. Smith, the Budget Director:

But you do not leave it to the departments themselves as to where to make the cut?

And Mr. Smith said:

Yes; often we do. We try desperately not to be arbitrary.

One can readily understand how these departments will work. They will take items out of a bill that they know full well the Congress will restore. They will take items that are translated into terms of action in all the congressional districts of the United States, and then they can sit back on their haunches and laugh and say, "Oh, well, we took it out to satisfy the Bureau of the Budget, but when the estimate gets up on the floor of Congress we know just how the boys will perform."

Touch something relating to agriculture and there come stentorian shouts from what is sometimes euphemistically known as the farm bloc that they must be restored. The departments are fully aware of that technique, and yet here is the Director of the Bureau of the Budget, who confesses very properly and without guile to the members of the committee that the cuts are often left to the departments.

Now, let it not be said that I am speaking in derogation of Mr. Smith. I think he is a fine gentleman. I think he knows his business. I think, on the other hand, that the Budget Bureau has been understaffed and that the whole accounting system and budgetary procedure require some revamping if we are going to contrive an intelligent estimate of expenditures, and then go further and articulate them efficiently as they go out to the various agencies and bureaus throughout the land.

Some question was raised a little while ago about the National Resources Planning Board. You will remember that we had a National Resources Board, and that under the reorganization plan that was submitted by the President in April or May it was consolidated with the Federal Stabilization Board, made a part of the Executive Office, and is now known as the National Resources Planning Board.

It is all very interesting—the studies that they carry; the things that they contrive; the action programs that they promote. They only have \$60,000 in their estimate for consultation with State directors and State planning agencies; but it is that \$60,000 that does the damage, for they may go to the State of my good friend Mr. GIFFORD and prevail upon the State Planning Board of Massachusetts to undertake some program that goes into the genealogy of the safety-pin, or they will take something like the study of morbidity in North Carolina or a study of population in Mississippi. They carried on a study and got out a brochure under this grandiloquent title, "Know Your State, or What Kansas Produces." Well, it is grand stuff; very desirable, but certainly not indispensable to the functioning of this almost top-heavy Government. So I felt that if there had been authority for the continuation of the National Planning Board, it still should have been deleted, because we are spending borrowed money, and I doubt the wisdom and I doubt that we can convince the people of this country that it is wise to spend borrowed funds upon programs of that kind.

It is rather illuminating to go through their whole set-up and see the studies that they have been contriving and activating on land classification; on the rural and urban fringe; on scientific studies; on studies relating to water and energy and public works. I have raised the contention over and over again that they are doing so much that is duplication of the work of other agencies. For instance, statistics regarding labor. We have a Bureau of Labor Statistics in the Department of Labor which receives a very generous appropriation every year for that purpose. They have studies on coordination of energy. We have a Council in the Department of the Interior, a Defense Council, that has gone into that whole question of the coordination of the power facilities of this country, so why must we spend more and more money for these duplicated facilities and studies?

I think one of the most creditable things the subcommittee has done is to delete this dispensable function of the National Planning Board from the bill that is now before you.

Another thing we did was to eliminate what was known as the old National Emergency Council, which has been metamorphosed into the Office of Government Reports. Of all the testimony that it has ever been my privilege to hear before the committee, I think Mr. Foster, who testified on the Office of Government Reports, O. G. R., better known as

"ogre"—I think it was so inconclusive that it was almost pathetic. In the course of the proceedings the gentleman from Massachusetts [Mr. WIGGLESWORTH] asked him what item No. 2, or item No. 3, or item No. 4 in his program was. He sat there for at least 3 minutes and could not think of an example under the five-step program that he had submitted to the committee, for which they wanted a million or more dollars.

Now, this is the old agency that has been making and distributing electrical transcriptions throughout the country. They have gotten out 32 of those transcriptions—15-minute radio programs that have been sent to 175 radio stations in those areas where they felt that the press might be hostile to the things they would like to have messaged to the people. That is, not entirely, but many of them. I asked them to send me some of those radio scripts. One, in connection with the Department of Justice, was just too interesting for any use. I think it was No. 7, issued the first week in November 1939. They had an interviewer and then they had a man to represent the Bureau of Prisons in the Department of Justice. The interviewer would say, "What is your name?" He would say, "My name is Joe Doaks." The interviewer would say, "You are head of the Bureau of Prisons?" "Yes." Then they would go on on this colloquy and tell you how people get into prison and how they might get out of prison. I am satisfied that most people do not want to get into prison, and the idea of spending Government funds for that kind of claptrap and tommyrot upon the air waves of the Nation is certainly unjustifiable. But, of course, I am not unmindful of the fact that O. G. R., Office of Government Reports, is nothing but a political bureau, and always has been, when it came here in its original character as the National Emergency Council.

Now, they have set up a new wrinkle recently. It is known as the Federal Clearance Index, and it is being tried out for the first time in West Virginia.

They are inscribing upon a master roll the name of every householder who has received any benefits out of the Federal Treasury, and these are all cross-indexed so that when a card is given to a case worker with respect to one of the benefit or assistant programs she can consult the master index and tell just what the individual or his family has received by way of largess from the Government. If you ever had a better political mailing list anywhere, I will defy anybody to bring it upon the floor of this House. [Applause.] One hundred and sixty thousand names in West Virginia alone; and what is the sense of it? If we were going to go in for a permanent program of this type for years and years to come, perhaps it might recommend itself to the wisdom of the Congress, but this is the political agency, and I feel so happy that we gave it the coup de grace, because I addressed myself to that matter last year when the National Emergency Council was before us. In the event that the Senate does not restore it, in the event that the Congress is not put upon to reinstate it or to bring it here as some other function, then I will say that we have rendered another signal service to the taxpayers of the country by deleting that function.

Under the reorganization plan—and the gentleman from Massachusetts [Mr. GIFFORD] and I served on that committee—you will remember a provision was written in that act that no agency shall be carried beyond the expiration date authorized by law and that none of the functions should be carried beyond the expiration date, and that there should be no merging of those functions with some existing agency that was authorized by law; yet here is our old friend the National Emergency Council, with a pair of false whiskers, masquerading as the Office of Government Reports, seeking to elicit another \$1,000,000 out of the Treasury to carry on activities that are absolutely unnecessary. [Applause.] May I now allude briefly to the item in connection with the Federal Power Commission?

Mr. GIFFORD. Before we get to that will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. GIFFORD. I think we are jointly guilty, being on the Reorganization Committee, in allowing the Budget Bureau to

be placed in the room with the Executive where he can suppress any investigation that he does not want, and where he can perform his playful pranks on the Congress. I believe the gentleman brought that out, that he will cut places where he knows we would have to put them back, and in the end we ourselves will have to raise the debt limit. Does the gentleman still believe that the Budget is where it ought to be? Can he imagine a field examination of the C. C. C. camps or any other favorite scheme of the administration?

Mr. DIRKSEN. I believe my friend, from the general tenor of my remarks, appreciates that there is necessary considerable revamping in the budgetary procedure if we are ever to contrive a Budget statement that reflects the true condition of the country and indicates to the Congress precisely the action that is necessary.

Mr. GIFFORD. And may I refresh the gentleman's memory by saying that once I called the Budget Bureau and asked whether they could not mark off the worthless \$2,500,000,000 reported to the Nation as assets. The gentleman recalls that the Budget Bureau said, "We wish we could; we do not favor that kind of bookkeeping." Is that an independent organization or is it simply something now used to suppress?

Mr. DIRKSEN. I believe the gentleman from Massachusetts can answer that as well as I.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield at that point?

Mr. DIRKSEN. I yield.

Mr. WOODRUM of Virginia. The gentleman knows, of course, that no claim has ever been made that the Bureau of the Budget was an independent agency of government. It is the direct representative of the Chief Executive. The Budget and Accounting Act created the Bureau of the Budget for the purpose of being the agency of the President in making recommendations to Congress. No system since the Budget and Accounting Act has ever contemplated anything except that the Budget Bureau would be the arm of the President to make his investigation and to make his recommendations. I do not know what the gentleman means when he suggests that the Bureau of the Budget is not where it belongs. It is where it was under the preceding administrations.

Mr. GIFFORD. I am sure I tried to convey the idea to the gentleman that the Bureau of the Budget might be a little independent and not be wholly the tool of the Executive, so that it could be suppressed in its decisions of what it thinks it might want. The helplessness of the Bureau of the Budget has amply been demonstrated when we call them up and they say they have to do what somebody else tells them to do.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Very briefly.

Mr. RANKIN. I may say to the gentleman from Massachusetts that the Bureau of the Budget was created under a Republican administration, and they told us then it was to represent the Executive.

Mr. GIFFORD. We had a good Executive then.

Mr. DIRKSEN. The best answer, of course, is the functions that are laid out in the organic act in respect to the Bureau of the Budget. But to leave that for a moment and go to the Federal Power Commission.

The Federal Power Commission was created to interpret and to administer the Federal Power Act of 1920 and a large number of other acts since that time, including the Natural Gas Act, but I was very much interested in this, and I believe the Congress will be interested also. I see my good friend from Mississippi right here, and I want to address this particularly to him. On February 20, 1926, which is 14 years ago next month, there was issued to the Susquehanna Power Co. a license to build a dam, better known as the Conowingo Dam, up on the Susquehanna River. I am sure most of the Members have seen this dam. To me it is rather amazing that from 1926 to 1940, which is a period of 14 years, that power company has been before the Federal Power Commission; and the last action that is noted upon the docket of the Commission is that on April 10, 1939, reply briefs were filed.

They have been hauling them to Washington, sending them back, hauling them down here, and sending them back. They have great squadrons and groups of witnesses here; they have

general counsel, experts, electrical and legal, camping on the ground here almost continuously in order to satisfy the Federal Power Commission with reference to the costs involved and those other necessary things upon which rates are predicated. I submit to the Congress as a group of reasonable, intelligent people, is there any excuse in the whole wide world why private industry in this country should be impaled for almost 14 years before a governmental regulatory agency acts? And the end is not yet.

Mr. RANKIN. Will the gentleman yield?

Mr. DIRKSEN. I asked the Federal Power Commission to put all of the data in the hearings. You will find it there. Now, my good friend will probably say that the Susquehanna Power Co. has been holding out on the Federal Power Commission; that there is such an involved corporate structure it is almost impossible for Government experts, attorneys, and accountants to make a complete analysis of the whole financial structure so that they may have a clear basis upon which to predicate rates. That may be, but I still submit that to have a company before a Federal agency for almost a decade and a half is a most inexcusable thing and one of the reasons why private industry is filled with fear when we expand the regulatory authority of the agencies of government, knowing that year after year, month after month, they will have to sit down here and pour thousands of dollars a month into the pockets of people who must represent them. There are many other similar cases, maybe not quite so aggravated, and I submit to the Congress that something ought to be done. There ought to be a set-up whereby a couple of years at most would be sufficient to draw the line, close the books, and say the file has been completed, and let them go now and do business, contributing to the enrichment and to the welfare of this country. I yield to the gentleman from Mississippi.

Mr. RANKIN. I will answer the gentleman's statement. I have been hoping he would get around to this point, in all these years. The trouble is it has taken the Federal Power Commission 14 years to make this outfit obey the law.

Mr. DIRKSEN. Any Government agency that cannot make one single utility outfit obey the law in 14 years ought to quit in sheer despair and let somebody else do the job. [Applause.]

Mr. RANKIN. As a matter of fact, if they just had that one outfit to deal with, they might do that; but they have the Power Trust in Illinois, in Ohio, Wisconsin, Mississippi, Alabama, and all the other States to contend with. They have made that company show what its legitimate investments were, and today it is selling power from the Conowingo Dam at about 2 mills a kilowatt-hour. As a result, the power rates to the ultimate consumers throughout this part of the country have been reduced by millions and millions of dollars. I shall show tomorrow that we have reduced the light and power rate to the American consumers since 1933 by \$583,000,000 a year, and this work of the Power Commission is one of the things that has helped do it—that and the T. V. A. Now, you Republicans applaud. [Applause.]

Mr. DIRKSEN. We must have our little pleasantries; but I submit all over again, put yourself, Uncle John, in the place of a president of a power company.

Mr. RANKIN. I am in place of the man who pays the power bill.

Mr. DIRKSEN. Would you like it?

Mr. RANKIN. I would like what the Commission is doing if I had to pay the power bill.

Mr. DIRKSEN. You would condemn them to the punishment of the very bowels of the earth. You would not be any different from anyone else.

Mr. RANKIN. I would obey the law, or else you would send me to jail. Let us look at the Associated Gas & Electric Co. It had Hopson hiding around here drawing \$8,000,000 a year, and now it finds it has been bankrupt for years. That is what the Federal Power Commission is doing; it is making those fellows squeeze the water out of their investments and do a legitimate business or get their hands off the water-power resources of this country.

Mr. DIRKSEN. It is going to bankrupt this group, too.

Mr. RANKIN. No; but it will help to reduce the light and power rates another half billion dollars a year to the ultimate consumers throughout the country.

Mr. DIRKSEN. Having settled that proposition to our mutual satisfaction, may I say a word about the United States Maritime Commission?

Last year we authorized a hundred million dollars for ship construction, operating subsidies, and so forth. When the bill came to us with the Budget estimate there was an increase for the next fiscal year to \$200,000,000 from \$100,000,000. I thought that was high. I was of the opinion if we were going to economize, we should economize on those things that the Federal Government can dispense with in an hour when we are still using barrels of red ink in order to chalk up the balances of government.

In the subcommittee we reduced that item. The full committee went even further and reduced it from \$175,000,000 to \$125,000,000. I concur in the action taken by the full committee for a number of reasons. In the first place, we set up this program under the administration of the Maritime Commission and we provided for the building of 50 ships per year for a period of 10 years. Up to September 1934 they had 74 ships under contract, 24 had been launched, and 11 delivered. Admiral Land is a very capable administrator, and I take off my hat to him, not only for his administrative capacity, but because I think he is a man of high integrity. He testified very candidly that we are 1 year ahead on this shipbuilding program. We are 1 year ahead as a result of acceleration, so he testified, and if that is the case, is there any reason why we should maintain this appropriation at the high level that was messaged to us by the Budget Bureau? If it were absolutely necessary, there might be a different aspect to the matter, but I want the Committee to know that under this acceleration program they have approved the transfer of the registry of over 117 vessels to foreign flags from November 1938 to November 1939. If we need ships so badly that we have to expend all this money—

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield right there?

Mr. DIRKSEN. In just a moment I will yield. I am going to answer the question the gentleman has in mind.

If we need these ships so badly, then why were 117 of our ships transferred to foreign registry with the approval of the Maritime Commission? They were transferred to the British flag, to the Honduran flag, to the Venezuelan flag, to the Cuban flag, to the French flag, to every flag; 117 vessels.

My good friend from New York was going to say, "Have you looked at the age of the vessels?" Yes; I have looked at the age. There are over 20 of these vessels that have been built since 1925. There are some that were built in 1933 and 1934. Can you give me some reason why a vessel that is only 5 or 6 years old, if you please, should be transferred to a foreign flag? If we do not need them that badly in order to implement the facilities of our own merchant marine, then why give the Maritime Commission \$200,000,000 with which to carry out an accelerated program? There is no need for it, as a matter of fact. The committee did the wise and the discreet thing in reducing the amount from \$200,000,000 to \$125,000,000, and I hope the Committee of the Whole and the Congress will support that position.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield myself 15 additional minutes.

Mr. FITZPATRICK. What is supposed to be the actual life of a ship?

Mr. DIRKSEN. That all depends on how it is used.

Mr. FITZPATRICK. What is the average?

Mr. DIRKSEN. It might be 20 years, it might be 25 years, it might be 30 years. They have some vessels running that are 40 years old. Some of them are 50 years old. If other nations can operate them, why not we?

Mr. FITZPATRICK. How many of those ships are under 20 years old?

Some of them are 60, 70, or 80 years old. They have been out of service for years, and this was a good chance to get rid of them.

Mr. DIRKSEN. Let us see about the substance of that argument. The United States News for this week carries this statement, and I believe it to be very reliable because they are careful with their figures: "Lykes Bros., 25 vessels, all subsidized by the Maritime Commission." What are they doing with them? They transferred 12 vessels to the Chilean Nitrate Corporation. They propose to sell 6 more to Great Britain. But you and I and the taxpayers have subsidized the construction and the operating differentials of those vessels. Now they are going to sell some of them to Great Britain and transfer 12 of them to Chilean trade. What is the answer to that, my dear friend from New York? There is a proposal here of the United States Lines to sell 6 or 8 vessels to Norway. If we have vessels to give away and to sell to other countries, let us give the public, the taxpayers of our own sweet country, a break and reduce this appropriation and keep it down, and save a little money for them.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Minnesota.

Mr. KNUTSON. The gentleman stated a moment ago he could not figure out why we were making these sales. I believe if the gentleman will examine the corporate structure of the companies to which we have sold these ships he will understand why the sales have been made.

Mr. GIFFORD. May I make a suggestion?

Mr. DIRKSEN. Yes.

Mr. GIFFORD. If the gentleman had the time, I am sure he could keep on all day, but I want to recommend mercy to a profligate administration. The gentleman is very harsh.

Mr. DIRKSEN. I am afraid my good friend from Massachusetts flatters me highly and generously.

Mr. OLIVER. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Maine.

Mr. OLIVER. Did I correctly understand the gentleman, who is very able and capable, to say that some of these ships that have been transferred were subsidized as to construction by the Maritime Commission?

Mr. DIRKSEN. These that were transferred to foreign registry?

Mr. OLIVER. Yes.

Mr. DIRKSEN. Not that I know of.

Mr. OLIVER. In other words, the subsidized construction program did not go into effect until 1936 or 1937?

Mr. DIRKSEN. That is right, but what about these vessels of Lykas Bros., all of which were subsidized, according to report, and recently built?

Mr. OLIVER. They were subsidized as to operation, but not as to construction.

Mr. DIRKSEN. Most of them have been subsidized as to operation, I would say.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Minnesota.

Mr. KNUTSON. What is the sense of subsidizing construction if we have more ships now than we need, and we evidently must have because we are selling them. The papers yesterday morning announced that Norway had refused to avail herself of an offer to acquire eight of these ships.

Mr. OLIVER. All I can say is that this program was authorized by the Congress in 1936 because a majority of the Congress at that time thought we wanted a merchant marine that belonged to the United States of America.

Mr. KNUTSON. To whom did the ships we transferred belong before they were transferred?

Mr. OLIVER. They belonged to the operators.

Mr. KNUTSON. The gentleman does not contend that the Government should go into the operation of steamship lines?

Mr. OLIVER. That was the program, and it was adopted by a large majority of Congress in 1936.

Mr. KNUTSON. That was a rubber-stamp Congress.

Mr. DIRKSEN. They say this program ought to be accelerated because costs are going up, labor costs and material costs. Suppose the costs come down after the conflagration

in Europe subsidies. What then? Then we can go to the Treasury and charge off a tremendous loss before we get through, and when the time comes to liquidate that program it is going to be too bad for old John Q. Public.

So let us start now with an element of caution and hold this down to where the full committee, by a vote of 26 to 6, placed it this morning, at a level of \$125,000,000.

Let me now pass on to a new agency and I wish the whole day were available for this, but it is not.

Mr. ENGEL. Mr. Chairman, will the gentleman yield for a correction?

Mr. DIRKSEN. Certainly.

Mr. ENGEL. The gentleman said the reduction was \$100,000,000. Was it not \$75,000,000?

Mr. DIRKSEN. Yes; from \$200,000,000 to \$125,000,000.

Mr. ENGEL. And that is \$25,000,000 more than was appropriated last year.

Mr. DIRKSEN. There came this year a new agency, as usual created by Executive order. My good friend from Cotuit laughs about that. He has had lots of experience in such matters.

This agency was created by Executive Order No. 7916, dated June 4, 1938. It is known as the Council of Personnel Administration. It is only asking for \$50,000 and, "Surely, Congress, you would not deny us, a humble little agency, just a mere \$50,000, which is only pin money." Oh, it looks so lacking of guile on its face and looks so alluring you can hardly contain yourself. You just want to get your hands into the Treasury and give them \$50,000 to run for the next fiscal year, but let us take a look at it and see whether it is as simple and as lacking in guile as it appears on the face of things. A former Member of Congress is the head of that agency, Mr. Frederick Davenport. I have no doubt the former Senator from Kentucky recalls him. He served in this body with distinction from the great State of New York. The \$50,000 is to be used to advise the President on personnel matters and to coordinate and cooperate with the Civil Service Commission. Now, if that were the whole story it would not be so bad, but let us take a look at the rest of the story. You set up a little council here, give them \$50,000, and how shall they operate? They must have a personnel director and a staff in the Department of Labor; they must have one in the Department of the Navy, they must have a coordinating service down in the War Department and in the Treasury and in the various agencies of government, and that is exactly what they have got. So it is going to coordinate personnel, classification, recruitment, and all those other things that go along with it. I have made a rough tabulation of what is involved there. Do you know how many people will be involved in personnel administration over and above the regular number? Over 200, and they come to the Budget and for 1941 they ask for two and a half million dollars in order to carry on, sort of under the guidance of this little agency that only asks for \$50,000. You see, that is the way the camel gets his nose under the tent, and then after a while you have a full-grown new agency, functioning like a great live tree, spreading its branches throughout the governmental structure and then you will never be able to dislodge them.

At the proper time I shall offer an amendment seeking to strike that agency out of existence; and if you will join with me in giving it the coup de grâce, we will have done another great favor for the taxpayers of the country that will be like some great swell that gathers momentum with the years and give us a better appreciation of the money we have saved and the service that we have rendered to the country. So there is a modest \$50,000 item, but it is like a stone that is thrown into the water—the ripples go out to all the 48 States of the Union, and suddenly it takes on the proportions of a several-million-dollar item. Let us stop it now when we get around to amending this bill.

Mr. PARSONS. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. PARSONS. What estimate was made in the Budget for the National Resources Board and the Government Statistical Board?

Mr. DIRKSEN. About \$1,000,000, and the Central Statistical Board item of \$126,000 was joined with the Budget Bureau. So their appropriation is reflected in the total for the Budget Bureau.

Mr. PARSONS. I understand your report eliminates the Budget estimate for that in this bill; for what reason?

Mr. DIRKSEN. We eliminated the Office of Government Reports, which is the old National Emergency Council. We eliminated entirely the National Resources Planning Board because we do not think there is any real authority in law for it. If any authority could be found, it would expire as of June 30, 1940, and its functions were sought to be revived under the reorganization bill, which cannot be done, in my humble judgment.

Mr. WARREN. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. WARREN. Perhaps I ought not to express an opinion, as I happen to be presiding over this bill, but I agree with the gentleman that I can find no authority in law for setting up a National Resources Board. In fact, the Reorganization Act itself prohibits that from becoming a permanent agency.

Mr. DIRKSEN. Precisely.

Mr. WARREN. While we are talking about it, I think it is well to say this: That that measure has been considered in some form by four different committees of the House, and in each instance it has been rejected. I feel that with the acquiescence of the acting committee that covered the reorganization I made a pledge to the House about that matter and stated at the time that so far as I was concerned I would resist in every way possible making the National Resources Board a permanent agency.

Mr. DIRKSEN. The gentleman did so state.

Mr. WARREN. And I further think that, had it not been eliminated from the reorganization bill, we never would have been able to get that measure through the House.

Mr. DIRKSEN. Exactly.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Oh, I hope the gentleman will excuse me; I fear that my time will elapse before I get through. I direct attention now for a moment to the Home Owners' Loan Corporation, and when I do, let me point out to you that there are over 30 separate Government corporations and lending agencies operating today that represent their assets to be about \$12,800,000,000, and they represent their liabilities to be \$8,800,000,000; and if you want to get some real informative reading sometime, I suggest that you have the Treasury send you every month this bulletin of the Treasury Department. This is dated December 1939. There are some very informative tables on these Government corporations and their outstanding obligations. There is the list—\$12,866,000,000 in assets and a total of about \$8,800,000,000 in liabilities. Offhand we are \$4,000,000,000 to the good. Is that not sweet? Yes; it is until you look at it, and then it takes on a different cast. Let me point out, first of all, with respect to these Government corporations, that there are in the hands of the American public today, as of October 1939, over \$5,448,000,000 of guaranteed bonds. Those bonds are guaranteed as to principal and interest; and then when they come with the Budget statement, they say, "That is all right, because on the other side are recoverable assets." What kind of recoverable assets? Mortgages upon the homes of the people held by the Home Owners' Loan Corporation, advances by the Commodity Credit Corporation and secured paper for it, Reconstruction Finance Corporation loans—all of that sort of thing; P. W. A. bonds; all those fine assets. Have you ever seen a consolidated balance sheet as to what those assets might be? Let me tell you about one of them, and that is the Home Owners' Loan Corporation. I do not envy Mr. Fahey his job as head of the largest money-lending establishment anywhere in the world. He is going to have plenty of difficulty before he gets through. When they finished lending and stopped applications, they had made 1,017,000 loans, a little over \$3,000,000,000. How much did they lose this last year? Sixty-six million dollars. That is

not all. He said in his report to us that the average loss was about \$920 a house. I asked whether there were any expenses, commissions, and whether there were any selling charges. "Oh, yes," he replied; and then I asked him to kindly extend them in the record in the form of a table. Mr. Chairman, that will be found in the hearings. There were over \$15,000,000 in selling charges, to sell homes on which Uncle Sam had loaned money, and now he is taking them back from the people.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Not now. Do you remember how they used to deride us in those celebrated hundred days of 1933, when they talked about those flinty-hearted, grasping bankers; those building and loan associations that had no soul and no sympathy, but reached out and foreclosed the homes of indigent and distressed citizens? Who is doing it now? Uncle Sam. He has foreclosed over 175,000 of those homes, which is 17½ percent of all the mortgages that have been made.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield right there?

Mr. DIRKSEN. They have sold over 70,000. They still own over 82,000—you and I own them today. You see, this is our Government, and you and we and the other 130,000,000 people today own 82,000 homes that have been taken by voluntary deed of foreclosure.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. DIRKSEN. Mr. Chairman, I shall take another 15 minutes.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. In a moment. I said to Mr. Fahey, "What is the capital investment of Uncle Sam in these homes?" and he replied \$480,000,000, and it is in the record. I asked him then if he would put in the estimated current market value of them, if they were in liquidation today. What is the estimated current market value of the homes that we the people own, 82,000 of them, not including the 71,000 that have been sold?

Mr. GIFFORD. Oh, those have not been sold, actually. They were disposed of on a little payment down.

Mr. DIRKSEN. But I am talking about homes we still own—\$480,000,000 capital investment, \$360,000,000 estimated current market value. Draw a line, subtract, loss how much?—\$120,000,000. Not my figures. Those are the figures of the Home Owners' Loan Corporation, and you will find them in the record.

Now, when you go back home you can tell your people, without fear of contradiction, that that is the record. Isn't that noble?

Now, the gentleman from New York [Mr. FITZPATRICK] has been deviling me some about sales. Let me tell you about New York. Down in Oklahoma, for instance, they sell a house and how much do they lose on it? Six or seven hundred dollars. They sell one in Illinois and how much do they lose, including sales cost? Twelve hundred dollars. They sell one in New York and how much do they lose? They lose over \$3,274 per property. That is in the record.

Now I yield to my beloved associate. [Laughter.]

Mr. FITZPATRICK. Is it not a fact there are about \$76,000,000 in the surplus fund of the Home Owners' Loan Corporation at the present time?

Mr. DIRKSEN. Right.

Mr. FITZPATRICK. And is it not a fact that they saved over 1,000,000 homes in this country, and about 17 percent now have been foreclosed? Loans that no bank would uphold. Over a million people would have lost their homes only for that bill. The gentleman referred to New York. Yes; homes in New York cost \$18,000, and in other parts of the country they only cost \$1,500 and \$2,000. The reason why we are losing the amount the gentleman referred to is because of the great inflation in 1926, 1927, and 1929 under the Republican Party that increased prices 500 and 600 percent. [Laughter and applause.] That is the reason today, when they get

down to the real price, they are losing money. But remember, they have saved a million homes, that the banks would have foreclosed. I doubt if we ever passed a bill in this House that served the people more. I am going to ask the gentleman from Illinois this: How does he stand on second-, third-, and fourth-class mail, on which we lost \$130,100,257.20, as a subsidy to second-, third-, and fourth-class mail? The gentleman favors that, but he does not favor giving it to the home owners of this country. How do you stand on that?

Mr. DIRKSEN. I will join with my friend any time that he brings a bill on this floor to absolutely delete all mail subsidies. You have got my vote now.

Mr. FITZPATRICK. If there is an amendment offered on the Post Offices bill to cut that out, will you support the amendment?

Mr. DIRKSEN. I certainly shall.

Mr. FITZPATRICK. You shall? [Laughter and applause.] Well, I am glad to hear it.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Just a moment. Let me take a little more time.

Gentlemen, you remember when the Home Owners' Loan Corporation was created. Do not you remember the representations that we made on the floor, that we would not lose money; in fact, that we would make money? When Mr. Fahey came before the committee he said, "There is a fair chance that we may break even." Oh, it was an easy way to get out of the realism that stands before him, a monumental loss. When it is liquidated what is going to happen? Reach into Uncle Sam's Treasury. That is always the case. Do you not know there are four or five corporations now in existence, the United States Housing Corporation and others, that were organized and which functioned during the World War? The gentleman from Michigan [Mr. MICHENER] will remember those. We are still carrying them on the books. They have not been fully liquidated yet. Now, wait until liquidation comes for some of these corporations. Oh, it may be a tragic story for the people of this country.

Mr. GIFFORD. Will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. GIFFORD. Mr. Fahey's statement to the Committee on Banking and Currency was that he would not lose any money because they could borrow at 2 percent and they would loan at 4 or 4½ percent, and that would take up all losses they had. That was his testimony.

Mr. DIRKSEN. Now, while we are talking about loaning corporations, let me present what has happened to some of these bonds.

Mr. McCORMACK. Will the gentleman yield?

Mr. DIRKSEN. If it is very brief.

Mr. McCORMACK. Oh, naturally. I take it that my friend favored the law which created the Home Owners' Loan Corporation?

Mr. DIRKSEN. Definitely. I was for it. I voted for over half of these things, and I am proud that I did, because I wanted your administration, your President, and you good Members to have every opportunity to raise this country out of its trouble. That is why I went along.

Mr. McCORMACK. As a matter of fact, former President Hoover recommended the Home Owners' Loan Corporation and I think it is a good thing.

Mr. DIRKSEN. Yes. It is not the idea; it is in the administration where we excel, and always have. [Applause and laughter.]

While we are speaking of assets I want you to take these hearings; I want you to look at the bonds that are held by the Reconstruction Finance Corporation and by the Public Works Administration. There are over 350 issues that are in default. That is about 10 percent of the whole number of issues. They are scattered all over the country, but are represented by waterworks systems mostly, and that sort of thing, and then I want you to examine the column of reasons why they are in default.

Down in Winfield, W. Va., they report default on the water-revenue bonds because of "failure of officials to collect

charges." That is in the record supplied by the Public Works Administration.

Down in the little town of Mineral, Va., they are in default because of "costly water supply and lack of interest in the management." Down in Strawn, Tex., they are in default because of insufficient revenue. Down in Marquez, Tex., they are in default because of "competition from private wells and systems." In Jamestown, Tenn., they are in default because of "poor management and insufficient revenue."

Down in Lynchburg, S. C., they are in default because of "lack of customers and nonpayment of hydrant rental." That is one of the best reasons I know why default should occur, because they do not have customers.

In my own State we have some rather interesting examples. They built a waterworks system by W. P. A. at Grafton, Ill., down on the Illinois River. When we asked why bond interest could not be paid, they said: "These people have a prejudice against river water." Extraordinary, is it not? Then there is the case of Shawneetown, Ill. Lafayette went up the Ohio River and landed at Shawneetown many generations ago—a beautiful old city, but the floods came, and they moved the city about 10 or 15 miles away. I believe all the Members from Illinois are familiar with it, but they left the system built by the W. P. A. before they moved. Evidently the town moved away after the W. P. A. had installed the water system, because in their report they say: "This community has suffered from flood. Now being moved to its new location. No improvement likely until city stabilized in its new location." So you see they just moved out on the W. P. A., and the bonds are in default.

There is one from Northport, Mich.: "Failure of official to operate system economically and efficiently." Finally there is one from Galatia, Ill., in default upon its water-revenue bonds because of "bad management and defalcations of city clerk." Amazing how one fellow could gum up the works like that, is it not?

But those are the assets that are disclosed in the report of the Federal Treasury in the form of recoverables against the billions of contingent obligations that we own. Mr. Chairman, I certainly would like to see a consolidated balance sheet to see just how we stand. How are we going to make an intelligent Budget estimate? How are we going to give an accounting to the people for their money that we have been disbursing and lending unless we know what these probable assets are and what we can realize on them if they must be liquidated? Oh, that report is pregnant with drama, and it will be more dramatic as the years go along. Now let me allude to a minor item concerning the Federal Housing Administration, a pretty good agency; but you know, I believe that when Uncle Sam enters into competition with private industry he ought to give private industry a fair show.

I asked Mr. Ferguson, the general counsel, what he advertises in this literature on title I, modernization loans, as the rate of interest, what statements they make in this brochure that is sent to the people. Here are some of these brochures of the Federal Housing Administration. In this they do not use the word "interest." They use the word "discount." Examine these and you will find they say about title I, modernization loans, "\$5 discount per hundred."

When I was down here in December I saw the order of the Federal Trade Commission, dated December 11, 1939. They had Henry Ford, General Motors, Chevrolet, and others under charges for advertising 6-percent financing loans for automobile purchases. What did the Federal Trade Commission say to them? It said: "You must not do it; you must cease and desist from this practice if the true, simple interest rate is more than 6 percent." Well, it was, and so they have changed their system.

What about the Federal Housing Administration? I said—and you will find this on page 1104 of the hearings:

"Mr. Ferguson, what is the true interest rate that is reflected?"

He said: "The interest rate is 9.72 percent."

Almost 10 percent. But this record, this literature, these brochures they send out state: "\$5 discount per hundred."

Suppose you got one of these, what would you think? You would say: "That is 5 percent"; yet the true interest rate is 9.72 percent. Do you think that is fair? It seems to me it is time for the Congress to get busy and make this agency state the exact fact, because it is absolutely unfair to private industry to put out that kind of statement. The Federal Trade Commission makes private industry toe the mark, yet the Federal Housing Commission goes unchecked. It would be great fun to sick the Federal Trade Commission onto the Federal Housing Commission, but, unfortunately, we cannot do it. It is one of those things where we are estopped.

It is one of those things where we are estopped, and we must make the best of it until in their wisdom and in their good conscience they decide that perhaps they ought to follow a better line of practice.

Let me allude to one more thing. May I admonish you to be on the alert about any building program for public buildings that may be proposed for the Nation's Capital. They want a new building for the General Accounting Office. They are in the process of acquiring land or want to acquire land to build an annex to the State Department. They also want a new Economics Building in Washington. They have gone on laying out a scheme and plan which will obligate the people of this country for another \$40,000,000 of expenditures in the form of great white stone buildings to grace and adorn the Nation's Capital. I want my Capital City to be the most beautiful in the world, but I recognize when we do it in the present state of the Budget we are doing it with borrowed funds. Can we make a real conscientious accounting to the people of this country by building or undertaking to build or proposing to build or letting them get ready to build or propose to build fine buildings aggregating almost \$40,000,000 in Washington when we are still writing the last line of the Budget in red ink? I merely submit it to you, because some of these proposals may come along. We must be alert.

Let me finally conclude by expressing my felicitations inasmuch as this is the first appropriation bill, that it comes to you today \$95,000,000, approximately, below the estimate that was sent up by the Budget Bureau. I think that is a credible way for the Congress of the United States to start for the fiscal year 1941. May you be courageous and resolute in the faith as you walk down Economy Avenue and give the taxpayers of this country a break. [Applause.]

[Here the gavel fell.]

Mr. FITZPATRICK. Mr. Chairman, I yield 1 minute to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Chairman, it was amazing to me, to say the least of it, to hear the gentleman from Illinois [Mr. DIRKSEN] attack the Federal Power Commission for doing its duty in connection with the Conowingo Dam.

Every time a governmental agency, from the T. V. A. to the Federal Power Commission, tries to do something to protect the electric-light and power consumers of America from ruthless overcharges or to save innocent investors from exploitation at the hands of the Power Trust, immediately some old-guard Republican begins to wage an attack on that agency and to regale the House with repetitions of the propaganda put out by these special interests.

The gentleman from Illinois [Mr. DIRKSEN] complains that it has taken the Federal Power Commission so long to straighten out the Susquehanna Power Co. in connection with its construction and operation of the Conowingo Dam on the Susquehanna River near the Maryland-Pennsylvania line. Under the law it was necessary for the Federal Power Commission to determine the cost involved in the construction and operation of this dam in order, among other things, to determine what are reasonable wholesale rates for the power that is generated at this dam and as a rule shipped in interstate commerce.

The delay of which the gentleman complains has been brought about by the companies themselves. This case, which, as I said, is to determine the cost involving the Conowingo hydroelectric development on the Susquehanna River in Pennsylvania and Maryland, which was sponsored and built by the Philadelphia Electric Co. through its subsidiaries,

came up for hearing in March 1938. The hearing ended September 20, 1938, and briefs were filed in 1939. Whatever delay there was in bringing the case to final hearing was due mainly to the power companies themselves and to the unnecessary intricacies and complexities of the corporate ramifications and other similar arrangements through which the property connected with this project was acquired and the project itself constructed and operated—a great and intricate mesh of camouflage, if you please, to keep the facts concealed from the American people, and especially from the Federal Government and from the power consumers in Maryland and Pennsylvania.

The cost claimed by the power companies in this case was approximately \$55,000,000, of which \$38,000,000 was challenged and put in issue in the case. In other words, the Government contended that this alleged capital structure of \$55,000,000 contained something like \$38,000,000 of wind, water, or inflated valuations, upon which the people who buy electricity from this concern or its affiliates are compelled to pay dividends through exorbitant rates.

The Federal Power Commission undertook to hear this case as early as 1935, and set the time for hearing for June 4 of that year. It was continued indefinitely at that time upon the urgent appeals and petitions of the power companies themselves. The Commission first denied their petition for delay, but upon a hearing sought by the power companies, finally, on May 27, 1935, granted the petition of the power companies for an indefinite postponement of this cost-determination hearing. The gentleman from Illinois did not complain of that delay then; the power companies wanted it.

The Commission had required the power companies to file their claim-cost statement by December 1, 1933. They did not file it until March 1, 1934. When it was at last filed, it consisted of 14 large volumes containing 7,718 pages. The T. V. A. would have made a full and complete report of the costs of such a project in one booklet of not more than 50 or 100 pages; probably not more than 25 pages.

What if the T. V. A. had filed a report covering the developments on the whole Tennessee River—not on just one dam—that filled 14 large volumes of more than 7,000 pages? Every enemy of the T. V. A., every friend of the Power Trust in this House, would have raised such a howl of protest as has not been heard since the fall of the Insull empire.

The underlying records which they asked to be explored in connection with this claimed cost of \$55,000,000, ran more than 100,000 items, and more than 50,000 vouchers were presented, each for separate expenditures. I wonder if the gentleman from Illinois [Mr. DIRKSEN] and his associates among the enemies of the T. V. A. would like to place a burden of that magnitude upon the General Accounting Office?

Remember that the acquisition of the power companies' properties and the organizations of the various successive corporations and groups in connection with this enterprise extended over a period of more than 20 years preceding the time of the hearing, and the corporate agencies and other instrumentalities involved in the acquisition of the property numbered, in all, at least 25—all sucking money out of the pockets of the power consumers to pay dividends on the water in their capital structures and to pay their enormous overhead expenses. They were scattered throughout Pennsylvania and Maryland, with original records difficult to locate, and in many instances their records were lost or destroyed.

What a pity we do not have a T. V. A. on the Susquehanna River.

The investigation which it was necessary for the Federal Power Commission to make touching the acquisition of property, the manipulations of stocks and other transactions, the costs and profits of predecessor interests and corporations by these and affiliated groups in order to get the actual, original, legitimate cost, extended almost back to the turn of the century. This shows what a stupendous burden is placed upon the Federal Power Commission when it comes to handling these vast holding companies that serve no useful purpose, but cost the American people—the electric consumers of the Nation—untold millions of dollars every year.

The investigation of this total claimed cost of \$55,000,000, of which the Commission challenged \$38,000,000, was rendered more appallingly complex and difficult by reason of the circuitous and intermingled—and I might say intangible, if not incoherent or fictitious—transactions and dealings of the power companies, their affiliates, and their predecessors in interest, and by the unnecessarily intricate and involved corporate structures set up by these companies to handle and construct the project, and to furnish a ready means and a handy manner for fortifying their excessive claims of capital costs and making it as difficult as possible for the Federal Power Commission or any other Government agency to get the facts.

It was also necessary for the Commission to carry on extensive investigations through the records of other corporations and interests which were brought into the picture by the power companies, including an astonishing number of outside experts whose services were supposed to be retained at cost, the very staggering amount of which cried out for investigation.

The final hearing began in March 1938, and almost immediately the power companies again moved for an indefinite recess. It was clear that the power companies had not come to Washington intending to try the case even at that late date. They were manifestly expecting to secure further delay. The representatives of the Power Commission in charge of the hearing, however, pressed the matter and managed to make progress. There were constant requests from the power companies for delay and for reducing the number of hours to be utilized by the hearing each week. There were requests for recesses and constant complaints on the part of the power companies that the hearings were being held in a manner too exhausting physically for the ones engaged in it. They said there was a limit to the amount of such labor human beings could endure. They had, perhaps, exhausted themselves compiling those 14 volumes of alleged cost reports.

In May 1938 an extended recess was at last granted at the pressing insistence of the power companies themselves. The hearing reconvened in midsummer, and the same tactics of obstruction and delay were employed by the power companies. Examinations and cross-examination of witnesses were unduly and unnecessarily prolonged. A multitude of petty and unimportant objections followed each other in quick and regular order. The representatives of the Power Commission in charge of the hearing, however, pressed forward and managed to keep the hearing going, over loud protests and complaints from the representatives of the power companies.

The hearing was concluded September 20, 1938. There then ensued several months of delay in "correcting" the record, for which delay the power companies were principally responsible. There next followed applications on the part of the power companies for extensions of the time allowed for the filing of briefs. Briefs were filed in 1939. Throughout the entire proceedings the Commission has been diligent, earnest, and constant in attention to the case and in pressing it toward completion with all the speed that the importance of the matter and the complexity of its involvements would permit.

The challenged items to be dealt with run into the thousands. There are approximately 9,000 pages of the latest transcript, exclusive of the first hearing held before the Federal Power Commission and the hearings held before the State commissions of Pennsylvania and Maryland; and, according to the briefs of the power companies, there are in the record of the last hearing more than 14,000 pages of exhibits, not to speak of the printed volumes, maps, and so forth, in evidence—which probably run to as many as 50 volumes, many of which comprise several hundred pages.

The tactics of the power companies from the beginning have been to delay the final determination of fixed capital costs and to burden the Power Commission to death with a cumbersome record. With \$38,000,000 of their total claimed cost of \$55,000,000 challenged, they have never displayed any anxiety to reach a final determination of the matter. The efforts made to press the matter to a conclusion have all been on the part of the Commission and its staff.

The power companies are demanding that the several thousand items in controversy in this case be separately considered and determined, each on the basis of what they term "its own facts"; almost every challenged item to constitute a separate problem within itself. There are 50,000 vouchers, each representing separate expenditures, in evidence. The challenged total of \$38,000,000 does not by any means paint for the mind a complete picture of the gigantic task with which the Commission is confronted in this case.

To appreciate the task one would have to be familiar with and consider the many persons, corporations, groups, and interests who, since almost as far back as the turn of the century, have been interested in and have busied themselves for their own profit at different times in getting the Conowingo properties together and in "promoting" the project. It has been alleged that all of these different interests through 30 years were in the end "well taken care of" by the power companies who finally put all the properties together in one project, and that an effort has been made in this case to saddle not only all the cost incurred by all these corporations, interests, and groups upon the project's capital costs but also the fat profits and payments and rake-offs by which they were all finally "cared for."

Nothing should be permitted to interfere with the Commission's thorough consideration and development of the true facts in this case or with its determination to see to it that nothing but the actual, legitimate costs of the project shall be put into its fixed capital structure for purpose of its rate base and the price of recapture. The Commission has been more than fair to the power companies throughout the whole proceedings. The members of its hearing staff were careful to accord every requisite of complete fairness and due process. They acceded time and time again to the requests of the power companies for time and gave them every opportunity to establish their claimed costs. Now, in order to reach a just conclusion, the Commission intends to consider the evidence adduced and developed through the investigations of the grotesquely elaborate, involved, and top-heavy corporate and intercorporate set-ups and arrangements and the intricate dealings and circuitous trades of the past 30 years, by means of which the staggering claimed cost total of \$55,000,000 was built up by the power companies and their predecessors, affiliates, and associates.

This is more or less a test case. Every one of the 27,000,000 light and power consumers throughout the country are vitally interested in the outcome.

These attacks on the Federal Power Commission and the T. V. A. all seem to be inspired by the same influences and designed to impede the administration in its efforts to protect the ultimate consumers of electric lights and power from the exorbitant overcharges now being imposed.

Since 1933 the Federal Power Commission has intensified its efforts to save the water power of the Nation and to protect the American consumers of electric energy. Under the power which Congress gave it in 1935 to collect and publish light and power rates throughout the Nation, it has given information that, together with the example set by the T. V. A., along with the other power policies of the administration, has already reduced the rates to the electric light and power consumers of this country more than \$583,000,000 a year.

It has been stated here by enemies of the T. V. A. that the entire cost of that development would ultimately reach \$535,000,000. Yet these reductions in light and power rates of \$583,000,000 a year amount to \$48,000,000 more than the entire cost of the T. V. A., including all its dams and transmission lines, to say nothing of the benefits of flood control, navigation, soil conservation, and so forth. This reduction in rates in 1 year is more than 200 times the amount appropriated in this bill for the Federal Power Commission.

If we were to make no further reductions, and the consumption of electricity remained as it is today, the American people would save in 10 years \$5,830,000,000; and if we can get these rates reduced to the proper levels all over the country, we can save enough in a few years to pay off the national debt. Although we have reduced light and power

rates to this extent, the record shows that in 1938 the American people were still overcharged \$889,392,747, according to the T. V. A. rates; and \$1,007,156,359, according to the Ontario rates; and that the people of Maryland were overcharged \$13,191,408; and the people of Pennsylvania, \$72,513,570, according to the T. V. A. rates. These are the two States that use practically all the power generated at the Conowingo Dam. It is distributed through the Philadelphia Electric Co., and could be distributed at the T. V. A. yardstick rates without loss to legitimate investors.

Last year that company purchased 1,299,138,369 kilowatt-hours of electricity produced at the Conowingo Dam at an average of 3.34 mills a kilowatt-hour, which is cheaper than any of the cities, towns, or cooperative associations purchased power wholesale from the T. V. A. This power could have been distributed at the T. V. A. yardstick rates to the people of both Maryland and Pennsylvania and still yielded a reasonable return on the legitimate investments.

Other companies in these States could also reduce their charges to the T. V. A. yardstick rates and make money on their legitimate investments. If that were done, as I said, it would save the power consumers of Maryland more than \$13,000,000 a year, and the people of Pennsylvania more than \$72,000,000 a year.

Although the rates have been reduced to the people in these States since the creation of the T. V. A. in 1933 by more than \$8,000,000 a year in Maryland, and more than \$56,000,000 a year in Pennsylvania, still the people of Maryland are overcharged more than \$13,000,000 a year, and the people of Pennsylvania are overcharged more than \$72,000,000 a year.

And I might say to the gentleman from Illinois [Mr. DIRKSEN] that in 1938 the people of Illinois used 6,936,786,000 kilowatt-hours of electric energy, for which they paid \$161,177,634. Under the T. V. A. rates the cost would have been \$91,262,377, which showed an overcharge of \$69,915,257, according to the T. V. A. rates. If the people of Illinois had paid the same rates in 1938 they paid in 1934, the year the T. V. A. was put into operation, the cost would have been a little above \$264,000,000, or \$56,000,000 more than they actually paid, and \$173,000,000 more than they would have paid under the T. V. A. rates.

So it will be seen that while we have a long way to go yet in bringing justice to the light and power consumers of Illinois, still we have reduced their rates since the T. V. A. was created by more than \$56,000,000 a year.

I know the gentlemen will probably say that these overcharges of \$69,000,000 a year are absorbed in taxes, but the record shows that the private power companies in Illinois pay in taxes, cash contributions, and free services only about \$25,000,000 a year, which amount taken from this overcharge would still leave a net overcharge of \$44,000,000 a year for which the people of Illinois get absolutely nothing in return.

In addition to compelling these private companies that have dams on our navigable streams, or who ship power in interstate commerce, to show their legitimate investments, and in that way squeezing the water out of their inflated valuations, the Federal Power Commission is rendering one of the greatest services that ever came to the people of this country by compiling and publishing the electric rates charged by both private and public power systems in every city, town, and community in America.

Anybody who desires to do so can write the Federal Power Commission and for a small compensation, of probably 10 cents each, secure these reports on each and every State in the Union. Then he can make his own comparisons.

I have on my desk at this moment a volume compiled by the Federal Power Commission known as the National Electric Rate Book, that covers every single State in the Union and shows the rates charged in every community. This volume is worth its weight in diamonds to the power consumers of America, for the reason that it provides that deadly parallel that all the Power Trust propaganda or inspired oratory cannot answer. I have introduced a resolution to have this volume made a House document in order that every Member may secure a few copies for his own use and distribution to

those communities in his district that are vitally interested in this question.

If the Federal Power Commission never did anything else than to gather and publish these rates and compile this rate book it would not only have justified its existence throughout all the years to come but would have saved the American consumers of electric energy hundreds of millions, if not billions, of dollars, that would have otherwise been wrung from them through exorbitant overcharges.

So, Mr. Chairman, instead of criticizing the Federal Power Commission for doing its duty, I submit that the gentleman from Illinois should be offering thanks for the protection the Commission has offered the power consumers of the Nation, and especially of his own State.

Instead of criticizing the Federal Power Commission for doing its duty and attempting so to limit its funds as to render it impossible for it to carry on this great work, we should be applauding it and providing it with whatever amounts are necessary to enable it to perform these arduous tasks.

The electric business is a public business and must be publicly regulated or publicly owned, if the people are to be protected. If regulation continues to fail, then the whole country will swing to public ownership of power facilities—and the sooner they come to that conclusion the sooner we will be able to lift this burden of a billion dollars in annual overcharges for electric lights and power from the backs of the American people.

It has been universally recognized, ever since the establishment of the rule of Hale in England, that privately owned utility companies are "affected with a public interest" and cease to remain in the classification of ordinary private business. The very nature of the electric business imposes a high degree of public interest and, as I said, makes it a public business.

Following the celebrated Granger case of 1877—Munn against Illinois—the various States attempted to assume their sovereignty over this type of corporations. At first the States delegated their sovereign authority to their lesser subdivisions. Evils of great proportions then became a part of the system until exposed in the Hughes investigation of 1905.

Aroused public opinion forced a change from the older order. Out of the revelation came regulation by commissions. The Federal Trade Commission investigation of 1927 to 1933 disclosed voluminous evidences of fraud, political manipulation, and corruption, culminating in the fall of the Insull empire in Illinois.

Congress then attempted to curb these forces of evil through the Securities and Exchange Commission and the Holding Company Acts. Late evidences definitely demonstrate the fact that these forces still ride on. Congress has not accomplished the results intended.

In the midst of world-wide disorders, democracy must take stock. To survive it is necessary for us to drive the lepers from control within the body politic—both State and National.

The Department of Justice has lately concentrated its activities on corrupt politicians. These efforts are to be commended; but they do not reach the roots of the trouble. We must reach and punish the moneyed interests behind the alliance of politics and corruption. Public exposure is the first step in the process of driving out these lepers.

After the Federal Trade Commission's investigation the leaders of the Power Trust solemnly promised the American people that they would desist from their evil practices. But they have not kept the faith; in fact, their evil practices have been on the increase. Now is the time to call a halt.

You cannot place a veil of sanctity over these offenders by campaign contributions.

The refusal of the Securities and Exchange Commission to permit the \$8,000,000,000 Associated Gas & Electric system to make dividend payments out of its capital has resulted in that vast holding company filing a bankruptcy petition. This intricate system, with a capital debt of nearly \$700 per consumer, or about three or four times what it is actually worth, has been one of the worst offenders. This superholding company, operating in 23 States, has a highly intricate financial

set-up. With all due respect to our Federal courts and the Department of Justice, it would be practically impossible for them alone to unravel the maze of book entries created by this huge octopus. Neither agency has the facilities to reach and point out the real facts. They need highly skilled assistance.

In New York State, for example, the Associated Gas & Electric system has 73,000 kilowatts of hydro power. This hydro power, from water belonging to all our people, has been used to extort revenues, through exorbitant electric rates, which revenues have in part been used to make political contributions or to corrupt public officials.

We have read recently in the Washington papers that the president of the local electric company was transferred to the Union Electric Co. of Missouri and Illinois to relieve the malodorous situation created by the charges of the St. Louis papers that the company officials were engaged in corrupting practices. The Securities and Exchange Commission was supposed to investigate this situation, but the real facts, as far as I know, have not reached the public. There is no reason for suppressing the facts or allowing these culprits to go unpunished.

No wonder the power consumers are overcharged \$69,000,000 a year in Illinois, \$14,000,000 a year in Iowa, and \$21,000,000 a year in Missouri.

The Union Electric, a subsidiary of the North American Co., receives a substantial part of its electric energy from hydro plants located on the Mississippi at Keokuk, and on the Osage public power that should be used for the benefit of the people of that area. Technical assistance is needed to unravel the facts as to the company's investments, expenditures, political payments, and activities.

The North American Co. has also subsidiaries operating in Illinois and Missouri, which have been charged with engaging in atrocious political activities. The corrupting influences of the lobbies maintained by these companies in the State capitals is said to be beyond comprehension. Nearly a year ago in a speech here in the House I called attention to some of these activities, but they still go on. The Missouri Power & Light Co. receives a substantial part of its current from the Keokuk Mississippi Power's hydro plant. The Illinois-Iowa Power Co. has a hydro plant on the Illinois River at Marseilles, Ill., using Federal water, and also transmitting power from the Keokuk Dam in interstate commerce. I am firmly convinced that a thoroughgoing investigation will disclose wholesale corruption of public officials by the officials of these two companies, which are tied together by a subholding company, the North American Power Co.

To bring such activities to light, and to focus public attention, I propose a thorough investigation of these companies.

I also propose to do my best to see that before the demands of the State of Illinois for increased deliveries of water from Lake Michigan are given consideration, the beneficiaries of this water power desist from their evil and corrupting practices and operate within the letter and the spirit of the law. Regulation cannot be made effective until these vicious activities on the part of the Power Trust are stopped.

I am convinced that a thoroughgoing investigation of these four companies will reveal startling conditions. To allow such practices to continue unchecked is dangerous to our national security.

These are matters to be handled by the Federal Power Commission. So, instead of attempting to hamper the Commission by legislative penury or carping criticisms, we should let the world know that in these attempts to protect the electric consumers of the country the Commission has the enthusiastic backing and support of the Congress of the United States.

Mr. FITZPATRICK. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Chairman, we have been listening to some interesting and able arguments with reference to governmental economy. For a few moments I wish to divert our attention to an outstanding instance of individual economy. It is an old saying and a true one that example is better than precept.

I think this is the first time during my service in the House that I have appeared on the floor with an article of exhibit, but in these days when so little accent is being placed on thrift and personal industry it seems proper to present this object lesson for its value in inspiration. Mr. Ripley thought it of sufficient importance to include it in his Believe It or Not. In its implications it carries us back to the spirit of the pioneers who made this country, a spirit that likely must be revived and renewed for the permanent preservation of this country.

There lives in my native city of Weatherford, Tex., Mr. G. A. Holland, a distinguished gentleman who on the 12th day of this month passed the eighty-first anniversary of his birth. It has been my privilege and pleasure to know him since my boyhood. He has served as president of a national bank in that city, was for many years its mayor, and for a quarter of a century the chairman of its school board. He has devoted a great deal of time to research and has preserved in a volume which he wrote and published the history of the pioneers who developed that section. He has equipped a most interesting museum which is keeping for posterity many historic relics of important significance.

These statements give briefly the background of explanation of the instance of unusual thrift to which I would call your attention. Mr. Holland has sent to me for presentation some homespun cotton towels of his own making. He wishes one presented to the wife of the President, one to the wife of the Vice President, and one to the wife of the Speaker. This statement of itself does not disclose the significance of these gifts or impress properly the lesson they involve. What I wish specially to call to your attention as an example of individual American industry are the facts that they were made after Mr. Holland had passed his eightieth birthday, that the most primitive methods were used, that they are the products of one man's effort, and that each was completed from the picking of the cotton in the field to the weaving of the fabric during the daylight hours of a single day. With his own hands he picked the cotton, with his own fingers he separated the lint from the seed, washed and cleaned the lint, carded it, spun it into thread, and wove it into a towel. He used the old spinning wheel and loom which his mother had operated in the early days of his youth.

Though an octogenarian, he is active and vigorous as a civic leader and presenting daily his fine example of self-reliant Americanism.

Is it not well to pause for a moment in these times in which we live to contemplate this splendid exemplification of the spirit that has made America great? Surely it should prove inspirational to the youth of our country. All our ills cannot be cured by legislation, but they can be cured if as a people we shall practice those time-honored traits of thrift and individual industry which have yielded us the civilization of a glorious democracy. [Applause.]

Mr. FITZPATRICK. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. DICKSTEIN].

Mr. DICKSTEIN. Mr. Chairman, I rise today to make a very important observation on the most important issue with which the country is confronted today.

In the first place, I want to pay a great tribute of respect to J. Edgar Hoover, head of the Federal Bureau of Investigation, and the men who work under him. They have done a fine job in picking up a number of men, although the number now is small, of the so-called Christian Front.

Some Members may think this is only a minor matter and does not amount to very much, but I assure you, as I have in the past, that when the whole story behind the arrest of these men will be told there will be an exposé of this so-called Christian Front and the Christian Mobilizers and other hoodlums that will startle the country.

I do not want to go too far back, but in the last 6 or 8 or 10 months every Congressman has been buttonholed to find out whether or not he is going to support the Dies committee; in fact, the newspapers have got some of the Congressmen afraid to say "no."

Anything I may say here is not personal. It is not in the form of criticism but in the form of constructive advice, as

I have tried to give on previous occasions, but which the committee so far has not followed. I want to tell you now that I know something about this subject. Not alone was I responsible for the original McCormack committee, going way back to 1934, but I tried in vain to restore the McCormack committee in 1937, when some of the gentlemen on this floor on both sides ridiculed the proposition that un-Americanism existed in the United States. Some of them got up and cracked jokes about our looking for Nazis and Communists under the bed. I wish you would read the Record of April 8, 1937, and compare it with what we are asked to do now. I could not get anywhere then. Thirty-nine Members stood up for my resolution for the continuation of the McCormack committee at that time, and the rest of the Members sort of joked about the whole matter.

When conditions were becoming worse and our form of government was being undermined every day, I alone stood in the Well of this House and protested against the activities and propaganda of foreign agents, including Communists and Nazis. No; since my name was DICKSTEIN—now, take it for what it is worth—I could not seem to get the support of the Congress.

I drew a new resolution, which you are now sucking like a lollipop, to create the Dies committee. I drew that resolution and myself appeared before the Committee on Rules without any help from anybody. I fought for that resolution in the Rules Committee when I presented documentary proof of un-Americanism and the activity of foreign agents. I told you 2 or 3 years ago that there were hundreds of spies in this country. I have told you of propaganda material that is being transported from foreign shores to this country which is definitely not for the best interest of this country, and I have been ridiculed. Lo and behold! we passed the Dies resolution. I was not on the committee and I am not sore about it, and I do not want anyone to tell me I am making this speech just because I am not on the committee. More power to the Dies committee. They have done a good job to a certain extent, but they have not done the job the people expected them to do.

The gentleman from Massachusetts, JOHN McCORMACK, who was chairman of the original committee, would not have dared to issue statements attacking any individual or persons without having definite proof or positive evidence. The gentleman from Massachusetts, JOHN McCORMACK, would not have dared to denounce individuals publicly and paint them as "reds" or "pinks" or "blues" or "whites" unless the evidence was there and the committee had approved the action of the group. In the last few months all we have had have been a number of front-page releases of a one-man committee or a two-man committee, without some of the persons concerned even having been given an opportunity to be heard and to defend their rights. Yes; the Dies committee has done some work, and I am proud of it, because I was the father of that resolution, but they should have done a still better job.

I now want to direct to you and to the members of the Dies committee who happen to be sitting on the floor this question: Why did you not investigate the Fascist groups in this country? I have seen press releases to the effect that you condemn nazi-ism, fascism, and communism. Fine; but you have not subpoenaed the men engaged in the activities which are the greatest evil to America, those connected with the Christian Front and the Christian Mobilizers and others. I could name the rest of them to you. You have allowed these men to organize in this country in one form or another to overthrow the Government. In my city last month and the month before blood was shed in numbers of instances because the so-called Christian Mobilizers, who were claiming backing from Father Coughlin, were parading and demonstrating on the streets of New York. There were bloody fights in that city, which has a population of 7,000,000 people.

This was because they preached racial intolerance and revolutionary tactics in condemning the Congress, the Government, and the President.

And, lo and behold, I recall 1937, when I appeared before you, asking you to give me further power to destroy this un-Americanism, how some Members got up on the floor and said, "We do not want any more investigations; we want

laws." Why, the fact is that the McCormack committee brought out more laws than any other committee in the long past of such investigations.

As a result of the McCormack law to register foreign agents, we have convicted now dozens of men and women. If it was not for that law we would have had no law for their conviction.

So far the Dies committee, in its present report, has submitted nothing in the form of constructive suggestions for Congress to act. In August 1939 I gave the Dies committee the opportunity to do something constructive in investigating the Christian Front and similar groups. I exposed in the Appendix of the RECORD, volume 84, page 4042, this whole Fascist group, with the names of their leaders and their meeting places, in New York City at least. The very men who have been caught now by the Department of Justice with arsenals in New York are members of this group which, I feel sure, has other arsenals in other cities of our country. They have arrested only 17 now, but there will be 1,700 before the year is up. There are higher-ups in this proposition.

I am very fond of my colleagues on the Dies committee. I know they want to do the job, but why did they not follow up the suggestions I made in the RECORD? Why should they not have received the credit for this investigation of fascism, the Christian Fronters, the Christian Mobilizers, and other people who, under the guise of Christianity, are seeking to destroy America and what we stand for as a democracy?

I am not afraid of being criticized by any press because they might say I am attacking the Dies committee. Oh, let us have the Dies committee. Let us have the investigation, but do not let us pussyfoot. Let us stop this hullabaloo of press releases. Instead, let us attack the problem that is most essential to be attacked today—fascism in its worst form.

Mr. THOMAS of New Jersey. Mr. Chairman, will the gentleman yield to me?

Mr. DICKSTEIN. I yield to the gentleman for a brief question.

Mr. THOMAS of New Jersey. As I recall the gentleman's remarks last year, he made nazi-ism his strongest plea for investigation. Has the gentleman changed from that, and is he now bringing up the question of fascism as his strongest plea for investigation?

Mr. DICKSTEIN. No; the gentleman knows better than that, and furthermore, nazi-ism is a form of fascism. I think my friend from New Jersey was one of my good friends who laughed me out of court on the 8th of April about finding Nazis under the bed, and asking what I was afraid of and almost told me to sit down and pay no attention to it. If my friend is propounding the question whether I am trying to exempt any "ism," he is wrong. I am against fascism and communism just as much as the gentleman from New Jersey, and I want to call his attention to this fact—

Mr. THOMAS of New Jersey. I do not think that answers my question.

Mr. DICKSTEIN. The gentleman asked me whether I had now changed my position.

Mr. THOMAS of New Jersey. That is right.

Mr. DICKSTEIN. I have never changed my position.

Mr. THOMAS of New Jersey. Your position is just the same today as it always has been?

Mr. DICKSTEIN. To get rid of all of them.

Mr. THOMAS of New Jersey. I would like to ask the gentleman another question. The gentleman said the Dies committee should not get any credit for this action on the part of the F. B. I. in regard to those activities up in New York.

Mr. DICKSTEIN. None at all.

Mr. THOMAS of New Jersey. Who should get credit for that?

Mr. DICKSTEIN. The Department of Justice did the job, not the Dies committee.

Mr. THOMAS of New Jersey. Has the gentleman from New York read the eight volumes of hearings before the Dies committee?

Mr. DICKSTEIN. My good friend, I have followed your reports and your hearings so religiously that if it came up as a

question of law and if I were the court, I would strike out about 90 percent of it as incompetent and irrelevant.

Mr. THOMAS of New Jersey. You would strike out 90 percent of it?

Mr. DICKSTEIN. As not bearing on what we are seeking to investigate, which is un-American activities, as I proposed.

Mr. THOMAS of New Jersey. But the gentleman knows that if he would leave in the other 10 percent he would have to come to the conclusion that the Dies committee also went into these Fascist organizations.

Mr. DICKSTEIN. Have you subpoenaed any of them?

Mr. THOMAS of New Jersey. We have subpoenaed many of them.

Mr. DICKSTEIN. Have you subpoenaed any one of those that appear in my speech in the RECORD of August 14, dealing directly with the Christian Front? You have not done it. Have you subpoenaed Father Coughlin?

Mr. THOMAS of New Jersey. Will the gentleman yield further?

Mr. DICKSTEIN. Let us get down to direct questions.

Mr. THOMAS of New Jersey. Will the gentleman yield further?

Mr. DICKSTEIN. One moment. I have told you that I have said you have done some good work, but you have been discriminating between one group and another, and you have not put them all on the auction block and destroyed them.

Mr. THOMAS of New Jersey. The gentleman knows that we have investigated Fascist organizations more than any other investigating committee in the entire history of the Government. Is not that true?

Mr. DICKSTEIN. No.

Mr. THOMAS of New Jersey. Then, it is evident that the gentleman has not read the eight volumes of testimony.

Mr. DICKSTEIN. If you will read the record that I have pointed out to you—

Mr. STARNES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. DICKSTEIN. I will in a moment. I just want to point out to you about 50 names that I have mentioned in my speech on un-American activities in this country that you now say are in a conspiracy against the United States. You have not subpoenaed any of those. You have subpoenaed Mr. Moseley, and you did a good job, but you did not follow through.

Mr. THOMAS of New Jersey. I am very glad to hear the gentleman say that we have done a good job, because it is the first time that he has said it.

Mr. DICKSTEIN. I know I said that before.

Mr. STARNES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. STARNES of Alabama. I want to correct the distinguished gentleman from New York about some of the statements that he has made with reference to the special committee investigating un-American activities. The gentleman stated that the committee has not investigated Fascist groups. Evidently he has not read the record, because we had before us the national commander of the White Camellias, and we had before us the leaders of other organizations. Their names are set out in the report—Mr. Deatherage and Mr. Gilbert. We had a member of the Silver Shirt Legion, and we had Fritz Kuhn, the leader of the German-American Bund, and we had former members of many of these Fascist organizations. In August 1939 we received very positive testimony with reference to the fact that this Christian Front and the Christian Mobilizers were working hand in glove with the German-American Bund in this country. We made this information public, and it is a part of the record. When the gentleman from New York, or any other man, states on the floor of this House or elsewhere that this committee has shown favoritism in its investigation or that we failed to investigate fascism or Nazi activities, he is stating that which is not true and which cannot be backed up by the record. We understand also that the gentleman was a member of the McCormack committee, which did good work. We

understand the gentleman's attitude about this present committee. I tell him that page after page and volume after volume of hearings of sworn testimony of the leaders of many of these so-called Fascist groups are a part of the record. I suggest to the gentleman that he stick to the truth.

Mr. DICKSTEIN. I wish the gentleman would stick to the truth, and I wish he would confine himself to a more moderate way of speaking. The gentleman makes the charge that I am trying to exaggerate; that I am telling an untruth. He almost told the House that I am trying to camouflage or attempting to tell an untruth, and I resent that, because I do not intend to charge any Member of this body with bad faith. I am trying to present the facts as I see them. I say in answer that the gentleman's committee has not subpoenaed the real Fascist groups in this country, which are responsible for domestic fascism in the United States, tied up with foreign governments. I do admit that you subpoenaed the White Shirts and the Camellias, but that was only to scratch the surface. There is nothing personal about my criticism, and at the outset I said that I am not attempting to criticize any particular member of the committee; but that there is a time when a man must speak, and it is fortunate indeed that we still have free speech, even in the Congress of the United States.

Mr. STARNES of Alabama. And may I say to the gentleman that the records shows that we investigated many of these organizations and had the leaders, where they could be found, brought before us. We investigated and looked into many other organizations, practically everyone that the gentleman named in his speech of August, or whatever date it was, in 1939. We have voluminous records, voluminous statements of investigators, and material which they seized in connection therewith, which will be made public.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FITZPATRICK. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. STARNES of Alabama. The Federal Bureau of Investigation is to be congratulated; but in this connection the prosecutions under the McCormack Act were brought about only after the expose by the Special Committee Investigating Un-American Activities had brought these matters to the attention of the country and the law-enforcement agencies of this country.

Mr. DICKSTEIN. Well, that is all right.

Mr. KRAMER. Will the gentleman yield?

Mr. DICKSTEIN. I yield to my friend.

Mr. KRAMER. The gentleman will recall that in 1933, when the first committee on un-American activities was appointed by the late Speaker Henry Rainey, the gentleman from New York [Mr. DICKSTEIN] the gentleman from Massachusetts [Mr. McCORMACK], myself, and many others then Members of the House who are not here today, brought the investigation and made a full report, a unanimous report, before the gentleman from Alabama [Mr. STARNES] was a Member of the House. In that report, as a result of it, there were four bills introduced, one of which was a bill which I introduced, which made it a crime to advocate the overthrow of the Government of the United States by force or violence. What effect did that have upon this House? What effect did it have? I battled with the gentleman from Massachusetts [Mr. McCORMACK] to get it through the Judiciary Committee. Finally, we got it reported out of that committee, but we could not get it through the Rules Committee, and it was not until the last session that the gentleman from Massachusetts, Hon. JOHN McCORMACK, and the gentleman from Alabama, Hon. SAM HOBBS, offered an amendment that made it a violation to attempt to overthrow the Government of the United States by force or violence. I think the fundamental principles advocated at that time were brought out then. Is that not the fact?

Mr. DICKSTEIN. That is true, and I recall that you were in charge of the Pelley situation, and Pelley was convicted in Asheville, N. C. But let me say further, the Dies committee or its investigators did not even take the trouble to come

over to the office to look over some of the files I had. I was willing to cooperate. In fact, I spoke to my good friend from Alabama and appealed to him to advise his chairman, if it would help this investigation. If we were going to have an investigation at all, let us not make it all pink or red or blue. Let us get them all. They have no business in this country.

Mr. KRAMER. Will the gentleman yield further?

Mr. DICKSTEIN. I yield for a brief question.

Mr. KRAMER. I told the gentleman from Texas [Mr. DIES] and the gentleman from Alabama [Mr. STARNES], members of the new committee, that the files of the former committee were at their command, and not even once did they ask to be given any help.

Mr. THOMAS of New Jersey. Will the gentleman yield?

Mr. DICKSTEIN. I do not have time. I would like to finish my statement.

Mr. THOMAS of New Jersey. The gentleman does not care to answer?

Mr. DICKSTEIN. I would be glad to, if I had the time.

Mr. CASE of South Dakota. I yield the gentleman 2 additional minutes to answer the question.

Mr. THOMAS of New Jersey. As you know, the Dies committee has met probably hundreds of days. We were meeting most of the time when the House was in session and also during the summer.

Mr. DICKSTEIN. I believe that.

Mr. THOMAS of New Jersey. I cannot recall ever seeing the gentleman from New York at any of the meetings. I may be wrong, but would you tell us how many times you came over to the Dies committee?

Mr. DICKSTEIN. I only came to the Dies committee once, not to be advised with or consulted with, but just as a spectator.

Mr. THOMAS of New Jersey. Are you drawing your conclusion that 90 percent of the testimony presented to the Dies committee is irrelevant just because of the one call you made on the committee?

Mr. DICKSTEIN. No. That had nothing to do with the call at all.

Mr. THOMAS of New Jersey. Will you tell us, then, how you drew that conclusion?

Mr. DICKSTEIN. That is not a conclusion at all and that is not an inference. When the Dies committee was created I sent some information to my colleague, the gentleman from Texas [Mr. DIES], and I got a letter 2 weeks thereafter from a third- or fourth-rate secretary stating that it would be called to the attention of the gentleman from Texas [Mr. DIES] at a later date. It has not yet been called to the attention of the gentleman from Texas [Mr. DIES]. So what could I do? I was ready to serve the committee in any way possible, whether to advise or to show the records I had or tell them what was going on. I have gone through hell fire to get information for the benefit of my committee or any other committee which wished to take advantage of it, and you have not taken advantage of it. What is the use talking about it? I have the recorded records. I have advised one member of the committee that I had in my possession evidence sufficient to not only indict one but hundreds of people for un-American activities, seeking to destroy this Government. You have not taken advantage of it. Let us not go into all that.

Mr. THOMAS of New Jersey. Why does not the gentleman turn over that material to the Dies committee? There are seven members of the committee and the gentleman knows where they sit every day. We would be very glad to see that material. I am sure the gentleman from Alabama [Mr. STARNES] would be glad to see it, and I know I would be glad to see it. Will the gentleman turn it over the next day we meet?

Mr. DICKSTEIN. Now wait a minute.

Mr. THOMAS of New Jersey. Will the gentleman turn it over the next day we meet?

Mr. DICKSTEIN. Now, just a minute. Do not go so fast. These records are in code.

Mr. THOMAS of New Jersey. I ask the gentleman to turn them over to the committee now.

Mr. DICKSTEIN. I have heard that story before and nothing came of it.

Mr. THOMAS of New Jersey. The gentleman does not have to do it if he does not want to.

Mr. DICKSTEIN. You people have an idea that I am trying to steal credit from you. I tell you I do not care for any credit as long as I serve my country the best way I know how as a Member of this House. [Applause.]

[Here the gavel fell.]

Mr. CASE of South Dakota. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. GWYNNE].

Mr. GWYNNE. Mr. Chairman, the appropriation bill we are now considering carries a total appropriation of \$1,151,212,307. It provides for a year's program of over 30 separate agencies. It contains over 100 separate and distinct items. The entire bill has received extended and careful consideration by the Appropriations Committee of the House. Furthermore, any Member, under our rules, may offer an amendment to reduce, increase, or eliminate any particular item. So far as the House is concerned, this method of legislation is both fair and efficient.

However, when the bill goes to the President, a different situation is presented. He has no opportunity to give effective consideration to each item. He must sign or veto the bill as a whole. Because of this situation many improper appropriations are made which would not occur if the Executive had an opportunity to consider each item separately.

This raises the question of the necessity of a separate item veto in appropriation bills. Presidents Grant, Arthur, and Hayes during their respective administrations recommended a constitutional amendment giving the President such authority. I would, of course, favor such an amendment. However, it seems to me that the result can be accomplished without amending the Constitution.

In the hope of creating some interest in this problem, I have today introduced a bill along this line. It is purely suggestive. There are probably other and better methods of solving this problem legislatively.

I realize there is considerable dispute about the constitutionality of such procedure as a Presidential veto of separate items in an appropriation bill, but I hope to set out in my extension of remarks reasons which convince me that such legislation is constitutional.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE. I yield.

Mr. WOODRUM of Virginia. I am very much interested in the gentleman's statement. The gentleman will probably be interested to recall that in the last session of Congress, or perhaps the session before, an amendment was offered in the Appropriations Committee to one of the appropriation bills and was adopted and reported out by the committee, which gave just the authority that the gentleman has in his bill. It created so much adverse feeling amongst Members and the public, however, that the gentleman from Virginia who is now speaking was severely reprimanded by his colleagues for slipping an amendment into an appropriation bill when the other fellows were not looking.

I may say to the gentleman from Iowa that there is no question about the fact that if the President had the right to veto separate items in appropriation bills that there would be found the finest opportunity really to effectuate economies and deficiencies in government; and when I say "the President," I mean any President, whoever he may be. Frequently he has to face the proposition that he must take it all or nothing; he must sign a bill carrying appropriations which he does not approve and which are not justified, or else scuttle some very worthy object in which he and the country are interested. If it takes a constitutional amendment to give the President this power, the Constitution should be so amended.

The gentleman from Iowa may also recall that the present Chief Executive has expressed himself as feeling that such power in the Executive would be a great help in trying to meet the economic situation.

Mr. GWYNNE. I believe there is not much question about the desirability of such procedure giving the President the right to veto items separately. As I remember it, however, the amendment offered to the appropriation bill to which the gentleman from Virginia referred carried with it the right not only to veto an item but to reduce an item. I doubt the constitutionality of such a provision.

The purpose of this bill I have introduced is simply to express the legislative intent that we consider each item in the bill a separate bill so far as the right of the Executive to veto is concerned. As I say, there is a great deal of difference of opinion as to the constitutionality of the measure and the proper way to accomplish it, but I believe it is a problem that some day will be solved.

Mr. ENGEL. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE. I yield.

Mr. ENGEL. The constitution of the State of Michigan, and likewise the constitutions of many States, contains a provision authorizing the Governor to veto any one item in an appropriation bill. For a number of years until 1931 the Governor of Michigan, in the exercise of the power of vetoing separate items under that provision, also exercised the power of reducing items. In other words, if an item was larger than it should be, he reduced it. The Supreme Court, however, held that under the Constitution he had only the power to veto a separate item. He had the power to veto the entire item, but he could not reduce it. With the handing down of that decision, 90 percent of the benefit of the separate-item veto was gone. After that decision the savings were practically nothing.

I am assuming, of course, that if a constitutional provision of that kind were adopted Congress would have the right to override the Presidential veto by the usual two-thirds' vote.

Mr. GWYNNE. Oh, yes; that would follow, of course. If the President vetoed an item, the item would be sent back to the House and could be passed over the President's veto.

In regard to the matter of constitutional amendments, I may say to the gentleman from Michigan that some 39 States have provisions in their constitutions allowing the Governor to veto items separately. Some States even grant power to the Governor to reduce items. This, as the gentleman from Michigan suggests, is a very valuable power.

I believe that perhaps the best approach to the problem in this Congress would be by way of a constitutional amendment. In the meantime I believe much good could be done by legislation giving the right to veto items separately.

Mr. ENGEL. Mr. Chairman, will the gentleman yield further?

Mr. GWYNNE. I yield.

Mr. ENGEL. To illustrate the point I made with reference to the savings brought about in Michigan during the time the Governor exercised the power of reducing items as well as vetoing separate items—suppose Congress appropriated 50 percent more than the President recommended for a certain activity. Without the power to reduce the item the President would either have to veto or approve the entire item. The amendment, whatever it be, should specifically provide that the item should come back to Congress for reconsideration so that it could override the veto by the usual two-thirds' vote.

Mr. GWYNNE. Does not the gentleman believe that if the President had the right of vetoing separate items, especially an item that carried more money than he thought it should, that Congress then should have the opportunity to reduce it by its own action?

Mr. ENGEL. The difficulty is that the President does not act on a great many bills until after Congress has adjourned.

Mr. GWYNNE. Undoubtedly.

We usually think of legislation as an exclusive function of the Congress. The Constitution provides in article I, section 1 that "all legislative power herein granted shall be vested in a Congress of the United States." However, in article I, section 7, the Constitution also gives legislative powers to the President in the following language:

ART. I, Sec. 7. Every bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a law, be presented to the President of the United States; if he approve he

shall sign it, but if not he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law. But in all such cases, the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each House respectively. If any bill shall not be returned by the President within 10 days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress, by their adjournment, prevent its return, in which case it shall not be a law.

The courts have held that this provision confers upon the Executive legislative power. The legislative power of the Executive is purely negative in character, and even that power of negation is subject to being overruled by a two-thirds vote of Congress. In brief, Congress is the sole repository of affirmative legislative power—that is, the power to say what the law shall be. The Executive has only the power to say that a certain measure adopted by Congress shall or shall not be the law. However, the right and duty of the Executive to exercise this negative power as his judgment dictates, is as clearly expressed in the Constitution as is the right and duty of Congress to perform its part of the legislative function. This is clearly borne out, not only by the language of the Constitution, but by the history of the veto power in Anglo-Saxon government.

The courts have, on many occasions, acted to protect this exclusive affirmative power of legislation in the Congress, and have declared unconstitutional certain laws wherein Congress had sought to delegate this power to someone else. However, the duty of maintaining the integrity of the Executive veto in a practical sense is left largely to the Congress itself. For example, in this present bill each separate item might be presented as a separate bill, or Congress might take the other extreme and put all the appropriations for 1 year in a single bill.

Many of the States in order to preserve to the executive an efficient and practical veto power have adopted constitutional amendments authorizing the Governor to veto an item separately. At least 39 States have such a provision. As opposed to this plan of protecting the integrity of the Executive veto by constitutional provision, the Federal Constitution leaves the matter to the good faith of Congress. The Constitution is, after all, not a mere compilation of legalistic rules. It is rather the pattern of a certain philosophy of government. It states general principles rather than detailed procedure. The fundamental object of the Constitution was to create a government of laws as distinguished from a government of men. It sought to accomplish this by dividing the powers of government among three independent and coordinate branches, each one of which should be a check on the other. It is to this fundamental principle rather than to any mere declaration in the Constitution that the citizen must look for the protection of his property, his liberty, and even his life. The Constitution does little more than to create these three branches and draw the line between them. It seeks to maintain that division for all time by setting up certain checks and balances. In the last analysis, however, the preservation of that form of government is not to be sought in any mere words written on paper, but rather in the acceptance of that philosophy of government of which the words themselves are the mere evidence. Such a government can only be maintained if each independent branch thereof recognizes the rights and duties of the others, and protects them as actively as it protects its own.

In the matter of legislative procedure, the Constitution simply says:

ART. I, SEC. 5. Each House may determine the rules of its proceedings.

This was intended as a broad and comprehensive grant of power and has so been recognized by all three branches of the Government. In construing the right of Congress to

make rules, the Supreme Court has said, in *United States v. Ballin* (144 U. S. 1)—

It (the House of Representatives) may not by its rules ignore constitutional restraints or violate fundamental rights, and there should be a reasonable relation between the mode or method of proceeding established by the rule and the result which is sought to be attained. But within these limitations, all matters of method are open to the determination of the House, and it is no impeachment of the rule to say that some other way would be better, more accurate, or even more just. It is no objection to the validity of a rule that a different one has been prescribed and in force for a length of time. The power to make rules is not one which once exercised is exhausted. It is a continuous power, always subject to be exercised by the House and within the limitations suggested, absolute and beyond the challenge of any other body or tribunal.

In that case, the Supreme Court called attention to the fact that the Constitution required the presence of a quorum, but set up no method of making this determination and that it was therefore within the power of the House to prescribe any method which would be reasonably certain to ascertain the fact. The right of Congress to make rules for the purpose of legislation is so broad and final that the Supreme Court accepts the complete law as it has passed Congress and been signed by the President and deposited with the Secretary of State, as the law which passed the House in accordance with their rules, and will not have recourse to the Journals of the respective Houses to prove the contrary.

Attention has been called to article I, section 7, which provides that—

Every bill shall be presented to the President of the United States.

Webster defines a bill, as follows:

A form or draft of a law presented to a legislature but not yet enacted, or before it is enacted; a proposed or projected law.

The term "bill" as used in the Constitution does not have any definite or technical meaning and apparently had none at the time of the adoption of the Constitution. It is simply a vehicle for carrying proposed law through the legislative bodies. There is no constitutional requirement that it shall be in any particular form, or that it shall contain any designated elements. It is simply a device by which the legislative will is expressed concerning suggested legislation. Neither usage nor constitutional limitation requires us to attach any technical or restricted meaning to the word "bill" which will prevent the carrying out of the real intent of the framers in adopting the Executive veto. We must, as in all construction of the Constitution, look to substance and not to mere form.

Article I, section 7, simply means that all legislation which has passed the Congress must, before it becomes a law, be presented to the President. The intent of the Constitution is that legislation shall be a result of the meeting of the minds of the Congress and of the Executive, the former affirmatively creating the legislation and the President exercising his right of affirming or denying. The method by which this result is to be accomplished is left largely to the discretion of Congress.

The House has already adopted substantially similar procedure in regard to private bills. Under our present rules we group a number of private bills in one omnibus bill. When such omnibus bill passes the House it is broken up again into private bills and each private bill goes separately to the Senate.

On a final vote on any bill each Member of the House votes for the bill as a whole. It is presumed that he exercised his right of affirmative legislation as to each item thereof during its consideration in the House. At least, the rules of the House give him that right. When the majority finally adopts a measure it does it with the understanding that it must all be affirmed or all vetoed by the President. There is no constitutional reason why the majority could not adopt the final result of its efforts with the understanding that items could be vetoed separately. All that is required is that there must be a mutual understanding between the executive and the legislative branches of government.

A somewhat similar situation has arisen between the legislative and judicial branches in decisions on the constitution-

ality of separate parts of statutes. Sometimes these separate parts are so interwoven that neither can stand alone. In that case the unconstitutionality of one will carry all down. Many times, however, statutes contain separate provisions capable of operating, even though the rest of the statute is declared unconstitutional. The Court, in that case, is confronted with the question as to whether or not the Congress intended part of their work to remain if the whole were not held constitutional. In deciding that point the Court seeks to determine the intent of Congress in passing the statute. In so doing a separability clause; that is, a declaration by Congress that it is its intention that a part of the statute should survive, even though other parts are held unconstitutional, is usually respected by the Court.

Mr. CASE of South Dakota. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. SHAFER].

Mr. SHAFER of Michigan. Mr. Chairman, in reading the printed hearings on the pending legislation I have found some very interesting testimony by General Hines, of the Veterans' Administration, relative to the practice of making compulsory deductions from the wages of civilian employees of veterans' hospitals for quarters, subsistence, and laundry, regardless of whether these facilities were utilized. I am happy to observe that, at last, General Hines has been made to realize some of the hardships that he has forced upon these employees of the Veterans' Administration and their families because of this practice.

I congratulate the members of the Appropriations Committee in exacting from General Hines the pledge that the practice of compulsory deductions for quarters, subsistence, and laundry shall cease except in cases where these services are actually used.

As I understand these hearings, General Hines has pledged that he will take immediate steps to abolish this practice. I shall await his administrative order with great interest. In the past I have found General Hines to be the most procrastinating procrastinator of all time, and I will not believe he is in earnest in this matter until his administrative order is issued. In the meantime, I shall continue to press for action on my bill, No. 2402, which would abolish this practice by legislation.

I note in the hearings that General Hines would much prefer that this matter be worked out as an administrative measure rather than as the result of legislation. If that is the case, then I warn General Hines to get busy, for most Members of this Congress believe as I do, and it would not be a difficult task to obtain the necessary number of names on petition No. 16, now on the Speaker's desk, which would bring H. R. 2402 to the floor of the House.

For the purpose of the record, many demands have been made upon General Hines to abolish the practice of making compulsory deductions for services not used by Veterans' Administration employees. Little attention was paid to these demands, most of which were made by Members of Congress.

More than a year ago I accompanied my colleague the gentleman from Michigan [Mr. ENGEL] on an inspection tour of the veterans' facility at Camp Custer. At that time we ascertained that the Veterans' Administration was actually making a profit from the deductions that were being made there. In fact, the net pay of many of the employees of that institution was \$42.02 per month, as the result of the practice of compulsory deductions. In many cases these men were maintaining families in homes removed from the hospital reservation.

Following his investigation, the gentleman from Michigan [Mr. ENGEL] made a report in writing to the Honorable JOHN RANKIN, chairman of the World War Veterans' Legislation Committee. I inserted this report in the Appendix of the CONGRESSIONAL RECORD, volume 84, page 471.

So far as I know, the Veterans' Administration paid no attention to this report, which I now ask unanimous consent to include in my remarks at this point.

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The report follows:

FEBRUARY 4, 1939.

HON. JOHN RANKIN,
Chairman, World War Veterans' Legislation Committee,
House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: In accordance with your instructions, I visited the veterans' facility at Camp Custer, Mich., on December 8, 1938, and beg leave to make the following report:

1. Description: The Veterans' Administration facility at Camp Custer, Mich., is a veterans' hospital for mental and nervous cases.

2. Capacity: The official capacity of the hospital is 1,070. On December 8, 1938 (the date of inspection), there were 21 on the waiting list, 8 of whom had been notified to report.

Two new buildings are under construction at the present time with W. P. A. funds which will provide for 166 and 358 beds, respectively, within a year. The total capacity of the facility, including the 2 new buildings, will be 1,534. This will be adequate for present and immediate future needs.

While equipment is generally good, there are numerous beds which have been in use since the beginning of the hospital, in 1924, and should be replaced.

3. Ration and per capita cost: The average cost of the ration of the hospital is 45.4 cents per day. The ration includes the cost of preparing the food, overhead, etc. Guests and employees pay for meals. The total per capita cost, including ration, clothing, housing, overhead, and salaries, and all other costs, except capital investment, from November 1, 1937, to October 31, 1938, was \$1.67. Out-patient cost was \$1.94 per patient, including transportation.

4. (a) Nurses: Nurses work 5 days a week 7½ hours, and 1 day a week for 5 hours; holidays, 6½ hours a day. Each nurse works 1 month in 6 on night duty, with 1½ days off a week. Night nurses work 12 hours a night, or 66 hours a week. Nurses work on an average of 47½ hours a week. All nurses are under civil service.

(b) Attendants: Day attendants work on an average of 55 hours a week, while night attendants work on an average of 66 hours a week. The average for the year is 52.5 hours per week. These attendants are not under civil service, but expect to be on February 1.

5. Pay: Hospital attendants' pay ranges from \$1,020 a year to \$1,612 a year for head attendant. The majority are in the \$1,020-per-year class. These attendants are compelled to live, as a rule, at the hospital, and the Veterans' Administration deducts \$396 a year from their salaries for quarters, subsistence, and laundry, leaving the employee a net amount of \$52 per month actual cash with which to support a family. After February 1, under the civil-service laws, there will be another deduction of 3½ percent, or approximately \$3 a month, for retirement, leaving the attendant \$49 per month.

I have a list of the attendants, showing the number of dependents, and wish to give the following illustration of a typical case:

Salary-----	\$1,020.00
Quarters, subsistence, and laundry-----	396.00
Retirement deduction under civil service-----	35.70
Total deduction-----	431.70
Balance-----	588.30
Net pay per month-----	49.02

Dependents to support: Wife, four children—16, 14, 12, and 7 years of age, respectively.

There are numerous other employees receiving from \$1,020 up to \$1,260 per year with from one to six or seven dependents each. In one instance a messenger is receiving \$1,200 per year with a \$450 deduction, which will be increased to approximately \$490 after the 1st of February, leaving him \$710 a year or \$60 per month with which to support himself, a wife, and six children.

I was amazed to learn that the Government is charging these employees with and deducting from their salaries \$22.50 per month for a ration that costs the Government (in 1938) an average of 45.4 cents a day, or \$13.62 per month. When employees take 30 days' leave, the Government deducts the \$22.50 for the 30 days in addition to quarters and laundry, although the employee was absent and did not actually eat the food.

The Government makes the following profit from each of these employees a year:

Subsistence charged against the employee, 12 months at \$22.50 a month-----	\$270.00
Cost of ration, 335 days in the year, at 45.4 cents a day-----	152.90
Profit on each employee-----	117.10

While these employees are charged with quarters, subsistence, and laundry for themselves, they actually have to pay the same house rent, light, heat, and fuel for their families as though they lived at home. They also have to buy food, clothing, medical care, etc., for the family—all out of \$49 a month.

*Congress, on the recommendation of the President, passed a minimum-wage and maximum-hour law. This law will ultimately require industry to pay a minimum wage of 40 cents an hour and will limit the hours of employment to 40 hours a week. These attendants, working for the United States Government, work as long as 66 hours a week with a year-around average of 52.5 hours a week, and receive as low as 37 cents an hour pay, out of which the Government takes \$396 a year for quarters, subsistence, and laundry, and will take, after February 1, \$36 a year for retirement

pay. This little employee who is charged with this amount is paying the Government, according to these figures, \$117.10 a year profit. There are 44 attendants with from 1 to 7 dependents in this class.

There are 52 attendants with an equal number of dependents receiving from \$1,080 a year to \$1,260 a year with \$396 Q. S. L. deduction, plus a deduction of 3½ percent retirement pay after February 1. There are a total of 137 in this lower-paid employee class, each of whom contribute \$117 to the Government each year in profit. The total profit the United States Government makes on these 137 low-paid employees amounts to \$16,029 a year for Camp Custer alone. Multiply this by the number of hospitals or employees, and we find the United States Government, through the Veterans' Administration, is doing a land-office business with enormous profits, upon which there is no income or other tax levied.

As a member of the Appropriations Committee of the House of Representatives, I watched Congress dish out \$21,000,000,000 in various ways during the past 2 years. During the same 2 years I have seen that same Government take \$32,000 in profits out of these low-paid employees at Camp Custer, who are trying to support from one to seven dependents on as low as \$49 a month. I understand that this condition prevails in practically every similar institution in the United States, and that the total amount the Government takes out of these low-paid employees runs into thousands of dollars.

No employee should be charged more for ration, subsistence, or quarters than the actual cost. Married employees should not be compelled to live at the hospital unless absolutely necessary, and then they should be given additional compensation to enable them to live and support their family decently.

I was rather anxious to have Dr. H. G. Clarke, the superintendent, take me personally through the institution, which he did. We visited practically every ward. The fact that the patients knew Dr. Clarke and that Dr. Clarke knew the patients and their condition evidenced the fact that he had been making his inspection trips through the hospital frequently. Dr. Clarke has a personal knowledge of every detail in this institution and knows personally both patients and employees. Basing my opinion on the inspection of the hospital which I made, I think Dr. Clarke is doing a splendid job and is getting results.

Sincerely yours,

ALBERT J. ENGEL.

Members of Congress who read the above report, I am sure, will agree that the practice of making compulsory deductions is unfair, undemocratic, and un-American. It is high time General Hines recognized this fact. It is gratifying to know that he has promised concrete action in the matter.

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. SHAFER of Michigan. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I may say to the gentleman there was no disagreement in the committee on the subject whatsoever, and, further, the Administrator of the Veterans' Administration was thoroughly cooperative in working this matter out. I might also add that the work of the gentleman who now has the floor, the gentleman from Michigan, was recognized in some of the informal discussions on the subject. The study he had made was given consideration, and it was recognized that the bill he had introduced was supported by a large number of the Members of the House, which was one of the factors taken into consideration in working out this problem.

Mr. SHAFER of Michigan. I thank the gentleman.

Mr. HOOK. Will the gentleman yield?

Mr. SHAFER of Michigan. I yield to the gentleman from Michigan.

Mr. HOOK. In connection with the gentleman's studies, can he tell us how much more this will cost than under the present method?

Mr. SHAFER of Michigan. The amount is contained in the hearings.

Mr. CASE of South Dakota. Those figures are given on page 613, part 1 of the hearings.

Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Chairman, in looking over the Budget for the fiscal year of 1941, there comes to mind the story of the young man who when asked if he could do what seemed an almost insurmountable task answered, "With the help of the Lord and a good outfield, I believe I can do it."

After rather carefully studying this Budget, I am afraid that Congress is going to need that same kind of help if we

are to live up to the suggestions contained in the President's message.

All of us have heard the saying that "Good things come in small packages." Likewise it seems that big things are subjected to small attention. Tucked away, barely noticeable in the entire list of words in the dictionary we find a small word, "if," defined as "on the condition that." A little word, but what a meaning it carries. What a control it exerts over the everyday life and intentions of all people throughout the world. What an answer it oftentimes brings to a problem, well on the way to a favorable solution, only to find the machinery thrown completely out of gear and off direction because of a little insignificant word "if" to which we paid little heed.

And so it is with the Budget for the fiscal year 1941. No important document ever found so many "ifs" in the path of fulfilling its purpose as the present suggested Budget. This particular document certainly might well be termed an "if" Budget.

The President suggested in his message on this subject that the Congress do certain things in the way of needed appropriations for the coming year. He suggests expenditures of eight and four-tenths billion dollars, not including old-age insurance payments. His guess as to income for the year is approximately five and one-half billion dollars, leaving a deficit of two and nine-tenths billions. The present year the deficit will approximate three and nine-tenths billions.

From the two and nine-tenths deficit the President expects a decrease of seven hundred millions realized through a return of surplus funds from the various Government corporations. In addition, the message contemplates raising four hundred and sixty millions in new taxes. Should all Presidential expectations materialize, the net deficit for 1941 would be about one and seven-tenths billions.

Without close analysis the possibility of an eventual balancing of the Budget in the near future as pictured by the President's message seems bright indeed. But—and here is where the little "ifs" begin to creep into the whole scheme.

First. Will Congress make an honest effort to comply with the President's suggestions or has an example been set during the past 7 years of deficit financing and disregard for amounts spent which declares to the citizenry that we can spend our way to prosperity and that there is always more money where the first moneys came from? Are the people of our country in the frame of mind to expect more and more from the Government and are they organizing to get it? Have they given up in many instances of trying to help themselves by declaring to all, "Uncle Sam will take care of me"? When will they say, "We must not ask Congress for too much, let us not ask for more and better projects, let us not ask for subsidies, let us not get ours if the other fellow seems to be getting his, let us not get some for ourselves while denying that same privilege to others? Are we ready to call off pressure groups and say we will all take our reductions as they apply to each and every one of us as good citizens? The answers to these questions will dominate the action of Congress but is subjected to "ifs" of all kinds.

Second. Will the return from capital structure of the various Government agencies yield a seven hundred million item which can be deducted from expenditures? The gentleman from Virginia [Mr. WOODRUM], acting chairman of the Appropriations Committee, stated in his remarks the other day that he did not know how this was to be done, that he had not figured it out, and that this was the headache of the executive branch of the Government. Certainly, if Mr. WOODRUM cannot tell us how this item will materialize, then no one else in the House knows, for we are all aware of the fact that the gentleman from Virginia is one of the most able and well-informed Members of the Appropriations Committee, and a Member who at the moment and for several years past has been intent in his efforts to start balancing the Budget. Accordingly one must conclude the whole item is an "if" proposition, and only time will bring forth the answer.

Third. Will Congress in an election year see fit to institute new taxes to raise the suggested \$460,000,000 for national de-

fense? At the moment the whole country is tuned to the thought that our Government must make additional preparations for an adequate national defense. It is true, they say, we need a larger standing army, a bigger navy, and more and more airplanes. All these items, naturally, are desirable only for defense purposes. Congress, too, feels the desirability of more efficiently setting our house in order from a defense standpoint. If the Government had sufficient funds available, there is little doubt but that ample appropriations for national defense would easily be forthcoming from the Congress. But if new taxes must be laid to meet the additional sums asked for defense, will the Congress so readily jump to check writing unless the money is borrowed? Furthermore, we cannot all forget the days of ups and downs within the ranks of our defense forces throughout the recent decades. Before the World War we needed but small appropriations for defense, but suddenly that war caused us to start on a terrific program of expansion. We never finished the task started because the war ended and we believed the world had been made safe from all future wars. The peace conference after the war saw us scuttle and destroy the greatest navy the world had ever seen had we completed our adopted program of that time. Yes; we did this in the interest of peace, and let it be said to the everlasting credit of America that our action was one of the most magnificent gestures toward peace that the civilized world has ever known. Following that peace agreement and up until very recent years, when trouble again started among our neighbors across the seas, national defense was a matter of secondary importance. But once more we find that expenditures for defense are again desirable and necessary, even to the point where taxes may have to be levied to meet such expenditures. But, again, will Congress lay these taxes "if" they can keep from it?

Fourth. Is the estimate on income for the fiscal year an accurate amount or purely a guess? History since 1932 records many guesses which have missed their mark by wide margins. Frankly, this item must be one of conjecture and hope together. We all hope; but "if" the guess is poor, hoping will not pay bills.

Drawing a conclusion, we face the undeniable fact that our Budget is based on "ifs," guesses, and hope. What the result of it all will be remains to be seen. The President now places the responsibility, after all these years, of saying to the Congress, "You can now spend the money, but be sure you know where it is coming from first, or levy taxes for it." Congress, of course, must do its part in an honest endeavor to travel the road that enables income and outgo to strike a balance. The Chief Executive must in no uncertain manner honestly make every effort to hold up his end of accomplishing this same purpose. To longer delay the day when we start to put our house in sound economic order is only to invite disaster. Should our Budget by every stroke of good luck conceivable be brought into position where the fiscal year of 1941 shows an operating deficit of one and seven-tenths billions, that will be but a step in the right direction.

We must realize that should this be done, and accepting as correct the figures presented, we, nevertheless, will find ourselves within \$62,000,000 of our total authorized national debt limit. I hope we can stay within Budget estimates. Let us not stretch the rope any tighter in attempting to learn if we can survive under a larger debt load. Remember, our carrying charge on the public debt is now over a billion dollars annually and at the lowest interest rates in the history of our country. That amount of money was sufficient to run our great Government back in the days prior to the World War period. Of course, we do not want to go back to those days; but neither do we want to get too far ahead by mortgaging to the limit the future of the generations to come.

It is easy to talk, but talk will not balance a Budget. Lip service makes for promises that never seem to be fulfilled.

We must reduce our expenditures, cut out some of the unnecessary functions of Government and duplication of effort, and at the same time increase our revenue. This is a strong challenge to the Congress and the people of our Nation. But do it we must, and the sooner the better; for once

we face the end of our borrowing possibilities, then it will be too late.

The President is on record as saying:

Too often in recent history liberal governments have been wrecked on rocks of loose fiscal policies. We must avoid that danger.

Those words are as true today as when uttered in 1933.

Members of the Congress, let us all sit tight, act courageously, and exert every possible and reasonable effort to start on the road toward balancing our Budget. A start is being made in this first appropriation bill. If we start in the right direction, we will contribute in no small measure to business recovery. Confidence in Government will again be restored, and we will be building on a sound and sane economic foundation. [Applause.]

Mr. CASE of South Dakota. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, I was not in the House when the letter of the President on the proposed Finnish loan was read. In the last few minutes I have been glancing over it. As far as I understand the letter from the President, it recommends that the Congress provide additional money for loans by the Export-Import Bank to foreign nations.

Reading in the press that the President would make a definite recommendation what should be done by the Congress in loaning money to Finland in its great emergency, I assumed that such a loan was urgent and that a request would be made upon the Congress to make the money available immediately. The Prime Minister of Finland is reported to have said that all the sympathy Finland had received would not help them one iota in carrying on the war or to carry the war to Moscow. The main point seems to be that if we are going to act at all we ought to act now. If there is this great need in Finland for immediate relief, which I agree there is, and if the Congress is to consider the issue at all, it should consider it immediately, and should consider the loan to Finland separately from all other loans for various sound reasons. Finland is the one nation that has paid its debts to the United States of America and deserves special treatment from the American Congress, representing the American people. I believe I am safe in saying that at least 90 percent of the American people are not only in sympathy with Finland in its hour of need and distress but would rejoice if the Congress could do something within its power to afford immediate relief to those in distress and suffering in Finland at the present time.

As I understand this recommendation—and possibly I have not had time to go into it carefully enough—it makes no direct recommendation but simply suggests that the Congress in due course should make provision for more money to the Export-Import Bank, which can then make loans not only to Finland but to other nations as well, not even naming the nations. I am not at all sure the Congress of the United States is prepared to set up an agency of the Government to loan money right and left to various nations. This is either an emergency recommendation or it is not. If it is an emergency proposal and applies solely for a loan to Finland, it ought to be considered immediately as involving a great emergency.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. Why cannot Finland borrow money from the Export-Import Bank just as China has been doing? China borrowed \$25,000,000. Such procedure would certainly be more neutral than to bring a bill into this Congress on that subject.

Mr. FISH. Finland has already borrowed \$10,000,000 from the Export-Import Bank, or rather, has already made arrangements to borrow it. I do not believe the Export-Import Bank has that \$10,000,000. Only \$1,000,000 of the \$10,000,000 has been used. However, I believe the Reconstruction Finance Corporation has agreed to underwrite the balance, \$9,000,000, whenever it is needed.

It has been very seldom that I have risen in recent months to uphold the administration on any of its foreign policies.

Ever since the President of the United States started, a year or more ago, to talk about quarantining certain nations I have been opposed to his foreign policies, and the whole Pandora's box of measures short of war, of determining the aggressor nation, of economic sanctions, and of provocative acts that are leading the United States directly into foreign wars. However, I am glad to rise now to uphold the President in part of the recommendation he has made to the Congress.

In his recommendation he states that no money shall be used to buy arms, ammunition, or implements of war. He uses the generic words "implements of war." I am entirely in accord with him on that principle. We in Congress must not finance foreign wars. We cannot remain neutral and still put up the money to send arms, ammunition, and implements of war to any nation in the world; but there is nothing inconsistent with American neutrality in making loans to foreign nations, particularly if the money is to be spent for food and clothing and other supplies except armaments. I may say that I am speaking for myself individually and not in my capacity as ranking minority member of the Committee on Foreign Affairs, and I want my Republican friends to know this. I want to do everything in my power consistent with American neutrality to help the Finnish people right now, before it is too late, not only by sending them foodstuffs and clothing but by sending them goods manufactured in the United States, including copper, gasoline, and trucks, or anything we manufacture, except arms, ammunition, and implements of war. This is what the President recommends, and I believe it is what the American people want us to do.

Finland stands by itself, not in the same category as other nations. Finland is the only nation in the world that has paid or is paying its debt to us. I was in Finland last summer and was deeply impressed by the democratic and peaceful spirit of the Finnish people, and, although I may be carried away with my sentiments, I say, "Thank God for little honest Finland." There is no more democratic people in the world than the Finns, and there is no nation in the world that is more friendly to the United States. The Finns are the frontline bulwark against Communism today and deserve both our sympathy and financial support. I am absolutely sure that 80 to 90 percent of our people want us to do something definite to help Finland in its hour of trial and distress as long as we keep within the confines of American neutrality and do not endanger America by becoming involved in any foreign wars.

Making foreign loans like this is nothing new. We have made such loans for years. We made loans to Finland back in 1919 for the relief of the Finnish people. We loaned them \$8,000,000, and they have been paying installments on that debt regularly. I am in favor of canceling that debt, which amounts to approximately \$8,000,000.

This proposal involves exactly the same principle, of lending money to a foreign nation to relieve distress and man's inhumanity to man.

Mr. LEWIS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Colorado.

Mr. LEWIS of Colorado. Would the gentleman include airplanes in the category of manufactured goods?

Mr. FISH. I certainly would not, because airplanes are included in implements of war. The President uses those definite words, and it is understood at the State Department that airplanes are included in the category of implements of war.

That is why I am upholding the President's request. I regret he has not been more specific, that he has not come in here and asked for a definite sum of money for Finland instead of including other nations.

If we are to act, we must act now, because in a few months from now, when the snow goes and the summer months come, it is not conceivable that little Finland—little honest Finland, with 300,000 soldiers, can resist the might of Soviet Russia with millions of soldiers and great natural resources,

for long unless she has funds to provide for her people and to feed and clothe her army. If they are to continue their resistance now and be able to oppose the Communists in the future, they must have certain resources at their disposal—not necessarily arms and ammunition, but trucks, gasoline, and many things that we produce and manufacture in the United States, including food and clothing.

I repeat, for the benefit both of the Democrats and the Republicans—I am speaking my own individual views—but I see nothing that jeopardizes American neutrality under our own laws and under international law in making a loan right now to Finland in order to help them in their present emergency. [Applause.]

[Here the gavel fell.]

Mr. FITZPATRICK. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. Hook].

Mr. HOOK. Mr. Chairman, on January 3, at the beginning of this session of the Congress, I introduced a resolution authorizing a loan of \$60,000,000 to Finland, an unrestricted loan, to meet the general requirements of that nation. Let me say at this point that if we have a will to help, it must be an unrestricted loan. An authorization to the Export-Import Bank or the R. F. C. will not help the Finnish nation.

The whole question is whether we are going to dilly-dally around about this question or whether we are going to have nerve enough to carry on negotiations with that nation as we have in the past. She has paid her debt and her credit is good.

This might seem like a foolish statement, but, officially, Finland is not at war. Yes; Russia has invaded Finland and we were a good neighbor to Finland. Previous to the time of that invasion we were carrying on peaceful negotiations with her, friendly negotiations with her, and the question in my mind is this: Is a neighbor a less good neighbor because some big bully picks on her? Finland is just as good a neighbor to us today as she was before she was picked on by Russia. If Finland was good enough to borrow in this Nation some \$125,000,000 since the World War and pay back all but about \$12,000,000 or \$13,000,000, then she is good enough to lend to now when she is in need.

An Export-Import Bank loan or an R. F. C. loan will do no good. We have authorized a \$10,000,000 loan to Finland under the Export-Import Bank and she has used less than \$1,000,000. It is tied up with restrictions that make it impossible for her to use it to meet the best requirements of that nation. Let us stop dilly-dallying; let us bring a bill out here on the floor of the House and let us stand up and vote. If we do not want to help Finland, let us say so on the floor of this House. Do not kill it in committee. Let us bring it out and see whether we want to make a loan for the general requirements of that nation. If that nation wishes to use it for any purpose whatsoever, of course, that is up to her. We should not tell her how she is going to use the money we lend her.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I yield.

Mr. BLOOM. Will the gentleman kindly explain for the benefit of the Members the rules of the Export-Import Bank and why this money is restricted?

Mr. HOOK. Because of the fact she must use it for the buying of civilian commodities in this Nation. She must lay down a bill of lading for every single, solitary thing she gets.

Let me make this statement. There is not any doubt, in view of the stress Finland is under now, that in all probability her currency may be affected. With a \$60,000,000 loan she may be able to stabilize and protect her currency, but she cannot do that by a loan from either the Export-Import Bank or the R. F. C.

Mr. BLOOM. That is a general rule, and it is not a rule that is made just with respect to this loan to Finland. That is a rule of the Export-Import Bank.

Mr. HOOK. That is a rule of the Export-Import Bank; yes.

Finland is fighting the communistic red horde, the godless government, which threatens the whole civilized world. I

have heard Members here propose the breaking off of diplomatic relations with Russia. I agree this is very commendable if it is offered sincerely. There is something that is far more important, however, and that is to help Finland with aid short of war to break the threat of the Stalin communism, which is a menace in all peace-loving democracies of the world.

If you are sincere in your attitude against communistic movements, then aid Finland in her valiant stand by voting for an unrestricted loan to be used for the general requirements of that nation.

Mr. FITZPATRICK. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Chairman, I did not intend to say anything about this Finnish situation at the present time until the remarks of the gentleman from New York [Mr. FISH] and his assertion that the President has made no specific recommendation. The President, of course, has not said in this letter to the Speaker that there is only one way to do this thing, and that it was to be done in that way or not at all. If he had, then there would have been a tremendous storm of criticism that the President is dictating to the Congress in what way it shall do a kindly turn to Finland. The President speaks of "ways" in his letter it may be done; that more money might get to Finland at this time; and it appears to me that he is rather specific in this. In other words, he expresses a preference, saying that he thinks this is probably the better way. The letter reads that the most reasonable approach would be action by Congress authorizing an increase in the revolving credit fund of the Export-Import Bank and authorizing the Reconstruction Finance Corporation to purchase loans and securities from the Export-Import Bank to enable it to finance the exportation of agricultural surpluses and manufactured products not including implements of war. The gentleman from New York does not feel exactly as I do about the recent neutrality debate and action had in the House. Taking the other side from him, I stated that I thought we were passing an act to help us remain neutral; in fact, legally neutral; that that was the best way to keep this country out of involvement in this European situation. I still think that, and I do not want to do anything here that would run counter to the statements some of us made.

We have already under the law loaned Finland \$10,000,000, or have given them credit in this country for \$10,000,000. That money has been placed already to their credit, and they are using it for the purchase of agricultural surpluses. When they get those agricultural surpluses on the high seas, they can trade them, if they do not need them in Finland, to anyone they please, besides the United States, or its manufactures, for whatever implements they think will be the most helpful to them at the present time. As far as I am concerned, and I speak for myself alone, I would not like to see the United States Government under the direction of the Congress start making direct loans to any country involved in this war. [Applause.] We say that we want to help Finland. I agree with the gentleman from New York [Mr. FISH] that 90 percent of the people or probably a larger percentage of the people look with horror upon the rape of Finland by Russia, and I believe they are in sympathy with Finland, but if we make a direct loan out of the Treasury to Finland authorized by Congress, then we may have other little friends who would get into trouble, and some of the nations that now appear to be strong, may in defense of their rights and territories become weak.

Many questions are involved. The American people are the most peaceable and the most conservative people upon the face of the earth, and I am thankful for that every day, but they are also an inflammable people when goaded to a certain point by cruelties and barbarity. By our action and by our words in this House and in the Senate and in the executive branches of the Government I want this country to be as temperate as our feelings will allow us to be. Of course, we are legally neutral, but no law, no body, can control the spirit of people. Therefore, in reply to the gentleman

from New York, I say that the President has made a specific recommendation to the Congress—not saying that this is the only way to do it, but that it is within the discretion of Congress, as he said in his letter, to do as Congress pleases, but he suggests that this is probably the best way to do it. As far as these loans are concerned, let me repeat what I said in a rambling way a moment ago. If Finland gets credit for agricultural surpluses in this country to the extent of 10 or 15 million dollars through the Export-Import Bank and the Reconstruction Finance Corporation, and does not want those agricultural products, she can trade them for other products she does want, and it is no business of ours, and she can take the money she gets from the sale of those agricultural products and divert it for any other purpose.

Mr. MASSINGALE. Mr. Chairman, will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. MASSINGALE. Did Finland apply for this loan or is it being agitated simply by some Members of Congress?

Mr. HOOK. Mr. Chairman, may I answer that?

Mr. RAYBURN. No; I prefer to answer it myself than to not answer it. Frankly, I do not know whether the ruling heads of Finland have made a direct application, but I know their representatives in the United States have been very inquiring about this matter.

Mr. MASSINGALE. They would take the money, in other words?

Mr. RAYBURN. They would, and I think the American people would like to see them get it. If it does not involve the sale of war materials, I think the American people would be glad to have them get it, and I think it would in no way involve us any more in the quarrels of Europe than we are involved at the present time.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HOOK. Mr. Chairman, I ask unanimous consent to revise and extend my own remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. WOODRUM of Virginia. Mr. Chairman, we had tentatively agreed that the Committee should rise at 4 o'clock, but some other matters have arisen which have prolonged the debate. I had tentatively promised to yield time to the gentleman from Indiana, so with the acquiescence of the gentlemen on the minority side, I now yield 35 minutes to the gentleman from Indiana [Mr. LUDLOW].

Mr. LUDLOW. Mr. Chairman, in the old "horse and buggy" days—an era that had its virtues as well as its shortcomings—"Bring 'im up short" was an expression commonly used in rural Indiana, where I was born and raised at a time when the wilderness was more a fact than a memory.

When a fractious horse was bent on running away, someone would yell to the driver in the buggy, "Bring 'im up short!" and the driver would dexterously jerk the reins, applying all of his muscle to the operation, bringing the horse up on his haunches in an almost perpendicular position. This was a good thing for the horse, as it taught him discipline and obedience. It was a good thing for those in the buggy, for it tended to insure their safety and security. The mouth is a tender part of the horse's anatomy and the probabilities always were that after being brought up short a few times the most fiery charger would become docile and obedient.

I am recalling this pastoral of my boyhood because I think it conveys a lesson that ought to be applied right now to our national appropriating and debt situation. I would like to see the administration and Congress and everybody connected with the preparation and passing of laws brought up short on the question of runaway spending. Statistics and data I shall present will be submitted with the view to leading our public officials and the country to a realization of how far we have really gone in piling up the most stupendous debt of all time and how vitally necessary it is that we shall call a halt and make a start toward a balanced Budget.

I have a misgiving that my feeble muscle will not be equal to the task of bringing Congress and the executive establishments up short in this matter of prodigious spending. My associate on the Appropriations Committee, the gentleman from Pennsylvania, BOB RICH, has patiently and untiringly devoted himself to that worthy undertaking and his muscle has failed. During the last regular session of Congress, especially, the gentleman from Pennsylvania [Mr. RICH] every day staged a little bring-'em-up-short performance all his own in the House of Representatives.

Regularly as clockwork, as soon as the reading clerk concluded his intonation of the daily Journal, the gentleman from Pennsylvania [Mr. RICH] would rise in his place, strike a bellicose pose, and call the attention of the House to the orotund proportions of the national debt and the luxuriant growth of the national deficit. Every day witnessed exactly the same exhilarating proceeding. As soon as the gentleman from Pennsylvania [Mr. RICH] would begin reading from the Treasury statement the membership, or a large part of it, would start to give him the raspberry. As the boos swelled in volume the voice of the gentleman from Pennsylvania [Mr. RICH] correspondingly rose in crescendo. In the final episode, with jeers and catcalls almost raising the roof, the gentleman from Pennsylvania [Mr. RICH] would yell in a voice that ordinarily could have been heard as far as the Washington Monument: "Where are you going to get the money?" and having put that shot across the congressional bow he would sit down, his face beaming with satisfaction.

There are fundamentals of government on which the gentleman from Pennsylvania [Mr. RICH], and I never could agree, the irreconcilable differences between a Hamiltonian Republican and a Jeffersonian Democrat, but I join him in wondering "Where are we going to get the money?" and I shower upon him my warmest accolade for the public service he renders in using his leather lungs to call attention to the gargantuan proportions of our national debt and our national deficit.

HOPE EXPRESSED THE HARRISON RESOLUTION WILL NOT BOG DOWN

I am moved to speak at this time and in this way because I am afraid that Senator PAT HARRISON's plan for a joint committee of 24 Members of Congress—12 Representatives and 12 Senators—to coordinate revenues and expenditures will bog down in the House, and that would be a disaster which I trust will not happen. I hope and pray that the House leadership will not discard Senator HARRISON's proposal out of hand, without benefit of clergy, or treat it too lightly. It may be crude and it may need to be perfected by amendments, but it contains the germ of something worth while; something very fine and good; something that may become useful to the country in opening the way to a more businesslike administration of our national fiscal affairs. Its primal virtue would be in bringing into closer and more harmonious relations the revenue-raising and revenue-spending branches of our National Legislature. In the case of a business establishment, if the sales department is stymied by hard times and nothing is coming in, the purchasing department sensibly decides that now is not the time to give the president a new automobile or purchase a statue of the founder of the company for the front office. Something like the same common-sense coordination and cooperation for our National Government is envisioned in the Harrison proposal. The Harrison committee would cost nothing and it would create a large cohesive group to fight for balancing the Budget. I cannot see how such a committee could possibly do any harm, and I can conceive much good coming out of it in the years to come. The Harrison resolution has passed the Senate and is now pending before the House Rules Committee. I hope the House leadership will not oppose it and throw cold water on it, and that we shall be permitted to vote on it.

I am all the more cordial toward Senator HARRISON's resolution because it embraces an idea I have long had in my own mind. Last August I gave out an interview proposing

the creation of a committee on fiscal planning, "to facilitate the balancing of the Budget and to keep it balanced." At that time I gave the press the following statement explaining the proposition:

PROPOSED COMMITTEE ON FISCAL PLANNING

The new Committee on Fiscal Planning, or, in short, the Planning Committee, which I now for the first time propose, would establish a mechanism which would enable the Government to do for itself what every prudent businessman does in his own business. The businessman, if he is wise and forelooking, avoids going into debt, by first making a survey of prospective revenues and then cutting his cloth accordingly, so as not to exceed his income. The Planning Committee I suggest would have seven members—the chairman, ranking majority member and ranking minority member of the House Committee on Appropriations, the chairman, ranking majority member, and ranking minority member of the Ways and Means Committee; and the Director of the Budget. The Ways and Means Committee raises the revenues to support the Government; the Appropriations Committee appropriates the revenues, and the Director of the Budget coordinates the spending agencies. If these seven officials would get their heads together, they might accomplish much for the cause of economy by planning a campaign to make the revenues cover the appropriations annually and thus wipe out the deficit—a consummation devoutly to be wished. There is now no cooperation whatever between the revenue-raising and appropriating agencies. While such a planning committee would not be proof against big spending, it would be, I believe, a constant force operating in favor of a balanced Budget and a measured economy, especially if its plans are given widespread publicity so as to attract the support of a wholesome public opinion. A report from such a committee that a particular Treasury-raiding bill would be against the program of the Planning Committee and contrary to the public interest might have a deterrent effect in preventing unnecessary expenditures. It is a plan worth trying.

At this point in my remarks I shall present to the House the full text of the resolution I have introduced for the creation of a Committee on Fiscal Planning.

It is as follows:

Joint resolution to create a Committee on Fiscal Planning

Resolved, etc., That there is hereby created a Committee on Fiscal Planning, to be composed of the chairman, ranking majority member, and ranking minority member of the House Committee on Appropriations, the chairman, ranking majority member, and ranking minority member of the Ways and Means Committee, and the Director of the Budget.

SEC. 2. The Committee on Fiscal Planning is directed to make a study of United States Government finances with a view to coordinating revenue and spending activities, reducing appropriations wherever it is feasible to do so, and ultimately eliminating the gap between Federal revenues and Federal expenditures.

It will be noted that my proposal does not embrace any Senators in its make-up. This is due to the fact that revenue and appropriation bills necessarily originate in the House and some sticklers for constitutional procedure and the prerogatives of the House may insist that my plan is preferable to that of Senator HARRISON, but my own reaction is that since the committee's functions are to be only advisory it may be wiser to strive for the wider accord which may be accomplished by joining a group of Senators with a group of Members of the House, thus bringing into closer relations a large group associated with the money-raising and money-spending functions of government.

I propose now to discuss a subject which I believe is uppermost in the minds of our people and that is the mounting cost of government. At the outset I want to make it plain that in every fiber of my being I am a Democrat, an old-fashioned liberal—a Jeffersonian Democrat, if you please—and I forswear none of my cherished and ingrained Democratic principles when I criticize big spending. Rather, on the contrary, I believe that I reassert orthodox and true Democratic principles, for the tutelage of Thomas Jefferson upheld and extolled economy as a primal virtue to be scrupulously applied in government. Our present national administration has done enough fine, constructive things to justify an honored place in history, such as its superb handling of the banking situation, the guaranty of bank deposits, the suppression of blue-sky vendors, the saving of innumerable farms and city homes from the sheriff's hammer, its care for the naked and starving, and so forth, in all of which splendid achievements I have been happy, within my limitations as a Congressman, to be a contributing factor. I yield to no one in my warm

personal regard for Franklin D. Roosevelt and my admiration for his noble heart and humanitarian purposes, and I am not going to enter upon any hair-splitting dissertation to try to fix the responsibility for phenomenal spending, because I believe the executive and legislative departments are about equally responsible. All of the Members of Congress and all of the executive officials with whom I am acquainted come within the scope of my encircling love and I am not going to criticize any of them.

But I am fed up on big spending. I have voted against \$8,000,000,000 of appropriations during the 10 years I have been a Member of Congress, and as I look backward my only regret is that I did not vote against more of them. I am sick and tired of seeing money scoop-shoveled out, as if the Treasury has no bottom. I believe that excessive spending not only atrophies business but weakens our national security and safety. Jefferson held that public debt leads to misery and decay; and I shudder when I think of the mortgage big spending is placing on our children and our children's children down to the remotest generation. I am genuinely fearful that unless the bung hole is plugged, the time is coming when we shall run headlong into the awful evils of (1) inflation, (2) repudiation, or (3) national bankruptcy, and then, unless the brakes can be applied, something still worse.

Whatever justification there may have been at one time for big spending as a stimulant to business and recovery, no longer exists. If we have a few more spurts of colossal spending, business, already in a state of suspended animation, will pass out with as loud a groan as its anemic condition will permit, and recovery, always skittish and hard to catch, will definitely and finally conclude that its place is not around the corner.

Our national debt has pirouetted upward to staggering proportions, and many thinking citizens, amazed and bewildered by present and continuing demands on the Treasury, are beginning to express wonderment and apprehension over where big spending is leading us.

A LOOK AT THE SPENDING PICTURE

Let us take a look for a moment at the spending picture. I agree with the late Speaker Reed that ours is indeed a billion-dollar country, but I am loath to believe that it is a thirteen-and-a-half-billion-dollar country, measured in terms of annual appropriations, especially when our expenditures are running three and a half billion dollars in excess of our revenues, and there is no way under heaven, on the basis of our present taxation, to make tongue and buckle meet until the heavy spending subsides. The appropriations of the recent regular session of Congress, including permanent annual appropriations and reappropriations, make up the amazing total of \$13,480,216,000.39, the record of all peacetime appropriations in American history.

The Committee on Appropriations has authentic appropriation figures for every year since 1873, and we have an exact gage of how appropriations have been running year by year for 67 years. I know it will make the eyes of the big spenders bug out when I quote figures taken from the records showing how spending has pyramided recently, and if those who analyze these figures do not agree with the gentleman from Pennsylvania, Bob Rich, that we are headed straight for national bankruptcy unless a halt is called, I shall despair of the accuracy of their reasoning. In 1880 the population of the United States, as shown by the census taken that year, was 50,155,783. The unofficial estimate of the population in 1940 is 130,000,000. Population in the six decades has increased a little more than two and a half times. Now let us take a look at the appropriation chart. In 1880 Congress appropriated \$338,865,031.29 to run the Government. In 1940 the appropriations total \$13,480,216,000.39. In other words, while population has increased two and a half times the appropriations are 40 times greater in 1940 than in 1880.

AN AMAZING COMPARISON

And here is a comparison that will make the spenders jump: The total appropriations made by the United States

Congress from 1890 to 1910, a period of 20 eventful, expanding years in the history of our great American commonwealth, amounted to \$12,982,473,918.85.

The appropriations made at the single session of Congress that adjourned on August 5, last, amounted to \$13,480,216,000.39. By a little process of simple subtraction we find that Congress at the recent session spent \$497,742,081.54 more than the total appropriations of the 20 years from 1890 to 1910. Lest there may be doubting Thomases who will question these facts, I quote from the committee records the official figures of appropriations for the years mentioned:

1890.....	\$395,430,284.26
1891.....	463,383,480.46
1892.....	524,381,815.60
1893.....	507,376,397.53
1894.....	519,535,293.31
1895.....	492,477,759.97
1896.....	496,982,585.01
1897.....	515,852,380.27
1898.....	528,735,878.33
1899.....	892,656,775.65
1900.....	698,912,982.83
1901.....	705,653,298.01
1902.....	730,241,862.51
1903.....	801,682,773.42
1904.....	752,741,659.25
1905.....	781,288,214.95
1906.....	818,191,283.26
1907.....	881,953,644.09
1908.....	919,163,823.18
1909.....	1,006,431,726.96

Total..... 12,982,473,918.85

And here is another comparison that will curl the hair, metaphorically speaking: The total appropriations of the United States Government from 1873 to and including 1917, the year we entered the World War, were \$27,946,170,839.85. The last regular session of Congress appropriated approximately half as much as was appropriated during the entire 44 years from 1873 to 1917!

The year 1890 was another census year. The total population as shown by the census that year was 62,947,714, almost half the population that is estimated in 1940. The total appropriations for 1890 were \$395,430,284.26. The appropriations made at the recent session for the year 1940 were in amount 35 times greater than the appropriations for 1890. In 1900 when the next census was taken the appropriations were \$698,912,982.83 in a country of 75,994,575 population. With 50,000,000 more people, or less than 70 percent increase in 1940 compared with 1910, the appropriations for 1940 exceed the appropriations for 1910 nineteen times. Skipping to 1930 when the official census showed America with a population of 122,775,046, only about 7,000,000 less than the official estimate of the 1940 population, the appropriations were only about one-third of the appropriations of the recent session, or in other words \$4,665,236,768.04 against \$13,480,216,000.39.

Peacetime regular appropriations for Army and Navy show the following growth:

Army: 1875, \$27,788,500; 1917, \$267,596,530; 1940, \$723,187,871.

Navy: 1875, \$20,813,946.70; 1917, \$313,300,555.84; 1940, \$773,049,151.

In presenting these figures I am not challenging the wisdom of adequate national defense, which appears to be necessary in a war-torn world, but not all of our appropriations have as good justification as our defense appropriations.

COMPARISON WITH CIVIL WAR ERA

The total expenditures of the United States Government for the 5-year Civil War period from the fiscal year 1862 to the fiscal year 1866, inclusive, were \$4,173,189,827. This included the appropriations necessary to finance the greatest war in history up to that time. Yet for the year 1940, when the United States is at peace with the entire world, our appropriations of \$13,480,216,000.39 are more than three times the expenditures of the Civil War period. Could any national treasury, even the treasury of the richest nation in the world, stand a continuation of such a strain?

I shall be unfortunate if I may have created the impression that the Appropriations Committee is responsible for permitting appropriations to be pyramided to dangerous heights. Wherever the fault rests it certainly is not primarily with the Appropriations Committee. As now constituted, the Appropriations Committee, under the leadership of that grand elderly statesman from Colorado [Mr. TAYLOR], is an economy-minded committee, and it stands ready to assist him in bringing the big spending program to an end. I make this statement flat-footedly and I will stick to it, but always with the reservation that the committee will do whatever may be necessary to relieve human distress. In this great land of ours, dedicated to Christian ideals, people must not be allowed to go hungry and naked.

APPROPRIATIONS COMMITTEE ECONOMY-MINDED

The Committee on Appropriations, like every other standing committee of the House, is a creature of Congress, subject to congressional direction. If the House, whether pursuant to Executive recommendations or on its own initiative, passes bills authorizing the expenditure of vast sums of money, the Appropriations Committee is helpless. It cannot go on a sit-down strike and refuse to make the appropriations that are specifically authorized. Heat vigorously applied from above would not permit that. It sometimes ignores authorizations unless the pressure gets too hot, and sometimes it appropriates only a part of the amounts that have been authorized and gets away with it. But always the House, being the creator of the Appropriations Committee, has the whip hand, and it can force the committee to live up to the authorizations.

Authorization bills are the bete noir of the economist. Those bills are eternally knocking the economy program into a cocked hat. In these days, when the United States Treasury is as bare as Mother Hubbard's cupboard, the language of an authorization bill is a laugh. It reads:

There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated—

And so forth. Is there anyone in America with imagination elastic enough to lead him to believe that there is as much as a thin dime in the United States Treasury that is not "otherwise appropriated"?

And right here let me reiterate that the President is not alone responsible for all of our astronomical appropriations. Congress must bear a share of the blame, and the vehicle through which Congress usually acts when it wishes to put a drain into the Treasury is the authorization bill.

EVILS OF BLANK CHECK

This brings me to the "blank check." One of my first and foremost recommendations is that Congress shall eschew henceforth and forevermore the blank-check appropriation. Every dollar appropriated by Congress should pass the keen scrutiny of the Appropriations Committee and be justified by competent evidence. In the last few years vast sums have been appropriated en bloc to administrative officials in the form of so-called blank checks, and as a result we have witnessed time after time the allocation of funds through administrative allotments for purposes which the Appropriations Committee had previously flatly rejected. This is subversive of our theory of government. Under our constitutional system appropriation measures must originate in the House, and the House should assume full responsibility.

Summarizing, I recommend:

First. No blank checks.

Second. No further appropriations except for the most essential purposes until the Budget can be balanced.

Third. The creation of a committee on fiscal planning to facilitate the balancing of the Budget and to keep it balanced.

When I say that for the time being, at least until we can get the Government a little way out of the hole, we should suspend appropriations for nonessentials, I am giving what I believe to be one of the most salutary bits of advice I have to offer. When I speak of nonessentials I refer to such improvements as reclamation projects, roads, river and harbor construction, public buildings, and a large variety of other

similar projects and improvements which, however desirable in flush times, can wait, now that our Government is on the edge of bankruptcy. On the one hand we have been spending enormous sums on reclamation projects to bring more land into productivity while on the other hand we have been killing little pigs and converting them into soap grease and plowing under every third row of cotton. How can we reconcile such inconsistencies?

And roads. Although the country is now beribboned from the Atlantic to the Pacific and from the Great Lakes to the Gulf with hard-surfaced highways, there are those who would empty the mythical contents of an empty Treasury and place a bondage of debt on our great-grandchildren to build still more roads, forgetting that the cement dealers and equipment men get a large percentage of every dollar spent for road building.

SAVINGS BY ELIMINATING NONESSENTIALS

From 1933 up to and including the fiscal year 1940 our Federal appropriations for roads amounted to the prodigious total of \$2,884,700,000. This includes both regular and emergency road funds. Of this amount, \$1,893,700,000 has been disbursed through the Public Roads Administration of the Department of Agriculture and \$991,000,000 through the three emergency agencies, W. P. A., C. W. A., and F. E. R. A. I wonder how many of our citizens can realize the magnitude of this outlay of the taxpayers' money on road building during the last 7 years. Perhaps it can be fairly well understood from the fact that it amounts to more than \$4,000 for every day since the birth of Christ. In the interest of the retrenchment so vitally needed to reassure business and to bring about recovery, public-building construction can well wait awhile, as can improvement work on rivers and harbors.

There is nothing essential about reclamation projects, public roads, river and harbor works, and public buildings. The wise course is to put these and other nonessentials over without prejudice until better times. We have constructed public buildings all over the United States during the last 6 years but on top of these lavish expenditures we now find a demand for a new building program so that every member of Congress may have another new building in his district. In the name of common sense I do not know why every Member of Congress should get a new post-office building any more than a lighthouse or a Federal penitentiary. The needs of the public service and not the wants of suffering Congressmen, should be the sole guide in establishing these buildings, and there are congressional districts—plenty of them—where it is cheaper, more sensible, and just as satisfactory to the public to rent post-office quarters as it would be to invest a relatively large amount of Federal funds in a building not justified by the widest stretch of the imagination.

I have tried to show you the big spending picture. It is a sorry picture. It is a frightening picture, when we consider that we are already right up against the statutory debt limit. My motive in speaking is to call the attention of Congress, the executive establishment, and the country to what I believe is a very dangerous trend threatening a national debacle, and to recommend the enactment of the Harrison resolution as a possible means toward getting our national finances in better order. [Applause.]

Mr. WOODRUM of Virginia. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WARREN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill H. R. 7922, the independent offices appropriation bill, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a speech given by Colonel Knox at Chicago.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

By unanimous consent, Mr. WHELCHER and Mr. TENEROWICZ were granted permission to extend their own remarks in the RECORD.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent that in connection with the remarks I made this afternoon in Committee I may include a letter printed in the Appendix of the CONGRESSIONAL RECORD, volume 84, page 471, from my colleague from Michigan [Mr. ENGEL], to the gentleman from Mississippi, the Hon. JOHN RANKIN, chairman of the World War Veterans' Legislation Committee.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today and include a few extracts and tables from the hearings.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

By unanimous consent, Mr. FISH was granted permission to revise and extend his own remarks in the RECORD.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. RISK (at the request of Mr. SANDAGER), for the balance of the week, on account of important business.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1554. An act to provide that the district judge for the western district of Washington, authorized to be appointed under the act of May 31, 1938, shall be a district judge for the eastern and western districts of Washington.

BILL PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on Monday, January 15, 1940, present to the President, for his approval, a bill of the House of the following title:

H. R. 5118. An act for the relief of the State of Ohio.

ADJOURNMENT

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 19 minutes p. m.) the House adjourned until tomorrow, Wednesday, January 17, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON NAVAL AFFAIRS

There will be a hearing Wednesday, January 17, 1940, at 10 a. m., before the Committee on Naval Affairs, on H. R. 7665, to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matter named:

Friday, January 19, 1940, 10:30 a. m.:

H. J. Res. 424, to authorize the United States Maritime Commission to acquire certain lands in St. Petersburg, Fla.

Tuesday, January 23, 1940:

H. R. 200, to amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 ed., title 46, sec. 316).

Tuesday, January 30, 1940:

The following hearing was at first scheduled for Friday, January 5, but was later postponed until Thursday, January 25, 1940. Now it has been postponed again, this time being Tuesday, January 30, 1940, at 10 a. m.

H. R. 7357, to amend section 4472 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 465) to provide for the safe carriage of explosives or other dangerous or semidangerous articles or substances on board vessels; to make more effective the provisions of the International Convention for Safety of Life at Sea, 1929, relating to the carriage of dangerous goods; and for other purposes.

Tuesday, February 6, 1940:

H. R. 7527, to make effective the provisions of the Minimum Age (sea) Convention (revised), 1936, and for other purposes.

Wednesday, February 7, 1940:

Hearings will be continued Wednesday, February 7, 1940, at 10 a. m., on H. R. 6130, to provide for mandatory or compulsory inspection and permissive or voluntary grading of fish, fishery products, fishery byproducts, shellfish, crustacea, seaweeds, and all other aquatic forms of animal and vegetable life, and the products and byproducts thereof, and for other purposes.

Tuesday, February 13, 1940:

H. R. 1780, to amend section 7 of the act of June 19, 1886, as amended (U. S. C., 1934 ed., Supp. III, title 46, sec. 319), relative to penalties on certain undocumented vessels and cargoes engaging in the coastwise trade or the fisheries, and for other purposes.

H. R. 5837, to amend section 221 of the Shipping Act, barring certain aliens from participating in the benefits thereof.

H. R. 6770, to amend Revised Statutes 4311 (U. S. C. 251).

H. R. 7694, to amend section 4311 of the Revised Statutes of the United States.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization, Wednesday, January 17, 1940, at 10:30 a. m., in re calendar assignment of committee.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings in the committee room, 247 House Office Building, at 10 a. m., on the following dates on the matters named:

CIVIL WAR

Wednesday, January 17, 1940:

H. R. 917. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 1666. A bill granting pensions and increase of pensions to widows, former widows, and children of certain soldiers, sailors, and marines of the Civil War, and for other purposes.

H. R. 2208. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 3386. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 6716. A bill to recognize for the purpose of the pension laws the service in the Civil War of certain members of the Fifty-sixth Regiment Illinois Mechanic Fusiliers.

H. R. 6909. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 6927. A bill to amend Public Law No. 190 of the Sixty-sixth Congress.

H. R. 7728. A bill granting an increase of pension to widows of veterans of the Civil War.

SUBMARINE OR AIRCRAFT DISASTERS

Friday, January 19, 1940:

H. R. 6532. A bill to provide pensions at wartime rates for disability or death incurred in line of duty as a direct result of submarine or aircraft disasters.

INDIAN WARS

Monday, January 22, and Tuesday, January 23, 1940:

H. R. 1006. A bill to adjust the rate of pension to soldiers of the Indian wars who served 90 days or more in active service against hostile Indians, and for other purposes.

H. R. 3996. A bill to pension men who were engaged in or connected with the military service of the United States during the period of Indian wars and disturbances.

H. R. 4924. A bill to adjust the rate of pension to soldiers of the Indian wars who served 90 days or more in active service against hostile Indians, and for other purposes.

H. R. 4991. A bill to pension men who were enlisted in the military service of the United States during the period of Indian wars and disturbances, and the widows of such men, and for other purposes.

H. R. 4999. A bill to increase the rates of pension in the case of soldiers who served 90 days or more in the Indian wars during the period from 1817 to 1898, and to grant pensions to widows of soldiers who so served in such wars.

DEPENDENTS OF REGULAR ESTABLISHMENT VETERANS

Thursday, January 25, and Friday, January 26, 1940:

H. R. 7191. A bill to make more equitable provision for pensions for the dependents of deceased veterans of the Army, Navy, Marine Corps, and the Coast Guard.

H. R. 7522. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to dependents of veterans of the World War whose death is due to service.

H. R. 7652. A bill to grant pensions and increase of pensions to widows and dependents of certain deceased members or former members of the military or naval service.

H. R. 7734. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to the dependents of veterans of the World War whose death is due to service.

MEDAL OF HONOR PENSIONS

Thursday, February 1, 1940:

H. R. 3385. A bill to liberalize the provisions of the Medal of Honor Roll Act of April 27, 1916.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a hearing before a subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, January 23, 1940, on H. R. 6652, to aid consumers by setting up standards of quality based on performance as a guide in the purchase of consumer goods.

NOTE.—This hearing was originally scheduled for Tuesday, January 16, 1940.

Hearings will begin Monday, February 5, 1940, at 10 a. m., before the Petroleum Subcommittee of the Committee on Interstate and Foreign Commerce. State regulatory bodies will be heard first.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1271. A letter from the Secretary of the Navy, transmitting the draft of a proposed bill to authorize the Secretary of the Navy to accept, without cost to the United States, a fee simple conveyance of 16.4 acres, more or less, of land at Floyd Bennett Field in the city and State of New York; to the Committee on Naval Affairs.

1272. A letter from the Secretary of War, transmitting the annual report of the activities of the National Board for the Promotion of Rifle Practice for the fiscal year 1939; to the Committee on Military Affairs.

1273. A letter from the Secretary of the Navy, transmitting the report of the board convened by the Secretary of the Navy to investigate and report upon all matters concerning the Regular and Reserve aviation personnel of the Navy and Marine Corps (H. Doc. No. 566); to the Committee on Naval Affairs, and ordered to be printed with illustrations.

1274. A letter from the Chairman, Securities and Exchange Commission, transmitting a report on fixed and semifixed investment trusts, which supplements the Security and Exchange Commission's over-all report on its study of investment trusts and investment companies made pursuant to section 30 of the Public Utility Holding Company Act of 1935 (H. Doc. No. 567); to the Committee on Interstate and Foreign Commerce, and ordered to be printed, with illustrations.

1275. A letter from the Acting Secretary of the Interior, transmitting the draft of a proposed bill to permit the leasing of restricted allotments of deceased Indians in certain cases by the Secretary of the Interior; to the Committee on Indian Affairs.

1276. A letter from the Acting Secretary of the Interior, transmitting the draft of a proposed bill to adjust the boundaries of the Cedar Breaks National Monument and the Dixie

National Forest, in the State of Utah; to the Committee on the Public Lands.

1277. A letter from the Acting Secretary of the Interior, transmitting the draft of a bill designed to amend the act of January 17, 1920, authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Mississippi and Poinsett, and subjecting said lands to taxation; to the Committee on the Public Lands.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. WOODRUM of Virginia: Committee on Appropriations. H. R. 7922. A bill making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1941, and for other purposes; without amendment (Rept. No. 1515). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Military Affairs was discharged from the consideration of the bill (H. R. 7822) for the relief of John W. Reardon, and the same was referred to the Committee on Naval Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WOODRUM of Virginia:

H. R. 7922. A bill making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1941, and for other purposes; to the Committee on Appropriations.

By Mr. CANNON of Florida:

H. R. 7923 (by request). A bill providing changes in pay of certain retired officers of the United States Navy; to the Committee on Naval Affairs.

By Mr. SPENCE:

H. R. 7924. A bill authorizing the Veterans' Administration of the United States to accept 500 acres of land in Campbell County, Ky., for the purpose of establishing a home for dependent widows and orphans of veterans of all wars; to the Committee on Military Affairs.

By Mr. RANKIN:

H. R. 7925 (by request). A bill to provide liberalized benefits for disabled veterans and the dependents of deceased veterans; to the Committee on World War Veterans' Legislation.

By Mr. McGEHEE:

H. R. 7926. A bill to amend the District of Columbia Unemployment Compensation Act to provide for unemployment compensation in the District of Columbia; to the Committee on the District of Columbia.

By Mr. VOORHIS of California:

H. R. 7927. A bill to provide for a statutory award of \$10 per month to any World War veteran who was wounded, gassed, injured, or disabled by an instrumentality of war in a zone of hostilities, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. BATES of Kentucky:

H. R. 7928. A bill to increase, up to \$50 per month, the amount of pensions otherwise payable to the widows of those deceased World War veterans whose deaths were caused by their service-connected disabilities; to the Committee on World War Veterans' Legislation.

H. R. 7929. A bill to provide mileage allowance to the authorized attendant of a veteran reporting for examination, treatment, or care, on the basis of the mileage traveled, in advance of the completion of such travel, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. COLLINS:

H. R. 7930. A bill granting the consent of Congress to the Mississippi Highway Commission to construct, maintain, and operate a free highway bridge across Pearl River in the State of Mississippi; to the Committee on Interstate and Foreign Commerce.

By Mr. COSTELLO:

H. R. 7931. A bill relating to the retirement of certain commissioned and warrant officers of the Army; to the Committee on Military Affairs.

By Mr. CELLER:

H. R. 7932. A bill to provide for a loan to the Republic of Finland; to the Committee on Banking and Currency.

H. R. 7933. A bill to authorize the Secretary of the Treasury to transfer certain moneys to the Republic of Finland; to the Committee on Ways and Means.

By Mr. DARDEN:

H. R. 7934. A bill to authorize alterations and repairs to certain naval vessels; to the Committee on Naval Affairs.

By Mr. HAVENNER:

H. R. 7935. A bill to amend the Social Security Act and the Internal Revenue Code to extend the coverage of old-age and survivors' insurance and unemployment-compensation benefits; to the Committee on Ways and Means.

By Mr. HOBBS:

H. R. 7936. A bill to amend the act approved August 14, 1937, as amended by the act approved July 19, 1939, by providing that the aid to the several States provided for in such amended bill be extended to bridges on highways which have become a part of the Federal-aid system since August 14, 1937, or which may become a part of such system prior to March 3, 1942; to the Committee on Roads.

By Mr. LANHAM:

H. R. 7937. A bill to exclude from benefits under title II of the Social Security Act individuals employed by fraternal orders in the operation of homes for children or indigent or aged individuals, and to exempt such employees and their employers from taxes under chapter 9, subchapters A and C, of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. LESINSKI:

H. R. 7938 (by request). A bill to provide pensions to members of the Regular Army, Navy, Marine Corps, and Coast Guard for service-connected arrested tuberculosis; to the Committee on Invalid Pensions.

By Mr. McCORMACK:

H. R. 7939. A bill to provide for a statutory award of \$35 per month in addition to any compensation payable to a World War veteran for the loss of the use of one or more feet or hands; to the Committee on World War Veterans' Legislation.

H. R. 7940. A bill to so amend the World War Veterans' Act, 1924, as amended, as to eliminate all statutes of limitations on automatic, yearly renewable terms, or United States Government life (converted) insurance policies; to the Committee on World War Veterans' Legislation.

By Mr. MAY:

H. R. 7941. A bill relating to the citizenship and compensation of certain employees on military construction work in the Panama Canal Zone; to the Committee on Military Affairs.

By Mrs. NORTON:

H. R. 7942. A bill to amend the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes," approved June 28, 1937, as amended; to the Committee on Labor.

By Mr. PETERSON of Florida:

H. R. 7943. A bill to provide that any World War veteran, suffering from any mental or physical disability or disabilities of a permanent character which totally incapacitates him for the performance of manual labor so as to render him unable to earn a support, shall be rated as permanently and totally disabled for compensation and pension purposes; to the Committee on World War Veterans' Legislation.

H. R. 7944. A bill to provide eligibility for a liberalized definition of permanent total disability, for pension purposes, on the basis of the inability of the individual veteran to earn a support by manual labor; to the Committee on World War Veterans' Legislation.

By Mr. RANDOLPH:

H. R. 7945. A bill to amend section 1262 of the Code of Laws for the District of Columbia; to the Committee on the District of Columbia.

By Mr. ROUTZOHN:

H. R. 7946. A bill to define misconduct, for compensation and pension purposes, as limited to felonious misconduct; to the Committee on World War Veterans' Legislation.

H. R. 7947. A bill to provide eligibility for pension to any war, campaign, or expedition veteran, honorably discharged after 90 days of service or discharged because of disability, for any permanent total disability not the result of his own felonious misconduct; to the Committee on World War Veterans' Legislation.

By Mr. SASSCER:

H. R. 7948. A bill to give double credit for civil-service retirement purposes for certain periods of service in the military or naval forces of the United States outside the continental United States; to the Committee on the Civil Service.

By Mr. SHAFER of Michigan:

H. R. 7949. A bill to amend the District of Columbia Alcoholic Beverage Control Act to provide for the better control of the alcoholic-beverage industry in the District of Columbia; to the Committee on the District of Columbia.

By Mr. PETERSON of Florida:

H. R. 7950. A bill to provide pensions for the dependent widows and orphans of deceased World War veterans, under similar conditions and in the same amounts, as now provided for the dependent widows and orphans of deceased veterans of the Spanish-American War; to the Committee on World War Veterans' Legislation.

By Mr. GILCHRIST:

H. R. 7951. A bill to make Work Projects Administration funds available for the construction of non-Federal buildings where the Federal contribution exceeds \$52,000, if the State legislature has made an appropriation therefor prior to July 1, 1939; to the Committee on Appropriations.

By Mr. WHITE of Idaho:

H. R. 7952. A bill to authorize an appropriation for the construction of small reservoirs under the Federal reclamation laws; to the Committee on Irrigation and Reclamation.

By Mr. VOORHIS of California:

H. R. 7953. A bill to provide a pension of \$60 per month to any World War veteran so permanently disabled as to render it impossible for him to follow a substantially gainful occupation; to the Committee on World War Veterans' Legislation.

By Mr. GWYNNE:

H. R. 7954. A bill to amend an act approved August 26, 1842, relating to appropriation acts; to the Committee on the Judiciary.

By Mr. ALEXANDER:

H. J. Res. 426. Joint resolution authorizing the President of the United States of America to proclaim October 11 General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. CANNON of Florida:

H. J. Res. 427. Joint resolution authorizing the Secretary of Agriculture to suspend sugar quota given to Czechoslovakia and to allot same to the sugar-producing area in the mainland of the continental United States which pays the highest wages, maintains the highest standards of living, and has the lowest costs of production; to the Committee on Agriculture.

By Mr. WELCH:

H. J. Res. 428. Joint resolution to provide for participation of the United States in the Golden Gate International Exposition at San Francisco in 1940, to continue the powers and

duties of the United States Golden Gate International Exposition Commission, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HAVENNER:

H. J. Res. 429. Joint resolution to provide for participation of the United States in the Golden Gate International Exposition at San Francisco in 1940, to continue the powers and duties of the United States Golden Gate International Exposition Commission, and for other purposes; to the Committee on Foreign Affairs.

By Mr. TENEROWICZ:

H. J. Res. 430. Joint resolution for the relief of the anguished, stricken, and starving population of war-torn and martyred Poland; to the Committee on Foreign Affairs.

By Mr. HARTLEY:

H. Res. 359. Resolution authorizing the House Committee on the Post Office and Post Roads to make certain investigations; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATES of Massachusetts:

H. R. 7955. A bill for the relief of Louis Rosenstone; to the Committee on Immigration and Naturalization.

By Mr. CORBETT:

H. R. 7956. A bill granting a pension to Ella B. Crider; to the Committee on Invalid Pensions.

By Mr. GATHINGS:

H. R. 7957. A bill for the relief of Willie Perry; to the Committee on Claims.

By Mr. GIFFORD:

H. R. 7958. A bill for the relief of Littlefield-Wyman Nurseries; to the Committee on Claims.

H. R. 7959. A bill for the relief of Nathan A. Buck; to the Committee on Claims.

By Mr. GRAHAM:

H. R. 7960. A bill granting a pension to Fred L. Lindsey; to the Committee on Invalid Pensions.

By Mr. HAVENNER:

H. R. 7961. A bill for the relief of the State compensation insurance fund of California; to the Committee on Claims.

H. R. 7962. A bill for the relief of the State compensation insurance fund of California; to the Committee on Claims.

By Mr. JENKINS of Ohio:

H. R. 7963. A bill for the relief of Charles Palmer Cornwell; to the Committee on Military Affairs.

By Mr. McGEHEE:

H. R. 7964. A bill for the relief of Thomas L. Hughes; to the Committee on Claims.

H. R. 7965. A bill for the relief of T. G. Ramsey; to the Committee on Claims.

H. R. 7966. A bill for the relief of Mrs. T. G. Ramsey; to the Committee on Claims.

By Mr. RYAN:

H. R. 7967. A bill to provide for the carrying out of the award of the National War Labor Board of April 11, 1919, and the decision of the Secretary of War of date November 30, 1920, in favor of certain employees of the Minneapolis Steel & Machinery Co., Minneapolis, Minn.; of the St. Paul Foundry Co., St. Paul, Minn.; of the American Hoist & Derrick Co., St. Paul, Minn.; and of the Twin City Forge & Foundry Co., Stillwater, Minn.; to the Committee on Claims.

By Mr. SECREST:

H. R. 7968. A bill for the relief of Nick Cenci; to the Committee on Claims.

By Mr. SMITH of West Virginia:

H. R. 7969. A bill granting a pension to Penira Stevens Williams; to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Missouri:

H. R. 7970. A bill granting a pension to Maggie Canter; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6172. By Mr. McLAUGHLIN: Petition memorializing the Congress and the President of the United States, and the Public Works Administration, and the Work Projects Administration of the United States, to approve and make an allocation of funds for a grant and grant and loan to the Cedar Valley public power and irrigation district; to the Committee on Appropriations.

6173. By Mr. MERRITT: Resolution of the National Automobile Dealers Association, recommending provision for adequate protection to automobile retailers and other similar groups, and that the Wagner National Labor Relations Act should be amended at the forthcoming session of Congress; to the Committee on Labor.

6174. By Mr. THOMAS of New Jersey: Resolution adopted by the Warren County (N. J.) Veterans' Association, Phillipsburg, N. J., urging the continuation of the Dies committee with sufficient appropriation; also resolution adopted by the Buick Liberty Motor Post, No. 310, American Legion, Flint, Mich., on behalf of the continuation of the Dies committee with sufficient appropriation to carry on its work; also resolution adopted by the Rochelle Park (N. J.) Post, No. 170, American Legion, on behalf of the continuation of the Dies committee; and also letter from A. C. Clark, president, the Industrial Association of Perth Amboy, Perth Amboy, N. J., advising that the members of that association feel that the Dies committee has done commendable work in investigating conditions and believe that their work should be continued for the next year; to the Committee on Rules.

6175. By the SPEAKER: Petition of the Milwaukee County Industrial Union Council, Milwaukee, Wis., petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 17, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, may we listen to Thy sovereignty over the world. The earth is the Lord's, and the fullness thereof; the world, and they that dwell therein. For He hath founded it upon the seas, and established it upon the floods. Who shall ascend into the hill of the Lord? or who shall stand in His holy place? He that hath clean hands, and a pure heart; who hath not lifted up his soul unto vanity, nor sworn deceitfully. Lift up your heads, O ye gates; and be ye lifted up, ye everlasting doors, and the King of Glory shall come in.

Heavenly Father, undisturbed by haste and unvexed by disappointment, let Thy Holy Word speak to us. Make plain to us that which we have not discerned of Thy truth and wisdom. Through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

ACQUISITION OF FOREIGN CURRENCIES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PATMAN. Mr. Speaker, on Monday last the distinguished gentleman from Minnesota [Mr. ALEXANDER] quoted a very serious charge against the Federal Reserve Board and the Federal Reserve System, which, if true, should have immediately received the attention of Congress and especially the Committee on Banking and Currency, of which I am a member. I took the matter up with Mr. Eccles, Chairman of the Board of Governors of the Federal Reserve System,

and he gave me a reply which shows that the charge is wholly unfounded.

I ask unanimous consent, Mr. Speaker, to insert Mr. Eccles' reply to the charge in the CONGRESSIONAL RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The letter referred to follows:

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
Washington, January 16, 1940.

HON. WRIGHT PATMAN,

House of Representatives, Washington, D. C.

DEAR MR. PATMAN: This is in response to your telephone call of this morning while I was in a Board meeting, in which you asked for an expression from me as to the accuracy of some statements made by Congressman ALEXANDER, of Minnesota, on the floor of the House, the remarks being printed on page 331 and following in the CONGRESSIONAL RECORD.

In the course of his remarks Congressman ALEXANDER referred to an article by a Mr. James McMullin, said to be a writer in New York, alleging, in substance, that the Federal Reserve banks are acquiring British and French paper currency. The quotation from Mr. McMullin's statement includes the allegation "that the New York Federal Reserve Bank is accepting British and French paper currency—on order from Washington—at the pegged rate of 176½ francs to the pound sterling. * * * Insiders are convinced that the amount is already substantial and steadily increasing. * * * Therefore we are in effect accepting large quantities of paper of dubious future worth at a valuation set by the nations that issue it."

While I already knew that operations of this kind were not being engaged in, I have checked the matter directly with the Federal Reserve Bank of New York and can say that the reported statements by Mr. McMullin, unhappily repeated by Congressman ALEXANDER, are made out of whole cloth. The Federal Reserve Bank of New York or any other Federal Reserve bank is not acquiring either francs or pounds at a fixed rate or at any rate. This has likewise been true for some time in the recent past.

May I say that I am gratified that you brought to my attention the remarks of Congressman ALEXANDER, so that the erroneous statements referred to could be promptly corrected. I am sure Congressman ALEXANDER and yourself will be equally relieved to learn the truth of the matter.

Yours sincerely,

M. S. ECCLES, Chairman.

CALENDAR WEDNESDAY

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that business in order today, Calendar Wednesday, may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

Mr. PLUMLEY. Mr. Speaker, I have no desire or intent to cumber the RECORD, but in view of the many inquiries I have received from Members of Congress and others with respect to the source of a certain quotation I used in the eulogy delivered on the death of our late associate and colleague from Colorado, John Martin, running something like this—

That man is great and he alone
Who serves greatness not his own—

may I say that that is taken from a poem written by Edward Robert Bulwer Lytton, Earl of Lytton, otherwise known as Owen Meredith, and the poem is A Great Man.

EXTENSION OF REMARKS

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from the Iowa League of Women Voters in regard to the reciprocal trade pact program.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include

therein a letter from the Sino-Korean People's League of Washington, D. C.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short radio address by Mr. Leonard Farmer on the subject of electric-light and power rates.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SPRINGER asked and was given permission to extend his own remarks in the RECORD.

THE PUBLIC DEBT

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I call the attention of the House to the Treasury statement of January 11, showing we have gone in the red \$2,189,835,268. Since July 1 last that means a deficit of close to \$4,000,000,000 this year. Terrible! Horrible! Awful! I have always wondered where we were going to get the money to meet current years' deficits, but it looks to me now as though there is a ray of hope in this direction, and I congratulate the leaders on the majority side and on the minority side on the result of their efforts on this particular independent offices bill. I believe the intent in the minds of these men is to try to economize in Government expenditures. I have always been for it and will continue to be. Will you Members of Congress do the same at this session? Nothing can be more to the welfare of America than efforts to try to save this Nation from bankruptcy, and I hope the Members of this body on both sides of the aisle will follow their leaders on this particular bill. If they do, I am sure there will be light ahead and that eventually this party which has created such a huge national debt will be able to get out of it somehow, and that we will be able to keep from going into bankruptcy, stop the wild orgy of spending, and we can do it.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. GARTNER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address I made last Saturday evening.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SECCOMBE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a resolution that was passed by the Wayne and Holmes County Automobile Dealers' Association of Ohio.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Daily Argus Leader of Sioux Falls, S. Dak.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in two respects, one to include an article by George W. Peavy, and the other to include an article by Harry Emerson Fosdick.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

INDEPENDENT OFFICES APPROPRIATION BILL, 1941

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House

on the state of the Union for the further consideration of the bill (H. R. 7922), making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1941, and for other purposes; and pending that I ask unanimous consent that general debate shall continue for 3 hours today, the time to be equally divided between myself and the gentleman from Illinois [Mr. DIRKSEN].

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 7922, with Mr. WARREN in the chair.

The Clerk read the title of the bill.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 15 minutes to the gentleman from Virginia [Mr. BLAND].

Mr. BLAND. Mr. Chairman, I presume there is no one here who has a higher regard for the Committee on Appropriations and its subcommittees than I have. I realize the very, very difficult problem that is ahead of it and I sympathize with that problem. Just so far as I can, with due regard to what I believe to be the best interest of the country, I am willing to go along with the committee. I feel, however, very keenly about one proposal in this bill. I fear that the Congress in its entirety is not always sufficiently familiar with the problem to consider it in all of its ramifications. I refer particularly to the cut which has been made in the appropriation for the Maritime Commission.

I am not impelled by any personal motives except my interest in the merchant marine after many, many years' service on that committee. I believe in some book it has been said that I come from a shipbuilding center, which is true, and probably that has caused me to devote a little more time and attention to the problem than I would otherwise. I would recall the Members' attention to the fact, however, that in the course of my service on that committee I have voted against measures that were advocated by the people in my town and sometimes incurred rather severe enmities, but they have passed away.

It is essential that America shall have a merchant marine and we should do nothing at this critical time to interfere with the program that has been outlined by the Maritime Commission. I wish that every Member in this House who is called on to pass upon this important problem could read the testimony of Admiral Land before the Appropriations Committee and his splendid presentation of the purposes, the objects, and the program of the Maritime Commission. May I say in this connection for Admiral Land that I think he is devoting his time to a splendid service at a minor compensation. Of course, he is getting \$10,000, but he would get \$6,000 or \$6,500 as a retired admiral in the Navy without doing anything more than twiddling his thumbs. With \$10,000 he is getting an additional compensation of about \$4,000 for what I consider the most constructive work today being carried on by the Government.

The Congress in 1936, reiterating its declaration of 1920, founded upon its experience in the World War, based upon its knowledge of what we had gone through because of a lack of a merchant marine, founded upon the knowledge that we must have if we are going to protect the best interests of this country, declared its policy in a legislative declaration which is contained in section 1 of the Merchant Marine Act, 1936, and I read it:

It is necessary for the national defense and development of its foreign and domestic commerce that the United States shall have a merchant marine:

(a) Sufficient to carry its domestic water-borne commerce and a substantial portion of the water-borne export and import foreign commerce of the United States, and to provide shipping service on all routes essential for maintaining the flow of such domestic and foreign water-borne commerce at all times;

(b) Capable of serving as a naval and military auxiliary in time of war or national emergency;

(c) Owned and operated under the United States flag by citizens of the United States insofar as may be practicable; and

(d) Composed of the best equipped, safest, and most suitable types of vessels constructed in the United States and manned with a trained and efficient citizen personnel.

It is hereby declared to be the policy of the United States to foster the development and encourage the maintenance of such a merchant marine.

Under that same act there was created a Maritime Commission, at the head of which today is Admiral Land. He would be false to the declaration of Congress itself, to the policy that has been enunciated in this act and to the people of the United States if he did not present a program that he believed would accomplish this purpose. When we had this matter under consideration in 1935 the Committee on Merchant Marine and Fisheries, having under consideration a bill for the Merchant Marine Act of 1936, in its report to the Congress of the United States called attention to the situation that was then before the country.

The evidence shows that during the period from 1922 to 1928 no vessels were built in American yards for overseas foreign commerce and under the 1928 act 31 new vessels were built for ocean-mail service and 42 reconditioned. In the last 5 years, in the construction of freighters, this country has built 4 while Great Britain was building 295, and for the 5 years previous, when we were constructing 4 in American shipyards Great Britain built 558. During the post-war period from 1922 to 1933 about 16½ million tons of oceangoing ships of 2,000 gross tons and upward were constructed throughout the world, of which the United States contributed less than 7 percent.

The gravity of the situation—

And this was in 1935, Mr. Chairman—

becomes obvious when we consider that the useful life of a ship is 20 years.

The committee then recommended that there should be adopted a long-range policy of building up a merchant marine to restore it to the seas.

The Maritime Commission in 1937 in a report to the Congress of the United States called An Economic Survey of the American Merchant Marine again viewed the situation and presented a picture with which I wish every Member of this House would become familiar. It is a textbook on the needs of the people of the United States for a merchant marine, for two purposes, first, for national defense, and second, for the promotion of our foreign trade and commerce.

Carrying out this purpose of providing a merchant marine pursuant to the 1936 act and the survey of 1937, the Commission has worked out a long-range program covering 10 years whereby there should be constructed the necessary 500 ships at the rate of 50 a year. We were proceeding very nicely on that program until the European war broke.

Mr. Chairman, in my opinion—and do not take my opinion alone; study these facts for yourselves—the people of the United States stand now with respect to their merchant marine at the crossroads. We have an opportunity now such as we have never had since the War between the States from 1861 to 1865, when the American merchant marine was transferred to British and other flags to protect the ships from the ravages of the *Alabama*, *Florida*, and other cruisers in the Confederate service. We have today an opportunity to restore that flag upon the seas, and it is being carried on by this long-range program.

The war has now come on, and the Maritime Commission, with the consent and the approval of the President of the United States, on September 7, 1939, accelerated this program beyond the 50 ships per year. Why? Because as businessmen they saw that there was going to be an increase in the price of everything; that materials were going up in price and the cost of construction was going up, and that unless the program was accelerated we would be unable to produce the result we wanted on an economic basis. They did that, and what was the result? They immediately advertised and invited bids for construction of ships, and because of the standardization of the ships that were to be constructed and

because of the information and experience that they were able to secure, they found it possible to increase or accelerate the long-range program with the same unit cost per ship.

If you interfere with that, what are you faced with? If you ultimately bring about this result you will be faced inevitably with the necessity of paying more money for the construction of ships. I wish to call attention to the fact that there has been considerable agitation throughout the country for many years last past with regard to relief of unemployment. According to the testimony that was produced before the Committee on Merchant Marine and Fisheries, 80 to 85 percent of the cost of a ship goes to labor.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 10 additional minutes to the gentleman from Virginia; and may I say that I hope, before the gentleman concludes his remarks, he will have something to say about the suggestion that has been made that in view of the fact that we are having to lay up ships on account of the international situation there is now no necessity for accelerating the shipbuilding program.

Mr. BLAND. According to an article that appears in the United States News this week—and I believe it is fairly authentic—many of these ships have now been put into other services. I would not say they are in services that are paying very much. It will probably be necessary to have an operating differential to take care of them. However, most of the ships have been taken care of except the ships of the United States Lines.

I wish to say in that very connection that there has been considerable criticism of the fact that consent has been given by the Maritime Commission to the transfer of certain ships foreign. I wish you would look at the hearings on that point. There are 117 ships involved. We will find, if we look at that, that there is no very great "hoorah" to be made about it. Is this not a good time to get rid of the model T Fords and put efficient, capable, and economical ships into the service for the time that is coming when we will need them upon the seas? That is what is being done. Old ships, 20 or 25 years of age, not subsidy-built ships, are being transferred foreign. The act of 1936 is the first subsidy legislation we have ever had. In 1928 we did have the Jones-White Act for the construction of certain ships under ocean-mail contracts, and I believe there were approximately 31 ships constructed under that act. You cannot build a ship overnight. It takes 2 or 3 years to build a ship, and if you are going to be prepared economically to get on the seas and win for America her place in the merchant marine world you will have to carry on your shipbuilding program from now on and get them there just as quickly as possible. You will do two things: You will save for America its present foreign trade and commerce and win for America the foreign trade and commerce of the world, if you have those ships ready to go upon the seas.

Furthermore, you will have available the ships that are ready to support the greatest navy building program that has ever been presented to this country. You will be building the second line of the American defense with auxiliaries, and you will not be confronted with the awful, drastic, and painful situation that confronted America in the time of the Spanish-American War, when we sent our Navy upon the seas supported by foreign-flag ships as our auxiliary defense line. You know we could not get them now and you know we do not want to trust to the other navies of the world.

Why, we have today the best and most efficient forces in the construction of ships in the world. The testimony of Admiral Land before this committee showed that they were getting 50 percent more efficiency from the new ships that have been turned out. One of the new ships has been put upon the seas and she is able to make 15 knots, thus a greater speed at less expense than the ships that were constructed during the war; and now you say we want to hold on to those old, broken-down, war-worn, obsolete ships and con-

tinue to run them when we can get new ships and probably in that way reduce your operating subsidy.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. BLAND. I yield.

Mr. WOODRUM of Virginia. I wish the gentleman would also comment upon the provisions contained in the bill which gives an additional contract authorization to the Maritime Commission of \$150,000,000, and in that connection recall the fact that in a shipbuilding program of this kind they cannot enter into contracts running 2 or 3 years unless they either have the money or unless we either presently appropriate the money or give them contract authorization to enter into contracts for such construction. In other words, what would be the effect if that contract authorization was not written in the bill?

Mr. BLAND. You have a commission now that is going to observe the law in every respect, and if the burden of slacking up performance rests upon the Congress, then they will have to assume that burden. Unless those contracts are made and unless they are able to carry out the authority for the awarding of contracts, then the shipbuilding program must stop; and what was outlined in the economic survey of the American merchant marine, and what was said by this committee in 1935, which has been repeated all the time, must stop, and that is the construction of ships necessary to carry on our trade and to protect it—not all of our trade, but a majority of our trade—so that we will be able to protect ourselves from the domination of other nations as to freight rates. We will have our own delivery wagons to carry our own commerce to the ports of the world, and we will be able to carry out an American policy based upon our own thoughts here and supported by an American merchant marine, and if you do not give them that authority you are not going to get it done.

Mr. WOODRUM of Virginia. If the gentleman will yield just briefly, I may say that while I am supporting the action of the committee, I also may say that I am sympathetic toward what the gentleman says, not only about the necessity for supporting the merchant marine but about the character of the men who are now operating the Commission.

Mr. OLIVER. Mr. Chairman, will the gentleman yield?

Mr. BLAND. I yield to the gentleman.

Mr. OLIVER. Will the gentleman state whether this cut that has been made by the Appropriations Committee will prevent the accelerated program recommended by the Maritime Commission?

Mr. BLAND. Absolutely; and I am going to extend my remarks, under leave that has already been granted me, and include a statement of just what it is going to do to the program, and further, I am going to deal with the transfer of these 117 ships that has started such a hullabaloo and show that some of them are sailing ships and tugs and little, old ships that never could figure in the building of an American merchant marine, but under the act that was passed here they could not be transferred, foreign, or sold.

May I say this: The gentleman helped me pass just a year or two ago a "turn in and scrap" bill. What was that? We were to get rid of these old, obsolescent ships. We were going to let them turn them in to the Maritime Commission. We were going to buy them and then we were going to start a replacement program and we were going to put on new ships. Why, bless your soul, if we can sell them to somebody else and get the money from a foreign country, or get the money from somebody else to help out that program, is it not a blame sight better than with Uncle Sam buying those ships and paying a scrap price? These very people whose ships are transferred could scrap those ships. They send over here and buy for cash and carry munitions of war and they buy everything under the sun. Why, in the name of heaven, cannot they buy an old, broken-down, obsolescent ship that is running at a terrific cost or laid up because too expensive to

operate in the American trades. When we had the merchant marine bill before the committee it was reliably stated that \$5,000,000 of subsidy of our ocean-mail contract was going up the stack. What do I mean by that? I mean that the ships were built for wartime purposes. They were not economical, they were not constructed for the purpose of carrying on the merchant marine but for bridging the ocean with ships in carrying on the war, and by reason of the uneconomical construction they were costing us \$5,000,000 more per year than modern up-to-date ships would. According to the testimony that appears in the record of these hearings, the *Challenge*, one of the new ships, could get 50 percent more speed and yet cost \$35,000 a year less to run than these old ships. So that in the course of her economic life of 20 years, it will be 20 times \$35,000 that will be saved to the people of the United States. Put it another way: The old vessel made 10,600 ton-miles per barrel of fuel at 10½ knots, while our C-2 ships make 15,450 ton-miles per barrel of fuel at 15½ knots. The Maritime Commission is doing a magnificent job.

Mr. OLIVER. Mr. Chairman, will the gentleman yield?

Mr. BLAND. Yes.

Mr. OLIVER. Will this cut made in the appropriation interfere in any way with the construction program set up by the Maritime Commission prior to this accelerated program agreed to last September?

Mr. BLAND. I think it will. I know it will interfere with the conduct of the program already in force under contracts entered into. I do have a statement that I shall put into the Record of both the ships that have been transferred and also the effect on the program that will follow.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 3 additional minutes to the gentleman from Virginia.

Mr. BLAND. Mr. Chairman, I shall not take much more of your time, but I am going to ask you to read these matters to which I have referred. I have worked with the best information I could get last night and the night before in the preparation of what the effect would be on this accelerated program. It is not alone the seacoast cities, it is the South and the Middle West and all America that are affected. We showed in the production of evidence before our committee that even these broken-down maritime ships which had meant \$600,000,000 to the people of the interior of America at one time, because we were able to put them on the seas. I am speaking now, not for the shipbuilding people, but I am speaking for the people all over the United States who wish to control the agencies that are going to carry that commerce, and not at the conclusion of this war be submitted to the domination and control of other nations of the world. I am speaking more for the Navy of the United States that needs these ships as auxiliaries to go along with them, to serve their needs, because, according to all the testimony that has been produced, they are the second line of defense. Some of the merchant vessels may be converted into auxiliary cruisers, some of them into airplane carriers, and thus serve and protect the people of the United States. This is a troubled time and we want to protect ourselves.

Mr. LUDLOW. Mr. Chairman, will the gentleman yield?

Mr. BLAND. Yes.

Mr. LUDLOW. I have not heard all of the gentleman's speech, but I am wondering if he knows how much money would be required to carry out the outstanding contracts.

Mr. BLAND. I am something of a prejudiced witness, but I have no hesitation in saying that I think it would require the amount provided by the Bureau of the Budget.

Mr. LUDLOW. What is the gentleman's opinion as to the probability of suits being filed for the enforcement of those contracts?

Mr. BLAND. I am not prepared to say; I have not studied that; but the carrying out of the contract is not just an obli-

gation to the person with whom the contract has been made; it is an obligation to the people of the United States, pursuant to the declaration in the Merchant Marine Act of 1936, pursuant to the economic survey that was made in 1937, to protect this Government and to carry on its policies, so that we may preserve economically upon the seas that independence which we assert. That is the great purpose. [Applause.]

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Mr. Chairman, I yield half a minute to the gentleman in order to answer a question.

Mr. BLAND. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. How long will it take to build these ships?

Mr. BLAND. Usually it takes 2 or 3 years to build one ship.

Mrs. ROGERS of Massachusetts. I did not realize it took nearly as long as that.

Mr. BLAND. It takes about 2 years, and not only that, but this shipbuilding bill has brought great benefit all over the United States, because they are building on the west coast, in the South, in sections of the North. They are not confined to any one particular section, and it serves as an opportunity to employ labor at all those points, and the material that goes into a ship comes practically from every State in the Union. It is the labor back home that is benefited. Eighty to eighty-five percent of labor is being helped by this shipbuilding program.

Inquiries and references have been made here as to the Maritime Commission's program of construction, the speed-up of that program now under way, and the money needed for the program. I want to give you just a brief outline of these matters so that the Congress will be better advised on the problems involved in this appropriation.

Under the long-range construction program adopted by the Commission, 50 ships a year for 10 years were contemplated. In the end of the calendar year 1938, 51 ships had been contracted for under this program. Up to September 1939 just prior to the outbreak of the European war, 23 additional ships had been contracted for.

Upon the outbreak of the European war the Commission reconsidered its construction program in the light of the conditions resulting from the European situation. This reconsideration indicated that it was highly desirable to accelerate the program by contracting for 66 additional ships, all of them being cargo vessels.

The progress made under the construction program had involved the development of efficient and modern designs for cargo vessels and the development of shipbuilding capacities and improvement of shipbuilding facilities. It was practical as a construction and engineering proposition to embark on an accelerated program.

The accelerated program was decided upon, because—

First. Reasonable prices in effect at the beginning of the war could be availed of, while future prices were wholly uncertain.

Second. Some prices, particularly of auxiliary and equipment material, were already hardening.

Third. Disregarding emergency possibilities, prospective purchasers or charterers, or both, were available for about 90 percent of the additional 66 ships.

Fourth. Awarding of the additional contracts would enable the distribution in an orderly and reasonable manner to the various shipbuilding firms and propulsion machinery firms. Geographical distribution of construction work was possible.

The accelerated program was submitted to the President and was approved by him on September 7, 1939.

Additional contracts were awarded pursuant to the program adopted bringing the total contract awards on December 31, 1939, up to 141 vessels. As of that date, 36 ships have been launched, and 21 delivered and put into service.

Before adopting the program of awards under contemplation for the remainder of the fiscal year 1940—18 vessels—and for the fiscal year 1941—44 vessels—the Commission carefully considered the uncertainties resulting from European conditions, the length of time required for the building of the contemplated vessels, the prospects of putting the vessels into service either through sales or charters upon their completion, and the advantages of making use presently and during 1940 and the first half of 1941 of available shipyard facilities. Good judgment in the interest of the United States, its national defense, and its needs for foreign-trade shipping, the possibilities of making prompt use of a program of merchant marine rehabilitation already under way—all justify the conclusion that the program of construction should be speeded up rather than slowed up.

The letting of the contracts took advantage of existing construction facilities at current reasonable prices. One of the objects of the accelerated program was the immediate and continued utilization of available shipways. If these facilities had not been tied up with American vessel construction, they would have secured business for construction for foreign account; this would have undoubtedly meant a rapid and serious increase in ultimate cost to American shipowners. This possibility is not imaginary; tentative negotiations on account of foreign interests with American shipyards had taken place.

Now, what does the appropriation cut mean to this program now under way? I would like to give a few simple figures and comments on this vital matter.

At the end of the fiscal year 1940, on an obligation basis, the construction fund of the Commission will have become exhausted. This is in contrast with the status of the construction fund at the beginning of the fiscal year 1940. On June 30, 1939, there was a carry-over of \$33,415,272 which was, of course, available for expenditure for the fiscal year 1940, and which, together with the appropriation of \$100,000,000, made a total appropriation of \$133,415,272 to the Commission for the fiscal year 1940. This was predicated on a construction program of 50 ships and made it unnecessary to have as large an appropriation for the fiscal year 1940 as is now necessary for the fiscal year 1941.

However, the Commission accelerated its program and during the calendar year 1939 contracted for 91 additional ships, or a total of 141 ships. These contracts will require a net expenditure during the fiscal year 1941 of approximately \$137,000,000—an amount in excess of the appropriation of \$125,000,000, as recommended by the Appropriations Committee.

Awards for construction of 18 vessels are proposed to be made during the remainder of the fiscal year 1940. Net expenditures during the fiscal year 1941 under these awards will be approximately \$32,400,000.

So far no account is taken of proposed awards for construction for the fiscal year 1941. The program of the Commission calls for awards to be made for 44 vessels during that fiscal year. This would require an additional net expenditure during that fiscal year of approximately \$23,000,000.

The total contemplated expenditures under the proposed construction program up to the end of the fiscal year 1941 will call for net expenditures of approximately \$173,000,000.

It is clear that an appropriation of \$125,000,000 will not even take care of the construction contracts already entered into.

The Commission under its accelerated long-range program contemplates a total of 159 vessels—141 now let, plus 18 to be let—by the end of the fiscal year 1940, with awards to be made during the fiscal year 1941 for the construction of 44 vessels, making a total of 203 vessels under the program by June 30, 1941. Obviously, the Commission cannot carry out this program with only an appropriation of \$125,000,000 for the fiscal year 1941.

Considering only obligations on account of the 141 vessels contracted for, and without any further awards for contracts

during 1940 or the fiscal year 1941, deficiency appropriations will be needed for the fiscal year 1940 of approximately \$18,500,000; for the fiscal year 1941, \$12,440,000; with an additional appropriation of approximately \$5,000,000 for 1942. Thus the deficiency in funds under the existing obligations for construction, disregarding entirely all other items of expense on the part of the Commission, will be approximately \$36,000,000.

This reduction below the Budget estimate of needs means the loss of the advantages to the United States contemplated under the accelerated construction program; that is, deferred construction will almost certainly face increased costs; American shipyards will be occupied by construction for foreign account; there will be a sacrifice of the opportunity for the United States to place itself in the lead of maritime nations at the end of the present European disturbances.

These figures as to construction-program costs do not take into account other necessary and authorized expenditures on the part of the Commission. For example, for the fiscal year 1941 expenditures of almost \$4,000,000 are contemplated for the United States Maritime Service. General administrative expense is estimated as \$5,650,000. Operating-differential subsidies will require expenditures approximating \$18,000,000. Other items include reconditioning and outfitting of vessels, laid-up fleet expense, cadet-training expense, contingencies for insurance, and other claims.

The total estimated expenditures of the Maritime Commission for the fiscal year 1941 amount to \$210,294,243, less receipts of \$10,294,243, or a net Budget estimate or appropriation fixed at \$200,000,000.

The Budget estimate takes into full account all receipts from ship mortgages and secured notes held by the Commission. It also takes into full account the estimated receipts for principal and interest collections on newly constructed vessels. This item amounts to approximately \$5,000,000 as progress payments on partially completed vessels and \$1,500,000 for completed vessels, the balance of the amounts due on completed vessels representing loans to operators secured by mortgages on the vessels and to be repaid in 20 equal installments with interest at 3½ percent per annum. Repayments from secured and miscellaneous accounts—other than new ship construction—amount to approximately \$5,400,000. Sales of vessels from the laid-up fleet are estimated to bring in approximately \$700,000 during the fiscal year June 30, 1941. Every one of these items are accounted for in connection with the estimates of funds necessary for the fiscal year 1941.

Bear in mind that the receipts on account of principal and interest collections on newly constructed vessels are now and will be during the fiscal year 1941 comparatively small, because only a small proportion of the new vessels have been completed and delivered to purchasers. Some of the vessels constructed under title VII are allocated to charterers, others are operated by the Commission on existing trade routes, and several have been sold. Their final disposition is contingent upon prospective purchasers. The return to the Government on account of newly constructed vessels will not amount to its fullest extent until an appreciable number of the vessels being constructed under the program are delivered to purchasers who at the time of delivery of the vessel make a 25-percent down payment on the foreign construction cost, the balance funded as shown elsewhere in this memorandum.

Of the money spent by the Commission for ship construction, approximately half is repaid to the Commission with interest by private ship operators, whether the vessels are sold under title V or chartered under title VII, but the payments extend over a period of 20 years, requiring relatively larger net outlay during the early years of the Commission's program.

The reduction of the item, \$5,650,000, for administrative expenses to \$5,000,000 has the effect of reducing the amount available for expenses of running the Commission, but the

item is a part of the appropriation to the construction fund and there is no real saving in the Budget totals.

The reduction of the money for administration is short-sighted and false economy. It means that the Commission will have an impossible burden, even under the existing construction program, in properly supervising the construction of ships and in auditing the construction operations of the shipbuilders. Vessels, whether for private or Commission account, are constructed under Commission plans and supervision in order to protect the Government's interests in every way. Profits of shipyards constructing these vessels are limited under the Merchant Marine Act, 1936, but an inadequate auditing force may mean losses of funds which should be recaptured for the Government by the Commission.

Questions were asked here yesterday and today about the Commission's policy in approving transfers of vessels to foreign registry.

Most of these questions were answered in the hearings before the Appropriations Committee, but I believe they can be stated shortly and simply to clear up all this confusion on the matter.

From October 26, 1938, to October 25, 1939, 88 vessels were approved for transfer to foreign registry; from October 25, 1939, to November 30, 1939, 29 vessels were transferred, making a total of 117 vessels, 2 sales being subsequently canceled by owners.

Forty-three of the 88 vessels and 10 of the 29 vessels were sailing vessels, yachts, motorboats, tugs, and barges, making a total of 53 miscellaneous craft.

The remaining vessels total 64—48 cargo ships and 16 tankers.

How old were these ships? The 29 cargo ships transferred prior to October 25, 1939, average 23.5 years in age—20 years is the assumed useful life of a vessel. The 19 cargo vessels subsequently transferred average 19.7 years old. The 16 tankers averaged 21.3 years old—assumed useful life of tankers being 15 to 20 years.

Of the 29 ships transferred between October 25, 1939, and November 30, 1939, as previously stated, 10 were miscellaneous yachts, motorboats, tugs, and so forth. Fourteen of the remaining 19 ships consisted of the old Moore & McCormack ships transferred to the Lloyd Brasileiro for operation in the Brazilian trade. This transaction was under consideration and discussed in the public press long before the present European war, and was made in consideration of new construction by Moore & McCormack.

One of the five remaining ships—the *President Madison*—was transferred to Philippine registry for Philippine trade. Approval was given to the trustee in bankruptcy of the American Mail Line, and may enable the creditors to set up a new American steamship company.

One of the four remaining is a whaling ship; one was owned by the Southern Pacific Golden Gate Ferry Co.; one is exceedingly small; one was sold to a Greek citizen.

It has been asked here, How many vessels transferred received operating-differential subsidy at time of transfer or at any previous time?

Ten vessels were under subsidy contract under the Merchant Marine Act, 1936, at the time of transfer. Nine were part of the Moore & McCormack-Lloyd-Brasileiro deal; are to operate between this country and Brazil, and all will be replaced by new American construction. The subsidy ceased when the transfer was approved.

Five vessels received subsidy at some time prior to transfer. Two of these were included in the McCormack-Brazil deal; one was subsidized when owned by a line which no longer exists; one was subsidized when owned by a line which no longer receives subsidy but operates under the American flag without it—this ship is 28 years old. The remaining ship will continue to act as a Latin-American feeder for an American-flag line.

Reference has been made to transfers or sales by Lykes Bros. of certain vessels. The facts are that 12 vessels of these

lines, driven off their route by the Neutrality Act, have been chartered to the Chilean Sales Nitrate Corporation for a few months. There is no change of registry, no change of ownership, but only a charter contract. The owners received operating subsidy for these vessels before they were driven off their route. They do not receive operating subsidy while under charter.

The question has also been asked, Did the Government ever have any financial interest in any of the ships transferred?

The Government had no financial interest in any of the ships at the time of transfer.

Formerly the Government was interested in 17 of the vessels in this way:

Four vessels had Government construction loans which were paid off in full in 1938—these ships were part of the Brazil deal.

Eleven of the vessels were built by the Shipping Board during the World War period and were sold to private citizens by the Government for the best price obtainable; at least one being sold with the contract privilege of transfer to foreign registry.

Two vessels were requisitioned by the Shipping Board while under construction for private owners during the World War. These ships were completed by the Shipping Board and transferred back to the original contract owners after the war, the owners paying the full cost of construction to get their ships back.

Are American owners transferring registry while keeping ownership? Yes; five of the cargo vessels, but one of these will constitute feeder service—operating between Latin-American ports—as an adjunct to an American-flag service. Two others originally were built abroad and registered under a Latin-American flag, and were returned to their former registry. In all cases there were such special circumstances for permitting the transfer of American vessels. Fifteen of the tankers were transferred to related Panamanian corporation owned by American citizens. These vessels were released under the conditions they be returned to United States registry upon request.

All of the vessels here discussed are still subject to requisition by the United States in case they are needed for war or other national emergency needs.

Thirty-one—15 cargo vessels and 16 tankers—were permitted to transfer only in connection with agreements for new construction. Of course, most of the other transfers involved small or nondescript craft.

The tanker transfers will result in placing 17 new modern tankers under the American flag which will have an aggregate dead-weight tonnage considerably in excess of the vessels being transferred; further, the sale and transfer were conditioned upon the agreement on the part of the owner guaranteeing to redocument said vessels under the laws of the United States upon demand of the Maritime Commission or of the President of the United States by general proclamation.

In exercising its discretion under the law the Commission considers certain essential facts with reference to the particular vessel to be sold or transferred foreign. These considerations are:

First. Whether the United States Government has any financial interest in the vessel.

Second. Whether the vessel is obsolete or approaching obsolescence.

Third. Whether the owner will agree to a program for the construction of new vessels needed by the merchant marine.

Fourth. Whether the vessel is needed for national defense purposes or required for the transportation of our commerce.

Fifth. Whether the removal of the vessel from United States registry would improve the prospects for suitable allocation of other affected vessels to certain trades.

The Commission also imposes administrative restrictions or conditions, one or more of which is imposed by the Commission on each particular vessel on which approval is granted, as follows:

A. The commodities which the vessel may carry on its first outward voyage from a United States port are restricted to certain type of cargo. The purpose of this restriction is that the vessel should not compete with other established American carriers. It puts the vessel in the same status as if it had been purchased from any other nation besides the United States.

B. The vessel is restricted in its trade with United States ports for a given number of years to prevent competition with other American-flag vessels.

C. The vessel is required to be scrapped.

D. There shall not be any liens or encumbrances on record against said vessel in the customhouse at its last United States home port when the outstanding marine document is surrendered.

E. The funds obtained from the sale of the vessel are to be impounded by the United States as a commitment on new tonnage contracted for or to be contracted.

F. The owner must agree to redocumentation of the vessel under United States registry upon request by the Maritime Commission.

G. The vendee must agree not to sell the vessel without prior approval of the United States Maritime Commission; the vendee will agree to conform to conference rates and practices when operating the vessel in competition with United States services; and the vendee will agree to sell or charter the vessel to the United States Government on the same terms and conditions upon which any American-flag vessel could be requisitioned for purchase.

Except as to liens and encumbrances which are matters of record, a bond is required of the vendor and/or vendee to insure compliance with the conditions.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. DIRKSEN. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and to include therein quotations from the Budget and Accounting Act of 1921, from the different hearings of the Reorganization Committee, from the so-called Government Manuals of 1936 and 1939, from the President's message to Congress, and to insert certain tables which I have prepared, showing the source of funds for some of the operations which are going on with reference to the Government.

The CHAIRMAN (Mr. BARDEN). Without objection, it is so ordered.

There was no objection.

Mr. TABER. Mr. Chairman, when the President came before us he inserted in his message on page 6 a statement which I shall include in full, but which berates arguments and rabble-rousing operations on which dictators ride to power.

The paragraph to which I have referred is as follows:

Doctrines which set group against group, faith against faith, race against race, class against class, fanning the fires of hatred in men too despondent, too desperate to think for themselves, were used as rabble-rousing slogans on which dictators could ride to power. And once in power, they could saddle their tyrannies on whole nations and on their weaker neighbors.

I want to call the attention of the Congress to an operation which is going on and which the Executive, according to his statement in last night's paper, is still trying to put across, notwithstanding the Congress has failed to provide any legislative authority for it—two schemes known as the National Resources Planning Board and the Office of Government Reports.

The first of these outfits is a propaganda outfit, designed to embark the Government on all kinds of programs which have never been regarded as Federal functions; to embark the Government upon all sorts of things that will bankrupt the Government of the United States.

The second of these outfits is an outfit which has been designed to establish the Executive in great power and to

build up his authority, and increase the trend toward dictatorship.

In 1921 we passed the Budget and Accounting Act, and there we provided, in section 301:

There is created an establishment of the Government to be known as the General Accounting Office, which shall be independent of the executive departments and under the control and direction of the Comptroller General of the United States.

When we held the reorganization hearings in 1937, the President's Reorganization Commission, headed by Louis Brownlow, and containing, among others, Mr. Luther Gulick, were before the Joint Reorganization Committee, and during the hearings on February 16, 1937, on page 14 of those hearings, this question appears:

Representative COCHRAN. The Congress set up the Accounting Office under the Comptroller General. It was set up as an agency of the Congress, not as an agency of the executive branch of the Government.

Mr. GULICK. That is right.

There had been certain criticism of the operations of the Comptroller General, and Mr. COCHRAN said, on page 15:

You would not deny the Congress the right to limit appropriations?

Mr. GULICK. No.

Representative COCHRAN. When the Comptroller General limits the expenditure of a certain sum of money that Congress intended for a given purpose, why should not the Congress be criticized if you are going to criticize anyone? Congress laid down the law, not the Comptroller General.

Now, just prior to the passage of the so-called reorganization plan, the so-called National Emergency Council at that time, which is operating under another alias at the moment, got out what they call the United States Government Manual, and I have the chart in front of me. That sets up the functions of the different agencies of the Government and to whom they are accountable. In that set-up there appears under the lines covering the legislative branch and Congress the General Accounting Office. That is on the chart that appears on the first page of that publication.

After this so-called reorganization law was passed last year, they got up another United States Government Manual, in October 1939. I have it here. In that document appears another chart, on page 467, and there appears the set-up of the legislative, executive, and judicial branches. There the General Accounting Office is set up under the President. They got Congress down so that Congress had nothing to it except the Senate and the House and the Architect of the Capitol.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield right there?

Mr. TABER. I yield.

Mr. REES of Kansas. Can the gentleman tell the Members of this House how in the world the Executive got authority to transfer this General Accounting Office over under the executive department, according to that document, rather than to have it remain where it was?

Mr. TABER. Well, that is an item of propaganda that this so-called office of Government reports is putting out—to build up the impression amongst the people and amongst the Congress that the General Accounting Office is set up not as an agent of the Congress, but as the agent of the Executive.

The planning of this Office of Government Reports came largely through the direction and operation of one Louis Brownlow, who was chairman of this so-called outfit. This Louis Brownlow has a great lot of organizations. I am going to put them in the Record in detail. Charles Merriam, a professor who formerly served at the Chicago University, is a member of this National Resources Board and one of the moving spirits behind it. He is the head of the Spellman Foundation, which has contributed, in the last 6 or 7 years, a total of \$3,953,000 to these different Brownlow outfits. The Spellman Foundation was one of the outfits that Mr. Rockefeller set up in his lifetime. In some of these outfits Mr.

Brownlow and, as I understand it, Professor Merriam, are employed. Professor Merriam, you know, is head of the Spellman outfit.

I do not criticize Mr. Rockefeller. I do not think he knew anything about this attempt that was being made by Mr. Brownlow and that set-up to break down the fundamental guarantees that the Congress has set up to protect the integrity of the appropriations that it has passed in the Budget and Accounting Act, and in the office of the Comptroller General.

As a result of the recent opposition of the reorganizing of the Federal Government proposed by none other than Charles E. Merriam and Louis Brownlow, the National Resources Plan-

ning Board has been moved directly into the Office of the White House. This is the same Brownlow whose organizations have been given unstinted financial support by the Spellman fund, of which Merriam is chairman. With few exceptions, the annual report of the Spellman fund shows that that organization has been the financial support of the Brownlow affiliated groups for years. One might conclude that the sole, or main, purpose is to supply financial lifeblood of the Brownlow units.

The following table presents figuratively the distribution of Spellman funds to the big 12 engaged in municipal administration:

Recipient	1929-30	1931	1932	1933	1934	1935	1936	1937	1938	1939
American Municipal Association.....	\$2,500	\$94,750	\$5,000	\$10,000	\$25,500	\$120,000	\$97,000	\$101,500	\$52,500	\$508,750
American Public Welfare Association.....			108,500			55,000	57,000	92,500	67,500	380,500
American Public Works Association.....						5,000	39,500	17,000		56,500
American Society Planning Officials.....					40,000	40,000	44,000		57,500	146,500
Civil Service Assembly.....					62,500	161,500	15,200	93,050		210,750
Council State Governments.....						41,000	42,000	135,000		338,500
International City Managers Association.....	29,000		72,000		19,000		21,000	36,000	20,000	209,000
Municipal Finance Officers Association.....			52,750	58,000			90,000		66,000	280,750
National Association Assessing Officials.....					15,000	70,000	33,500		39,000	87,500
National Association Housing Officers.....				30,000			7,750	40,000	10,000	157,750
Public Administration Clearing House.....		1,003,000		56,750	55,000	95,000	42,500	165,500	72,000	1,484,750
Public Administration Service.....					35,000		25,000		52,000	112,000
Total.....	31,000	1,097,750	238,250	154,750	252,000	587,500	514,450	675,550	436,500	3,953,250

¹ Of this amount, \$503,000 represents stock in the United States Daily.

I do realize that both of these organizations are a menace to the welfare of the American people, and they are a menace to constitutional government. I feel that the Subcommittee on Independent Offices and the Appropriations Committee are to be complimented in having cut out all appropriations for the National Resources Board and the Office of Government Reports.

This Government Manual that is gotten out has hardly a thing in it that is not in the regular Congressional Directory published by the Congress twice every session and which gives everyone the needed information that they ought to have to find out what is going on, and which sets up those things properly and as they ought to be set up. I hope that the Congress will have in mind as they approach this problem and as questions are presented to it the absolutely destructive character of these outfits and of the way they are operating, and that they will not allow these two destructive outfits to be placed upon the pay roll of the United States Government after the 1st of July next.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. TABER. I will.

Mr. MAY. I notice in the newspapers this morning, or yesterday, a report to the effect that two of the agencies the gentleman is talking about had been eliminated from consideration for appropriation due to the fact that there was no legislative authority for their existence. Are these the two groups?

Mr. TABER. These are the outfits.

Mr. MAY. Furthermore, I understand that we are going to be asked to enact legislation to legitimize them and authorize them so you can appropriate for them. If this is coming up, I believe the House ought to begin thinking about whether they ought to create additional agencies.

Mr. TABER. That is why I am here now, because I want the House to know something of the background. Under permission that has been granted to me I am going to insert considerable detail with reference to this set-up because I want the Congress to begin thinking about how subversive they are and how destructive they are to the powers of this Congress. Let me say to you that the minute the Congress gives up its control over the appropriating power and over the auditing done by the Comptroller General that that minute the liberties of the American people are gone; and any tendency by propaganda or otherwise to bring about that idea in the minds of the people must be stopped.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. CRAWFORD. Is this the first cut by the Appropriations Committee that has been applied against some particular project which the President himself desires to keep going?

Mr. TABER. I would not say that. I believe the Appropriations Committee a great many times has attempted to cut projects that it did not believe should be carried on.

Mr. CRAWFORD. The gentleman misunderstands me. I meant in this current session of Congress.

Mr. TABER. This, of course, is the first regular appropriation bill of the session. These things are not authorized by law; and the committee, I understand, felt that they should bring no appropriations in here for outfits that were not authorized by law.

Mr. CRAWFORD. If this is a proposition which has not been legislatively approved, we will say, and is one of the pet projects of the President, and he is going to take this attitude with reference to reductions in expenditures which the committee attempts to make, then what should he expect Members of the House and the citizens of the country to take as their attitude on projects they themselves want continued—projects which have been more or less legislatively approved? It seems to me the President is setting an example here for the whole Congress to follow; that is, cut everything except my particular projects, but do not cut my projects, whether they are legitimate or otherwise; I am going to insist that money be spent to keep my particular projects going.

Mr. TABER. That statement pretty thoroughly describes the attitude that the President is taking.

I say to the President and to the Congress that it is absolutely impossible to cut this Budget down where it belongs unless there be cooperation on the part of everyone in doing away with the things the country does not need and that Congress does not need. We have got to cut out all of those superfluous activities that get us into trouble. Unless we do it we are never going to bring the organization of the Federal Government into such situation that we can raise taxes enough to support it.

Mr. CRAWFORD. I would like to make this observation, if the gentleman will permit.

Mr. TABER. Yes.

Mr. CRAWFORD. I agree with his statement and wish to say that I have no pet project of any kind which I want protected insofar as this Budget is concerned, and I shall be pleased to go along with him.

With reference to the National Resources Board, I ask whether the operation of the National Resources Board is not of such nature that it tends to promote a demand for those projects which have been more or less described as self-liquidating projects, but which call for great appropriations?

Mr. TABER. It is not confined to self-liquidating projects.

Mr. CRAWFORD. I did not intend so to confine it.

Mr. TABER. Nor is it confined to allegedly self-liquidating projects; it goes way beyond that scope, and goes even beyond the wildest dreams of the biggest spenders of Congress.

Mr. CRAWFORD. One other question with reference to the two publications which the gentleman has called to our attention. From a utility standpoint, it seems to me that the first publication—that is, the loose-leaf publication—is much more informative and more adaptable to one's needs, if one is going to use either of the publications, than is the latter. I understand the former publication, the loose-leaf publication, has been discontinued and that the red book has been substituted for it.

Mr. TABER. The reason is that they have changed their theory and they want to advertise something that is not so in fact, that the Comptroller General's office is the agency of the Executive. This is not true.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. MAY. I am interested very much in the question of the General Accounting Office. I understood the gentleman to say—and I hope I did not misunderstand him—that by reason of the reorganization bill the General Accounting Office has now been put under the Executive instead of under Congress.

[Here the gavel fell.]

Mr. CASE of South Dakota. Mr. Chairman, I yield the gentleman from New York 2 additional minutes.

Mr. TABER. I did not mean to say that; I meant to say that after the passage of the reorganization bill they changed this Government Manual and their chart to place the Comptroller General's office under the Executive instead of under the Congress and legislative branch where it belongs.

Mr. MAY. In other words, there has been no Executive order attempting to change it.

Mr. TABER. Oh, no; there could not be.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. COCHRAN. The Comptroller General's office is an independent agency?

Mr. TABER. Absolutely.

Mr. COCHRAN. It does not belong under the Congress, then?

Mr. TABER. On the other hand, it is supposed to be, as the gentleman from Missouri so well said in questions to Mr. Gulick, an agency of the Congress.

Mr. COCHRAN. It is more closely related to the Congress than any other Government agency.

Mr. TABER. It is required to perform certain functions for the Congress on the request of the Congress.

Mr. CRAWFORD. Do I understand, then, that the published organization charts lead the people who use these manuals to believe that the General Accounting Office is directly responsible to the Chief Executive and an agency of the executive branch of our Government?

Mr. TABER. That is what this document put out by the Office of Government Reports attempts to do.

[Here the gavel fell.]

Mr. FITZPATRICK. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. RAMSPECK].

Mr. RAMSPECK. Mr. Chairman, this week we are celebrating throughout the country the fifty-seventh anniversary

of the enactment of the civil-service law, which became effective on January 16, 1883. This act has remained on the statute books with no radical changes during this entire period of 57 years. It confers upon the Commission, composed of three persons appointed by the President and confirmed by the Senate, authority to make rules and regulations, to be approved by the President, dealing with the personnel problems of our Federal Government to the extent that the act covers this problem.

There are many misconceptions about the civil service. Many of the failures of administrators in the executive department and many of the happenings there which bring complaint to Members of Congress are blamed upon the civil service without reason, and, in fact, many are matters over which the Civil Service Commission has no authority and is helpless to remedy. We had here on the floor the other day a complaint from one of our colleagues from Tennessee with reference to a thing that happened to him; but that was not an agency covered by the civil service. I speak of that, not for the purpose of getting into any discussion about that particular incident but to show that many of the complaints which come to Members of Congress and many of the irritations they suffer arise in agencies that civil service has nothing to do with and whose employees are selected without regard to the Civil Service Act. There is an erroneous opinion that civil-service employees have life tenure of office.

Nothing could be farther from the truth. Recently one of the Cabinet officers complained of a "clique of civil-service" employees interfering with the operation of the Bureau of Mines and said he could not discharge them without giving them a trial. He simply did not know the civil-service law, or its rules and regulations, because all he had to do, if any employee under civil service had been insubordinate or had failed in any respect to discharge his duties satisfactorily, was to give the employee the charges in writing, give him a reasonable time in which to reply, and then discharge that employee. The employee has no right of trial, he has no place to appeal, and the Cabinet officer is the judge, jury, and "executioner," as one of our circuit courts recently stated with regard to one of the agencies of our Government. As a matter of fact, it is oftentimes easier to discharge a civil-service employee for just cause than it is to discharge a patronage employee who has strong political backing.

What I want to do here this afternoon is to call the attention of the Members of Congress to the vast proportions to which our personnel problem in the Federal service and throughout the Nation has grown. When the act was originally passed in 1883, it covered less than 25,000 employees. Today we have in the Federal service more than 900,000 civil employees and the pay roll amounts to approximately one and one-half billion dollars annually. It is the largest single item in the normal cost of operating the Federal Government, and I state without fear of contradiction that the payment for personnel services of public employees takes up the largest single proportion of the tax dollar in not only the Federal Government but in State and local governments as well.

Today we have more than 640,000 Federal employees under the civil-service law. It is the largest number that has ever been covered by the merit system, although the percentage of the total number of employees in the Government service today covered by the act is less than it was 7 or 8 years ago, due to the fact that we have created numerous agencies and provided by law that the employees shall be appointed without regard to the civil service.

There is one thing I want to point out about the present number of Federal employees. On November 11, 1918, during the World War we had 918,000 civil employees, which at that time amounted to nine-tenths percent of the total population, and while we have as many employees as that today in the Federal service it amounts to only six-tenths percent of the population of the United States. So, as a matter of fact, while we have largely increased the personnel of the Federal Government, we have not increased the number of

employees in proportion to the increase in population of the United States.

The total public servants of this country, National, State, and local now comprise over three and one-half million persons, and the total annual pay roll is in excess of \$5,000,000,000. In a period of 6 years the number of public employees in the United States has increased over 16 percent and the total pay roll by almost 25 percent. In State and local governments the appropriations for personnel services make up from 30 to 50 percent of the annual budgets. Yet, only 16 of the 48 States operate under a civil-service law, while in some of these having civil-service laws on paper the merit system takes on more of form than of substance.

I am giving you these figures as to the large proportions to which the problem of public-employee administration has grown in the hope that in the future we may take a deeper interest in the proper selection of, and the proper plans for, promotion, transfer, and training of Federal employees. To my mind, the largest and most important single problem we have in the Federal service is how to select and how to deal with the more than 900,000 employees who today are administering the acts which Congress has passed.

You can pass the finest law the mind of man or woman can conceive, but if you turn over the administration of that act to incompetent, inefficient, or prejudiced or biased personnel, you are going to have rotten administration, and you will not get satisfactory results from the administration of the law. We hear a great deal of complaint these days about the administration of the National Labor Relations Act. My judgment—and my judgment is based upon a careful study of many of the cases that have come before that Board, and it is also based upon hearings covering a period of 12 weeks before the Committee on Labor—leads me to believe that 95 percent of the trouble with the National Labor Relations Act can be traced directly to personnel that were improperly selected, without adequate experience in the field in which they were to operate, and to the fact that in many instances they had preconceived ideas on how the act should be applied and what it should contain.

We are faced here today with a bill appropriating money for the Civil Service Commission and for certain other activities connected with this personnel problem. The subcommittee handling this bill has seen fit to deduct from the Budget estimates approximately \$295,000. I am not here to criticize their action. I presume they did what they thought was right and proper. I am glad they gave the Commission an increase over the appropriation for last year, because it is a fact that the Civil Service Commission is faced with an unprecedented load of work due to the large number of applications for positions that they receive when examinations are announced. For instance, in the fiscal year 1932 applications received totaled 221,494, whereas in the fiscal year 1939 the applications numbered 718,178.

The Commission cannot do a good job, it cannot give satisfaction to the operating agencies of the Government, and it cannot be satisfactory to the Members of Congress, unless it has adequate finances and can have a staff equal to the work load which they face. Therefore, I am glad to see the committee give them an increase. I am sorry the committee did not see fit to give them the balance of what the Budget recommended, which related primarily to the personnel set-up which the President initiated in his Executive order of June 1938.

In the early days of this country we had a government devoted primarily to the protection of person and property. Today we have a government that is what you might call an administrative state. We have set up literally hundreds of new activities for the Federal government and dozens and dozens of new agencies whose duties are as foreign to the original concept of this Government as it existed more than 100 years ago as anything possibly could be.

They are not dealing with questions of property or the protection of life. They are rendering a direct service. Con-

sider the Interstate Commerce Commission, the Federal Trade Commission, the Securities and Exchange Commission, and the Social Security Board. You find there new activities for which we must have trained and expert personnel, and we do not find that any outside agency sufficiently trains these persons to enable them to perform these new activities, the parallels of which do not exist in private employment. Therefore, many of the agencies have found it necessary to spend money on training employees after they have come into the Government employment. They have been doing that for several years.

The President visualized a personnel set-up with a Council on Personnel Administration for the purpose of drawing the personnel officers together for consultation in order that they might study the best plans in use in each agency for handling and training personnel, and in order that they might take the best plans, those that have been found most successful in a given agency, and apply them throughout the Government service on a uniform basis. Another thing this Council on Personnel Administration is doing is studying the problem of handling the grievances of employees and adjusting them without any expensive set-up and making the adjustment of them a uniform practice in all the agencies.

It was intended to set up what we call "in-service training," that is, training on the job, but I think unfortunately much misapprehension has arisen in the minds of the members of the Committee on Appropriations as to what was intended by the "in-service training" program. It is not proposed that they should go out and hire school teachers to come in and train Federal employees, but it was proposed and intended that employees working for the Government should receive training so that they might perform a better job in the occupation in which they were engaged, and so that they might be prepared for larger responsibilities in order that we might make the civil service more of a career service, so we might develop more men like Daniel W. Bell, who entered the Government service as a \$700 a year clerk, and is now Under Secretary of the Treasury, and who is recognized by everyone who has had occasion to come in contact with him as one of the best qualified employees in the Federal service; in order that we might develop more men like William H. McReynolds, who is now one of the secretaries to the President, dealing with personnel matters; and in order that we might develop more men like E. K. Burlew, of the Department of the Interior.

[Here the gavel fell.]

Mr. FITZPATRICK. Mr. Chairman, I yield 3 additional minutes to the gentleman from Georgia.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from Kansas.

Mr. REES of Kansas. The gentleman called attention to the fact that the increase had been cut down by the Committee on Appropriations. As a matter of fact, they have made funds available to the extent of approximately \$1,300,000 more than before, have they not?

Mr. RAMSPECK. As I understand, they have given them an increase of about \$750,000 as compared with previous appropriations.

Mr. REES of Kansas. The gentleman called attention to the number of Federal employees during the World War, when Federal employment hit a peak of 918,000. Did not this number decrease during the years until about 6 or 7 years ago?

Mr. RAMSPECK. That is true, the number did go down for several years, but it started up before this administration came in office.

Mr. REES of Kansas. Tell us how many employees have been added since this administration came into power.

Mr. RAMSPECK. Several hundred thousand employees have been added.

Mr. REES of Kansas. That is correct.

Mr. RAMSPECK. Many of them have been outside the civil service. But we have also rendered a great deal more service to the people, I may say to the gentleman from Kansas, than did the previous administration.

Mr. REES of Kansas. The percentage of employees who are now under civil service is lower than it has been through the years.

Mr. RAMSPECK. I stated that, but I also made the statement, which the gentleman has overlooked, that we have more actual employees under civil service today than at any time in the history of the Government. We have not reduced the number in the civil service. We have created a lot of new ones outside, I will admit, and I am sorry that was done, but it was done by the Congress.

Mr. REES of Kansas. How many employees have been put in the civil service by the blanketing system during the last 2 or 3 years?

Mr. RAMSPECK. There has been none put in by blanketing. They had to take a noncompetitive examination. The gentleman's own party always blanketed them in without any examination at all, with one exception, as the records will show.

Mr. REES of Kansas. But the present Executive, during the last few years, has put something like 100,000 under civil service.

Mr. RAMSPECK. Yes; and I commend the President for that action, and I wish he could put the rest of them under civil service, but the Congress would have to give him that authority.

Mr. REES of Kansas. The gentleman would be in favor of putting them in without competitive examination?

Mr. RAMSPECK. Yes; without competitive examination, but with a noncompetitive examination, which is more than was done by the Republican administration which preceded this one.

Mr. REES of Kansas. Then the gentleman favors putting the rest of them under civil service without competitive examination; is that it?

Mr. RAMSPECK. Personally, if I could pass it, I would like to have competitive examinations, as the gentleman knows, being a member of my committee, but we cannot pass that sort of bill, and I would rather have them put in by noncompetitive examinations than to leave them out and have them subject to political handling.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield to my colleague on the committee from Massachusetts.

Mrs. ROGERS of Massachusetts. The gentleman stated that the Republican administration always blanketed these people in without any examination. In the case of the inspectors on the Mexican border there was a provision for a noncompetitive test. Of course, the gentleman will recall that in the case of the prohibition unit there were noncompetitive examinations.

Mr. RAMSPECK. That was the one exception.

Mrs. ROGERS of Massachusetts. The gentleman will find there were other exceptions.

Mr. RAMSPECK. There was a reason for that. The agency had become such a stench in the nostrils of good government that they put the burden on the civil service of eliminating those that had to be thrown out, and it developed that about half of them had criminal records and were barred from taking the examination.

Mrs. ROGERS of Massachusetts. I think if the gentleman will examine the matter carefully today he will find certain postmasters and others now in the service that had been dishonest.

Mr. RAMSPECK. Of course, in 900,000 people you will find some, perhaps, who are dishonest, but I think the record of the postmasters under this administration has certainly never been equalled by those of any other administration. [Applause.]

Mr. Chairman, under the authority granted me to extend my remarks, I include the following excerpt from an article written by Ralph E. Turner, who is connected with the Social Security Board:

THE NEED FOR TRAINING

The need for the training of Government employees does not arise so much from their inability to perform the jobs to which they may be assigned as it does from the types of jobs which today constitute more and more the burden of Government work.

IN THE POLICE STATE

In ancient states government was mainly an instrument of exploitation, the institutional means of transferring wealth from groups not possessing political power to a group exercising political control through military dominance. In exploitive states the essential tasks of government were performed by arbitrary action supported by violence. Military training was the chief preparation for this kind of work. In modern western states, although the exploitive function has disappeared slowly, the chief task of government has been to protect wealth acquired in the competitive economy and to arbitrate the conflicting claims of individuals engaged in economic competition. In these passive policemen or arbitral states, governmental action has been mainly legalistic in character; it has consisted of the judicial determination of right claims to wealth and the executive enforcement of such claims. The correlative circumstance was the policy of laissez faire, which denied the right of government to interfere in the competitive economic processes. Traditional attitudes surviving from these antecedent political organizations may obscure the conditions which are now important for the training of Government employees just as they confuse much thinking about governmental institutions and policies.

IN THE ADMINISTRATIVE STATE

The functions of government today have their origin in the cultural change which may be summarily described in phrases such as "the rise of democracy," "the advancement of science," "the elaboration of technology," and "the growth of social interdependence." In general the effect of these developments has been to expand the administrative action of government, indeed, to create the administrative state, which acts through the continuous performance of tasks that constitute services to the people. Clearly it is hardly possible to make science or technology function as services in the lives of persons merely by military, or judicial, or legislative action. Such actions may be required to support these services, but by themselves they cannot give the services which originated in science, or technology, or social cooperation, or any combination of the new developments. Social services can be instrumented only by administrative actions. Further, in addition to raising administrative action to a new prominence in government, these cultural advances have multiplied and are likely to increase further the kinds of services to be rendered through administrative action. The administrative state is still young and, therefore, growing.

From this circumstance arises the need for training of governmental employees: They must understand the types of services rendered by governmental action, the conditions which have led the people by democratic decision to establish the services, and the variety of actions which will give these services. Inasmuch as most of the services are new, there are no traditions to guide those individuals who are assigned to perform them; and although the general education of those assigned to perform them may be excellent, it has not equipped them for the performance of the particular acts which will give the services. Only by training which makes clear the significance of a particular job in the rendering of a service to the people and brings into the performance of the job that knowledge and those techniques which will give the service a quality as high as possible can the employee assigned to its function be brought to the proper efficiency. The employee requires orientation toward the social world where his job has significance in a concrete service and direction in the application of the knowledge which gives the service. Since neither traditional attitudes nor general education provides this orientation and this application, these results must be accomplished by training.

There recently appeared in the Washington Star the following recital relative to Daniel W. Bell, written by Raymond P. Brandt:

Until Daniel Wafena Bell, of Kinderhook, Ill., was promoted to the Under Secretaryship of the Treasury, the position had been filled by ambitious and comparatively young men who qualified politically under the Hamiltonian tradition of government by being "rich, well born, and able," whether they were Democrats or Republicans.

Mr. Bell, now No. 1 man in the classified civil service, is a different type of public official. During the last 28 years he has risen from a \$700-a-year clerkship to the second highest office in the Treasury Department. He is a "career man" who has dedicated his life and his talents to the Government. He says he would rather have a \$15,000-a-year Government salary than a \$75,000-a-year business salary in New York.

Of his nine predecessors in the office of Under Secretary, five were graduates of Harvard College or the Harvard Law School, two were

graduates of Yale, one of Dartmouth, and one had been a student at Cornell. Two were elevated to the Secretaryship of the Treasury, one, the late S. Parker Gilbert, became a partner of J. P. Morgan & Co., and the remainder won substantial success in law or business.

EXPECTS TO STAY IN SERVICE

In 1911, when Mr. Bell was 20 years old, he arrived in Washington with a diploma from the Gem City Business College of Quincy, Ill., which certified to whom it might concern that he had completed the "full commercial" course, including bookkeeping, shorthand, and typing. He also had passed the civil-service examinations for clerk and bookkeeper. While in the Treasury Department he obtained a law degree from the National University and a degree of bachelor of commercial science from Southeastern University, where he specialized in higher mathematics. He expects to stay in Government work and if the Under Secretaryship reverts to its customary political status, he will return to a classified civil service position in the Treasury.

To the hundreds of thousands of employees in Federal, State, and municipal Governments who have been encouraged to believe in the merit system, Mr. Bell's recent promotion is a noteworthy—and needed—demonstration that the civil service offers outstanding careers to industrious, ambitious, and intelligent young persons. It also draws attention to some of the glaring deficiencies of the present law and the need of greater and more permanent incentives in the form of higher salaries and larger retirement benefits.

Mr. Bell's rise to high governmental position by the hard way of continuous work is not unprecedented. Elbert K. Burlaw, who entered Government service in 1910, is now First Assistant Secretary of the Interior; William H. McReynolds, formerly of the Treasury Department, who entered the Post Office Department in 1906, is an administrative assistant to the President; George S. Messersmith, who started as American consul at Fort Erie, Canada, in 1914, was recently named American Ambassador to Cuba after serving as an Assistant Secretary of State; Wilbur J. Carr, former Assistant Secretary of State and Minister to Czechoslovakia, started his public service as a clerk in the State Department in 1892, and the late Alvey A. Adee became Second Assistant Secretary of State during a half century of service.

AN "INDEPENDENT" VOTER

When Mr. Bell's appointment was proudly announced at a press conference by President Roosevelt before Congress had convened, reporters, knowing the past political implications of the Under Secretaryship, tried to find out if he was a Democrat or Republican. He is an "independent" voter and is so registered in Illinois, where he has regularly voted. Not one of his ballots, he says, has been unscratched.

Mr. Bell regards his present post as one which will give him his greatest opportunity for service to the Government and the classified personnel. He knows the machinery of Federal Government as few other men have ever known it. He has rejected business offers of three to five times his present \$10,000 salary, because he believes that by staying in the Government service he can raise the standards and increase the security of his fellow workers, thousands of whom he knows by name and by their accomplishments.

When he was commissioner of accounts and deposits, a position sometimes called the "greatest bookkeeping job in the Nation," he refused to accept President Roosevelt's proffered appointment to the directorship of the Budget, although his compensation would have increased from \$8,500 to \$10,000 a year. His reason was simple and sincere. He did not want to lose his civil-service status by taking what was essentially a political appointment. He became Acting Budget Director and continued supervising the work of the Division of Accounts and Deposits. As Acting Director he completely reorganized and enlarged the Bureau of the Budget to give it direct and intimate insight into the workings of all the executive departments of the Government. With this task almost completed, he turned his organization over to Budget Director Harold D. Smith, who is carrying out his detailed plans. Without losing his civil-service status, he became an assistant to Secretary Morgenthau, and he would not take the Under Secretaryship until he had been assured that his promotion did not jeopardize the classified standing for which he had worked for more than 25 years.

SEES SALARIES RISE

Mr. Bell has seen improvements in the civil service during his stay in Washington, and he believes other great changes are coming. "For instance," he explains, "I came to Washington to a job paying \$700 a year. That same beginner's position today pays at least \$1,440. In those days even civil-service positions were greatly affected by changes in politics. When one administration went out, division chiefs were demoted to mere clerks and clerks were promoted to division chiefs. Thousands of lesser employees were let out to make places for political appointees. When the other party was returned to power, the shifts were reversed.

"Within the last 10 or 12 years only the top positions have been affected. Promotions have been made on merit. Salaries have been increased so there is less temptation for valuable men to take higher-paying business positions. Some of the very best men were lost annually that way.

"But there is still waste and insecurity because of politics. In this department there is every reason why deputy collectors of internal revenue should be given permanent civil-service standing.

As it is now, we spend 4 to 8 years training these men and women, and when a new administration comes in out they go, with all their experience."

AGREES WITH PRESIDENT'S PLAN

Mr. Bell is in hearty accord with President Roosevelt's recommendations to Congress to raise the limits of classified compensation from the present \$10,000 to a figure which will insure the retention of the relatively small number of highly trained men who hold positions of great responsibility. He likewise believes that eventually the pensions on retirement will be increased. In his own case he can retire under the present law when he is 68 years old, after 48 years' service, on a pension of \$1,600 a year, to which he has made a 50 percent contribution. Any large financial establishment wanting to get an executive of Mr. Bell's ability could well afford to buy an annuity for triple this amount if it wanted to lure a highly trained person from the Government service.

When the President announced Mr. Bell's promotion, his immediate predecessor, John W. Hanes, urged Congress to make the position of Under Secretary permanent so long as it is held by the incoming Under Secretary.

Perhaps Mr. Bell's friend, Chairman PAT HARRISON, of the Senate Finance Committee, will sponsor such legislation. But Mr. Bell and others intensely interested in the civil service are expecting that the White House Commission, headed by Justice Stanley Reed, of the Supreme Court, will soon recommend that in every executive department now headed by a political appointee, the position of permanent under secretary be created, to be held by a nonpolitical civil servant who will serve through all administrations, as is now the general practice in the British Government. These permanent under secretaries would insure a continuity of Federal policy which is now lacking. The Reed commission also is expected to support the President's recommendations for higher top-bracket civil-service compensation and more equitable retirement benefits.

Mr. Bell's career is a model of how an industrious, ambitious, and intelligent young man without political pull can attain one of these high positions.

His father was a farmer and thrasher-machine owner, who later became a carpenter after he moved to the town of Kinderhook, with its population of 300. Daniel was the oldest son and the third child in a family of six children. None of his family, he says, had any inclination toward figures and he took the "full commercial course" at the Gem City Business College in nearby Quincy because he wanted to go west with a little business training. He earned the money for his schooling by working on the railroads and in the ice-cream parlor at Kinderhook.

GOT \$100 INCREASE

His first assignment was that of bookkeeper and clerk in the office of the Treasurer of the United States. The next year he was transferred to the office of the supervising architect at an increase of \$100 a year.

The President and Mr. Morgenthau lost no opportunity to praise and advance this nonpolitical Government official. In 1935 it was found that he could be appointed an assistant to the Secretary at \$10,000 a year and retain his civil-service classification. This was done, and he continued to act as Director of the Budget. After he had completed plans for reorganizing this Bureau and Mr. Smith was appointed Director, Mr. Bell was put in charge of the Department's fiscal operations and acted as a liaison officer between the Treasury and other branches of the Government.

Until he became Acting Budget Director Mr. Bell was not well known outside the Treasury Department. He was so self-effacing that he would not allow reporters to quote him even when he merely explained the daily Treasury statement for their benefit. With each increase of responsibility he has grown in confidence and praise, but he has retained the modesty and industry that have marked his career since he left Kinderhook.

There is herewith included an article written by Alfred Friendly, which recently appeared in the Washington Star:

Fifty-seven years ago Tuesday the Nation decided that there was a better way to choose its public servants than by appointing the ward heelers, friends, and family of the victorious political party. It sealed that decision by securing the passage of the Pendleton Act, organic law which set up the present civil-service system.

Beginning today, a week-long celebration is in order for the anniversary of that legislation. And lest anyone claim that a week is too long a time to celebrate a single birthday party, let it be noted that the celebrant is an organization of more than 600,000 persons entitled at least to 7 days of jubilation.

Never has a birthday of the Pendleton Act dawned under such encouraging circumstances.

The Ramspeck bill, to bring under civil service the last great group of Government workers now exempt, has the best chance of passage of any time since it was first proposed.

The Civil Service Commission, hopelessly swamped in its necessary work by decades of congressional niggardliness, has an estimate on Capitol Hill for \$1,000,000 more for its running expenses next year.

The Council of Personnel Administration, conceded to be a fine idea in theory, is living up to its expectation in practice.

President Roosevelt has named as his adviser on personnel affairs a man who is unchallenged for the title of the most accomplished

administrator in the Federal service and one of the keenest minds on personnel problems.

A Nation-wide resurgence of interest and support for the merit system has made its appearance.

MANY FORESEE DIFFICULTIES

Despite these encouraging auspices, the fifty-eighth year of the civil-service system may be one of the most difficult in its history.

It comes at a time of transition, when the negative aspects of the merit system battle—the fight against the spoilsman—are being converted into an even more difficult warfare—the establishment of a positive program to obtain for the Government and keep in its service the Nation's finest talent and capabilities.

There are many, however, who believe that much remains to be accomplished in putting the civil-service system on the right track. Sincere believers in merit rather than spoils, ardently interested in the problem of Government personnel, they are outspoken in criticism of the status quo and view the future through smoked glasses.

The basis of their argument—and it can be heard in a dozen different offices of a score of Federal agencies—is that the merit system advocates are still fighting a battle that has already been won. In other words, lances are still being raised against the evils of the spoils system, when the 57-year-old knight should be charging against a different citadel.

This, in brief, is the argument:

POLITICAL SPOILSMAN NO LONGER A TARGET

For all practical purposes, the spoilsman is dead. The Post Office Department, of course, still sends up to Capitol Hill the names of postmaster candidates for political clearance. One-third, approximately, of all Federal positions, including most of the top-ranking ones, are not under the competitive classified system. Now and again political pressure is exerted in the civil service itself.

But these situations are not nearly as serious as the weight in numbers would indicate. The fact is that, generally speaking, the political boss no longer stacks the Federal pay rolls. Federal Government jobs are no longer political booty in anything like the degree they were 60, 30, or even 10 years ago. Congressmen and political committees still try to place their ward heelers on the Federal pay roll, and still meet with some success. But the writing is on the wall and the momentum of merit-system support is not to be withstood. The era of "to victor belong the spoils" is in its twilight stages, and nothing can stop the coming of night.

According to the critics, the trouble is that few knives are being sharpened for the new battle—converting the civil-service system into a merit system under which the political hack is not merely barred from a Federal job but the best man among all others is actually chosen for it.

It is admitted that the trouble does not lie exclusively with the Civil Service Commission. It simply has never been given a chance to do anything but battle the spoilsman and make routine efforts to get nonpolitical personnel for the Government.

In this case the root of the evil is lack of money. The majority of Congress has not yet progressed to the stage of liking the agency which rotted the plums on its tree. It has therefore never given the Commission adequate funds. And the rest of the Government has, in the past, not fought with any noticeable valiance arm and arm along with the Commission.

The Commission's annual report, released a few days ago, told the story. In a nutshell, it is that the Commission is from 6 months to a year in arrears on its regular work of examining, investigating, grading, and hearing appeals. Snowed under with the deluge of its necessary routine work, it has had little time, and certainly no money, to take the steps necessary toward a positive personnel policy, toward fulfilling the function of a central recruiting and personnel agency, determined to get the best man into the Government service and develop his capabilities to the utmost.

On the other hand, it is not difficult to find those who have much to criticize in the Commission itself.

Their bill of particulars includes the charges that the Commission conceives of itself as the sole guardian of the merit system; that it is temperamentally inclined to view any suggestion for a change in procedure made by an outsider as an encroachment on its domain; that anyone who disagrees with the Commission's methods is a spoilsman, not honestly interested in the merit system.

The fact is, some honest merit system advocates insist, that the Commission has yet to develop a satisfactory examination method to select the most competent people for key executive, administrative, and nonscientific professional positions. Be it said, however, it is finally beginning to take promising experimental steps in this direction.

Nor has the Commission ever seriously attempted a thoroughgoing recruiting campaign. Its present policy of sending announcements of examinations to the press and posting them on post-office bulletin boards is admittedly less than adequate.

MUST COMPETE WITH PRIVATE INDUSTRY

The Commission is accused of showing professional jealousy in the framing and holding of its examinations, declining more often than not to let the agency for which the candidates are being examined have an adequate part in the whole procedure, from framing the questions to judging the results.

Finally, and this is the bitterest as well as the commonest complaint, the Commission has been too prone to consider itself a

governmental Calpurnia, above reproach, and to answer criticism by the convenient method of ducking the issue and charging that the critic is a spoilsman.

Some other obvious difficulties in the year ahead:

With increasing improvement in national economic conditions, Government salaries will become steadily less alluring to qualified job hunters. The Government will have more and more difficulty in meeting the competition of private industry for the best lawyers, engineers, scientists, and administrators. A Government salary, in depression relatively high, so that it attracts the best man, induces only the second or third best in times of prosperity.

Increased emphasis on a national defense program is liable to result in neglect, both in thought and in money, to the Federal civil personnel picture.

Even with the addition of \$10,000,000 to the Civil Service Commission's budget, it cannot possibly come abreast of its arrearages, meet new demands of the limited national emergency and still speed up its regular procedure to the point of ending widespread criticism by Government administrators that the civil service system is too slow to be practical. This feeling, as the commission is the first to admit, grows into a vicious circle, eventually resulting in a general condemnation of the merit system itself, and its steady sabotage.

This may, or may not, be the picture of the debit side of the ledger. On the credit side, however, there is no room for doubt.

It is a fact that the fifty-seventh year of the Federal Civil Service was one of the most successful in its history, and its fifty-eighth dawns with promising potentialities.

Here are a few of the tangible, important, forward steps taken in the Federal personnel system since this time last year:

President Roosevelt appointed, as his adviser on personnel affairs, William H. McReynolds, whose inaudible drawl hides as wise and knowing a mind and as prodigious an experience in administration and personnel matters as there is in the Government.

The President also appointed a Committee on Civil Service Improvement, consisting of seven sage and unbiased authorities, to give the merit system a much-needed overhauling "from keel to truck." Their report, expected within the month, should be a landmark in personnel philosophy.

The President created the Council of Personnel Administration, under the chairmanship of Frederick M. Davenport, to bring together for the first time more than a score of Federal personnel officers to lay out a modern program for employee relations.

The Civil Service Commission itself took the first step last year for a Government-wide program of in-service training and a uniform system of promotions. It also continued earlier tentative efforts to recruit well-trained personnel by "catching them early" with examinations of recent college graduates for junior professional positions. It conceives of these young men and women brought to the Government with a sound academic background as the nucleus of a professional career service.

GRIEVANCE MACHINERY TO BE SET UP

These developments of last year, however, are really just the seeds that promise to flower in the coming 12 months.

For the future, the Federal employee may look forward to the President's Committee report as setting up the basis for an employment system in the higher Federal brackets, comparable in fairness and open competitive characteristics to that which may obtain in the clerical grades, and which, at the same time, will not sacrifice quality at the expense of formula.

In this year also the Government worker may expect the pronouncement of a uniform, Government-wide departmental machinery for hearing grievances. This program is expected to be announced within a few weeks by the Council and the Commission. There is also a probability that it will be supplemented by a higher appeals court, set up by Congress. Hearings on the matter are expected this session before the House Civil Service Committee.

The first steps in providing a uniform plan for an equitable pay-raise program are expected to be outlined by the Budget Bureau within the next few months.

Further development of promotion-from-within programs and in-service training can be anticipated.

No summary of the civil-service system on its fifty-seventh birthday can be complete without the mention of the civil servants themselves. It is a fact—and will continue to be one—that achievements in improving the merit system have been and will be the direct result of pressure and agitation for them by the employees themselves.

They have been responsible for getting better wages, liberalized retirement provisions, shorter hours, and better working conditions. The eventual achievement of a complete promotion-from-within program, a workable appeals system, and a sound career service will be achieved eventually only because Federal workers will not rest until they have them.

Mr. CASE of South Dakota. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Chairman, it seems to me as we approach these matters of appropriations we do more or less as I am doing right now as I hold this sheet too close to my eyes, and that is getting our problems right up too close

to our noses rather than getting them back away from us where we can read; where we can see what the problem really is. As I thumb through the pages of this bill, H. R. 7922, I ask myself the question, which no doubt many of you have asked yourselves, What benefit to the general public of the United States, our taxpayers, are a lot of these commissions, or what benefit are they to any of us, and why should we continue to spend these millions of dollars?

I want to point out two or three of them that I think we could well do without to a large degree, if not entirely, and thus save ourselves considerable millions of tax money. However, that is not the question we are discussing at all, it seems to me. We are not discussing the question of justification for these expenditures, of whether we can do away with these commissions by refusing to make any appropriations; it is, rather, how we can cut down the appropriations a few dollars, whereas we should be saving the whole sums in many cases.

Why not cut out a few of these commissions and administrative agencies which have been set up during the last fifty-odd years in this Nation, starting with the great Interstate Commerce Commission? Who of us would miss them, and how much would it affect the general welfare of the Nation?

I understand that in the last 7 years there have been 51 additional administrative agencies established, which are today legislating, interpreting, and determining rules of law and taking away from Congress its powers that were established under the Constitution.

Another matter of detail in connection with this problem of increasing taxation and increasing appropriations every year is that we lose sight of the fact that the Federal Government in appropriating money is only one of some 176,000 similar, if lesser, tax-appropriating or tax-creating and levying bodies throughout the Nation.

In other words, have we not gotten this thing up to the point where it is just too big, too cumbersome, to be practical? Why should we not start tearing this cumbersome thing apart, we, as Members of the House of Representatives, with the idea of getting rid of some of these things, instead of wondering how few dollars we can cut down their requests for appropriations?

As I said a moment ago, as I thumb through this bill I find here several commissions and boards that I believe we could well do without entirely in the economy of this Nation. For instance, here is the Federal Communications Commission asking for an appropriation of \$2,116,340. Here is the Interstate Commerce Commission asking for an appropriation of \$9,058,750. Here is the Tariff Board asking us for an appropriation of \$920,000. Of what benefit are these commissions to any of us or to the people of the United States? What are they doing for the people to justify these expenditures?

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. I am sorry, but I have not the time.

Mr. COCHRAN. But the gentleman asked a question. The gentleman wants to know of what benefit they are.

Mr. ALEXANDER. I will tell the gentleman of what benefit they are. They are of benefit only to the members of the commissions and to the organizations they are set up to protect and promote the welfare of. That is all the benefit they are. They are of no benefit to the citizenry of this country in general, who are paying the taxes and putting up millions of dollars to support them. Of what benefit to us is the Interstate Commerce Commission? It is only of benefit to the railroads.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. No; I cannot yield now. My time is too limited.

Mr. COCHRAN. But the gentleman has asked a question, and I would like to answer it.

Mr. ALEXANDER. I will answer it. Let me read this paragraph which I have here, taken from a recent speech delivered by Joseph B. Eastman, Chairman of the Interstate

Commerce Commission; and I ask the gentleman to carefully mark these lines. I quote Mr. Eastman:

The old purpose of regulation, when it was first instituted, was, I think, protection of the patrons of the railroad.

Sure! Away back in 1887 that was the idea that we had in mind when we set up the Interstate Commerce Commission—protection of the patrons, small-business men, and weaker railroads. I go on and quote Mr. Eastman, as follows:

That has changed. Now the purpose which is practically paramount is the protection of the carriers—the utility.

This is taken from an address by Mr. Eastman before the New England Shippers' Advisory Board at Burlington, Vt., and is reported in Railroad Data, volume 17, No. 20, of December 29, 1939, at page 41.

Mr. BULWINKLE. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. I am sorry, I cannot yield.

Mr. BULWINKLE. I want to ask the gentleman a question.

The CHAIRMAN. The gentleman from Minnesota declines to yield.

Mr. ALEXANDER. I suggest this: If you and I are members of any particular professional or trade organization or commercial body, what do we do? For instance, take the owners of large office buildings, real-estate owners. What do they do? Also other organizations, such as the coal men, labor unions, dentists, and the doctors, and all of the other trade and professional groups.

Have they come here and asked Congress to set up an organization and have they asked for millions of dollars to operate their trade organizations as the railroads and the radio and the other communicating agencies of this Nation have done? No, they have set up their own trade associations, and they have assessed their members for the costs of operating same. In view of the fact just quoted from Chairman Eastman's speech, protection of the carriers being paramount, why not do the same thing in connection with the railroads? We could save over \$9,000,000, a nice saving, by letting the railroads pay the cost of their trade organization, the Interstate Commerce Commission. What good is the Interstate Commerce Commission to anybody except to the railroads? I cannot seem to find that anybody, even some of the railroads, are getting much benefit out of it. If I am to read correctly from this annual report of November 1, 1939, from the Interstate Commerce Commission itself, here is what I find in this interesting document: Here is a 10-year report on debts. The debt in 1928 of the railroads was \$12,303,510,000 and in 1938, last year, under this report, as here recorded, the debt is \$12,373,685,000, including \$733,778,000 of defaulted debts, or an increase of over \$70,000,000 in that indebtedness under the magnificent supervision and control and operation jointly of the Interstate Commerce Commission and high-salaried railroad executives. What do we find with reference to the stock of the railroads? In 1928 the capital stock in the railroads amounted to \$9,722,078,000 and in 1938, 10 years later, the stock issued and outstanding by the railroads amounted to \$9,788,413,000, or an increase of sixty-six-million-odd dollars during that 10-year period instead of paying up and retiring their stock issues. Is there any improvement in the situation of the railroads under the benign operation and influence of this Interstate Commerce Commission? I contend that no benefit is being derived by either the people or by the railroads; but if the railroads want this Interstate Commerce Commission, if these other trade groups want these commissions, why not throw them onto them and let them pay the cost; let them assess themselves the cost and not put the cost of these millions on the general public that has no great interest except incidentally in many of these groups.

As I go into this matter I find we the people have to pay the cost in connection with the Interstate Commerce Commission operation of the railroads. Many of the railroad boys, especially the presidents, are receiving high salaries.

If we are going to pay a commission to operate the railroads, as the I. C. C. is, why pay these railroad executives the high salaries that are being paid to them? I think it would be much better to either do one thing or the other—either have complete Government control or none. If we the people are going to put out money for a Government-supported institution, the Interstate Commerce Commission, to operate the railroads, why not take over the railroads? We could save in that way the dividends to the stockholders which amount, in some cases, according to information I have just received, to \$10 a share, and the average yield on stock, according to information that I have here, was 6.7 percent. For 1938 it was 4.34, according to this I. C. C. report. We could also save in the money we are borrowing for the railroads on this \$12,373,685,000 debt that I just mentioned. They are paying an average of some 5.41 percent for the money they are borrowing, or at least railroad bonds are yielding that percentage of earnings for their holders. We could save a lot of money if we would take over the railroads, for by assuming their debts the Government could borrow the money for much less. As a governmental proposition I understand we are only paying 2.6 percent for the money we are borrowing today. Is it not common sense that we do a few of these things and cut out this tremendous expense for dividends, interest, and salaries which, in the latter case, is duplication? We are paying railroad executives for holding down an easy chair and we are paying the Interstate Commerce Commission to tell them how to hold down that easy chair. Let us get busy on this thing and not look at these things with the book too close to our eyes. Let us say, "What good are these commissions?" and if they are no good to the general public, throw out the entire appropriation. [Applause.]

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Chairman, yesterday during the remarks of the gentleman from Virginia [Mr. WOODRUM], I discussed an appropriation for a building for the General Accounting Office recommended by the Bureau of the Budget. I regret to find myself in disagreement with the committee, but I know that what I have to say now will not be beneficial insofar as this bill is concerned, but I want to tell the Members of the House something in relation to the housing situation that affects the General Accounting Office today.

Their activities are scattered in 15 different places in the District of Columbia. The main office is in the old Pension Building. I do not know who designed the old Pension Building nor why it was designed in such a way, but if it is to be used to house Government agencies, it should be remodeled.

The General Accounting Office is now paying \$169,026 annually for rent. Some of the places rented are old stables and garages, where records are kept. It is costing \$129,400 to maintain the properties that they rent, or a total of \$298,426 annually. The Comptroller General, who is the head of the General Accounting Office, says that as long as the situation now existing prevails it is impossible for him to coordinate the activities of the Office or to increase the efficiency of the personnel. The fact that the offices are scattered all over the city of Washington means additional expense for personnel; also the work is slowed up.

Every claim filed against the Government in courts, in departments, and by individuals must be answered by the records of the Government in possession of the General Accounting Office. The records of the General Accounting Office can never be placed in The Archives Building, because they are being used from day to day. Claims a hundred years old are almost a weekly occurrence. Now, just imagine what will happen if those records are destroyed by fire or water. Practically 85 percent of the claims against the Government the General Accounting Office is able to defeat. On thousands and thousands of claims they will find the voucher where the money claimed has been paid. Some relative of a former soldier, some relative of a former contractor will make a claim.

They go and consult the old records, and their decision is based upon their findings. They also supply the Attorney General with records to use in the courts in suits against the Government. They also supply the Attorney General with records on the many bills that we pass here, certifying claims to the Court of Claims.

All that Members of Congress have to do, in order to get a real picture of this situation, is to get the Annual Report of the Comptroller General for this year, turn to page 81, and read what he has to say. Then get in your automobile and drive around to the various places as I have and see for yourselves where the valuable records of the Government are stored. I will go further and say "the most valuable records that the Government has." The money we are paying out every year in rental and maintenance for the rented buildings is far more than sufficient to pay the interest on the money that would be necessary to build a proper place to house this permanent agency. When I say "permanent" I mean permanent, because it is one agency of the Government that will never be destroyed. Nearly all of the other agencies and departments have been taken care of. The General Accounting Office, as I told the gentleman from New York [Mr. TABER] today, is more closely related to the Congress of the United States than any other Government agency. Still we have never taken care of it by providing for a proper building.

You talk about self-liquidating projects. If we can borrow the money to build a building for less than the annual rental that we are paying, it looks to me like it is good business to do so. In time it would be a self-liquidating project. I am not asking the committee to build one of the marble palaces. I have never approved of some of the buildings that have been constructed in Washington. I think on some we went too far. Put up a real substantial concrete building, some place down by the Procurement Division, or any other section where land values are not too high. That is all that is necessary for this agency.

Look at the Procurement Division Building. That is not a bad looking place. It is not marble. It is not limestone. It is concrete. The Navy workshop up on Constitution Avenue and the Munitions Building on Constitution Avenue are not marble or limestone. They are concrete and brick. They are fireproof and afford a healthy place for personnel to work. The Secretary of the Navy and the Secretary of War do just as good work in a concrete building as they would in a marble structure. I am not asking for the full appropriation. I do want to see a start because, as I said yesterday, hundreds of millions of dollars in records might be lost in event of fire.

I yield to the gentleman from Kentucky.

Mr. MAY. Permit me to say to the gentleman from Missouri that I have been sponsoring building, and my committee passed legislation to authorize the reconstruction of the Army Medical Library Building, that is now 132 years old, a building where there is no fire protection for the most valuable collection of medical authorities on the face of the earth. I have hesitated, on account of economy and a few other things in which I believe—hesitated to urge that, and I have not even been before the Appropriations Committee on it. I would, however, like to suggest to the gentleman that the proper solution to the problem is not to build some kind of building as large as the Social Security Building, or warehouse construction of any kind to house these records. The thing to do is to cut out a lot of the agencies that make the records which have to be stored.

Mr. COCHRAN. Is the gentleman going to offer some amendments to the bill to cut out some of the agencies that he feels are useless? We hear a lot of talk about economy but see little action from those who talk. We heard the gentleman from Minnesota a moment ago state that the Interstate Commerce Commission should be abolished, that it is useless; that the Communications Commission is useless; that the Tariff Commission is useless. Did you ever hear a more silly

statement in your life? Anybody who knows anything about the Interstate Commerce Commission or the Communications Commission or the Tariff Commission knows they are an absolute necessity. What would happen if you repealed all laws affecting communications in this country and destroyed the Communications Commission? Just imagine what would happen. Everybody would use any radio wave length he wanted, there would be no regulation of radio, no regulation of communications of any kind whatsoever. If you destroy the Interstate Commerce Commission what are you going to do with the rate-making powers? Would you turn them back to the States again? What will you do with the regulation of transportation?

Mr. ALEXANDER. No; let them regulate themselves.

Mr. COCHRAN. The Interstate Commerce Commission was delegated by the Congress of the United States power to make rates and to regulate transportation.

The gentleman's suggestion is in the same class with his original statement. If you destroy them, how can they even regulate themselves? Let the gentleman offer an amendment to destroy them and see how many votes he will get.

I appeal to the committee to inspect the buildings where the General Accounting Office is housed, and if you do you will bring in an appropriation to build their building. Act before it is too late. [Applause.]

[Here the gavel fell.]

Mr. CASE of South Dakota. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the bill has been well covered by other members of the Committee. I merely wish to call attention to some information carried in the hearings on the estimates and possibly point to a few steps that Congress could well take in the hope of making some of the savings we hear so much about. The printed hearings are in two volumes. The Federal Loan Agency, the Federal Works Agency, and the Tennessee Valley Authority are in part II, the several other activities in part I.

When I hear this discussion about cutting and Budget balancing, I am reminded of a story that is told by Ote Anderson, chairman of the State barbers' board in my home State. Ote's favorite story is of a customer who came into his shop one day, slumped into the chair but kept his hat on. Ote said to him, "Want a haircut?"

"Yep."

"Would you mind removing your hat?"

"Nope, keep it on."

And with that the customer pulled his hat down a little further.

"O. K.," says Ote, "the customer is always right," and proceeded to give him a haircut without removing his hat.

My observation is that the Government has too many customers who talk of haircuts but want to keep their own hats on and have the trimming done somewhere else—any place other than on their private "dome" or their private domain.

The hearings on the independent offices bill are an amazing encyclopedia of governmental activities. I want to call your attention to a few of the agencies covered. Any Member of the House can run through these hearings with profit to himself both for the information that they give as to the ramifications of Government and also for specific information with reference to activities and the answering of questions that come across every Member's desk.

CIVIL AERONAUTICS AUTHORITY AND AIR SAFETY

Little has been said in the debate thus far about the work of the Civil Aeronautics Authority. You will find many pages of the hearings devoted to the interesting work of this agency, so important at this time in our national life. I want especially to call your attention to the safety record that has been established in passenger travel.

In the 4 years from July 1, 1934, to July 31, 1938, there was 1 passenger fatality for every 12,754 passenger-miles, but in the 17½ months following July 1, 1938, there was only 1

passenger fatality for every 78,368,315 passenger-miles. I believe every Member of Congress is entitled to take some feeling of pride in the accomplishments that have been made in the improvement of the safety record of the airlines of the country. In 8 months and 20 days between March 26 and December 15 the domestic air lines carried 1,500,000 passengers and amassed a total of 598,000,000 passenger-miles without an accident that resulted in an injury.

This is a remarkable record, and some of the credit should go to the work of the Civil Aeronautics Authority. Some of you will be interested in the statistics and the data given on civilian pilot training in the hearings.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. HARE. Does the gentleman have similar information with reference to fatalities and mileage on other transportation facilities that would be comparable to this?

Mr. CASE of South Dakota. I think we asked some questions in the hearing with regard to the effect on insurance rates, and an encouraging statement was given on that particular point.

PAYMENT FOR VETERANS' HOSPITAL BEDS

Yesterday, during the discussion of the Veterans' Administration, a question was raised with regard to the beds in the Veterans' Administration hospitals used for people who are not veterans; that is, enrollees of the Civilian Conservation Corps and other Government patients. The question was asked whether or not the Veterans' Administration is reimbursed for all of the beds so used.

This morning, to be sure on the point, I called the Veterans' Administration and talked with Colonel Ijams, the Assistant Administrator, and he assured me that there is a reciprocal agreement among the several Government agencies, the Army, Navy, Marine Corps, and the Veterans' Administration, for payment covering the patients of their respective responsibilities hospitalized in any institution related to any of those agencies. Only one or two agencies are not covered in this agreement. At the present time the rate of reimbursement is \$3.75 per day. That is gone over and fixed each year by the Federal Board of Hospitalization.

However, veterans are always given preference, and Colonel Ijams said there was no known emergency veteran's case on a waiting list at this time. The Veterans' Administration section of the subcommittee hearings gives much additional information to anyone who is interested in the welfare of the veterans.

STATISTICS ON TRADE AGREEMENTS

Mr. Chairman, there is also a section devoted to the Tariff Commission. Those Members who are interested in the problem which will confront this Congress with reference to the proposal to extend the Reciprocal Trade Agreements Act will find a wealth of material in that particular section of the hearings. You will find a list of the several trade agreements in existence at the present time, the date on which they were placed in operation, the terms of their expiration.

To those of you who have been interested in trying to establish the principle of cost of production as a gage for a proper tariff rate, I call your attention to the testimony of Mr. Ryder, given at pages 484 and 485 of the hearings. When that question was put to him, Mr. Ryder answered:

If you want to take into consideration the cost of production and attempt to make the tariff protect that larger cost of domestic production, it is a good way of abolishing the trade agreements.

I commend that to the attention of those who say they want to protect the domestic cost of production and also want to extend the trade-agreements program on its present basis. Mr. Ryder says it cannot be done.

Permit me to make an observation at this point. We hear a great deal of talk about totalitarian governments in the world today. It seems to me a perfectly foolish proposition that we should be condemning totalitarian governments while at the same time in this country we give more authority to bureaus and boards. That certainly is a step away from rep-

representative government. The times challenge this Congress to put the Government of the United States back into the hands of the people and their elected representatives. Every time we delegate these powers to bureaus or agencies and surrender the right to review the findings, we are destroying representative government.

PUBLIC ROADS AND PUBLIC BUILDINGS

You will find in our hearings two agencies that have not been in the independent offices hearings before. One is Public Roads and the other is Public Buildings, both now in the Federal Works Agency.

Formerly the Public Roads hearings appeared in the report of the appropriations subcommittee for the Department of Agriculture. Public Buildings appeared in the Treasury and Post Office Departments appropriation hearings. Those of you who are interested in post-office buildings in your district will find information of interest in the hearings under the general heading of "Federal Works Agency."

The gentleman from Missouri [Mr. COCHRAN], who spoke just before I took the floor, made a plea for buildings in the District of Columbia. The subcommittee was unwilling to put into this bill a proposal to start a twenty-four or twenty-five million dollar building program in the District of Columbia when there were no estimates for an equally needed public-building program throughout the country. More than that, some of us had a distinct feeling that a survey should be made of the buildings within the District of Columbia to see if space could not be found to assign to some of the agencies now in rented buildings.

MOUNTING CIVIL-SERVICE COSTS

You have heard a discussion this afternoon of the action of the committee relative to the Civil Service Commission. It is true that the committee denied about a quarter of a million dollars of the recommended increase for the Civil Service Commission, but I call your attention to the fact that the appropriation for the Civil Service Commission in 6 years has multiplied five times. In 1934 the appropriation for the Civil Service Commission was \$1,028,000. The request for 1941 was \$5,295,000. It is true that from the standpoint of the work of the Commission there is some justification for an increase, and the committee did give it about three-quarters of the million-dollar increase requested.

Let me call attention to some startling figures brought out before the subcommittee. Today the Civil Service Commission is behind in its work to the extent of 384,000 examination papers that have to be graded. It is behind in its work to the extent of 186,000 applications to be reviewed. This takes on some meaning when you realize that the 384,000 papers to be graded exceed the total number of papers graded in the last fiscal year. The total number of papers graded in the last fiscal year was 361,000. So that the Civil Service Commission is more than a year behind in the grading of papers, in spite of the increases that have been given that Commission.

In addition to that the increase in the number of applications creates a cycle of increased burden, so to speak. The more papers to grade, the more the examiners get behind. The more they get behind, the more the requests for an explanation of delay. Members of Congress no doubt have received many requests from constituents who want to know when the examination grades will be announced for the position of lay inspector. There were 240,000 examination applicants for the position of lay inspector; in other words, two-thirds of the entire examination load of the Civil Service Commission for a year could be taken for grading those papers alone.

The committee gave considerable attention to this problem. We found that many States and many cities operating a merit system charge a small examining fee. This has two values: It yields some revenue, not enough, probably, to cover the cost of giving the examinations, but it yields some revenue, and it does tend to reduce the number of applicants for some of the examinations. One of the cities reported that a small fee reduces the load by eliminating

the curiosity seekers and what was termed fly-by-night applicants. Tables in the hearings give the experience of several cities and several States.

Personally, I think that a 25-cent fee on simple examinations, and \$1 on technical or professional papers would yield \$100,000 in revenue annually, and save twice that in reducing the handling load.

It was suggested that the Committee on Appropriations might consider trying to do something about that problem in the appropriations bill. On the other hand, it was felt that it was properly legislation. As one Member, at least, of the subcommittee I hope that the Civil Service Committees of the House and the Senate will propose legislation on the subject. It is all very well when this load accumulates to come before the Committee on Appropriations and say, "We must have increased appropriations because of this increased load," but it would be better to see if something cannot be done to reduce this load.

SAVINGS BY REASSIGNING SPACE

I referred a few minutes ago to the possibility of reducing the building and rental load in the District of Columbia by a survey of the available space in the District. In spite of all the reorganization economies that were promised practically every agency asked for more money.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield 10 additional minutes to the gentleman from South Dakota.

Mr. CASE of South Dakota. It was amusing also to find that some of the transferred agencies could not be housed by the agency to which they were transferred. They were like orphan chickens, so to speak. An example of this was the Bureau of Biological Survey, which was transferred from the Department of Agriculture to the Department of the Interior. We have a magnificent new Department of the Interior building down here, and we also have the old Interior building, and yet we were asked to make an appropriation for an increased rental allowance in the District of Columbia so the Bureau of Biological Survey could be housed in rented quarters.

In fact, evidence before the committee revealed an increase in the rental appropriations in the District of Columbia of over 20 percent in 2 years, in spite of all the new buildings. Demands for new furniture and more space, in spite of all the talk about economies to come from reorganization and consolidations. Therefore, it seemed to us that someone should have authority to do something about this problem.

We asked the Administrator of the new Federal Works Agency and members of his staff with respect to this subject. Testimony indicated that if one agency in the Government was empowered to have custody over all public buildings in the District of Columbia and authority to assign the space and the furniture properly, important savings could be made. We asked for appropriate language to put in the bill as a limitation on the appropriations. However, the language suggested was so patently legislation that we did not incorporate it in the bill. You will find the suggestion on pages 1340 and 1341 of the hearings.

The language suggested should be introduced as a bill and considered by the appropriate legislative committee. Personally I believe we can save real money by giving one agency authority over the furniture and the space in buildings in the District of Columbia.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield briefly to the gentleman from Michigan.

Mr. HOFFMAN. If there is to be another agency for that purpose, would it be made up of persons already in the Government employ or would they be new officers?

Mr. CASE of South Dakota. This proposal was to give the authority to the Federal Works Agency, already in existence, which is charged with the responsibility of proposing the construction of new buildings.

Mr. HOFFMAN. This will just let some of the Federal employees do more work along that line?

Mr. CASE of South Dakota. The gentleman is correct.

Mr. HOFFMAN. That will be good.

LIMITING UNITED STATES HOUSING ADMINISTRATION'S PUBLICITY FUNDS

Mr. CASE of South Dakota. I wish to mention the United States Housing Authority. You will find in the bill before you a proviso that may possibly be misunderstood. It is the proviso on page 49 that expenditures for the informational service of the United States Housing Authority shall not exceed \$152,000. This proviso will be difficult to understand unless you know that this agency came before the subcommittee with a supposed justification for spending \$227,000 in its informational service. The proviso is a limitation, not an authorization; a restriction, not a permission. U. S. H. A.'s far-flung informational activities embrace a coordination section, a press-service section, an editorial section, an information section, an exhibit section, and a motion-picture and radio section. All these to tell the people of the country how they can avail themselves of subsidized housing. In other words, we were asked to authorize the appropriation of nearly a quarter of a million dollars so that the Santa Claus housing program could be sold to the country. Remember that the taxpayers provide a Federal subsidy that takes care of the principal cost of this building and housing program.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. Why should the United States Housing Authority be granted one single penny for this sort of propaganda?

I happen to be familiar with this propaganda, and I would like to know why they should have one nickel to spend for it.

Mr. CASE of South Dakota. I may say to the gentleman that, personally, I tried to go further in the subcommittee, but the only agreement we could reach was to reduce the amount by \$75,000; and, remember, if we had not put in this proviso, the agency would be spending \$227,000 for this purpose next year.

EMPHASIS ON CITIZENSHIP

I also want to call your attention to one further proviso in the section relating to the United States Housing Authority. Some of you may recall that when the Housing Authority bill was passed in 1937 I offered an amendment to provide that in the assignment of the housing facilities to be provided preference should be given families of citizens of the United States. No one could justify taxing citizens living in \$1,500 houses to provide \$6,000 houses for families of people who were not citizens. The amendment was adopted by the House but went out when the bill went to conference. Members of the House who were interested at that time will be glad to see a proviso which the subcommittee wrote into this appropriation bill. On page 50 you will find it—

That, except for payments required on contracts entered into prior to the date of enactment of this act, no part of this appropriation shall be available for payment to any public-housing agency for expenditure in connection with any low-rent housing project, any portion of which is occupied by any person other than a citizen of the United States.

The committee went further in its emphasis upon Americanism in this particular bill, for on page 78 you will find section 4, which provides:

No part of any appropriation contained in this act or authorized hereby to be expended shall be used to pay the compensation of any officer or employee of the Government of the United States, or of any agency the majority of the stock of which is owned by the Government of the United States, whose post of duty is in continental United States unless such person is a citizen of the United States, or a person in the service of the United States on the date of the approval of this act who being eligible for citizenship has filed a declaration of intention to become a citizen or who owes allegiance to the United States.

I do not believe there will be any quarrel on the part of any Member of the House in connection with these provisos.

We have had a good deal of discussion about Americanism during the past year, and this bill comes to you with two provisos in it at least that attempt to translate that sentiment into action. [Applause.]

[Here the gavel fell.]

Mr. FITZPATRICK. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, we have before us here a bill containing a variety of items, many of which have been cut by the committee. I want to say that wherever it is possible to reduce the overhead expenses of government or to eliminate any functions not really essential I am for doing so. I do not propose to address myself in these few moments to any of those specific items, or even particularly to this bill, but I do want to point out one or two basic things.

Up to this time we have not done anything to put on a workable, scientific basis the monetary system of the United States. We do not have a means yet whereby the increase in the Nation's wealth and the Nation's capacity to produce goods will be adequately translated into an increased volume of active consumer purchasing power, which to my mind is the central problem we face; and because that is true, it has therefore been also true that to the extent that savings were made out of the current income distributed by industry and agriculture to our people, to that same extent we have found a failure of market demand to be able to take the goods off of the shelves and the crops off of the farms at decent prices.

The real reason for Government expenditures or the real economic basis for Government expenditures has been to compensate for the failure of savings promptly to be invested. The real reason that they are not promptly invested, of course, is that people are afraid it will not be profitable to do so, and the basic reason they are afraid of that is because of the fact they are afraid that goods produced by the new capital created will not find an adequate consumer demand.

Now, the main thing I want to say right now is this: When we come a little bit later in this session to a consideration, which I am afraid will be all too brief, of the unemployment problem still existing in the United States, I hope we will remember one or two things. I hope we will remember the factors I have just spoken of and I hope we will remember also that to the extent, under our present monetary system, that private debt is not contracted, either you suffer a net deficiency of the medium of exchange in circulation or else Government debt must be increased. I do not believe that is right, or that it should be the case, but it is the present situation, and to fail to supply active consumer-buying power in some manner is as certain as the sun rises to lead to bankruptcies and a worse depression.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. In just a moment.

Therefore, when the time comes to consider the matter of public works or other matters having to do with employment of the unemployed, I want to state now that I feel that what is done about that should be done on the basis of what the national need is; first, the need of our people who are unemployed, and, second, the need of the national economy as a whole.

I am frank to say that I do not believe the Budget figures suggested for employment items is enough. I do not believe employment is going to be stimulated to any considerable extent by national defense expenditures such as are proposed to be increased. I do not mean that I am against such expenditures for national defense, as may be required at this time, but I think it must be recognized that they will not provide anything like the same volume of employment as certain other types of expenditure will. This is not just a question of W. P. A., though this year, once again, it will probably be our main reliance. For my part I would like to see a bill brought in which would give us a long-range program of public works which could be opened up as needed

in accordance with the amount of unemployment. Above all things we need a consistent program for reemployment, and until we have something better, Mr. Chairman, we have no logical answer to our people except the programs used in the past few years.

[Here the gavel fell.]

Mr. FITZPATRICK. Mr. Chairman, I yield 2 minutes more to the gentleman from California.

Mr. VOORHIS of California. Mr. Chairman, we have no logical answer to our people except to say that we propose to see to it that all the people are busy producing real, worthwhile things in this country, and that they are not maintained in idleness.

Mr. PATMAN rose.

Mr. VOORHIS of California. I am in duty bound to yield first to the gentleman from South Dakota.

Mr. CASE of South Dakota. Mr. Chairman, does the gentleman think that this increased buying power is better produced by private activity or by Government expenditure?

Mr. VOORHIS of California. I would rather see everybody in the country employed in private industry, if possible, but I point out that, although our production has increased up to or beyond the 1929 level, employment has increased only about one-quarter as fast as production, and I submit that that is evidence of the fact that you have to take some action in this field of the relationship between the producing power of the country and the consuming power of its people.

Mr. CASE of South Dakota. Has the gentleman ever seen any evidence of any particular effect by Government expenditure except a depressing effect upon private industry?

Mr. VOORHIS of California. On the contrary, the worst effect that was ever gotten since I have been a Member of Congress was in 1937, when a sharp reduction was made in the expenditures for employment of unemployed people, and it was not 6 months before we had the sharpest decline in the business of the country that the country has ever experienced. In addition to that there were certain factors connected with social security, but the basic reason for the slump was the sudden reduction in the amount Government had been feeding into the income stream. This, of course, offered no permanent solution by itself, but if the method is to be used at all it should be used vigorously enough to actually stimulate increased production and a large enough national income to balance the Budget. I am not in favor of a lot of people being employed by the Government. I want them to be employed in private industry, but I do say that the volume of consumer buying power is the key to it, and every time that has been increased, you have increased employment, and every time it has been decreased you have decreased employment.

Mr. JOHNS. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. Yes.

Mr. JOHNS. I ask the gentleman from California if he does not think that a public-works program would be much preferable to the W. P. A. or relief?

Mr. VOORHIS of California. I answer the gentleman briefly and say that I would like to see a program which would have scope for projects to be carried on, on either the P. W. A. plan or the W. P. A. I think there are some kinds of work that can only be done by free account, and there are other jobs that could and should be done by contract. I would like to see a program which could be run either way. Certainly I am for public works rather than relief.

Mr. JOHNS. Would not the public-works program be preferable if it could be handled?

Mr. VOORHIS of California. I cannot answer that categorically. In some things I do not think it would. I would say that wherever it could be handled well I would think so, and I would be in favor of it.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. Yes.

Mr. PATMAN. In addition to the things that the gentleman named had a harmful effect on the country in 1937, does

not the gentleman believe that the doubling of the reserve requirements of the banks in 1936 and early 1937 was harmful to the country and one of the greatest contributing factors to the decline in 1937?

Mr. VOORHIS of California. I think so. I might add that I favor a 100-percent reserve system for demand deposits, but I agree with the gentleman that under the circumstances existing in 1937 the action he mentions probably contributed to the slump.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. DIRKSEN. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. Mr. Chairman, in every attempt to destroy republican democracies in the world there have been certain straw men built up to be knocked down at will. Stalin has as his straw man the capitalistic nations. Mussolini has as his straw man the democracies of the world. Hitler has as his straw man the Jews and the Catholics. We must be careful in America that the bankers and the industrialists do not become the straw men of the New Deal. In all of these regimes there have been certain methods by which the activities of these straw men are constantly reported to those who destroy them. Hitler has his Gestapo. Stalin has his OGPU. And we must be cautious in America that the New Deal or any other subversive influence in America does not create a similar secret police force. It came to my attention a short time ago that the W. P. A. is being used in many instances as the secret police of this Government; and so that we might be forewarned that similar attempts might not be used to overthrow this republican democracy, I call the House's attention to what I consider a most flagrant abuse of a position by a man in authority in the W. P. A. in New York State. On the Republican side of the House there is a man with whom sometimes we disagree, but in whom we have the utmost confidence; a man of fixed integrity, a man of high purpose, who alone has saved this Government millions upon millions of dollars, and who is constantly calling our attention to the necessity for reducing Government expenditures, having in mind that unless we do so there is a probability that the American form of government might be destroyed.

That man has been attacked by this organization, which sets itself up in some particulars as an American OGPU. I call the attention of the House to a report which was given—

Mr. CHIPERFIELD. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. Yes; I yield.

Mr. CHIPERFIELD. What was the name of that organization?

Mr. WOLCOTT. I think we should characterize it as "an American OGPU." I do not know what that means, but it is the secret police that Stalin uses to find out what is going on in his country.

I wonder if possibly all Members of Congress are not subject to the same scrutiny in all their actions by this American secret police that this particular Member of Congress was? I wonder how many reports are going into Washington and how many reports are going into the administrative branches of government on the activities of Members of Congress from all over the United States? I do not think I need mention the fact that the Member of Congress to whom I refer is the gentleman from New York, JOHN TABER. He can very well speak for himself. It does not make any difference whether it is the gentleman from New York, JOHN TABER, or any other Member of this House. The W. P. A. has apparently launched upon a new and very unusual project—that of snooping and reporting to headquarters what Members of Congress are doing and saying.

A year or so ago the gentleman from New York [Mr. TABER] called attention to a project in his district, and it appears on page 129 of the hearings on the Emergency Relief Appropriation Act of 1938. He was quizzing Mr. Hopkins,

and this is what happened. The gentleman from New York [Mr. TABER] said to Mr. Hopkins:

Now, I have a picture here which shows the kind of work which has been going on in my territory. I would like to have you look at it.

I have since been informed that it was a picture from a newspaper. A local newspaper took this picture and published it. It was only natural that the gentleman from New York [Mr. TABER], in representing his district, would have this information and would be quizzing Mr. Hopkins with reference to it.

Mr. Hopkins answered:

It looks like good propaganda.

Mr. TABER. It is not propaganda at all.

Mr. HOPKINS. It has all the earmarks of it.

Mr. TABER. It happened to be in the papers.

Mr. HOPKINS. I can tell from the kind of heading they have what it is. I will be glad to look into that and answer it for you. It may not have been a W. P. A. road at all.

Mr. TABER. They do not say it is a W. P. A. road, but they say it is a W. P. A. sewer job. I have seen this thing myself, and I know it looks like that.

A member of this new American Ogpu who happened to be on the pay roll of the W. P. A. was asked to make a report, and on the letterhead of the "W. P. A. of New York State, District No. 7 of Onondaga County, interdepartmental memorandum, avoid verbal orders," under date of August 25, 1939, we have this following very unusual report on the activity of the gentleman from New York [Mr. TABER] in his particular district. This is addressed to Mr. Willis D. George and is from Mr. William M. Coyne, who bears the very novel and unusual title of information-service representative.

Did you know that W. P. A. had information-service representatives throughout the Nation on the W. P. A. pay roll, reporting to W. P. A. headquarters, and perhaps other administrative agencies, on the activities of Members of Congress? After giving a report on this particular job, Mr. Coyne has this to say of Mr. TABER's activities:

There have been persistent reports, which were never refuted by any source, that on the eve of congressional action on the original reorganization bill Mr. TABER conspired with Auburn manufacturers to have industrial employees send telegrams of opposition to the bill to Washington, and that they went out of the telegraph offices in Auburn and other sections of Cayuga County in wholesale lots.

Information reached us that employees of the Auburn Rope Co., one of the larger of Auburn's industries, distinctly were given to understand that they were doing a favor for the Congressman and for Cayuga County in sending out the telegrams.

This is signed by William M. Coyne, information-service representative.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. WOLCOTT. Mr. Chairman, I do not think this Congress intended, when it set up the W. P. A. and provided moneys by which relief was to be given to the poor and needy of this Nation, that we were creating a secret police to inform administration offices on the attitude of Congressmen on particular bills. It does not make any difference who this Member is. Do we favor a continuance of this particular brand of activity by the W. P. A.? What was it to the representative of the W. P. A. what the gentleman from New York [Mr. TABER] happened to think about the reorganization bill? How does it concern the W. P. A. what you and I and every other Member of Congress may think on reorganization, the Townsend plan, or any one of the thousand other controversial subjects which may be brought to the floor of this House for consideration? Surely we should guard ourselves and the people whom we represent against any attempt whatsoever to set up in the name of relief a secret organization which is prying into our secret matters and reporting them to heads of departments here in Washington, in order that the information may be used in our districts, as well as among the lobbyists here on the floor of Congress, in respect to legislation which we have to consider.

I hope that the forewarning which these remarks will give to the membership of the House will be sufficient that we may check this business, not for ourselves, because, after all, the life of every Member of Congress is like an open book. We never do anything which we do not want our constituents to know; we do not do anything on the floor or in our private lives which is subject to criticism. What I object to is the principle of the thing, that there is growing up in this administration, under the control of a political head, a secret police which might eventually be as destructive to a republican democracy as the Ogpu of Stalin or the Gestapo of Hitler.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. HOOK. Does not the gentleman believe that this should apply also to the Army and the Navy and several other agencies?

Mr. WOLCOTT. I have no knowledge that the Army or the Navy or any personnel of the Army or the Navy is being used as a part of an American Gestapo. I say to the gentleman frankly that if it became known to me as a Member of Congress that the Army of this Nation was being used in any manner to help in the destruction of American democracy, then the men responsible for it should be removed from their places, and the members of the Army and the Navy who are doing it should be court-martialed and summarily dealt with, as the gentleman or I would have expected to be done during the World War in case of any like activity.

Mr. HOOK. I am pleased to hear the gentleman say that; but will the gentleman enlighten us as to whether he has any other instance in the whole set-up of the W. P. A. like this?

Mr. WOLCOTT. No; I have not. I am merely voicing this as a warning, so that there may not be other instances, and we can guard against their attempting such things. It is the duty of the gentleman as a Member of Congress, representing his constituency, as he always does, intelligently, to bring any such activity to the attention of Congress in order that we may be forewarned, in order that if we ourselves do learn of them we may recognize them as attempts to overthrow democracy and guard against such attempts. [Applause.]

[Here the gavel fell.]

Mr. FITZPATRICK. Mr. Chairman, I yield 8 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, I secured this time primarily for the purpose of talking a little about more money for the construction of post-office buildings throughout the United States, but before touching that subject I want to compliment the distinguished chairman of the Subcommittee on Appropriations for the valuable information that he gave us yesterday morning with reference to a break-down of the cost of the Veterans' Bureau.

He forcibly called to our attention that the Government is required to expend over \$500,000,000 a year in that connection because of expenses and pensions. I feel, in the face of that enormous expenditure, that in many instances the Government has been very tight and selfish in its treatment of the men who served their country in those wars from which they are now pensioners. This information emphasizes the fact that we must keep out of wars unless we are forced into them as a matter of self-defense in the future unless we court national bankruptcy. That is not touching at all upon the humane side of the question. We must also consider, in connection with wars, the human wrecks that are thus caused. We have the humane side as well as the economic side to consider.

I want to call attention now to a specific act of Congress that was passed in the Seventy-fifth Congress in which \$60,000,000 was authorized for the purpose of building post offices throughout the United States over a period of 3 years. That act did not provide that any specific amount of the \$60,000,000 should be appropriated during any particular year. That act was amended by Public Resolution No. 122, which in title III

provided an additional \$70,000,000, making a total of \$130,000,000 authorized for the purpose of constructing new post-office buildings throughout the United States.

According to my figures, \$89,000,000 of the \$130,000,000 heretofore authorized has been appropriated. The pending bill would appropriate an additional \$15,000,000 of the balance, leaving twenty-six million unappropriated of the amount heretofore authorized. As stated, Congress in the act approved in August 1937 made provision for this money to be spent during the 3 years which will expire in August 1940 this year.

This amount of money, if we pay any attention to the direction of Congress, should be used for the construction of post-office buildings throughout the United States where they are needed. If we do not raise or up the amount that is provided in the present bill, we shall at the end of this year have \$26,000,000 left which has heretofore been authorized but unappropriated out of the money that was supposed to be used for the purpose of building post-office buildings throughout the United States.

I have prepared an amendment which I am going to offer to the bill when we reach page 41, providing for upping this appropriation to the sum of \$37,000,000. This will assist in the construction of post-office buildings throughout the United States.

I call your attention specifically to Public Document No. 177, which contains the numbers of post-office sites that are eligible, but for which no money has been appropriated. Take, for instance, my own State alone. In the district I represent we have secured one post-office building in a town where the postal receipts run far in excess of the requirement. There are 16 other cities that are eligible, according to the list published by the Post Office Department. What happens when publication is given to the list of eligible cities in a district? Your people believe that the money is available for the construction of these buildings and they believe that their Congressman is derelict in his duty in not securing the necessary appropriations. I have cities in my district where the Federal agencies are required to be housed in the courthouse basements, even close to the furnace, because we have no buildings sufficient to house them. It is my personal belief that the Government is in business to stay for at least some time, and we must find some place to house these public agencies aside from the post-office requirements.

Consequently we should do one of two things—either provide sufficient money to meet the needs of people in the way of post-office buildings and Federal agency requirements or we should not publish to the country the list of cities that are eligible for post-office buildings. As I said before, the public is misled.

I want to include in the RECORD the names of the cities in my district that are eligible and in which many agencies of the Government are housed in different locations all over the cities.

[Here the gavel fell.]

Mr. FITZPATRICK. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. CONNERY].

Mr. CONNERY. Mr. Chairman, even a casual reading of the Appropriations Committee hearings pertaining to the Federal Communications Commission should convince every Member of the House of the need for an immediate congressional investigation of the entire subject of radio, particularly the apparent inability of the members of this Commission to protect the public and to eliminate or set aside the present radio monopoly.

It was my intention at this time to discuss certain activities of the Commission, especially its apparent acceptance of false statements as they apply to a licensee who now possesses some nine or more licenses; but in view of certain other evidence which I find in the hearings pertaining to this favored individual, I will postpone my remarks on that matter to a later date.

However, I believe every Member of the Congress will be interested to find that this Commission, through its present

Chairman and through one of its retiring members who has served for several years, while blandly pointing with pride to its "holier than thou" attitude, yet ignores its own conclusions when proper pressure is applied.

The Appropriations Committee was told last year and again this year by the Federal Communications Commission that when false statements are made by an applicant for a license and such false statements come to the attention of the Commission such application will be denied or the license possibly revoked.

I note on page 973 of the Appropriations Committee hearings that an applicant for a license who presented sworn statements to the Treasury Department to the effect that he was virtually bankrupt and unable to pay notes held by a closed bank presented allegations to the Commission that he was possessed of many thousands of dollars.

Despite the fact that the Treasury Department of its own volition called this matter to the attention of the Federal Communications Commission, even to the extent of furnishing the Federal Communications Commission with a photostatic copy of the sworn statement indicating the apparent bankruptcy of the applicant for a radio license, this application for a license was granted by the Commission.

I note that even the new Chairman of the Commission admits that he has reason to suspect that in many instances these radio licenses are issued to or are actually in the hands of or under the control of persons or corporations other than those to whom the license was issued.

This Commission has under way a report on monopoly in radio. This Commission has been making such a study for the Lord only knows how long a time. Last June the Congress was told that such report would be available in a short time, perhaps 60 days. Last month the Appropriations Committee was told it would be ready the middle of January. To my mind, we will have such a report when the Congress decides to institute its own investigation and not much sooner.

These radio licenses are governmental property, temporarily loaned for a period of not more than 1 year to an applicant who presumably and under the law must serve public interest. I challenge anyone in the radio industry to allege that other than for the purpose of obtaining the license much consideration is given to public interest.

These licensees pay no tax to the Government despite the fact that the possessors of such licenses yearly reap millions of dollars in profits.

One part of this radio monopoly, the Columbia Broadcasting System, with an investment of less than \$1,600,000, as we are told by the Security Exchange Commission, yearly pays dividends to its stockholders of some 150 percent on the original investment; and yet, despite these extortionate profits, these licensees, as I said before, pay no tax to the Government for the use of this highly profitable Government franchise.

On the basis of these earnings, I fear that unwary investors have been influenced to purchase stock in these radio monopolies—which monopolies depend for their profits entirely on the continuance of these governmental grants. Once any of these monopolists are deprived of the governmental license they hold, the investment in such concerns will be worth almost nothing.

You will be interested to know that this property for which the Columbia Broadcasting System has invested some \$1,600,000 is selling on the New York Stock Exchange on the basis of some \$50,000,000 and paying dividends of more than \$2,000,000 yearly. Also, it is my understanding that on an investment of some \$3,000,000 in National Broadcasting Co. the Radio Corporation of America, the parent company, which I will discuss further and in more detail at a later date, earns a profit of some \$10,000,000 yearly.

Yet this Commission admits it has done nothing to protect the innocent investor from being virtually defrauded of his savings by the false picture which is painted to those who do not realize that radio monopoly possesses but little other than a governmental grant.

Application for consent under sec. 310 of the Communications Act of 1934 to transfer control of licensee corporations

Station	Location	File No.	Licensee corporation	Transferor
KABR	Aberdeen, S. Dak.	B4-TC-194	Aberdeen Broadcast Co.	Present (65) stockholders
KANS	Wichita, Kans.	B4-TC-186	The KANS Broadcasting Co.	Charles C. Theis
KDAL	Duluth, Minn.	B4-TC-160	Red River Broadcasting Co., Inc.	E. C. Reineke, N. D. Black, H. D. Paulson, Mrs. N. B. Black, C. H. Reineke, and Forum Publishing Co., Inc.
KEUB	Price, Utah	B5-TC-182	Eastern Utah Broadcasting Co.	Sam G. Weiss
KFQD	Anchorage, Alaska	TC-90	Anchorage Radio Club, Inc.	J. P. Hannon
KGW	Portland, Oreg.	B5-TC-176	Oregonian Publishing Co.	O. L. Price, trustee
KEX				
KHBC	Hilo, Hawaii	B-TC-171	Honolulu Broadcasting Co., Ltd.	Pacific Theatres & Supply Co., Ltd.
KGMB	Honolulu, Hawaii	B3-TC-191	Okmulgee Broadcasting Co.	H. B. Greabes, T. B. Lanford R. M. Dean, and John Caruthers.
KHBS	Okmulgee, Okla.			
KHSL	Chico, Calif.	B5-TC-152	Golden Empire Broadcasting Co.	William Schield, Harold Smithson, Sydney Lewis.
KVCV	Redding, Calif.	B4-TC-127	KOVCO, Inc.	George B. Bairey
KOVCO	Valley City, N. Dak.			
KROW	Oakland, Calif.	B5-TC-180	Educational Broadcasting Corporation	H. P. Drey, S. L. Brevit, R. E. Morgan, Charles Martin, C. V. Knemeyer.
KTAT (now KFJZ)	Fort Worth, Tex.	B3-TC-188	Tarrant Broadcasting Co.	Raymond E. Buck
KTFI	Twin Falls, Idaho	B5-TC-164	Radio Broadcasting Corporation	From present stockholders ¹¹
KVOA	Tucson, Ariz.	B5-TC-128	Arizona Broadcasting Co., Inc.	Albert Steinfeld & Co.
WAAF	Chicago, Ill.	B4-TC-134	Drovers Journal Publishing Co.	Corn Belt Publishers, Inc.
WALR (now WHIZ)	Zanesville, Ohio	B2-TC-185	WALR Broadcasting Corporation	Ronald B. Woodyard
WBBC	Brooklyn, N. Y.	B1-TC-162	Brooklyn Broadcasting Corporation	Estate of Peter J. Testan
WBBC	do.	B1-TC-163	do.	Peter Testan, executor
WBCM	Bay City, Mich.	B2-TC-174	Bay Broadcasting Co., Inc.	James E. Davidson
WBTH	Williamson, W. Va.	B2-TC-190	Williamson Broadcasting Corporation	George W. Taylor
WCHV	Charlottesville, Va.	B2-TC-178	Community Broadcasting Corporation	Present (81) stockholders
WCHV	do.	B2-TC-192	do.	Mrs. Hugh M. (Nancy) Curtler
WCMI	Ashland, Ky.	B2-TC-181	Ashland Broadcasting Co.	J. T. Norris and B. F. Forgey
WFAS	White Plains, N. Y.	B1-TC-147	Westchester Broadcasting Corporation	Selma Seitz
WFLA	Clearwater, Fla.	B3-TC-195	Florida West Coast Broadcasting Co.	Fred J. Lee
WGAN	Portland, Maine	B1-TC-153	Portland Broadcasting System, Inc.	Mary P. Martin, administratrix, estate of George W. Martin, deceased.
WGH	Hampton Roads, Va.	B2-TC-167	Hampton Roads Broadcasting Corporation	James W. Baldwin
WGRC	New Albany, Ind.	B4-TC-159	Northside Broadcasting Corporation	Northside Broadcasting Corporation
WGTM	Wilson, N. C.	B3-TC-189	WGTM, Inc.	Ben Farmer
WHAT	Philadelphia, Pa.	B2-TC-177	Independence Broadcasting Co., Inc.	Public Ledger, Inc.
WHBB	Selma, Ala.	B3-TC-166	Selma Broadcasting Co., Inc.	S. A. Cisler, H. A. Shuman, G. W. Covington, Jr.
WHBU	Anderson, Ind.	B4-TC-197	Anderson Broadcasting Corporation	Leo M. Kennett
WIBC	Indianapolis, Ind.	B4-TC-183	Indiana Broadcasting Corporation	Glenn Van Auker
WJBL (now WSOY)	Decatur, Ill.	B4-TC-124	Commodore Broadcasting Co., Inc.	Charles R. Cook
WKBO	Harrisburg, Pa.	B2-TC-179	Keystone Broadcasting Corporation	The Telegraph Press, Inc.
WMBC	Detroit, Mich.	B2-TC-196	Michigan Broadcasting Co.	E. J. Hunt
WPEN	Philadelphia, Pa.	B2-TC-158	Wm. Penn Broadcasting Co.	Mariannina C. Iraci, administratrix
WRAL	Raleigh, N. C.	B3-TC-175	Capitol Broadcasting Co., Inc.	Present stockholders ¹²
WROL	Knoxville, Tenn.	B3-TC-198	Stuart Broadcasting Corporation	S. E. Adecock, administrator of estate of Ruth Adecock, deceased.
WSB	Atlanta, Ga.	B3-TC-205	Atlanta Journal Co.	Present stockholders ¹³
WTMV	East St. Louis, Ill.	B4-TC-193	Mississippi Valley Broadcasting Co., Inc.	Lester E. Cox
WWSW	Pittsburgh, Pa.	B2-TC-139	Walker & Downing Radio Corporation	Pennsylvania Newspaper Co.

¹ Represented by 676 shares of stock of the licensee corporation to be issued to H. C. Jewett in payment of outstanding obligations.² Charles C. Theis in transferring 48 shares of common stock to J. Herbert Hollister out of 150 such shares outstanding relinquished control to the company's stockholders.³ \$1,695.60 loss for the 3 months, 1939.⁴ Representing advances by transferees.⁵ Does not include "Goodwill."⁶ After hearing.⁷ Combined for Oregonian Publishing Co.⁸ Under the will of Henry L. Pittcock and without consideration.⁹ Surrender and cancellation of stock of transfer or which will be liquidated.¹⁰ Does not include organization expense.¹¹ Operating loss.¹² Subject to adjustments to date of settlement.¹³ Transferee inherited 1,025 shares of common stock from Stanley M. Soule.¹⁴ Plus \$10,000 in radio advertising.¹⁵ The names and addresses of these parties, their business and interests in transferor as well as prospective interests in licensee are shown on attached exhibit L.

Application for consent under sec. 310 of the Communications Act of 1934 for assignment of licenses

Station	Location	File No.	Assignor
KCRJ	Jerome, Ariz.	B5-AL-218	Charles C. Robinson
KEHE (now KECA)	Los Angeles, Calif.	B5-AL-204	Hearst Radio, Inc.
KGGF	Coffeyville, Kans.	B4-AL-206	Hugh J. Powell and Stanley Platz, doing business as Powell & Platz.
KGIW	Alamosa, Colo.	B5-AL-219	Leonard E. Wilson
KGKY	Scottsbluff, Nebr.	B4-AL-249	Hilliard Co., Inc.
KIDW	Lamar, Colo.	B5-AL-224	The Southwest Broadcasting Co.
KLCN	Blytheville, Ark.	B3-APL-6	Charles Leo Lintzenich

granted by Federal Communications Commission during period from Jan. 1, 1939, to Dec. 31, 1939, inclusive

Transferee	Original cost, fixed assets	Replacement cost of fixed assets	Stock transferred (common)	Percent of total stock issued	Claimed value of stock transferred, including physical and intangible values	Station earnings		Consideration paid	Date granted by commission	Effective date
						Net profit or loss (-)	Period			
H. C. Jewett, Jr.	\$59,691.01	\$59,691.01	676	79.4	\$9,984.00	-\$1,411.47	Months 7	\$67,600.00	Oct. 3, 1939	Oct. 3, 1939
(2) Dalton A. and Charles Le Masurier	14,663.85	14,663.85	48	32.0	4,214.10	\$1,811.00	12	10,655.13	July 12, 1939	July 12, 1939
	34,361.17	34,361.17	71	100.0	27,276.54	-5,338.00	12	\$39,299.41	Jan. 9, 1939	Jan. 9, 1939
Jack Richards and A. W. McKinnon.	10,693.00	10,891.00	5,542	59.0	5,572.41	-2,194.00	12	6,500.00	July 26, 1939	July 26, 1939
R. E. McDonald.	33,255.36	29,284.68	166	33.33	\$3,947.83	3,329.25	6	3,000.00	June 21, 1939	June 28, 1939
Susan P. Emery, Kate F. Hebard, Louise P. Gantenbein, Caroline P. Leadbetter, E. B. MacNaughton, trustee.	98,192.19	96,633.57	470	67.1	\$1,003,947.22	158,248.53	12	(9)	May 8, 1939	May 8, 1939
Consolidated Amusement Co., Ltd.	91,776.45	91,776.45	5,503	55.0	65,141.16	13,247.02	6	(9)	May 31, 1939	May 31, 1939
Lucile Buford, Paschal Buford, Mrs. S. P. Ross, and Sam W. Ross.	10,731.48	10,631.48	100	100.0	6,251.55	-2,506.56	12	10,000.00	Aug. 8, 1939	Aug. 8, 1939
Ray McClung, Horace E. Thomas, and Stanley R. Pratt, Jr.	38,272.94	43,201.16	300	100.0	\$25,625.29	-3,654.94	12	55,000.00	Apr. 10, 1939	Apr. 17, 1939
15 minority stockholders	9,871.59	9,871.59	90	58.82	5,369.22	1,478.06	9 1/2	3,500.00	Jan. 16, 1939	Jan. 16, 1939
W. I. Dunn, Philip Lasky, Fred J. Hart, Wallace F. Elliott.	146,349.78	151,003.27	9,536.5	98.168	83,937.75	-15,258.00	11	107,984.80	July 26, 1939	July 26, 1939
Ruth G. Roosevelt.	105,268.03	96,868.53	1,700	100.0	\$162,167.31	-8,141.13	12	101,570.76	do	Aug. 17, 1939
O. P. Soule.	67,645.88	73,720.88	1,025	8.2	5,168.95	7,549.05	12	None	Feb. 13, 1939	Feb. 13, 1939
KTAR Broadcasting Co.	24,704.82	29,640.54	1,503	100.0	24,577.72	2,934.49	8	\$35,000.00	Jan. 9, 1939	Jan. 16, 1939
16 stockholders of transferor	(19)	(19)	2,000	100.0	(19)	51,077.67	12	(19)	July 27, 1939	July 27, 1939
West Virginia Broadcasting Corporation.	18,641.24	20,691.65	100	40.0	7,773.68	-2,675.16	12	10,000.00	July 26, 1939	July 26, 1939
Peter Testan, executor of Peter J. Testan.	(19)	(19)	291	100.0	(19)	None	May 1, 1939	May 1, 1939	May 1, 1939	
Peter Testan and Millie Testan.	(19)	(19)	291	100.0	23,694.99	-4,893.10	12	None	do	Do.
Harley D. Peet.	83,335.83	64,380.61	3,332	66.67	9,105.72	-8,603.74	7	99,960.00	May 8, 1939	May 8, 1939
W. P. Booker.	17,896.64	(19)	45	44.1	3,934.39	-1,278.48	11 1/2	4,500.00	July 26, 1939	July 26, 1939
Mrs. Hugh M. (Nancy) Curtler.	24,602.19	12,582.85	843	21.08	8,301.82	826.40	12	3,344.00	May 23, 1939	May 23, 1939
Mrs. Marcia Arrington.	27,322.84	15,306.45	2,231	55.8	20,826.05	-1,980.88	12	\$16,500.00	Oct. 3, 1939	Oct. 3, 1939
Gilmore N. Nunn and J. Lindsay Nunn.	21,351.15	12,007.61	110	66.67	10,236.99	-7,802.00	12	11,000.00	July 27, 1939	July 27, 1939
Valentine E. Macy, Jr., and J. Noel Macy.	24,515.00	24,190.00	{ 1,000 21 716 }	100.0	22,900.00	2,016.49	6	25,500.00	June 27, 1939	July 3, 1939
The Tribune Co.	(20)	(20)	{ 100 20 10 21 12 }	10.0	{ 3,691.00 1,200.00 }	3,247.27	7	{ 6,800.00 1,200.00 }	Nov. 7, 1939	Nov. 7, 1939
Gannett Publishing Co., Inc.	85,315.20	85,315.20	251	51.0	22,433.11	-6,013.51	4	\$25,000.00	May 23, 1939	May 24, 1939
The Daily Press, Inc.	43,439.45	39,232.02	175	66.03	21,183.75	1,361.25	8	21,875.00	Jan. 24, 1939	Jan. 24, 1939
S. A. Cislser, Jr., Chas. Lee Harris	27,317.18	26,961.00	900	37.5	5,787.00	13,632.00	12	16,000.00	May 31, 1939	May 31, 1939
H. W. Wilson, Charlotte L. Burns and George C. McDonald.	16,263.51	16,263.51	49 1/2	33.0	5,267.79	-1,036.11	6	5,000.00	July 12, 1939	July 12, 1939
Bonwit Teller & Co.	22,734.49	14,025.95	200	100.0	10,000.00	-3,825.98	12	10,000.00	May 23, 1939	May 23, 1939
Boscom Hopson	12,131.81	13,084.81	120	75.0	7,738.68	780.81	12	8,675.33	July 14, 1939	July 14, 1939
Roy E. Blossom	20,279.06	19,100.90	2	2	34.00	644.89	12	40.00	Nov. 7, 1939	Nov. 7, 1939
H. G. Wall	25,667.89	33,000.69	510	51.0	6,942.35	-5,142.45	5	19,000.00	July 12, 1939	July 12, 1939
Decatur Newspapers, Inc.	11,600.00	13,600.00	127 1/2	51.0	5,698.71	395.34	12	7,650.00	July 27, 1939	July 27, 1939
J. H. and John F. Steinman	30,928.03	17,696.46	{ 375 21 135 }	75.0	None	-2,325.15	5	27,500.00	July 12, 1939	July 13, 1939
John L. Booth	23,330.69	23,310.33	1,643	62.0	25,454.47	1,763.04	8	125,000.00	Dec. 18, 1939	Dec. 18, 1939
Arde Bulova	95,495.04	84,243.01	309	60.0	88,926.76	-4,607.26	11	160,000.00	Aug. 8, 1939	Aug. 9, 1939
A. J. Fletcher	(19)	(19)	56	31.1	5,600.00	None	12	5,600.00	Mar. 13, 1939	Mar. 13, 1939
S. E. Adcock	(19)	(19)	124	49.6	18,262.00	508.00	12	None	Nov. 20, 1939	Nov. 20, 1939
James M. Cox, Springfield Newspapers, Inc., and Evening News Publishing Co.	\$362,549.91	\$286,507.90	4,058 1/8	70.6	1,191,890.15	152,318.52	12	1,825,125.00	Dec. 12, 1939	Dec. 12, 1939
William H. West, Jr.	23,789.38	23,789.38	{ 184 600 }	36.8	18,342.00	148.39	12	24,850.00	Oct. 24, 1939	Oct. 24, 1939
P. G. Publishing Co.	56,977.48	31,000.00	{ 600 100 }	100.0	40,893.03	24,474.23	12	\$40,000.00	July 13, 1939	July 13, 1939

¹⁸ The assets of licensee totaling \$394,216.57 were increased to \$829,264.22 by consolidation with licensee of assets of transferor and its subsidiaries. Licensee's original liabilities totaling \$302,188.41 (including \$200,000 common stock) were increased to \$418,064.10 (also including the same common stock liability). There were also issued, after consolidation, capital notes \$400,000. A decrease in surplus from \$92,028.16 to \$11,200.12 resulted.

¹⁹ Does not include profit from other than the radio station.

²⁰ Not furnished. Transferred without consideration.

²¹ Property acquired and installed within past several months. Replacement approximates original cost.

²² Includes consideration for an additional 210 shares previously purchased.

²³ Preferred stock.

²⁴ Not available.

²⁵ On July 25, 1939, transferee also acquired 45 shares of common stock and 48 shares of preferred stock for \$85,000. 10 shares of preferred were retired and 27 shares newly issued, resulting in transferee holding all (75 shares) preferred stock.

²⁶ By decree of court in equity.

²⁷ Net worth of the corporation shows a deficit.

²⁸ New station.

²⁹ Gift causa mortis.

³⁰ Radio assets only.

³¹ There were a total of 370 shares of common stock sold for \$50,000, of which 186 shares did not involve control.

³² All the assets of the Pennsylvania Newspaper Co. (including all the stock of licensee) were sold to Paul Block & Associates, Inc., and its assignees, the transferee, for a total consideration of \$2,750,000.

granted by Federal Communications Commission for the period from Jan. 1, 1939, to Dec. 31, 1939, inclusive

Assignee	Original cost of fixed assets	Replacement cost of fixed assets	Total claimed value of physical and intangible assets	Station earnings		Consideration	Date granted by Commission	Effective date
				Net profits or loss (-)	Period			
Central Arizona Broadcasting Co.	\$12,152.50	\$11,589.90	\$19,517.60	\$1,079.87	12 months	\$10,000.00	May 31, 1939	June 5, 1939
Carl C. Anthony, Inc.	291,464.38	321,302.17	(1)	-126,069.33	do	400,000.00	June 21, 1939	July 31, 1939
Hugh J. Powell	64,792.69	55,174.30	\$100,000.00	906.18	do	\$33,333.33	June 14, 1939	June 15, 1939
E. L. Allen	7,922.86	7,500.00	5,235.25	2,015.50	do	7,500.00	May 31, 1939	June 5, 1939
L. L. Hilliard, Ruth K. Hilliard, and R. N. Stewart	11,578.55	9,941.85	13,412.60	1,033.05	do	None	Dec. 5, 1939	Dec. 5, 1939
The Lamar Broadcasting Co.	5,942.72	4,893.51	None	-1,099.12	do	None	Jan. 30, 1939	Jan. 30, 1939
Fred O. Grimwood	14,022.00	14,522.00	10,290.00	101.00	7 months	10,290.00	Nov. 27, 1939	Nov. 27, 1939

Application for consent under sec. 310 of the Communications Act of 1934 for assignment of licenses granted by

Station	Location	File No.	Assignor
KMO	Tacoma, Wash.	B5-AL-253	KMO, Inc.
KNOW	Austin, Tex.	B3-AL-226	KUT Broadcasting Co.
KOBH	Rapid City, S. Dak.	B4-AL-162	Black Hills Broadcasting Co.
KOMA	Oklahoma City, Okla.	B3-AL-229	Hearst Radio, Inc.
KOME	Tulsa, Okla.	B3-AL-237	Harry Schwartz
KRIO	Beaumont, Tex.	B3-AL-243	Beaumont Broadcasting Association, B. A. Steinhagen, president.
KRQA (now KVSE)	Santa Fe, N. Mex.	B3-AL-223	J. Laurance Martin
KSAL	Salina, Kans.	B4-AL-238	R. J. Laubengayer
KSAN (formerly KGGC)	San Francisco, Calif.	B5-AL-214	Golden Gate Broadcasting Co., Robert J. Craig
KTBC	Austin, Tex.	B3-AL-250	State Capitol Broadcasting Association, R. B. Anderson, President.
KTSA	San Antonio, Tex.	B3-AL-222	KTSA Broadcasting Co.
KVGB	Great Bend, Kans.	B4-AL-235	Earnest Edward Ruehlen
KWOC	Poplar Bluff, Mo.	B4-AL-241	Don M. Lidenton and A. L. McCarthy
KYOS	Merced, Calif.	B5-AL-192	Merced Star Publishing Co., Inc.
WAAW (now KOWH)	Omaha, Nebr.	B4-AL-231	Omaha Grain Exchange
WACO	Waco, Tex.	B3-AL-227	KTSA Broadcasting Co.
WAGA	Atlanta, Ga.	B3-AL-207	Liberty Broadcasting Co.
WBBZ	Ponca City, Okla.	B3-AL-196	Adelaide Lillian Carrell, representative of the estate of Charles Lewis Carrell, deceased.
WBNO (now WNOE)	New Orleans, La.	B3-AL-239	Coliseum Place Baptist Church
WCAU	Philadelphia, Pa.	B2-AL-246	WCAU Broadcasting Co. (N. J.)
WCAX	Burlington, Vt.	B1-AL-228	Burlington Daily News, Inc.
WCBA	Allentown, Pa.	B2-AL-220	B. Bryan Musselman
WSAN	do	B2-AL-221	WSAN, Inc.
WCLE	Cleveland, Ohio	B2-AL-254	Cleveland Radio Broadcasting Co.
WHK	do	B2-AL-255	Radio Air Service Corporation
WHKO	Columbus, Ohio	B2-AL-256	Associated Radiocasting Co.
WCOV	Montgomery, Ala.	B3-AL-236	John S. Allen & G. W. Covington, Jr.
WDEV	Waterbury, Vt.	B1-AL-216	Charles B. Adams, administrator of Harry C. Whitehill estate, and executor of Mary M. Whitehill estate.
WFBM ¹	Indianapolis, Ind.	B4-AL-246	Indianapolis Power & Light Co.
WGNV	Newburgh, N. Y.	B1-AL-252	Peter Golet
WIS	Columbia, S. C.	B3-AL-234	WIS, Inc.
WJHL	Johnson City, Tenn.	B3-AL-258	S. Hanes Lancaster and J. W. Birdwell, as Johnson City Broadcasting Co.
WKRC	Cincinnati, Ohio	B2-AL-260	Columbia Broadcasting System, Inc.
WLBL ²	Stevens Point, Wis.	B4-AL-250	Board of Regents, University of Wisconsin
WMBL	Chicago, Ill.	B4-AL-243	Moody Bible Institute Radio Station
WMFO Now (WMSL)	Decatur, Ala.	B3-AL-247	James R. Doss, Jr.
WREC	Memphis, Tenn.	B3-AL-233	WREC, Inc.
WSPR	Springfield, Mass.	B1-AL-244	Quincy A. Brackett, Lewis B. Breed and Edmund A. Laport, as Connecticut Valley Broadcasting Co.
WTMC	Ocala, Fla.	B3-AL-251	John T. Alsop, Jr.

¹ Property in preceding columns.

² A 1/4 interest in the partnership was sold.

³ After hearing.

⁴ Assignment of permit and license.

⁵ Expiration of lease.

⁶ Transfer from a corporation to the sole stockholder.

⁷ Not furnished.

⁸ \$5,000 in stock, \$2,400 cash, \$17,550.98 advances to assignor.

⁹ Represented by 197 shares of assignee's stock to be issued to assignor.

¹⁰ 400 shares of stock of assignee.

¹¹ 250 shares of stock of assignee.

¹² Represents depreciated value of physical equipment, and unexpired advertising contracts. Does not include a value for leases, music, script, promotional, and other such material.

¹³ Represented by 24,000 shares of stock, par value \$1 each.

¹⁴ Does not include value of unexpired contracts.

¹⁵ Does not include values for leases, music, script, unexpired contracts, and other such material.

¹⁶ 1,000 shares (\$100 par value) preferred stock, and 250 shares (no par value, stated value \$25,000). Common stock to be issued to stockholders of assignor. Assignee to receive assets and assume obligations of assignor.

¹⁷ See 2 preceding columns.

¹⁸ Rental of station property.

¹⁹ Lease between church and assignee provides for broadcasting church services, and 1/2 hour daily programs sponsored by the church (latter may be waived upon payment of \$500). Assignee to bear expenses. After first year to pay rental of \$1,000 per annum.

Applications for consent under sec. 310 of the Communications Act of 1934 for assignment of construction

Station	Location	File No.	Assignor
KRBM	Bozeman, Mont.	B5-AP-25	Roberts-MacNab Co. (Arthur L. Roberts, R. B. MacNab, A. J. Breitbach).
KSAL	Salina, Kans.	B4-AP-30	R. J. Laubengayer
WDSM	Superior, Wis.	B4-AP-26	Fred A. Baxter
WSAV	Savannah, Ga.	B3-AP-29	Arthur Lucas

¹ Construction not commenced.

² Parties in interest in assignee will reimburse expenses paid by Gallatin Radio Forum, investments of its incorporators as well as investments of Roberts-MacNab Co. in connection with original applications. Principals of these companies have formed new corporation, each holding equal shares.

³ See assignment of license for Station KSAL, approved June 6, 1939, which contemplated assignment of this permit if granted.

Federal Communications Commission for the period from Jan. 1, 1939, to Dec. 31, 1939, inclusive—Continued

Assignee	Original cost of fixed assets	Replacement cost of fixed assets	Total claimed value of physical and intangible assets	Station earnings		Consideration	Date granted by Commission	Effective date
				Net profits or loss (—)	Period			
Carl E. Haymond.....	\$50,011.04	\$37,994.86	\$30,462.82	\$17,674.89	12 months.....	⁶ None	Oct. 31, 1939	Oct. 31, 1939
Frontier Broadcasting Co., Inc.....	12,608.46	17,233.76	35,220.21	(4,286.54)	do.....	\$50,000.00	May 8, 1939	May 8, 1939
Black Hills Broadcasting Co., of Rapid City.....	16,732.58	(⁷)	24,950.98	(8,528.36)	do.....	⁸ 24,950.98	June 27, 1939	June 27, 1939
KOMA, Inc.....	63,604.94	93,380.58	47,937.07	44,160.33	do.....	315,000.00	Feb. 13, 1939	Feb. 13, 1939
Oil Capital Sales Corporation.....	23,667.62	23,667.62	16,850.22	4,698.59	2½ months.....	⁹ 19,700.00	July 26, 1939	July 26, 1939
KRIC, Inc.....	28,353.23	28,353.23	14,231.98	(3,618.37)	3 months.....	42,105.77	June 20, 1939	June 20, 1939
New Mexico Broadcasting Co.....	8,290.56	9,162.13	9,414.22	850.03	4 months.....	12,000.00	May 23, 1939	May 23, 1939
KSAL, Inc.....	44,335.19	(⁷)	39,941.00	(6,752.00)	12 months.....	¹⁰ 10,000.00	June 6, 1939	June 6, 1939
Golden Gate Broadcasting Corporation.....	30,443.13	28,522.69	19,003.82	581.22	2 months.....	30,000.00	July 13, 1939	July 13, 1939
State Capitol Broadcasting Association, Inc.....	27,881.45	27,881.45	27,081.45	(1,756.27)	1½ months.....	¹¹ 25,000.00	Nov. 7, 1939	Nov. 7, 1939
Sunshine Broadcasting Co.....	77,106.38	81,472.37	¹² 107,204.81	102,737.98	30½ months.....	300,000.00	May 23, 1939	³ May 24, 1939
Helen Townsley.....	18,201.06	18,201.06	9,319.53	2,935.32	12 months.....	22,353.00	May 1, 1939	May 1, 1939
A. L. McCarthy, O. A. Tedrick, and J. H. Wolpers, as Radio Station KWOC.....	13,000.00	15,263.00	14,546.22	1,730.48	9½ months.....	15,000.00	July 12, 1939	July 12, 1939
Merced Broadcasting Co.....	23,087.54	26,409.05	21,923.33	7,800.00	12 months.....	¹³ 24,000.00	Apr. 3, 1939	³ Apr. 10, 1939
World Publishing Co.....	56,099.26	45,377.15	¹⁴ 25,351.08	(14,047.93)	do.....	75,000.00	Feb. 27, 1939	Feb. 27, 1939
Frontier Broadcasting Co., Inc.....	14,655.50	15,719.10	¹⁵ 9,317.32	4,018.18	do.....	50,000.00	May 8, 1939	May 8, 1939
Liberty Broadcasting Corporation.....	72,888.20	75,183.95	122,004.55	16,912.12	do.....	(¹⁶)	July 27, 1939	³ July 28, 1939
Adelaide Lillian Carrell, executrix of the estate of Charles Lewis Carrell, deceased.....	(⁷)	(⁷)	5,882.56	582.11	do.....	None	May 1, 1939	³ May 2, 1939
WBNO, Inc.....	12,718.22	13,950.00	(¹⁷)	¹⁸ 1,250.00	(¹⁹)	June 6, 1939	June 6, 1939	
WCAU Broadcasting Co. (Pennsylvania).....	1,650,581.50	1,721,244.12	1,746,366.42	285,825.24	12 months.....	²⁰ None	June 27, 1939	June 27, 1939
The Vermont Broadcasting Corporation.....	18,632.05	17,929.46	12,771.49	1,664.50	do.....	17,000.00	Mar. 27, 1939	Mar. 27, 1939
Lehigh Valley Broadcasting Co.....	62,147.34	46,000.00	22,580.77	(7,595.46)	do.....	²¹ 22,500.00	June 27, 1939	June 27, 1939
do.....	37,419.01	30,411.76	41,440.51	441.13	do.....	²² 41,300.00	do.....	Do.
United Broadcasting Co.....	²³ 30,859.06	²⁴ 27,000.00	(62,130.26)	1,536.74	7 months.....	(²⁵)	Oct. 17, 1939	Oct. 17, 1939
do.....	²³ 236,990.42	²⁴ 190,285.00	242,453.62	2,555.94	do.....	(²⁶)	do.....	Do.
do.....	33,258.32	42,170.00	(64,017.78)	(18,952.90)	do.....	(²⁷)	do.....	Do.
Capital Broadcasting Co., Inc.....	13,299.39	13,299.39	11,370.34	(3,044.03)	5 months.....	(²⁸)	May 23, 1939	May 23, 1939
Lloyd E. Squier and William G. Rieker, as Radio Station WDEV.....	46,124.70	35,184.70	(⁷)	1,597.87	12 months.....	²⁷ None	Apr. 10, 1939	Apr. 10, 1939
WFRM, Inc.....	163,327.03	162,322.85	(¹⁷)	26,383.95	4 months.....	²⁹ 450,000.00	July 12, 1939	July 12, 1939
Courier Publishing Co.....	47,627.61	45,109.64	(¹⁷)	(18,186.40)	12 months.....	40,000.00	Oct. 3, 1939	Oct. 3, 1939
Liberty Life Insurance Co.....	(⁷)	(⁷)	43,218.53	(4,823.00)	do.....	(³⁰)	Nov. 7, 1939	Nov. 7, 1939
WJHL, Inc.....	19,332.20	19,332.20	47,645.60	5,448.19	8 months.....	17,645.50	Oct. 10, 1939	Oct. 10, 1939
Cincinnati Times-Star Co.....	156,467.36	222,500.00	³¹ 77,934.78	20,864.60	7 months.....	320,000.00	Nov. 27, 1939	Nov. 27, 1939
State of Wisconsin Department of Agriculture.....	66,457.00	66,457.00	(³²)	³² 18,000.00	12 months.....	(³³)	Nov. 14, 1939	Nov. 14, 1939
Moody Bible Institute of Chicago.....	(⁷)	(⁷)	(⁷)	None	do.....	(³⁴)	Aug. 8, 1939	Aug. 8, 1939
Tennessee Valley Broadcasting Co., Inc.....	7,235.20	8,675.00	7,113.71	1,027.29	12 months.....	³⁴ 7,050.00	Sept. 12, 1939	Sept. 12, 1939
Hoyt B. Wooten, as WREC Broadcasting Service.....	(⁷)	(⁷)	6,327.26	(⁷)	do.....	(³⁵)	Jan. 24, 1939	Jan. 24, 1939
WSPR, Inc.....	34,535.09	86,299.00	29,338.40	6,520.45	12 months.....	(³⁶)	July 12, 1939	July 12, 1939
Ocala Broadcasting Co., Inc.....	11,232.37	11,232.37	(¹⁷)	(⁷)	do.....	(³⁸)	Oct. 3, 1939	Oct. 3, 1939

²⁰ Assignee receives all assets and assumes all obligations of assignor.²¹ 225 shares of assignee's capital stock, par value \$100 per share.²² 413 shares of assignee's capital stock, par value \$100 per share.²³ Does not include figures for associated relay stations.²⁴ Assignors are to be liquidated. Assignee will receive assets and assume liabilities of assignors.²⁵ Does not include original cost (\$20,924.61) and replacement value (\$20,941) for associated high-frequency and facsimile stations, nor the same values for relay stations.²⁶ Assignee to receive all assets and assume all obligations of assignor. Assignee will issue to Covington 52 shares and to Allen 45 shares out of 100 shares of common stock.²⁷ Under the will of Mary M. Whitehill station bequeathed to assignees.²⁸ 6 associated relay stations.²⁹ Assignor also leased to assignee real estate for 99 years for a total rental of \$50,000 included in consideration; and subleased premises for 10 years at monthly rental of \$392.50.³⁰ Does not include value of unexpired advertising contracts.³¹ Statute assigning facilities to university failed of passage.³² State appropriation.³³ Station leased for \$1 per year, plus maintenance and operation charges.³⁴ Consideration is indebtedness of licensee to Clarence H. Calhoun, Jr. Facilities assigned by Calhoun to assignee for \$6,000 stock subscriptions.³⁵ Assignee receives station assets in return for 198 (out of 200) shares of common capital stock.

permits granted by Federal Communications Commission for period from Jan. 1, 1939, to Dec. 31, 1939, inclusive

Assignee	Original cost of fixed assets	Replacement cost of fixed assets	Total claimed value of physical and intangible assets	Station earnings		Consideration	Date granted by Commission	Effective date
				Net profits or loss (—)	Period			
KRBM Broadcasters.....	(¹)	(¹)	(¹)	¹ None	do.....	(²)	Jan. 16, 1939	Jan. 16, 1939
KSAL, Inc.....	(²)	(³)	(³)	³ None	do.....	(³)	Oct. 3, 1939	Oct. 3, 1939
WDSM, Inc.....	(¹)	(¹)	(¹)	¹ None	do.....	(⁴)	Feb. 6, 1939	Feb. 6, 1939
WSAV, Inc.....	\$11,500	(¹)	(¹)	¹ None	do.....	(⁶)	Aug. 8, 1939	Aug. 8, 1939

⁴ Assignee will receive all rights under permit and will issue to assignor 50 percent (56 shares) out of 114 shares common stock. Assignor will pay par value (\$100 per share) for such stock.⁵ Estimated cost to build station.⁶ Consideration \$1. Individual permittee assigned to corporation all rights under the permit.

To my mind there is not a Member of this body who will condone anyone trafficking in governmental franchises. Yet this committee's report not only proves that such trafficking in radio licenses exists but that such a practice has the approval of the members of the Federal Communications Commission.

I note on the chart opposite page 937 that recently a radio station which, the Commission states, had a replacement value of \$286,507, and which the Commission states had a claimed value of stock transferred, including physical and intangible values, of \$1,191,890, was sold for \$1,826,000. Apparently the radio franchise in this case was valued by the purchaser at some \$634,000; and bear in mind that the Commission also states that the purchaser acquired not 100-percent interest but a 70-percent interest. In other words, if he had acquired a full hundred percent and paid for this franchise on the same basis the franchise would have been valued at approximately \$1,000,000.

I note also another transaction wherein the station, with a replacement value of \$23,000 and a claimed value of stock transferred, including physical and intangible, of \$25,000, was sold for \$125,000. As the purchaser acquired only 62 percent of the stock, he must have valued such franchise not only at the \$100,000, which is the difference between the claimed value and what he paid for 62 percent, but this transaction would show that the estimated value of the governmental franchise was some \$175,000.

I note another transaction wherein the station, with a replacement value of \$84,000 and with a claimed value of stock transferred, including physical and intangible values, of \$89,000, was sold for \$160,000. This would indicate that the purchaser placed a value of at least \$70,000 on the governmental franchise in which he has obtained a 60-percent interest.

I note also a station where the replacement cost of the fixed assets is set at \$55,000 and for which \$33,333 was paid for a third interest, thus placing a value of some \$45,000 on the governmental franchise.

I find another instance wherein a station with a replacement cost set at \$81,000 and which had a total claimed value of physical and intangible assets of \$107,000 was sold for \$300,000, leaving an apparent value of some \$200,000 for the governmental grant, which presumably cost nothing and from which the Government receives no tax.

I find another instance wherein a station with a replacement cost of some \$45,000 and a total claimed value of physical and intangible assets of some \$25,000 was sold for \$75,000. Again we find an apparent value of \$50,000 placed on this governmental grant.

I find another instance wherein a station with a replacement cost set at \$15,000 and a total claimed value of physical and intangible assets of some \$10,000 was sold for \$50,000, apparently a value of some \$40,000 being placed on the governmental franchise.

I will not take up the time of the House, but will suggest the insertion, as a part of my remarks, of these tables, which I think the Members of the House might overlook in the hearings.

In closing, I might call to the attention of the House one other illustration: A power company, I find, sold a station wherein they allege an original cost of \$163,000 and a replacement cost of fixed assets of \$162,000 for some \$450,000, with the approval of the Commission. This was an approximate value to the purchaser of at least \$300,000 for this governmental franchise, for which the Government received nothing.

Mr. Chairman, I cite these illustrations to you in support of my resolution, now pending before the Rules Committee, for investigation of the Radio Commission and the radio monopoly. I appreciate the number of calls upon every Member of the House, and how difficult it is for the average Member to find sufficient time in which to go through the Appropriations Committee hearings in their entirety.

However, I have no hesitancy in saying that Congress must investigate the radio monopoly—must investigate the Com-

munications Commission. And I believe in that old saying, Mr. Chairman, that if and when one finds he has to do something, the sooner he does it and has it done with, the better for all concerned. [Applause.]

The CHAIRMAN (Mr. WARREN). The Clerk will read.
The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1941, namely:

Mr. WOODRUM of Virginia. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WARREN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 7922, the independent offices appropriation bill, had come to no resolution thereon.

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to proceed for 30 seconds.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

There was no objection.

CALL OF THE HOUSE

Mr. WOODRUM of Virginia. Mr. Speaker, we are about to begin the reading of the independent offices appropriation bill. There are many matters of great interest in the bill, and I think the membership of the House should be notified in order that they may be here. I therefore make the point of order that there is not a quorum present.

The SPEAKER. The Chair will count. [After counting.] One hundred and thirty-two Members are present, not a quorum.

Mr. WARREN. Mr. Speaker, I move a call of the House. A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 6]

Allen, La.	Pay	Kirwan	Sacks
Allen, Pa.	Fernandez	Lea	Sasscer
Barton	Folger	McMillan, Clara G.	Schwert
Bell	Ford, Miss.	Maciejewski	Secret
Bender	Ford, Leland M.	Maloney	Shannon
Boehne	Ford, Thomas F.	Massingale	Sheridan
Buck	Fulmer	Merritt	Short
Buckley, N. Y.	Garrett	Mouton	Smith, Ill.
Byron	Gehrmann	Murdock, Utah	Smith, Va.
Celler	Geyer, Calif.	Myers	Somers, N. Y.
Chapman	Green	O'Brien	Steagall
Clark	Griffith	O'Leary	Summers, Tex.
Cole, Md.	Hall, Leonard W.	O'Neal	Sweeney
Crosser	Hart	Osmers	Taylor
Culkin	Hartley	Pfeifer	Tinkham
Cummings	Hawks	Pierce	West
Darrow	Healey	Randolph	Wheat
Dies	Hennings	Reece, Tenn.	Wigglesworth
Ditter	Holmes	Risk	Wolfenden, Pa.
Douglas	Jarrett	Romjue	Wolverton, N. J.
Dowell	Kelly	Routzohn	Wood
Evans	Keogh	Sabath	

The SPEAKER. Three hundred and thirty-six Members have answered to their names, a quorum.

Further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial on trade agreements.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ANNOUNCEMENT

Mr. HALLECK. Mr. Speaker, I wish to announce that my colleagues the gentleman from Virginia [Mr. SMITH], the gentleman from Utah [Mr. MURDOCK], the gentleman from Massachusetts [Mr. HEALEY], and the gentleman from Ohio [Mr. ROUTZOHN] are necessarily detained by reason of a meeting of the Special Committee to Investigate the National Labor Relations Board.

EXTENSION OF REMARKS

Mr. MARTIN of Iowa. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address I delivered over station WSUI on our national-defense system.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by reprinting an editorial from the Chicago Herald-Examiner on reciprocal-trade agreements.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MANSFIELD asked and was given permission to extend his own remarks in the RECORD.

Mr. BOREN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a copy of a letter I have written my colleagues on the subject of soil conservation.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMISTON. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from West Virginia [Mr. RANDOLPH], who is ill in a hospital, may be permitted to extend his own remarks in the RECORD on the subject of mine safety and the Dies committee.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

INDEPENDENT OFFICES APPROPRIATION BILL, 1941

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 7922) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1941, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 7922), with Mr. WARREN in the chair.

The Clerk read the title of the bill.

The Clerk read as follows:

Salaries and expenses: For every expenditure requisite for and incident to the work of the Council of Personnel Administration, created by section 7 of Executive Order No. 7916, dated June 24, 1938, including personal services in the District of Columbia; traveling expenses, including, when specifically directed by the chairman, not exceeding \$800 for expenses of attendance at meetings concerned with the furtherance of the work of the council; printing and binding; books of reference and periodicals; and the payment of actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses of persons serving while away from their homes, without other compensation from the United States, in an advisory capacity to the council, \$25,040.

Mr. DIRKSEN. Mr. Chairman, I make the point of order against the section beginning on line 20, page 15, and ending on line 9, page 16, that it is not authorized by law.

Mr. WOODRUM of Virginia. Mr. Chairman, undoubtedly there is language in this section which changes existing law, particularly the language on page 16 beginning on line 4, after the word "periodicals" and reading as follows:

and the payment of actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence.

This language unquestionably changes existing law and would make the paragraph subject to a point of order. I concede the point of order, Mr. Chairman.

The CHAIRMAN (Mr. WARREN). The gentleman from Illinois makes a point of order against the paragraph, and the gentleman from Virginia concedes the point of order. The point of order is therefore sustained.

The Clerk read as follows:

Electric Home and Farm Authority, salaries and administrative expenses: Not to exceed \$600,000 of the funds of the Electric Home and Farm Authority, established as an agency of the Government by Executive Order No. 7139 of August 12, 1935, and continued as such agency until June 30, 1941, by the act of March 4, 1939 (Public Act No. 2, 76th Cong.), shall be available during the fiscal year 1941 for administrative expenses of the Authority, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the act of June 3, 1926, as amended (5 U. S. C. 821-833); not exceeding \$3,000 for expenses incurred in packing, crating, and transporting household effects (not exceeding 5,000 pounds in any one case) of personnel when transferred in the interest of the service from one official station to another for permanent duty when specifically authorized in the order directing the transfer; printing and binding; lawbooks and books of reference; not to exceed \$200 for periodicals, newspapers, and maps; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; and all other administrative expenses: *Provided*, That all necessary expenses (including legal and special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, care, repair, and disposition of any security or collateral now or hereafter held or acquired by the Authority shall be considered as nonadministrative expenses for the purposes hereof.

Mr. CASE of South Dakota. Mr. Chairman, I make the point of order against the paragraph that it contains legislation in the proviso beginning on page 21, line 3, and reading as follows:

Provided, That all necessary expenses (including legal and special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, care, repair, and disposition of any security or collateral now or hereafter held or acquired by the Authority shall be considered as nonadministrative expenses for the purposes hereof.

I make the point of order merely against the proviso, Mr. Chairman, not against the paragraph.

The CHAIRMAN. Does the gentleman from Virginia desire to be heard on the point of order?

Mr. WOODRUM of Virginia. I do not, Mr. Chairman.

The CHAIRMAN (Mr. WARREN). As the language pointed out by the gentleman from South Dakota [Mr. CASE] attempts to construe existing law, the Chair believes the point of order is well taken. The point of order is, therefore, sustained, and the proviso is stricken out.

The Clerk read as follows:

Export-Import Bank of Washington, salaries and administrative expenses: Not to exceed \$125,000 of the funds of the Export-Import Bank of Washington, established as an agency of the Government by Executive Order No. 6581 of February 2, 1934, and continued as such agency until June 30, 1941, by the act approved March 4, 1939 (Public Act No. 3, 76th Cong.), shall be available during the fiscal year 1941 for administrative expenses of the bank, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the act of June 3, 1926, as amended (5 U. S. C. 821-833); printing and binding; lawbooks and books of reference; not to exceed \$250 for periodicals, newspapers, and maps; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the bank or in which it has an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHAFER of Wisconsin: On page 21, beginning in line 10, strike out the entire paragraph down to and including line 11 on page 22.

Mr. SCHAFER of Wisconsin. Mr. Chairman, our rapidly mounting national debt has now passed the \$42,000,000,000 mark. In addition, we have about \$8,000,000,000 of obligations which our Federal Government has guaranteed. For many years the Federal Government has been going in the red several billion dollars each year. No country can continue indefinitely to spend \$2 for every dollar which is collected in taxes and remain solvent.

We hear a great deal of talk about danger to America. We have appropriated almost \$2,000,000,000 for the next fiscal year for our national defense. But, Mr. Chairman, the real danger to America does not lie in danger from without but from within. That martyred Republican President, Abraham Lincoln, once said, in referring to the potential dangers to our country and our institutions, that because of geographical location the danger would not come from without but from within. The \$42,000,000,000 national debt, which is mounting at a rapid pace each day, and our huge annual continuing deficits are a real danger to America.

We hear Democrats and Republicans—Jeffersonian Democrats and left-wing Moscow New Deal Democrats—preach and prattle about economy and the necessity to economize here and economize there in order to reduce the expenditures of our Federal Government.

Mr. Chairman, through the vehicle of the Export-Import Bank our almost bankrupt Federal Treasury is raided day after day and many millions of dollars extracted therefrom—not for the benefit of America, but to enable our New Deal brethren to play Santa Claus in a big way to foreign nations and to people in foreign lands.

I sincerely hope that all advocates of true economy will support this amendment and send word to the country that in view of the danger to America by reason of our large continuing annual deficits and rapidly mounting, stupendous national debt, Democratic and Republican Members of Congress are going to stop Uncle Sam from playing Santa Claus, to the tune of many millions of dollars, for foreign countries and people in foreign lands. We should do this particularly in view of the record with respect to the failure of foreign countries to pay principal or interest on more than \$13,000,000,000 which they owe to the Treasury of the United States, and more than \$2,000,000,000 which they owe our own private investors—this default notwithstanding the fact that most of our foreign debtor nations have billions of dollars to build and maintain huge military establishments, engage in war, and loan other nations hundreds of millions of dollars.

Mr. HOUSTON. Mr. Chairman, will the gentleman yield?

Mr. SCHAFER of Wisconsin. I yield to the gentleman.

Mr. HOUSTON. Is it not a fact that the Export-Import Bank has shown an enormous profit ever since it has been in existence, and is it not one of the self-sustaining institutions of the Government?

Mr. SCHAFER of Wisconsin. I do not care what kind of temporary profit is involved, because in the end we will find that the bank has sustained huge losses. If the bank is such a profitable institution, why is it continually asking the Congress to provide funds for it? We should be moving to collect the \$15,000,000,000 owed us by foreign nations instead of continuing to hand them more millions.

[Here the gavel fell.]

Mr. SCHAFER of Wisconsin. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHAFER of Wisconsin. It is time for Uncle Sam to stop playing Santa Claus for foreign nations and their nationals. All of the Members of Congress realize the unemployment in our own American textile industry. Notwithstanding that unemployment we saw headlines in the press a week or so ago indicating that the Export-Import Bank had raided our almost bankrupt Federal Treasury and advanced about \$6,000,000 to textile manufacturers; not American textile manufacturers who are in a bad financial condition, not for the benefit of workers in American textile institutions, but an advance of \$6,000,000 from our United States Treasury to subsidize textile manufacturers in Italy, a country which now owes America more than \$2,000,000,000 and refuses to pay one penny of interest thereon.

In closing, I wish to say to those who continually talk economy that I will follow the slogan of the President in this

matter. What we want is action, more action and less talk about economy. You now have an opportunity to act. To act in the interest of economy. To act in the interest of America. To act in the interest of our national defense by voting for this amendment and thereby prevent Uncle Sam from continuing to be an international sucker and Santa Claus for people in foreign lands. [Applause.]

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WOODRUM of Virginia. Mr. Chairman, my good friend would eliminate from this bill one of the few money-making activities it has in it. If the Export-Import Bank could do enough business, if it were economical and desirable to permit them to do enough business—and I am not now prepared to say it should be expanded at all—they might show an even greater profit. Certainly what they have done so far has not been any drain on the Public Treasury or caused any increase in the national debt. They get their money from the Reconstruction Finance Corporation through investment by the Corporation in the bank's preferred stock. Of course, if, ultimately, they lose that capital then it will be a potential loss to the Treasury, but so far they have had no losses whatever; and not only that, but their administrative expenses heretofore have been less than \$100,000 a year.

Their profits in 1936 were \$170,000; in 1937, \$797,000; in 1938, \$885,000; and in 1939, \$1,744,000.

Now, what do they do with these loans? They make loans for the purpose of enabling foreign governments or organizations to buy industrial products and agricultural products in America, including dairy products, and pay for them and export them. I wish every Member of the House would read carefully the hearings held before our committee. As I have said, this is one of the few organizations that is really self-sustaining, and I hope the gentleman's amendment will not be agreed to.

[Here the gavel fell.]

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Wisconsin [Mr. SCHAFER].

The amendment was rejected.

The Clerk read as follows:

Not to exceed \$2,000,000 of the funds of the Reconstruction Finance Corporation, advanced or to be advanced to the Federal Housing Administration under authority of the National Housing Act of June 27, 1934 (48 Stat. 1246), as amended, and not to exceed \$3,000,000 of the funds (after the allowance of said \$1,200,000 for administrative expenses) in the account in the Treasury comprised of premiums collected under authority of section 2 (f), title I, of the National Housing Act, as amended, shall be available for the payment of losses under insurance granted under section 2 and section 6, title I, of said act.

Mr. GIFFORD. Mr. Chairman, I move to strike out the last word, to call attention very briefly to that paragraph which is constantly appearing where nonadministrative expenses are mentioned as foreclosing, repairing, preservation, and final sale of properties, real and personal, that the Government has to take over in its loaning activities. Someone said last year that the Government is getting to be a glorified pawn shop. It seems strange to me that this should be classed as wholly nonadministrative. Do not the regular officials and administrators have to be called upon to act in these foreclosure measures and in the taking and sale of property? Do you need wholly outside help for all of these things, or cannot the regular officials perform most of these duties? Are these bureaus to be credited for extra work and thus enabled to increase authorized amounts? It seems to me like a conglomeration of duties trying to be separated, which cannot possibly be separated, and I do want to call the attention to the fact that we find now, constantly, this lan-

guage in these appropriation bills. It would seem that costs of foreclosure, preservation, and sale, and other expenses ought not to appear as nonadministrative expense. If there is any suggestion to be made by the committee, out of my time, I should like to hear it. I should like to have someone tell me how we can divide those services, why the regular force cannot take care of these administrative duties. Am I not right?

Mr. DIRKSEN. Certainly.

Mr. GIFFORD. The gentleman says that I am exactly right. I thought I was.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

The Clerk read as follows:

Not to exceed \$22,000,000 of the funds of the Home Owners' Loan Corporation, established by the Home Owners' Loan Act of 1933 (48 Stat. 128), shall be available during the fiscal year 1941 for administrative expenses of the Corporation, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the act of June 3, 1926, as amended (5 U. S. C. 821-833); expenses (not to exceed \$3,500) of attendance at meetings concerned with the work of the Corporation when specifically authorized by the Board of Directors; printing and binding; law-books, books of reference, and not to exceed \$500 for periodicals and newspapers; procurement of supplies, equipment and services; maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; use of the services and facilities of the Federal Home Loan Bank Board, Federal home-loan banks, and Federal Reserve banks; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including services performed on a force account, contract or fee basis, but not including other personal services) in connection with the acquisition, protection, operation, maintenance, improvement, or disposition of real or personal property belonging to the Corporation or in which it has an interest, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Corporation shall be incurred, allowed, and paid in accordance with the provisions of said Home Owners' Loan Act of 1933, as amended (12 U. S. C. 1461-1468).

Mr. CASE of South Dakota. Mr. Chairman, I make the point of order that the proviso beginning in line 5, on page 29, dealing with nonadministrative expenses tends to construe existing law and is legislation on an appropriation bill.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman reserve that and permit me to make a brief statement?

Mr. CASE of South Dakota. Certainly.

Mr. WOODRUM of Virginia. Mr. Chairman, the provision that appears in all these agencies for which we do not make specific appropriation but permit them to use their own funds, similar to this provision providing that funds in connection with the acquisition and sale of property they have to take in shall not be considered administrative expenses, is for this purpose. If a property is recalled or foreclosed by the Home Owners' Loan Corporation, we will say, and it is sold by the Home Owners' Loan Corporation, the funds involved in that transaction have never been appropriated by Congress. They are not carried in this appropriation bill. The funds are paid by the Home Owners' Loan Corporation. They have to pay for the recording of the deed and in some isolated places where they have no attorney, they have to pay an attorney's fee or some other fee in connection with the acquisition, disposition, or maintenance or repair of property. Funds never having been appropriated by Congress, this language gives them permission to handle those accounts without going through the necessary routine of having a special appropriation for all of them. It is subject to a point of order unquestionably, but to strike it out will seriously cripple the operations of the Home Owners' Loan Corporation and it will increase the cost of their operation.

The CHAIRMAN. Does the gentleman from South Dakota insist upon his point of order?

Mr. CASE of South Dakota. Mr. Chairman, this point of order could clearly be made against this clause in all of these

loan-agency items. I have made it in this particular case because it seems to me justification should be made by this agency and legislative authorization secured for it. It seems to me that in the matter which the gentleman from Virginia cites, there has been too much abuse and too much laying of redemption costs against those who have been foreclosed from their homes, by the employment of special attorneys and the assessing of other foreclosure costs. In this instance I insist upon the point of order.

The CHAIRMAN. The point of order is sustained and the Clerk will read.

The Clerk read as follows:

Construction outside the District of Columbia: For continuation of construction of, and acquisition of sites for, public buildings outside of the District of Columbia, including the purposes and objects, and subject to the limitations specified under this head in the Third Deficiency Appropriation Act, fiscal year 1937 (50 Stat. 773), as supplemented by the Federal Public Buildings Act, 1933, and also including those increases in the limits of cost of certain authorized projects, 25 in number, as specified in House Document No. 177, Seventy-sixth Congress, \$15,000,000: *Provided*, That the provisions of section 322 of the act of June 30, 1932 (47 Stat. 412), shall not apply with respect to the rental of temporary quarters for housing Federal activities during the replacement or remodeling of buildings authorized under this or previous acts.

Mr. O'CONNOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'CONNOR: On page 41, line 7, after the word "Congress," strike out "\$15,000,000" and insert "\$37,000,000."

Mr. O'CONNOR. Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Without objection it is so ordered.

There was no objection.

Mr. O'CONNOR. Mr. Chairman, by Public Act No. 354, an act of Congress passed August 27, 1937, the Congress authorized the appropriation of \$70,000,000 for the purpose of constructing post-office buildings outside the District of Columbia and used this language:

There is hereby authorized to be appropriated a total amount of \$70,000,000 for expenditure over a period of 3 years.

You will note that this amount was authorized by Congress practically with the direction that it be used over a period of 3 years for the construction of post-office buildings. The 3 years would begin in August 1937, and will expire in August 1940, this year. This amount was increased by the Congress, as shown by Public Resolution 122, which used this language:

Construction of public buildings outside the District of Columbia. Total amount authorized to be appropriated for the 3-year program for the acquisition of sites and construction of public buildings by the paragraph under the caption "Emergency Construction of Public Buildings Outside the District of Columbia," contained in the Third Deficiency Appropriation Act, fiscal year 1937, approved August 31, 1937, is hereby increased from \$70,000,000 to \$130,000,000.

In other words, we have an authorization by the Congress in these two specific acts, the second act embodying the provisions of the first act, with reference to building these buildings over a period of 3 years, with no provision as to the amount to be used in any specific year, out of which has been appropriated up to date \$89,000,000. This is shown by the testimony offered before this committee:

Mr. REYNOLDS. We will have \$89,000,000, plus \$15,000,000, which is \$104,000,000, leaving \$26,000,000 (regular testimony, p. 1342, hearings).

Right there I want to say this bill carries an appropriation of the heretofore authorized amount of \$15,000,000, heretofore authorized by the two acts of Congress referred to. So the Congress intended in the original act of 1937 that these places needing post-office buildings throughout the United States would get at least 2 buildings during 3 years, as suggested by the distinguished gentleman from Virginia when I interrogated him about this matter when he was making his opening statement. It provided for 2 buildings in each district in the United States out of this fund. We are now

providing for an appropriation for the 1940 construction of these post-office buildings, which is a continuation of the program directed by the Congress in the act of August 1937. Why leave this \$26,000,000 there when we need post offices? The Congress authorized it—in fact, directed it in 1937. In my own district I have 16 eligible cities, declared to be eligible by the Post Office Department. In those cities we do not have a Federal building. In those cities we have the various Federal agencies stuck around in any place they can get for them. Down in the courthouse—in my own town we have to put them in the basement of our courthouse because there is no other place for them. There is not a Federal building in those 16 towns that I speak about. No doubt similar conditions exist in other districts.

Mr. BECKWORTH. Will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman.

Mr. BECKWORTH. The gentleman's amendment does not provide for an appropriation in excess of the amount that has already been authorized to be spent within the 3 years beginning in 1937?

Mr. O'CONNOR. The gentleman is correct about that. As a matter of fact, if my amendment is adopted there will be \$4,000,000 of the amount authorized still unappropriated. There is not any reason why we cannot put some of these idle people to work in the building of post offices where they are needed, particularly so when the Congress practically directed it in 1937. Why leave \$26,000,000 unappropriated?

Mr. BECKWORTH. I am very much for the amendment, because, like in the gentleman's district, I have 10 cities in my district that desire a Federal building, and they are urging now that they are entitled to it because of previous reports they have received.

Mr. O'CONNOR. I thank the gentleman for his contribution. He is always working for the interests of his people. As a matter of fact, the Post Office Department has published throughout the United States an eligible list of post offices, and the people in those towns feel this way about it: That inasmuch as they are declared to be eligible, they think the money is here to be appropriated for the construction of those buildings, and they feel that their Congressmen are derelict in their duty in not getting the post-office buildings in the eligible places.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. SCHAFER of Wisconsin. The gentleman asked why did they not appropriate the full amount to build post offices in the United States. I would like to give the gentleman the answer: Because the Federal Treasury is almost bankrupt; and if they use that full amount, they would not have the money so that the Export-Import Bank might build post offices and textile mills in foreign lands.

Mr. O'CONNOR. I will say this to the House: That certainly where Congress authorized this in 1937, practically directed it insofar as they could, why cannot the Congress today carry out that direction and provide the funds to build these buildings where they are absolutely necessary?

There is no question but what we have the authority, and these buildings are necessary, particularly in view of the various Federal agencies that have been crowded into private buildings since 1933. The great majority of these buildings are insufficient to house the Federal agencies as well as take care of the needs of the Postal Service. I can point out one city in my district, Wolf Point, where the postal receipts for one-quarter of the year amounted to over \$5,000, yet we cannot get a single encouragement for a post-office building to house not only the post office but to provide space also for the various Federal agencies that exist there.

Mr. NORRELL. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. NORRELL. Is it not also true that if Federal buildings were constructed in these towns the Government would save thousands of dollars per month in rentals?

Mr. O'CONNOR. Yes. The gentleman developed a good point, and I thank him for it, and in addition would not only save thousands of dollars on post-office rentals but in addition thousands for rentals being paid by various Federal agencies housed in private buildings.

Mr. Chairman, I yield back the balance of my time.

Mr. WOODRUM of Virginia. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WOODRUM of Virginia. Mr. Chairman, in the Federal Buildings Act of 1938 we increased the building program for buildings outside of the District of Columbia, and these are the post-office buildings in the various districts; we increased the authorization from \$70,000,000 to \$130,000,000, providing for a 3-year program, under the terms of which the Public Buildings Commission promised that it would provide two buildings for each congressional district where the congressional district could qualify with eligible projects. This program has been under way. Twenty-six million dollars remains to be appropriated in the next session of Congress to carry this program forward, but the Buildings Commission had their program laid out. They have a force of people engaged upon the work. It would do no good to include additional money for this purpose in this bill unless it is meant that this Commission shall mushroom their organization of architects, engineers, and others and speed up their program in the acquisition of sites. Unless this is done, any additional appropriation could not be used.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. O'CONNOR. If we are to carry out the 3-year program we shall have to do it during this session of Congress, because by the time the next session of Congress convenes more than 3 years will have elapsed from 1937.

Mr. WOODRUM of Virginia. But we shall still get the buildings, and this is a mighty poor time, in addition to all those good and sufficient reasons, this is a mighty poor time for Members of Congress to be here cutting everything else, yet stepping up and speeding up the building of post offices in their districts. Undoubtedly there are many instances where a good case can be made out for the erection of a public building on the ground of saving rent, but this is not the time to do it, for we have not got the money with which to do it.

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Virginia has expired; all time has expired.

The question is on the amendment offered by the gentleman from Montana.

The amendment was rejected.

The Clerk read as follows:

Section 3709 of the Revised Statutes shall not apply to any purchase by or service rendered for any office or agency of the Federal Works Agency, when the aggregate amount involved in any such case does not exceed the sum of \$100.

Mr. SMITH of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Ohio: On page 48, line 14, after the word "exceed", strike out "\$4,550,000" and insert in lieu thereof "\$450,000."

Mr. WOODRUM of Virginia. Mr. Chairman, I make a point of order against the amendment on the ground that it comes too late. We have already read not only past the paragraph but past the page where this amendment is offered.

The CHAIRMAN. The point of order is sustained.

Mr. LUCE. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LUCE: May I ask where the proper place would be to insert an amendment before the next part of the bill headed by capitals?

The CHAIRMAN. The Chair was unable to hear all of the inquiry by the gentleman from Massachusetts.

Mr. LUCE. May I ask how far the bill has been read?

The CHAIRMAN. Down through the bottom of page 50. The only paragraph under the heading "United States Housing Authority" that would now be subject to amendment would be the last four lines on page 50.

Mr. LUCE. Mr. Chairman, if I recollect the practice of the House, it has always been to include everything under a heading for amendment.

The CHAIRMAN. It has been the practice of the House from time immemorial to read appropriation bills by paragraphs.

Mr. LUCE. Mr. Chairman, I ask unanimous consent to return to page 48 for the purpose of offering an amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

Mr. WOODRUM of Virginia. Mr. Chairman, I shall be compelled to object, much as I hate to object to any request submitted by the distinguished gentleman from Massachusetts.

The CHAIRMAN. The gentleman from Virginia objects.

Mr. LUCE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. LUCE. Mr. Chairman, it is the intention of the Committee on Appropriations to put in the hands of the United States Housing Authority, which is charged with slum clearance, \$152,000 for publicity purposes. This Authority has already issued a large number of pamphlets, addresses, speeches, folders, matter of all sorts, carrying accounts of its work. Anyone who has examined them from time to time must admire their typography, must marvel at their ingenuity, and must wonder at the scope and value of this mass of publicity.

At present the Authority is engaged in encouraging localities to embark on slum-clearance projects. In the city of Cambridge, in my district, they recently succeeded in securing an endorsement of such projects. The opponents had at their command only such funds as they raised by private contribution. The Authority had this huge sum of money at hand to publicize one side in a campaign where there was really chance for arguments on both sides. The critics did not have a fair showing and the projects were approved. There are other places where already proposals of this sort have been rejected. Public-spirited citizens, with the welfare of the community at heart, have been able to convince the electorate of the folly of these things in certain cities and towns. To defeat opposition to these projects, I repeat, the advocates have at their command a huge sum of money with which to persuade the electorate, whereas the critics must rely on the contributions of individual citizens who think the projects unwise. I can imagine no explanation for the appropriation of \$152,000 for the purpose of advancing only one side of an argument.

I am not here criticizing this Authority, and I have much sympathy with slum clearance, but there are places in this country where the money ought not to be spent.

Mr. MAY rose.

Mr. LUCE. A Member of the House from a State adjacent to that of the gentleman who is seeking to interrogate me, living in a town where a movement for alleged slum clearance had been started, told me a year ago that such a project was not wanted; it was not needed; it was unwise; it was folly. It did not prevail.

Mr. MAY. Will the gentleman yield?

Mr. LUCE. With pleasure.

Mr. MAY. Does the gentleman know anything about where they get the funds with which they run these numerous slides that they show in the picture shows all over the country from time to time?

Mr. LUCE. I do not know. I only know it is a one-sided presentation of a doubtful case. It is folly to give them \$152,000 to fight for a principle that calls only for limited application. Already it has been shown that this matter is in the experimental stage. They are groping their way; they are trying to devise a system by which housing may be advanced. That is desirable, but it is not a matter for speed. Meantime we ought not to throw away funds of the United States in helping, as I repeat and repeat again, to present one side of a case.

Mr. GORE. Will the gentleman yield?

Mr. LUCE. I yield to the gentleman from Tennessee.

Mr. GORE. If they will tell the truth about either side of it, it would be well spent.

[Here the gavel fell.]

Mr. FITZPATRICK. Mr. Chairman, I rise in opposition to the pro forma amendment in order to make an explanation.

The Budget recommended \$227,000. An amendment was offered by the gentleman from South Dakota [Mr. CASE] to reduce it \$75,000. The subcommittee, as well as the Committee of the Whole, reduced the amount recommended by the Budget \$75,000. The \$152,000 is to be spent in connection with the collection, preparation, and dissemination of information concerning the activities of the Housing Authority. This amount seems reasonable where the Authority has been authorized to spend \$650,000,000, and during the next year \$425,000,000 of that authorization will be spent. The committee thought that the recommendation made by the gentleman from South Dakota [Mr. CASE] was a reasonable one, and we adopted his recommendation and reduced the Budget request by \$75,000.

A RESTRICTION, NOT A PERMISSION

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I appreciate the remarks of the genial gentleman from New York [Mr. FITZPATRICK], but I would not want the RECORD at this point to go out with the implication that the Committee was seeking to give the United States Housing Authority permission to spend \$152,000 for this purpose. As a matter of fact, we were trying to keep them from spending the \$227,104 that they requested.

I have in my hand the attempted justification on the Information Division which the Housing Authority brought before us. There is an asterisk by the side of the figure \$225,104 and the asterisk footnote reads:

This represents a decrease of \$45,426 from the fiscal year 1940.

We were not deterred by that self-righteous asterisk. We cut the request another \$75,000. In other words, the limitation which we put in this bill cuts the United States Housing Authority by \$120,426 from what they were using for this purpose in the current fiscal year.

I want to call attention to one or two items in this exhibit, because they will help answer the question asked by the gentleman from Kentucky [Mr. MAY], who wanted to know where these slides come from. In this informational service within the United States Housing Authority they have a coordination section, they have a press-service section, they have an editorial section, they have an information section, and they have an exhibit section. This exhibit section, Mr. Chairman—

Prepares for illustration, public education, and displays, visual and other representation, and, as directed by the motion picture and radio section, assists in the production of recorded transcriptions for radio broadcasts and in the production of motion-picture film.

Then they also have a motion-picture and radio section.

In the items for positions for which they seek this money, they have the following under the head of "Professional service":

Grade 2, architect model maker, one at \$2,700.
Grade 1, junior architect, one at \$2,200.
Grade 7, principal diorama modeler, two at \$2,650,
A principal illustrator, at \$2,300,
Five senior diorama modelers, at \$2,180,
One senior electrician, at \$2,200,
Two editorial writers, at \$2,650,
One senior informational analyst, at \$2,600,
Two junior informational analysts, at \$2,450.
One photographer, at \$2,600, and
Three senior editorial clerks, at \$2,223.

All these to sell subsidized housing to the supposed beneficiaries.

Then, included in some of the other items of expense is an item of \$9,600 for travel, which probably explains why they can go up to Massachusetts and put on this campaign that the gentleman [Mr. LUCE] speaks of. There is \$40,000 for printing, \$10,000 for rents, and special and miscellaneous expense, \$13,800.

I do not know how they are going to break this down with the reduction of \$75,000, but I may say the committee talked this matter over and while some of us would like to have reduced it far more than \$152,000, this seemed to be the best limitation on which we could get agreement. To explain why this figure is in here, it was not to grant permission, it was to establish a restriction to keep them from spending \$75,000 more. [Applause.]

[Here the gavel fell.]

Mr. SMITH of Ohio. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, my principal objection to this activity is that it is the rankest sort of communism. After all, what is communism? The Encyclopedia Britannica defines it as the abolition of private property and its absorption into the state. Karl Marx defines it as simply the abolition of private property. This is a program that proposes the abolition of private property in the amount of anywhere between \$20,000,000,000 and \$40,000,000,000 and its absorption into the Federal Government. What could be more communistic than Federal ownership of our homes—the most-sacred possession of our family, the very foundation of all property rights and of civilization itself?

This thing of putting out to the people the propaganda that these projects are owned locally is all false. That argument has already been exposed. These are Federal projects, and they are just as completely owned by the Federal Government as is a post office or any other public building. We know now that no part of the rents goes to pay the interest and the amortization of the so-called loans; in fact, we know that no loan whatsoever is made and that the local housing authorities are merely dummies set up by the United States Housing Authority to carry on its financial manipulations.

Now, what do we do? We pay \$100,000 for the Dies committee to investigate communism and then we allow \$152,000 to the United States Housing Authority to promote communism. [Applause.] I say to you, Mr. Chairman, it is about time to wake up and see where our communism is coming from. Right within our own Congress. We do not need to worry about the outside; that is a small thing as compared with this. I am branding this as the rankest communistic scheme that can be devised. Further, the United States Housing Authority is one of the most deceptive pieces of legislation ever placed on the statute books anywhere. [Applause.]

[Here the gavel fell.]

Mr. LUCE. Mr. Chairman, I renew my unanimous-consent request to return to page 49 for the purpose of offering an amendment.

Mr. WOODRUM of Virginia. Mr. Chairman, I make the same objection.

The Clerk read as follows:

FOREIGN-SERVICE PAY ADJUSTMENT

Foreign-service pay adjustment of officers and employees of the United States in foreign countries due to appreciation of foreign currencies: For the purpose of carrying into effect the provisions of the act entitled "An act to authorize annual appropriations to meet losses sustained by officers and employees of the United States in foreign countries due to appreciation of foreign currencies in their relation to the American dollar, and for other purposes," approved March 26, 1934 (U. S. C., Supp. IV, title 5, sec. 118c), and for each and every object and purpose specified therein, \$1,280,000.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHAFER of Wisconsin: On page 51, strike out all of lines 1 to 11, inclusive.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I offer this amendment in order to call attention to the biggest sell-out of any country in the history of the world, the New Deal gold and silver sell-out of America. We could naturally expect that when we find as Chief Executive under the New Deal administration a man who has been an international banker on many fronts and who has been interested in currency manipulations in foreign countries.

Mr. WOODRUM of Virginia. Mr. Chairman, I make the point of order that the gentleman is not speaking to the amendment.

Mr. SCHAFER of Wisconsin. I should like to be heard on the point of order, Mr. Chairman. When you build a building you lay your foundation. I am laying the foundation for my talk on the pending amendment.

The CHAIRMAN. Of course, the gentleman should understand that under the rules of the House he must confine himself to his amendment.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I am doing that precisely. When you build a building you must lay the foundation before you erect the edifice. I am laying the foundation for my talk on the pending amendment.

The paragraph which I have moved to strike out adds a charge of \$1,280,000 on our almost bankrupt Federal Treasury. This charge directly results from the New Deal gold policy of debasing our American dollar and reducing its gold content to 59 cents. This paragraph provides that in connection with the small total amount of salaries received by our Government employees in foreign lands an appropriation of \$1,280,000 is to be made for a 1-year period because of the appreciation of foreign currencies and the consequent benefit to foreigners in foreign lands as a result of reducing the gold content of our American dollar.

I hope that after the 1940 election we will again return to sound money, so that we will not need such appropriations in the future. Mr. Chairman, after the New Deal forced American citizens to turn in all their gold to Uncle Sam for \$20.67 an ounce or go to the jailhouse for 5 years, the New Deal imported from foreign countries more than \$12,000,000,000 worth of gold at \$35 an ounce. I say that is playing Santa Claus to foreign owners, producers, and speculators in gold in an almost unbelievable and unheard of manner.

Of course, this was done under the New Deal administration and was suggested by a New Deal agricultural professor, Mr. Warren, who admitted that he was a miracle man, perhaps following in the footsteps of Joshua. He admitted that he tried to change the measure of daylight with a device to light up the hen houses so as to fool the chickens into believing night was day so that they would lay two eggs each day instead of one. This New Deal professor admitted that his device would not work but killed the chickens. He, however, did perfect the New Deal gold policy invention with reference to lighting up the home of the goose which laid the golden egg so the goose will lay two eggs instead of one. The record shows, however, that all the geese who lay two golden eggs instead of one are in foreign lands, and our overburdened

American taxpayers have paid many billions of dollars to feed these foreign geese. [Laughter and applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The amendment was rejected.

The Clerk read as follows:

Total, General Accounting Office, \$5,306,540.

Mr. VOORHIS of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, when the gentleman from Michigan this afternoon spoke about the matter of the W. P. A. having people on its pay roll to investigate concerning Congressmen's opinions, and so on and so forth, I naturally was concerned about the matter. I have taken the trouble to find out a little more about it. I am informed by Colonel Harrington that the W. P. A. has no such employees, but what it does have is a small number of people whose job it is to correct anything which gives a wrong report concerning anything regarding the W. P. A., and also to try to keep track of what those reports are in order that the things that may be wrong can be corrected.

I find, for example, that there are three such people in the whole State of New York, and also that the report which was submitted by this Mr. Coyne, and which, unfortunately, contained some matters concerning the gentleman from New York [Mr. TABER], which I think should not have been in it, nevertheless this report was submitted, as a matter of fact, to a representative of the House Appropriations Committee, and that, I think, puts a little different complexion on the matter than would have been the case had it been a report to W. P. A., which it was not; and I am assured by Colonel Harrington, with all the vigor at his command, that W. P. A. never does anything like that and would not do anything like that.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. BATES of Massachusetts. Did the gentleman ever hear of a personnel director or an officer assigned to a State having an opportunity to build up a political machine by the assignment of men to work and then running against a Member of the House for election to the House and when defeated by the sitting Member, going back to W. P. A. with a much better job than he had before? What does the gentleman think about that?

Mr. VOORHIS of California. I did not hear about that, and that is not what I am talking about. I will state flatly, however, that I think any use of a W. P. A. position for political advantage is wrong.

Mr. BATES of Massachusetts. The minority leader of the House will tell you that happened in his district.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. HOFFMAN. What does the gentleman think about a W. P. A. worker in a W. P. A. truck delivering campaign literature for a candidate?

Mr. VOORHIS of California. Of course, I do not think that should be done.

Mr. HOFFMAN. I will give you that so you can investigate that one, too.

Mr. VOORHIS of California. I will say to the gentleman, I believe that has happened on both sides of the aisle.

Mr. HOFFMAN. We have not been so lucky.

Mr. VOORHIS of California. Oh, yes; I think so. I do not think that has anything to do with this matter I am discussing. I did not get up here to make a political speech or anything of the sort. I simply wanted to make this matter plain and clear, and I want, at this time, to thank the gentleman from Michigan [Mr. Wolcott] for his kindness to me

in helping me to try to find out about it. There is not anything else to it.

Mr. TABER. Mr. Chairman, will the gentleman yield for a question?

Mr. VOORHIS of California. I yield to the gentleman from New York.

Mr. TABER. The whole statement made in there by that W. P. A. outfit was false from the beginning. There is no question about it whatever. He was sent here for the purpose, deliberately, of trying to spy around. It is not an individual case, and the report was made to the headquarters in Washington. I know those things to be facts. We have had that same experience with the W. P. A. outfit from the beginning.

Mr. VOORHIS of California. This report was also submitted to the Appropriations Committee.

Mr. TABER. It was given to the W. P. A. investigating committee of the House, because they happened to think, in the first place, that he came from Washington.

Mr. VOORHIS of California. I hope the gentleman understands that I explained in my remarks, I thought what was in it was most unfortunate, and I do.

Mr. MURDOCK of Arizona. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield to my distinguished colleague from Arizona.

Mr. MURDOCK of Arizona. I did not assume that the gentleman took the floor to defend politics in W. P. A., and I understand now that he did not.

Mr. VOORHIS of California. I did not, and I thank the gentleman.

Mr. MURDOCK of Arizona. The gentleman offered an amendment, which I supported in the last regular session, to take politics out of relief and relief out of politics, and was not that incorporated in the law?

Mr. VOORHIS of California. It was. I have always supported such proposals.

Mr. MURDOCK of Arizona. That, I think, expresses the gentleman's attitude, as well as mine.

Mr. VOORHIS of California. It does, and I am very grateful to the gentleman for his kindness in mentioning the matter.

[Here the gavel fell.]

Mr. DEMPSEY. Mr. Chairman, I move to strike out the last two words and ask unanimous consent to proceed out of order for 1 minute.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. DEMPSEY. Mr. Chairman, many Members of the House have been interested in knowing when the Rules Committee will meet to consider the resolution to continue the so-called Dies committee—the Special Committee to Investigate Un-American Activities. We had felt that we might have such a meeting on Thursday or Friday, but, due to the absence of the chairman, the meeting has been called for 10:30 o'clock a. m. Monday. Those Members of the House who may desire to appear and oppose or advocate the continuation of the committee know, of course, that the Rules Committee will be very glad to have them present and to hear them.

The Clerk read down to and including line 3 on page 64.

Mr. WOODRUM of Virginia. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WARREN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R.

7922, the independent offices appropriation bill, 1941, and had come to no resolution thereon.

RESIGNATIONS FROM COMMITTEES

The SPEAKER laid before the House the following communication, which was read:

JANUARY 17, 1940.

HON. WILLIAM B. BANKHEAD,

Speaker, House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on Territories, to take effect at once.

Sincerely yours,

JOSHUA L. JOHNS, M. C.

The SPEAKER also laid before the House the following communication:

JANUARY 17, 1940.

HON. WILLIAM B. BANKHEAD,

The Speaker, House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I hereby offer my resignation from the Committee on Claims, to take effect immediately.

With kindest regards, I am,

Sincerely yours,

LEWIS K. ROCKEFELLER,
Twenty-seventh District, New York.

The SPEAKER. Without objection, the resignations will be accepted.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. LELAND M. FORD, on account of illness in family.

To Mr. RANDOLPH, for an indefinite period, on account of illness.

LEAVE TO ADDRESS THE HOUSE

Mr. HOOK. Mr. Speaker, I ask unanimous consent that after the reading of the Journal and the conclusion of legislation and all special orders on Monday next, I be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

DOMESTIC SUGAR INDUSTRY

Mr. CANNON of Florida. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to extend my remarks in the Record at this point.

The SPEAKER. Is there objection?

There was no objection.

Mr. CANNON of Florida. Mr. Speaker, the consumers of this Nation have become alarmed at the increase in food prices, and I am confident that this Congress is anxious to do its part in working out a satisfactory solution of this pressing and important problem. I am in favor of giving our domestic sugar industry a chance to furnish sugar to the American people at reasonable prices. The Department of Labor under date of January 5, 1940, prepared a report showing these increases in food prices, and I take the liberty of inserting at this point, said report in full:

The level of average retail prices of staple foods was unchanged from December 27, 1939, to January 3, 1940, according to the weekly price-reporting survey of the Bureau of Labor Statistics, covering Boston, Buffalo, New York, Pittsburgh, Chicago, Cleveland, Detroit, St. Louis, Savannah, Washington, Houston, Denver, and Los Angeles. Secretary of Labor Perkins reported today (Friday).

"The index of retail prices of staple foods on January 3 was 2.9 percent above the level of August 15 when food prices began their marked upward trend," Miss Perkins said. "While prices of most of these foods remained unchanged over the New Year, there was a tendency for flour and pork chops to rise in price and for butter and lard to fall."

Flour prices rose by 2 or 3 percent in Chicago, St. Louis, Savannah, Houston, and Denver. In the other cities no change was reported.

Pork chops advanced in price by about 2 cents a pound in Buffalo, St. Louis, and Denver but declined as much in New York City. Only in Savannah, Houston, and Los Angeles were prices reported unchanged.

Butter prices showed slight declines in nearly all of the cities.

Lard prices were somewhat lower in six cities on January 3 than a week earlier. No change was reported in most of the other cities. Only in New York and Los Angeles were price advances reported.

Irregular changes occurred in prices of round steak, chuck roast, bacon, and eggs, the price advancing in some cities and declining in others without any marked trend.

Practically unchanged in price were bread, milk, canned tomatoes, navy beans, coffee, and sugar. Where price changes were reported for these foods, however, they were usually declines.

Estimated changes in average retail prices, Dec. 27, 1939, to Jan. 3, 1940—15 foods, 13 cities

	Unit	Boston	Buffalo	New York	Pittsburgh	Chicago	Cleveland	Detroit	St. Louis	Savannah	Washington, D. C.	Houston	Denver	Los Angeles
		Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
Flour	Pound	0	0	0	0	+0.1	0	0	+0.1	+0.2	0	+0.1	+0.1	0
Bread	Pound	0	0	0	0	0	0	0	0	0	0	0	0	0
Round steak	Pound	+3	-1.3	0	+2	-5	-1	0	0	0	+1	0	+1.1	+9
Chuck roast	Pound	-2	0	0	+2	+1	0	-7	+3	0	-3	0	0	+2
Pork chops	Pound	+6	+2.3	-1.9	-1.0	+2	+1	+1	+1.6	0	+8	0	+1.6	0
Sliced bacon	Pound	+2	0	-2	-8	0	0	+1	-1.3	0	+2	-8	0	+8
Pink salmon	16-ounce can	0	0	-1	+1	+3	0	0	0	+3	0	0	0	0
Butter	Pound	0	-2	-3	0	0	-1	+1	+7	+1	+1	-7	-3	-4
Milk (store)	Quart	0	0	0	0	0	0	0	0	0	0	0	0	0
Eggs	Dozen	-4	-1	-4	+4	+8	-1	+2.2	+4	-1.7	+5	-9	-5	-3.0
Canned tomatoes	No. 2 can	0	0	0	0	0	0	0	0	0	0	0	-2	10
Navy beans	Pound	0	-1	0	0	0	0	-1	0	0	-1	0	0	-4
Coffee	Pound	0	0	0	-3	0	0	0	0	-7	0	0	0	0
Lard	Pound	0	-1	+3	-1	0	-1	-4	0	0	-2	-1	0	+2
Sugar	Pound	0	0	-1	0	0	0	-1	0	0	0	0	0	0

¹No. 2½ can.

Preliminary.

Estimated average retail prices, Jan. 3, 1940, 15 foods, 13 cities

	Unit	Boston	Buffalo	New York	Pittsburgh	Chicago	Cleveland	Detroit	St. Louis	Savannah	Washington, D. C.	Houston	Denver	Los Angeles
		Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
Flour	Pound	4.0	3.8	5.0	4.6	4.3	4.6	4.3	5.2	5.0	4.3	3.9	4.1	3.9
Bread	Pound	7.5	7.7	8.8	7.9	6.6	8.0	7.6	7.5	8.9	8.9	7.2	7.0	6.7
Round steak	Pound	37.8	33.3	36.9	33.0	33.0	32.5	33.3	35.4	32.3	31.6	32.4	30.2	33.1
Chuck roast	Pound	23.5	23.1	22.8	22.7	24.8	22.6	26.4	22.4	19.5	19.9	19.2	20.0	21.0
Pork chops	Pound	21.3	24.9	24.5	22.9	24.4	26.2	29.4	25.4	23.8	24.8	26.5	22.2	28.5
Sliced bacon	Pound	28.0	26.1	29.1	26.3	32.8	28.2	28.8	25.4	28.8	26.4	27.0	28.5	31.6
Pink salmon	16-ounce can	14.2	14.8	15.2	14.8	15.7	15.0	14.5	16.0	14.5	13.7	13.9	14.6	13.6
Butter	Pound	37.0	34.2	37.9	37.1	35.6	34.4	36.5	36.4	35.9	36.9	35.5	36.8	36.6
Milk (store)	Quart	12.2	12.0	13.0	13.0	10.7	11.1	9.6	11.6	14.9	14.0	12.0	10.2	9.0
Eggs	Dozen	33.1	31.3	39.5	32.8	32.1	32.3	35.1	31.0	31.3	35.1	30.9	25.8	27.6
Canned tomatoes	No. 2 can	9.1	8.2	10.2	8.2	8.7	8.1	7.6	8.2	7.1	6.9	7.1	9.3	10.4
Navy beans	Pound	7.7	5.7	9.0	5.8	6.2	5.4	5.9	6.1	7.1	6.5	7.1	5.3	8.2
Coffee	Pound	22.7	18.5	22.8	20.2	22.3	19.5	22.6	22.2	21.8	21.6	20.2	27.7	21.5
Lard	Pound	10.1	8.7	12.4	9.3	10.7	11.7	10.5	8.9	10.5	8.9	7.9	10.7	11.0
Sugar	Pound	5.4	5.4	5.4	5.5	5.7	5.8	5.8	5.7	5.0	5.3	5.3	6.2	5.5

¹No. 2½ can.

Preliminary.

Relative retail food prices, Jan. 3, 1940, 15 foods, 13 cities
[Aug. 15, 1939=100]

	Boston	Buffalo	New York	Pittsburgh	Chicago	Cleveland	Detroit	St. Louis	Savannah	Washington, D. C.	Houston	Denver	Los Angeles	13-city average
Flour.....	121	119	116	148	126	139	119	133	125	113	105	141	105	123.2
Bread.....	99	100	100	104	99	100	99	100	100	101	100	109	100	100.8
Round steak.....	92	95	93	95	90	91	94	98	102	85	94	93	94	95.5
Chuck roast.....	104	101	96	110	105	90	116	101	98	93	103	97	99	100.8
Pork chops.....	74	79	76	74	80	82	81	87	88	75	90	75	82	80.1
Sliced bacon.....	100	95	92	87	96	92	96	92	89	89	95	93	97	93.2
Pink salmon.....	117	114	110	110	113	110	113	120	111	111	117	107	125	113.5
Butter.....	120	119	119	117	119	119	120	116	114	118	116	119	112	117.5
Milk (store).....	100	100	108	108	127	122	114	98	100	101	100	100	102	105.8
Eggs.....	84	94	100	103	113	103	128	124	115	100	117	95	86	103.9
Canned tomatoes.....	105	94	100	98	106	95	97	94	100	95	97	104	97	98.5
Navy beans.....	115	100	105	114	113	126	131	122	122	138	118	90	112	115.2
Coffee.....	99	83	97	100	100	100	100	101	96	100	100	99	98	97.8
Lard.....	104	97	108	102	113	106	113	99	95	98	77	114	105	101.9
Sugar.....	106	106	108	104	108	107	105	108	102	110	106	105	106	106.2
15-food average.....	101.9	99.1	101.3	103.8	106.4	104.4	107.4	105.0	103.8	100.8	101.7	101.8	100.8	102.9

Preliminary.

Estimated average retail prices, December 1939, 15 foods, 13 cities

	Boston	Buffalo	New York	Pittsburgh	Chicago	Cleveland	Detroit	St. Louis	Savannah	Washington, D. C.	Houston	Denver	Los Angeles
Flour, pound:	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents	Cents
Dec. 5.....	4.0	3.6	4.8	4.4	4.1	4.4	4.2	5.0	4.6	4.0	3.8	4.1	4.1
Dec. 12.....	4.0	3.6	4.9	4.5	4.2	4.5	4.2	5.0	4.8	4.1	3.8	3.9	4.1
Dec. 19.....	4.0	3.7	4.9	4.5	4.2	4.5	4.2	5.0	4.8	4.2	3.8	3.9	4.1
Dec. 27.....	4.0	3.8	5.0	4.6	4.2	4.6	4.3	5.1	4.8	4.3	3.8	4.0	3.9
Bread, pound:													
Dec. 5.....	7.5	7.7	8.8	7.9	6.6	8.0	7.6	7.5	8.8	8.8	7.2	7.0	6.7
Dec. 12.....	7.5	7.7	8.8	7.9	6.6	8.0	7.6	7.5	8.9	8.8	7.2	7.0	6.7
Dec. 19.....	7.5	7.7	8.8	7.9	6.6	8.0	7.6	7.5	8.9	8.9	7.2	7.0	6.7
Dec. 27.....	7.5	7.7	8.8	7.9	6.6	8.0	7.6	7.5	8.9	8.9	7.2	7.0	6.7
Round steak, pound:													
Dec. 5.....	38.0	33.9	35.8	32.7	34.8	32.5	34.3	35.3	32.3	32.2	31.9	30.6	35.6
Dec. 12.....	38.3	33.2	36.9	33.0	34.7	32.6	33.8	36.7	32.3	31.9	32.4	30.9	35.2
Dec. 19.....	39.8	33.4	36.7	32.5	33.4	32.6	33.3	34.6	32.3	31.6	32.4	30.9	35.2
Dec. 27.....	37.5	34.6	36.9	32.8	33.5	32.6	33.3	35.4	32.3	31.5	32.4	29.1	32.2
Chuck roast, pound:													
Dec. 5.....	23.7	23.5	24.7	22.3	25.1	22.7	27.1	21.9	20.6	20.5	19.2	21.1	22.5
Dec. 12.....	23.6	23.0	23.6	22.6	24.9	22.6	24.9	22.2	19.8	20.5	19.2	21.1	20.8
Dec. 19.....	23.7	23.1	23.6	22.3	24.9	22.6	27.0	22.1	20.1	20.2	19.2	21.1	21.0
Dec. 27.....	23.7	23.1	22.8	22.5	24.7	22.6	27.1	22.1	19.5	20.2	19.2	20.0	20.8
Pork chops, pound:													
Dec. 5.....	24.7	23.9	24.3	24.9	25.0	25.7	29.6	24.5	24.3	22.3	26.5	21.3	35.3
Dec. 12.....	24.2	24.7	26.5	23.4	25.3	26.0	29.3	23.5	24.4	22.7	26.5	21.3	34.5
Dec. 19.....	24.5	23.7	26.1	23.5	25.2	25.9	29.2	23.6	23.8	24.1	26.7	20.4	28.5
Dec. 27.....	20.7	22.6	26.4	23.9	24.2	26.1	29.3	23.8	23.8	24.0	26.5	20.6	28.5
Sliced bacon, pound:													
Dec. 5.....	20.6	26.4	30.2	27.4	33.4	27.1	30.1	27.7	30.2	27.1	28.0	28.5	33.2
Dec. 12.....	26.8	26.3	29.7	26.1	32.8	28.2	29.4	26.4	28.8	27.3	28.0	28.5	31.9
Dec. 19.....	27.0	26.2	28.8	25.8	32.8	28.2	28.8	26.7	28.8	26.2	27.1	28.5	31.7
Dec. 27.....	27.8	26.1	29.3	27.1	32.8	28.2	28.7	26.7	28.8	26.2	27.8	28.5	30.8
Pink salmon, 16-ounce can:													
Dec. 5.....	14.2	14.3	15.2	14.7	15.4	14.8	14.5	15.8	15.2	13.7	14.4	14.6	13.6
Dec. 12.....	14.2	14.7	15.2	14.9	15.4	15.0	14.5	16.2	14.4	13.7	14.4	14.6	13.6
Dec. 19.....	14.2	14.7	15.3	14.8	15.4	15.0	14.5	16.1	14.2	13.7	13.9	14.6	13.5
Dec. 27.....	14.2	14.8	15.3	14.7	15.4	15.0	14.5	16.0	14.2	13.7	13.9	14.6	13.6
Butter, pound:													
Dec. 5.....	36.4	34.3	37.2	36.5	35.2	33.3	35.8	35.8	35.3	37.0	35.3	35.7	37.8
Dec. 12.....	35.8	34.1	37.6	36.3	35.5	33.4	35.9	35.8	34.9	37.0	36.0	35.6	37.6
Dec. 19.....	36.1	34.6	37.9	36.6	35.3	34.8	36.3	35.4	35.6	36.8	36.1	36.5	37.6
Dec. 27.....	37.0	34.4	38.2	37.1	35.6	34.5	36.4	35.7	35.8	37.0	36.2	37.1	37.0
Milk (store), quart:													
Dec. 5.....	12.2	12.0	13.1	13.0	10.8	11.1	9.6	11.6	14.9	14.0	12.0	10.2	9.1
Dec. 12.....	12.2	12.0	13.0	13.0	10.7	11.1	9.6	11.6	14.9	14.0	12.0	10.2	9.0
Dec. 19.....	12.2	12.0	13.0	13.0	10.7	11.1	9.6	11.6	14.9	14.0	12.0	10.2	9.0
Dec. 27.....	12.2	12.0	13.0	13.0	10.7	11.1	9.6	11.6	14.9	14.0	12.0	10.2	9.0
Eggs, dozen:													
Dec. 5.....	39.8	36.7	44.1	38.3	33.8	36.2	36.8	32.7	35.3	39.6	35.5	31.7	30.5
Dec. 12.....	34.8	34.8	41.3	36.1	31.4	33.9	35.2	32.1	35.2	35.8	35.6	29.5	28.4
Dec. 19.....	33.9	31.7	40.3	32.7	30.7	32.4	33.3	32.0	33.9	34.9	32.1	27.4	31.9
Dec. 27.....	33.5	31.4	39.9	32.4	31.3	32.4	32.9	30.6	33.0	34.6	31.8	26.3	30.6
Canned tomatoes, No. 2 can:													
Dec. 5.....	8.9	8.2	10.3	8.4	8.7	8.1	7.7	8.2	7.2	6.9	7.1	9.8	10.4
Dec. 12.....	8.9	8.2	10.2	8.4	8.7	8.1	7.6	8.4	7.1	6.9	7.1	9.5	10.4
Dec. 19.....	8.9	8.2	10.2	8.4	8.7	8.1	7.6	8.1	7.1	6.9	7.1	9.6	10.4
Dec. 27.....	9.1	8.2	10.2	8.2	8.7	8.1	7.6	8.2	7.1	6.9	7.1	9.5	10.4
Navy beans, pound:													
Dec. 5.....	7.7	5.8	9.4	5.7	6.2	5.4	6.0	6.7	7.4	6.5	7.1	6.3	8.6
Dec. 12.....	7.6	5.8	9.0	5.8	6.2	5.4	6.0	6.0	7.4	6.5	7.1	5.8	8.6
Dec. 19.....	7.7	5.7	9.0	5.6	6.2	5.4	5.9	6.0	7.1	6.5	7.1	5.3	8.6
Dec. 27.....	7.7	5.8	9.0	5.8	6.2	5.4	6.0	6.1	7.1	6.6	7.1	5.3	8.6
Coffee, pound:													
Dec. 5.....	22.5	18.6	23.4	20.3	22.4	19.5	22.6	21.7	22.5	21.8	20.2	27.9	21.5
Dec. 12.....	22.7	18.5	23.1	20.0	22.3	19.4	22.6	21.9	22.5	21.5	20.2	27.7	21.4
Dec. 19.....	22.7	18.5	22.8	20.5	22.3	19.4	22.5	21.9	22.5	21.5	20.2	27.7	21.5
Dec. 27.....	22.7	18.5	22.8	20.5	22.3	19.5	22.6	22.2	22.5	21.6	20.2	27.7	21.5
Lard, pound:													
Dec. 5.....	10.2	9.1	12.1	9.9	10.5	11.8	10.7	8.9	10.4	9.1	10.1	10.8	11.7
Dec. 12.....	9.9	9.0	11.9	9.7	10.6	11.7	10.6	9.1	10.5	9.1	10.0	10.5	11.2
Dec. 19.....	10.1	8.8	12.2	9.3	10.7	11.7	10.7	8.9	10.5	9.1	10.1	10.7	11.6
Dec. 27.....	10.1	8.8	12.1	9.4	10.7	11.8	10.9	8.9	10.5	9.1	8.0	10.7	10.8
Sugar, pound:													
Dec. 5.....	5.5	5.5	5.5	5.5	5.8	5.9	6.0	5.7	5.3	5.3	5.5	6.2	5.5
Dec. 12.....	5.5	5.4	5.4	5.5	5.7	5.8	6.0	5.7	5.3	5.3	5.4	6.2	5.5
Dec. 19.....	5.4	5.4	5.4	5.5	5.7	5.8	5.9	5.7	5.1	5.3	5.4	6.2	5.5
Dec. 27.....	5.4	5.4	5.5	5.5	5.7	5.8	5.9	5.7	5.0	5.3	5.3	6.2	5.5

Prices for December are revised to include data from the more complete sample obtained in the regular monthly price survey.

Relative retail food prices, December 1939, 15 foods, 13 cities
[Aug. 15, 1939=100]

	Boston	Buffalo	New York	Pittsburgh	Chicago	Cleveland	Detroit	St. Louis	Savannah	Washington, D. C.	Houston	Denver	Los Angeles	13-city average
Flour:														
Dec. 5.....	121	113	112	142	121	133	117	128	115	105	103	141	111	119.6
Dec. 12.....	121	113	114	145	124	136	117	128	120	108	103	134	111	120.5
Dec. 19.....	121	116	114	145	124	136	117	128	120	111	103	134	111	121.0
Dec. 27.....	121	119	116	148	124	139	119	131	120	113	103	138	105	122.1
Bread:														
Dec. 5.....	99	100	100	104	99	100	99	100	99	100	100	109	100	100.6
Dec. 12.....	99	100	100	104	99	100	99	100	100	100	100	109	100	100.7
Dec. 19.....	99	100	100	104	99	100	99	100	100	101	100	109	100	100.8
Dec. 27.....	99	100	100	104	99	100	99	100	100	101	100	109	100	100.8
Round steak:														
Dec. 5.....	93	96	91	94	95	91	97	98	102	87	92	94	101	94.6
Dec. 12.....	93	94	93	95	95	91	96	101	102	86	94	95	100	94.9
Dec. 19.....	97	95	93	93	91	91	94	96	102	85	94	95	100	94.2
Dec. 27.....	91	98	93	94	92	91	94	98	102	85	94	90	91	93.2
Chuck roast:														
Dec. 5.....	105	103	104	108	106	91	119	99	103	96	103	102	106	103.3
Dec. 12.....	104	101	100	110	106	90	109	100	99	96	103	102	98	101.3
Dec. 19.....	105	101	100	108	106	90	118	100	101	95	103	102	99	102.0
Dec. 27.....	105	101	96	109	105	90	119	100	98	95	103	97	89	101.0
Pork chops:														
Dec. 5.....	86	76	75	80	82	80	81	84	89	68	90	72	101	81.4
Dec. 12.....	84	78	82	75	83	81	80	81	90	69	90	72	99	81.5
Dec. 19.....	85	75	81	76	83	81	80	81	88	73	90	69	82	80.1
Dec. 27.....	72	72	82	77	79	81	80	82	88	73	90	70	82	78.9
Sliced bacon:														
Dec. 5.....	106	96	96	90	98	89	100	101	93	92	99	93	102	96.4
Dec. 12.....	96	96	94	86	96	92	98	96	89	93	99	93	98	94.2
Dec. 19.....	97	96	91	85	96	92	96	97	89	89	95	93	98	93.3
Dec. 27.....	100	95	93	89	96	92	95	97	89	89	98	93	95	93.9
Pink salmon:														
Dec. 5.....	117	110	110	109	111	109	110	112	126	111	121	107	125	113.5
Dec. 12.....	117	113	110	110	111	110	110	115	119	111	121	107	125	113.7
Dec. 19.....	117	113	111	110	111	110	110	114	117	111	117	107	124	113.2
Dec. 27.....	117	114	111	109	111	110	110	113	117	111	117	107	125	113.1
Butter:														
Dec. 5.....	118	120	117	116	118	116	117	114	112	118	115	116	116	116.4
Dec. 12.....	116	119	118	115	119	116	118	114	111	118	117	116	115	116.3
Dec. 19.....	117	121	119	116	118	121	119	112	113	118	118	119	115	117.4
Dec. 27.....	120	120	120	117	119	120	119	113	114	118	118	120	113	117.7
Milk (store):														
Dec. 5.....	100	100	109	108	129	122	114	98	100	101	100	100	103	106.1
Dec. 12.....	100	100	108	108	127	122	114	98	100	101	100	100	102	105.8
Dec. 19.....	100	100	108	108	127	122	114	98	100	101	100	100	102	105.8
Dec. 27.....	100	100	108	108	127	122	114	98	100	101	100	100	102	105.8
Eggs:														
Dec. 5.....	102	110	112	120	119	115	134	131	129	113	135	117	95	117.2
Dec. 12.....	89	104	105	113	111	108	128	128	129	102	135	108	88	110.5
Dec. 19.....	86	95	102	102	108	103	121	128	124	100	122	101	99	106.3
Dec. 27.....	85	84	101	101	110	103	120	122	121	99	121	97	95	104.6
Canned tomatoes:														
Dec. 5.....	102	94	101	100	103	95	99	94	101	95	97	110	97	99.2
Dec. 12.....	102	94	100	100	106	95	97	97	100	95	97	107	97	98.9
Dec. 19.....	102	94	100	100	103	95	97	93	100	95	97	108	97	98.7
Dec. 27.....	105	94	100	98	105	95	97	94	100	95	97	107	97	98.7
Navy beans:														
Dec. 5.....	115	102	109	112	113	126	133	134	128	138	118	107	118	119.0
Dec. 12.....	113	102	105	114	113	126	133	120	128	138	118	98	118	116.8
Dec. 19.....	115	100	105	110	113	126	131	120	122	138	118	90	118	115.2
Dec. 27.....	115	102	105	114	113	126	133	122	122	140	118	90	118	116.1
Coffee:														
Dec. 5.....	98	84	99	101	100	100	99	99	99	101	100	100	98	98.3
Dec. 12.....	99	83	98	100	100	99	100	99	99	100	100	99	97	97.9
Dec. 19.....	99	83	97	102	100	99	99	99	99	100	100	99	98	98.0
Dec. 27.....	99	83	97	102	100	100	100	101	99	100	100	99	98	98.2
Lard:														
Dec. 5.....	105	101	105	109	111	107	115	99	95	100	98	115	111	105.3
Dec. 12.....	102	100	103	107	112	106	114	101	95	100	97	112	107	104.2
Dec. 19.....	104	98	106	102	113	106	115	99	95	100	98	114	110	104.4
Dec. 27.....	104	98	105	103	113	107	117	99	95	100	98	114	103	102.3
Sugar:														
Dec. 5.....	108	108	110	104	109	109	109	108	108	110	110	105	106	108.0
Dec. 12.....	108	106	108	104	108	107	109	108	108	110	108	105	106	107.3
Dec. 19.....	106	106	108	104	108	107	107	108	104	110	108	105	106	106.7
Dec. 27.....	106	106	110	104	108	107	107	108	102	110	106	105	106	106.5
15-food average:														
Dec. 5.....	104.6	100.3	102.8	105.6	107.2	104.5	108.7	105.7	105.9	101.2	104.8	104.9	105.7	104.7
Dec. 12.....	102.4	99.6	102.2	104.7	106.7	104.3	107.3	105.1	105.2	100.7	104.9	103.0	103.7	103.8
Dec. 19.....	102.8	98.9	101.9	103.3	106.2	104.3	107.0	104.2	104.4	100.7	103.8	102.0	103.4	103.3
Dec. 27.....	101.7	99.0	102.0	104.1	106.1	104.5	107.3	104.5	103.9	100.9	102.2	101.3	101.3	103.0

Relatives for December are revised to include data from the more complete sample obtained in the regular monthly survey.

Please do not infer from my remarks that I am against the farmer receiving a higher price for his products. I have always stood for a larger farm income and for a reasonable profit for the farmer. Because of this fact, my remarks shall be limited to the food products which the American housewife and consumer are buying, not from our farmers but from foreign producers, the chief among which is sugar. Under our Sugar Act of 1937 the American housewife is required to buy, whether she likes it or not, over 70 percent of her sugar from off-shore areas. Under said act foreign pro-

ducers control our sugar market. Our farmers have little voice in what we pay for sugar.

SUGAR AN ESSENTIAL FOOD

Sugar, once a luxury, is now definitely established as an essential food. It is necessary to the health and well-being of this Nation in peacetime; it is more essential in wartime.

SUGAR COSTS UNREASONABLY HIGH

Glancing at the Labor Department's report, let us see what the American housewife is paying for sugar. Even now prices are running between 53 and 62 cents per 10 pounds. You

and I know, and the American housewife knows, that these prices are unreasonable and unfair.

WHO GETS THE PROFIT?

With domestic producers furnishing less than 30 percent of the sugar this Nation consumes certainly the excess profit is not going to them. It must go to foreign soil.

WHAT IS OUR COST OF PRODUCTION?

It has long been said that domestic producers of sugar have too high a cost of production and for that reason we must buy our sugar from foreign producers—this, in the interest of the American housewife. That was the argument advanced in support of the Sugar Act of 1937 when that controversial legislation was passed. In passing, I am forced to say that if off-shore producers have such a low cost of production, with all their peon labor, why does it not show up in the prices of sugar today? Someone is really sucking blood money out of the American consumer with sugar around 60 cents per 10 pounds, and it is not the American farmer.

FLORIDA'S COST OF PRODUCTION

Let us examine the record and see what domestic producers are doing about the cost of production. Florida producers are producing raw sugar at a cost of production of 2.1 cents per pound. Although I do not have complete data at hand, Cuba's cost of production seems to be around 2.25 cents and other off-shore producers around 3 cents per pound. Other domestic areas such as found in Louisiana and the beet-sugar areas of the West have cost of production figures which compare favorably with Florida's.

DOMESTIC PRODUCERS PAY HIGH WAGES

These low cost-of-production figures for Florida and other domestic producers become of greater importance when we take into consideration that Florida's sugar industry, as small as it is, pays the highest agriculture wage of any sugar-producing area or country.

Even the Secretary of Agriculture admits this when he says in his 1939 report:

That conditions vary even within areas is shown by the fact that Florida producers appear to be able to maintain higher wage and labor standards than do most producers in the mainland area.

The Secretary failed to add that Florida's wages are the highest in the world and that wages paid by other domestic producers are likewise higher.

FLORIDA PROHIBITED BY LAW FROM FURNISHING SUGAR TO MORE THAN 1 PERCENT OF THE AMERICAN MARKET

I have already mentioned the fact that under the Sugar Act of 1937 domestic producers, although in some cases their cost of production is lower than offshore producers, are allowed to supply less than 30 percent of the sugar needs of the Nation. You will be surprised when I tell you that, under the same act, Florida is allowed to supply less than 1 percent of the Nation's needs, this in face of the fact that Florida pays the highest agriculture wage known and has a cost of production which is in line with the lowest cost of production found, even where sugar is produced with peon labor. I ask you, Mr. Speaker, what kind of an American system is that? Is it fair to the American producer? Is it fair to American labor? Is it fair to Florida and the other domestic producers?

FLORIDA AND OTHER DOMESTIC PRODUCERS STAND READY TO PRODUCE SUGAR FOR THE AMERICAN HOUSEWIFE AT REASONABLE PRICES

We of Florida contend that we can produce sugar to retail to the American housewife at the 5-cent-per-pound level. We are not interested in high prices, and the 5-cent retail level, which is fair and reasonable, will always be satisfactory to us.

Forgetting for the moment that sugar prices last September soared up to 7, 8, and 9 cents per pound, making it necessary for the President of the United States to suspend the restrictive quota provisions of the Sugar Act of 1937, I say to the gentleman from Ohio, your consumers will not have to pay the unreasonable price of 58 cents per 10 pounds if you will give Florida and the other domestic producers a right to unlimited production of this nonsurplus commodity. To the gentlemen from Colorado, I remind you that your own State, if given the

chance, by unlimited production could produce sugar to sell far below the prevailing price of 62 cents per 10 pounds, as it is today in Denver. California, if given a chance, can produce sugar to sell at less than the 55 cents per 10 pounds which the people of Los Angeles are now paying. To the gentlemen of the great State of New York, I say if Florida and the domestic industry were given the chance, millions and millions of dollars could be saved for your housewives by furnishing you with sugar at a great deal less than the 54 cents per 10 pounds now being paid. I can say the same thing to the gentlemen from Massachusetts, Pennsylvania, Illinois, and Michigan, where your people are paying from 54 cents to 58 cents per 10 pounds for sugar. For the Chicago, Detroit, Cleveland, St. Louis, and other urban centers of the Midwest, the beet-sugar producing areas can bring that price down if given a chance.

To the gentlemen from Texas, I remind you that Texas can produce sugar if given the chance. This would stabilize the southwestern sugar market.

The remarkable thing about the Labor Department's report is that the only area in the entire United States where the American housewife is obtaining sugar at a reasonable price is in the Southeast around Savannah, Ga. There she buys it now at 5 cents per pound, and there is where Florida sugar is refined and marketed. That is the proof of the pudding.

WHAT ARE WE GOING TO DO ABOUT IT?

Mr. Speaker, what are we going to do about it? I leave that question to be answered by this Congress. I know that every one of my colleagues from every district in these United States wants his people to be able to buy sugar at the fair price of 5 cents per pound. I know that every Member of this Congress wants to see American labor receive fair play in this matter and obtain the high wages which we are paying in our Florida industry. I know that every Member will agree with me when I say that Florida should be allowed unlimited production of sugar so long as we can pay these high wages and produce sugar for the American housewife to retail to her at 5 cents per pound or less. I know that we want to encourage our domestic sugar industry; we may need it in time of an emergency. We know that foreign producers will let us want for sugar whenever they can obtain higher prices elsewhere. They did that back in September. I say defeat the reenactment of the iniquitous Sugar Act of 1937. If we must have sugar legislation, let it be fair to American producers and American consumers. Let American producers who can produce sugar to retail at 5 cents per pound produce unlimited; and then if we cannot produce all that we need, buy what little extra is needed from foreign countries. Is not, Mr. Speaker, that the fair thing to do?

EXTENSION OF REMARKS

Mr. CONNERY. Mr. Speaker, I ask unanimous consent that in connection with the remarks I made today I be permitted to include certain explanatory tables.

The SPEAKER. Is there objection?

There was no objection.

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks made in Committee of the Whole today and to include certain excerpts from newspapers and certain documents.

The SPEAKER. Is there objection?

There was no objection.

Mr. MARTIN of Iowa. Mr. Speaker, I ask unanimous consent to extend my own remarks and include in the RECORD an editorial from the Cedar Rapids Gazette of January 15.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ADJOURNMENT

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4:44 o'clock p. m.) the House adjourned until tomorrow, Thursday, January 18, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON NAVAL AFFAIRS

There will be a hearing Thursday, January 18, 1940, at 10 a. m., before the Committee on Naval Affairs, on H. R. 7665, to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matter named:

Friday, January 19, 1940, 10:30 a. m.:

House Joint Resolution 424, to authorize the United States Maritime Commission to acquire certain lands in St. Petersburg, Fla.

Tuesday, January 23, 1940:

H. R. 200, to amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 ed., title 46, sec. 316).

Tuesday, January 30, 1940:

The following hearing was at first scheduled for Friday, January 5, but was later postponed until Thursday, January 25, 1940. Now it has been postponed again, this time being Tuesday, January 30, 1940, at 10 a. m.

H. R. 7357, to amend section 4472 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 465) to provide for the safe carriage of explosives or other dangerous or semidangerous articles or substances on board vessels; to make more effective the provisions of the International Convention for Safety of Life at Sea, 1929, relating to the carriage of dangerous goods; and for other purposes.

Tuesday, February 6, 1940:

H. R. 7527, to make effective the provisions of the Minimum Age (sea) Convention (revised), 1936, and for other purposes.

Wednesday, February 7, 1940:

Hearings will be continued Wednesday, February 7, 1940, at 10 a. m., on H. R. 6130, to provide for mandatory or compulsory inspection and permissive or voluntary grading of fish, fishery products, fishery byproducts, shellfish, crustacea, seaweeds, and all other aquatic forms of animal and vegetable life, and the products and byproducts thereof, and for other purposes.

Tuesday, February 13, 1940:

H. R. 1780, to amend section 7 of the act of June 19, 1886, as amended (U. S. C., 1934 ed., Supp. III, title 46, sec. 319), relative to penalties on certain undocumented vessels and cargoes engaging in the coastwise trade or the fisheries, and for other purposes.

H. R. 5837, to amend section 221 of the Shipping Act, barring certain aliens from participating in the benefits thereof.

H. R. 6770, to amend Revised Statutes 4311 (U. S. C. 251).

H. R. 7694, to amend section 4311 of the Revised Statutes of the United States.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings in the committee room, 247 House Office Building, at 10 a. m., on the following dates on the matters named:

SUBMARINE OR AIRCRAFT DISASTERS

Friday, January 19, 1940:

H. R. 6532. A bill to provide pensions at wartime rates for disability or death incurred in line of duty as a direct result of submarine or aircraft disasters.

INDIAN WARS

Monday, January 22, and Tuesday, January 23, 1940:

H. R. 1006. A bill to adjust the rate of pension to soldiers of the Indian wars who served 90 days or more in active service against hostile Indians, and for other purposes.

H. R. 3996. A bill to pension men who were engaged in or connected with the military service of the United States during the period of Indian wars and disturbances.

H. R. 4924. A bill to adjust the rate of pension to soldiers of the Indian wars who served 90 days or more in active service against hostile Indians, and for other purposes.

H. R. 4991. A bill to pension men who were enlisted in the military service of the United States during the period of Indian wars and disturbances, and the widows of such men, and for other purposes.

H. R. 4999. A bill to increase the rates of pension in the case of soldiers who served 90 days or more in the Indian wars during the period from 1817 to 1898, and to grant pensions to widows of soldiers who so served in such wars.

DEPENDENTS OF REGULAR ESTABLISHMENT VETERANS

Thursday, January 25, and Friday, January 26, 1940:

H. R. 7191. A bill to make more equitable provision for pensions for the dependents of deceased veterans of the Army, Navy, Marine Corps, and the Coast Guard.

H. R. 7522. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to dependents of veterans of the World War whose death is due to service.

H. R. 7652. A bill to grant pensions and increase of pensions to widows and dependents of certain deceased members or former members of the military or naval service.

H. R. 7734. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to the dependents of veterans of the World War whose death is due to service.

MEDAL OF HONOR PENSIONS

Thursday, February 1, 1940:

H. R. 3385. A bill to liberalize the provisions of the Medal of Honor Roll Act of April 27, 1916.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a hearing before a subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, January 23, 1940, on H. R. 6652, to aid consumers by setting up standards of quality based on performance as a guide in the purchase of consumer goods.

NOTE.—This hearing was originally scheduled for Tuesday, January 16, 1940.

Hearings will begin Monday, February 5, 1940, at 10 a. m., before the Petroleum Subcommittee of the Committee on Interstate and Foreign Commerce. State regulatory bodies will be heard first.

COMMITTEE ON ROADS

The Committee on Roads will begin public hearings in the Roads Committee Room, 1011 New House Office Building, at 10 a. m. Monday, January 22, 1940 on H. R. 7891, a bill to assist the States in the improvement of highways. Commissioner Thomas H. MacDonald, of the Public Roads Administration, will be heard first.

EXECUTIVE COMMUNICATIONS, ETC.

1278. Under clause 2 of rule XXIV, a letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated December 19, 1939, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of, and review of reports on, Nantasket (Hull) Gut and Weymouth Fore River, Mass., from Hingham Bay to Quincy, authorized by the River and Harbor Act approved August 26, 1937, and requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 8, 1938 (H. Doc. No. 568), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed, with an illustration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. BUCK: Committee on Ways and Means. House Joint Resolution 419. Joint resolution to amend the joint resolution entitled "Joint resolution providing for the importation of articles free from tariff or customs duty for the purpose

of exhibition at the Golden Gate International Exposition to be held at San Francisco, Calif., in 1939, and for other purposes," approved May 18, 1937, as amended; with amendment (Rept. No. 1519). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mrs. O'DAY: Committee on Immigration and Naturalization. H. R. 7972. A bill for the relief of sundry aliens; without amendment (Rept. No. 1516). Referred to the Committee of the Whole House.

Mr. WARD: Committee on Immigration and Naturalization. H. R. 7973. A bill for the relief of sundry aliens; without amendment (Rept. No. 1517). Referred to the Committee of the Whole House.

Mr. GATHINGS: Committee on Immigration and Naturalization. H. R. 7974. A bill for the relief of sundry aliens; without amendment (Rept. No. 1518). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MUNDT:

H. R. 7971. A bill to prevent the pollution of the navigable waters of the United States, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. ANGELL:

H. R. 7975. A bill authorizing the use of special canceling stamps and post-marking dies at the Portland, Oreg., post office in connection with the annual Portland rose festival; to the Committee on the Post Office and Post Roads.

By Mr. BRYSON:

H. R. 7976. A bill to provide that the compensation or pension of a disabled veteran shall not, because of receiving hospital treatment for domiciliary care in any governmental agency, be reduced below \$25 per month; to the Committee on World War Veterans' Legislation.

H. R. 7977. A bill to amend the World War Veterans' Act, 1924, as amended; to the Committee on World War Veterans' Legislation.

By Mr. CLAYPOOL:

H. R. 7978. A bill to provide for an increase in the pensions payable under the provisions of Public Law No. 484, Seventy-third Congress, as amended, to dependent widows and orphans of deceased veterans of the World War who at time of death were suffering with any service-connected disability from \$30 to \$40 per month; to the Committee on World War Veterans' Legislation.

By Mr. GRANT of Alabama:

H. R. 7979. A bill to authorize and direct the Veterans' Administration to provide for a minimum rating of 1 percent for any injury, disease, ailment, or disability incurred, or aggravated, in line of duty by any person who served during any war, or in any campaign, expedition, or occupation; to the Committee on World War Veterans' Legislation.

By Mr. McCORMACK:

H. R. 7980. A bill to provide pensions for disabled veterans of the World War, under similar conditions, and in the same amounts, as now provided for as to disabled veterans of the Spanish American War; to the Committee on World War Veterans' Legislation.

By Mr. LESINSKI:

H. R. 7981. A bill to grant pensions to certain unmarried dependent widows of Civil War veterans who were married to the veteran subsequent to June 26, 1903; to the Committee on Invalid Pensions.

By Mr. McARDLE:

H. R. 7982. A bill to prohibit deductions from the earnings of employees of the Veterans' Administration for quarters, subsistence, and laundry, unless such allowances are volun-

tarily accepted and used by such employees, and if so used to be charged therefor at cost thereof; to the Committee on World War Veterans' Legislation.

H. R. 7983. A bill to provide that any Veterans' Administration beneficiary, whose benefits have been declared forfeited, shall be entitled to have such rights and benefits retroactively restored, where any such offender shall upon trial have been acquitted or such alleged offender has not been brought to trial within 1 year after the date of such forfeiture; to the Committee on World War Veterans' Legislation.

By Mr. RANDOLPH:

H. R. 7984. A bill granting pensions to certain American Red Cross ambulance drivers of the World War; to the Committee on Invalid Pensions.

By Mr. COOPER:

H. R. 7985. A bill to provide for issuance of a duplicate adjusted-service certificate to any veteran who establishes that the original has been lost or destroyed, or is being withheld or concealed from him, and for other purposes; to the Committee on Ways and Means.

By Mr. BATES of Kentucky:

H. R. 7986. A bill to amend the Railroad Unemployment Insurance Act so as to place the various States on an equal basis with respect to contributions of employees, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DIMOND:

H. R. 7987. A bill to amend section 1 of the act of June 6, 1924, as amended, relative to the fisheries of Alaska; to the Committee on Merchant Marine and Fisheries.

H. R. 7988. A bill making provision for employment of the residents of Alaska in the fisheries of said Territory, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MOTT:

H. R. 7989. A bill to legalize a bridge across the Nestucca River at Pacific City, Oreg.; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Virginia:

H. R. 7990. A bill to amend section 9 of an act entitled "An act to prevent pernicious political activity," approved August 2, 1939; to the Committee on the Judiciary.

By Mr. SCRUGHAM:

H. R. 7991. A bill to provide for the employment of unemployed miners in prospecting on the public lands; to the Committee on Appropriations.

By Mr. HAVENNER:

H. J. Res. 431. Joint resolution to amend the joint resolution entitled "Joint resolution providing for the importation of articles free from tariff or customs duty for the purpose of exhibition at the Golden Gate International Exposition to be held at San Francisco, Calif., in 1939, and for other purposes," approved May 18, 1937, as amended; to the Committee on Ways and Means.

By Mr. REECE of Tennessee:

H. J. Res. 432. Joint resolution authorizing an appropriation of \$5,000 for payment of the expenses of the fiftieth anniversary of the Legion of Valor; to the Committee on Military Affairs.

By Mr. HAVENNER:

H. J. Res. 433. Joint resolution to protect the copyrights and patents of foreign exhibitors at the Golden Gate International Exposition, to be held at San Francisco, Calif., in 1940; to the Committee on Patents.

By Mr. RANDOLPH:

H. Con. Res. 41. Concurrent resolution requesting that diplomatic relations between the United States and the Union of Soviet Socialist Republics of Russia be discontinued; to the Committee on Foreign Affairs.

By Mr. MARTIN J. KENNEDY:

H. Res. 360. Resolution to provide for an investigation to determine the advisability of the St. Lawrence-Great Lakes Deep Waterway; to the Committee on Rules.

By Mr. BREWSTER:

H. Res. 361. Resolution calling on the Secretary of the Treasury for information concerning Treasury Decision No. 49682, relating to American fisheries; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN of Illinois:

H. R. 7992. A bill granting an increase of pension to Mary E. Carney; to the Committee on Invalid Pensions.

By Mr. CASEY of Massachusetts:

H. R. 7993. A bill for the relief of Marion L. Gates; to the Committee on Claims.

H. R. 7994. A bill for the relief of Eleanor J. Griggs, Dorothy L. Griggs, and Vernon M. Griggs; to the Committee on Claims.

H. R. 7995. A bill for the relief of Constantinos Georgiades; to the Committee on Immigration and Naturalization.

H. R. 7996. A bill granting a pension to Katherine R. Salmon; to the Committee on Invalid Pensions.

By Mr. CELLER:

H. R. 7997. A bill for the relief of Joseph F. Falkenbach and Agnes Ruby Falkenbach, his wife; to the Committee on Immigration and Naturalization.

By Mr. CLEVINGER:

H. R. 7998. A bill for the relief of Fred E. Perry; to the Committee on Claims.

By Mr. CULKIN:

H. R. 7999. A bill granting a pension to Agnes P. Scram; to the Committee on Invalid Pensions.

By Mr. HARTER of New York:

H. R. 8000. A bill for the relief of Louis Anastasia; to the Committee on Military Affairs.

By Mr. HEALEY:

H. R. 8001. A bill for the relief of Ralph Del Verde; to the Committee on Naval Affairs.

H. R. 8002. A bill for the relief of James E. Forristall; to the Committee on Naval Affairs.

By Mr. LANDIS:

H. R. 8003. A bill granting a pension to Clara Rice; to the Committee on Pensions.

By Mr. JOHN L. McMILLAN:

H. R. 8004. A bill to correct the naval record of Earl Holland Wilding; to the Committee on Naval Affairs.

H. R. 8005. A bill to correct the naval record of Hallie Ransom Reynolds, Jr.; to the Committee on Naval Affairs.

By Mr. PETERSON of Florida:

H. R. 8006. A bill for the relief of Joseph E. Myers; to the Committee on Military Affairs.

By Mr. ROCKEFELLER:

H. R. 8007. A bill granting a pension to Mary Beale Reynolds; to the Committee on Invalid Pensions.

By Mr. SECCOMBE:

H. R. 8008. A bill to confer citizenship on Samuel L. Terrien; to the Committee on Immigration and Naturalization.

By Mr. SWEENEY:

H. R. 8009. A bill for the relief of Harry Paul Bradford; to the Committee on Military Affairs.

By Mr. WALLGREN:

H. R. 8010. A bill for the relief of Randall Krauss, a minor; to the Committee on Claims.

By Mr. WELCH:

H. R. 8011. A bill for the relief of Edward Tumelty; to the Committee on Naval Affairs.

By Mr. WHITE of Idaho:

H. R. 8012. A bill reviving and renewing Patent No. 1255159, serial No. 129524; to the Committee on Patents.

H. R. 8013. A bill for the relief of F. C. Herrick; to the Committee on Claims.

H. R. 8014. A bill granting a pension to Lulu May Craig; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6176. By Mr. FLAHERTY: Petition of the Massachusetts Commandery, Military Order of the Loyal Legion of the United States, Boston, Mass., favoring continuation of the Dies committee; to the Committee on Appropriations.

6177. By Mr. HOPE: Petition of Erle Johnston and 20 other citizens of Clark County, Kans., urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6178. Also, petition of D. N. Schmidt and 19 other citizens of Hoisington, Kans., urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6179. By Mr. JOHNSON of Illinois: Petition of 21 residents of my district, urging passage of the Neely bill; to the Committee on Interstate and Foreign Commerce.

6180. By Mr. LAMBERTSON: Petition of E. A. Zabel and 35 other citizens of Atchison County, Kans., urging Congress to enact the Patman chain-store bill (H. R. 1); to the Committee on Interstate and Foreign Commerce.

6181. By Mr. LEAVY: Resolution of the Okanogan County Pomona Grange, No. 53, adopted at their meeting on the 14th day of October 1939, emphatically favoring cost-of-production price be paid to farmers for the domestically consumed portion of their products, pointing out that the present program based on subsidies has failed to provide parity prices for agricultural products; to the Committee on Agriculture.

6182. Also, resolution of the Okanogan County Pomona Grange, No. 53, adopted at their meeting on the 14th day of October 1939, demanding that the United States maintain a strict embargo on all nations engaged in war, and recommending in the event the United States be drawn into the conflict, legislation be enacted prohibiting all profits in war materials and necessities for the civilian population; to the Committee on Ways and Means.

6183. Also, resolution of the Okanogan County Pomona Grange, No. 53, adopted at their meeting on the 11th day of November 1939, opposing the extension of the national-park program in the State of Washington, pointing out that such an extension would prevent the orderly development of the agricultural, mineral, and timber resources contained in this territory; to the Committee on the Public Lands.

6184. By Mr. MERRITT: Resolution of the St. Thomas Apostle Holy Name Society of Woodhaven, N. Y., urging that the Dies committee be continued with adequate funds for its activities as this society considers the Dies committee the number one American committee, our foremost American committee; to the Committee on Rules.

6185. By Mr. THOMAS of New Jersey: Letter from J. Robert Jones, commander, Villotto-Riggin Post, No. 57, American Legion, East Rutherford, N. J., advising that it was the unanimous opinion of the post that the results that have been accomplished by the Dies committee on Americanism be continued, and petitioning that the committee be kept functioning; to the Committee on Rules.

6186. Also, letter from Mrs. William Henry Hayes, president, Women's National Republican Club, Inc., New York City, advising that the Women's National Republican Club, Inc., on January 3 submitted a resolution endorsing the continuance of the Dies committee and the appropriation of sufficient funds to make its work effective, to its membership of 4,000 in 41 States, and that to date an overwhelming majority of affirmative votes have been received from 30 States and the District of Columbia; to the Committee on Rules.

6187. By the SPEAKER: Petition of the American Legion, Washington, D. C., petitioning consideration of their resolution with reference to un-American activity; to the Committee on Rules.

SENATE

THURSDAY, JANUARY 18, 1940

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

The Lord is my shepherd; I shall not want. He maketh me to lie down in green pastures: He leadeth me beside the still waters. He restoreth my soul: He leadeth me in the paths of righteousness for His name's sake. Yea, though I walk through the valley of the shadow of death, I will fear no evil, for Thou art with me; Thy rod and Thy staff they comfort me.

O Father of life and love, into Thy holy keeping we commend the soul of our beloved brother who at this moment lies at the very brink of life eternal. May he know by Thine own indwelling that, though he pass through the waters, Thou wilt be with him, and through the rivers, they shall not overflow him; though he walk through the fire he shall not be burned; neither shall the flame kindle upon him, for Thou art the Lord his God, the Holy One of Israel, his Saviour.

Forgive whatever may be amiss in his life so devoted to the welfare of his Nation; and may the soothing, tender, loving care of our Father be his portion, so that he may wake in Thy likeness and when he beholdeth it he shall be satisfied and hear Thy words of commendation, Well done, good and faithful servant; thou hast been faithful over a few things; I will make thee ruler over many things; enter thou into the joy of thy Lord.

We ask it in the name and for the sake of Him who has ever been our access to the Father, Jesus Christ, Thy Son, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, January 16, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 1554) to provide that the district judge for the western district of Washington, authorized to be appointed under the act of May 31, 1938, shall be a district judge for the eastern and western districts of Washington, and it was signed by the Vice President.

READING OF WASHINGTON'S FAREWELL ADDRESS

The VICE PRESIDENT designated the junior Senator from Nebraska [Mr. BURKE] to read Washington's Farewell Address on the 22d of February 1940, pursuant to order of the Senate.

LEASING OF RESTRICTED ALLOTMENTS OF DECEASED INDIANS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to provide for the leasing of restricted allotments of deceased Indians in certain circumstances, and for other purposes, which, with the accompanying paper, was referred to the Committee on Indian Affairs.

BOUNDARIES OF CEDAR BREAKS NATIONAL MONUMENT AND DIXIE NATIONAL FOREST, UTAH

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to adjust the boundaries of the Cedar Breaks National Monument and the Dixie National Forest, in the State of Utah, and for other purposes, which, with the accompanying papers, was referred to the Committee on Public Lands and Surveys.

DRAINAGE OF PUBLIC LANDS IN ARKANSAS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation amending the act of January 17, 1920 (41 Stat. 392), authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Mississippi and Poinsett, and subjecting said lands to taxation, insofar as said act affects certain public lands in Big Lake Migratory Bird Refuge, Mississippi County, lying within the Little River Floodway, known as Big Lake, which, with the accompanying papers, was referred to the Committee on Public Lands and Surveys.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a letter in the nature of a memorial from Lodge No. 573, International Association of Machinists, of Detroit, Mich., remonstrating against the alleged selling of \$40 automatic rifles to Finland for \$1, and also the proposed \$60,000,000 loan to the Republic of Finland, which was referred to the Committee on Banking and Currency.

He also laid before the Senate a telegram in the nature of a petition from the United Order of Sisters Grade Aguilar, No. 20, of Brooklyn, N. Y., praying for the enactment of pending antilynching legislation, which was referred to the Committee on the Judiciary.

He also laid before the Senate resolutions adopted by the Holy Name Society of St. Thomas Apostle Church, of Woodhaven, N. Y.; the executive committee of the American Legion, Department of the District of Columbia, and the United Spanish War Veterans (national headquarters, Washington, D. C.), favoring continuance of the activities of the so-called Dies committee investigating un-American activities and the appropriation of sufficient funds therefor, which were referred to the Committee on the Judiciary.

He also laid before the Senate a resolution of the Floydada National Farm Loan Association, of Floydada, Tex., favoring restoration of the Farm Credit Administration to the status of an independent bureau, and also that the operations of the Federal land banks and other units of the Administration be placed under the supervision of a bipartisan board appointed by the President for fixed terms, with the advice and consent of the Senate, which was referred to the Select Committee on Government Organization.

He also laid before the Senate a letter in the nature of a petition from José Ramón Fernández and Santiago Collazo, president and secretary, respectively, of the Parent-Teacher Association of Collores, Juana Diaz, P. R., praying for the enactment of legislation providing for the continuance of rural electrification in Puerto Rico, which was referred to the Committee on Territories and Insular Affairs.

Mr. CAPPER presented a letter in the nature of a petition from the secretary of the Ministerial Alliance, Coffeyville, Kans., praying for the enactment of Senate bill 517, to prohibit the advertising of alcoholic beverages over the radio, which was ordered to lie on the table.

Mr. TYDINGS presented a resolution adopted by the Young Men's League of Guam, favoring the prompt enactment of legislation granting civil rights and bettering the political status of the people of Guam, which was referred to the Committee on Territories and Insular Affairs.

Mr. VANDENBERG presented a petition of sundry citizens of Detroit, Mich., praying that the domestic problems of the United States be taken care of adequately and that the United States keep out of foreign wars, which was referred to the Committee on Foreign Relations.

TOWNSEND RECOVERY PLAN—PETITION

Mr. BILBO. I present a petition signed by about 500 citizens of Hattiesburg, Miss., and vicinity, in behalf of old-age pensions. I ask that the body of the petition be printed in the RECORD and that the petition itself be referred to the Committee on Finance.

There being no objection, the petition was referred to the Committee on Finance, and the body thereof was ordered to be printed in the RECORD, as follows:

Whereas a depression has been on the people of the United States for several years, and Congress has tried everything that they believed might restore confidence amongst the business people of the country and bring about a recovery in business and thereby get the people employed; and

Whereas under the administration of Mr. Hoover all laws were made in the interest of the big-moneyed interest, with the idea that the moneyed interest would employ the people and thereby restore prosperity; and

Whereas that idea failed and the depression became worse and millions of the people were thrown out of employment, and bread lines and other charitable means had to be provided to try to care for the millions of unemployed people, and people lost their homes by the millions and the property of the country fell into the hands of a few big speculators; and

Whereas millions of people who had never voted a Democratic ticket voted for President Roosevelt and elected him by the biggest majority ever given a candidate, and reelected at the end of 4 years because of his New Deal ideas of employing the people; and, notwithstanding that it has provided enough to sustain life, it has not relieved the depression and millions of people are still out of employment, especially the elderly people, who are in great numbers suffering for the necessities of life in a land of plenty and to spare, and our Government indebtedness has passed the forty-billion mark; and

Whereas the Townsend recovery plan will not increase the public debt, but, on the other hand, if put into effect, will go further toward retrenchment in the expenditure of public funds, and will finally result in balancing the Budget, by giving the 10,000,000 people of the United States a buying power who have reached the age of 60 years or over, who at the present time have no buying power, or very little buying power, and will result in buying the products of the country, and thereby starting the wheels of commerce going, which will result in the employment of the people under the age of 60 years, thereby restoring confidence in business and putting the balance of the people to work and thereby relieve the depression; and

Therefore, we, the undersigned voters of Hattiesburg, Miss., and vicinity, do hereby petition our two United States Senators—Senators HARRISON and BLISS—and our Member of Congress—Mr. COLMER—to work for and vote for the Townsend recovery plan; and the secretary of the Townsend plan No. 1, of Hattiesburg, Miss., is hereby authorized to send each of our United States Senators and Member of Congress a copy of these resolutions, with instructions to have it placed in the CONGRESSIONAL RECORD, and do what they can to have the Townsend recovery plan introduced and enacted into law.

PROPOSED LOAN TO FINLAND

Mr. KING. Under the head of petitions I have a telegram from Hon. Paul H. Hunt, former member of the legislature of my State, which I should like to have inserted in the RECORD at this point and appropriately referred.

There being no objection, the telegram was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

SALT LAKE CITY, UTAH, January 17, 1940.

Senator WILLIAM H. KING,

Washington, D. C.:

The overwhelming opinion amongst the employees of the Park Utah mine is that Congress and the President should extend a most liberal loan to Finland without strings attached. The opinion is that neutrality is not involved in the undeclared aggression of Russia on Finland; and even if it were, it would make no difference.

The most despicable policy to pursue is to use Finland in her distress as a dumping ground for our surplus commodities. Who is there if his son asked for bread would he give him a stone?

PAUL H. HUNT.

TRADE RELATIONS WITH JAPAN

Mr. CAPPER. Mr. President, I desire to read to the Senate from a letter I have just received from J. G. Stewart, a good friend of mine in North Topeka, Kans. I may add that this is merely one of scores, indeed, hundreds, of similar communications that have come to me in the past months on this subject. Mr. Stewart writes me:

As the time draws near that the trade treaty between the United States and Japan expires, no doubt you will receive many letters protesting against its renewal. I wish to join in the protest.

In an article in the Christian Statesman under the caption "Let Us Stop Fighting China," Dr. William Judd, returned missionary from China, is quoted on the ruthlessness and savagery of the Japanese in waging this unprovoked war of aggression in China. He said that in 1937 the United States furnished 54 percent of Japan's war supplies; in 1938, 56 percent; and now that Britain and France are at war and using their own war supplies instead of selling to Japan, we must be furnishing 80 percent of Japan's war supplies.

Then Mr. Stewart adds a conclusion, one held by many people in the United States, especially those who keep in touch with Far Eastern affairs, that if the United States would completely shut off all supplies of arms, ammunition, machinery, scrap iron, copper, oil, and war supplies of every kind to Japan she would soon have to stop fighting China.

Mr. President, I find myself very sympathetic with the position taken by Mr. Stewart and millions of our people who abhor the Japanese aggression in China. I am in favor of shutting off the sale of war supplies to Japan and to every other nation. My position is perfectly consistent. I voted for the arms-embargo provisions of the original Neutrality Act; I voted against repeal of the arms embargo. I have been for strict neutrality as to all foreign wars, and shall continue to maintain that position.

Much as I sympathize with the plight of Finland and the Finnish people, much as I want to see them win, I, myself, feel compelled to oppose war loans to the gallant people of that little nation, because I do not want this Nation to engage in the business of war; nor do I want it to take steps that I sincerely believe would lead finally to our own involvement in war.

But to me it is the height of inconsistency to oppose war loans to Finland and at the same time furnish, at a profit to some of our business interests, war materials to Japan.

I am not advocating that we go to war against Japan in behalf of China, but I do say, with all the emphasis at my command, that we ought to stop fighting China with the war supplies we furnish Japan.

Mr. President, I also ask unanimous consent to have printed as a part of my remarks a communication from the Marguerite Missionary Society of the Westminster Presbyterian Church of Topeka, Kans., urging restriction of sale of war supplies to Japan, and that the United States use its influence "for the restoration of order and justice for both nations, China and Japan, where not only commercial but humanitarian and Christian interests are hindered by the prolonged warfare."

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

TOPEKA, KANS., January 10, 1940.

Senator ARTHUR CAPPER,

Washington, D. C.

DEAR SENATOR CAPPER: The women of the Marguerite Missionary Society of the Westminster Presbyterian Church, Topeka, Kans., are hoping that Congress, at its present session, may take action on relations with the Far East that will further restrict our United States trade in war materials which make it possible for Japan to continue its attacks on the Chinese people. We are aware that the "moral embargo" against such traffic has not been fully effective.

We know your efforts for world peace, and we are confident that you will use your strong influence as a long-time Member of the Senate for the restoration of order and justice for both nations, China and Japan, where not only commercial but humanitarian and Christian interests are hindered by the prolonged warfare.

Respectfully yours,

Mrs. C. O. GWYN, President.
Miss SUSIE C. STAPLES, Secretary.

REPORTS OF COMMITTEES

Mr. CONNALLY, from the Committee on Foreign Relations, to which was referred the bill (H. R. 6124) giving the consent of Congress to the addition of lands to the State of Texas and ceding jurisdiction to the State of Texas over certain parcels or tracts of land heretofore acquired by the United States of America from the United Mexican States, reported it without amendment and submitted a report (No. 1160) thereon.

Mr. SCHWARTZ, from the Committee on Military Affairs, to which was referred the bill (S. 3035) authorizing certain appointments to the United States Military Academy to fill cadetships heretofore created, reported it without amendment and submitted a report (No. 1161) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS of Oklahoma:

S. 3137. A bill to ratify a lease entered into by certain Mission Indians of California; to the Committee on Indian Affairs.

S. 3138. A bill to amend the Pension Act of 1930 (Public, No. 299, 71st Cong.); to the Committee on Pensions.

By Mr. NEELY:

S. 3139. A bill granting an increase of pension to Nancy E. Allen; to the Committee on Pensions.

(Mr. DAVIS introduced Senate bill 3140, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. GILLETTE:

S. 3141. A bill to amend the Emergency Relief Appropriation Act of 1939 to authorize the use of relief funds for the construction of certain non-Federal buildings for which appropriations were made by State legislatures on or prior to July 1, 1939; to the Committee on Appropriations.

S. 3142. A bill to provide for the payment of pensions to widows and minor children of persons who served 70 or more days in the Army, Navy, or Marine Corps of the United States during the War with Spain, the Philippine Insurrection, or the China relief expedition; to the Committee on Pensions.

By Mr. WHEELER:

S. 3143. A bill for the relief of Chandler V. Jensen; to the Committee on Claims.

By Mr. RUSSELL:

S. 3144. A bill for the relief of J. B. Lee, Katharine Weeks, and Wiley L. Hutto and Lee R. Burden; to the Committee on Claims.

(Mr. RUSSELL also introduced Senate bill 3145, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

By Mr. PITTMAN:

S. 3146. A bill relating to the citizenship of William Lawrence Tan; to the Committee on Immigration.

By Mr. MEAD:

S. 3147. A bill to fix the compensation of substitute employees in the Postal Service, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. SHEPPARD:

S. 3148. A bill for the relief of Thomas L. Boren; and
S. 3149. A bill to amend the Emergency Officers' Retirement Act; to the Committee on Finance.

S. 3150. A bill to authorize certain officers of the Army of the United States to accept such medals, orders, and decorations as have been tendered them by foreign governments; to the Committee on Military Affairs.

S. 3151. A bill for the relief of Douglas C. Pyle; and
S. 3152. A bill for the relief of Robert O. Blackmon (with an accompanying paper); to the Committee on Naval Affairs.

By Mr. BILBO:

S. 3153. A bill to amend an act entitled "An act authorizing the Director of the Census to collect and publish statistics of cottonseed and cottonseed products, and for other purposes," approved August 7, 1916; to the Committee on Commerce.

(Mr. WILEY introduced Senate bill 3154, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. TYDINGS:

S. 3155. A bill for the relief of Joseph J. Machovec; to the Committee on Pensions.

S. 3156. A bill to provide for the admission of certain children to the schools of the District of Columbia without payment of tuition; to the Committee on the District of Columbia.

Mr. JOHNSON of California. On behalf of the junior Senator from California [Mr. DOWNEY] and myself, I introduce a joint resolution and ask that it be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. The joint resolution will be received and referred as requested by the Senator from California.

By Mr. JOHNSON of California (for himself and Mr. DOWNEY):

S. J. Res. 200. Joint resolution to provide for participation of the United States in the Golden Gate International Expo-

sition at San Francisco in 1940, to continue the powers and duties of the United States Golden Gate International Exposition Commission, and for other purposes; to the Committee on Foreign Relations.

CONGRESSIONAL BUDGET AGENCY

Mr. DAVIS. I introduce a bill to establish a Budget Service as an agency of the Congress and to transfer to such service certain functions now performed by the Budget Bureau. I ask that the bill be referred to the Committee on Finance, and that the bill, together with a statement relative thereto, may be printed in the RECORD.

The VICE PRESIDENT. Without objection, the bill will be received, appropriately referred, and printed in the RECORD, and the statement of the Senator from Pennsylvania will also be printed in the RECORD in connection therewith.

The bill (S. 3140) to establish a Budget Service as an agency of the Congress, to transfer to such Service certain functions now performed by the Budget Bureau, and for other purposes, was read twice by its title and referred to the Committee on Finance.

The statement presented by Mr. DAVIS in connection with the bill is as follows:

One of the great needs of our American form of government is for Congress to be better informed of how the laws it has enacted are administered. Except by the use of investigating congressional committees Congress is informed of the activities of departments by their yearly reports. While some of them are quite comprehensive, many of them can be understood only by those who compiled them. And since the reports are drawn up by the agencies themselves, it is not a difficult task to arrange the words and statistics so as to cover any deficiency. To fill this breach I am ready to propose a bill, which, if passed, will be known as the Budget Act of 1940. This act would establish a Budget Service as an agency of the legislative branch of the Government rather than of the executive branch. Certain functions now performed by the present Budget Bureau will be transferred to this new Budget Service.

The Budget Service will be solely and directly responsible to the Congress. Its purpose, in addition to others specified, shall be threefold—first, formulation of the national budget; second, studying and investigating the expenditures of the Government; and, third, reporting to the Congress and the general public periodically and at the end of the fiscal year the trend of expenditures in comparison with appropriations and revenues. It shall be empowered for this purpose to employ properly accredited private accounting and auditing firms at the discretion of the Director.

The Budget Service will act in a liaison capacity to and in cooperation with the Treasury Department and the General Accounting Office. The facilities of the Budget Service shall be available to them for any information and service desired consistent with the purpose of the act. The facilities and organization of the Treasury and General Accounting Office shall likewise be made available for any information or aid required by the Director.

One of the greatest mysteries of my life has been Government accounting and the figures they put out. It seems very complicated, and after some study I have come to the conclusion that figures in government don't amount to much or tell much of a story unless they show the following: First, total appropriations made to all departments and agencies and additions and subtractions thereof taken into consideration; second, total amount of these appropriations encumbered for expenditure; third, total amount unencumbered; fourth, total unliquidated encumbrances; and, fifth, total amount actually expended from the amount encumbered. That sounds complicated, but it is much more comprehensive than the method of showing figures at the present time and at the same time uses the figures available.

In business the income is first ascertained, and expenses are fitted to it. In government, the opposite is true. The expenses are first decided upon and then revenue is raised to meet it. Under this proposed bill it is my intention that we shall do as business does—ascertain the revenue and then fit expenses to it.

So that the Budget Service and the Congress shall know what is going on at all times, the Director will be empowered to appoint, to be stationed in each department, a Budget liaison officer who shall be on the pay roll of the Budget Service and who shall act as liaison for all budgetary matters between the Department and the Director. Quarters and space sufficient for the functioning of the Budget liaison officer and his staff shall be provided for in the various departments. He shall be responsible for aiding in formulating the Department budget, perform research work and investigation of expenditures, and submit a financial report to the Budget Service where it will be incorporated into the final report of the Congress to the people. The Budget Service will be the watchdog of Congress on financial matters.

It is my belief that only in this way can Congress know whether it is justified in increasing or decreasing appropriations. Something must be done, for Government is growing bigger every year. There is no harder task to perform than to liquidate Government bureaus once they are set up. Congress could do so with justification under this proposed bill.

APPOINTMENTS TO THE MILITARY AND NAVAL ACADEMIES

Mr. RUSSELL. I introduce a bill for appropriate reference, and I submit therewith an explanatory statement. I ask that the bill and statement be printed in the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the bill of the Senator from Georgia, together with the explanatory statement, will be printed in the RECORD, and the bill will be appropriately referred.

The bill (S. 3145) authorizing appointments to the United States Military Academy and the United States Naval Academy of sons of soldiers, sailors, and marines who were killed in action or have died of wounds or injuries received or disease contracted in line of duty during the World War, was read twice by its title and referred to the Committee on Military Affairs, as follows:

Be it enacted, etc., That the second paragraph of the act of June 8, 1926, entitled "An act to establish a department of economics, government, and history at the United States Military Academy at West Point, N. Y., and to amend chapter 174 of the act of Congress of April 19, 1910, entitled 'An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1911, and for other purposes'" (44 Stat. 704), be, and the same is hereby amended to read as follows:

"That the number of cadets now authorized by law at the United States Military Academy, and the number of midshipmen now authorized by law at the United States Naval Academy, are each hereby increased by 40 from the United States at large, to be appointed by the President from among the sons of officers, soldiers, sailors, and marines of the Army, Navy, and Marine Corps of the United States, including members of the Army Nurse Corps (female) and Navy Nurse Corps (female) employed in the active service by the War Department and Navy Department, who were killed in action or have died, or may hereafter die of wounds or injuries received, or disease contracted, or preexisting injury or disease aggravated, in line of duty during the World War."

The explanatory statement presented by Mr. RUSSELL is as follows:

A BILL AUTHORIZING CERTAIN APPOINTMENTS TO THE UNITED STATES MILITARY AND NAVAL ACADEMIES

The act of June 8, 1926, which this bill amends, increased the number of cadets at the United States Military Academy and number of midshipmen at the United States Naval Academy by 40 at each institution, and provided that appointments to fill the vacancies created by the act should be made by the President from among the sons of officers, soldiers, sailors, and marines who were killed in action or died prior to July 2, 1921, of wounds or injuries received, or disease contracted in line of duty during the World War.

The appointments under this act correspond to those made by the President from among enlisted men of the Army, Navy, and National Guard. They in no way affect congressional appointments, or those made upon recommendations of Senators and Representatives.

The youngest of the possible beneficiaries of the act of June 8, 1926, was born in December 1921, and has now passed his eighteenth birthday. After 1941 he will be too old to enter the Naval Academy, and after 1943 too old to enter the Military Academy. This act, unless amended, will thus expire by its own limitation in 1943.

The purpose of the act of June 8, 1926, was to provide educational and professional opportunities for a limited number of sons of those who sacrificed their lives for the country in the World War. The increase in the authorized number of cadets and midshipmen was incidental to this primary purpose.

The limiting date, July 2, 1921, specified in the act, is more or less arbitrary. The son of a veteran who has died since that date of a war-service-connected disability is just as much entitled to assistance as one of a veteran who died prior to that date and after his discharge from the military or naval service. This was realized at the time the act was passed, but it was felt that some limit should be placed upon the number made eligible for these comparatively few appointments. This was accomplished by confining the appointments to sons of those who were killed or died during the legal period of the World War.

The number of eligibles, originally more than 6,000, is now 1,536 for appointment to the Military Academy, and 242 to the Naval Academy. Next year, 1941, there will be only 594 eligible for appointment to the Military Academy, and only 101 to the Naval Academy. In 1942 all will be too old to enter the Naval Academy, while the number still eligible for the Military Academy will be only 201.

This bill (S. 3145) extends the provisions of the act of June 8, 1926, to include the sons of those who have died since July 2, 1921, or may hereafter die, of a World War service-connected disability, or to use the language of the bill "of wounds or injuries received, or disease contracted, or pre-existing disease or injury aggravated, in line of duty during the World War."

The records of the Veterans' Administration show that there were, on June 30, 1939, 15,760 sons of veterans who have died since

the World War of service-connected disabilities. These boys range in age from infancy to 17, inclusive. For compensation purposes, they are divided by the Veterans' Administration into two groups, one consisting of 2,795 under 10 years of age, and the other of 12,965 from 10 to 17, inclusive. The Veterans' Administration has compiled no statistics for children after they have reached and passed their eighteenth birthday, but it is fair to assume that the number is comparatively small. The number of boys rendered eligible under this bill who will desire to take the examination, in any one year, for appointment at the Military and Naval Academies is, of course, problematic, but judging from the experience with the examinations under the original act, it is believed that it will not be so great as to render the administration of the act impracticable or burdensome.

GIFTS AND CONTRIBUTIONS TO FINLAND

Mr. WILEY. Mr. President, I think American citizens, individually and through groups, should do everything possible to raise money to provide Finland with what she needs. But I think it would be very dangerous to adopt a new foreign policy which would open the door to the American Treasury.

My heart, like that of all America, is with Finland. Finland is putting up one of the most remarkable defenses in all history, and Finland should be aided. I personally shall contribute toward that aid, but for reasons that are fundamental to me I cannot agree that Congress, as long as we are at peace, should vote a loan or a gift to any foreign nation. In reaching this conclusion, I am not looking simply at the present but also at the future. I am also recognizing that the power that Congress possesses is a delegated and limited power—and I find no authority in the Constitution authorizing the Congress to loan the people's money to a foreign nation for war purposes.

Mr. President, I repeat what I said to the Senate on January 8, 1940: "I believe that if the people of this country knew tomorrow that our Government would take no action, they would as individuals respond liberally to aid Finland."

According to the newspapers this morning, there is a serious question whether the Congress will take any action.

In my opinion, we should meet the issue quickly and at once.

Mr. President, I am introducing at this time a bill which would stimulate private gifts or contributions and ask that it be referred to the appropriate committee and printed in the RECORD. I believe that action on this bill should be accelerated and that the committee that handles it should get it back into the Senate quickly.

The VICE PRESIDENT. Without objection, the bill of the Senator from Wisconsin will be received, properly referred, and printed in the RECORD.

The bill (S. 3154) to permit contributions and gifts to the Republic of Finland to be deducted in computing net income for income-tax purposes to the same extent that charitable contributions are deductible, was read twice by its title and referred to the Committee on Finance, as follows:

Be it enacted, etc., That subsection (o) of section 23 of the Internal Revenue Code, as amended, is amended by inserting therein immediately after paragraph (1) thereof a new paragraph to read as follows:

"(1A) The Republic of Finland or any duly authorized representative thereof for exclusively public purposes of such Republic, if such contributions or gifts are made within the taxable year 1940."

SEC. 2. Section 23 of the Internal Revenue Code, as amended, is amended by inserting at the end thereof the following new subsection:

"(t) In the case of a corporation, contributions or gifts payment of which is made within the taxable year 1940 to the Republic of Finland or any duly authorized representative thereof for exclusively public purposes of such Republic, to an amount which when added to any deductions taken under subsection (q) of this section does not exceed 5 percent of the taxpayer's net income as computed without the benefit of this subsection and subsection (q). Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the Commissioner, with the approval of the Secretary."

CHANGES OF REFERENCE

Mr. BANKHEAD. Mr. President, the bill (H. R. 7342) to amend the Emergency Farm Mortgage Act of 1933, as amended, was referred to the Committee on Agriculture and Forestry. It seems to me perhaps the bill should have been

referred to the Committee on Banking and Currency, and I ask unanimous consent that the Committee on Agriculture and Forestry be discharged from the further consideration of the bill and that it be referred to the Committee on Banking and Currency.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

On motion by Mr. SHEPPARD, the Committee on Military Affairs was discharged from the further consideration of the following bills, and they were referred to the Committee on Finance:

S. 1300. A bill for the relief of officers who failed to file application for benefits within the time limit fixed by the act of May 24, 1928;

S. 1555. A bill to extend the time in which applications may be made for the benefits of the Disabled Emergency Officers' Retirement Act of May 24, 1928;

S. 1877. A bill for the relief of officers who failed to file application for benefits within the time limit fixed by the act of May 24, 1928; and

S. 2638. A bill to extend eligibility for disabled emergency officers' retirement benefits to those disabled emergency officers of the World War otherwise entitled thereto who failed to file application therefor within the time provided for in Public Law No. 506, approved May 24, 1928, Seventieth Congress.

AMENDMENT TO RIVER AND HARBOR BILL—CHANNEL FROM HAVRE DE GRACE TO RED POINT, MD., ETC.

Mr. TYDINGS submitted an amendment intended to be proposed by him to the bill (H. R. 6264) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which was ordered to lie on the table and to be printed.

AUDREY JONES

Mr. NEELY submitted the following resolution (S. Res. 218), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Audrey Jones, daughter of Charles Jones, late an employee of the Senate, under supervision of the Committee on Rules, a sum equal to 6 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

OBLIGATIONS OF UNION OF SOVIET SOCIALIST REPUBLICS TO UNITED STATES

Mr. VANDENBERG. I submit a resolution, which I ask to have reported at the desk.

The VICE PRESIDENT. The resolution will be read.

The legislative clerk read the resolution (S. Res. 219), as follows:

Resolved, That the President is requested to report to the Senate, if not incompatible with the public interest, whether the Union of Soviet Socialist Republics has fulfilled the obligations of the Litvinov agreements of November 16, 1933, upon which our diplomatic relations with the Union of Soviet Socialist Republics were then and are now made wholly contingent.

Mr. VANDENBERG. I ask that the resolution be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. Without objection, the resolution will be so referred.

Mr. VANDENBERG. In connection with my remarks, I ask to have printed in the RECORD a brief discussion of my viewpoint upon this subject as recently published in the Young Republican.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The original recognition of the Soviet Russian Government by the United States was a colossal blunder. I felt and said so then. I repeat it now. The only atonement—the only cure—is to acknowledge the mistake and undo it. That means a withdrawal not only of our Ambassador to Moscow but also a withdrawal of all our diplomatic recognition of an alien regime which, through its American tools, here seeks to promote Moscow's "world revolution." The same day that Comrade Molotov renewed in Moscow the Communist commitment to "world revolution," Comrade Browder renewed it in our own Boston and said we were ripe for "quick transition." Just why

we should continue officially to condone—officially bless—a Russian relationship which threatens our own internal security passeth all understanding. Just why we should be the only government in North and South America which thus recognizes the Russian Soviets—thus destroying that unity and solidarity of pan-American thought and action for which we pretend such affection—is the mystery of the age.

It is none of our business what kind of a government Russia maintains in Russia. But neither is it any of Russia's business what kind of a government America maintains in America. And it is very definitely a lot of our business whether Russia attempts to destroy—by propaganda, sabotage, or force—the kind of a government we have chosen for ourselves. That is what I said on the floor of the Senate January 11, 1934, when I cast one of the few votes against the confirmation of Ambassador Bullitt (the only chance the Senate had to pass upon the question of Russian recognition).

President Roosevelt knew he was dealing with a treacherous subject when he took up this question in the first year of his first administration. He tried to tie Moscow down with written promises. Comrade Litvinov cheerfully gave the promises. They are contained in the Roosevelt-Litvinov letters of November 1933. Moscow promised to wall us off from her "world revolution." She promised to disown any American movement which threatened the "tranquillity, prosperity, order, or security" of the United States or which in any way sought the overthrow of our Government by force. Incidentally she promised to settle her old debts (\$435,000,000 worth).

Russia has kept none of these promises. Moscow is the well-spring of the American Communist Party. It is impossible to separate the American Communist from his Moscow inspiration, leadership, and support. But it is possible to separate Moscow from a central station, a general headquarters, here in Washington. It is possible to withdraw our own benediction from this menace to our own "tranquillity, prosperity, order, and security." If we neglect this prudence much longer, we certainly shall have ominously forgotten that "eternal vigilance is the price of liberty."

Even if we had no sinister experience of our own with communism—and we are having them constantly all over the country—we have the premonitions of our own State Department (the Colby note of 1920 under President Wilson) that "the responsible leaders of this regime have frequently and openly boasted that they are willing to sign agreements and undertakings with foreign powers while not having the slightest intention of observing such undertakings or carrying out such agreements." The ruthless, brutal, cynical invasion of Finland demonstrates that the Moscow of 1939 is no different than the Moscow of 1920 which was too much for Woodrow Wilson to stomach.

This is not a partisan question. Democrats, as just indicated, have been among the most earnest opponents of Russian recognition; and some well-meaning Republicans, let it be added, joined in the 1933 belief that we ought to give the Soviets a chance. Well * * * they have had their chance, and now it is our move. I repeat it is not a partisan question. But is fair to say that Republican administrations (under Harding, Coolidge, and Hoover) declined to yield to the hammer and the sickle, and most Republicans were skeptical in 1933 as they still are today.

When I opposed recognition on the floor of the Senate on January 11, 1934, I said:

"Time and events will vindicate the action of the President only in the degree that these engagements do not degenerate into diplomatic scraps of paper."

Six years' test is long enough. These "engagements" are nothing more than "scraps of paper." They are worthless. They are worse than worthless because, in addition to being sterile themselves, they are the open door to internal American subversion. It is time to say so and to act accordingly.

I am not pretending that the withdrawal of this recognition automatically saves us from communism. No indeed; the best—the only sure—defense against communism is to restore some semblance of general American prosperity so that the agents of sedition meet deaf ears when they plead their dynamite. But the withdrawal of this recognition will symbolize an official purpose at the top (where it most greatly needs to be symbolized) to quit coddling the enemies of our domestic tranquillity and of our institutions. It will symbolize our refusal longer to be taken in by treachery and duplicity. It will symbolize our harmony with 20 other American republics in their hostility to communism. It will turn off the "green light" and meet the "reds" with "red."

AFFIDAVITS OF PREJUDICE IN DISTRICT COURT FOR ALASKA

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1335) relating to the filing of affidavits of prejudice in the District Court for the District of Alaska, which was, on page 2, line 12, after "case", to insert "The provisions of this subdivision shall apply only to the district court."

Mr. McNARY. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

ACQUISITION OF THE ESTATE OF PATRICK HENRY IN CHARLOTTE COUNTY, VA.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1919)

to provide for the acquisition by the United States of the estate of Patrick Henry in Charlotte County, Va., known as Red Hill, which were, on page 1, line 5, to strike out "\$125,000" and insert "\$100,000", and on page 2, line 5, after the word "hereby", to insert "authorized to be."

Mr. GLASS. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

EQUALIZATION OF SALARIES OF LETTER CARRIERS—CONFERENCE REPORT

Mr. McKELLAR. I submit a conference report, and ask for its immediate consideration.

The VICE PRESIDENT. The Senator from Tennessee submits a conference report and asks for its immediate consideration. The report will be read before the Chair puts the unanimous-consent request.

The Chief Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2001) for the equalization of salaries of letter carriers, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows:

In lieu of the sums proposed to be inserted by said amendment insert the following: "\$1,200 to \$1,440", and the Senate agree to the same.

KENNETH McKELLAR,
CARL HAYDEN,
LYNN J. FRAZIER,

Managers on the part of the Senate.

T. G. BURCH,
ALBERT E. AUSTIN,
B. F. WHELCHER,

WM. W. BLACKNEY,
Managers on the part of the House.

The VICE PRESIDENT. Is there objection to the present consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

Mr. KING. Mr. President, I should like to have an explanation of the matter.

Mr. McKELLAR. I shall be very glad to explain it.

Some time ago the House passed a bill increasing the salaries of village carriers from their former range of \$1,150 to \$1,300 to a range of \$1,300 to \$1,500. The Senate committee recommended an increase of \$50 per year to each class. The bill went to conference and the conference has reported a compromise of from \$1,200 to \$1,440, which we think is a reasonable compromise; and I hope the Senate will adopt it.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

TRIBUTE TO SENATOR BURKE

[Mr. WHEELER asked and obtained leave to have printed in the RECORD a tribute to Senator BURKE by Senator CONNALLY, published in the Omaha World-Herald of January 10, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR McCARRAN BEFORE NATIONAL AERONAUTIC ASSOCIATION CONVENTION

[Mr. KING asked and obtained leave to have printed in the RECORD the address delivered by Senator McCARRAN before the National Aeronautic Association in national convention at New Orleans, January 12, 1940, together with excerpts, which appear in the Appendix.]

ADDRESS BY SENATOR MEAD ON AID TO SMALL BUSINESS

[Mr. PEPPER asked and obtained leave to have printed in the RECORD a radio address on the subject Small Business Needs a Helping Hand, delivered by Senator MEAD on January 17, 1940, at Washington, D. C., which appears in the Appendix.]

REMARKS OF SENATOR MEAD BEFORE GRAND STREET BOYS' ASSOCIATION OF NEW YORK

[Mr. MALONEY asked and obtained leave to have printed in the RECORD the remarks made by Senator MEAD before the

Grand Street Boys' Association at the Commodore Hotel, New York City, on January 13, 1940, which appear in the Appendix.]

ARTICLE ON THE RAPE OF MUSCLE SHOALS

[Mr. WILEY asked and obtained leave to have printed in the RECORD an article entitled "The Rape of Muscle Shoals," which appears in the Appendix.]

GUAM

Mr. WALSH. Mr. President, with reference to Guam, our small but strategically located island possession in the Pacific Ocean, and the controversies and the confusion which have arisen respecting the proposed harbor improvements there, a very clear statement on this subject was contained in an editorial in the Washington Star of January 10, 1940, as follows:

The House last year rejected a \$5,000,000 item for the Guam project, apparently due largely to a misunderstanding as to the purpose of the proposed works. There was also a feeling among some of the legislators that the improvements might offend Japan to the point of provoking war in the Pacific. The misunderstanding arose from a tendency to confuse the Navy's modest harbor program with the \$80,000,000 fortification project recommended by the so-called Hepburn Board. As a matter of fact, the Navy wishes at this time only to erect a breakwater to provide safer landing and mooring facilities for commercial and naval seaplanes and to remove certain coral obstructions hindering movement of seaplanes and other craft.

No fortifications nor gun emplacements such as were envisioned by some critics of the project last year are contemplated under the requested appropriation. That Japan might view such harbor improvements as a threat of war by the United States is inconceivable. And if Japan has no designs on the United States, she could have no reasonable objection to the use of Guam by the Navy as an island outpost, equipped to watch for any threat from the Far East and to flash a warning to our main line of defense in the Pacific, which extends from Unalaska through Hawaii to the Panama Canal. There is no need to fortify Guam at present, but prudence and common sense are on the side of the Navy in the plan to make Guam serve as a defensive listening post in the troubled Far East.

The same viewpoint is expressed in an editorial in the Baltimore Sun of January 11, which describes the proposals for expansion of the Navy and concludes with the following respecting Guam:

It seems also to renew the scheme for improving the Navy's facilities at Guam in a reasonable way. The plan is not really to fortify that outpost or turn it into a "fully equipped advance fleet base" but simply to dredge underwater runways and construct breakwaters. Virtually, this same scheme was killed by the House last February, because it was felt Japan would interpret it as a challenging gesture. Doubtless it could still be so construed. But no more than last year do the facts of the proposal have any genuine relation to challenges, belligerent or otherwise.

Editorial comment in the Washington Post of January 14 concerning the present proposal for harbor improvements at Guam was, in part, as follows:

With Guam increasingly important as a naval lookout in the south Pacific, as well as an important way station on the commercial air route between the United States and Asia, there is a good deal to be said for making harbor improvements there.

The Navy proposes to do this work by allocating to Guam \$4,000,000 of the sum budgeted for the fourteenth (Hawaiian area) naval district. This involves no subterfuge, for it is entirely up to Congress, which has now been informed of the plan, to approve or reject it.

But in making up its mind, Congress should avoid giving way to alarmist feelings and consider the project on its own merits as a useful development of minor significance. It is not and is clearly not intended to be a disguised entering wedge for any large-scale plan to fortify Guam.

CONSIDERATION OF UNOBTAINED-TO BILLS

The VICE PRESIDENT. The routine morning business is closed.

Mr. BARKLEY. I ask unanimous consent that the Senate proceed to the consideration of bills on the calendar to which there is no objection.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will proceed to call the bills on the calendar.

RESOLUTIONS PASSED OVER

The resolution (S. Res. 58) providing that a calendar day's notice shall suffice in connection with suspension of a rule was announced as first in order.

Mr. McNARY. I ask that the resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

The resolution (S. 74) providing for a Committee on Civil Aviation was announced as next in order.

Mr. VANDENBERG. Let the resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

The joint resolution (S. J. Res. 45) to amend the act of July 3, 1926, entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in claims which the Crow Tribe of Indians may have against the United States, and for other purposes" was announced as next in order.

Mr. McNARY. I ask that the joint resolution be passed over.

The VICE PRESIDENT. The joint resolution will be passed over.

Mr. KING. Mr. President, there are a number of so-called Indian bills on the calendar—

Mr. BARKLEY. Mr. President, I had intended, but overlooked it before beginning the call of the calendar, to suggest the absence of a quorum, so that absent Senators may come in. I now make the point that there is no quorum present.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Downey	Lee	Schwellenbach
Ashurst	Frazier	Lodge	Sheppard
Austin	George	Lucas	Shipstead
Bailey	Gerry	Lundeen	Slattery
Bankhead	Gibson	McKellar	Smathers
Barbour	Gillette	McNary	Stewart
Barkley	Glass	Maloney	Taft
Bilbo	Green	Mead	Thomas, Okla.
Brown	Guffey	Miller	Tobey
Bulow	Gurney	Minton	Townsend
Burke	Hale	Murray	Truman
Byrd	Harrison	Neely	Tydings
Byrnes	Hatch	Norris	Vandenberg
Capper	Hayden	Nye	Van Nuys
Chandler	Herring	O'Mahoney	Wagner
Chavez	Hill	Pepper	Walsh
Clark, Idaho	Holman	Pittman	Wheeler
Clark, Mo.	Holt	Radcliffe	White
Connally	Hughes	Reed	Wiley
Danaher	Johnson, Calif.	Reynolds	
Davis	Johnson, Colo.	Russell	
Donahay	King	Schwartz	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE], the Senator from Arkansas [Mrs. CARAWAY], and the Senator from Louisiana [Mr. OVERTON] are absent from the Senate because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Louisiana [Mr. ELLENDER], the Senator from Nevada [Mr. McCARRAN], and the Senator from South Carolina [Mr. SMITH] are detained on important public business.

The Senator from Utah [Mr. THOMAS] is absent on official business for the Special Committee on Civil Liberties.

Mr. AUSTIN. I announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent on official business.

The VICE PRESIDENT. Eighty-five Senators having answered to their names, a quorum is present.

BILLS PASSED OVER

The bill (S. 790) conferring jurisdiction upon the Court of Claims to hear and determine the claims of the Prairie Band or Tribe of Pottawatomie Indians of Kansas and Wisconsin against the United States was announced as next in order.

Mr. KING. Mr. President, an arrangement has been made that a bill which is pending before the Judiciary Committee, and as to which hearings have been asked by representatives of the Indian tribes, shall have a hearing early in February, at which time undoubtedly some arrangement will be made which will be followed by an agreement to take up so-called Indian bills for consideration. I therefore ask to have this bill and the four which follow it passed over.

The VICE PRESIDENT. Objection being made, Senate bill 790, Senate bill 1222, Senate bill 767, Senate bill 864, and Senate bill 498 will be passed over.

The bill (S. 1162) to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal, was announced as next in order.

Mr. McNARY. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1303) to amend the Agricultural Adjustment Act of 1938, as amended, with respect to cotton was announced as next in order.

Mr. BARKLEY and Mr. VANDENBERG. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 795) to provide for the education of all types of physically handicapped children, to make an appropriation of money therefor, and to regulate its expenditure, was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

PROPOSED MOUNTAIN JUDICIAL DISTRICT IN TENNESSEE

The bill (S. 1681) to amend section 107 of the Judicial Code to create a mountain district in the State of Tennessee, and for other purposes, was announced as next in order.

Mr. AUSTIN. Let the bill go over.

Mr. McKELLAR. Mr. President, will the Senator withhold the objection in order to allow me at this time to read a very short letter on the subject from the Attorney General, so that it may be in the Record for the use of Senators?

Mr. AUSTIN. Mr. President, I have no objection to the reading of the letter, but I think this is a matter which ought to be referred to the Committee on the Judiciary.

Mr. McKELLAR. The Judiciary Committee reported the bill, and the Senator knows that we have had a conference about it. I shall be very glad, indeed, to have a further conference before the bill is taken up. I am perfectly willing to have it go over for that purpose, but I should like to read, at this point, a letter from the Attorney General.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. McKELLAR. Certainly.

Mr. AUSTIN. I do not, by my silence, agree to the position taken by the Senator from Tennessee.

Mr. McKELLAR. Of course not. I understand that.

The letter is dated July 22, 1939, and is as follows:

HON. HENRY F. ASHURST,

*Chairman of the Committee on the Judiciary,
United States Senate, Washington, D. C.*

MY DEAR SENATOR: My attention has been directed to the bill (S. 1681) to create an additional judicial district in the State of Tennessee.

Sometime ago I wrote you, in response to your request, concerning a prior bill (S. 676) on the same subject. The present bill, however, materially differs from the earlier measure. Under existing law, the State of Tennessee is divided into three districts known as the eastern, middle, and western. Each district has one judge. In addition, there is a fourth judge in the State who is a roving judge for the eastern and middle districts. The earlier of the two bills would have increased the judicial personnel in the State of Tennessee by, in effect, requiring the appointment of a judge for the projected district. The bill to which I am now referring (S. 1681), however, does not contemplate the appointment of an additional judge, as under the terms of the measure the present roving judge would become the resident judge of the new district.

In view of the foregoing considerations, I find no objection to the enactment of the bill.

Sincerely,

FRANK MURPHY,
Attorney General.

Mr. President, let me say that I am perfectly willing to have the bill go over; and I shall try to agree at an early date with my friend from Vermont as to further hearings on the matter.

The VICE PRESIDENT. Objection being made, the bill will be passed over.

BILL PASSED OVER

The bill (S. 570) to regulate interstate and foreign commerce in agricultural products; to prevent unfair competition; to provide for the orderly marketing of such products; to promote the general welfare by assuring an abundant and

permanent supply of such products by securing to the producers a minimum price of not less than cost of production, and for other purposes, was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

INDEFINITE POSTPONEMENT OF A RESOLUTION

The resolution (S. Res. 107) opposing sales of American cotton during the present world crisis to foreign purchasers below the cost of production was announced as next in order.

Mr. VANDENBERG. Let the resolution go over.

Mr. GEORGE. Mr. President, this resolution perhaps should be indefinitely postponed.

I submitted the resolution to prevent the Agricultural Department from paying a subsidy of \$7.50 per bale, or 1½ cents per pound, on cotton to be exported to foreign purchasers. I submitted the resolution at a time when it was perfectly obvious that, because of the approaching war in Europe, cotton would go up anyway. As a matter of fact, the subsidy paid by the Secretary of Agriculture has not induced the exportation of any cotton. As a matter of fact, American stocks in nearly all foreign warehouses were then exhausted. It was a wholly useless proceeding upon the part of the Secretary of Agriculture; but there is not any use in retaining the resolution upon the calendar.

Mr. President, in passing I desire to say that the present session of Congress will have to provide for an additional appropriation to the Secretary of Agriculture of from nine to ten million dollars to enable him to comply with the Agricultural Adjustment Act or the Soil Conservation Act; and the \$40,000,000 which was given away to induce foreign purchasers to buy cotton below the cost of producing it could well have been used to take care of the item which the Congress must be ultimately called on to provide in a deficiency bill.

So far as this resolution is concerned, it may well be indefinitely postponed; and I ask that it take that course.

The PRESIDING OFFICER (Mr. HATCH in the chair). The Senator from Georgia requests unanimous consent that the resolution be laid on the table and action thereon indefinitely postponed. Is there objection? The Chair hears none, and it is so ordered.

BILL PASSED OVER

The bill (S. 1305) to promote the general welfare through appropriation of funds to assist the States and Territories in providing more effective programs of public education was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

BILLS INDEFINITELY POSTPONED

The bill (S. 1265) to establish a Department of Public Works, to amend certain sections of the Social Security Act, and for other purposes was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

Mr. BYRNES. Mr. President, as to this bill and the bill following—Senate bill 2202, to establish a Public Works Agency—I ask that they be laid upon the table and action upon them indefinitely postponed.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

BILL AND JOINT RESOLUTION PASSED OVER

The bill (S. 2203) to amend certain sections of the Social Security Act was announced as next in order.

Mr. McNARY. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

W. K. RICHARDSON

The joint resolution (S. J. Res. 34) for the relief of W. K. Richardson was announced as next in order.

Mr. KING. Let the joint resolution go over.

Mr. SHEPPARD. Mr. President, in reference to Senate Joint Resolution 34, I desire to say that in the Seventy-fourth Congress Senate Resolution 119 remanded this claim to the Court of Claims for readjudication. The Court of

Claims dismissed the petition on the ground that, since the claim had been adjudicated by that court, jurisdiction to readjudicate it could not be conferred by the action of merely one of the Houses of Congress. This is therefore a joint resolution, which requires the concurrence of the other House. The joint resolution provides that the maximum amount which may be allowed by the Court of Claims shall be 3 percent of the original claim; and the committee believed the matter ought to be reconsidered.

Mr. KING. Let me say to the Senator that a similar joint resolution was passed heretofore and was vetoed by the President, as I recall.

Mr. SHEPPARD. This joint resolution provides that the award shall not be more than 3 percent of the original amount of the claim; and on that basis the committee thought the matter ought to be reconsidered.

Mr. KING. I adhere to my objection.

The PRESIDING OFFICER. Objection being made, the joint resolution will be passed over.

BILLS PASSED OVER

The bill (S. 517) to amend the Communications Act of 1934 to prohibit the advertising of alcoholic beverages by radio was announced as next in order.

Mr. McNARY. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1730) to amend the civil-service law to permit certain employees of the legislative branch of the Government to be transferred to positions under the competitive classified civil service was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 289) for the relief of officers and soldiers of the Volunteer service of the United States mustered into service for the War with Spain was announced as next in order.

Mr. KING. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1650) to promote peace and the national defense through a more equal distribution of the burdens of war by drafting the use of money according to ability to lend to the Government was announced as next in order.

Mr. VANDENBERG. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 915) to provide for the more expeditious settlement of disputes with the United States, and for other purposes, was announced as next in order.

SEVERAL SENATORS. Over!

The PRESIDING OFFICER. The bill will be passed over.

PAYMENT OF BONUS TO PROVISIONAL AND PROBATIONARY OFFICERS

The Senate proceeded to consider the bill (S. 457) to amend the World War Adjusted Compensation Act, which was read, as follows:

Be it enacted, etc., That subsection (b), section 202, of the World War Adjusted Compensation Act is amended to read as follows:

"(b) Any individual holding a permanent or provisional commission or permanent or acting warrant in any branch of the military or naval forces, or (while holding such commission or warrant) serving under a temporary commission in a higher grade—in each case for the period of service under such commission or warrant or in such higher grade after the accrual of the right to pay thereunder. This subdivision shall not apply to any noncommissioned officer nor to any provisional, probationary, or temporary officer of the military or naval forces or Coast Guard, under the grade of major or lieutenant commander, who served subsequent to April 6, 1917, and who is now in a status of honorable separation from the military, naval, or Coast Guard service: *Provided*, That applications under this act must be made within 1 year from the date of enactment."

Mr. McKELLAR. Mr. President, may we have an explanation of the bill?

Mr. SHEPPARD. Mr. President, during our participation in the World War in 1917 and 1918 there were several distinct groups of officers in the United States Army, Regular Army officers, National Army officers, emergency officers, provisional officers, and probationary officers. Officers below the grade of major, other than Regulars, were supposed to be entitled to adjusted compensation, commonly known as the bonus.

An interpretation of the law by the War Department, however, barred provisional and probationary officers from eligibility to receive the bonus, as it was held that these officers were part of the Regular forces. There was no difference in the service rendered by officers of all groups.

Mr. McKELLAR. Mr. President, if I may interrupt the Senator, in my hasty examination of the papers I find that both the Secretary of War and the Secretary of the Navy have advised against the enactment of the bill.

Mr. SHEPPARD. They opposed the bonus. This measure is of a piece with the same character of legislation.

Mr. McKELLAR. What would it cost?

Mr. SHEPPARD. About \$1,700,000.

Mr. McKELLAR. A year?

Mr. SHEPPARD. No; that would be the total cost.

Mr. CONNALLY. Mr. President, will the Senator from Texas yield?

Mr. SHEPPARD. I yield.

Mr. CONNALLY. Let me say to the Senator from Tennessee that, as I understand, the bill merely allows those whom we call provisional officers to get the bonus, just as the Reserve officers received it. As soon as the war was over they went out into civil life, but because they were provisional officers, and technically a provisional officer was a Regular Army officer, and because the bonus was refused to Regular Army officers, these men have not received the bonus, and they ought to have it.

Mr. SHEPPARD. Although considered technically as Regulars, they get no emoluments such as those received by Regular Army officers after discharge. They were left without any recognition after discharge, either as Regulars or provisionals.

Mr. CONNALLY. I do not know about that phase of the matter. I beg the pardon of the Senator from Texas; I did not mean to take him off the floor.

Mr. SHEPPARD. I was glad to have the Senator's contribution.

Mr. McKELLAR. Did these officers get the bonus received by Regular enlisted soldiers?

Mr. SHEPPARD. They did not.

Mr. McKELLAR. They received no bonus whatever?

Mr. SHEPPARD. None whatever.

Mr. McKELLAR. I shall not object.

Mr. KING. Mr. President, in view of the adverse recommendations by the Secretary of the Navy, former Senator Swanson, and Mr. Johnson, the Acting Secretary of War, in order that the record may be complete as to the attitude of the War Department and the Navy Department in respect to the matter, I ask that the adverse recommendations be inserted in the RECORD as a part of the proceedings in connection with the bill.

The PRESIDING OFFICER. Is there objection?

There being no objection, the adverse recommendations were ordered to be printed in the RECORD, as follows:

Report from the War Department on the current bill, S. 457, under date of April 11, 1939, follows:

Hon. MORRIS SHEPPARD,

Chairman, Committee on Military Affairs,

United States Senate.

DEAR SENATOR SHEPPARD: Careful consideration has been given to S. 457, Seventy-sixth Congress, first session, a bill to amend the World War Adjusted Compensation Act, which you transmitted to the War Department on January 18, 1939, with a request for information and the views of the Department relative thereto.

The provisions of this bill are similar to those contained in numerous previous bills to amend the World War Adjusted Compensation Act, the most recent similar Senate bills being S. 22 and S. 4042, both of which were introduced in the Seventy-fifth Congress. In the case of the former, your attention is invited to the War Department's adverse report to your committee under date of March 27, 1937, which report has been published in Senate Report No. 1909, Seventy-fifth Congress, third session (Calendar No. 2014), to accompany S. 4042, a copy of which printed report is enclosed (in committee files). It appears that the War Department was not called upon to report on S. 4042.

Insofar as this Department is involved by the present bill, S. 457, it would amend the provisions of subsection (b), section 202, of the World War Adjusted Compensation Act so that adjusted-service credit might be allowed to provisional and probationary officers of the Regular Army who are now in a status of honorable separation from the military service. S. 457 is, therefore, broader in its scope than S. 22, which set the date, January 1, 1922, as the specific

date prior to which such officers must have been honorably separated from the military service in order to come in for adjusted compensation. It is considered that it is intended by S. 457 to render all provisional and probationary officers of the Regular Army whose service would otherwise qualify them as "veterans" under the provisions of the World War Adjusted Compensation Act eligible to apply for and receive adjusted compensation if they are now or may become honorably separated from the military service prior to the date the bill becomes law. And it is evident, therefore, that the number of such persons who would become beneficiaries under the bill, if enacted, cannot be determined until after it becomes law. The World War Adjusted Compensation Act does not exclude officers who held temporary commissions below the grade of major in the Army from the benefits thereunder.

The approximate number who would become beneficiaries under the legislation, if enacted, up to and including the date February 9, 1939, is 2,513, and it has been estimated by this Department that their total adjusted-service credit would approximate \$1,570,625. If the committee desires information regarding the total adjusted-service certificate face value and an estimate of the additional appropriations necessary to cover the cost of the proposed legislation, the same may be obtained from the Administrator of Veterans' Affairs, to whom the above statistics have been furnished, as that official is charged by law with the adjudication of all claims for compensation.

The War Department invites your attention to the fact that the present Chief Executive has, on two separate occasions, June 26, 1936, and August 26, 1937, withheld his approval from enactments designed to grant adjusted compensation to the provisional officer's group. There are enclosed copies (in committee files) of his memoranda of disapproval regarding the measures which set forth his observations with respect thereto.

Attention is also invited to the adverse report of the War Department dated February 28, 1938, and the pertinent statement of Lt. Col. F. Granville Munson, Judge Advocate General's Department, who represented the War Department at a hearing held March 24, 1938, on S. 3280, Seventy-fifth Congress, third session, titled "A bill placing provisional officers of the World War in the same status with emergency officers of the World War and extending to them the same benefits and privileges as are now or may hereafter be provided by law, orders, and regulations for said emergency officers, and for other purposes," which bill, if enacted, would have granted adjusted compensation and other benefits and privileges to provisional officers. Both the report and statement referred to have been published and are contained in a pamphlet printed for use by your committee, a copy entitled "Hearing before the Committee on Military Affairs, United States Senate, Seventy-fifth Congress, third session, on S. 3280," is enclosed (in committee files).

After mature consideration of the entire matter, the War Department adheres to the view expressed in its previous report on S. 22, printed in the enclosed Senate Report No. 1909, and recommends that S. 457 be not enacted into law.

The proposed legislation was submitted to the Bureau of the Budget, which reports that there is no objection to the submission of this unfavorable report to your committee.

Sincerely yours,

LOUIS JOHNSON,
Acting Secretary of War.

Report from the Navy Department on S. 457, under date of April 10, 1939, follows:

The CHAIRMAN, COMMITTEE ON MILITARY AFFAIRS,

United States Senate, Washington, D. C.

MY DEAR MR. CHAIRMAN: The bill (S. 457) to amend the World War Adjusted Compensation Act was referred to the Navy Department by your committee with a request for views relative to the measure.

It is the purpose of the bill S. 457 to make eligible for adjusted-service compensation those officers who served during the World War under probationary appointments as dental surgeons, acting ensigns for engineering duties only, acting chaplains, and as probationary officers of the Marine Corps.

For the individuals in such status, probationary appointments were the only means of entrance into the permanent Naval Establishment. These former officers were not inducted into the Navy or Marine Corps for the duration of the war or the duration of a national emergency but elected the Navy as their vocation and would have been given permanent commissions upon the expiration of the probationary period of service if qualified and if they had not resigned voluntarily.

Since the law relating to adjusted compensation was apparently intended for the benefit of individuals who gave up their civilian occupations to serve the armed force of the Government during the war, it does not appear to the Navy Department that individuals serving under probationary appointments are among those intended to be benefited.

It is estimated that in the event of the enactment of S. 457 approximately 340 officers who served in a probationary status subsequent to April 6, 1917, would benefit by the enactment of this legislation. It is estimated that the total amount of service credit to which these officers would become entitled is approximately \$167,000.

The Navy Department recommends against enactment of the bill, S. 457.

Sincerely yours,

CLAUDE A. SWANSON.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FREE FLOW OF FISHERY PRODUCTS

Mr. DANAHER. Mr. President, Order of Business 630, Senate bill 1852, and Order of Business 724, Senate bill 2110, which appear on the same page of the calendar, were companion bills with one which was acted upon in late July or early August last. At that time the Senators interested in these particular measures came to an agreement, and the Senate passed, and the House has since passed, a bill which contains the essential features of these two measures on the calendar. At that time we decided that probably the best way to clear the calendar was to move to recommit the bills to the committees from which they came. In the absence of objection, I ask that that course be taken at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and Senate bill 1852 will be recommitted to the Committee on Commerce, and Senate bill 2110 will be recommitted to the Committee on Agriculture and Forestry.

BUSINESS AND ECONOMIC RESEARCH STATIONS

The bill (S. 1740) to promote business and economic research in the United States by establishing and maintaining in connection with State university schools of business administration, research stations to cooperate with the Department of Commerce was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

Mr. SHEPPARD. Mr. President, this is quite an important bill, and if opportunity affords, when the call of the calendar is concluded, I shall deliver an explanation of the bill, and if the opportunity does not present itself today, I shall at some early moment address the Senate on this measure.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

PUBLIC WORKS ON RIVERS AND HARBORS

The bill (H. R. 6264) authorizing the construction upon and preservation of certain public works on rivers and harbors, and for other purposes, was announced as next in order.

Mr. VANDENBERG. Mr. President, this is a rivers and harbors authorization bill, which involved \$83,000,000 when it came from the House of Representatives. The Senate Commerce Committee added a little item of \$324,000,000. In the new and contrite spirit of economy which seems to have taken possession of the Congress, I cannot imagine favorable consideration of such an atrocity. I would ask that the bill be recommitted to the Committee on Commerce except for the absence of the distinguished chairman of that committee. When he is present I shall press the request. For the time being I ask that the bill be passed over.

Mr. SHEPPARD. Mr. President, the bill has the approval of a large majority of the Committee on Commerce. It is an authorization bill, and would spread the expenditures over about 8 years. It involves a long-time program, including some of the most important waterway and harbor projects in the United States.

The Senator himself is on a completed waterway project, perhaps the model waterway project of the world, the channel from Duluth to Buffalo and New York, which made possible the steel industry of America, and made possible the development of the railroads, and all the great steel structures of the country, really the physical basis of our civilization.

Mr. VANDENBERG. Mr. President, I am sure the Senator from Texas does not quite mean what he says. I know of no such authorization as that of which he speaks. The St. Lawrence waterway project is still pending; it has not been approved.

Mr. SHEPPARD. I am speaking of the Great Lakes waterway, the improvement of the waterways connecting the Great Lakes, used by ships carrying iron ore from Minnesota to the great steel works in the vicinity of Chicago, Gary, Cleveland, Pittsburgh, and other points. I am speaking of a waterway project already in existence and which has been in existence for probably 50 years.

Mr. VANDENBERG. It has been in existence at least 50 years, and carries a third of the water-borne commerce of the United States; but whether or not the Senator from Michigan has any interest in the bill directly, he is opposed to any \$324,000,000 authorization at the present time, and he is one member of the Committee on Commerce who dissents from the statement made by the distinguished Senator from Texas.

Mr. KING. Regular order.

The PRESIDING OFFICER. The regular order is called for. The clerk will state the next bill on the calendar.

BILLS AND JOINT RESOLUTION PASSED OVER

The bill (S. 2259) to amend laws for preventing collisions of vessels, to regulate equipment of certain motorboats on the navigable waters of the United States, and for other purposes was announced as next in order.

SEVERAL SENATORS. Over! Over!

The PRESIDING OFFICER. The bill will be passed over.

The joint resolution (S. J. Res. 145) proposing an amendment to the Constitution of the United States relating to old-age assistance was announced as next in order.

Mr. BARKLEY. Let that go over.

The PRESIDING OFFICER. The joint resolution will be passed over.

The bill (S. 1296) to amend paragraphs (b), (c), and (d) of section 6 of the District of Columbia Traffic Act, 1925, as amended by the acts of July 3, 1926, and February 27, 1931, and for other purposes, was announced as next in order.

SEVERAL SENATORS. Over! Over!

The PRESIDING OFFICER. The bill will be passed over.

FRANK P. HOYT

The bill (S. 2264) for the relief of Frank P. Hoyt was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers Frank P. Hoyt, who was a member of Troop D, Eighth Regiment United States Cavalry, shall hereafter be held and considered to have served for more than 90 days during the Philippine Insurrection and to have been honorably discharged on the 1st day of June 1900: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act: *And provided further,* That the rights, privileges, and benefits conferred upon Frank P. Hoyt by reason of the enactment of this act shall be limited to admission to a soldiers' home under the regulations governing such admissions.

BILLS AND JOINT RESOLUTIONS PASSED OVER

The bill (S. 2585) to reimburse the cotton cooperative associations for losses occasioned by the Federal Farm Board's stabilization operations, and for other purposes, was announced as next in order.

Mr. McKELLAR. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The joint resolution (S. J. Res. 84) proposing an amendment to the Constitution of the United States for a referendum on war was announced as next in order.

Mr. VANDENBERG. Let that go over.

The PRESIDING OFFICER. The joint resolution will be passed over.

The joint resolution (S. J. Res. 140) proposing an amendment to the Constitution relating to the power of the Congress to declare war was announced as next in order.

Mr. VANDENBERG. Over.

The PRESIDING OFFICER. The joint resolution will be passed over.

The bill (S. 2687) to establish a circuit court of appeals for patents was announced as next in order.

Mr. VANDENBERG. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 409) to protect American labor and stimulate the employment of American citizens on American jobs was announced as next in order.

SEVERAL SENATORS. Over! Over!

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 5643) to invest the circuit courts of appeals of the United States with original and exclusive jurisdiction to review the order of detention of any alien ordered deported from the United States whose deportation or departure from the United States otherwise is not effectuated within 90 days after the date the warrant of deportation shall have become final; to authorize such detention orders in certain cases; to provide places for such detention; and for other purposes was announced as next in order.

SEVERAL SENATORS. Over! Over!

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2573) to amend the Agricultural Adjustment Act of 1938, as amended; for the purpose of regulating interstate and foreign commerce in rice and providing for the orderly marketing of rice at fair prices in interstate and foreign commerce was announced as next in order.

Mr. VANDENBERG. Over.

The PRESIDING OFFICER. The bill will be passed over.

LEESBURG WELDING & GARAGE CO.

The Senate proceeded to consider the bill (S. 2289) for the relief of the Leesburg Welding & Garage Co., which had been reported from the Committee on Claims with amendments, on page 1, line 6, to strike out "\$1,017.78" and insert "\$1,017.08", and to strike out the proviso at the end of the bill and to insert in lieu thereof a new proviso, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Leesburg Welding & Garage Co., of Leesburg, Fla., the sum of \$1,017.08, in full satisfaction of its claim against the United States for payment for certain materials furnished and services rendered, at the request of officials of the Works Progress Administration, in connection with the Venetian Garden project, official project No. 65-35-295, in Leesburg, Fla., during the period November 1, 1936, to February 15, 1937: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION PASSED OVER

The bill (H. R. 6039) to amend laws for preventing collisions of vessels; to regulate equipment of certain motorboats on navigable waters of the United States, and for other purposes, was announced as next in order.

Mr. KING. I would like to have an explanation.

Mr. McKELLAR. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The joint resolution (S. J. Res. 101) defining and classifying gratuity expenditures allowable as offsets in favor of the United States and against the Five Civilized Nations or Tribes of Indians, was announced as next in order.

Mr. KING. Mr. President, this joint resolution comes in the category heretofore referred to, and I ask that it go over.

The PRESIDING OFFICER. The joint resolution will be passed over.

The bill (S. 2420) relating to certain inspections and investigations in coal mines for the purpose of obtaining information relating to health and safety conditions, accidents and occupational diseases therein, and for other purposes, was announced as next in order.

Mr. TAFT. Let the bill go over.

Mr. NEELY. Mr. President, I give notice that as soon as the call of the calendar shall be completed I shall move that the Senate proceed to the consideration of Senate bill 2420, to which objection has just been made.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

COLLECTION OF IRRIGATION CHARGES UNDER BLACKFEET IRRIGATION PROJECT

The joint resolution (S. J. Res. 153) to approve the action of the Secretary of the Interior in deferring the collection of

certain irrigation charges against lands under the Blackfeet Indian irrigation project was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That in accordance with the act of June 22, 1936 (49 Stat. 1803), the action of the Secretary of the Interior in deferring such charges under said irrigation project is hereby approved.

The preamble was agreed to.

BILL PASSED OVER

The bill (S. 1970) to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes, was announced as next in order.

SEVERAL SENATORS. Over! Over!

The PRESIDING OFFICER. The bill will be passed over.

CONSERVATION OF OIL AND GAS RESOURCES

The bill (H. R. 2953) authorizing States owning lands or interests therein acquired from the United States to include the same in certain agreements for the conservation of oil and gas resources was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 2575) to provide pensions, compensating retirement pay, and hospital benefits for certain Reserve officers of the Army of the United States was announced as next in order.

Mr. KING. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2830) to provide for the registration of aliens was announced as next in order.

Mr. SCHWELLENBACH. I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

RETIREMENT PAY FOR CERTAIN EMERGENCY OFFICERS

The bill (S. 134) providing for continuing retirement pay, under certain conditions, of officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability while in the service of the United States during the World War, and for other purposes, was announced as next in order.

Mr. KING. Mr. President, I ask that the bill be passed over, but will withhold the objection until we may have an explanation of the measure. I should like an explanation of it.

The PRESIDING OFFICER. The Senator from Utah withholds his objection and requests an explanation.

Mr. GEORGE. Mr. President, this bill is similar to one which has previously been passed by the Congress. It makes possible the restoration to the rolls of certain emergency officers who were stricken off under the act of 1934. It is not an unjust measure in any respect. Soon after the conclusion of the World War Congress gave the privilege of retirement benefits to the officers of the Navy and the Marine Corps. Congress likewise gave retirement benefits to the emergency officers of the World War. The so-called Economy Act eliminated from the rolls some 4,000 officers, and left on the rolls about 1,900 officers.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. McKELLAR. What would be the cost of the measure? I see by the letter from General Hines that the cost would be \$2,677,000. Does that mean for a year or would that be the entire cost?

Mr. GEORGE. I shall get to that in a moment. The Veterans' Administration has simply reported the outside number of Reserve officers who could be returned to the rolls, and has reported about 2,950, I believe—less than 3,000. That is the maximum number. In 1938 the rehabilitation services of the veterans' organizations, working separately, not concurrently, made a very careful calculation of the number of emergency officers of the World War who could be restored to the rolls under this bill. In April of that year

they fixed the number then at 1,500. The average age of these officers is 58 years. They are dying very rapidly; 17.4 percent of the number stricken from the rolls under the so-called Economy Act of 1934 passed away prior to January 1, 1940.

When we consider that they are of the average age of 58 years, ranging from 44 years to 83 years of age, it is obvious that these emergency officers are passing away at a very rapid rate.

The veterans' rehabilitation services of all the veterans' organizations estimated that not more than 1,500 could be returned to the rolls. Certainly more than 100 of these officers have died since these estimates were made. So there can be only about 1,300 or 1,400 returned to the rolls under this measure. The cost, therefore, would be not to exceed \$1,400,000. That would be an annual cost. But, since these officers are dying at a rapid rate, the cost will very rapidly decline.

Mr. President, it is merely a matter of being fair to these officers. The emergency officers of the Navy and Marine Corps were retired. The emergency officers of the Army were retired. The Economy Act came along, and out of some 6,000 officers all but about 1,900 were taken off the rolls.

Under Public Law No. 18, passed in the Seventy-sixth Congress, even a National Guard officer or an officer in the Reserve Corps called back into active service for 30 days, and suffering a permanent disability, is entitled to retire. Congress passed that law. It had the approval of the Administration. A National Guard officer or an officer in the Reserve Corps called back for 30 days, and suffering a permanent disability of 30 percent or more, is entitled to retirement pay. Yet the emergency officers of the World War are not permitted to receive retirement benefits, when like benefits have been given to every other class of officers.

It is true that officers of the World War who received combat wounds and who could establish that their disability arose from actual service, when they have 30 percent disability, are on the rolls. But none of the emergency officers, with very minor exceptions, are now entitled to the retirement benefits because of the Economy Act, unless they can establish this so-called causative factor, which nobody can establish. Let me explain what is meant by the "causative factor." If an officer is stricken with disease while he is in the actual service and in actual line of duty, unless he can convince the Bureau that he would not have had that disease in private life, he is not able to establish the causative factor and he goes off the rolls. It is the harshest rule that was ever applied to a set of deserving officers.

Mr. President, I wish the RECORD to show the facts with reference to these officers. They must be 30 percent or more disabled, and the disability must be permanent. The pending measure can apply only to some of the officers who were stricken from the rolls by the Economy Act and who are yet alive. It cannot apply to the maximum number, because service-connected disability to the degree of 30 percent or more must be shown by a preponderance of the evidence without the benefit of any statutory or regulatory presumption whatsoever.

Therefore, when the Veterans' Administration reports the maximum number that could possibly be returned to the rolls as 2,900, no allowance is made for deaths since the date of that report. The officers are dying at a very rapid rate. Even the emergency officers who were left on the rolls under the Economy Act have passed away at a rate of more than 8 percent per annum.

Mr. President, I repeat that this is a measure which ought to be passed notwithstanding it does mean an increase in the cost of Veterans' Administration of a little more than \$1,000,000—say \$1,300,000 or \$1,400,000—to begin with. It can never go beyond that amount, and it will very rapidly decrease, because of the rapid death rate among this type of veteran officers.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. GEORGE. I yield to the Senator from Connecticut.

Mr. DANAHER. I thank the Senator; and expressing myself in the deepest sympathy with the objective for which the Senator argues, may I not ask, calling attention to the top of page 2, line 1, of the bill, where reference is made to making valid application for retirement, if existing law requires that the application be filed within 1 year from the passage of the act of 1928?

Mr. GEORGE. That was the requirement in the original act.

Mr. DANAHER. Yes. And that was not extended by the act of 1933, as I understand?

Mr. GEORGE. No; that was not extended.

Mr. DANAHER. Everything the Senator says in favor of this particular bill would apply alike to those emergency officers who did not file applications within the year, would it not?

Mr. GEORGE. That is true. They would have the right to file under this measure.

Mr. DANAHER. Would the Senator object, then, to extending the time within which application for retirement properly may be made by those who failed to take advantage of the act when first passed?

Mr. GEORGE. Oh, not at all. But since they must have had 30-percent disability in actual service, I take it that practically all the emergency officers who could qualify did file applications. I do not think there has been any complaint upon that ground.

Mr. DANAHER. Mr. President, if the Senator will yield further, I have in mind at this moment a man who was captain of the football team of his university. He was an All-American player in 1917. He enlisted and went to war. He became a major overseas. In 1929 he had plenty of money. He was able to take care of himself, but still had a 49-percent rating of disability. He is a chevalier of the Legion of Honor. He has a Distinguished Service Cross. He was cited for the Congressional Medal of Honor. Today he has nothing and he is a hopeless wreck. He cannot now qualify. He is an emergency officer. He comes within every argument the Senator from Georgia presents. I wonder if we could not amend the bill in such fashion as to take care of such an officer? With the Senator's collaboration I am certain that we could, and no injustice would remain even to that very small class of officers, as the Senator himself points out, who, having failed to qualify in 1928, notwithstanding their disability, ought very properly to be included today. I ask and bespeak the Senator's cooperation in drawing an amendment to that end.

Mr. GEORGE. Mr. President, I would certainly have no objection to such an amendment if the bill does not take care of a situation of that kind; and, since the measure must go to the House anyway, I will undertake to see that it takes care of all the cases which cannot now qualify under it.

Mr. DANAHER. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of any law of the United States, any person who served as an officer of the Army, Navy, or Marine Corps of the United States during the World War, other than as an officer of the Regular Army, Navy, or Marine Corps during the World War, who made valid application for retirement under the provisions of Public Law No. 506, Seventieth Congress, enacted May 24, 1928 (U. S. C., Supp. VII, title 38, secs. 581 and 582), and who prior to the passage of this act has been granted retirement with pay, shall be entitled to continue to receive retirement pay at the monthly rate paid him on March 19, 1933, if the disability for which he has been retired resulted from disease or injury or aggravation of a preexisting disease or injury incurred in such service in fact in line of duty and directly resulting from the performance of duty: *Provided*, That such person entered active service between April 6, 1917, and November 11, 1918, and served as an officer prior to July 2, 1921: *Provided further*, That where the disability is now or hereafter determined to be directly incurred in or aggravated during active service, in fact in line of duty without benefit of any statutory or regulatory presumption of any kind, it will be considered to have directly re-

sulted from performance of duty, unless otherwise shown by official record or clear and unmistakable evidence.

SEC. 2. Payment of emergency officers' retirement pay shall be effective from the date of enactment of this act in all cases where entitlement thereto is authorized solely by the provisions of this act. No beneficiary under this act shall receive any retirement pay for any period prior to the date of this act.

SEC. 3. That subsection (b) of section 212 of Public Law No. 212, Seventy-second Congress, shall be amended to read as follows:

"(b) This section shall not apply to any person whose retired pay, plus civilian pay, amounts to less than \$3,000: *Provided*, That this section shall not apply to regular or emergency commissioned officers retired for disability incurred in combat with an enemy of the United States or for disabilities resulting from an explosion of an instrumentality of war in line of duty during an enlistment or employment as provided in Veterans Regulation No. 1 (a), part I, paragraph I."

BILLS PASSED OVER

The bill (H. R. 6901) granting increase of pensions to certain widows of veterans of the Civil War was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2510) to promote the general welfare through the appropriation of funds to assist the States and Territories in providing more effective programs of public kindergarten or kindergarten and nursery-school education was announced as next in order.

Mr. VANDENBERG. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT

The bill (H. R. 7171) to amend section 22 of the Agricultural Adjustment Act was announced as next in order.

Mr. KING. Mr. President, may we have an explanation of the bill?

Mr. CONNALLY. Mr. President, the Committee on Finance considered this measure and favorably reported it. Without going into a long explanation, I will say to the Senator from Utah that under the present law in the matter of the exportation of agricultural commodities there is a possibility that, under section 22 of the Agricultural Adjustment Act, money may be used for the purpose of paying export bounties. There is always danger of such commodities coming right back on us. The present law provides that quotas and limitations may be established if the commodities are actually coming in. We have to wait until they come in before we can invoke the act. The pending bill merely provides that we do not have to wait until the commodities actually come in, but may invoke the provisions in lines 11 and 12, by inserting in subsection (a), after the word "being," the words "or are practically certain to be." That is the really substantial part of the bill, and I think there will be no objection to it if Senators understand it.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. McNARY subsequently said: Mr. President, I wish briefly to refer to the bill so ably presented by the distinguished Senator from Texas [Mr. CONNALLY].

Mr. CONNALLY. The Senator refers to House bill 7171?

Mr. McNARY. Yes.

The PRESIDING OFFICER. The Senator asks to recur to that bill?

Mr. McNARY. No; I am merely going to make a brief statement for the purpose of asking unanimous consent to insert in the RECORD some data which I think will be revealing and interesting. I shall not state my interest in the matter, though it has been very great; but I have a letter from Mr. N. E. Dodd, who is the western representative of the Agricultural Adjustment Administration, and one of the ablest men in the Administration.

I requested information as to the amount of wheat that might be brought into this country in case of a further fall in currencies, or in the event of market conditions throughout the world which would bring about an importation of wheat in great amount. The data indicate, Mr. President, that there is in this country a good deal of bonded wheat

which was raised in Canada, and that there is a great quantity stored in warehouses and elevators along the border line ready to be shipped in. In anticipation of that situation, the bill which has just been passed will act as a corrective.

I ask unanimous consent to have inserted in the RECORD, following action on the bill by the Senate, the letter from Mr. Dodd, and the table accompanying it.

There being no objection, the letter and table were ordered to be printed in the RECORD, as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
AGRICULTURAL ADJUSTMENT ADMINISTRATION,
Washington, D. C., January 11, 1940.

HON. CHARLES L. McNARY,
United States Senate.

DEAR SENATOR McNARY: In accordance with your request, there is enclosed a table showing the position of Canadian grain in store in the United States, December 22, 1939, compared with the same date a year ago. On January 9, 1940, the stocks of Canadian grain in the United States amounted to 38,000,000 bushels.

There are over 310,000,000 bushels of wheat in store in Canada, of which more than 140,000,000 bushels are located in market positions near the United States.

Very truly yours,

(Signed) N. E. Dodd,
Director, Western Division.

Canadian grain in store in the United States, Dec. 22, 1939

Location	Wheat	Durum	Total	Year ago
Lake ports:	<i>Bushels</i>	<i>Bushels</i>	<i>Bushels</i>	<i>Bushels</i>
Duluth.....	2,689,589	-----	2,689,589	-----
Buffalo.....	3,999,000	-----	3,999,000	872,000
Buffalo afloat.....	4,055,000	-----	4,055,000	3,425,000
Erie.....	-----	25,000	25,000	1,949,000
Total, lake.....	10,743,589	25,000	10,768,589	6,246,000
Atlantic seaboard:				
New York.....	7,929,000	560,000	8,489,000	1,948,000
Albany.....	4,544,000	2,239,000	6,783,000	851,000
Philadelphia.....	2,885,000	-----	2,885,000	92,000
Boston.....	1,842,000	-----	1,842,000	-----
Baltimore.....	7,714,000	-----	7,714,000	-----
Portland.....	641,846	-----	641,846	-----
Total, seaboard.....	25,555,846	2,799,000	28,354,846	1,891,000
Total in United States.....	36,299,435	2,824,000	39,123,435	8,137,000

¹ Including 147,000 bushels afloat.

Source: Canadian Bureau of Statistics, report entitled "Canadian Grain Statistics" for week ending Dec. 22, 1939 (issued Dec. 29, 1939).

AMENDMENT OF BANKRUPTCY ACT

The Senate proceeded to consider the bill (S. 1935) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto, which had been reported from the Committee on the Judiciary with amendments.

Mr. FRAZIER. Mr. President, a line was inadvertently left out of the bill when it was reported. I took up the matter with the clerk of the committee, and he suggested an amendment, on page 12, between lines 9 and 10, to insert "(d) The Conciliation Commissioner shall receive as."

Which would clarify the bill. I offer the amendment.

Mr. McKELLAR. Mr. President, will the Senator explain the bill?

Mr. FRAZIER. I shall be glad to do so. First, however, I should like to have the suggested amendment agreed to, in order to correct the misprint.

Mr. McKELLAR. Certainly.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from North Dakota is agreed to.

Mr. KING. Mr. President, the Senator is about to make an explanation of the bill. I have received a number of letters on the subject of the bill; and I shall be glad, if I may, briefly to refer to one or two of them, and then have the Senator make such explanation as he may deem proper.

Some of the letters which I have received are critical of the measure and say that under the present law a number of those who have availed themselves of the bankruptcy proceeding continue in possession of the property, though they

do not attempt to keep it in proper repair. They do not attempt to rehabilitate it so that they may finally pay the obligation and have the property back again.

Another letter states that in many instances in which the mortgagor has cattle or sheep upon the premises he fails to feed them or care for them, so that the creditor not only has to pay for the repairs upon the farm and keep it in shape because of the neglect of the mortgagor, but also has to pay very large sums in order to feed the sheep and cattle during the winter months and during the period when they must be fed from the farm or upon the farm. I should like to have the Senator answer those criticisms of the bill, so that we may at least make a reasonable showing to those who are opposed to the bill.

Mr. FRAZIER. Mr. President, the junior Senator from Nevada [Mr. McCARRAN] reported the bill, and has submitted a very excellent report in explanation of it. I think the cases mentioned by the Senator from Utah must be very extreme cases because under the act the United States district judge has full charge of the bankruptcy proceeding, and he may allow a 3-year moratorium under his direction, and if the owner of the farm does not live up to the directions of the judge the mortgage may be foreclosed and the property sold at any time. So I think those are extreme cases.

I have before me one letter which is typical of the letters I have been receiving. I have received many of them. This particular letter is from the Western Cattle Co., at Roundup, Mont., and is signed by J. C. Miller. One provision of the bill is to extend the provisions of the act. The present law expires on March 4 of this year, and the bill seeks to extend the law for 4 years to March 4, 1944. Mr. Miller says:

The Frazier-Lemke Act will expire on March 4, and I want to remind you that a great many ranchers in central Montana are anxious that the act be extended.

This act has been a lifesaver for a great many ranchers and farmers who were caught by the drought. They are still sticking to their properties in hopes of better years to come. Conditions are much improved; feed reserves are increasing; the ranges are gradually coming back; and hay is being stored ahead. Ranges are being restocked gradually, but their real-estate mortgages are due and they should have protection until some plan is worked out for putting their real-estate mortgages in better shape.

He goes on to say that he hopes the provisions of the act will be extended.

I think that letter very accurately states the situation. As stated by the junior Senator from Nevada [Mr. McCARRAN] in the report, the bill seeks to make a few amendments in the existing law to simplify and clarify the language. That is practically all it does, with the exception of extending the time for another 4-year period.

Recently there have been two Supreme Court decisions on the question. A number of United States district judges have held, in certain cases in which farmers had made application under the act, that farm conditions were so bad that they had no chance of paying out, even if they had another 3 years, and have thrown the cases out of court. Certain of those cases were taken to the Supreme Court. On December 4 Chief Justice Hughes delivered the opinion of the Supreme Court, which held that the fact that the farmer had more debts than assets was no reason why he should not be given a chance under the act, and the fact that the judge might think the farmer had no chance of paying out in the 3-year period was no reason for refusing him an opportunity. The Supreme Court reversed the decisions of the United States district judges who had held that way. So the farmer can be given an opportunity to have the 3-year moratorium and pay out. We want the time extended. It seems to me the act should be made permanent, but all we ask is a 4-year extension.

The bill also provides that the conciliation commissioners shall be appointed for a 4-year period, instead of for 1 year at a time, as is the case under the present law. The bill also cuts down the number of conciliation commissioners, so that the act will not be so expensive to administer.

I think perhaps that explanation is sufficient.

The PRESIDING OFFICER. The clerk will state the committee amendments.

The first amendment of the Committee on the Judiciary was, on page 1, line 5, after the words "is amended", to insert "to read", so as to read:

That section 75 of the act of July 1, 1898, entitled "An act to establish a uniform system of bankruptcy throughout the United States," as amended, is amended to read as follows:

The amendment was agreed to.

The next amendment was, on page 2, line 1, after the word "referees", to strike out "One such commissioner" and insert "One or more such commissioners"; in line 4, after the word "held", to strike out "In case any such division or city now has a residential referee and a conciliation commissioner is not deemed necessary, then the referee, in addition to his other duties, shall have all the powers and perform all the duties of the conciliation commissioner and shall receive the same compensation for the performance of such duties"; in line 11, after the word "years", to insert "and shall hold office until his successor is appointed and qualified"; and in line 21, after the word "specify" and the comma, to insert "including the holding of hearings", so as to read:

SEC. 75. (a) Every United States district court of bankruptcy shall appoint referees to be known as conciliation commissioners, who need not be lawyers, but must otherwise have the qualifications of referees. One or more such commissioners shall be appointed for each division or for the territory served by the city where terms of court are held.

A conciliation commissioner shall have a term of office for 4 years and shall hold office until his successor is appointed and qualified but may be removed by the court for cause. He must be a resident of the division or the territory served by the city where terms of court are held. He must be familiar with agricultural conditions and must not have been or be engaged in the farm mortgage, banking, or farm-financing business. The court, if it deems it advisable, may appoint some suitable person as supervising conciliation commissioner in each judicial district who shall have such supervising conciliation functions as the court may by order specify, including the holding of hearings.

The amendment was agreed to.

The next amendment was, on page 2, line 23, after the word "may" and the comma, to insert "at any time prior to March 4, 1944"; on page 3, line 1, after the word "schedules", to insert "in triplicate"; in line 4, after the word "court", to insert "or the leaving of it with the conciliation commissioner for filing with the clerk"; and in line 11, after the word "property" and the comma, to insert "including the sale of any of the farmer-debtor's property under the terms of any deed of trust", so as to read:

(b) A farmer-debtor who is insolvent or unable to meet his debts as they mature may, at any time prior to March 4, 1944, file a voluntary petition in bankruptcy. The petition of the farmer-debtor shall be accompanied by his schedules in triplicate and shall be filed with the clerk of the court, but the conciliation commissioner may receive same and promptly transmit it to the clerk for filing. The filing of the petition with the clerk of court or the leaving of it with the conciliation commissioner for filing with the clerk shall be notice to all persons and officials and to all Federal and State courts. It shall automatically stay all judicial or official proceedings in all Federal and State courts and shall stay all levies, executions, actions, or proceedings under the direction of any official or person against the farmer-debtor or any of his property, including the sale of any of the farmer-debtor's property under the terms of any deed of trust.

The amendment was agreed to.

The next amendment was, on page 3, after line 15, to insert "including any Federal corporation or Federal agency", so as to read:

The provisions of this section shall apply to all judicial or official proceedings in any court or under the direction of any official, and shall apply to all creditors, public or private, including any Federal corporation or Federal agency, and to all of the farmer-debtor's property, wherever located: *Provided*, That the debts having priority of payment under title 11, chapter 7, section 104, of the United States Code, for bankrupt estates, shall have priority of payment, in the same order as set forth in said section 104, under the provisions of this section, in any distribution, assignment, composition, or settlement herein provided for: *Provided further*, That nothing in this section shall affect the allowance and exemptions of farmer-debtors as are provided for bankrupts under title 11, chapter 3, section 24, of the United States Code. All such allowances and exemptions shall be set aside for the use of the farmer-debtor in the manner provided for bankrupts.

The amendment was agreed to.

The next amendment was, on page 4, line 25, after the word "within", to strike out "sixty" and insert "thirty", so as to read:

Such appraisers shall appraise all of the property of the farmer-debtor, wherever located, at its then fair and reasonable market value. The appraisals shall be made in all other respects with rights of objections, exceptions, and appeals, in accordance with this act: *Provided*, That in proceedings under this section, either party may file objections, exceptions, and take appeals within 30 days from the date that the conciliation commissioner approves the appraisal.

The amendment was agreed to.

The next amendment was, on page 5, after line 21, to insert "or the leaving of it with the conciliation commissioner for filing with the clerk", so as to read:

(d) The filing of the petition with the clerk of court, or the leaving of it with the conciliation commissioner for filing with the clerk, shall immediately subject the farmer-debtor and all his property, including contracts for purchase, contracts for deed, or conditional-sales contracts, the right or the equity of redemption or where a trust deed has been given as security, or any equity or any right in any such property, wherever located, to the exclusive and sole jurisdiction of the court.

The amendment was agreed to.

The next amendment was, on page 7, line 2, after the word "shall", to strike out "stay" and insert "enter an order continuing the stay of"; in line 5, after the word "property", to insert "of which he retains possession"; in line 10, after the word "rental", to insert "annually or"; in line 10, after the word "semiannually", to insert "as the court may direct"; in line 11, after the words "part of the", to insert "unexempt"; after line 13, to insert "granting the petition for possession and"; and, at the beginning of line 15, to insert "for 3 years"; so as to read:

(e) When the conditions set forth in this section have been complied with, the court shall enter an order continuing the stay of all judicial or official proceedings in any court, or under the direction of any official, against the farmer-debtor or any of his property of which he retains possession, for a period of 3 years. During such 3 years the farmer-debtor shall be permitted to retain possession of all or any part of his property, in the custody and under the supervision and control of the court, provided he pays a reasonable rental annually or semiannually as the court may direct for that part of the unexempt property of which he retains possession. The first payment of such rental shall be made within 1 year of the date of the order granting the petition for possession and staying proceedings for 3 years, the amount and kind of such rental to be the usual customary rental in the community where the property is located, based upon the rental value, net income, and earning capacity of the property. The provisions of this subsection are mandatory and not discretionary with the court.

The amendment was agreed to.

The next amendment was, on page 7, line 22, after the word "taxes", and the comma, to insert "insurance,"; and in line 23, after the word "property" and the comma, to insert "conciliation commissioner's fees", so as to read:

Such rental shall be paid into court, to be used, first, for the payment of taxes, insurance, and upkeep of the property, conciliation commissioner's fees, and the remainder to be distributed among the secured and unsecured creditors, and applied on their claims, as their interests may appear. The court, in its discretion, if it deems it necessary to protect the creditors from loss by the estate, or to conserve the security, may order sold any unexempt perishable property of the farmer-debtor, such as fruits, vegetables, and the products of poultry, dairy and livestock, or any unexempt personal property not reasonably necessary for the farming operations of the farmer-debtor. The court may, in addition to the rental, require payments on the principal due and owing by the farmer-debtor to the secured or unsecured creditors in accordance with the provisions of this act, and may require such payments to be made quarterly, semi-annually, or annually, not inconsistent with the protection of the rights of the creditors and the farmer-debtor's ability to pay, with a view of his financial rehabilitation.

The amendment was agreed to.

The next amendment was, on page 9, after line 14, to insert:

Any farmer who filed a petition under section 75 of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended, and in whose case a bankruptcy court has, under subsection (s) thereof, granted a stay of proceedings, may, if the period for which such stay was granted has expired or is about to expire, make

application to such court for an extension of such stay. If the court finds that such farmer has substantially complied with the provisions of paragraph (2) of subsection (s) of section 75 of such act, as amended, during the period of such 3-year stay then the court may extend the period of such stay from year to year not to exceed 2 years additional stay.

The amendment was agreed to.

The next amendment was, on page 11, line 3, after the word "unsecured" to insert: "If a composition or extension of time, or both, has been approved by the court, then the court may dismiss the petition but not otherwise", so as to read:

(g) Upon notice previously given to the farmer-debtor and to all secured and unsecured creditors by the conciliation commissioner, the farmer-debtor or any creditor, at the first or any subsequent meeting of the creditors, may offer terms of composition or extension or both. The proposal thus made shall be made the basis of negotiation and it shall be the duty of the conciliation commissioner to preside and to endeavor to bring about a composition or extension of time or both in a manner that will be just and equitable to all the creditors and to the farmer-debtor. The composition shall not be less nor more than the value of the property as ascertained or established under provisions of this section; but nothing herein shall prevent the reduction of the future rate of interest on all debts of the farmer-debtor, whether secured or unsecured. If a composition or extension of time, or both, has been approved by the court, then the court may dismiss the petition but not otherwise.

The amendment was agreed to.

The next amendment was, on page 11, line 20, after the word "Act," insert: "The commissioner shall enclose with the notice a summary of the inventory, a brief statement of the farmer's indebtedness as shown by the schedules, and a list of the names and addresses of the secured and unsecured creditors, with the amounts owing to each as shown by the schedules."; on page 12, at the beginning of line 14, to strike out "\$35" and insert "\$50"; and in the same line, after the words "paid out of", to insert "the rental or", so as to read:

(h) The conciliation commissioner shall promptly call the first meeting of creditors. He shall give notice of the date and place of such meeting to the farmer-debtor and to all creditors, secured or unsecured, as provided for in this act. The commissioner shall enclose with the notice a summary of the inventory, a brief statement of the farmer's indebtedness as shown by the schedules, and a list of the names and addresses of the secured and unsecured creditors, with the amounts owing to each as shown by the schedules. At the first or subsequent meeting of the creditors the farmer-debtor may be examined, and the creditors may appoint a committee to submit to the conciliation commissioner a supplementary inventory of the farmer-debtor's estate. There shall be prepared by, or under the supervision of, the conciliation commissioner a final inventory of the farmer-debtor's estate. In the preparation of such inventory the commissioner shall give due consideration to the schedules filed by the farmer-debtor and to any supplementary inventory filed by the committee of the creditors.

(i) The conciliation commissioner shall receive as compensation for his services, a fee of \$25 for each case submitted to him, and when docketed, to be paid out of the Treasury. He shall receive such additional fees for his services as may be allowed by the court, not to exceed \$50 in any one case, to be paid out of the rental or the bankrupt's estate. The supervising conciliation commissioner shall receive as compensation for his services a per diem allowance to be fixed by the court in an amount not in excess of \$8 per day, together with subsistence and traveling expenses, in accordance with the law applicable to officers of the Department of Justice. Such compensation and expenses shall be paid out of the Treasury.

The amendment was agreed to.

The next amendment was, on page 14, line 11, after the word "section", to insert:

A farmer-debtor may, upon motion, transfer his petition from section 75 to proceedings under the general bankruptcy provisions of this act.

The amendment was agreed to.

The next amendment was, on page 15, line 5, after the word "section", to insert:

If the court in its discretion deems it best it may continue the present conciliation commissioner or referee in cases pending when this amendment becomes effective.

The amendment was agreed to.

Mr. McKELLAR. Mr. President, may I ask the Senator from North Dakota whether or not there was any disagreement in the committee as to the bill?

Mr. FRAZIER. I am not a member of the Judiciary Committee, but I understand there was not. The bill was considered first by a subcommittee, which reported to the full committee, and then the bill was reported from the full committee by the junior Senator from Nevada [Mr. McCARRAN].

Mr. McKELLAR. May I ask the Senator whether or not the Department recommends the bill?

Mr. FRAZIER. As I remember, there was no objection from the Department in regard to any of these amendments. The Department approved the bill when it was first introduced.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 1935) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 75 of the act of July 1, 1898, entitled "An act to establish a uniform system of bankruptcy throughout the United States", as amended, is amended to read as follows:

"Sec. 75. (a) Every United States district court of bankruptcy shall appoint referees to be known as conciliation commissioners, who need not be lawyers, but must otherwise have the qualifications of referees. One or more such commissioners shall be appointed for each division or for the territory served by the city where terms of court are held.

"A conciliation commissioner shall have a term of office for 4 years and shall hold office until his successor is appointed and qualified but may be removed by the court for cause. He must be a resident of the division or the territory served by the city where terms of court are held. He must be familiar with agricultural conditions and must not have been or be engaged in the farm mortgage, banking, or farm-financing business. The court, if it deems it advisable, may appoint some suitable person as supervising conciliation commissioner in each judicial district who shall have such supervising conciliation functions as the court may by order specify, including the holding of hearings.

"(b) A farmer-debtor who is insolvent or unable to meet his debts as they mature may, at any time prior to March 4, 1944, file a voluntary petition in bankruptcy. The petition of the farmer-debtor shall be accompanied by his schedules in triplicate and shall be filed with the clerk of the court, but the conciliation commissioner may receive same and promptly transmit it to the clerk for filing. The filing of the petition with the clerk of court or the leaving of it with the conciliation commissioner for filing with the clerk shall be notice to all persons and officials and to all Federal and State courts. It shall automatically stay all judicial or official proceedings in all Federal and State courts and shall stay all levies, executions, actions, or proceedings under the direction of any official or person against the farmer-debtor or any of his property, including the sale of any of the farmer-debtor's property under the terms of any deed of trust.

"The provisions of this section shall apply to all judicial or official proceedings in any court or under the direction of any official, and shall apply to all creditors, public or private, including any Federal corporation or Federal agency, and to all of the farmer-debtor's property, wherever located: *Provided*, That the debts having priority of payment under title 11, chapter 7, section 104, of the United States Code, for bankrupt estates, shall have priority of payment, in the same order as set forth in said section 104, under the provisions of this section, in any distribution, assignment, composition, or settlement herein provided for: *Provided further*, That nothing in this section shall affect the allowance and exemptions of farmer-debtors as are provided for bankrupts under title 11, chapter 3, section 24, of the United States Code. All such allowances and exemptions shall be set aside for the use of the farmer-debtor in the manner provided for bankrupts.

"Such farmer-debtor may, at the time of filing his petition or at the time of the first or subsequent hearings, petition the court that all of his property, wherever located, whether pledged, encumbered, or unencumbered, be appraised, and that his unencumbered exemptions, and unencumbered interest or equity in his exemptions, as prescribed by State law, be set aside to him, and that he be allowed to retain possession, under the supervision and control of the court, of any part or parcel or all of the remainder of his property, including his encumbered exemptions, under the terms and conditions set forth in this section. Upon such a request being made, the conciliation commissioner, under the jurisdiction of the court, shall designate and appoint appraisers, as provided for in this act.

"Such appraisers shall appraise all of the property of the farmer-debtor, wherever located, at its then fair and reasonable market value. The appraisals shall be made in all other respects with rights of objections, exceptions, and appeals, in accordance with this act: *Provided*, That in proceedings under this section, either party may file objections, exceptions, and take appeals within 30 days from the date that the conciliation commissioner approves the appraisal.

"(c) After the value of the farmer-debtor's property shall have been fixed by the appraisal herein provided, the conciliation commissioner shall issue an order setting aside to such farmer-debtor his unencumbered exemptions, and his unencumbered interest or equity

in his exemptions, as prescribed by the State law. He shall further order that the possession, under the supervision and control of the court, of any part or parcel or all of the remainder of the farmer-debtor's property shall remain in the farmer-debtor, according with the request in the petition, subject, however, to all existing mortgages, liens, pledges, or encumbrances. All such existing mortgages, liens, pledges, or encumbrances shall remain in full force and effect, and the property, up to the value judicially ascertained or determined under the provisions of this section, covered by such mortgages, liens, pledges, or encumbrances, shall be subject to the payment of the claims of the secured creditors as their interests may appear.

"(d) The filing of the petition with the clerk of court, or the leaving of it with the conciliation commissioner for filing with the clerk, shall immediately subject the farmer-debtor and all his property, including contracts for purchase, contracts for deed, or conditional-sales contracts, the right or the equity of redemption or where a trust deed has been given as security, or any equity or any right in any such property, wherever located, to the exclusive and sole jurisdiction of the court.

"In all cases where, at the time of filing the petition, the period of redemption has not or had not expired, or where the right under a deed of trust has not or had not become absolute, or where the sale has not or had not been confirmed, or where deed had not been delivered, the period of redemption shall be extended or the confirmation of sale withheld for the period necessary for the purpose of carrying out the provisions of this section. The words 'period of redemption' wherever they occur in this section shall include any State moratorium, whether established by legislative enactment or executive proclamation, or where the period of redemption has been extended by a judicial decree.

"In proceedings under this section, except as otherwise provided herein, the jurisdiction and powers of the courts, the title, powers, and duties of its officers, the duties of the farmer-debtor, and the rights and liabilities of all creditors, and of all persons with respect to the property of the farmer-debtor and the jurisdiction of the appellate courts, shall be the same as if a decree of adjudication had been entered under other provisions of this act.

"(e) When the conditions set forth in this section have been complied with, the court shall enter an order continuing the stay of all judicial or official proceedings in any court, or under the direction of any official, against the farmer-debtor or any of his property of which he retains possession, for a period of 3 years. During such 3 years the farmer-debtor shall be permitted to retain possession of all or any part of his property, in the custody and under the supervision and control of the court, provided he pays a reasonable rental annually or semiannually as the court may direct for that part of the unexempt property of which he retains possession. The first payment of such rental shall be made within 1 year of the date of the order granting the petition for possession and staying proceedings for 3 years, the amount and kind of such rental to be the usual customary rental in the community where the property is located, based upon the rental value, net income, and earning capacity of the property. The provisions of this subsection are mandatory and not discretionary with the court.

"Such rental shall be paid into court, to be used, first, for the payment of taxes, insurance, and upkeep of the property, conciliation commissioner's fees, and the remainder to be distributed among the secured and unsecured creditors, and applied on their claims, as their interests may appear. The court, in its discretion, if it deems it necessary to protect the creditors from loss by the estate, or to conserve the security, may order sold any unexempt perishable property of the farmer-debtor, such as fruits, vegetables, and the products of poultry, dairy, and livestock, or any unexempt personal property not reasonably necessary for the farming operations of the farmer-debtor. The court may, in addition to the rental, require payments on the principal due and owing by the farmer-debtor to the secured or unsecured creditors in accordance with the provisions of this act, and may require such payments to be made quarterly, semiannually, or annually, not inconsistent with the protection of the rights of the creditors and the farmer-debtor's ability to pay, with a view of his financial rehabilitation.

"(f) At the end of 3 years, or prior thereto, if he so desires, the farmer-debtor may pay into court the amount of the appraised value of the property of which he retains possession, including the amount of encumbrances on his exemptions, up to the amount of the appraised value, less any amount paid on principal: *Provided*, That upon request of any secured or unsecured creditor, or upon request of the farmer-debtor, the court shall cause a reappraisal of the farmer-debtor's property, or in its discretion set a date for hearing, and after such hearing, fix the value of the property, in accordance with the evidence submitted: *Provided, however*, That upon request in writing by any creditor the court shall proceed to ascertain the value of the property by trial the same as in condemnation proceedings.

"The farmer-debtor shall then have 90 days within which to pay the value so determined by the court, together with 5 percent per annum interest, into court, less any payments made on the principal, for distribution to all secured and unsecured creditors as their interests may appear. He may, at the same time, apply for his discharge as provided for in this act. Thereupon the court shall by an order turn over full and complete possession and title of such property, free and clear of any and all encumbrances, to the farmer-debtor and grant his discharge.

"Any farmer who filed a petition under section 75 of the act entitled 'An act to establish a uniform system of bankruptcy

throughout the United States', approved July 1, 1898, as amended, and in whose case a bankruptcy court has, under subsection (s) thereof, granted a stay of proceedings may, if the period for which such stay was granted has expired or is about to expire, make application to such court for an extension of such stay. If the court finds that such farmer has substantially complied with the provisions of paragraph (2) of subsection (s) of section 75 of such act, as amended, during the period of such 3-year stay, then the court may extend the period of such stay from year to year not to exceed 2 years' additional stay.

"If, however, the farmer-debtor at any time fails to comply with the provisions of this section, or with any lawful orders of the court made pursuant to this section, or is unable to refinance himself within 3 years, the court may then order the appointment of a trustee, and order the property sold or otherwise disposed of as otherwise provided for in bankruptcy proceedings in this act. But except as otherwise herein provided, the court shall not dismiss the proceeding without complete liquidation and discharge of the farmer-debtor.

"(g) Upon notice previously given to the farmer-debtor and to all secured and unsecured creditors by the conciliation commissioner, the farmer-debtor or any creditor, at the first or any subsequent meeting of the creditors, may offer terms of composition or extension, or both. The proposal thus made shall be made the basis of negotiation and it shall be the duty of the conciliation commissioner to preside and to endeavor to bring about a composition or extension of time, or both, in a manner that will be just and equitable to all the creditors and to the farmer-debtor. The composition shall not be less nor more than the value of the property as ascertained or established under provisions of this section, but nothing herein shall prevent the reduction of the future rate of interest on all debts of the farmer-debtor, whether secured or unsecured. If a composition or extension of time, or both, has been approved by the court, then the court may dismiss the petition, but not otherwise.

"When a composition or extension proposal has been accepted in writing, by the farmer-debtor and by a majority in number of all the creditors whose claims have been allowed, including secured creditors whose claims are affected, which number shall represent a majority and amount of such claims, then the court shall confirm the proposal if satisfied that it includes an equitable and feasible method of liquidation for secured creditors and of financial rehabilitation for the farmer-debtor and is for the best interest of all the creditors. And the court shall then dismiss the petition but not otherwise.

"(h) The conciliation commissioner shall promptly call the first meeting of creditors. He shall give notice of the date and place of such meeting to the farmer-debtor and to all creditors, secured or unsecured, as provided for in this act. The commissioner shall enclose with the notice a summary of the inventory, a brief statement of the farmer's indebtedness as shown by the schedules, and a list of the names and addresses of the secured and unsecured creditors, with the amounts owing to each as shown by the schedules. At the first or subsequent meeting of the creditors the farmer-debtor may be examined, and the creditors may appoint a committee to submit to the conciliation commissioner a supplementary inventory of the farmer-debtor's estate. There shall be prepared by, or under the supervision of, the conciliation commissioner a final inventory of the farmer-debtor's estate. In the preparation of such inventory the commissioner shall give due consideration to the schedules filed by the farmer-debtor and to any supplementary inventory filed by the committee of the creditors.

"(i) The conciliation commissioner shall receive as compensation for his services a fee of \$25 for each case submitted to him, and when docketed, to be paid out of the Treasury. He shall receive such additional fees for his services as may be allowed by the court, not to exceed \$50 in any one case, to be paid out of the rental or the bankrupt's estate. The supervising conciliation commissioner shall receive as compensation for his services a per diem allowance to be fixed by the court in an amount not in excess of \$8 per day, together with subsistence and traveling expenses, in accordance with the law applicable to officers of the Department of Justice. Such compensation and expenses shall be paid out of the Treasury.

"The conciliation commissioner may accept and avail himself of office space, equipment, and assistance furnished him by other Federal officials, or by any State, county, or public official. He shall be entitled to transmit in the mails, free of postage, under cover of a penalty envelope, all matters which relate exclusively to the business of the courts, including notices to creditors.

"(j) For the purposes of this section, section 4 (b), and section 74, the term 'farmer-debtor' includes not only an individual who is primarily bona fide personally engaged in producing products of the soil, but also any individual who is primarily bona fide personally engaged in dairy farming, the production of poultry or livestock, or the production of poultry products or livestock products in their unmanufactured state, or the principal part of whose income is derived from any one or more of the foregoing operations, and includes the personal representative of a deceased farmer-debtor; and a farmer-debtor shall be deemed a resident of any country in which such operations occur. The word 'act' wherever it occurs in this section shall mean the General Bankruptcy Act, as amended, and the word 'section' means section 75 of the act as herein amended.

"(k) The provisions of this section shall be held to apply also to partnerships, common, entirety, joint, community ownerships, or

to farming corporations where at least 65 percent of the stock is owned by actual farmer-debtors, and any such parties may join in one petition. It shall also apply to all cases now pending in any Federal or State court; and all cases that have been dismissed by any conciliation commissioner, referee, or court shall be promptly reinstated without any additional filing fees or charges: *Provided*, That the farmer-debtor at the time of his application for reinstatement has not been completely divested of all his interest or equity in or title to or in any or all of his property. Any farmer-debtor who has filed under the General Bankruptcy Act may take advantage of this section upon written request to the court; and a previous discharge of the farmer-debtor under any other section of this act shall not be ground for denying him the benefits of this section. A farmer-debtor may, upon motion, transfer his petition from section 75 to proceedings under the general bankruptcy provisions of this act.

"(l) Upon filing of any petition by a farmer-debtor under this section there shall be paid a fee of \$10, to be transmitted to the clerk of the court and covered into the Treasury. No additional fees or cost of administration or supervision of any kind shall be charged to, or exacted from, the farmer-debtor, but all such additional filing fees or cost of administration or supervision shall be charged against the bankrupt's estate.

"(m) The Supreme Court is authorized to make such general orders as it finds necessary properly to govern the administration of the office of conciliation commissioner and proceedings under this section. Until such general orders are made the district courts shall follow the general orders previously made for procedure under this section. In regard to procedure the provisions of the General Bankruptcy Act shall apply as far as they are applicable to this section. If the court in its discretion deems it best it may continue the present conciliation commissioner or referee in cases pending when this amendment becomes effective."

EXEMPTION OF CERTAIN INDIAN TRIBES FROM WHEELER-HOWARD ACT

The Senate proceeded to consider the bill (S. 2103) to repeal the act entitled "An act to conserve and develop Indian lands and resources; to extend to Indians the right to form business and other organizations; to establish a credit system for Indians; to grant certain rights of home rule to Indians; to provide for vocational education for Indians; and for other purposes," approved June 18, 1934, and the act of June 15, 1935, supplementary thereto, which had been reported from the Committee on Indian Affairs with an amendment to strike out all after the enacting clause and insert:

That section 13 of the act entitled "An act to conserve and develop Indian lands and resources; to extend to Indians the right to form business and other organizations; to establish a credit system for Indians; to grant certain rights of home rule to Indians; to provide for vocational education for Indians; and for other purposes," approved June 18, 1934, as amended, is amended by adding at the end thereof the following new paragraph:

"None of the provisions of this act shall apply to (1) any Indian tribe on the Standing Rock Reservation located in the States of North and South Dakota; (2) the Pine Ridge Sioux Tribe of Indians of the State of South Dakota; (3) the Cheyenne River Sioux Tribe of Indians of the State of South Dakota; (4) the Yankton Sioux Tribe of Indians, of the Rosebud Agency of the State of South Dakota; (5) any Indian on any reservation or any Indian tribe or group, located in the State of Nevada; (6) the Eastern Band of Cherokee Indians located in the State of North Carolina; (7) any Indian tribe, band, or group, located in the State of California; (8) any Indian or Indian tribe on the Colorado River Indian Reservation of the State of Arizona; or (9) the Navaho tribe located in the State of New Mexico."

Mr. BARKLEY. Mr. President, may we have an explanation of the bill?

Mr. FRAZIER. Mr. President, this proposes to amend the so-called Wheeler-Howard Act, which was sponsored by the Indian Bureau of the Department of the Interior, and was designed to set up certain regulations under which the Indians should conduct their reservations. It practically puts the Indians back into the condition which prevailed under their old tribal forms of government which were in vogue a generation or two ago. There has been a great deal of objection to the law. The Indians on several reservations, including the ones proposed by the bill to be excepted, have voted on the question several times, some of them three or four times. On the Standing Rock Reservation in North and South Dakota the Indians have had the question put up to them three times, and last fall a fourth time, and it was voted down the fourth time. The Indians in question do not want to be bothered with it any more; they want to be exempted.

The Indians on some of the reservations in South Dakota and some in the Southwest, in which the Senator from New Mexico is interested, have asked to be exempted. All the bill seeks to do is to exempt certain tribes from the provisions of the Wheeler-Howard Act. Personally, I think the whole act should be repealed, by all odds, but we have not been able to do that up to date. I can see no objection, however, to exempting the particular reservations which have asked to be exempted and which are very much interested in making sure that they shall not be brought under the operations of the present law.

Mr. KING. Mr. President, will the Senator yield?

Mr. FRAZIER. I yield.

Mr. KING. In the report of the Secretary of the Interior, Hon. Harold Ickes, after giving a number of reasons for his position, made the statement:

For the foregoing reasons, I recommend that S. 626 be not enacted.

Apparently the Secretary of the Interior, who has charge of such matters, is not in favor of the bill.

Mr. FRAZIER. The Department is very strongly in favor of the present law, of course; that is perfectly true, but from the testimony we have had before the committee the Indians are not satisfied with it. I do not think they are satisfied with it at any place.

Mr. CHAVEZ. Mr. President, of course, I only speak for the Navajo Indians in my State, but the Navajo Indians of New Mexico are against the Wheeler-Howard Act. They have, in accordance with the methods provided by the law, taken action regarding the Wheeler-Howard Act and have decided against it.

Not only that, but since the first election was held by Indians with reference to the Wheeler-Howard Act—

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. McKELLAR. All this bill proposes to do is merely to permit certain tribes of Indians, including the Navajos, to be exempted from the terms of the so-called Wheeler-Howard Act.

Mr. CHAVEZ. Yes; for the reason that, notwithstanding the Indians have voted against the Wheeler-Howard Act, attempts are being made by the Indian Bureau to carry it out. The Indians do not want the law and feel that they should be able to handle their own affairs.

Since the first election the Navajo Tribe in New Mexico have had other elections which have indicated that they are now more overwhelmingly against the Wheeler-Howard Act than they previously were.

Mr. KING. Mr. President, will the Senator yield?

Mr. CHAVEZ. Yes.

Mr. KING. A committee has been appointed by the Department of Justice for the consideration of a number of so-called Indian bills, and a committee of the Senate is making some examination of several bills relating to Indian matters which have been brought to the attention of Congress. That committee will meet within a short time and make a report, I hope, so that the bills pending may be speedily acted upon. I should be glad, without making any formal objection, if the Senator will not press action on the pending bill today, so that when the committee meets in a few days it may determine what course to pursue in respect to all these bills.

Mr. CHAVEZ. I may say to the Senator from Utah that the only reason this bill is being pressed at this particular time is that the Indians actually need relief from the Congress.

The only place they can get any relief whatsoever is from the Congress of the United States. It is impossible for a poor Indian in my State or in the Senator's State or in any other State to get any relief or help whatsoever from the Department in Washington. I know, so far as New Mexico is concerned, that the Navaho Indians do not want to be subject to the Wheeler-Howard Act. They have expressed their opinion by the method provided by law. They are against

it, and want to continue to conduct their affairs in their own way.

What the Senator from North Dakota [Mr. FRAZIER] said a little while ago, to the effect that naturally the Bureau of Indian Affairs would want the Indians to continue under the Wheeler-Howard Act, is correct, because it is Washington that is now dominating the affairs of the Indians. We who are members of the Committee on Indian Affairs know that the conditions are very pathetic. So the Indians are asking the only proper body that can give any relief to the Indians whatsoever to afford such relief.

The situation, so far as the Indians are concerned, is that under the Wheeler-Howard Act they would be placed back in the condition which existed practically 400 years ago. The Indians, I may say, in some respects are not different from Senators or other Americans. I happen to represent quite a number of Indians. They do not vote in my State; I am not interested in their vote, but I am interested in their welfare; and they have put the proposition up to me exactly as any other citizen would do. The Indians want to be left alone by the Bureau at Washington; they want to work out their own salvation, as do the white men of Kentucky, the white men of Virginia, and the white men of New Mexico. They want to be left alone and to be allowed to solve their own problems.

I have had Indians in my State come to me and, through an interpreter, place before me their problem as a white man would do. They say: "Senator, I am an Indian; I cannot speak English, and I cannot speak the other language of New Mexico"—which is Spanish. "I am an Indian, but I belong to this country. I have worked very hard. I freeze in the winter; I melt in the summer. I have 100 cows. The Indian Bureau says I can only have 10 cows. If I work hard, if I freeze in winter, if I melt in summer, why can I not have a hundred cows like the white man can have?" Is not that what we are all working for? Is not that an American ambition? Is not that an American way of doing good?

The trouble with the Indian right now is too much Washington. All this bill provides for is that those Indians who do not want to come in under the Wheeler-Howard Act, and who have voted on it according to the law, may be exempted from having the Indian Bureau in Washington try to enforce that law against them. Would the white men in Kentucky stand for such a law? Would they stand for it in Tennessee? Would they stand for it in Utah? No; let us treat the Indians as human beings and as part of American institutions.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. CHAVEZ. Yes.

Mr. McKELLAR. I merely want to say the Senator has converted me entirely.

Mr. KING. Mr. President, the Senator from Tennessee is not easily converted, and so, obviously, the speech of the Senator from New Mexico is a very persuasive one; but, in view of the fact that we have asked to have go over all so-called Indian bills on the calendar, I shall ask that this bill go over.

I should like, however, to make one observation in reply to my friend from New Mexico. I am not satisfied, I will say very frankly, with the activities of the Indian Bureau. A few years ago, as the Senator will recall, an investigation was conducted of the Indian Bureau. We found large and wasteful expenditures, and it was determined that there should be a reduction in the expenditures of the Indian Bureau and changes of some of its practices.

Mr. CHAVEZ. May I interrupt the Senator at that particular point—

Mr. KING. Let me complete the sentence.

Mr. CHAVEZ. Very well.

Mr. KING. But since then the expenditures have been increased until, as I now recall, they are approximately \$37,000,000 per annum, not including some gratuities. I have not been satisfied with the administration of the present organization in the Interior Department that controls the Indians. The expenditures have increased, the number of

employees has increased, and the personnel is entirely too large. My information is that the Indians have not profited by some of the activities of the present Indian Bureau.

Mr. CHAVEZ. May I say to the Senator from Utah that I am for the Indian.

Mr. KING. So am I.

Mr. CHAVEZ. I am for the Indian because he is an American, and I know that the Indian will never get a square deal except from one body, and that is from the Congress of the United States. The expenses of the Indian Bureau have gone up from \$24,000,000 in 1933 to approximately \$37,000,000 this year, but not for the Indians. In the Navajo Reservation, in my State, to which I have referred, up to 1937 the Indian Bureau spent \$15,000,000, but not for the Indians.

They put up a \$2,000,000 capitol at Window Rock, right across the line from the State of New Mexico, where they built many houses equipped with radios and furnished with all of the modern equipment that makes for comfort, but not for the Indian. They provided heat, but not for the Indian. They provided jobs, but not for the Indian. Out of 1,200 employees of the Indian Office in the Navajo Reservation there were not 100 Indians, and the ones who were working there were those who were handling the menial jobs. The rest of the employees were long-haired boys from New Jersey and New York and elsewhere whom Mr. Collier sent over there. I am willing that Congress work for the Indian, but not for the Indian Office.

Mr. McKELLAR. Mr. President, may I interrupt the Senator?

Mr. CHAVEZ. Yes.

Mr. McKELLAR. Under the circumstances that the Senator from New Mexico has just related, will he be good enough to come before the Appropriations Committee when the Interior Department appropriation bill is considered? I should like to give him a special invitation to be present at that time, and I think he can be of service.

Mr. CHAVEZ. I have been hoping that the day may come when I shall belong to the subcommittee of the Committee on Appropriations handling the Interior Department bill.

Mr. McKELLAR. I want the Senator to come before that subcommittee this time.

Mr. CHAVEZ. I thank the Senator.

Mr. KING. Mr. President, I agree with most of what my friend from New Mexico has said; and I sympathize with the Indians. Let me say that for years I was a volunteer attorney for the Indians in my State. I defended them, tried their lawsuits, and never obtained a penny from them, because I was interested in the preservation of the Indians. I have been dissatisfied with the present administration of their affairs, and I have condemned it. I hope the investigation which is being made will furnish us information which will enable us to effect some radical changes in the Indian Office.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. KING. I yield to the Senator from Kentucky.

Mr. BARKLEY. The Senator has referred to the fact that this is an Indian bill, and has asked, together with other Indian bills, that it go over. Are all the Indian bills on the calendar of the same type?

Mr. KING. No.

Mr. BARKLEY. Why should one bill go over because others have gone over? Why can we not dispose of a bill of this sort on its own merits?

Mr. KING. Because some legal questions are involved, and we have asked that all of them go over, and I should not feel like discriminating. I ask that this bill go over.

Mr. CHAVEZ. May I interrupt the Senator for just one moment?

Mr. KING. Certainly.

Mr. CHAVEZ. I am willing to comply with the wishes of the Senator from Utah. His request is perfectly satisfactory; but what I want to impress upon the Senator from Utah is this: If he desires the bill to go over, it is perfectly satis-

factory to me; but I want the Senator from Utah to keep in mind the fact that if the Indian is to get relief of any kind it will have to be done by Congress, and not by the Bureau in Washington.

Mr. KING. Mr. President, the Senator is a member of the Indian Affairs Committee, is he not?

Mr. CHAVEZ. I am.

Mr. KING. I am not, though I have given some attention to the work of the committee and to the activities of the Indian Bureau. Several years ago I joined in an investigation of some of the activities of the Indian Bureau. I sincerely hope the Senator from New Mexico will bring his splendid ability to bear in securing legislation which will remedy some of the evils complained of and secure legislation which will be advantageous to the Indians.

Mr. CHAVEZ. The Indian Affairs Committee, after extensive hearings, has reported a piece of legislation which it feels will bring relief to the Indians. Let me call the attention of the Senator from Utah to some of the things the Indian Affairs Committee found out.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield to the Senator from Oregon.

Mr. McNARY. I do not wish to make the point until the Senator shall have concluded; but then I shall ask for the regular order.

Mr. CHAVEZ. I thank the Senator. I shall not delay the Senate very long.

Let me call the attention of the Senator from Utah to the report of the Committee on Indian Affairs, which tried to do something for the Indian:

A summary of the evidence in various forms brought to the attention of your committee seems to reveal the following—

That is the committee which the Senator says should suggest legislation for the benefit of the Indians—

1. Four campaigns have been staged on the reservations—

That is, the reservations which are referred to in this bill—

by the Bureau of Indian Affairs, relative to the said act, viz: (a) Campaign to secure Indian approval of the pending bill in 1934; (b) campaign to secure Indian acceptance of the act itself, in elections held for that purpose; (c) campaign to secure Indian acceptance of a constitution in elections held for that purpose; (d) campaign to secure Indian acceptance of a charter in the elections held in those places where both the act and the constitution had been accepted.

2. Witnesses supporting the bills for repeal of the act were unanimous in their statements that unjustifiable amounts of Federal appropriations for the Indian Bureau were used to conduct these four campaigns.

In my particular State over 800 automobiles and over 750 trucks that belong to the Indian Bureau, and are used by that Bureau, were used against the poor, ignorant Navahos in order to try to prevail; and, notwithstanding that fact, they said "No." Now, should Congress say "Yes" because the Indian Office in Washington says, "What we say is good for you, Mr. Indian, notwithstanding that under a law passed by Congress, under which the Indian was to accept or reject our proposal, he has said 'No.'?"

Every Indian agent, every Indian employee in the Navaho Reservation, did his utmost to prevail against what was ultimately decided by the Indians. Some of the Indians had to borrow gasoline to go out among their people. I know one particular Indian, a missionary Navaho Indian by the name of Jake Morgan, at Farmington, who sometimes had to borrow 50 cents to buy gasoline so that he could go among his people. They cleaned up the Indian Office and the Indians said "No." What other expression can these poor people have in order to inform Congress as to what their desires may be?

I thank the Senate.

Mr. THOMAS of Oklahoma. Mr. President, as chairman of the Committee on Indian Affairs, I ask permission to proceed for a few moments on the question now being discussed.

The PRESIDING OFFICER (Mr. Lucas in the chair). Is there objection to the request of the Senator from Oklahoma? The Chair hears none.

Mr. THOMAS of Oklahoma. Mr. President, the Senate is now acting under an assumed rule which in reality does not exist. The rules of this body provide for a method of handling the business of the Senate. The method is that bills shall be referred to standing committees and considered by such committees, and such bills as are favored shall be reported by the committees, whereupon they take their places upon the calendar and are considered by the Senate according to the rules of the Senate.

We are now operating under a new and special practice, as follows: A Member of the Senate, the distinguished senior Senator from Utah [Mr. KING], has taken it upon himself to refer all Indian bills to the Department of Justice, presumably for a study and a report. This practice has persisted now for a year, and for a year no bill reported by the Committee on Indian Affairs, so far as I remember, has been favorably considered by the Senate. It is presumed that these bills, when referred to the Department of Justice, are, by the Attorney General, referred to some appointee in such Department. If so, he is not an elected official. He is some appointee in the Department of Justice occupying an office or room somewhere in that gigantic building down on Pennsylvania and Constitution Avenues. Who that official is I do not know. The Senate does not know. If we ever receive a report—we have waited a year for a report and have had none—it will be a report of some official appointed probably from some State which contains no Indians, and probably from some State that has no sympathy with the problems of the Indians; and when that report comes before this body, if it ever does, I ask the Senate, What credence and what importance should we give it?

I have seen no report, and as things are now going I have no hope of ever seeing such a report. I have been promised from time to time—and the Senate has been promised from time to time—that "within the next few days, certainly within a week or two," a report would be forthcoming; but no report has been forthcoming, and we now have no report.

I do not complain. The distinguished Senator from Utah is acting within his prerogatives in holding up these bills during times when the Senate is considering bills on the calendar by unanimous consent. I concede that his motives are of the highest. I know that Indian bills, as well as other bills, have been enacted in the past by the Congress without, perhaps, the consideration which their importance justified.

Mr. President, again stating that I have no objection to the procedure which has been taken, because it is within the purview of any Senator to hold up a bill, and accepting the statement made by the distinguished senior Senator from Utah today that there will be a report in the near future, I shall be patient a little while longer; but before long, if the report is not forthcoming, the time will come when I shall ask the Senate to take action upon these bills of great importance to many of the citizens of the United States.

Mr. KING. Mr. President, I am very much interested in these bills, because there are Indians in my State, and they have claims against the Government. What I have done is merely to ask the Department, at their request, to furnish us adequate information so that the Indians may be protected and the interests of the Government not overlooked.

There are now claims pending against the Government amounting to over three billion and a half dollars, I am advised by various departments. I had hoped we could get adequate information so that these bills could all be disposed of promptly, that all the facts might be presented in a report so that there would be no necessity of prolonging discussion in the Senate, but that we could take up the meritorious cases and dispose of them immediately. I suggested a hearing, and Mr. Grorud suggested that he desired a hearing early in February. I was ready to have the hearing immediately, and I stated to Mr. Grorud that that would be satisfactory, and I am sure the report will be made early in February and I shall be glad if it is made before that time.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

JOINT RESOLUTION PASSED OVER

The joint resolution (H. J. Res. 367) to authorize the Secretaries of War and of the Navy to assist the governments of American republics to increase their military and naval establishments, and for other purposes, was announced as next in order.

SEVERAL SENATORS. Over! Over!

The PRESIDING OFFICER. The joint resolution will be passed over.

AMENDMENT OF CANAL ZONE CODE

The bill (H. R. 5584) to amend the Canal Zone Code, was announced as next in order.

Mr. McKELLAR. Over.

Mr. CLARK of Missouri. Mr. President, I ask that this bill be recommitted to the Committee on Inter-oceanic Canals. Certain additional statements have been furnished by the Post Office Department which were not filed before the report on the bill was submitted by the committee.

The PRESIDING OFFICER. Without objection, the bill is recommitted to the Committee on Inter-oceanic Canals.

RESOLUTIONS PASSED OVER

The resolution (S. Res. 174) for an investigation of negotiations by American citizens with the Mexican Government concerning certain oil sales, was announced as next in order.

Mr. AUSTIN. Let the resolution go over.

The PRESIDING OFFICER. The resolution will be passed over.

The resolution (S. Res. 177) authorizing an investigation of negotiations by American citizens or officials with the Mexican Government concerning certain oil sales, was announced as next in order.

Mr. BARKLEY. Let that resolution go over.

The PRESIDING OFFICER. The resolution will be passed over.

PAYMENT OF COMPENSATION TO RECESS APPOINTEES

The bill (S. 2773) to authorize the payment of compensation to recess appointees in certain cases, was announced as next in order.

Mr. McNARY. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. DANAHER subsequently said: Mr. President, may I ask whoever objected to order of business 1124, Senate bill 2773, to state the ground of his objection?

Mr. McNARY. Mr. President, I objected to the consideration of the bill, because I did not see anyone in the Chamber to sponsor the bill, and I wanted a statement made with respect to it. I shall be very happy to withdraw my objection if the Senator is prepared to disclose the nature of the bill.

Mr. KING. Let the bill go over.

Mr. DANAHER. Perhaps it had better go over, although I can explain it to the Senate, I am sure. The bill ought to be passed.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

KING'S CANYON NATIONAL PARK

The bill (H. R. 3794) to establish the King's Canyon National Park, Calif., to transfer thereto the lands now included in the General Grant National Park, and for other purposes, was announced as next in order.

Mr. BARKLEY. Mr. President, the senior Senator from Nevada [Mr. PITTMAN], when this bill was reached at the last call of the calendar, had intended to make a statement about it, but he was presiding at the time and could not do so. He has asked me to say for him now that he has been called from the Chamber today on important business and is not able to be present, but that when there is another call of the calendar he contemplates making a statement about the matter which will probably clear up the situation with respect to the bill. For this reason I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

INVESTIGATION OF CONDITIONS IN PUERTO RICO

The concurrent resolution (S. Con. Res. 18) providing for an investigation of the social, economic, and industrial conditions in Puerto Rico, was announced as next in order.

Mr. McNARY. Mr. President, I should like to have the nature of the concurrent resolution disclosed before we act on it.

Mr. KING. Mr. President, I was requested to offer this measure at the last session of Congress. There has been a change in the administration in Puerto Rico. Admiral Leahy, who is now the Governor, is in Washington, and I suggested to him a few days ago that before his departure he confer with the Committee on Territories and Insular Affairs, which has jurisdiction of the subject, and give us his views respecting matters in Puerto Rico, which may dispense with the necessity of adopting this concurrent resolution. I therefore ask that the concurrent resolution go over.

The PRESIDING OFFICER. Objection being heard, the concurrent resolution will be passed over.

RESOLUTION AND BILLS PASSED OVER

The resolution (S. Res. 168) providing for an investigation of the immigration of aliens into the United States, was announced as next in order.

Mr. THOMAS of Oklahoma. Let the resolution go over.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 282) to provide that State employees employed in connection with programs carried on with the assistance of the Federal Government be selected in accordance with a nonpolitical civil-service plan was announced as next in order.

Mr. MINTON. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 7050) for the relief of certain former disbursing officers for the Civil Works Administration was announced as next in order.

Mr. KING. Let us have an explanation.

Mr. McKELLAR. I ask that the bill go over.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

The bill (S. 1450) to provide funds for cooperation with school district No. 13, Froid, Mont., for extension of public-school buildings to be available to Indian children was announced as next in order.

Mr. McKELLAR. May we have an explanation of the bill? If not, let it go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2523) to provide for the construction, extension, equipment, and improvement of public-school facilities at McCurtain, Okla., Haskell County, was announced as next in order.

Mr. McKELLAR. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1671) to provide for the construction, extension, and improvement of public-school buildings in Uintah County, Utah, was announced as next in order.

Mr. McKELLAR. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 5138) to make unlawful attempts to interfere with the discipline of the Army, the Navy, and the Coast Guard; to require the deportation of certain classes of aliens; to require the fingerprinting of aliens seeking to enter the United States; and for other purposes was announced as next in order.

SEVERAL SENATORS. Over! Over!

Mr. DANAHER. Mr. President, I think this bill should be recommitted to the Committee on the Judiciary. It was so voted at the regular meeting on Monday.

Mr. MINTON. Mr. President, has the Senator from Texas been consulted about the matter?

Mr. DANAHER. Mr. President, less than 15 minutes ago I discussed the matter with the Senator from Texas. He intended to make the motion but has been called from the Chamber for the time being.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Connecticut? The Chair hears none and the bill will be recommitted to the Committee on the Judiciary.

RULES FOR THE UNITED STATES DISTRICT COURT FOR PUERTO RICO

The Senate proceeded to consider the bill (H. R. 4532) to make effective in the District Court of the United States for Puerto Rico rules promulgated by the Supreme Court of the United States, governing pleading, practice, and procedure in the district courts of the United States, which had been reported from the Committee on the Judiciary with an amendment, on page 2, after line 6, to insert the following new section:

SEC. 2. This act shall become effective March 1, 1940.

So as to make the bill read:

Be it enacted, etc., That a new section be inserted in the act entitled "An act to provide a civil government for Porto Rico, and for other purposes," approved March 2, 1917 (39 Stat. 951), as amended, immediately following section 49 thereof, to read as follows:

"49a. That the rules heretofore or hereafter promulgated and made effective by the Supreme Court of the United States under authority of the act approved June 19, 1934 (48 Stat. 1064; U. S. C., title 28, secs. 723b, 723c), or under authority of any other statute, regulating the forms of process, writs and motions, and the pleadings, practice, and procedure, in actions of a civil nature in the district courts of the United States, and regulating appeals therefrom, shall apply to the District Court of the United States for Puerto Rico and to appeals therefrom."

SEC. 2. This act shall become effective March 1, 1940.

Mr. McKELLAR. Mr. President, may we have an explanation?

Mr. KING. Mr. President, the bill merely makes applicable to the Federal court in Puerto Rico the rules which were made applicable by act of Congress recently to the various Federal courts throughout the United States.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 7293) to amend section 355 of the Revised Statutes, as amended, to make permissive the acquisition of legislative jurisdiction over land or interests in land acquired by the United States was announced as next in order.

Mr. McNARY. Mr. President, I should like to have an explanation of the bill. In the absence of an explanation, I ask that it go over.

The PRESIDING OFFICER. The bill will be passed over.

WILMOT NATIONAL GUARD TARGET RANGE, ARIZONA

The Senate proceeded to consider the bill (S. 2122) to authorize the sale of the Wilmot National Guard target range, Arizona, which had been reported from the Committee on Military Affairs with an amendment, on page 1, line 4, to strike out the word "as" and to insert the word "at," so as to make the bill read:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to sell at public sale, after such advertisement and under such regulations as he may prescribe, the Wilmot National Guard target range, consisting of sections 1 and 12, township 15 south, range 14 east, Gila and Salt River base and meridian, Arizona, and to utilize the proceeds of such sale for the construction of necessary improvements at the National Guard camp located at Flagstaff, Ariz.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES H. LEGAY

The bill (H. R. 3931) for the relief of Charles H. LeGay was considered, ordered to a third reading, read the third time, and passed.

HAROLD W. KINDERMAN

The bill (S. 2782) for the relief of Harold W. Kinderman, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President of the United States be, and is hereby, authorized to summon Harold W. Kinderman, a major, United States Army, retired, before a retiring board, to inquire whether at the time of his retirement under act of July 31, 1935, as amended, he was incapacitated for active service, and whether such

incapacity was a result of an incidence of service, and if, as a result of such inquiry, it is found that he was so incapacitated, the President is authorized to nominate and appoint, by and with the consent of the Senate, the said Harold W. Kinderman, a major in the Medical Corps of the Regular Army, setting aside his retirement under act of July 31, 1935, and immediately thereafter place him upon the retired list of the Regular Army, for physical disability incurred in line of duty, and said retirement shall be held and considered to have taken place on December 31, 1936 (the date of his retirement under act of July 31, 1935), and he shall receive the full retired pay and allowances of an officer of his grade from December 31, 1936 (the date of his separation from active duty): *Provided*, That the amount of the retired pay already received by him since December 31, 1936, shall be deducted from the amount due him under this act.

The PRESIDING OFFICER. That completes the calendar.

LEGISLATIVE JURISDICTION OVER LAND ACQUIRED BY THE UNITED STATES

Mr. BYRD. Mr. President, I inquire who objected to calendar No. 1192, House bill 7293?

Mr. McNARY. Mr. President, I objected to that because I wanted an explanation. If there is one available and ready, I should be very happy to listen to it.

Mr. BYRD. Mr. President, this bill has the endorsement of the Attorney General and the endorsement of the Federal Works Agency. As I understand, at the present time the consent of the legislature of a State in which land or sites are situated must be obtained before the expenditure of public moneys is permitted upon sites for buildings, unless the Federal Government has exclusive jurisdiction over the property. That conflicts with the laws of certain States. The Attorney General, in his letter of July 28, 1939, to the chairman of the House Committee on Public Buildings and Grounds, makes this statement:

The bill proposes to eliminate the provision contained in section 355 of the Revised Statutes that the consent of the legislature of the State in which the land or site is situated must be obtained before the expenditure of public moneys is permitted upon sites for buildings. This provision, over a long period of years, has been interpreted to require that such consent be given as will vest in the United States exclusive jurisdiction within the meaning of article I, section 3, clause 17, of the Constitution. The bill also proposes to provide specifically that exclusive jurisdiction over sites for buildings shall no longer be required and that the head or other authorized officer of a department or independent establishment or agency having control or custody of the land shall be given discretion to obtain such jurisdiction, exclusive or partial, as he may deem desirable. It would require that the acceptance of the consent to or cession of jurisdiction by the State legislature be made by filing a notice of acceptance with the Governor of the State or in such other manner as may be prescribed by the laws of the State.

The bill merely provides that the Attorney General may make agreements with certain States as to certain land or sites where the Federal Government would not have exclusive jurisdiction.

Mr. McNARY. Mr. President, I respect the able Senator's judgment and withdraw my objection.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 7293) to amend section 355 of the Revised Statutes, as amended, to make permissive the acquisition of legislative jurisdiction over land or interests in land acquired by the United States, which was ordered to a third reading, read the third time, and passed.

STATEMENT OF SENATOR McNARY REGARDING AMENDMENTS TO SOCIAL SECURITY ACT

Mr. AUSTIN. Mr. President, I ask unanimous consent to have printed in the RECORD at this place, in connection with my remarks, a release issued by the distinguished floor leader of the minority, the senior Senator from Oregon [Mr. McNARY], in anticipation of the coming into effect of the amendments to the Social Security Act adopted by Congress at the last session. In the release attention is called to the fact that the amendments were nonpartisan in character, but that they were made after 3 years of effort and agitation on the part of the Republican minority in both the House of Representatives and the Senate. I ask that this release of December 30, 1939, be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

On Monday the amendments to the Social Security Act adopted by Congress last summer will become effective. Were it not for these amendments some 40,000,000 workers and their employers each would have been subjected to a 50-percent increase in old-age payroll taxes. Instead of a tax of 1 percent, they would have been required to pay 1½ percent. The amendment "freezing" until 1943 the present rate of pay-roll tax will save workers and employers in the coming year approximately \$275,000,000, or an estimated total of \$875,000,000 in the next 3 years—a huge sum which will go into the channels of trade instead of being spent by the Government. Indeed if the principle of keeping the pay-roll taxes at 1 percent and eliminating the "full reserve" fund is perpetuated, workers and employers in the next 40 years will be saved approximately \$40,000,000,000.

The "freezing" of the pay-roll taxes, along with other changes made in the law by these amendments, will save workers and employers, during 1940, approximately \$580,000,000, according to an estimate made by the House Ways and Means Committee. For the next 3 years the committee placed the savings in the neighborhood of \$1,710,000,000.

Under the amendments which become effective Monday, old-age insurance benefits also have been liberalized. The date for beginning the payment of monthly old-age insurance benefits has been advanced from January 1, 1942 to January 1, 1940. Thus many tens of thousands of persons who have reached the age of 65 years will now receive benefits ranging up to \$40 a month, plus benefits for wives and children. Under the original legislation these benefits would not have commenced for 2 more years. The amendments likewise liberalized the benefits to all insured workers retiring in the early years of the system. Under these changes about \$1,755,000,000 in benefits, it is estimated by the Ways and Means Committee, will be disbursed during 1940-44, or about \$1,200,000,000 more than estimated would be spent under the original law during these 5 years. In addition, these amendments brought about 1,100,000 more persons—seamen, bank employees and employed persons, age 65 and over—under the old-age insurance system, and about 200,000 under unemployment insurance.

Social-security legislation—care for the aged and the unemployed—is in no sense a partisan question. Both parties have supported it. But it is not inappropriate at this time to call attention to the fact that the amendments to the Social Security Act now becoming effective resulted from more than 3 years of effort and agitation by the Republican minority of House and Senate. Elimination of the "full reserve fund" and placing of the old-age insurance system on a pay-as-you-go basis with a modest contingent reserve is in line with the recommendations made in January 1937 by the minority group named by Republicans in both branches of Congress to study the question of social security.

It will be recalled that, on January 29, 1937, Senators ARTHUR VANDENBERG and JOHN G. TOWNSEND, Jr., and Representatives DANIEL A. REED and THOMAS A. JENKINS, acting for the Republican minority of House and Senate, introduced a resolution calling for a study of the very proposals, among others, which now have been fulfilled. They issued a statement urging the freezing of the pay-roll taxes and elimination of the "full reserve" fund, advancement of the date for payment of old-age benefits to insured workers and a liberalization of benefits in the early years of the system.

These recommendations led to the appointment by the Senate Finance Committee and the Social Security Board of the Advisory Council on Social Security, which in December 1938 submitted a report suggesting many of the changes made by the amendments adopted last summer. Only a minority of this council, however, endorsed the Republican proposal for freezing of the pay-roll tax as of January 1, 1940, but this minority viewpoint prevailed when the amendments were enacted.

Republicans in Congress are very proud of this contribution toward perfecting the social-security system. Republicans everywhere should be proud of this constructive achievement by their party in eliminating some of the dangers in the original social-security legislation and in broadening its benefits in a sound and sensible manner.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6505) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SUMNERS of Texas, Mr. CELLER, Mr. McLAUGHLIN, Mr. GUYER of Kansas, and Mr. REED of Illinois were appointed managers on the part of the House at the conference.

INSPECTIONS AND INVESTIGATION IN COAL MINES

Mr. NEELY. Mr. President, I move that the Senate proceed to the consideration of Senate bill 2420 relating to certain

inspections and investigations in coal mines for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes.

Mr. AUSTIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Downey	Lee	Schwellenbach
Ashurst	Frazier	Lodge	Sheppard
Austin	George	Lucas	Shipstead
Bailey	Gerry	Lundeen	Slattery
Bankhead	Gibson	McKellar	Smathers
Barbour	Gillette	McNary	Stewart
Barkley	Glass	Maloney	Taft
Bilbo	Green	Mead	Thomas, Okla.
Brown	Guffey	Miller	Tobey
Bulow	Gurney	Minton	Townsend
Burke	Hale	Murray	Truman
Byrd	Harrison	Neely	Tydings
Byrnes	Hatch	Norris	Vandenberg
Capper	Hayden	Nye	Van Nuys
Chandler	Herring	O'Mahoney	Wagner
Chavez	Hill	Pepper	Walsh
Clark, Idaho	Holman	Pittman	Wheeler
Clark, Mo.	Holt	Radcliffe	White
Connally	Hughes	Reed	Wiley
Danaher	Johnson, Calif.	Reynolds	
Davis	Johnson, Colo.	Russell	
Donahay	King	Schwartz	

The PRESIDING OFFICER. Eighty-five Senators having answered to their names, a quorum is present.

The question is on the motion made by the Senator from West Virginia [Mr. NEELY].

Mr. NEELY. Mr. President, will the Chair please state the motion?

The PRESIDING OFFICER. The motion is that the Senate immediately consider Senate bill 2420, relating to certain inspections and investigations in coal mines for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes. The motion is not debatable.

The motion was agreed to, and the Senate proceeded to consider the bill (S. 2420) relating to certain inspections and investigations in coal mines for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes, which had been reported from the Committee on Mines and Mining with amendments.

Mr. CAPPER. Mr. President, I wish to call the attention of the Senate to a telegram I received today from Henry Allai, president of district 14 of the United Mine Workers of America, urging the favorable action by the Senate on the pending bill, S. 2420. I have known Mr. Allai many years and have great confidence in his judgment. I come from a State which has important coal interests. I have studied this measure carefully and believe it is desirable legislation. I am glad to give it my support.

I ask unanimous consent that Mr. Allai's telegram be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

PITTSBURG, KANS., January 18, 1940.

Senator ARTHUR CAPPER,
Senate Office Building:

In behalf of the men who work in coal mines in our State, we are asking you to support Senate bill 2420, known as the mine-safety bill. While we have State mining laws, yet this will be a great improvement on what we now have for the protection of the safety and lives of our men.

HENRY ALLAI,
President, District 14, United Mine Workers of America.

The PRESIDING OFFICER. The clerk will state the committee amendments.

The first amendment of the Committee on Mines and Mining was, in section 1, page 3, after line 14, to add an additional subsection (f), as follows:

(f) The Secretary of the Interior, or any agency of government which he may use in carrying out the provisions of this act, shall cooperate with the Bureau of Mines, or other safety agency, in the respective cities and Territories, and shall report the acts of himself, or such agencies, to the State and Territorial bureaus or

safety agencies. He, or such agency of government as may be used by him, shall give notice of all inspections to such State or Territorial bureaus or agencies, and afford an opportunity for the representatives to assist in such inspections. All inspections made by the Secretary of the Interior, or any agency of government which he may use, shall not be in violation of any State, Territorial, or Federal law.

So as to make the section read:

That the Secretary of the Interior is hereby authorized and empowered to make or cause to be made annual inspections and investigations in coal mines the products of which regularly enter commerce or the operations of which substantially affect commerce—

(a) For the purpose of obtaining information relating to health and safety conditions in such mines, the causes of accidents involving bodily injury or loss of life in such mines, or the causes of occupational diseases originating in such mines, whenever such health or safety conditions, accidents, or occupational diseases burden or obstruct commerce or threaten so to do;

(b) For the purpose of obtaining information relating to health and safety conditions in such mines, the causes of accidents involving bodily injury or loss of life in such mines, or the causes of occupational diseases originating in such mines, as a basis for determining the most effective manner in which the public funds made available for the protection or advancement of health or safety in coal mines, and for the prevention or relief of accidents or occupational diseases therein may be expended for the accomplishment of such objects;

(c) For the purpose of obtaining information relating to health and safety conditions in such mines, the causes of accidents involving bodily injury or loss of life in such mines, or the causes of occupational diseases originating in such mines, as a basis for the preparation and dissemination of reports, studies, statistics, and other educational materials pertaining to the protection or advancement of health or safety in coal mines and to the prevention or relief of accidents or occupational diseases in coal mines;

(d) For the purpose of obtaining information relating to accidents involving bodily injury or loss of life in such mines or relating to occupational diseases originating in such mines, to be transmitted to the Bureau of the Census for use in connection with the preparation and compilation of the various census reports;

(e) For the purpose of obtaining information relating to health and safety conditions in such mines, the causes of accidents involving bodily injury or loss of life in such mines, or the causes of occupational diseases originating in such mines, to be transmitted to the Congress for its consideration in connection with legislative matters involving health and safety conditions, accidents, or occupational diseases in coal mines.

(f) The Secretary of the Interior, or any agency of government which he may use in carrying out the provisions of this act, shall cooperate with the Bureau of Mines, or other safety agency, in the respective cities and Territories, and shall report the acts of himself, or such agencies, to the State and Territorial bureaus or safety agencies. He, or such agency of government as may be used by him, shall give notice of all inspections to such State or Territorial bureaus or agencies, and afford an opportunity for their representatives to assist in such inspections. All inspections made by the Secretary of the Interior, or any agency of government which he may use, shall not be in violation of any State, Territorial, or Federal law.

The PRESIDING OFFICER. Without objection, the amendment—

Mr. AUSTIN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. AUSTIN. Does the amendment include the language beginning, in line 15, on page 3, through line 25 on the same page, and the first two lines on the top of page 4?

Mr. NEELY. That is correct.

Mr. AUSTIN. Mr. President, I think before the question is put we ought to have some explanation of the measure. I am merely asking for information. What does this measure mean? On its face, so far as the reading goes, it apparently has to do with something which belongs exclusively within the jurisdiction of the several States, and is no part of the jurisdiction or authority of the Congress of the United States. So I ask for information.

Mr. NEELY. Mr. President, does the Senator from Vermont object to the amendments?

Mr. AUSTIN. Mr. President, I may. I do not want an amendment adopted here until we know what it is about.

Mr. McNARY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McNARY. Has the motion of the Senator from West Virginia been adopted as to making this measure the unfinished business?

The PRESIDING OFFICER. The motion was agreed to unanimously.

Mr. McNARY. I think the able Senator from West Virginia should address himself in the usual way to the whole of the bill at this time.

Mr. NEELY. Mr. President, I shall be glad to respond to that suggestion, if that is agreeable to the Senator from Vermont.

Mr. BARKLEY. Mr. President, I think it would be advisable for the Senator to give a brief explanation of the purposes of the bill.

Mr. NEELY. Mr. President, I cheerfully accept the suggestions of the able Senators from Oregon and Kentucky.

During the last 30 years the American miner has performed his services in danger to his life and limb greater than that which confronts any British, French, or German soldier on the western European front today. During this period, the perils of coal mining have been greater than those of any other industry. Since the beginning of the present century a large-scale production coal mine has been more hazardous than any battlefield of the second World War.

In proof of these sweeping assertions, let specific facts speak to the point. From 1906 to 1937, inclusive, 58,600 men were killed in the coal mines of the United States and 3,516,000 were injured.

In other words, for almost a third of a century, on the average, the lives of more than 1,950 American coal miners have been accidentally snuffed out every year. For more than 30 years our mining industry has, on the average, yearly contributed to the vast army of the injured more than 117,000 men.

Data supplied by the Federal Bureau of Labor Statistics shows that the death rate in bituminous coal mining for each million hours of employment is at least eleven times greater than that of the average death rate of 30 manufacturing industries; and that the total accidents occurring in the mining of coal are about 4 times as great as the average in the other industries just mentioned.

The recently abolished National Bituminous Coal Commission estimated that the wage loss in the bituminous coal industry occasioned by injuries during the last decade averaged more than \$40,000,000 a year and that less than 23 percent of this great loss was covered by the payment of compensation.

The Coal Commission estimated that in 1936 accidents caused the coal operators a direct loss of more than \$19,000,000, and that the indirect losses which resulted from interruption of production, deterioration of morale, and other kindred causes amounted to approximately 20 cents for every ton of coal produced. It is estimated that the total direct and indirect loss to the industry attributable to accidents in 1936 alone amounted to more than \$105,000,000.

Mr. President, the United States Bureau of Mines was established in 1906, and since that time it has rendered excellent service to the mining industry. A number of the coal-producing States have efficient mining departments. But the continued efforts of the Nation, the State, the miners, and the operators have not succeeded in affording sufficient protection to those who dig and load the Nation's coal. Conditions that yearly injure more than 117,000 men and rob more than 1,900 of their lives demand immediate, permanent, and far-reaching reform.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NEELY. I yield.

Mr. BARKLEY. As I understand the purpose of the bill, it does not seek to interfere with the agencies of any State that are now engaged in the inspection of mines?

Mr. NEELY. It does not.

Mr. BARKLEY. Nor to superimpose the proposed inspection above the State inspection. The measure simply authorizes the Secretary of the Interior to investigate, by inspection through his agencies, the conditions in coal mines, looking to the preservation of life and health and the safety of the mining operations for the benefit of the miners, does it not?

Mr. NEELY. That is correct.

Mr. BARKLEY. And that upon the making of such investigation the Secretary of the Interior is authorized and directed to report to Congress, and also to publish pamphlets and circulate information and give it to the press, as to the conditions existing in the mining industry, pertaining to the safety of lives and health, and that he is authorized to cooperate with such State agencies, and also to use any agency under his own jurisdiction—specifically the Bureau of Mines—in making the investigations and inspections; so that the Government of the United States, the Congress and the public, may have full information as to the conditions existing in the coal mines with respect to safety, life, and health. Is that substantially correct?

Mr. NEELY. The Senator from Kentucky has, with his usual accuracy, correctly stated the case.

Mr. BARKLEY. If I correctly understand the bill, it does not give the Secretary of the Interior authority to do anything as the result of the investigation and inspection which he makes.

Mr. NEELY. That is true. He is simply authorized to investigate, inspect, report, and recommend.

Mr. BARKLEY. Based upon such information, Congress could probably enact legislation which would give the Secretary or somebody else more authority. However, in the bill the Secretary is not given any authority over the operations of mines, or to interfere with any State agency, or to do anything except to make public, through Congress, the press, and his own means, the information he gathers as a result of these inspections.

Mr. NEELY. The purpose of the bill is not opposition to State mining departments but cooperation with them.

Mr. TAFT and Mr. CHANDLER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from West Virginia yield; and if so, to whom?

Mr. NEELY. I yield first to the Senator from Ohio, and then to the Senator from Kentucky.

Mr. TAFT. Mr. President, I do not quite understand what additional powers are proposed over those which the Bureau of Mines already has. As I read the powers of the Bureau of Mines, it is the province and duty of the Bureau of Mines to conduct inquiries and scientific and technological investigations concerning mining. For example, I understand that the Bureau of Mines is now investigating a recent accident in West Virginia, and that it has full access to all mines for such purposes.

What additional powers are proposed to be granted to the Secretary of the Interior over what the Bureau of Mines already can do?

Mr. NEELY. Mr. President, the bill authorizes the Secretary of the Interior to inspect coal mines, and report the conditions which the inspection reveals, to the end that additional measures for the prevention of accidents may be adopted.

Mr. TAFT. Yes; but what powers are proposed to be given to the Bureau of Mines which it does not already possess?

Mr. NEELY. The bill neither increases nor diminishes the powers of the Bureau of Mines. It provides for annual inspections and investigations by the Secretary of the Interior. There is no law which requires the Bureau to make such inspections and investigations.

Mr. TAFT. But the Bureau of Mines may make them today, may it not?

Mr. NEELY. The Bureau may make them and does make them after a disaster. The purpose of the bill is to provide inspections and supply sufficient information to enable the proper authorities to prevent mine disasters.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. NEELY. I gladly yield.

Mr. CHANDLER. Subsection (f) of the bill makes it the duty of the Secretary of the Interior, or any agency of Government which he may use, to cooperate with the Bureau of Mines or other safety agencies in the States and Territories of the United States.

Mr. NEELY. That is true.

Mr. CHANDLER. The bill makes it the duty of the Secretary of the Interior to cooperate with State agencies and make annual inspections. Under certain circumstances he may make other inspections.

Under section 1 he may make annual inspections. Then, under section 2, upon the occurrence of an accident involving bodily injury or loss of life in a mine subject to the provisions of section 1, if in the opinion of the Secretary the circumstances indicate that the making of such inspections or investigations in the mine concerned will be in furtherance of the purposes of the act, the Secretary is further authorized and empowered to make investigations and inspections at other than annual intervals. Is it not true that the bill makes it mandatory that the Secretary of the Interior shall cooperate with the agencies in the several States?

Mr. NEELY. Yes, as I have previously indicated the bill is designed to promote cooperation—not opposition or competition.

Mr. CHANDLER. I believe that those engaged in the mining of coal are sincerely of the conviction that this additional inspection might result in the saving of many lives of those engaged in coal mining.

Mr. NEELY. That seems to be the general opinion of the hundreds of thousands who are engaged in the mining of coal.

Mr. CHANDLER. The bill does not take any authority away from the State agencies; but under the provisions of the bill additional annual inspections are mandatory, and it is mandatory that the Secretary of the Interior give notice of such inspections to the heads of the State departments, and not only cooperate with them, but give them an opportunity to be present when he makes his inspection.

Mr. NEELY. That is correct.

Mr. AUSTIN. Mr. President, will the Senator yield for a question?

Mr. NEELY. Gladly.

Mr. AUSTIN. I seek information. I know little about coal mining.

Mr. NEELY. That is the only subject of debate about which the Senator from Vermont has not proved himself to be well informed.

Mr. AUSTIN. I thank the Senator from West Virginia.

Mr. NEELY. Let me assure the Senator that my assertion was very sincerely made.

Mr. AUSTIN. I made that statement only in order that the Senator would be patient with me in my inquiry.

The question I have in mind is whether or not we already have a set-up in the several States where coal mining occurs, in the form of boards for the inspection of mines in order to reduce the hazards of occupational disease and accidental injuries in such mines. Do we not already have institutions set up by the several States?

Mr. NEELY. Mr. President, we do; but they are unable to provide sufficient protection. For example—and I shall not offend by mentioning names—in one State which has had its full share of mine disasters or accidents, the appropriation last year for the purpose of protecting the miners was less than a half a mill for each ton of coal produced in the State. Of course, this meant practically no protection at all.

Similar situations exist in many other States.

Mr. AUSTIN. Mr. President, the very manner of presentation of this situation shows that it is a controversial question, in which we may have a State policy in conflict with the Federal policy regarding a matter of production or a matter of public health within the confines of a given State. I ask the Senator from West Virginia if he is free from doubt about the right of the Federal Government, just because its Congress may think that a State does not appropriate enough and is not sufficiently active in the inspection of mines, to assume jurisdiction over the subject when the Federal jurisdiction might conflict with the jurisdiction of the States?

Mr. NEELY. Mr. President, the Senator from West Virginia thoroughly satisfied himself that the bill was constitutional before he introduced it.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NEELY. Gladly.

Mr. BARKLEY. If the Senator will permit me, I invite the attention of the Senator from Vermont to the fact that the latter part of the pending amendment, which is subsection (f) of section 1, provides that all inspections made by the Secretary of the Interior or any agency of government which he may use shall not be in violation of any State, Territorial, or Federal law.

Mr. AUSTIN. Yes.

Mr. BARKLEY. Furthermore, the bill requires that when the Secretary seeks to use the agency of any State to aid him in facilitating the investigation or inspection, he must have the consent of the State.

Mr. AUSTIN. Mr. President, I observed that; and it immediately excited my interest, because it is a clear implication of the possibility of conflict between the two jurisdictions, the Federal jurisdiction and the State jurisdiction. We say, as we proceed to occupy this field, "We will not claim that the Federal law is supreme in respect to this matter when the two jurisdictions occupy the same field." Heretofore, we have always respected the Constitution and the Federal statutes as the supreme law of the land whenever and wherever the State law and the Federal law occupied the same field.

In my opinion—of course, my opinion is only superficial, because this is the first time I have looked at this measure or had an opportunity to consider it—there is a question as to whether or not we are starting out upon another road to the left and attempting either to break down or entirely disregard the constitutional separation of the two governments if we undertake to exercise a power of inspection for the purpose of passing laws regulating the conduct of the business of mining, which has been repeatedly established to be a concern of the several States and not a concern of the Federal Government.

Mr. REED. Mr. President, will the Senator yield?

Mr. NEELY. I yield to the Senator from Kansas.

Mr. REED. Mr. President, I am a member of the committee which submitted this report. The chairman of that committee was the distinguished Senator from Kentucky, the late Senator Logan.

I will say to the Senator from Vermont that I think there is nothing in this bill which in any way interferes with the Constitution of the United States, or is unconstitutional. In the production of a commodity so important as coal, I think the Government of the United States, through its agency—which I hope will be the Bureau of Mines—might make certain inspections, if it chose, as the distinguished Senator from Ohio [Mr. TAFT] has indicated. It has not always chosen to do that.

I happen to come from a coal-mining State—not a great coal-mining State like West Virginia, Ohio, Pennsylvania, or Illinois—but still a coal-mining State. All my life I have lived next door to the coal-mining region of my own State of Kansas. Coal mining is one of the most hazardous, if not the most hazardous of occupations.

Whatever we might do either by State authority or by national authority to lessen that hazard, that thing I am in favor of doing.

The distinguished Senator from West Virginia [Mr. NEELY] was the author of the bill; the Senator from Pennsylvania [Mr. DAVIS] was a member of the committee along with myself, and he will recall, of course, the consideration in the committee of this bill directing the Secretary of the Interior to make an inspection once a year. For the information of the Senate, I may say that among the most serious hazards—and there are many serious hazards in coal mining—explosions are the worst.

Explosions may occur from one of two factors; either from the presence of natural gas which is found with the coal, or

from the ignition of coal dust. As coal is mined, unless there is good ventilation in the mine, all the entries and vacant places become filled with a very fine coal dust, and coal dust causes more explosions than does gas. The recent explosion in the State of the Senator from West Virginia, I think, will be found to have been caused by an accumulation of coal dust—I am merely expressing opinion and not stating a fact—and by the ignition of the coal dust because of inadequate ventilation.

Mr. NEELY. Mr. President, may I interrupt the Senator there for a moment?

Mr. REED. Certainly.

Mr. NEELY. According to my information, the Senator is in error concerning the explosion at Bartley. It is said to have been caused by gas. I am informed that this mine was one of the best operated in the State of West Virginia. Rock dust is said to have been abundantly and properly used. If this is true, as I believe it to be, coal dust could not have caused the explosion. Therefore, gas must have occasioned the disaster.

Mr. REED. Mr. President, I stated I was expressing an impression only and not an opinion or a final judgment. No matter what caused the explosion, even if gas was present—and gas is very frequently present in coal mines—if there had been sufficient and adequate ventilation, there would not have been an explosion. It is such explosions that in 99 cases out of 100 cause the great losses of life. There are many minor accidents in mines, such as the falling of the roof or of a piece of rock or slate or something of that kind, but the great loss of life comes from explosions.

I may say to the Senator from Vermont that I am perhaps not the only Senator but certainly one of the Senators who objected to the provision on page 4, beginning in line 11, that the Federal Government, through the Secretary of the Interior, might go in upon the condition set forth which we struck out of the bill. The clause reported to be stricken out reads:

Upon the submission to the Secretary of the Interior of a petition signed by a majority of the underground workers in a mine subject to the provisions of section 1, or signed by the authorized employee representatives of a majority of the underground workers in such a mine.

In lieu of that provision which the committee struck out it wrote section (f) beginning on page 3, line 15, concerning which the very able Senator from Vermont inquired. We tried by the language of that amendment to bring about cooperation between the Federal and the State mining bureaus and mining inspection agencies, which are maintained by most of the States.

Mr. AUSTIN. Mr. President, will the Senator yield at that point?

Mr. REED. Certainly.

Mr. AUSTIN. Would it not be true, if this bill should become a law, that there would then be three different inspectors, namely, the State agency, the Chief of the Bureau of Mines under the law as it exists today, plus the Secretary of the Interior?

Mr. REED. I may say to the Senator from Vermont the language of that section is:

The Secretary of the Interior, or any agency of government which he may use in carrying out the provisions of this act, shall cooperate with the Bureau of Mines.

If I could have had my way about it, individually, I would have devolved the work entirely upon the Bureau of Mines.

Mr. AUSTIN. That is not the language of the bill, is it? I cannot see that in the bill.

Mr. REED. If I may read again from page 3—

Mr. AUSTIN. The Senator was reading from the amendment. I thought he was reading from section 1.

Mr. REED. No.

Mr. AUSTIN. Section 1 is the empowering section of the bill.

Mr. REED. What we have done—and I only came to the support of this bill after mature thought and consideration in and out of the committee in the interest of safety—is to

give the Secretary of the Interior authority to make an annual inspection.

Mr. AUSTIN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from West Virginia has the floor.

Mr. AUSTIN. Mr. President, will the Senator from West Virginia yield to enable me to ask the Senator from Kansas a question?

Mr. NEELY. Certainly.

Mr. AUSTIN. Does the Senator from Kansas mean by what he has said there will be three inspections?

Mr. NEELY. No.

Mr. REED. I think there might be two, and I think there will be two.

Mr. AUSTIN. Then the Senator must ignore, does he not, the opening paragraph of the bill:

That the Secretary of the Interior is hereby authorized and empowered to make or cause to be made annual inspections—

And so forth. Does not the Senator ignore the main power contained in this proposed legislation?

Mr. REED. Further over, in an amendment which was put in by the committee, we provided that "the Secretary of the Interior, or any agency of government which he may use in carrying out the provisions of this act, shall cooperate with the Bureau of Mines."

Then we further say that—

All inspections made by the Secretary of the Interior, or any agency of government which he may use, shall not be in violation of any State, Territorial, or Federal law.

Mr. President, this is a bill with which I am somewhat familiar. I have discussed this matter with men in the coal trade. I know that some of the coal operators in my State are opposed to it, as they think it would let the Federal elephant's trunk get further under the tent.

I admit that that is an objection which I wish we could avoid, but I do not know how we can avoid it entirely. The mine workers with whom I have talked—and I am going to be a little bit more outspoken than was the Senator from West Virginia—have stated to me that Pennsylvania, for example, and Illinois, the State which the present Presiding Officer [Mr. LUCAS in the chair] so ably represents, and Kansas, have very fine mine-inspection laws, and that other States have good inspection laws, but that the inspection laws of some other States are wholly inadequate for the safety of the men engaged in this most hazardous occupation.

Speaking now as a member of the committee, I cooperated with the lamented Senator from Kentucky, Mr. Logan, who was chairman of the committee, in striking out the provision on page 4. If that provision had remained, beginning at line 11, page 4, a group of unruly miners—and we have such—might have had an inspection every day or every week. I was unwilling to leave the bill open to that kind of situation; so we struck it out, and we provided that the work of the Secretary of the Interior—and we had to devolve the responsibility some place, we might have placed it in the Bureau of Mines, perhaps—was to be carried out in cooperation with the National Bureau of Mines and with the State agencies, and that he should make inspection annually and even more frequently if accidents in mines justified it.

Mr. President, I am not one of those who seek to extend Federal authority; I am one of those who prefer to confine it. I am not one of those who seek to restrict the power of the States; I want them to remain in full power and vigor, but I know, because I come from a coal-mining State, that coal mining is probably—and I accept the statement of the Senator from West Virginia—the most hazardous of all industries, and the men engaged in it are entitled to the fullest degree of protection which they may obtain fairly and reasonably by cooperation between the Federal Government and the States. In some States the present degree of protection, through the efficiency of the bureaus of inspection, is adequate; in other States it is not.

I shall not be offensive by trying to name any of the States where it is not; but, very frankly, as a member of

the committee, I wanted to have taken whatever action could be taken to improve the safety of the men engaged in this most hazardous of occupations. To me, this is a question of safety; and because it is so important a question of safety I am willing to go along by lodging in the Secretary of the Interior the power and duty of making an annual inspection, always, however, in cooperation with the State authorities; and that is the way the bill now reads as it comes before the Senate.

Mr. NEELY. Mr. President, before proceeding with the discussion let me respond to the observation of the able Senator from Kansas regarding his objections to the elephant intruding his trunk into the tent. I had been laboring under the melancholy impression that several Republican Senators were in favor of pushing the whole elephant with trunk, tusks, tail, and tallow unimpaired into the governmental tent. [Laughter.]

Mr. REED. Mr. President, will the Senator from West Virginia yield?

Mr. NEELY. Certainly.

Mr. REED. This year, in November, we are going to get our whole body into the tent, if you please. [Laughter.]

Mr. BARKLEY. Mr. President, that may not conduce to safety of life within the tent. [Laughter.]

Mr. REED. It will make for the interests of nations and the prosperity of the United States; but it has nothing to do with this bill.

Mr. NEELY. I shall not take issue with my distinguished friend from Kansas about the effects of a political change that cannot possibly be made this year, because he is supporting my bill, which is the only matter of importance now before the Senate.

Mr. BARKLEY. Mr. President, I suggest to the Senator from West Virginia that in line 18 of the pending amendment, page 3, I think the word "cities" must be a misprint. It seems to me it ought to be "States and Territories," because all the rest of the amendment refers to States and Territories, and cities have no jurisdiction of mines.

Mr. NEELY. Yes; the word "cities" should be "States."

Mr. President, in relation to this bill, the coal industry is today precisely where the railroads of the country were immediately before the enactment of the Federal inspection and safety-appliance laws.

Mr. REED. Mr. President, will the Senator from West Virginia yield to me?

Mr. NEELY. I yield.

Mr. REED. I do not want that statement of the Senator from West Virginia to go entirely unchallenged. In my State—of which I have been Governor, and where I appointed the State mining inspector, and operated the machinery which inspects the mines—we have the fullest cooperation from the coal operators. I have no fault to find with the coal operators in my State.

Mr. NEELY. Neither am I finding fault with the coal operators of West Virginia or of any other State. But so far the efforts of governmental agencies in cooperation with the miners and operators have failed to prevent constantly recurring disasters. In my opinion additional Federal assistance should be promptly supplied.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. NEELY. I yield to the Senator from Ohio.

Mr. TAFT. I have every sympathy with the purposes of the bill; but what concerns me is that we seem to be granting to one Government department complete investigatory powers which are already granted to another, so that if the bill is passed we may have two officials overlapping and doing the same work.

When I previously asked the Senator about the same thing, he said the bill required the Secretary of the Interior to make these investigations annually. Upon reading the bill I do not see that it does require him to do so. I do not quite see what additional powers the bill gives the Secretary which the Bureau of Mines does not already have; and I do not understand why we should grant the same powers over again to a dif-

ferent department of the Government than one which already has those powers.

Mr. NEELY. Mr. President, I think the very first section of the bill answers the Senator's question. It is as follows:

That the Secretary of the Interior is hereby authorized and empowered to make or cause to be made annual inspections and investigations in coal mines the products of which regularly enter commerce or the operations of which substantially affect commerce.

And section 7, provides:

The Secretary of the Interior shall devolve the execution of the provisions of this act upon any of the existing bureaus or agencies under the Department of the Interior.

Mr. TAFT. The Bureau of Mines is now given the duty of conducting inquiries and scientific and technological investigations.

Mr. NEELY. Yes; and so much of the time of the Bureau is devoted to technological investigations that little or none is left for the inspections of mines.

Mr. TAFT. Furthermore, the Bureau is authorized to establish, and does maintain, as I understand, 10 mining experiment stations and 7 mine-safety stations, movable or stationary, in addition to those already established. If there is an agency of the Government maintaining such stations, inspecting mines, and given power to inspect them, why should we now all of a sudden create another bureau or in effect give the Secretary of the Interior power to assign to some other Bureau the same powers over again?

Mr. NEELY. Mr. President, I thought that I had sufficiently responded to the Senator's observations on that point. The investigations which the Bureau of Mines now conducts are made after accidents occur.

Mr. TAFT. But the Bureau may make them before accidents occur.

Mr. NEELY. But it does not perform that service. The bill is designed to cause investigations to be made before accidents occur, in order that their occurrence may, if possible, be prevented.

Mr. TAFT. But under the Bureau of Mines statutes, the Bureau may make investigations before accidents occur. All we have to do is to appropriate money for additional inspectors.

Mr. NEELY. I doubt whether that alone would be sufficient. In any event neither the appropriations nor the inspections have been made.

Mr. TAFT. The officials of the Bureau will say, if we ask them why not, that we have not given them the money to do it.

May I ask the Senator one other question? I notice that this authority for expenditures is practically unlimited. The bill says, in section 9:

There are hereby authorized to be appropriated * * * such sums as may be necessary for the due execution of this act.

Has the Senator any estimate of the additional cost involved in these additional inspections at every mine in the United States every year?

Mr. NEELY. Mr. President, I have not; but I venture to assert that in comparison with the loss from accidents, which cost more than \$40,000,000 a year, the expense of the service required by the bill will be negligible.

Mr. TAFT. I know; but I should like a more definite answer, if the Senator can give it to me. I am not criticizing the amount. It may be well worth while; but what will be the cost of all the additional inspectors we are going to have to put on in some other bureau than the Bureau of Mines to carry out this inspection?

Mr. NEELY. Does the Senator from Ohio really fear that the able Secretary of the Interior will create a new bureau to discharge the duties specified in the bill, instead of assigning those duties to the Bureau of Mines?

Mr. TAFT. If he is not going to do it, why should we not give the authority to the Director of the Bureau of Mines instead of to the Secretary of the Interior?

Mr. NEELY. Because the Bureau of Mines and the administration of the Bituminous Coal Act are now under

the Secretary of the Interior, and it was deemed advisable to place all coal-mining agencies under the same capable and responsible official.

Mr. REED. Mr. President, will the Senator from West Virginia yield to let me answer the Senator from Ohio?

The PRESIDING OFFICER. Does the Senator from West Virginia yield for that purpose?

Mr. NEELY. I yield.

Mr. REED. I think there is a better answer which can be made to the Senator from Ohio about the language in line 3, page 1. I am now speaking from the viewpoint of a member of the committee which gave the bill very earnest study, and had the bill before it at different times in executive session, in an effort to make it the best possible bill. We might say "That the Secretary of the Interior is hereby directed" instead of "authorized," and that would not leave any discretion in the Secretary of the Interior or the Bureau of Mines to make any distinction in the inspection of mines between States in which the State bureaus are entirely adequate and those in which the State bureaus are not entirely adequate.

I speak for myself alone, but I speak as a member of the committee which reported the bill, and that is the reason why I prefer the language as it is. Under the bill the Secretary of the Interior is not required, unless he wants to do so, to go into States which have adequate mine-inspection bureaus and adequate mine-inspection laws. If we had used the word "directed" instead of the word "authorized," we then would have required an annual inspection of every coal mine in the United States, whether it needed the inspection or not.

I am perfectly willing, so far as I am concerned, to have vested a reasonable amount of discretion in the head of the department which is to administer the proposed law, if the bill shall become a law, and to me that is the reason why we left this language as it is.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. NEELY. I yield.

Mr. DANAHER. I should like to ask the Senator from West Virginia, if I may, whether or not the definition of "commerce," in section 10 of the bill, is to be found in any existing law of which the Senator is aware?

Mr. NEELY. I am under the impression that identical or similar language occurs in the so-called Guffey Coal Act.

Mr. DANAHER. Let me ask the Senator, as the author of the bill, what the term "communication" means, in line 10, page 9. When I ask what it means, I inquire to what extent the Senator understands the word "communication" will go as a matter of or defining commerce within the States referred to.

Mr. NEELY. It is nearly synonymous with transportation and is probably superfluous.

Mr. DANAHER. Mr. President, if I may make myself explicit, I have in my mind that under certain criminal statutes, for instance, the Federal Government undertakes to impose its criminal jurisdiction, for violation of statutes involving the mails, for example, solely on the question whether or not a letter is mailed or is received either in one State or another, and on the basis of the mailing of the letter or its receipt in interstate transit the Government undertakes to fasten its jurisdiction. I therefore ask whether the Senator had in mind, for instance, that a communication from a mine owner in a State to a would-be purchaser of coal in another State would be such a communication within the meaning of section 10 as would make that particular transaction commerce within the meaning of section 10 and therefore give jurisdiction to inspect the mine in the mining State?

Mr. NEELY. Mr. President, that was not my intention.

Mr. REED. Mr. President—

Mr. DANAHER. Will the Senator from West Virginia yield for one further question?

Mr. NEELY. I yield.

Mr. DANAHER. I thank the Senator from Kansas for his forbearance, and I will conclude in just a moment.

Mr. REED. Mr. President, let me state to the Senator from Connecticut, with the indulgence of the Senator from West Virginia, that so far as I am concerned I should be in favor of taking out the two words "or communication." That would leave the matter within the description of interstate commerce.

Mr. NEELY. If anyone supporting the bill objects to that word, I shall not oppose a motion to strike it out.

Mr. REED. I move—

The PRESIDING OFFICER. The Senator from West Virginia has yielded to the Senator from Connecticut.

Mr. REED. Will the Senator from West Virginia and the Senator from Connecticut indulge me while I move that there be stricken out the two words "or communication," appearing in line 10 on page 9, and the insertion of the word "or" before the word "transportation", in line 9.

Mr. NEELY. I accept the amendment.

The PRESIDING OFFICER. Is there objection to the consideration of the amendment at this time? The Chair hears none, and the question is on the adoption of the amendment.

Mr. AUSTIN. Mr. President, has the Senator from West Virginia yielded the floor?

Mr. NEELY. I have not.

Mr. AUSTIN. I thought the question was about to be put on the bill.

The PRESIDING OFFICER. No; the question is on the adoption of an amendment presented by the Senator from Kansas to strike out the words "or communication", in line 10, page 9, and to insert the word "or" before the word "transportation", in line 9.

The amendment was agreed to.

Mr. DANAHER. Mr. President, will the Senator from West Virginia yield further?

Mr. NEELY. I yield.

Mr. DANAHER. I wonder whether there comes to the mind of the Senator from West Virginia any type of mine with reference to which this proposed statute will not confer jurisdiction for inspection.

Mr. NEELY. No; no type of coal mine, the output of which enters interstate commerce.

Mr. DANAHER. In other words, the word "commerce" will be and is intended to be so all-embracing that if coal, for instance, from any such mine is introduced into trade, traffic, commerce, or transportation, inspection jurisdiction may follow?

Mr. NEELY. That is correct.

Mr. DANAHER. I thank the Senator for the explanation.

Mr. NEELY. Mr. President, to resume at the point at which I was interrupted, let me invite attention to some of the results of Federal legislation for the protection of railroad employees.

In 1918, 3,048 railroad men were killed and 149,469 were injured.

Five years later, under the operation of the Federal law providing inspections and reports of accidents, and requiring certain safety appliances, the death rate had fallen from 3,048 to 1,866, and accidents to 148,146.

Five years later the death rate had fallen to 1,187.

In 1930 accidental deaths fell to 898 and injuries to 33,184, and the decrease in deaths and injuries to railroad employees has been constant ever since. In 1938 the deaths were only 455, in comparison with 1,187 ten years before, and the accidents in 1938 were but 14,397 compared with 66,744 ten years before.

Mr. President, the result of the protection which has been afforded railroad men by Federal legislation, alone is sufficient to justify the Congress in providing additional safeguards for the miners who are being killed at the rate of more than 1,900 a year.

I hope that the Senate by passing the bill by a unanimous vote will take one long praiseworthy step upon the road that leads to the highest possible degree of security for the life and limb of every coal miner in the land.

Mr. FRAZIER. Mr. President, will the Senator yield?

Mr. NEELY. I yield.

Mr. FRAZIER. I should like to ask the Senator from West Virginia whether there will be any expense to the States or to the coal operators from the operation of the proposed law?

Mr. NEELY. None whatever. The inspection is to be paid for by the Federal Government.

Mr. FRAZIER. Is the expense to be added on to the price of coal, or anything of the kind?

Mr. NEELY. No.

Mr. FRAZIER. It would not interfere with the State inspection laws?

Mr. NEELY. In no respect.

Mr. HARRISON. Mr. President, of course legislation such as that contained in the proposal now before the Senate naturally appeals to all of us, as does the proposal for loans to Finland; but sometimes we have to look beyond our personal feelings.

Let me ask the Senator from West Virginia, who is in charge of the bill, what the representatives of the interested States, such as Governors and other leading citizens, say with reference to the necessity for this Federal legislation? Was any testimony taken on the bill?

Mr. NEELY. Yes; hearings were held.

Mr. HARRISON. I tried to get a transcript of the hearings, and have not been able to get it.

Mr. NEELY. The printed hearings consist of 151 pages of evidence. No Governor of any State appeared in opposition to the bill, and, so far as I now recall, no other State official testified against it.

Mr. HARRISON. Were they given ample opportunity to appear before the committee?

Mr. NEELY. The hearings were held in 3 different weeks, and the papers generally carried information regarding their progress.

Mr. REED. Mr. President, will the Senator yield?

Mr. NEELY. I yield.

Mr. REED. I may say to the Senator from Mississippi that following the close of the hearings a number of letters came to the committee discussing the merits and demerits of the proposal, which were considered by the committee following the close of the hearings. But there was no substantial opposition, so far as my knowledge goes, except from a few coal operators. Some coal operators are opposed to the bill. We might just as well be frank about the matter and say that.

Mr. NEELY. Yes.

Mr. HARRISON. Mr. President, I judge that is true. I knew nothing about the measure until day before yesterday, when the Senator from West Virginia made a very eloquent statement concerning it. I have received a communication from one of my good friends—also a good friend of the Senator from West Virginia—who thinks the measure will not be beneficial to the coal industry. He is interested in operating a mine. I know that the coal industry is almost a bankrupt industry. I know it has had a hard road to travel in meeting various kinds of competition and so forth.

With respect to the newly formed agency which my friend, the Senator from Pennsylvania [Mr. GUFFEY] championed, known as the Bituminous Coal Commission, I have not felt that anything has been accomplished down there except fuss and feathers. So it would seem that what is proposed in the pending measure might result in an additional burden. Naturally it would seem to me that the coal States and those in authority there would be the most interested in this proposal. God knows we have no coal in my State, but I do think we should have the opinions of those who are from coal States, such as Kansas, and I am glad to know that the Senator from Kansas has testified with respect to the enactment in his State of very beneficial laws concerning health and safety.

I know that any State would be in better condition due to his efforts. Then I see present other Senators who were

members of the committee and who have been Governors of their respective States. I know they have helped to improve the situation all they could.

Mr. President, I take it for granted that the States are amply able to handle this matter. I think we ought to have at least a statement from representatives of those States which are interested, as to whether or not they think we ought to pile up additional expense, and create an additional number of employees under Mr. Ickes, or someone, and send them out into the highways and byways to investigate. That is why I inquired of the Senator if an inquiry had been made as to what the States particularly interested thought about the suggestion.

Mr. NEELY. Mr. President, I wish particularly to respond to the opinion the Senator from Mississippi expressed concerning the law which was sponsored by our distinguished friend the Senator from Pennsylvania [Mr. GUFFEY]. I think that law amounted to much more than "fuss and feathers." It accomplished a higher degree of stabilization of the coal industry than it had known during the preceding 10 or 15 years, and it afforded 300,000 coal miners who came within its purview much additional prosperity and protection. The Senator from Mississippi has, in my opinion, done the Guffey Coal Act a great injustice.

Mr. HARRISON. Mr. President, I have not kept up with the alleged accomplishments of the Commission under the Guffey Coal Act. I voted for the passage of the act, I will say, because of my very great fondness for the Senator from Pennsylvania, if for no other reason. I am glad to hear something good said about the Bituminous Coal Commission. I am glad to know that it was the means of helping someone. But it is also certainly true that considerable turmoil resulted from certain actions on the part of members of that organization.

Mr. BARKLEY. Mr. President, one of the difficulties that occurred with respect to the regulation of the coal industry under the Guffey Coal Act grew out of a court decision nullifying a price structure which had been set up by the Coal Commission. The Court held that it had not pursued the proper course in arriving at that price structure, because it had not held hearings, or had not given sufficient time for the various elements of the industry to present their case. The Court did not hold that the Commission had no authority to fix the price structure, but that in fixing this particular structure it had not deliberated sufficiently. So the Commission had to back down the hill and start over again.

I think it is true that the results up to now have not been as favorable as were expected at the time the law was passed. Whether that has been the fault of the Commission or whether it grew out of the court's decision nullifying what had been done, perhaps in haste, I do not wish to say; but even though the Coal Commission had not accomplished anything at all, I doubt whether it would be fair to judge the merits of the pending measure on the basis of any failure on the part of the Coal Commission.

While I am on my feet I also wish to say that this bill, in my judgment, may not result in any expense so far as the coal industry itself is concerned. The only thing the bill requires the coal operators to do is to let the agents of the Department of the Interior enter to make the inspection. There is no expense attached to it, so far as the coal industry is concerned. I suppose it is fair to assume there may be a few more employees required in the Bureau of Mines to make these investigations, although I am not certain of that. It is entirely possible that with the present force they could make these investigations, because they are making certain investigations under law now.

Mr. President, I do not want to pass a law based on emotion or sentimentalism growing out of any single accident, but I recall that about a year ago in my State there was a terrific coal-mine explosion which destroyed the lives of a large number of men. Only recently we have been saddened in Kentucky and in West Virginia by the death of 92 men, some of whom came from my State, and worked in mines just

across the State line. These were isolated instances. If they only happened occasionally there might be less justification for bringing about an additional effort to provide safeguards for the lives of these men, but when these things are happening regularly, it seems to me that the more safeguards we can throw around the lives of men who go down into the bosom of the earth to dig out that substance which is so essential to industry and to our homes and to our economic system the better it is, not simply for them, but for the country as a whole.

I appreciate fully the feelings of the Senator from Mississippi with respect to economy and the reduction of expenditures, and the refusal to increase the personnel of the Federal Government. I do not think it is necessary under this bill to do that, although there is authority in the bill for appropriations if they become necessary. That is a matter for the Appropriations Committee to take care of. But I do believe that we will be justified in adding this particular type of inspection to that which is now being conducted by the States, in an effort to prevent these terrible accidents which snuff out in a moment the lives of so many of our people.

Mr. HARRISON. I may say to the Senator from Kentucky that I appreciate the humanitarian aspects of this bill. We all want to try to protect the lives of our people. We all appreciate the hazards incident to the mining industry. But if the States are attending to this matter and doing it efficiently, I see no reason to create a conflict between the Federal Government and the States in the protection of life and the promotion of safety.

Mr. BARKLEY. Mr. President—

The PRESIDING OFFICER (Mr. MINTON in the chair) Does the Senator from Mississippi yield further to the Senator from Kentucky?

Mr. HARRISON. I yield.

Mr. BARKLEY. As I construe this bill it will not cause any conflict, because the Secretary of the Interior cannot use the agencies of the States without the consent of the States. He is authorized to cooperate with the agencies of the States, but not in violation of any laws of the States. He cannot go into them and take over the situation in violation of the law, or do anything except with the cooperation and consent of the States.

Mr. HARRISON. As to the suggestion presented to me that I should not allow any prejudice against the Bituminous Coal Commission to affect my judgment in respect to the pending legislation, I wish to say that I am not so affected. I am not prejudiced against the Bituminous Coal Commission.

I think now it was a useless thing for us to establish that Commission. I do not think we have gotten the beneficial results from it that we expected. My heart goes out to the great mining industry of this country and to those employed in that industry.

I have heard—and members of the committee can tell me whether it is true or not, and, of course, one hears a great deal—that it was stated in the committee that Mr. John L. Lewis, about whom we have all heard, had promised to pass this legislation, and it was going to be passed. Now I have never heard that the Senator made that remark. I say I did not hear that the Senator said that, but I understood it was said in the sessions of the Senate committee.

I do not like to pass legislation under whip and spur. Somehow or other I am not built just that way. Would the Senator object to establishing a limitation, say, of not more than \$25,000 authorized for this work per year? As the bill stands, there is no limit whatsoever.

Mr. NEELY. Mr. President, I have no idea what the cost of the operation of this inspection service will be; but if it is worth creating, its cost ought not to be limited without accurate data on which to base our action. I am compelled to oppose the amendment.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. HARRISON. I yield.

Mr. WHITE. The suggestion of the Senator from Mississippi [Mr. HARRISON] that there should be a limitation in amount on the cost of this service prompts me to call attention specifically to two sections of the bill. Both of them seem to be extraordinary sections. They ought to have a special interest to the Senator from Mississippi [Mr. HARRISON], who is charged with the obligation of suggesting a means for raising funds to carry on the Government, and they ought to be of interest also to the members of the Appropriations Committee.

Section 8 of the bill gives to the Secretary of the Interior authority to appoint, subject to the civil-service laws—

such officers and employees as he may deem requisite for the administration of this act.

There is a blanket authority, without limitation, with neither flooring nor ceiling, for the Secretary of the Interior to appoint anywhere from 1 to 10,000 employees for the administration of the act. I think the usual provision is that we authorize the appointment within the limit of appropriations made by the Congress for the carrying on of an activity of the Government. No such limitation is to be found in the bill.

Then we come to the authorization section, which authorizes the appropriation of "such sums as may be necessary for the due execution of this act." There is no limitation in amount, and no limitation as to time. That, too, seems to me to be an extraordinary provision; for, if I understand the practice of the legislative bodies, we usually authorize an appropriation of not to exceed such an amount for 1 year, and such an amount for another year. Somewhere in our authorizations we put a limit. However, these two provisions of the bill, as I say, are wide open, without ceiling of any character whatsoever.

Mr. GUFFEY. Mr. President, will the Senator from Mississippi yield?

Mr. HARRISON. I wish to ask one question, and then I shall yield to the Senator.

Is the bill recommended by the Secretary of the Interior, or anyone in the Government administrative service?

Mr. NEELY. I have no information concerning the attitude of the Secretary of the Interior toward the bill.

Mr. HARRISON. So far as the committee knows, it is not recommended by any department of the Government?

Mr. NEELY. So far as I know it is not.

Mr. HARRISON. I now yield to the Senator from Pennsylvania.

Mr. GUFFEY. For the information of my distinguished friend from Mississippi, I should like to say that the so-called Guffey Coal Act does not cost the Government a cent. The expenses are met by a small tax on the producers; and the only reason why the price has not been fixed is that such action has been fought for 4 years by the same operators who are now objecting to the passage of the safety bill which is pending before us today.

Mr. HARRISON. That is one of the reasons why I mentioned the Guffey Coal Act. The burden of administering the law is, in part, placed upon the operators.

Mr. GUFFEY. That is correct.

Mr. HARRISON. There is a burden, in view of the condition of the coal industry. It is very easy for an examiner or inspector to go out from the Federal administration, acting under the acquiescence or dictation or suggestions of certain gentlemen, and recommend to some operator some very great changes in the operation of his establishment, which would impose great additional expense. That was why I thought about the Guffey Coal Act in that connection.

Mr. GUFFEY. Legal objection has been made to the bill by operators in West Virginia and Kentucky—very few in Kentucky. I have yet to hear an operator in Pennsylvania complain about any burdensome tax in connection with the cost of administering the proposed law.

Mr. BARKLEY. Mr. President, I should also like to suggest that the coal operators were not by any means unanimous in opposing the Guffey coal bill. Many of them—in fact, I think three-fourths of the coal operators—were urging

the passage of such a law in order that the coal industry might be stabilized and put upon a sound basis.

Mr. HARRISON. I think the Senator is absolutely correct in that statement. I know that every coal operator who talked with me was for it.

Mr. BARKLEY. They were thoroughly familiar with the fact that the burden of the tax, which I believe was 1 cent a ton, was to be placed upon them in order to provide for the expense of the operation of the Guffey Coal Act.

Mr. REED. Mr. President, with the permission of the Senator from West Virginia [Mr. NEELY] I should like to answer the question of the Senator from Maine [Mr. WHITE].

I think perhaps nine-tenths of the bills which I recall, which have passed this body, contained substantially this language:

That there may be made available, out of sums not otherwise appropriated—

And so forth. I do not think 1 bill in 10 which passes the Senate fixes the amount to be spent. The Secretary of the Interior may not spend a cent under the provisions of this bill until the Congress has made the money available, and then he may spend only as much as the Congress makes available. There is no difference between this bill and nine-tenths of the bills which pass this body.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. REED. Yes.

Mr. WHITE. I disagree with the Senator as to the facts. However, whatever the facts may be, I still insist that it is unwise legislation to give authority to any official of the Government to appoint, without limitation, the employees he may seek. I also say that it is unwise to make an unlimited authorization. It is not common practice. I think the common practice is—and I think if the Senator will look over the bills which receive consideration by this body he will so find—that the authorizations are definite in amount. If they are not, they ought to be.

Mr. REED. Under this bill the Secretary of the Interior might appoint, but he could not pay a single employee until the Congress had acted and made an appropriation with which to carry out the provisions of the act.

Mr. NEELY. Mr. President, I ask unanimous consent to make a perfecting amendment. Section 7, on page 7, now reads, in part, as follows:

The Secretary of the Interior shall devolve the execution of the provisions of this act upon any of the existing bureaus or agencies under the Department of the Interior, for the execution of the provisions of this act.

The language is very unhappy. I move to amend it so as to read:

The Secretary of the Interior, when he deems it advisable, shall assign the execution of the provisions of this act to any of the existing bureaus or agencies under the Department of the Interior.

And that all the rest of the sentence should be stricken out.

The PRESIDING OFFICER. Without objection—

Mr. REED. Mr. President, reserving the right to object, I wish to say to the Senator from West Virginia that the Committee on Mines and Mining—and I am dreadfully sorry that the late Senator Logan from Kentucky is not here—framed that language deliberately and intentionally. In other words, it was not the intent of the committee that the Secretary of the Interior should wander around with this authority and put it anywhere he desired. We said that he "shall devolve the execution of the provisions of this act upon any of the existing bureaus or agencies under the Department of the Interior."

Mr. NEELY. Mr. President, will the Senator yield?

Mr. REED. I yield.

Mr. NEELY. I am proposing to change not the meaning but the language.

Mr. REED. That is exactly what the committee intended to be done.

Mr. NEELY. I do not believe that the committee intended to repeat the words "the provisions of this act." I am merely

endeavoring to improve the language without changing the substance.

Mr. BARKLEY. Mr. President, if the Senator will yield, I think the use of the word "devolve" in that sense is a rather awkward way of expressing the intent. As I understand, the verb "devolve" is an intransitive verb. You do not devolve something upon somebody, but it devolves upon somebody. It seems to me the language suggested by the Senator from West Virginia accomplishes the same purpose, but in a little smoother way. The Secretary may not go outside the Department of the Interior to assign the execution of this work to various agencies. He is limited to the Department of the Interior.

Mr. REED. If the Senator wishes to say that the Secretary shall "assign" instead of "devolve," that is all right.

The PRESIDING OFFICER. The Chair suggests that the Senator reduce his amendment to writing and send it to the desk, so that the clerk may state the amendment for the information of the Senate.

Mr. NEELY. Mr. President, after a conference with the Senator from Kansas, I ask unanimous consent to amend the language so as to read as follows:

The Secretary of the Interior shall assign the execution of the provisions of this act to any of the existing bureaus or agencies under the Department of the Interior.

The PRESIDING OFFICER. Without objection—

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. NEELY. I yield.

Mr. ADAMS. Would it not be better if the word were "delegate" rather than "assign"?

Mr. NEELY. I am willing to accept that amendment. The word "devolve" certainly does not express the meaning the committee had in mind.

Mr. REED. I agree with the Senator from Colorado that the word "delegate" would be, perhaps, a good term. I do not find any fault, however, with "devolve" or "assign" or "delegate." I think they all amount to practically the same thing.

Mr. NEELY. Mr. President, I now ask unanimous consent to change the word "assign" to "delegate" so that after the amendment proposed is made, the sentence will read:

The Secretary of the Interior shall delegate the execution of the provisions of this act to any of the existing bureaus or agencies under the Department of the Interior.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. DAVIS and Mr. DANAHER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from West Virginia yield; and if so, to whom?

Mr. NEELY. I yield first to the Senator from Pennsylvania. Then I will yield to the Senator from Connecticut.

Mr. DAVIS. A moment or two ago the Senator from Mississippi directed a question to the Senator from West Virginia asking whether or not representatives of any State agency came before the committee. The Senator from West Virginia stated that he did not recall any Governor or any other State government official coming before the committee.

I know the Senator will appreciate my correcting the statement he made, because John Ira Thomas, secretary of mines of the Commonwealth of Pennsylvania, came before the committee and made a very fine statement, as did M. P. Rhinehart, the chief of the department of mines in the State of West Virginia.

Mr. NEELY. Mr. President, I thank the Senator from Pennsylvania for correcting the error which I unfortunately made. I now remember that the officials named testified before the committee.

Mr. DANAHER. Mr. President—

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Connecticut?

Mr. NEELY. I yield.

Mr. DANAHER. Mr. President, I wish to ask the Senator from West Virginia if the inspection that is sought by this

bill should not properly be extended to all mines? In other words, we could establish the very definite aid that the Senator from West Virginia has in mind if we simply struck from this bill the word "coal" wherever it appears, thus making it apply to mines of every class and character.

Mr. President, I have in mind the mining of silicate, for instance, in connection with which there results an occupational disease that is very deadly. There is no type of occupational disease any worse in its effect or continuing in its result than is silicosis. I point that out to the Senator and inquire if that would not come within the objective and aim of the Senator from West Virginia? If we were to strike out the word "coal" it would give jurisdiction to the Department of the Interior to take steps to obtain information relating to health conditions and occupational diseases in all mines. In that position, under the bill, conditions which should be corrected could be reported upon and corrective measures could be taken. I therefore ask the Senator from West Virginia to bear with me and accept an amendment to strike out the word "coal" wherever it appears in the bill.

Mr. NEELY. Mr. President, I am thoroughly in sympathy with the suggestion of the Senator from Connecticut, and if he or any other Senator will introduce a bill designed to effectuate the purpose to which he refers I will support it, but I hope no one will attempt to encumber the pending bill with the Senator's proposal, because it would mean additional opposition and possibly the defeat of this important measure.

Mr. REED. Mr. President, will the Senator yield?

Mr. NEELY. I yield.

Mr. REED. I may say to the Senator from Connecticut that I am familiar with the coal-mining business in my State, and, perhaps unfortunately, I have had some experience also with the metal-mining business in the State of Arizona. They are two entirely different kinds of mines. Coal mining is affected with a hazard that does not appear in metal mining at all, and that is the presence of natural gas and the accumulation of fine dust which will explode when it reaches a certain density in the entries in the coal mines.

The Senator from Connecticut is correct that there are occupational diseases resulting from other forms of mining. I am very proud that my State of Kansas now has taken action to correct the trouble caused by the inhaling of fine dust growing out of zinc and lead mining; and the largest combined zinc- and lead-mining operations in the United States is again a next-door neighbor to me.

But the problems there are entirely different from the problems in coal mining. I agree with the Senator from West Virginia, and I hope that we will not undertake to load this bill down with a provision of the kind he suggests.

I will say to the Senator from Connecticut I will vote for a bill if he desires to offer one of the type he suggests providing for an investigation of occupational diseases, the most serious of which in metal mining is silicosis. That disease is not incident to coal mining, but there are, among others, two very definite dangers in coal mining, explosions of natural gas and explosions of fine dust. Those are hazards that do not appear in other forms of mining.

Mr. NEELY. Mr. President, I move the adoption of the amendment.

Mr. BARKLEY. Mr. President, wait a moment. I inquire if the amendment offered by the Senator has been voted upon?

The PRESIDING OFFICER. It has. The question is on the first committee amendment which the Chair will consider amended, line 18, page 3, by striking out the word "cities" and inserting the word "States." With that correction, the question is on the first committee amendment as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The other amendments of the committee will be stated.

The CHIEF CLERK. On page 4, section 2, after line 10, it is proposed to strike out:

(b) Upon the submission to the Secretary of the Interior of a petition signed by a majority of the underground workers in a mine subject to the provisions of section 1, or signed by the

authorized employee representatives of a majority of the underground workers in such a mine;

And in line 18, after the word "accident", to strike out "or the facts disclosed in the petition", so as to make the section read:

Sec. 2. The Secretary of the Interior is further authorized and empowered to make or cause to be made the inspections and investigations provided for in section 1 of this act at other than annual intervals in the following situation:

Upon the occurrence of an accident involving bodily injury or loss of life in a mine subject to the provisions of section 1; if in the opinion of the Secretary of the Interior the circumstances of the accident or the facts disclosed in the petition indicate that the making of such inspections or investigations in the mine concerned will be in furtherance of the purposes of this act.

The amendment was agreed to.

The next amendment was, in section 6, page 6, after line 20, to strike out:

(d) To expend the funds made available to him for the protection or advancement of health or safety in coal mines, and for the prevention or relief of accidents or occupational diseases therein, in such lawful manner as he may deem most effective in the light of the information obtained under this act to promote the accomplishment of the objects for which such funds are granted;

So as to make the section read:

Sec. 6. The Secretary of the Interior is hereby authorized and directed—

(a) To report annually to the Congress, either in summary or detailed form, the information obtained by him under this act, together with such findings and comments thereon and such recommendations for legislative action as he may deem proper;

(b) To compile, analyze, and publish, either in summary or detailed form, the information obtained by him under this act, together with such findings concerning the causes of unhealthy or unsafe conditions, accidents, or occupational diseases in coal mines, and such recommendations for the prevention or amelioration of unhealthy or unsafe conditions, accidents, or occupational diseases in coal mines as he may deem proper;

(c) To prepare and disseminate reports, studies, statistics, and other educational materials pertaining to the protection or advancement of health or safety in coal mines and to the prevention or relief of accidents or occupational diseases in coal mines;

(d) To transmit to the Director of the Census, either in summary or detailed form, the information obtained by him under this act, for use in connection with the preparation and compilation of the various Census reports;

(e) To make available for public inspection, either in summary or detailed form, the information obtained under this act.

The amendment was agreed to.

The next amendment was, on page 7, section 7, line 10, after the word "Interior", to strike out "may" and insert "shall"; in line 13, after the word "Interior", to strike out "or may create such new offices or agencies thereunder as he may deem advisable"; and in line 18, after the word "Government", to insert "any State or Territorial government", so as to make the section read:

Sec. 7. The Secretary of the Interior shall devolve the execution of the provisions of this act upon any of the existing bureaus or agencies under the Department of the Interior for the execution of the provisions of this act. In the execution of the provisions of this act, the Secretary of the Interior may also utilize the services of any other instrumentality or agency of the Federal Government, any State or Territorial Government, authorized to make investigations or inspections pertaining to health or safety in coal mines, if the agency or instrumentality concerned consents to such utilization. The Secretary of the Interior may reimburse any such Federal agency or instrumentality for the services rendered by it out of any funds made available to him for the execution of the provisions of this act.

The amendment was agreed to.

The next amendment was, at the top of page 8, to strike out section 8, as follows:

Sec. 8. The Secretary of the Interior may, in his discretion, create and establish an advisory committee to exercise consultative functions, when required by the Secretary, in connection with the administration of this act. The said committee shall be composed of representatives of coal-mine owners and of representatives of coal-mine workers in equal number. The members of said committee shall be appointed by the Secretary of the Interior without regard to the civil-service laws, and shall receive such compensation for their services as the Secretary may fix, not to exceed \$10 for each day actually spent in the work of the committee, together with such necessary traveling and other expenses as may be allowed by the Secretary.

The amendment was agreed to.

The next amendment was, on page 8, new section 8, line 19, after the word "appointed", to strike out "and to prescribe the powers, duties, and responsibilities of all officers and employees engaged in the administration of this act: *Provided, however,* That in the selection of persons for appointment as coal-mine inspectors under this act due consideration shall be given to the experience of the applicant in underground mine work, and in detailing coal-mine inspectors to the inspection and investigation of individual mines due consideration shall be given to their experience in underground mine work in the mining area where such mine is located"; so as to make the section read:

SEC. 8. The Secretary of the Interior shall have authority to appoint, subject to the civil-service laws, such officers and employees as he may deem requisite for the administration of this act; to fix, subject to the Classification Act of 1923, as amended, the compensation of officers and employees so appointed.

The amendment was agreed to.

The PRESIDING OFFICER. Without objection, the sections will be renumbered by the clerk.

That completes the committee amendments.

Mr. HARRISON. Mr. President, I offer the amendment to section 9 which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 9, line 4, it is proposed to strike out the word "are" and insert the word "is"; and in line 6 to strike out "such sums as may be necessary for the due" and insert "a sum not to exceed \$25,000 annually."

Mr. REED. Mr. President, a parliamentary inquiry. May I ask the clerk to state the amendments again. They were not very clear.

The PRESIDING OFFICER. The clerk will again state the amendments.

The amendments were again stated.

Mr. HARRISON. Mr. President, what I seek to do is to strike out the unlimited authorization and provide that not more than \$25,000 annually shall be authorized to be appropriated for the purposes of the bill.

Mr. WHEELER. Mr. President, as a matter of fact, if we limit it to \$25,000 that would not bind the Appropriations Committees of Congress in the future. Let me say that if we are going to have inspection of the coal mines, \$25,000 would not begin to cover it. In the State of Montana there are approximately six or seven different coal districts. There are many coal districts in Pennsylvania, in Kentucky, in Ohio, and in other States of the country. I would not have any objection to limiting the amount, but I think \$25,000 would be entirely inadequate.

Mr. HARRISON. I do not know whether or not the Senator from Montana was present, but we have heard some very eloquent speeches by very distinguished gentlemen, some of whom have been governors of their respective States, praising the fine work of mine protection under the laws of their States and the manner in which those laws are now being enforced. Furthermore, the Senators in charge of this bill have stated that its execution would not require much money.

Mr. WHEELER. I know in my own State the laws in reference to coal mines are being well executed, but, on the other hand, if we are going to have this inspection I am sure that \$25,000 would not possibly cover it.

Mr. REED. Mr. President, will the Senator from Mississippi allow me to ask a question of the Senator from Montana?

Mr. HARRISON. Yes.

Mr. REED. The member of the Mines and Mining Committee did not undertake to determine the cost. I think the substitution of the word "is" for the word "are," as proposed by the Senator from Mississippi, is a very good suggestion. I think the Senator from Montana will agree with me that he would rather leave the amount of money to be appropriated for the administration of this bill, if enacted, to the Appropriations Committee, which could hold suitable hearings and interview the proper officials and determine the amount. As a member of the Mines and Mining Committee that reported

the bill, I frankly say I do not know what the amount should be.

Mr. WHEELER. That was my own thought about it.

Mr. BARKLEY. Mr. President, will the Senator yield there?

Mr. HARRISON. Mr. President, I do not agree with the Senator from Montana, who says that putting a limitation of not over \$25,000 would not prevent the Appropriations Committee from appropriating more. I do not know what authority they would have to make the appropriation if we wrote in the law a limitation that not more than \$25,000 in any one year could be appropriated.

Mr. WHEELER. One Congress cannot bind the next Congress with reference to legislation.

Mr. HARRISON. I appreciate that the Congress could amend this law.

Mr. WHEELER. I think they could change the amount without amending the law, because of the fact that one Congress cannot bind another Congress.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WHEELER. I have the floor. I will yield to the Senator in just a second.

Even if we took the attitude of the Senator from Mississippi with reference to the matter, certainly we should not limit every Congress for the next 50 or 100 years to \$25,000 with reference to this matter. We ought to have some experience with the administration of the law and find out the amount necessary, and we ought to call before the Appropriations Committee the people who know something about it and ask them for their views with reference to it, and let the Appropriations Committee appropriate the necessary amount.

Mr. BARKLEY. Mr. President, will the Senator now yield?

Mr. WHEELER. I yield to the Senator from Kentucky.

Mr. BARKLEY. I agree with the Senator from Mississippi in interpreting the language which he offers as a limitation on the authority of Congress to appropriate money; and in any appropriation bill which exceeded that amount the excess would be subject to a point of order, because the excess had not been authorized.

That is an additional reason why I cannot support the amendment of the Senator from Mississippi, because, if we limit the authorization in this bill, before any more can be appropriated Congress must amend the limitation of the authorization so that the Appropriations Committee will be authorized to bring in a provision carrying a larger amount.

I agree with the Senator from Montana that nobody can tell how much this inspection will cost. We hope it will not be expensive; but a limitation of \$25,000 would not permit the employment of more than a dozen inspectors at \$2,000 per year, which, I should say, would be the minimum we would expect to pay any competent inspector.

Mr. WHEELER. It would not permit the employment of that many.

Mr. BARKLEY. And the employment of 12 inspectors to inspect all the coal mines in the United States would not be an efficient administration of this act.

Mr. WHEELER. Not only that, but their expenses would have to be paid.

Mr. BARKLEY. If the Senator from Mississippi will consider a suggestion, I think what we can accomplish, and what there is no objection to from my viewpoint, would be the following: Instead of his amendment limiting the amount to \$25,000, so that the Appropriations Committee could never exceed it without an amendment of the authority, if the bill were amended on page 8, section 8, so as to read—

The Secretary of the Interior shall have authority to appoint, subject to the civil-service laws, and within the appropriations provided therefor, such officers and employees—

Then the number provided for each year in the appropriation could be appointed; and that, it seems to me, would accomplish what is desired.

Mr. WHEELER. I agree with the Senator. I will also say that, if we are going to limit the appropriation, it seems to me we should not limit it for more than 1 year, because no one in this body knows at this time just how many employees will

be needed. If 12 men were appointed, they could not possibly do the job we want to have done, because certainly they could not be paid less than \$2,000 per year, and then their traveling expenses would have to be paid. We should simply be making the bill ineffective by limiting the total expenditure to \$25,000 per year. We might just as well not pass any legislation at all.

Mr. GUFFEY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. GUFFEY. In Pennsylvania at the present time the law provides for 26 bituminous-coal inspectors at salaries in excess of \$3,000 per year, and 24 anthracite inspectors. We spend over \$400,000 per year in the inspection of coal mines in Pennsylvania. I think we have the best law and the best inspection. So far as I know, the operators in Pennsylvania are not objecting to this legislation to any great extent; and, as I said awhile ago, the same persons who objected to the terms of this bill are now delaying the completion of the hearings on the Guffey coal bill.

For the information of the Senator from Mississippi and my other colleagues, I should also like to say that this bill was drafted by the Bureau of Mines, and sent by the Bureau of Mines to the committee, and submitted through the Senator from West Virginia [Mr. NEELY] to the committee.

Mr. HARRISON. Did the Bureau of Mines recommend this legislation?

Mr. GUFFEY. They did.

Mr. HARRISON. Before the committee?

Mr. GUFFEY. I do not know that they did before the committee, but I know they drafted the legislation.

Mr. HARRISON. Was any testimony taken before the committee?

Mr. NEELY. No; the Bureau of Mines did not have any representative before the committee.

Mr. WHEELER. Mr. President, I should like to say to the Senator from Mississippi that we have a great many coal operators in my State. I have not heard from a single coal operator in protest against this bill. Not a single soul has ever suggested to me that he had any opposition to it, and I certainly think I would have heard from them if they had had any opposition to it. On the other hand, there has been a demand for it upon the part of the coal miners in my State, saying that they thought it necessary to have the bill enacted.

Mr. HARRISON. Mr. President, will the Senator yield?

Mr. WHEELER. I yield to the Senator.

Mr. HARRISON. I may say to the Senator from Montana that we received the other day a Budget message which is of the utmost importance in character; and the more legislation we pass here authorizing appropriations, the more it is going to come back to plague the Senate and the House before we adjourn, either in relation to increasing the national debt or in relation to piling on additional taxes.

So it seems to me we ought to proceed as conservatively as possible. I so often hear that word that I like to use it, because I sometimes feel honored when it is said that I am somewhat conservative; but there ought to be a limitation on this authorization, and no limitation is carried in it. So far as that is concerned, if Mr. Ickes should obtain the approval of the President he could come before the appropriations Committee and request \$500,000,000 for this job, and the authorization for it would be here.

I think there ought to be a limitation; that is all. If \$25,000 is not enough, let us make it \$50,000. Let us have a little harmony.

Mr. WHEELER. Mr. President, it seems to me any limitation on the amount in this bill should be confined to the first year. Then the Department will have a chance to study the matter and find out how much money is required to administer the act. Certainly nobody thinks Mr. Ickes would be able to run away with the Appropriations Committee of the Senate, and I do not believe he would be able to run away with the Appropriations Committee of the House, even if he wanted to.

Mr. HARRISON. Mr. President, I will modify my amendment so as to authorize \$25,000 during the fiscal year 1941, and thereafter \$50,000 annually.

Mr. REED. Mr. President, I beg the Senator from Mississippi not to insist upon that amendment. Nobody can tell now what it is going to cost to administer this bill. We all hope it will not cost very much. Nobody is going to be in so good a position to say what should be appropriated as the Appropriations Committee will be after they have had before them the proper persons, and have obtained the proper information.

I hope the Senator from Mississippi will not insist upon an amendment fixing an amount. I think we can safely trust the Appropriations Committee to hold the appropriation down to the minimum amount that it finds to be necessary for the administration of the bill. If we put a limitation of \$100,000 in the bill we might find it was too much.

I agree with the Senator from Montana that a limitation of the amount to \$25,000 would make the bill absurd. We spend more than that in the State of Kansas in the inspection of coal mines. We are not a great coal-mining State, and yet we have about 8 or 10 mine inspectors. I do not exactly remember the number. That is, we have a chief inspector and deputy inspectors, and we spend a great deal more than \$25,000.

I do not expect the Government of the United States to duplicate the inspection in the States that have good laws. I think they will pass by Kansas and Pennsylvania and some of the other States without paying much attention to them; but I think it would be a mistake to impose a limitation, and I hope the Senator from Mississippi will not insist upon trying to insert any amount, be it large or small, in the bill.

Mr. HARRISON. Mr. President, I should like to ask the Senator from Kansas a question, because he is usually willing to cooperate. The Senator has stated that no estimate is given as to the cost of administration involved in this bill. That is correct, is it not?

Mr. REED. So far as my knowledge goes.

Mr. HARRISON. So far as the record shows. That is what other Senators say. Would the Senator be willing just to let this matter lie in abeyance until we can obtain from the Secretary of the Interior some estimate as to what amount he wants to have placed in the bill?

Mr. REED. No; I should like to dispose of this matter today. I have voted, and the Senator knows that I have voted, with the Appropriations Committee, and usually take its recommendations; and I stand here today and say that I will take on this bill the recommendations and the amount fixed by the Appropriations Committee after it has adequate information from the people who know.

Mr. NEELY. Mr. President, I do not want to continue the debate. I hope that we may have a vote at once. But I remind the friends of the proposed legislation that a vote for the amendment is equivalent to a vote against the bill. It will be utterly worthless if the amendment is adopted.

There are 6,000 mines in the United States to be investigated and examined; and, of course, as the Senator from Montana has said, \$25,000 is simply a ridiculous sum to suggest as compensation for this service. There ought to be no limitation in the bill. The amount should be left to the Appropriations Committee. With Members like the distinguished Senator from Virginia [Mr. GLASS] on the Appropriations Committee, there is not the slightest danger that Mr. Ickes or anyone else will obtain a greater appropriation than the facts justify and the case demands.

Mr. BARKLEY. Mr. President, just a word. I always find it unpleasant to oppose any amendment offered by my friend the Senator from Mississippi, but I am compelled to oppose this one, because I think it is unusual, in a bill of this character, to fix a limitation on the amount that the Appropriations Committee may recommend for its administration. It is not done in 1 case out of 20, as I recall the legislative history of such bills. I entirely agree that we cannot tell what this bill will cost until there has been some experience in its administration.

I do not think the appropriation of \$25,000 would be of any value, if it is to cost anything at all to do this work, because there will have to be a sufficient number of inspectors to go

into all the mines once a year. It would mean that they would be all-time employees, that they would have no vacations, in all likelihood. A dozen inspectors, which number would consume the entire \$25,000, to say nothing about traveling expenses, would not be able to get around during the year and inspect all the mines.

I think this amendment should be rejected, and if it is rejected, unless someone else shall offer an amendment, I will offer one in section 8, so as to make the section read:

The Secretary of the Interior shall have authority to appoint, subject to the civil-service laws, and within the appropriations provided therefor—

And so forth. That would leave it each year to the Committee on Appropriations to determine how many of these inspectors could be appointed, and I think that should be a fair settlement of the matter. If the Senator from Mississippi could accept that proposal, so that the matter would be left each year to the Committee on Appropriations, he might feel that he could withdraw his amendment.

Mr. REED. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. REED. I do not consider myself as being in charge of the bill, the Senator from West Virginia having introduced the bill. I merely happen to be a member of the committee which considered it and reported it, but if the Senator from West Virginia will agree, so far as I have any authority I shall be very happy to accept the suggestion made by the Senator from Kentucky and agree that the language he suggests shall be written into the bill. What was the language?

Mr. BARKLEY. "Within the appropriations provided therefor," so that the Secretary of the Interior could not appoint anyone beyond the appropriations provided by Congress for the purpose.

Mr. NEELY. Mr. President, the Secretary of the Interior undoubtedly would not appoint anyone who was not within the purview of the appropriations, anyway, so I shall not prolong the agony by resisting the suggestion of the Senator from Kentucky.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Mississippi [Mr. HARRISON].

Mr. HARRISON. Mr. President, I withdraw the amendment.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. BARKLEY. Mr. President, I offer the amendment which I have heretofore suggested.

The PRESIDING OFFICER. The Clerk will state the amendment.

The CHIEF CLERK. On page 8, line 15, after the word "laws" and the comma, it is proposed to insert the words "and within the appropriations therefor" and a comma.

The amendment was agreed to.

Mr. DANAHER. Mr. President, I offer an amendment, which I send to the desk.

The PRESIDING OFFICER. The Clerk will state the amendment.

The CHIEF CLERK. It is proposed to strike out the word "coal" wherever it appears.

Mr. DANAHER. Mr. President, let me briefly recall the declared objectives of the bill. They are to assist those engaged in hazardous occupations by eliminating the occupational diseases commonly incident to work in mines. The conditions which it is desired to remedy do not exist only in coal mines—they exist in a great many other mines—and we can accomplish the entire objective by merely striking the word "coal" from the bill wherever it appears.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut. The amendment was rejected.

The PRESIDING OFFICER. If there be no further amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill (S. 2420) was ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. MINTON in the chair) laid before the Senate messages from the President of the United States submitting sundry Army nominations and withdrawing a nomination, which were referred to the Committee on Military Affairs.

(For nominations this day received and nomination withdrawn, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nomination on the calendar passed over at the time of the last call of the calendar.

The legislative clerk read the nomination of Jessie B. Searle to be postmaster at Redrock, Okla.

Mr. BARKLEY. Mr. President, on the last call of the Executive Calendar the nomination of Jessie B. Searle was passed over at the request of the Senator from Tennessee [Mr. McKELLAR]. I do not know whether the circumstances have been altered which resulted in the nomination being passed over, but I suggest that it still be passed over.

The PRESIDING OFFICER. Without objection, the nomination will be passed over.

RURAL ELECTRIFICATION ADMINISTRATION

The legislative clerk read the nomination of Harry Slattery, of South Carolina, to be Administrator.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

WORK PROJECTS ADMINISTRATION

The legislative clerk read the nomination of Lawrence Westbrook, of Texas, to be regional director in region VI.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc. That concludes the Executive Calendar.

ADJOURNMENT

The Senate resumed legislative session.

Mr. BARKLEY. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 30 minutes p. m.) the Senate adjourned until tomorrow, Friday, January 19, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate, January 18, 1940

APPOINTMENT BY TRANSFER IN THE REGULAR ARMY TO COAST ARTILLERY CORPS

Second Lt. Alfred Allen Maybach, Infantry, with rank from June 12, 1937.

PROMOTIONS IN THE REGULAR ARMY

MEDICAL CORPS

To be lieutenant colonel

Maj. James Rhea McDowell, Medical Corps, from February 8, 1940.

To be captains

First Lt. John Brancato, Medical Corps, from February 5, 1940.

First Lt. Eldred La Monte Gann, Medical Corps, from February 28, 1940.

DENTAL CORPS

To be captains

First Lt. Thayne Foster McManis, Dental Corps, from February 1, 1940.

First Lt. Francis Emmett Cummings, Dental Corps, from February 1, 1940.

VETERINARY CORPS

To be captain

First Lt. Don Lee Mace, Veterinary Corps, from February 10, 1940.

CHAPLAIN

To be chaplain with the rank of lieutenant colonel

Chaplain Paul Bertram Rupp (major), United States Army, from February 5, 1940.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 18, 1940

RURAL ELECTRIFICATION ADMINISTRATION

Harry Slattery to be Administrator of the Rural Electrification Administration.

WORK PROJECTS ADMINISTRATION

Lawrence Westbook to be regional director, Work Projects Administration, for region VI.

POSTMASTERS

DELAWARE

Charles F. Wilson, Harrington.
Charles J. Gormley, Hockessin.
Roland F. Quillin, Laurel.
Inga K. Tubbs, Selbyville.
Davis H. Bell, Smyrna.
Edwin J. Touhey, Yorklyn.

INDIANA

Lloyd L. Locke, Bridgeport.
Geraldine Marquis, Bunker Hill.
Irvin J. L. Harmeier, Cambridge City.
Clyde E. Perigo, Chandler.
Homer L. Mitchell, Clinton.
Harvey E. Hull, Cromwell.
Clarence T. Custer, Dupont.
Raymond McClain, Greenwood.
Russell Armstrong, Hazelton.
Ray Friday, Idaville.
William S. Courtney, Jamestown.
Ralph L. Strickler, Ladoga.
Stella Cisco, Madison.
Justina E. Meyer, Monroeville.
John E. Lehr, Mulberry.
Perry H. McCormick, North Judson.
Milton E. Storer, St. Joe.
Asa E. Reynolds, Wabash.

KENTUCKY

Roy H. Stiles, Cecilia.
Richard T. Von Hoene, Covington.
Mildred Fiechter, Cumberland.
Lola McCoy, Dry Ridge.
Oddie E. Culp, Gilbertsville.
Susannah Elizabeth Forston, Lyndon.
Theodore C. Campbell, Springfield.

MICHIGAN

William B. Horsey, Auburn Heights.

OKLAHOMA

Robert Nash, Antlers.
Ortho Voorhees Stevens, Collinsville.
Ernest R. Unger, Sapulpa.
Eliam A. Davis, Thomas.

WISCONSIN

Joseph A. Kumhera, Almena.
Otto Hussa, Bangor.
Roland J. Osborne, Baraboo.
John V. Kircher, Barton.

Selmer M. Alvey, Bruce.
Louis F. Reuschlein, Burlington.
John Agnew, Cadott.
William J. Sullivan, Campbellsport.
Myrvin C. Hoey, Centuria.
Lincoln C. Holmes, Clear Lake.
Oliver R. Weinandy, Cochrane.
Mortimer M. Bartley, Columbus.
Nels O. Neprud, Coon Valley.
Sherman V. Wolf, Crivitz.
Josephine M. De Lano, Elm Grove.
Samuel M. Hogenson, Ephraim.
John H. Poh, Forestville.
Florence M. Kuehl, Genesee Depot.
August B. Zabolio, Genoa.
Joseph W. Sazama, Hatley.
John P. Peterson, Hawkins.
William A. Christians, Jr., Johnson Creek.
Alfred C. Grosvenor, Kenosha.
Hallie M. Norris, La Farge.
Hazel I. Hicks, Linden.
Orin W. Livingston, Livingston.
Philip A. Kinney, Mason.
David A. Holmes, Milton.
Elsie T. Abraham, Minocqua.
Norman H. Adams, Minong.
August W. Schiereck, Plymouth.
Clifford T. Peterson, Poplar.
Paul G. Pederson, Prairie Farm.
William F. Garvin, Rio.
Agn K. Means, Rothschild.
Stannie Sigurdson, Sister Bay.
Mae B. McCoy, Sparta.
Laurence Driscoll, Spencer.
Ferdinand A. Hirzy, Stevens Point.
Pearl E. Boots, Sussex.
Gaylord Helmick, Three Lakes.
Thomas J. Kelley, Tomahawk.
Nyole E. Creed, Unity.
Harry P. Bowen, Watertown.
Magnus Magnusson, Washington Island.
John Michels, Waunakee.
Harold J. Christ, Wausaukee.
Edmund L. Premeau, Westboro.
Carl C. Schlecht, Woodruff.

WITHDRAWAL

Executive nomination withdrawn from the Senate January 18, 1940

POSTMASTER

CONNECTICUT

Edward J. Champion to be postmaster at Eagleville, in the State of Connecticut.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 18, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Spera Montgomery, D. D., offered the following prayer:

Blessed Lord and Master, whose heart is fatherly and pitying, we pray Thee to inspire us that the tides of Thy spirit may bring to us cleansing, refreshment, and power; enable us to hold high the honor of the soul. Teach us the lesson that Thou wouldst have us learn—the virtue of humility, the nature of real wealth, and that life is more than meat. O Heavenly Father, these are the virtues that will enable us to regain our lost estate and our self-mastery.

Remember the youth, dear Lord, who crowd the schools of our country. Allow no barriers of security to be broken down nor habits to creep in to weaken the strength of their characters. Oh, keep and shelter all those boys and girls who crowd through the gates of the city to face the tempta-

tions and struggles of city life. Do Thou hear the prayers from the home altars of hillside and prairie, prayed on behalf of them who have left their own firesides. We beseech Thee, Heavenly Father, that the youth of our land may find their way to the church of the living God and to the altar of prayer. In the Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On January 13:

H. R. 6832. An act to provide for the protection of witnesses appearing before any department, independent establishment, or other agency of the United States, or the Congress of the United States.

On January 17:

H. R. 884. An act to add certain lands to the Siuslaw National Forest in the State of Oregon;

H. R. 3051. An act for the relief of certain workers performing emergency work at Cairo, Ill., in the Ohio River flood of 1937;

H. R. 3363. An act for the relief of the American Insurance Co. of New Jersey;

H. R. 3912. An act for the relief of the heirs of John Cauley, deceased;

H. R. 4813. An act for the relief of the estates of Marie R. Morkovsky and Alphons Morkovsky, both deceased;

H. R. 5369. An act for the relief of Maj. Noe C. Killian;

H. R. 5919. An act to provide for the refunding of the bonds of municipal corporations and public-utility districts in the Territory of Alaska, to validate bonds which have heretofore been issued by a municipal corporation or any public-utility district in the Territory of Alaska, and for other purposes;

H. R. 6804. An act for the relief of George E. Miller; and

H. R. 7327. An act for the relief of the Nevada Silica Sands, Inc.

EXTENSION OF REMARKS

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD, and to include therein a bill which I am introducing to extend opportunities at Annapolis and West Point for the sons of disabled war veterans.

Mr. RAYBURN. Mr. Speaker, reserving the right to object, I trust the gentleman from Connecticut will not insist upon his request. So many similar requests occurred last year that I had to make the announcement that when there was a legislative program in the House for that day I would object to speeches being extended in the RECORD before consideration of the legislative program. I would much prefer that the gentleman extend his remarks in the Appendix.

Mr. SHANLEY. Or I might ask for a special order at the end of the proceedings today.

Mr. RAYBURN. Yes; the gentleman could do that.

Mr. SHANLEY. Mr. Speaker, I withdraw my previous request and ask unanimous consent that at the conclusion of the legislative business for the day and any other special order that may have been entered I may address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

THE LATE HONORABLE ARSENE P. PUJO

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. DEROUEN. Mr. Speaker, it is with deep regret that I announce the death of Hon. Arsene P. Pujo, former Representative from the Seventh Congressional District of Louisiana, Democrat and eminent statesman of the Theodore Roosevelt era.

As a Member of the House of Representatives, Mr. Pujo represented the people of the district whom I have the great honor to represent at this time. The older Members of this body will remember the splendid service which he rendered here, particularly his services as chairman of the Banking and Currency Committee and subcommittee investigating the Money Trust in 1912.

Mr. Pujo was born at Rose Bluff on the Calcasieu River, a few miles below Lake Charles, La., on December 16, 1861, the son of Paul Pujo and Eloise Minerva LeBleu Pujo. His father, Paul Pujo, was born at Tarbes, Hautes-Pyrénées, France, May 4, 1815. Pascal Pujo, his grandfather, was a soldier in Napoleon's armies. Rose Margaret de Broca, grandmother of Arsene P. Pujo, was a daughter of Count Paul Francois de Broca, of Tieste, Hautes-Pyrénées, France.

Educated in the public and private schools of Lake Charles, former Congressman Pujo was admitted to the bar in 1886, and practiced in Lake Charles until his demise, January 1, 1940. In 1889 he married Miss Gussie Brown, of Orange, Tex., and of this union were born his two surviving daughters—Mrs. Elaine Pujo Riley, wife of W. Boatner Riley, and Mrs. Mona Pujo Molter, wife of Col. Bennett Molter, both of New Orleans.

Elected a Member of the Fifty-seventh Congress from the Seventh Louisiana District, this able statesman, whose name was a household word throughout America at the turn of the century, served in Congress from March 3, 1903, until his retirement in March 1913. He is best remembered for his leadership in the so-called Money Trust investigation of 1912, conducted by the Banking and Currency Committee and a subcommittee thereof, over both of which he presided as chairman. This was the climax of the Lake Charles man's brilliant career in national politics, as he retired at the end of his term of the Sixty-second Congress, and the data assembled and the report made to Congress by the Pujo committee showed plainly the necessity of remedial financial and monetary legislation as a means of preventing financial panics.

The investigation, for which Samuel Untermyer was engaged as counsel for the committee, continued after Mr. Pujo's retirement from Congress in 1913 under the chairmanship of CARTER GLASS, of Virginia, and resulted in the Federal Reserve Act.

Distinguished by devotion to duty, mastery of details, a friendly manner, and the respect in which he was held by political friend and foe, Arsene Pujo bore with becoming grace the honors which were awarded his industry and ability. A consistent Democrat, intimates declare he was a man of individualistic views. His loyalty to his constituents can best be summed up in the simple phrase, "servant and agent of the people."

I speak for the entire Louisiana delegation in endorsing the prominent and useful life which former Representative Pujo so richly enjoyed. He will be missed by the State which honored him many times, and his death is mourned by his many friends.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute to make an announcement.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN. Mr. Speaker, I wish to announce that because of illness my colleague the gentleman from Mississippi [Mr. COLLINS] is unable to be present today.

EQUALIZATION OF SALARIES OF LETTER CARRIERS—CONFERENCE REPORT

Mr. BURCH. Mr. Speaker, I present a conference report and statement on the bill (H. R. 2001) for the equalization of letter carriers, for printing in the RECORD under the rule.

EXTENSION OF REMARKS

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the occasion of the passing of one of our distinguished leaders, Dr. Kelly Miller, a great educator, and to include his last interview with Frederic Wile.

The SPEAKER. Without objection, it is so ordered.
There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.
There was no objection.

Mr. VOORHIS of California. Mr. Speaker, in recent months there has been a good deal of interest in a certain bill that I introduced providing for what I call a constitutional and scientific monetary system. A great many people have sent petitions in requesting that hearings be granted on this bill. On one occasion at least the notices of those petitions consumed several pages of the RECORD. Of course, the right of petition is guaranteed to the people by the Constitution itself, but I asked for this time in order to give some encouragement to my good friends, notably the gentleman from Pennsylvania, because today I have only 1 petition which has 1,131 names on it, the notice of which, however, will take only a tiny paragraph in the RECORD, but it indicates quite as much support to the bill. I want to extend my heartfelt thanks here before the House to Mr. Roy Howard, of Arcadia, who circulated this petition without even being asked to do so and without gaining one single thing for himself except the knowledge that he has signally served a just cause in which he, like myself, earnestly believes.

EXTENSION OF REMARKS

Mr. BUCKLER of Minnesota. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a resolution passed by the Farm-Labor Association of Minnesota.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. BUCKLER]?

There was no objection.

Mr. LEMKE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein two short opinions of the Supreme Court of the United States in regard to section 75 of the Bankruptcy Act.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota [Mr. LEMKE]?

There was no objection.

Mr. BURDICK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to be permitted to quote from House reports and decisions of the courts in regard to Indian jurisdictional claims. I apprehend this will exceed the allowable limit, but it is within the \$45 additional limit.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota [Mr. BURDICK]?

There was no objection.

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short weekly letter from a former Member of this body, Congressman Pettengill, on a subject that is uppermost in the minds of most of the American people, and I am sure it is uppermost in the minds of most of the Members of this House—the Dies committee.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. MASON]?

There was no objection.

Mr. DITTER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a radio talk that I gave over the Columbia Broadcasting System on January 6.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. DITTER]?

There was no objection.

CALL OF THE HOUSE

Mr. HINSHAW. Mr. Speaker, I make the point of order that there is not a quorum present.

The SPEAKER. Obviously there is not a quorum present.
Mr. WOODRUM of Virginia. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 7]

Allen, La.	Dies	Johnson, Okla.	Randolph
Austin	Douglas	Kelly	Reece, Tenn.
Barton	Edmiston	Kirwan	Risk
Bell	Elliott	Knutson	Romjue
Boland	Evans	Lea	Sabath
Buckley, N. Y.	Fernandez	McDowell	Schwert
Byrne, N. Y.	Flannery	McGranery	Shannon
Byron	Folger	McKeough	Short
Casey, Mass.	Ford, Miss.	McMillan, Clara	Smith, Va.
Celler	Ford, Leland M.	Maclejewski	Somers, N. Y.
Chapman	Geyer, Calif.	Maloney	Steagall
Clark	Green	Mansfield	Sullivan
Cole, Md.	Gross	Merritt	Taylor
Collins	Hall, Leonard W.	Mouton	West
Creal	Hawks	Murdock, Ariz.	Wheat
Crosser	Hennings	Norton	Wigglesworth
Crowther	Hinshaw	O'Brien	Wolfenden, Pa.
Culkin	Hope	Osmer	Wolverton, N. J.
Darden	Jarrett	Parsons	Wood
Darrow	Jeffries	Plumley	

The SPEAKER. Three hundred and forty-four Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ARMY AIR CORPS EXHIBITION

Mr. HARTER of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HARTER of Ohio. Mr. Speaker, you have all received invitations to attend the exhibition to be given by the Army Air Corps at Bolling Field tomorrow afternoon. There will be demonstrated there the latest developments in aircraft and aeronautical supplies. I hope as many of you will attend as can conveniently find it possible. You will find there the most modern military planes, and you will have an opportunity of seeing how the money that has been appropriated by the Congress for the expansion of the Air Corps is being expended.

ANNOUNCEMENT

Mr. HEALEY. Mr. Speaker, I wish to announce that my colleague the gentleman from Virginia [Mr. SMITH] was not present during the quorum call just completed because of his presence at a meeting of the Special Committee to Investigate the National Labor Relations Board.

EXTENSION OF REMARKS

Mr. ANDERSON of Missouri. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the National Tribune.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. PATRICK asked and was given permission to extend his own remarks in the RECORD.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to revise and extend in the RECORD the remarks I made on the floor of the House yesterday.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. BUCK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution adopted by the Young Democrats Club of Sacramento.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

AMENDMENT OF BANKRUPTCY ACT

Mr. SUMNERS of Texas. Mr. Speaker, with the agreement of the Committee on the Judiciary, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6505) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas? (After a pause.) The Chair hears none, and appoints the following conferees: Mr. SUMNERS of Texas, Mr. CELLER, Mr. McLAUGHLIN, Mr. GUYER of Kansas, and Mr. REED of Illinois.

GOLDEN GATE INTERNATIONAL EXPOSITION

Mr. HAVENNER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 419) to amend the joint resolution entitled "Joint resolution providing for the importation of articles free from tariff or customs duty for the purpose of exhibition at the Golden Gate International Exposition to be held at San Francisco, Calif., in 1939, and for other purposes," approved May 18, 1937, as amended.

The Clerk read the title of the joint resolution.

The Clerk read the joint resolution as follows:

Resolved, etc., That the joint resolution entitled "Joint resolution providing for the importation of articles free from tariff or customs duty for the purpose of exhibition at the Golden Gate International Exposition to be held at San Francisco, Calif., in 1939, and for other purposes," approved May 18, 1937, as amended, is amended by striking out the words "within 3 months" wherever appearing therein and inserting in lieu thereof the words "within 6 months."

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. WOODRUM of Virginia. Mr. Speaker, I reserve the right to object until the gentleman makes some explanation of what the joint resolution covers.

Mr. HAVENNER. Mr. Speaker, this joint resolution merely amends a similar resolution passed by the Congress 2 years ago by extending the time limit on the importation of articles free of tariff or customs duty for the purpose of exhibition at the Golden Gate International Exposition; and, by an amendment of the Committee on Ways and Means, a similar extension is provided for articles imported for purposes of exhibition at the New York World's Fair. This merely authorizes an extension of time, which is made necessary at this time by reason of the fact that the previous act will expire on January 29.

Mr. WOODRUM of Virginia. Is not the exposition over?

Mr. HAVENNER. The exposition will be continued during 1940, as will the New York World's Fair.

Mr. WOODRUM of Virginia. Does the passage of this resolution in any way, directly or indirectly, commit the Congress to any further appropriation of funds?

Mr. HAVENNER. It does not. It is presented merely for the purpose of enabling the Congress to consider any future legislation that may be submitted.

Mr. WOODRUM of Virginia. The passage of this resolution will not be construed by my colleague as any intimation whatever that Congress will be obligated to appropriate any additional funds?

Mr. HAVENNER. It will not.

Mr. DIRKSEN. Reserving the right to object, Mr. Speaker, may I ask the gentleman if the goods on which the tariff is relented are used for commercial purposes on the exposition grounds? For instance, are they used for serving lunches or serving drinks to the people in competition with the restaurant facilities in that area, and is private profit derived as a result of the sale of the articles on which the tariff is removed?

Mr. BUCK. Reserving the right to object, will the gentleman from California permit me to answer that question?

Mr. HAVENNER. I shall be pleased to have the gentleman answer the question.

Mr. BUCK. No duties are abrogated or removed. As soon as a sale is made on or off the exposition grounds, the duty must be paid on the article sold. However, the importers who brought in their goods for exhibition have 3 months after the close of the two expositions either to remove the goods involved and return them to the country of exportation or to destroy them. This period expires on the 29th of this month. It is desired to permit the importers to retain their goods in the United States, under the present condition of paying duty when a sale is made, until the reopening of the two expositions.

Mr. RICH. Reserving the right to object, Mr. Speaker, may I ask the gentleman from California if this will in any way cause the Members of Congress to realize that the delegation from California will ask us for an additional appropriation for the fair in California?

Mr. BUCK. I believe the gentleman from California [Mr. HAVENNER] has already answered that question.

Mr. SCHAFER of Wisconsin. Reserving the right to object in order to ask a question, Mr. Speaker, I see from the press that the Communist Soviet Government is withdrawing from the fair. If this resolution is enacted, will the Soviet Communist Government still be permitted to bring its exports into America for sale under this resolution?

Mr. HAVENNER. As far as I know, the Soviet Government did not bring any exhibits to San Francisco, I may say to the gentleman from Wisconsin, but I presume that this resolution would apply to them. The resolution as drawn applies, as far as San Francisco is at present concerned, to the Latin-American republics, China, and the Philippines. I believe, however, that it may be amended in order to apply to all foreign governments.

Mr. BUCK. Further reserving the right to object in order to answer the gentleman from Wisconsin, may I say that I understand the Russian exhibits, whatever they may be, have already been removed or will be removed shortly. The Russian imports that were exhibited at New York—there were none at San Francisco—have either already been shipped back to Russia or will be returned shortly.

Mr. SCHAFER of Wisconsin. If this resolution extending the time becomes law, the Russian Government will not come under it, except for actual exhibits at the fair, and since they have withdrawn from the fair, they will not be using this as a vehicle to sell their goods here in America.

Mr. BUCK. That is my understanding, but even if they did sell them, they would have to pay the full duty.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 2, after line 3, insert:
"Sec. 2. That the joint resolution entitled 'Joint resolution to permit articles imported from foreign countries for the purpose of exhibition at the New York World's Fair 1939, New York City, N. Y., to be admitted without payment of tariff, and for other purposes,' approved August 16, 1937, as amended, is amended by striking out the words 'within 3 months' wherever appearing therein and inserting in lieu thereof the words 'within 6 months.'"

The committee amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a radio speech therein.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. KRAMER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an address by John W. Carmody, Public Works Administrator.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

THE LATE WILLIAM I. SIROVICH

Mr. KRAMER. Mr. Speaker, I ask unanimous consent to insert in the RECORD at this point a resolution adopted by the Committee on Patents in executive session this morning on the death of our late colleague, Hon. William I. Sirovich, of New York.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The matter referred to follows:

RESOLUTION BY THE COMMITTEE ON PATENTS

Whereas in the recent recess of Congress the Committee on Patents has suffered the loss of its late chairman, the Honorable WILLIAM I. SIROVICH, whose guidance and counsel has contributed so greatly to the success of its legislative program: Now, therefore be it

Resolved, First, that the Committee on Patents of the Seventy-sixth Congress record its appreciation for the splendid services rendered it by its late chairman, the Representative of the Fourteenth Congressional District of New York in the Seventy-sixth Congress of the United States;

Second, that the Committee on Patents is deeply sensible of the fact that in the death of the Honorable WILLIAM I. SIROVICH, its late chairman, the Nation has suffered the loss of one of its most loyal and self-sacrificing, high-minded, and humanitarian citizens, an uncompromising champion of democracy and freedom; the House of Representatives of the United States has been bereft of an enterprising, clear-thinking, cultivated, and industrious Member, passionately devoted to the welfare of his fellow man; and this committee has been deprived of a spirited supporter and tireless sponsor of legislation designed to protect the rights of the author and the composer, and to foster the development of the arts and sciences in America, as well as the best interests of all the various subjects falling to the jurisdiction of this committee;

Third, that the Committee on Patents will miss the generous support and sensible counsel of the Honorable WILLIAM I. SIROVICH in its deliberations;

Fourth, that the chairman of the Committee on Patents is hereby authorized to request that a copy of this resolution be made a part of the CONGRESSIONAL RECORD; and

Fifth, that the clerk of the Committee on Patents is hereby directed to make this resolution a part of the committee records and to transmit a copy of it to the family of the deceased.

Adopted by the Committee on Patents January 18, 1940.

EXTENSION OF REMARKS

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a speech of I. W. Duggan, director of the southern division of the A. A. A., delivered before the American Farm Economic Association in Philadelphia, Pa.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. DONDERO asked and was given permission to extend his own remarks in the RECORD.

Mr. FADDIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD about the activities of the men arrested recently in New York in a plot against the United States, and to include therein an editorial from the Washington Observer.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ELSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a brief article from the Cedar Rapids Gazette.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MARTIN of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an article by the Architect of the Capitol, Mr. David Lynn, which was prepared at my request.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a brief editorial on the reciprocal-trade agreements appearing in the Omaha World-Herald, an independent newspaper.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

VETO MESSAGE OF THE PRESIDENT (H. DOC. NO. 571)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H. R. 3087 (76th Cong., 1st sess.), an act for the relief of the Gdynia America Line, Inc., of New York City, N. Y.

This bill authorizes and directs the payment by the Secretary of the Treasury to the Gdynia America Line, Inc., of the sum of \$2,520, in full payment for duplicate revenue stamps purchased and attached to the manifests of the motorship *Batory*, belonging to the corporation, the original revenue stamps purchased for this purpose having been lost or destroyed in some unknown manner. The bill also directs the Secretary of the Treasury to require the corporation to give a surety bond to the United States in the amount of \$2,520 to indemnify the Government in the event the original revenue stamps are recovered, the bond to run for such period of time as the Secretary shall prescribe.

The act of May 12, 1900, relating to the redemption of stamps, as amended by section 1013 (a) of the Revenue Act of 1924, and now embodied in section 3304 of the Internal Revenue Code, provides in part as follows:

That the Commissioner of Internal Revenue, subject to regulations prescribed by the Secretary of the Treasury, may, upon receipt of satisfactory evidence of the facts, make allowance for or redeem such of the stamps, issued under authority of law, to denote the payment of any internal-revenue tax, as may have been spoiled, destroyed, or rendered useless or unfit for the purpose intended, or for which the owner may have no use, or which through mistake may have been improperly or unnecessarily used * * * but no allowance or redemption shall be made in any case until the stamps so spoiled or rendered useless shall have been returned to the Commissioner of Internal Revenue, or until satisfactory proof has been made showing the reason why the same cannot be returned; or, if so required by the said Commissioner, when the person presenting the same cannot satisfactorily trace the history of said stamps from their issuance to the presentation of his claim as aforesaid.

Since the company could not produce the stamps, nor make satisfactory proof showing that they were destroyed, and hence could not be produced, as required by the provisions of law above quoted, and the regulations promulgated thereunder, a claim filed by the company for redemption of the stamps was rejected.

The requirements of the above-quoted act and the regulations thereunder are for the purpose of protecting the revenue. Unused documentary stamps in circulation, even though temporarily lost or misplaced, may, if found, be used to satisfy a stamp tax liability; therefore, to refund money paid to collectors for temporarily lost or misplaced stamps would open the door to frauds upon the revenue. A knowledge of the denomination and serial number of such stamp would in itself afford no guaranty that they would not be later used by the finder or by some innocent purchaser.

While a surety bond such as the Secretary of the Treasury is directed by the bill to require of the company might appear to constitute an adequate safeguard if the lost stamps are subsequently found by the company, and used by it, it is obvious that the bond would be ineffective if the stamps were found and used by other persons, as the method of field verification in stamp taxes does not ordinarily include a recordation of the serial numbers appearing on stamps of large denomination.

I have on prior occasions expressed my belief that the field of special legislation should not be opened to relieve special classes of taxpayers from the uniform operation of the revenue laws. The circumstances stated above do not justify the exception made by H. R. 3087 to the uniform operation of the law and regulations relating to the redemption of internal revenue stamps.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 18, 1940.

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Mr. KENNEDY of Maryland. Mr. Speaker, I move that the message, together with the bill, be referred to the Committee on Claims and ordered printed.

The motion was agreed to.

INDEPENDENT OFFICES BILL, 1941

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 7922) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1941, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 7922), with Mr. WARREN in the chair.

The Clerk read the title of the bill.

Mr. GIFFORD. Mr. Chairman, where will the Clerk begin to read?

The CHAIRMAN. On page 64, at the paragraph respecting the Smithsonian Institution.

Mr. GIFFORD. Mr. Chairman, I move to strike out the last word.

Mr. WOODRUM of Virginia. Mr. Chairman, I have no objection to the gentleman speaking, but the Clerk had already begun reading the next paragraph, involving the Smithsonian Institution, when the Committee rose.

The CHAIRMAN. That is true. The Clerk had started the reading of it but had not completed it. Therefore, the Chair would hold that any amendments to the Security and Exchange Commission, that is to the second paragraph of that provision on page 64, would be in order. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. GIFFORD. Mr. Chairman, I cannot let this Security and Exchange Commission provision in the bill go by without comment, because the Committee on Appropriations seems to be the only place where any review of their activities is made. If you will read the report from that committee you will see there is not a very lengthy statement presented. The tables show how little new business for expansion has been registered. Unquestionably this Commission has been the greatest deterrent to business that we could possibly have devised. Though legislation may have been badly needed, there ought to be, by this time, some sort of a committee to go over their rules and regulations and their decisions to see whether or not the law ought not to be amended or clarified. I greatly deplore the fact that we cannot write legislation sufficient to deter wrongdoers, and then let the people aggrieved make complaint and the courts decide the issue. Rather have we set up a force of policemen on every corner, and no one is allowed to proceed unless he is first investigated.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. If the gentleman will get me 3 extra minutes.

Mr. RANKIN. I cannot do that, I am afraid.

Mr. GIFFORD. Then I cannot yield. I always prefer to yield. We imagine these people who are involved and who, as they claim, are intimidated and terrorized, dare not make complaint. I have a scrapbook containing much comment on the activities of this Commission during the last several

years. Always in a certain important Sunday newspaper there appears some complaint. There has been a panorama of changes in the chairmanship of that Commission. They do not seem to remain on any permanent footing of determination of their decisions and intentions. They now have arrived at a point where they seem in grave disagreement among themselves. There are close decisions that ought to be given attention by the framers of the law. The point I bring out is that while it is necessary for them under the law to act relating to former crookedness, and there was plenty of such, yet I notice that the gentleman from New York, Mr. FITZPATRICK, in connection with this question before the committee, said, in effect: "Perhaps we ought to let bygones be bygones, and look out for the future."

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I cannot yield now.

Mr. FITZPATRICK. But the gentleman mentioned my name.

Mr. GIFFORD. Will the gentleman let me have 5 minutes?

Mr. FITZPATRICK. I have nothing to do with the time.

Mr. GIFFORD. But the gentleman can get 5 minutes. All he has to do is to ask for it. Operating subsidiary companies today who have exchanged their stock in parent companies now being punished are writing me letters, and they are very much worried about it. But these parent companies must be put through the wringer, because the law says so. I bring this thought to your mind. Has it come to the point when you go into business and hire money at the bank, and when your notes come due, you must not pay the bank interest for renewal because you owe other creditors money? Are you stealing from your creditors if you pay the bank so as to keep your credit good with them and keep on doing business, even though your creditors are willing? Shall policemen come in and say that you are stealing from these creditors if you pay this discount for renewal at the bank? You say that that is a farfetched illustration. It is not farfetched at all. If policemen can go into these large corporations, they later may nose into your own business affairs and say that you should not do this and that, and, therefore, you must go into bankruptcy. I have enough material of complaints, but I do not want to criticize the present set-up of the Security and Exchange Commission. I think probably they are doing their duty in carrying out the law. My thought is, do not set up any more policemen. Make all the law necessary, and, if people cannot live up to the law, let the complaint come from the people aggrieved, and then let the Department of Justice and the courts act.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. FITZPATRICK. Mr. Chairman, I rise in opposition to the pro forma amendment. I did not use the words "let bygones be bygones," but I did refer to transactions that took place in Wall Street that should be stopped. There is not any question about that. I asked him if there was not more money invested in speculation than in real investment. That was my question to the Chairman of the Commission. I think the act is a good act, and it is about time to stop gambling in Wall Street. I think if any illegal action on the part of people in Wall Street can be found, whether committed yesterday or a year ago, they should be prosecuted.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. FITZPATRICK. I yield.

Mr. WOODRUM of Virginia. I would like to emphasize, so that it may not be overlooked, the fact that even our distinguished friend from Massachusetts [Mr. GIFFORD], at the conclusion of his address, said that the Securities and Exchange Commission, as presently constituted, was doing a good job. I will submit to the gentleman that when you can get commendation for one of the administration's agencies from our good friend from Massachusetts, that is the very highest order of commendation. Our friend gave them a clean bill of health.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. FITZPATRICK. I yield.

Mr. SCHAFER of Wisconsin. The gentleman complains about the greatest gambling house in the world, Wall Street. Are the local and State authorities incapable of putting that gambling house out of business, the way other communities put their gambling joints out of business?

Mr. FITZPATRICK. The State in many instances has stepped in and stopped illegal operations, and is doing everything in its power to prevent any kind of fraud.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. FITZPATRICK. I yield.

Mr. COCHRAN. Is it not a fact that if we had had the Securities and Exchange Commission, such as we have now, back in 1915, we never would have had what did happen in 1929?

Mr. FITZPATRICK. Positively, because stocks in Wall Street that had never paid a dividend went from \$60 to \$850 a share before the crash came in 1929. If we had had that Commission at that time, such a thing could not have happened. [Applause.]

[Here the gavel fell.]

Mr. RANKIN. Mr. Chairman, I move to strike out the last two words in order to reply to the distinguished gentleman from Massachusetts [Mr. GIFFORD], who complains that the Securities and Exchange Commission is not able to remedy the wrongs that have been built up for the last 30 years under the provisions of the law that permitted holding companies.

If the gentleman from Massachusetts and the Members on his side of the aisle had supported us when we passed the Securities and Exchange Act we would have put a stop to these ruthless and useless holding companies that are today sucking the economic lifeblood from the people of the United States and corrupting almost every State in the Union.

When we were fighting to pass that bill they had Hopson hid out here, protecting him, while he was lobbying and spending money to defeat the so-called "death sentence," and today that great utilities empire is found to be bankrupt, and Hopson has been taking a rake-off of \$3,000,000 a year, which the people were paying in overcharges for electricity.

The gentleman from Massachusetts [Mr. GIFFORD] complains at what we are doing when we are wringing the water out of these holding companies, to the benefit of the people he represents. The people in Massachusetts last year were overcharged \$50,000,000 for electric light and power, according to the Ontario rates. All taxes, State, municipal, and Federal, including all cash contributions and free services rendered by the power companies in Massachusetts, amounted to only about \$16,000,000, leaving a clear overcharge of \$34,000,000 wrung from the helpless power consumers of the State of Massachusetts in 1 year. Those are the people the Securities and Exchange Commission is supposed to protect.

Throughout the entire New England States they were overcharged last year \$93,000,000. All the taxes paid by all the private power companies in New England, including cash contributions and free services, amounted to only \$26,000,000, leaving \$67,000,000 wrung by these ruthless utilities, including these bloodsucking holding companies, from the overburdened power consumers throughout the New England States. There was an average of more than \$10,000,000 a year wrung from those people of each one of the New England States. The gentleman from Massachusetts, instead of criticizing it, had better be urging the Securities and Exchange Commission to enforce the law and put a stop to that kind of racketeering. [Applause.]

[Here the gavel fell.]

Mr. WHITE of Ohio. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. WOODRUM of Virginia. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The CHAIRMAN. The gentleman from Ohio [Mr. WHITE] is recognized for 5 minutes.

Mr. WHITE of Ohio. Mr. Chairman, I listened to the gentleman from Massachusetts very carefully and, as I understood his comment, he did not in any way, shape, or form take exception to the kind of policing of the operations and the transactions of security exchanges that have been referred to by the gentleman from Mississippi. If I understood his remarks properly, and I think I did, I believe the thing he was complaining about was that here is another type of regulation set up on the basis of rules that can be changed from one minute to the next; in other words, that legitimate business enterprise cannot go into the field of finance and know whether the rules they start out with are going to be rules in existence as the financing progresses. This condition has stifled business activity and increased unemployment. With that idea in mind he was advocating that there should be regulation, that wrongdoers should be punished, that there should be a limitation upon their activities, but that these limitations should be prescribed in terms of law, and therefore not subject to change in the middle of the game or the transaction. He is advocating a restriction, and regulation, and a police power in this field of activity on the basis of rules made by law and not regulations issued at the whim of men in some bureau—a government of laws rather than a government of men.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. WHITE of Ohio. I yield to the gentleman from California.

Mr. HINSHAW. Does the gentleman realize that the rules of the Securities and Exchange Commission, under the three acts that have been passed, have not yet been published? For 5 years they have not been published.

Mr. WHITE of Ohio. Yes; I believe that is true. Not only that, but the net result of the last 10 or 12 decisions made by them seems to be the spread of a great deal of confusion in the business world.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. WHITE of Ohio. I yield.

Mr. GIFFORD. I think the gentleman has correctly stated my purpose. I criticized not the basic principle underlying the law but the nature of its enforcement and the kind of rules the enforcing body makes, because they create so much doubt and trouble. I pleaded that we might have laws which could be enforced, but not a police force to which you must always go or which can step in at any minute and dictate your business and bring about that feeling of terrorism that perhaps has been brought about. I tried to bring out the claims of a great deterrent to business that its administration has brought about.

Mr. WHITE of Ohio. May I ask the gentleman from Massachusetts if I properly interpreted his remarks?

Mr. GIFFORD. Indeed the gentleman did. The gentleman from Mississippi answered in no way the complaint that I made. I defend nothing of his description of misdeeds that took place in these holding companies, but I do worry about the operating companies at this moment because of the bankruptcy order. Can there not be some relief? Must our investors in local companies suffer by such bankruptcy? Can we do nothing to save their investment? I have taken the matter up with the Commission, and they tried to reassure me that the operating companies in the end will be put on a sounder basis. Let us hope.

Mr. WHITE of Ohio. As I understand the gentleman's theory, it is that specific rules should be prescribed in terms of law and not left to the whims and changing minds of individuals from day to day.

Mr. GIFFORD. Let the parties aggrieved make the complaint before the Department of Justice rather than have a constant police force which can meddle at any time. We have had too much of it and are now witnessing the evils that flow from it, about which I have talked so many times to the House.

Mr. WHITE of Ohio. And under that method of operation we advocate just as strongly as anyone else that the wrongdoers be thwarted and punished.

Mr. GIFFORD. Yes.

[Here the gavel fell.]

Mr. SCHAFER of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHAFER of Wisconsin: On page 63, lines 19 and 20, strike out the words "rubber gloves."

Mr. WOODRUM of Virginia. Mr. Chairman, I make a point of order against the amendment and call the attention of the Chair to the fact that on yesterday when the House adjourned the Clerk had entirely finished reading the item covering the Securities and Exchange Commission and had read the first two lines of the Smithsonian Institution paragraph.

The CHAIRMAN (Mr. WARREN). The point of order is sustained, but on this ground: The Clerk had completed the reading of all of page 63, that part of it dealing with the Securities and Exchange Commission being a separate paragraph. The Clerk had also completed the reading of lines 1 and 2, on page 64, dealing with printing and binding. The only line that is now subject to amendment would be line 3, which gives the total appropriation for the Securities and Exchange Commission. As the gentleman has offered an amendment on page 63, it is clearly not in order, and the point of order is sustained.

Mr. WOODRUM of Virginia. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WOODRUM of Virginia. After the Clerk had read lines 3 and 4 and was starting on line 5, how can it be in order to offer an amendment for any part of the Securities and Exchange paragraph?

The CHAIRMAN. The Chair would hold that the Clerk would have been required to finish the reading of the entire paragraph on the Smithsonian Institution in order to preclude an amendment being offered to the preceding paragraph of the bill. As the Chair stated, the point of order is sustained.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I offer another amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. SCHAFER of Wisconsin: On page 64, at the end of line 3, insert "Provided, That no part of this appropriation shall be expended to purchase rubber gloves."

Mr. SCHAFER of Wisconsin. Mr. Chairman, after the speech of the gentleman from Mississippi [Mr. RANKIN] in defense of this commission, I would think he would rise in his place and ask that this amendment be adopted so that this commission will not have rubber gloves, which I understand might be used, to gently handle the multimillionaire New Deal bucket-shop operators and stock speculators who are now headlines in the big New Deal show.

May I respectfully suggest to the gentleman from Mississippi that Wall Street is in New York. The State of New York and the city of New York could and should have regulated Wall Street. It is indefensible for leading Democrats to denounce the former Republican national administration in Washington, D. C., as responsible for the robberies and other reprehensible conduct by the crooks, sharks, and wolves of Wall Street. For former officials of the State of New York, such as President Roosevelt, the former Governor of New York, who had jurisdiction with reference to regulating Wall Street under State laws, to denounce the Federal Government in Washington for the sins of Wall Street is as logical as the New York police department denouncing the police department of the District of Columbia because of a gangster murder committed on the sidewalks of New York.

I can well realize why all the stock-market debacle and swindle was permitted by Mr. Roosevelt, who was Governor of New York at the time. Barney Baruch, the multimillionaire ace New Dealer, was one of the biggest Wall Street bucket-shop operators of the country. Go into the debates had on the floor of the Congress and read the motion-

picture industry speeches of the late Dr. Sirovich and the gentleman from Illinois [Mr. SABATH]; then get Moody's Industrials and observe the hook-up in connection with the R. K. O. swindle. You will find that Joseph Kennedy, the multimillionaire New Dealer, was the chief racketeer in that manipulation. The gentleman from Mississippi denounced Mr. Hopson. Are you going to try to throw Hopson in the Republican political bed? When congressional investigation committee subpoena servers were looking for Mr. Hopson and went to Mr. Hopson's Washington headquarters, who did they find there? Another multimillionaire New Deal official, Mr. Chip Roberts, who was in Mr. Hopson's lobby headquarters in the Nation's Capital. Who else? The President's own secretary, Mr. McIntyre, was also found enjoying the hospitality of Mr. Hopson's Washington headquarters. And yet by innuendo and indirection at least the New Deal leaders are continually blaming the Republican Party for all of Mr. Hopson's sins of omission and commission. Remember that birds of a feather flock together even in Mr. Hopson's Washington headquarters.

With reference to the Power Trust, I may say to my friend the gentleman from Mississippi [Mr. RANKIN] that your present new New Deal Attorney General, Mr. Robert Jackson, was a big Power Trust attorney before he jumped into the New Deal tent and began to promise to perform miracles in connection with trusts and financial racketeers while denouncing Wall Street speculators, Power Trust, and other alleged "economic royalists" and special interests.

Mr. Chairman, in all sincerity, can any Member of this Congress or this committee rise in his place, and tell us why, in view of our stupendous national debt, our almost bankrupt taxpayers' Treasury should be called upon for funds to furnish rubber gloves for the Securities and Exchange Commission? I now yield for an answer as to how many gloves are going to be purchased and what are they going to be used for. I yield and pause for a reply.

Mr. Chairman, since no one seems to know why we should be called upon to appropriate funds for rubber gloves for the Securities and Exchange Commission I sincerely hope and expect that my amendment will be unanimously agreed to. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. SCHAFER].

The question was taken; and on a division (demanded by Mr. SCHAFER of Wisconsin) there were—yeas 36, nays 69.

So the amendment was rejected.

The Clerk read as follows:

SMITHSONIAN INSTITUTION

For expenses of the general administrative office; for the system of international exchanges between the United States and foreign countries; for continuing ethnological researches among the American Indians and the natives of Hawaii and the excavation and preservation of archeologic remains; for maintenance of the Astrophysical Observatory, including assistants, and making necessary observations in high altitudes; for cases, furniture, fixtures, and appliances required for the exhibition and safekeeping of collections; and for administration of the National Collection of Fine Arts; including personal services, purchase of books of reference and periodicals, traveling expenses, including not exceeding \$1,000 for expenses of attendance at meetings concerned with the work of the institution when specifically authorized by the Secretary of the Smithsonian Institution; uniforms for guards, supplies and equipment, preparation of manuscripts, drawings, and illustrations, supplying of heating, lighting, electrical, telegraphic, and telephone service, repairs and alterations of buildings, shops, sheds, and approaches, and other necessary expenses, \$386,260.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wish to take only a minute to call the attention of the Committee to the hearings on page 421, where you will find what the rubber gloves referred to by the gentleman from Wisconsin [Mr. SCHAFER] are for. I asked a question about the rubber gloves in the hearing and was advised that they were for the use of employees who handle the multilithographic and photographic work in their duplicating unit, where certain chemicals in the inks are very poisonous. This has resulted in many of the employees'

having received skin infections from handling the inks. As a result, there has been sickness and a loss of time. Claims for employees' compensation could far exceed the \$12 which is involved in the purchase of the rubber gloves. Consequently, the committee did not delete the \$12 item.

The Clerk read as follows:

For the purpose of carrying out the provisions of the act entitled "The Tennessee Valley Authority Act of 1933", approved May 18, 1933, as amended by the act approved August 31, 1935, and by the act approved July 26, 1939 (16 U. S. C., ch. 12a), including the continued construction of Chickamauga Dam; Hiwassee Dam; Kentucky Dam at Gilbertsville, Ky.; Watts Bar Dam; and for construction of a dam near Lenoir City, Tenn., and the acquisition of necessary land, the clearing of such land, relocation of highways, and the construction or purchase of transmission lines and other facilities, and all other necessary works authorized by such acts, and for printing and binding, lawbooks, books of reference, newspapers, periodicals, purchase, maintenance, and operation of passenger-carrying vehicles, rents in the District of Columbia and elsewhere, and all necessary salaries and expenses connected with the organization, operation, and investigations of the Tennessee Valley Authority, and for examination of estimates of appropriations and activities in the field, \$40,000,000: *Provided*, That this appropriation and any unexpended balance on June 30, 1940, in the "Tennessee Valley Authority fund, 1940", and the receipts of the Tennessee Valley Authority from all sources during the fiscal year 1941 (subject to the provisions of section 26 of the Tennessee Valley Authority Act of 1933, as amended), shall be covered into and accounted for as one fund to be known as the "Tennessee Valley Authority fund, 1941", to remain available until June 30, 1941, and to be available for the payment of obligations chargeable against the "Tennessee Valley Authority fund, 1940."

Mr. DIRKSEN. Mr. Chairman, I have two amendments at the desk. I ask unanimous consent that they may be read and considered as one, since they are closely related.

Mr. WOODRUM of Virginia. Reserving the right to object, Mr. Chairman, may we first have the amendments read for the information of the Committee?

The CHAIRMAN. The Clerk will report both amendments.

The Clerk read as follows:

Amendments offered by Mr. DIRKSEN: On page 68, lines 21 and 22, strike out "and for construction of a dam near Lenoir City, Tenn." and on page 69, line 8, after the word "field", strike out "\$40,000,000" and insert "\$39,000,000."

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois that the two amendments be considered together?

There was no objection.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Chairman, the purpose of the two amendments on the desk is, first, to strike out the authority for proceeding on a new dam at or near Lenoir City, Tenn., which is commonly known as the proposed Coulter Shoals Dam, and, second, to reduce the over-all appropriation from \$40,000,000 to \$39,000,000, thus taking out the \$1,000,000 which was presented to the committee as the estimated cost of construction for the fiscal year 1941.

Let me say to the Committee that in order to get a clear-cut and comprehensive picture of this whole Tennessee Valley project you must envision the Mississippi River running down through the center of the country from north to south, and then envision the Ohio River coming in from the east, pouring in somewhere near Paducah, Ky., and Cairo, Ill. Then get this picture of the Tennessee Valley and the Tennessee River. It starts at a point about 20 miles below Paducah and comes down in a southerly direction, makes the form of a great horseshoe, and then tails off into a lot of rivulets and creeks and streams and small rivers some 650 miles beyond the mouth.

On that river we now have 10 completed dams. The over-all cost of them as submitted to the committee is about \$535,000,000. We have expended and appropriated to date for the Tennessee Valley Authority over \$270,000,000.

The language in the bill which I propose to strike out and the \$1,000,000 by which I propose to reduce the over-all appro-

priation for the Tennessee Valley Authority would eliminate beginning construction on the new Coulter Shoals Dam, which is way up in the direction of Knoxville. My proposal to strike it from the bill and to strike the \$1,000,000 from the bill is based on the ground, first, that I feel it is not necessary, and, second, I feel that some investigation is necessary before we go too much further in connection with the authority now exercised by the Tennessee Valley Authority.

There will be only two generating units at Coulter Shoals Dam and they will generate only 43,000 kilowatts. This is the smallest of all the units on the Tennessee Valley project.

In the second place, it was represented to us in the committee that this project will not be completed until 1944. The purpose of the \$1,000,000 is to build the access road and the construction camp and do those other preliminary things that are a necessary prelude to the construction of the dam. We have a little over \$600,000 invested in exploratory work for the proposed Coulter Shoals Dam. If you add this \$1,000,000 it will be too late to withdraw from the project, and then we will have obligated the Federal Government for \$28,500,000. If I had felt this to be absolutely necessary I would have made no effort to strike this item from the bill. I recognize that the Tennessee Valley Authority and the Tennessee project must go on, but it must not go on indiscriminately.

Let me make it clear and emphatic that the elimination of this dam and the amount requested for it for the fiscal year 1941 is in no way an effort to emasculate the T. V. A. program; nor is it an effort to stop or to hamper existing construction. Work has not yet started on the so-called Coulter Shoals Dam. If proof is needed to document that statement, I need only quote the language of the T. V. A. as submitted to the Appropriations Committee in its justification for the fiscal year 1941. On page 25 of that report the T. V. A. states very specifically that it is "requesting funds for Coulter Shoals Dam and Reservoir to provide for beginning construction." That report also states that T. V. A. expects the preliminary investigations, surveys, and designs to be sufficiently complete by the end of 1940 to permit construction. Since the preliminary reports are not yet complete, and since no construction has been undertaken, this would be the proper time to eliminate the new dam and the funds requested for 1941 until Congress can better evaluate this whole program. There is no wisdom in baling money into this project until we can get a better look at it and probably have a more authoritative investigation than has been available to the committee within the space of limited time.

Now, let me tell you the rest of the story. Here comes the Tennessee River, starting at Paducah, going down from the Gilbertsville Dam, 184 miles to the next dam, Chickamauga or Guntersville, and then on to Wheeler Dam, to Wilson Dam, to Hales Bar Dam, to Watts Bar Dam, the Hiwassee Dam on one of the tributaries, the Norris Dam on the Clinch River, and then this other dam, known as Coulter Shoals, for which they are asking \$1,000,000 on which to start construction.

However, this is not the whole story, and if you will look at the specifications of the Tennessee Valley you will see that they asked the committee for funds last year under the general subject matter "of other river-development projects" for only \$223,000. This year they ask nothing for that item, but look at the total. The estimate to complete other river-development projects will be \$40,500,000, and if we go ahead with Coulter Shoals, it will be the signal to go ahead with related activities and other developments on the Little Tennessee, the Holston River, the Powell River, the French Broad River, and all those little tributary streams, way up in the southeastern section, and then you will have obligated the Federal Government for another \$40,000,000.

Now, some might say to me that that is not the case. If you want some interesting reading you should get House Document No. 91, the Chattanooga Flood Control Program, a message from the President of the United States, and then read the conclusions on page 2. There are lots of conclusions, the whole flood control, enlarged storage basin, enhanced improvements on the upper reaches of these tributary streams; and they say in this report that it must be suitably distributed

on the main tributaries including the Holston, the French Broad, and the Little Tennessee. Then it contains this language:

Since the Tennessee Valley Authority is already equipped for, and is charged with, unified operations of these reservoirs, it is the most logical agency for the operation of the entire flood-control development of the valley.

And we are getting ready now to stop, not at \$535,000,000, but probably to obligate the Federal Treasury for perhaps as much as \$100,000,000 more, because they are going to find new projects, new improvements of all kinds in these upper reaches of the Tennessee Valley.

It occurs to me it is time for the Congress to take a look at this thing. To show you how inadequate our investigations really are, when they come before a subcommittee, they bring their comptroller, their auditor, they bring all the directors of T. V. A.; they bring the General Counsel; they bring the consulting engineer and the chief engineer; they bring expert accountants and bookkeepers; and we, as members of the committee, will sit on the other side of the table and by dint of cross-examination seek to elicit the whole story. You cannot begin to get the story of T. V. A. from those who come to testify, and more often than not you will find that the replies have been slightly evasive, and you will sometimes find that information that ought to go into the RECORD will not be there, and they continue and proceed under the broad authority of the organic act whereby it is going to cost the taxpayers of this country plenty of money.

Now, they say to me, you would not demolish this construction program, and you would not disrupt the organization, would you? If that argument holds good, we might just as well keep 14,000 men on the force on account of the T. V. A., finish these other river developments in the northeast and then go down on some of the reaches of the Mississippi and Ohio Rivers. We might add another \$500,000,000 to what has already been expended.

I am not alarmed about disrupting the construction organization. I would much rather kiss goodbye to the \$600,000 already invested in Coulter Shoals and give the Congress and the country a chance to investigate and explore to the full, rather than obligate the taxpayers and the Federal Treasury to untold sums before we get through.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. MAY. Is the gentleman aware of the fact that Dr. Morgan testified before the House Military Affairs Committee that they had selected already more than 100 sites for dams in the Tennessee Valley and that the program would probably cover 100 years?

Mr. DIRKSEN. Definitely; and when they speak of other river developments, with an over-all cost of \$40,500,000 in addition to \$28,000,000 for Coulter Shoals, it will be a total of almost \$69,000,000. We are going to plunge this country into further obligations and regret it afterward, unless adequate investigation has been made.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Yes.

Mr. WHITE of Idaho. Is it not a fact that every dam and every electrical project in the Tennessee Valley is a self-liquidating project and the money will get back to the Treasury of the United States?

Mr. DIRKSEN. Yes; if it will only last a thousand years, it may be liquidated.

Mr. WHITE of Idaho. Is it the gentleman's considered opinion that it would take 1,000 years to pay that money back?

Mr. DIRKSEN. I suggest that the gentleman read the consolidated balance sheet and find out what the revenues and expenditures are and then seek to amortize this cost and see the number of years it will take. If they can amortize this in 100 years, I will eat a portion of the dam.

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Mr. WHITE of Idaho. Will not it be paying back money, when the money being expended in Illinois for relief will never be paid back?

Mr. DIRKSEN. If the gentleman wants to put it on a 100-year basis of a 200-year basis, all right. We will not last that long. Let the Members of this House here who are interested in flood control realize that under the economy urge now in the country there will not be adequate funds for flood control in other sections of the country.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to proceed for 2 minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DIRKSEN. Here is a proposal to dump a great quantity of money for storage and flood-control purposes in one single section of the country, and meanwhile those who have been interested in flood control in other sections of the country are wondering where, under the President's budgetary message they may be able to find some funds for very useful and necessary projects in their sections of the country. I suggest that we eliminate Coulter Shoals from this bill. I suggest that we wait a little while in view of the fact that the engineers say it will not be ready until 1944 anyway and I suggest that we diminish the amount by \$1,000,000, which is the million dollars for which construction shall be undertaken on the eleventh dam known as the Coulter Shoals Dam. I believe it is in the interest of economy. I believe it is in the interest of common sense, and I believe it is in the interest of fair play to the people and to the Federal Treasury and to the taxpayers of the country.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Yes.

Mr. JENKINS of Ohio. While the gentleman is asking for a reduction of \$1,000,000, we are still paying the Tennessee Valley \$39,000,000.

Mr. DIRKSEN. Definitely. It will get \$39,000,000 under this bill, but let us stop this one item for the present and take another look at it.

Mr. JENNINGS. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. JENNINGS. Mr. Chairman, as the successor of Congressman Taylor from the Second District of Tennessee, I desire to address myself to this effort to stop the well-nigh accomplished program of the Tennessee Valley Authority at this stage. It is now an accomplished fact. The foundations have been laid, the superstructure has been erected, the walls of the house are up, and it is now proposed that we refrain from putting a roof on the house.

For more than 30 years the Engineering Corps of the United States Army has recommended making the Tennessee River navigable from Knoxville to its mouth at the Ohio. This dam at Coulter Shoals takes the place of 7 low dams heretofore recommended by the Army engineers. Knoxville is a city of 130,000 people. In my congressional district there are 11 counties, every one of which except 1 has within its borders great industrial enterprises. Within 16 miles of the city of Knoxville at Alcoa is one of the largest aluminum plants in the world. There is shipped to that plant from St. Louis, where the ore is reduced, more than 800,000 tons of aluminum pig per year, and there is shipped out and is being shipped to the airplane factories in California aluminum from Alcoa that is going into the fighting planes being built for the armed forces of this Nation. Tennessee and the Tennessee Valley, and especially the great industrial region around Knoxville with its coal mines and varied interests, have been waiting for more than a hundred years for a navigable stream. This dam will give it to them. This dam will not only make the Tennessee River navigable

from Knoxville to its mouth at the Ohio, but it will make available additional electrical energy for which there is a market today, and let it not be forgotten, in that connection, that should the United States become involved in war, the Government has a right to recapture the energy produced by the Tennessee Valley Authority and manufacture nitrates for use in explosives. This is a necessary dam, a dam not only necessary for navigation purposes, but necessary in order to complete the power program of this great governmental institution. You have it. It is not a question of whether or not we are to have the Tennessee Valley Authority. We already have it. It is ours. It belongs to the people; it has been financed with Government funds. Let us complete it. Let us make it a paying proposition. In addition to that, all this talk about further projects on the upper reaches of the Holstein is a mere smoke screen. I know that there is no occasion for anything like that, and if it were proposed here, I would oppose it. I am talking about something that is feasible and practical and necessary. Talk about economy! We have already spent \$600,000 in making preliminary surveys for this dam, and with the organized personnel and equipment now in the hands of the Tennessee Valley Authority, it can go forward with the construction of this dam at a saving of \$1,000,000 to the people of this country. Therefore I say to you that in justice to that great region, in an effort to complete this great project, as a measure not only of flood control but looking to the development of that river for navigation, this amendment should be defeated.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield.

Mr. WOODRUM of Virginia. In connection with the gentleman's statement as to the necessity for this Coulter Shoals Dam, it is true, is it not, that this Coulter Shoals Dam is one of the original links in the system of dams contemplated when the Tennessee project was laid out?

Mr. JENNINGS. That is true. It would be like severing a link in a chain to leave it out and fail to construct it.

Mr. WOODRUM of Virginia. And without the building of this dam not only the flood-control possibilities of the Tennessee Valley would be seriously hampered, but it would absolutely destroy navigation possibilities?

Mr. JENNINGS. Absolutely; to the eternal detriment of one of the greatest sections of this country.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. Yes; I yield.

Mr. DIRKSEN. With relation to the other river development activities, I read from page 27—

Mr. JENNINGS. Well, let us not look a hundred years in the future. Let us deal with the facts now before us. I am talking about Coulter Shoals Dam and not about a dam up at the headwaters of the river.

Mr. DIRKSEN. But if the gentleman will yield, on page 27 of the justification submitted to the committee for 1941, "Other river development projects, estimated total cost, \$41,500,000," the T. V. A.'s own language.

Mr. JENNINGS. Let us take one thing at a time.

Mr. FITZPATRICK. Will the gentleman yield for a question?

Mr. JENNINGS. I yield.

Mr. FITZPATRICK. Assuming we postpone this for a year or two, would it not be more expensive than to go on and complete it now?

Mr. JENNINGS. It would cost in excess of \$1,000,000 more if its construction should be delayed.

Mr. FITZPATRICK. Because all of the equipment is close by at the present time and it would all have to be moved, and it would cost twice as much.

Mr. JENNINGS. That is true. The machinery is there. The personnel is there. They can go forward at a saving of \$1,000,000. Not only that, let me say to you Representatives from the farm belt, the finger of ridicule has been

pointed at the fertilizer enterprise down there. I personally know, being not only a lawyer but a farmer, that they are doing a great work in the development of fertilizers, a work that will be of inestimable value to the farmers all over the country. So I urgently urge you members of this committee to vote down this attempt to emasculate and sabotage this great enterprise at this late date. [Applause.]

[Here the gavel fell.]

Mr. FADDIS. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Illinois [Mr. DIRKSEN]. I ask unanimous consent to proceed for 10 minutes instead of 5.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WOODRUM of Virginia. Mr. Chairman, I wonder if we can have some agreement on the Tennessee Valley item. I ask unanimous consent that all debate on this paragraph and all amendments thereto conclude in 40 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

Mr. MILLER. Reserving the right to object, Mr. Chairman, does that allow each Member standing 5 minutes?

Mr. WOODRUM of Virginia. Mr. Chairman, in view of the number of requests, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 1 hour.

Mr. MILLER. Reserving the right to object, Mr. Chairman, will that give each person standing 5 minutes?

The CHAIRMAN. The Chair is unable to state that.

Is there objection to the request of the gentleman from Virginia?

There was no objection.

The CHAIRMAN. That is exclusive of the 10 minutes that has already been given to the gentleman from Pennsylvania.

Mr. WOODRUM of Virginia. Mr. Chairman, I would like to have 5 minutes reserved, if the Chair would permit.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. FADDIS] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FADDIS to the amendment offered by Mr. DIRKSEN: Strike out "\$39,000,000" and substitute in lieu thereof "\$20,000,000."

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 10 minutes.

Mr. FADDIS. Mr. Chairman, this amendment proposes to cut the appropriation for the Tennessee Valley Authority in this appropriation bill to \$20,000,000. Now, if we are going to have economy—and I believe we are all agreed upon that as a principle—let us have it uniformly throughout the entire Nation. Here we have an example of this pet child of the administration being granted \$1,000,000 increase in its appropriation over the appropriation of 1 year ago, when practically every other department in connection with this bill has been cut. We have had a cut of almost \$15,000,000 from the public buildings outside the District of Columbia. That is a cut which applies to the entire United States, a cut in which we are all interested, a cut in which every community represented on this floor is interested. We have also had a cut in Federal aid to highways—a cut of \$25,000,000. That is a cut which is taken from the entire United States.

We have also had a cut in secondary highways of \$10,000,000. This is a cut which applies to every rural community in the United States—to the little feeder roads to the highways, to the farm-to-market roads, to the roads and facilities that the common people throughout the entire United States use.

We have also had a cut of \$15,000,000 applied to the elimination of grade crossings. All over this Nation we have dreamed of and worked for the day when we can make the families of every Member of this House, the families of every father and mother all over the United States, safe from the

terrible hazard of being run over by a train at a grade crossing; yet that is cut, and cut in favor of this favorite child of the administration, the T. V. A.

We have had hospitalization for veterans cut, and I call this to the attention of the gentleman from Mississippi [Mr. RANKIN]. We have had almost \$2,000,000 cut from hospitalization for veterans in the United States, but the T. V. A. appropriation has not been cut at all.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I am sorry I cannot yield right now. A little later I will if I have time.

Another thing I am sure this Committee must take into consideration in relation to appropriations for the Tennessee Valley Authority is the fact that in September in a press release their own press agent said that they had a net income of \$1,237,000 a month. This makes a total of over \$15,000,000 a year by their own report which they, by the way, very reluctantly rendered to the Congress because they are required to by the terms of the original act. They admit that they still have available \$11,500,000 from the recent sale of bonds; and this money alone will much more than make up the cut which I propose they shall take under my amendment to the amendment offered by the gentleman from Illinois.

If we are going to economize, again I say to the membership of this Committee, in all fairness let us have it apply to all sections of the United States alike. Oh, of course, it is quite all right for the gentleman from Tennessee to get up here and defend this project in his own vicinity. It is all right for him to say that it is about completed, but those of us who have wrestled with this program for the number of years we have in this House know there is no satisfying these fanciful, fantastic men who are running the T. V. A. The operations of this outfit are so fantastic, so fanciful, so outrageous, so unreasonable that it is almost impossible for anyone to discuss it with any degree of common sense. If, as the gentleman from Tennessee says, we are cutting out a link, then I submit it is a link from one end of the chain or the other, not out of the middle.

Then the nonsensical statement was made that it would take \$1,000,000 to get this machinery started again should we stop and then wish to start at some later date. I am sure it is the opinion of a large part of the Committee and of many of the Members of the House that we never start any more developments under this program. [Applause.] I am sure the members of this Committee would be glad to see a program of this kind extend all over the United States so we could all benefit in some way or other; but certainly in the name of common sense we should not let all of the appropriations be poured into this one favored spot in the United States. Let us have a little common sense, a little sense of fairness, a little sense of balance; and while we are cutting appropriations for other departments that affect every section of the country, let us in the name of fairness and common sense carry the pruning down into this one place where it is most badly needed. [Applause.]

[Here the gavel fell.]

Mr. McLEAN. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. The Chair would like to make this observation before recognizing the gentleman from New Jersey:

Time has been fixed on this entire section which begins to run now for 1 hour. The Chair is informed that several gentlemen have amendments to offer. Two amendments are pending at the present time. Under the rules of the House, of course, only a stated number of amendments may be pending at one time. Some gentleman, therefore, who desires to offer an amendment later on may find himself precluded from speaking at least on his amendment unless pending amendments are disposed of as we go along during the course of the hour. The Chair merely makes this observation to protect all gentlemen.

Does the gentleman from New Jersey have any objection to the Committee's voting on the present amendment now? If not, the Chair will put the question.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. FADDIS].

The question was taken; and, the Chair being in doubt, the Committee divided, and there were—ayes 56, noes 55.

Mr. WOODRUM of Virginia. Mr. Chairman, I demand tellers.

Tellers were ordered; and the Chair appointed as tellers Mr. WOODRUM of Virginia and Mr. FADDIS.

The Committee again divided; and the tellers reported that there were—ayes 104, noes 110.

So the amendment was rejected.

Mr. McLEAN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes.

Mr. McLEAN. Mr. Chairman—

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. McLEAN. I yield.

Mr. DIRKSEN. If there is any misunderstanding about the pending amendment, I may say that it strikes out \$1,000,000 for beginning the construction of Coulter Dam.

The report of the Tennessee Valley Authority to the committee is that the preliminary work on this dam will not be completed until 1940, which rebuts the testimony of the gentleman from Tennessee that this dam is under way. The preliminary work has not yet been completed, according to the T. V. A. report.

Mr. McLEAN. Mr. Chairman, I am very sorry that the last amendment was defeated because there is room for economy, efficiency, and attention to detail in the Tennessee Valley Authority and the amount of the appropriation should be reduced. In the past I have had much to say about the Tennessee Valley Authority, but when anybody rises to protest or say anything about that agency the voice is one crying in the wilderness, so strongly does the authority seem to be entrenched and supported. It took 2 years for the President to realize there might be some truth in the charges being made here a few years ago; matters were so complicated he had to constitute himself an investigator, one of the few times in all my experience I have known the President of the United States to personally conduct such an investigation, to find out the truth of the family row going on between the men whom he had appointed to office, and that at least one of them could be guilty of contumacy. As I have frequently said, the entire Commission has been contumacious.

Mr. Chairman, the first engineer appointed by the Tennessee Valley Authority, as long ago as 1933, was Mr. Carl A. Bock, and up until the 25th of November of last year Mr. Bock was chief consulting engineer of the Authority. On the 25th of November he resigned his position, because, he said, of his belief that the T. V. A. could take greater steps to "insure economy and efficiency in the great projects which it is designing and building." The statement which Mr. Bock gave out at the time of his resignation quotes portions of a letter he had written to Dr. H. A. Morgan, Chairman of the Authority. It came to my attention in an Associated Press dispatch from Chattanooga, published in the New York Herald Tribune, and is in part, as follows:

Valuable opportunities for improved operating features can be overlooked or large sums needlessly spent unless such projects are subjected to independent searching analysis.

Experienced consultants are invaluable for critical checking and advisory review of designs and proposed constructions.

In my opinion, T. V. A. could advantageously make more intensive use of available consultation to insure economy and efficiency in the great projects which it is designing and building.

I believe I am warranted in leaving now, feeling that I have discharged any possible professional obligation to T. V. A., and that I have demonstrated my desire to cooperate toward its best interests.

As you will note, Mr. Bock intimated that his resignation had been in his mind for some time, but he felt an obligation to the T. V. A. However, the time had come when his obligation to the T. V. A. had been satisfied and he could take the step.

Mr. Bock should know the truth of what he is talking about. He was the chief consulting engineer and we have his statement that economy and efficiency are necessary and something can be done about it by the officials in charge of the T. V. A.

When I said a few years ago that the T. V. A. was going to cost \$250,000,000 I was ridiculed and scoffed at. Today the report of the committee admits that the project has already cost upward of \$310,000,000, and that the project, including navigation, flood control, and power, will finally cost \$535,000,000. That is the total estimated cost. It will cost fabulously more. I extend an invitation to any Member of the House who is at all interested to sit down with me to quietly and conscientiously study this proposition. I will show anyone who cares to give the time how, up to now, this project has cost the United States Government at least \$750,000,000; and with all its correlated activities and things which are being undertaken, I venture to say that we would find that the cost up to the present time is approaching a billion dollars more nearly than the \$535,000,000 which the T. V. A. officials are willing to admit.

[Here the gavel fell.]

Mr. SPARKMAN. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, the amendment before the House, as I understand it, is the amendment offered by the gentleman from Illinois [Mr. DIRKSEN], to strike from this bill the sum of \$1,000,000. It does not sound like a very harmful amendment or one having very great effect, so far as this bill is concerned, but may I call attention to the fact that if the amendment is agreed to, it means that the construction of Coulter Shoals Dam will not get under way during this year.

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. SPARKMAN. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I wonder if the gentleman has exactly stated the proposition. If the amendment offered by the gentleman from Illinois [Mr. DIRKSEN] to reduce the total amount by \$1,000,000 is agreed to, it would still not interfere with the Coulter Shoals Dam unless the other amendment is also agreed to. The gentleman from Illinois has two amendments.

Mr. SPARKMAN. It is my understanding that the purpose is to consider the two together. That is what he stated. The purpose is to prevent the starting of the construction of Coulter Shoals Dam. The gentleman from Illinois [Mr. DIRKSEN] in his remarks admitted that the T. V. A. was a great project already under way and that its program was eventually to be completed. In other words, he simply wanted to slow it up for 1 year. The gentleman from Tennessee [Mr. JENNINGS] has discussed very fully the cost to the Government and he has shown you that, as a matter of fact, instead of this being an economy move it would be highly uneconomical, not necessarily because of the loss of work on Coulter Shoals Dam, but due to the fact that the program of developing this project, when it was originally set up, was scheduled in such a way that when one dam was completed another one should commence. In this way the equipment and personnel might be moved from one dam to another. If you slow up the starting of Coulter Shoals Dam for 1 year you are going to lose 1 year's time on certain equipment that has been allotted to that particular project. This will also throw out of employment a great many of the personnel which later will have to be reemployed.

Mr. HOUSTON. Will the gentleman yield?

Mr. SPARKMAN. I yield to the gentleman from Kansas.

Mr. HOUSTON. Is this not the last important dam in that whole section?

Mr. SPARKMAN. This is the last dam. For years the Army Engineers have recommended that a 9-foot channel be developed all the way up the Tennessee River to Knoxville. In every report the necessity of a dam at Coulter Shoals has been emphasized. This is the last of the dams necessary to complete that channel to Knoxville, and without it the channel cannot be completed.

Mr. COOPER. Will the gentleman yield?

Mr. SPARKMAN. I yield to the gentleman from Tennessee [Mr. COOPER].

Mr. COOPER. Is it not also true that one of the main purposes to be served by this dam is navigation? We hear much said about power, but the main purpose to be served by this dam is navigation.

Mr. SPARKMAN. That is absolutely true. The primary purpose is navigation, and flood control comes next. As far as this dam is concerned, power is wholly incidental and secondary.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. I yield to the gentleman from Michigan.

Mr. DONDERO. Can the gentleman give the Committee the amount of commerce on the Tennessee River?

Mr. SPARKMAN. Offhand I cannot give it. I noticed in the report that during the last year there was 2,000,000 tons of water-borne commerce, if I recall correctly.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. I yield to the gentleman from Mississippi.

Mr. RANKIN. Of course, one cannot give the amount of navigation along this stream because navigation is blocked at the present time. This amendment would cut this stream in two there and prevent navigation altogether.

Mr. SPARKMAN. Until the Gilbertsville Dam is completed the mouth of the stream is blocked. When the Gilbertsville Dam is completed, and the present dams under construction are completed we will have a 9-foot channel to Chattanooga and above. This dam will open the river all the way to Knoxville.

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. I yield to the gentleman from Oregon.

Mr. MOTT. Admitting the accuracy of the gentleman's statement in regard to the importance of the Tennessee Valley project, the gentleman is willing to admit, I suppose, that there are many other power, flood control, and navigation projects in other parts of the United States which are also of importance?

Mr. SPARKMAN. I certainly am.

Mr. MOTT. Does the gentleman appreciate the fact that while the appropriation for the Tennessee Valley project has not been cut at all in this year's appropriation, the Budget estimates for all the other flood-control projects in the United States have been cut an average of approximately 50 percent; in other words, from the \$133,000,000 appropriated last year to \$70,000,000 this year?

Mr. SPARKMAN. I should like to call the attention of the gentleman to the fact that the Budget also cut the Tennessee Valley Authority approximately \$10,000,000 in the estimates submitted.

Mr. MOTT. That is not at all in line with the cuts on other projects.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

The question was taken; and on a division (demanded by Mr. DIRKSEN) there were—ayes 90, noes 94.

Mr. DIRKSEN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. DIRKSEN and Mr. STARNES of Alabama.

The Committee again divided, and the tellers reported that there were—ayes 109, noes 112.

So the amendment was rejected.

Mr. MAY. Mr. Chairman, I offer an amendment.
The Clerk read as follows:

Amendment offered by Mr. MAY: On page 69, line 18, before the period, insert:

"Provided, That no part of the appropriation made by this paragraph shall be available unless and until Congress hereafter by law provides that moneys available for expenditure by the Tennessee Valley Authority shall be withdrawn from the Treasury only pursuant to accountable warrants for advances to the credit of an adequately bonded disbursing officer, as determined by the Comptroller General of the United States, or certificates of settlement issued by the General Accounting Office."

Mr. WOODRUM of Virginia. Mr. Chairman, I make the point of order against the amendment that it is legislation, that it puts additional duties on the Comptroller General, and I refer to the last two lines, "as determined by the Comptroller General of the United States."

The CHAIRMAN. Does the gentleman from Kentucky desire to be heard on the point of order?

Mr. MAY. Yes, Mr. Chairman.

Mr. Chairman, I desire to call attention to section 1582, page 600, volume 7, of Cannon's Precedents, which reads as follows:

An amendment rendering an appropriation (included in a paragraph proposing legislation) inoperative until Congress should have made certain determinations, was held to be in the nature of a limitation.

Under this section the Chairman of the Committee of the Whole House on the state of the Union was called upon to rule on a proviso to a similar provision relating to the disbursement of money from the Treasury to two certain Indian tribes. This proviso was introduced by Senator PAT HARRISON, of Mississippi, and reads as follows:

Provided, however, That the provisions of the preceding paragraph of this act with respect to the Choctaw tribe shall not be operative until Congress shall have determined the rights of the Mississippi Choctaws whose names do not appear upon the final rolls of the Choctaws in Oklahoma.

After commenting generally upon the matter, the Chairman of the Committee of the Whole House on the state of the Union concluded—

The Chair therefore does not think that the amendment changes existing law, nor does it propose new legislation. It is, in the opinion of the Chair, only a condition or limitation on the appropriation, the effect of which and the advisability of which the Committee and not the Chair must determine.

The Chair thinks the amendment in order, and therefore overrules the point of order.

Mr. WOODRUM of Virginia. I did not understand whether the gentleman was reading a statement from the ruling of a former Chairman of the Committee of the Whole on a point of order, to the effect that that particular amendment did not change existing law, or whether the gentleman was referring to his own amendment.

Mr. MAY. I was reading the ruling by the Chairman of the Committee of the Whole House on the state of the Union shown under this section.

Mr. WOODRUM of Virginia. The amendment offered by the gentleman from Kentucky certainly changes existing law, does it not?

Mr. MAY. It certainly does not.

Mr. WOODRUM of Virginia. If it does not, why offer it? What good can it do if it does not change existing law?

Mr. MAY. It places a limitation on the expenditure of these funds, the very thing I have been trying to do for 5 or 6 years. I have been trying to get them under the Comptroller General and have been unable to do so.

Mr. WOODRUM of Virginia. The accounts of the Tennessee Valley Authority are now audited by the General Accounting Office.

Mr. MAY. An audit of the Tennessee Valley Authority, sent in by them without the vouchers, is all the Comptroller General gets. There is a shortage, if the chairman of the Appropriations Committee does not happen to know it, of

\$15,000,000 down there in the Comptroller General's office now, composed of illegal items.

Mr. WOODRUM of Virginia. But the gentleman seeks by this amendment to extend the authority and control of the General Accounting Office, which does change existing law. If it does not change existing law, the gentleman's amendment is entirely ineffective for any purpose.

Mr. MAY. Well, if it is ineffective and does not change existing law, the gentleman from Virginia should withdraw his point of order.

Mr. WOODRUM of Virginia. I think it does change existing law.

Mr. MAY. That is a matter for the Chair to rule upon, however.

Mr. DIRKSEN. Mr. Chairman, if the gentleman from Kentucky will permit, it may be more nearly accurate to say that some of the accounts of the Tennessee Valley Authority have been audited by the General Accounting Office, not all of them, and in some cases only check audits are made. So the effect of the gentleman's amendment would be merely to give further expression to existing law, as I see it, whereby no moneys could be disbursed or whereby this procedure could not be carried on until all of them were audited by the General Accounting Office.

Mr. MAY. That is exactly it.

Mr. McLEAN. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield.

Mr. McLEAN. In the hearings, at page 1688, there is an item here of special payments made for consultants and one to the firm of Lybrand, Ross Brothers & Montgomery, for auditing, \$73,459.90, and there are other smaller items for auditing in the same compilation.

Mr. MAY. I will say in answer to that statement, and to the Chair on the question of the propriety of his ruling, that is the very evil I am seeking to correct. The idea of releasing the warrants of this agency that does not care how much it spends or how it spends money and refuse to put them back under the Comptroller General, and I am frank to say this amendment would be ineffective unless Congress did something about it in the future. This Congress does not know and never will know the numerous activities in which it continually engages.

Mr. COOPER. Mr. Chairman, I ask to be heard briefly in support of the point of order.

The CHAIRMAN. The Chair will hear the gentleman from Tennessee.

Mr. COOPER. I feel confident it was readily apparent to the Chair that there is a very clear distinction between the precedent cited by the gentleman from Kentucky and the pending question. Of course, the precedent cited by the gentleman from Kentucky is not applicable to the pending question as it is now presented to the Chair.

I respectfully invite attention of the Chair to the fact that under the statement made by the gentleman from Kentucky his only purpose in offering this amendment is to provide legislation and to change existing law. The gentleman very frankly stated in reply to a question presented to him by the gentleman from Virginia that he had been trying for years to get this done. Therefore, Mr. Chairman, I submit what a man may have been trying for years to get done by legislation he cannot now get done under the guise of a limitation on an appropriation bill, and I submit the point of order should be sustained.

Mr. MAY. Will the Chair indulge me a little further so that I may read a little more of this decision, unless the Chair has read it?

The CHAIRMAN. The Chair will state to the gentleman from Kentucky that he has read the decision the gentleman has referred to.

Mr. MAY. Then the Chair may rule.

The CHAIRMAN (Mr. WARREN). The Chair is ready to rule.

The Chair, as he has just stated, is conversant with the decision cited by the gentleman from Kentucky, made in the House on January 8, 1915. The Chair has looked over the amendment that is now pending and against which a point of order has been made, and it is erroneous for one to say that it would impose duties or extra duties upon the Comptroller General of the United States. The amendment does not seek to do that. It seeks to impose a duty and obligation upon the Congress itself to pass legislation, and the Chair has found a case that seems to the Chair is quite in point along that line.

On June 24, 1922, the House had agreed to a conference report on the War Department appropriation bill and Senate amendments remaining in disagreement were under consideration.

On motion of Mr. Daniel R. Anthony, Jr., of Kansas, the House voted to recede from its disagreement to Senate amendment numbered 225, inserting the following provision:

For the continuance of the work on dam No. 2 on the Tennessee River at Muscle Shoals, Ala., to be immediately available, \$7,500,000.

Whereupon Mr. George Huddleston, of Alabama, moved to concur with the following amendment:

Strike out from said Senate amendment No. 225 the following: "To be immediately available", and add, after the figures \$7,500,000, the following: "Provided, however, This appropriation shall not become available until such time as the Congress shall have taken final action on H. R. 11903, and not then if the subject matter of said bill is enacted into law in a manner as will result in the consummation of contracts for lease and sale of the Government Muscle Shoals property to Henry Ford: *Provided further*, That this provision shall not operate to postpone such availability later than January 1, 1923."

At that time there was in the House a very able Parliamentarian in the person of Mr. William H. Stafford, of Wisconsin, who made the point of order that the amendment proposed legislation on an appropriation bill. There was also in that same body a gentleman who is recognized as one of the greatest parliamentarians to ever sit in the House of Representatives, the late James R. Mann, of Illinois. Mr. Mann said:

This amendment provides, first, that the money shall not be available until H. R. 11903 has been enacted, and shall not be then available if a contract is authorized with Henry Ford, but still shall be available after the 1st of January. It contradicts itself in three or four places, but it is only a limitation.

Speaker Gillett said:

It seems to the Chair that this is purely a limitation on the appropriation. It does not make an appropriation available that the present law does not make available. It simply makes it contingent on a future event, and that seems to the Chair is merely a limitation. The Chair overrules the point of order.

The Chair thinks the amendment offered by the gentleman from Kentucky is a proper limitation, and therefore overrules the point of order.

The gentleman from Kentucky is recognized for 5 minutes.

Mr. MAY. Mr. Chairman, I trust that the gentlemen on my right—to express it so that the country might understand it, the Democratic side of the House—may realize that the Appropriations Committee of this House, with such a capable, such an earnest, such a hard-working, diligent leader as the gentleman from Virginia, CLIFTON A. WOODRUM, is trying to save the taxpayers' pocketbook as much as it can, and I hope when they come to vote on this question, which I expect to prevail, that they will begin to think about the question of whether we ought to turn loose a bunch of gentlemen who have already evinced their desire, not only their desire but their determination, to spend all of the money that they can find in sight, and all that the Congress will give to them. They have already expended down in the Tennessee River, according to the Appropriations Committee report, or will have expended when this \$40,000,000 they are to have in this bill has been expended, over \$300,000,000. They plan to expend in excess of \$200,000,000 more, and, as stated by me to one of the gentlemen while he was discussing this ques-

tion on the floor of the House, it has been claimed by the Directors of the Tennessee Valley Authority that their program would cover 100 years in point of time, that they had already located 106—what they call—appropriate sites for dams on the Tennessee River, and by the time they get them built it will be dammed, sure enough.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. MAY. Certainly.

Mr. WOODRUM of Virginia. Mr. Chairman, I am in entire sympathy with any effort that could be made to cause a complete, careful, systematic audit of the transactions of the Tennessee Valley Authority, but I ask the gentleman to comment on this feature of his amendment—that no part of the appropriation herein made, that is, the whole appropriation of the Tennessee Valley—

Mr. MAY. That is correct.

Mr. WOODRUM of Virginia. Shall be available for expenditure until Congress passes the legislation the gentleman speaks of. Unless Congress by affirmative act passes some additional legislation relative to the Tennessee Valley Authority by July 1, they cannot obligate one penny of the appropriations herein made.

Mr. MAY. That is exactly the purpose and intent of this amendment—that they shall come back here during this session of Congress and ask the gentleman from Virginia and his able assistants to let them furnish some detailed, definite information as to what they intend to do with all of these millions of dollars that they are asking for.

Mr. FADDIS. And is it not a fact that at the present time the T. V. A. does not have to come to Congress and ask authority to build a dam? They do not have to have any authorization legislation.

Mr. MAY. They have not asked it. They have been building dams by coming and getting their nose under the tent and then asking for more money as it goes along. We have authorized them, in addition to all of these appropriations, to sell bonds to the extent of \$61,000,000, or \$61,500,000, to be exact, and they have already sold \$50,000,000 of that bond issue. They have available in that fund unexpended \$11,500,000 in cash. Someone said a while ago and someone was saying in answer to me, asking whether that bond money was not limited to specific purposes. What are they? To buy up additional utilities and properties to increase their revenue in the years to come, and they are boasting now that they are going to make a net income of about twelve to fifteen million dollars in the year 1940. I maintain as Democrats, as men who believe in curtailing the expenses of this Government, that is becoming top-heavy as rapidly as it can, that relief to the taxpayers demands that we use a little caution in these matters.

Mr. EDMISTON. And the T. V. A. is appearing before the gentleman's own committee next Tuesday asking for more money, for Federal funds to replace taxes.

Mr. MAY. Yes; they are coming in for tax legislation.

Mr. JENKINS of Ohio rose.

The CHAIRMAN. For what purpose does the gentleman from Ohio rise?

Mr. JENKINS of Ohio. To support the gentleman's amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. JENKINS of Ohio. Mr. Chairman, I should think that the House would give this amendment its most favorable consideration. The gentleman from Kentucky [Mr. MAY] is trying to do for the T. V. A. what ought to be done. There is nobody who has opposed the T. V. A. any more assiduously than I have, but I have come to the place where every reasonable man must come and that is that we must recognize that we cannot throw to the winds all of these millions of dollars that have been expended in the Tennessee Valley. We cannot blow up these dams. We must go ahead with this work and finish the projects upon which millions have been

spent. What we are asking to do today is something that was strikingly brought out in the hearings which the T. V. A. investigating committee held in 1938-39. You will remember that a year or so ago the Speaker of this House appointed a committee to investigate the T. V. A. I was honored with membership on that committee. We found a lot of irregularities, many of them. We found that the General Accounting Office auditors were 4 or 5 years behind and that twelve to fifteen million dollars of items had not been resolved. They have not all been resolved yet. Here is this gigantic organization marching on, spending millions and millions of dollars, and making no report to the Government except such reports as they prepare and audit themselves. It is the only agency in the Government that does not clear through the General Accounting Office. There is not a single other agency that does not do so. Why should not this agency come under the authority of the General Accounting Office? The Democrats cannot find fault with that Office now. They used to say, "Oh, McCarl! McCarl!" But Mr. McCarl, who was a most fearless and efficient man, has been displaced by a Democrat. A strong Democrat, a former Senator, is now head of that organization. I would be glad that he and his organization should audit this gigantic octopus that seems to ride roughshod over the whole country. It should be done. Those of you who are real friends of the T. V. A. should listen once in a while. We said months ago that you were going to have a tremendous job on your hands because of failure of taxation. You would not listen. Already the T. V. A. is before the Military Affairs Committee asking the Government to come to the rescue. Three or four States are at loggerheads over the question of taxation. A very significant thing about the T. V. A. is that it knows no bounds. State lines mean nothing to it. Every other agency that we know anything about pays some attention to State lines, but here is an agency that starts in North Carolina and marches through North Carolina.

It has to do with the politics of the State. It has to do with the municipal politics of the State, with the school politics of the State, and with the financial politics of the State. It marches down into Georgia, over into Alabama, all through Mississippi, and clear across the State of Tennessee. It moves with an omnipotent tread its purposes to perform. There are five States at loggerheads over this taxation proposition, because this thing marches over State lines and violates their laws, and nobody can control it. It has got beyond everybody. If you are a friend of T. V. A., you will vote that the finances of T. V. A. be put under the General Accounting Office. Who is the General Accounting Office? It is the General Accounting Office of this great United States of America. It has been dominated by Republicans and again by Democrats since it has been founded, and, as far as I know, there has never been any scandal against it. If you are going to vote thirty-nine or forty million dollars, why should you not say, "Let us handle this money like all the rest of the Government's money." I say you are wrong in refusing to do so. You had better stop, look, and listen if you want to do what should be done and before it is too late.

Mr. DIRKSEN. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. DIRKSEN. Is it not rather strange that the T. V. A. spent \$25,000 and \$40,000 for a private audit this year, and resisted the efforts of the General Auditing Office to audit their accounts?

Mr. JENKINS of Ohio. Yes. Do not get it into your minds that those who control the activities of the Tennessee Valley Authority are angelic. They are the smartest bunch of operators that ever imposed themselves on a gullible public. They boast of their superior status. When it is advisable for them to be a Federal agency they assume that status. When it is advisable for them to deny that they are a Federal

agency then they claim that they are an independent organization and are outside of Government regulations, such as those prescribed by the General Accounting Office. They are all things to all men. As proof of that, when we were investigating this hydra-headed octopus, we maintained from the very beginning that our investigation was 90 percent an auditor's investigation. We could not get the committee to take our view of it and compel an audit. But about 4 or 5 days from the time we closed our investigation, the T. V. A. authorities came in with a secret audit that they had procured during the time we were investigating them, and it cost them \$40,000 of your money. They would not permit the General Accounting Office to audit them. They would not permit us to make an audit; yet they spent \$40,000 for a secret audit. The sooner the Congress wakes up to these high-handed tactics, the better off the Government will be, and the better off the T. V. A. will be.

Further, in proof of the dishonest tactics of those who rule this monster money-spending experiment, let me cite you an instance of their practices. Our investigating committee engaged an attorney. I opposed his employment and stated that I felt he was unfit for the place. I had investigated him. The first thing he did when he went down there to make these investigations for our committee was to call those that he thought might be witnesses and tell each and every one of them that they must not talk or give testimony to anyone unless they first cleared themselves through the T. V. A. officials. All during our investigation we were confronted with this same partiality toward the outfit that we were supposed to investigate. [Applause.]

[Here the gavel fell.]

Mr. STARNES of Alabama. Mr. Chairman, I rise in opposition to the amendment proposed by the gentleman from Kentucky [Mr. MAY].

Those of you who have served in this House know that no amendment offered by the gentleman from Kentucky would ever facilitate or be helpful to the program of the Tennessee Valley Authority. He has been opposed to this program from its inception. He has been honest, open, and aboveboard about it, and has repeatedly told this House that he would kill the T. V. A. now if he could. Make no mistake about it. This amendment is the opening wedge for the slaying which he thinks has been long delayed.

From the debate thus far, you would think that the T. V. A. does not have its accounts audited.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. STARNES of Alabama. I cannot yield in the short time I have.

You would think the T. V. A. accounts are not audited by the Comptroller General. To the contrary, the law specifically provides in title XVI, chapter 12 (a), Tennessee Valley Authority Act, an act approved August 31, 1935:

The Comptroller General of the United States shall audit the transactions of the corporations at such time as he shall determine but not less frequently than once each governmental fiscal year, with personnel of his own selection.

It further provides that all papers and files of the Corporation shall be made available to them. Mr. WIGGLESWORTH, distinguished Member on the minority side, the ranking minority member on this subcommittee, asked Mr. Tulloss of the General Accounting Office when he appeared before the committee this year:

Mr. WIGGLESWORTH. How are you getting along with the T. V. A.?

Mr. TULLOSS. We are getting along nicely.

Mr. WIGGLESWORTH. Are they furnishing you all of the original documents that are necessary for auditing?

Then follows testimony to the effect that they were, and that hereafter, in order to save money, an audit would be made in the field, because it was more economical. He stated further that they had just completed the audit for 1939.

So an audit by the General Accounting Office has been made. It is satisfactory and it is up to date. The gentleman from Kentucky [Mr. MAY] said there was over \$15,000,000 of stolen money—or words to that effect—money that had been illegally spent by this great corporation. I call attention to the fact that Mr. Kohler, the auditor, when he appeared before the subcommittee, said that with reference to the exceptions made to certain expenditures by the T. V. A., out of more than 20,306 exceptions which had been made from 1934 to 1938 the Authority had been notified of the release of 13,520. He further said replies to a majority of exceptions were probably satisfactory.

The sum total of all of it is that the amendment offered by the distinguished gentleman from Kentucky [Mr. MAY] is not an amendment to provide for the auditing of the T. V. A., but in effect an effort to kill the entire program, after the Government has already expended more than a quarter of a billion dollars on this great project.

Make no mistake about it, you are voting to junk the entire program at this hour if you vote for this amendment.

If this amendment is adopted it would require the T. V. A. to come before his committee before the adjournment of this Congress and attempt to get legislation before they could spend one dime of the money provided for in this bill. That is the effect of his amendment. If you are against the T. V. A., if you wish to junk the \$250,000,000 investment in the Valley, vote for the amendment.

Mr. WOODRUM of Virginia. Mr. Chairman, if the gentleman will permit—

Mr. STARNES of Alabama. Mr. Chairman, I yield to the gentleman from Virginia.

Mr. WOODRUM of Virginia. Does it not even go a little further than that, that any change in the law carrying out what the gentleman's amendment calls for would have to go to the Committee on Military Affairs, of which the gentleman himself is chairman, and if they were so disposed not to report out a bill, they could bring this whole T. V. A. project to a standstill?

Mr. STARNES of Alabama. Absolutely.

Mr. WOODRUM of Virginia. Is not the logical policy to follow, if any fundamental legislation is required for T. V. A., that of having the Committee on Military Affairs report out such legislation? Is not this the logical thing to do, have the gentleman's committee, which has control of it, bring the legislation to the House and have the House pass upon it?

Mr. STARNES of Alabama. Certainly.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. STARNES of Alabama. I yield.

Mr. MAY. What would the gentleman do if he were chairman of the committee and summoned the directors of the T. V. A. to appear before his committee and they refused to come? What would the gentleman do?

Mr. STARNES of Alabama. The gentleman from Kentucky has the power to bring them before his committee if he wants them. [Applause.]

[Here the gavel fell.]

Mr. VAN ZANDT. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. Does the gentleman wish to speak on the pending amendment?

Mr. VAN ZANDT. Yes.

Mr. Chairman, I rise in support of the motion made by the gentleman from Illinois [Mr. DIRKSEN] to strike out the provision of this bill which would extend and expand the operations of the Tennessee Valley Authority. This item, providing \$1,000,000 to begin construction of the Coulter Shoals Dam, near Lenoir City, Tenn., would further cripple the coal and railroad industries in my district and throughout the country. That is the sole basis of my opposition and I yield to no man in this House in challenging the soundness of that position.

From one end of this country to the other, the cry today is jobs—give us jobs, give us work, let us earn our living. That refrain is chanted by a chorus of 10,000,000 voices of jobless persons. Men and women are crying for work and what do they find? I will tell you what they find in this bill. They find a provision that would further cripple the coal and railroad industries in my district and in every district throughout the country where coal miners and railroaders are employed. The adoption of this provision could mean only one thing. It would mean that more coal miners and railroaders would lose their jobs. This provision is just another method of chiseling coal miners and railroaders out of honest work at decent wages. It should be entitled, "Another provision to put good American citizens on relief."

Let me tell you why that is so: It is a well-established fact that a man-day's labor is lost in the bituminous coal mining and allied industries for every ton of coal displaced in the market by some substitute fuel. That may sound like statistics to you gentlemen of this House whose constituents are not dependent upon the coal mines and the railroads for a livelihood. I represent a district in which those two great industries are the economic backbone of the community. When the coal and railroad industries are in distress, the people of my district are in distress. I wish to see both of these great industries so they may contribute to the prosperity of the Nation.

As I have pointed out, the labor of one man per day is destroyed in the bituminous coal-mining industry and allied industries when some substitute fuel displaces the market for a ton of coal. What, may I ask, is this coal miner to do who has had his job taken away from him? Where is he to find work? He was reared from boyhood in the coal-mining business. He is adapted to that industry, that job. His job has been destroyed by such legislation as this. Must he starve or must he go on relief permanently? Would any of you gentlemen like to be in the position of a coal miner who has had his job destroyed, and taken away from him through no fault of his own?

I say to you gentlemen that any policy which destroys a man's job and fails to provide another job for him so that he can support himself and his family cannot be defended. Yet, that is exactly what is happening in my district and in many other districts throughout the country.

Yes, gentlemen, we are spending more than half a billion dollars to put men and women out of work in your districts and mine. Let us remember that there are 10,000,000 persons out of work now. There were 10,000,000 persons out of work when this administration came into power. There still are 10,000,000 persons out of work. Why is that so? I will tell you one reason why it is so. When industry hires a man, this administration and this Congress adopts such policies as the T. V. A. and another man is robbed of a job. He must either go on relief or charity. That sort of procedure does not make sense to me.

Incidentally, let me mention another policy of this administration which I regard as indefensible. It is a policy which is destroying the jobs of coal miners and railroaders. I refer to the agreement under which the United States Government allows 400,000 tons of Russian coal to come into this country annually. That agreement was renewed only last August. Instead of renewing the agreement, it should have been abrogated. Why this Government should extend any aid to the workmen of Russia is beyond my comprehension, especially when it injures good American citizens.

Do you gentlemen realize what the importation of 400,000 tons of Russian coal annually means to the American coal and railroad industries? It means that 400,000 coal miners in the United States will lose a day's work and a day's wages for every year that agreement is in effect. That means greater hardships for miner's wives and children.

It also means the loss of jobs and the loss of wages to the railroaders of this country. Do you realize that 400,000

tons of coal require 4,000 cars, or about 40 trains to transport it? It also requires about 2,000 railroaders to handle that freight. Do we wish to have coal mined by Russians displace our own coal and cause 400,000 American miners to lose a day's wages every year, and 2,000 railroaders lose their jobs? I think not.

Let me tell you gentlemen that nearly 40,000 persons in my district are dependent upon the coal and railroad industries for a livelihood. These people are entitled to jobs in American industries. They are entitled to protection from foreign competition in coal and from domestic competition in power, such as the T. V. A. They are entitled to be secure in their jobs. The time has come to call a halt to the spending of the taxpayers' money to destroy jobs for American citizens. One section of the country may benefit on the surface, but if the people of another section have their jobs destroyed, the entire country will suffer in the end. Let us take a realistic view of this matter. If we destroy a job by legislation, we must pass other legislation to care for the person whose job is destroyed. Let us keep the jobs for American citizens whose greatest desire is honest work at a wage that will support themselves and their families. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Tennessee [Mr. COOPER] has been allotted 5 minutes under this debate which he has yielded to the gentleman from Alabama, the Speaker of the House, whom the Chair now recognizes for 5 minutes.

Mr. BANKHEAD. Mr. Chairman, as is well known to the membership of the House, since I have assumed the duties of the Speakership it has only been on very rare occasions that I have felt impelled to participate in the debate in the Committee of the Whole; and I have only made up my mind to make another exception to that rule in this case because of what I regard as the supreme importance of a correct decision by this Committee on the amendment offered by the gentleman from Kentucky.

Mr. Chairman, this is no time and probably no place to go back into the old arguments as to whether the great Tennessee Valley program was ever justified, or whether it has justified its own operations up to date, or whether its future permanent benefits to the people of that great section of the country and the entire country will justify further action; but we are confronted here by the consideration of an annual appropriation bill, and in this paragraph which we are now considering provision is made for the entire operations of the Tennessee Valley Authority in all of its ramifications.

This Authority has recently made big contracts for the furnishing of power to the great State of Tennessee. It has other outstanding contracts. It has a large program ahead of it. It has committed itself, through proper authority, to great moral and legal obligations. Here we are confronted by a proposition in the amendment now pending before this House that this appropriation shall not become available unless and until a specific committee of this House, to wit, the Committee on Military Affairs of which my fine friend, the gentleman from Kentucky [Mr. MAY] is the chairman, shall take action and favorably report a bill here to this House setting up the provisions that he incorporates in his amendment as a prerequisite for this appropriation's becoming effective. I ask you gentlemen on this side of the aisle on my left, whether you have agreed with all of the details of the operation of the Tennessee Valley Authority or not, whether it is a sound moral legislative proposition for this whole great enterprise and its operations for the next fiscal year to be jeopardized upon any such contingency as is proposed in this amendment?

Any bill must run a great many hazards. I do not know whether the gentleman's committee would report out a bill. There are a number of Members on that committee who are opposed to this Tennessee Valley program, as is the chairman of that committee opposed to it; and yet, if you adopt this amendment, unless a specific bill is reported out of a

committee of which the chairman himself admittedly is adverse to the entire operation of the plant, the operations of this Authority must cease. Such a bill would have to run the gamut of a favorable report from that committee; it would have to secure recognition upon the floor of the House for its passage; it would have to run the hazard of a special rule, probably, for its consideration. In the meantime time may be running against the calendars of this House, and we may even reach adjournment without any action upon such contemplated legislation; and I assert that it is not fair to this great governmental enterprise—for that is what it is—to subject it to the very unfair hazard, as I see it, of making contingent its entire operation and the carrying out of all its contracts of every nature whatsoever contingent on the passage by the Congress of the United States of a bill setting up certain restrictions upon the auditing of its accounts.

I believe, gentlemen, for these broad reasons—they are not sectional; my State of Alabama is not interested in any of these additional appropriations, but we are interested in the continuation of the operation of the T. V. A.—if, forsooth, by any chance such legislation should not pass at this session of Congress before the 1st day of July, we do not want all of these great electrical transmission lines stopped down in that great area, these rural electrification lines, these contracts with Tennessee, the great fertilizer plant down there which is now just beginning in its experimental work to do something of real benefit to the farmers of this country. I do not think it is right or fair to hazard all of those operations upon the contingency of the passage of a specific bill by the Congress of the United States on a comparatively minor matter before the adjournment of Congress. [Applause.]

[Here the gavel fell.]

Mr. DIRKSEN rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. DIRKSEN. I rise to speak on the amendment.

The CHAIRMAN. The Chair cannot recognize the gentleman.

Mr. DIRKSEN. I rise to strike out the last word.

The CHAIRMAN. The Chair cannot recognize the gentleman because under the agreement to close debate 12 Members stood. The Chair called attention at that time to the fact that he would, of course, only recognize those 12 Members.

Mr. DIRKSEN. May I inquire whether all of the allotted time has been exhausted?

The CHAIRMAN. The allotted time has not been exhausted, but the time has been allotted.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to proceed for 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. DIRKSEN]?

Mr. HOOK. Mr. Chairman, I object.

Mr. MICHENER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MICHENER. As I understood the request and agreement was that debate be limited to 1 hour. That was entered into at about 2 minutes after 2 o'clock. There has been a lot of voting since that time, and 1 hour has not been consumed in debate. Now, if there is time that has not been consumed under the agreement, then any Member seeking the floor to debate is entitled to recognition and may use the rest of the time?

The CHAIRMAN. The Chair has agreed to recognize five other Members, as there are 25 minutes left.

Mr. DIRKSEN. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. DIRKSEN moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. DIRKSEN. Mr. Chairman, I enlist myself in the case of the pending amendment with some trepidation and with the highest respect for our beloved Speaker. I feel, however, that the situation is not quite so despairing and so dismal as pointed out, for many reasons. In the first place, the appropriation made available in this bill for the Tennessee Valley Authority is for the fiscal year 1941 and is neither available nor subject to expenditure until after July 1, 1940. This is the 18th of January, and it is approximately five and a half months until any of the funds herein made available can be expended. In that five-and-a-half-month period the auditors, accountants, experts, and others of the Tennessee Valley Authority can easily present themselves to the appropriate committee of Congress and there permit an examination of their books. There they can submit themselves to cross-examination and to interrogatories that seek merely to elicit a full and complete picture of this whole audit situation; and in the event that nothing should happen, or in the event that some restriction be imposed, there is always the easy proposition of providing the necessary funds in a deficiency bill. We had three deficiencies in the last session of Congress, exclusive of an urgent deficiency. Let no one think for a moment that we shall come up to the end of this fiscal year, when moneys must be made available for T. V. A. for ordinary purposes, but what there will be a deficiency bill offered in the Appropriations Committee and duly reported to the Congress; so that no Member need cherish any apprehension or alarm that it will be out of operating funds.

Mr. Chairman, this thing is important. As I stated while interposing in the remarks of the gentleman from Ohio [Mr. JENKINS], the T. V. A. spent \$25,000 for a private audit last year and \$40,000 this year. If you will examine the audit, you will find that in the certificate of the auditors it states that they do not pass upon the legality of the expenditures. Under those circumstances it is high time that the Congress go into this matter. What is the truth about the situation? Over \$22,365,000 in items were presented to the General Accounting Office and only \$16,000,000 thus far have been cleared. That is the testimony of Mr. Kohler, general accountant for the T. V. A., and his testimony will be found on page 1698 of the hearings. I admonish you, therefore, that in the case of any enterprise that has already received \$270,000,000 in appropriations, for which the over-all estimate is now \$535,000,000 and to which will be added countless other millions, we are not playing fair with the Treasury or the people's funds unless we cautiously investigate and get a full, clear, and comprehensive picture of the efficiency of the expenditures. I recommend to you the amendment offered by the gentleman from Kentucky [Mr. MAY].

Mr. MAY. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Kentucky.

Mr. MAY. Our beloved Speaker called attention to the fact there were contracts for the delivery of electricity to large corporations and municipalities.

Mr. DIRKSEN. This does not impair contract obligations.

Mr. MAY. They have adequate money and adequate earnings to run it.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, I do not believe any member of this Committee can recall such a high-handed, ruthless attempt to annihilate a Government activity as is attempted by this amendment. Let me say that I am ready to join hands enthusiastically in any movement that will put the Tennessee Valley Authority under the strictest kind of scrutiny of an auditing and accounting system. The Committee on Military Affairs, of which my friend from Kentucky is the distinguished and energetic chairman, is the legislative committee that could report out and bring to the House such a bill. We

know that our beloved friend is fundamentally and unalterably opposed to the Tennessee Valley Authority in every respect.

Mr. MAY. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Kentucky.

Mr. MAY. If the Military Affairs Committee reports out a reasonable bill requiring the Tennessee Valley Authority to secure permission to build a dam that costs \$40,000,000 before they build it, as the War Department is required to do, will the gentleman vote for it?

Mr. WOODRUM of Virginia. Yes; I will vote for it, and I believe the House will pass it.

Mr. MAY. I believe the gentleman will get a chance to do it, too.

Mr. WOODRUM of Virginia. We ought to do it that way, but what do we do? The gentleman from Pennsylvania talks about taking jobs away from people. There are thousands of people working on the Tennessee Valley project, which Congress has authorized and for which we have spent money and obligated money, thousands of them, and ultimately hundreds of thousands of people are dependent upon it; yet we say here that unless the Tennessee Valley Authority goes to a committee presided over by a chairman who is opposed to the entire project, and secures affirmative action, not by just the House but by the whole Congress, before July 1, every penny of its money will be impounded and it cannot proceed with any of its operations.

I want to submit to you that in all our zeal to put the brakes on these activities, or to put them under accounting systems or scrutiny, this is a most unfair and a most ruthless way to treat an activity. I do not remember of such a thing being ever seriously considered or attempted in the House.

What would happen? July 1 will be here pretty quickly. There are many things that will happen between now and July 1. The Committee on Military Affairs is very busy with the defense program. One has to be quite optimistic to be able to say with any degree of certainty that legislation could be reported out of a legislative committee and passed and become final law before July 1. The danger of it, however, is that you put it within the power of a small group of persons to stop the whole activity on July 1.

I submit to you, if we want to make any changes in this set-up, let us do it in the regular way. The House can take such action as it chooses. We have the power and the authority to pass organic, fundamental legislation causing them to account in any way we wish to see it done, and I am willing to join in such a movement, but I do not want to see it attempted in this way, and I hope very much the amendment will not be adopted. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the motion of the gentleman from Illinois that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The motion was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Kentucky [Mr. MAY].

The question was taken; and the Chair announced that the yeas seemed to have it.

Mr. MAY. Mr. Chairman, I ask for a division.

Mr. EDMISTON. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. MAY and Mr. STARNES of Alabama.

The Committee again divided; and the tellers announced that there were—ayes 132, yeas 153.

So the amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut [Mr. MILLER].

Mr. MILLER. Mr. Chairman, the gentleman from Illinois in his remarks stated that the T. V. A. would go on and on

and on. My chief concern is that it do not go on and on and on until it enters the State of Connecticut.

On the 7th of January of this year a gentleman by the name of Mr. Leonard Farmer came into the capital city of Connecticut, in my district, the city of Hartford, and over a radio station stated that he was up there directed by the gentleman from Mississippi, Congressman RANKIN, to act as his spokesman. I quote from this broadcast:

Congressman RANKIN, who is the coauthor of the Tennessee Valley Authority and sponsor of rural electric legislation, is unable to answer Mr. Ferguson personally. The Congressman, however, has directed me to be his spokesman in this matter at this time.

On reading the broadcast I would have recognized the handiwork of our good friend from Mississippi [Mr. RANKIN] if his name had not been mentioned, because the broadcast was chiefly devoted to a story not new to the residents of Connecticut—that of the alleged \$18,000,000 overcharge by the public utilities in and around Hartford County.

There is no resident of Hartford County who would like more than I to see electric rates reduced and to have a smaller electric-light bill, but on the whole we are quite well pleased with the situation in the city of Hartford. The rates charged for electricity are under the control of a State commission, at the present time a commission appointed in major part by a Democratic Governor, a commission trying to arrive at a reasonable rate for electric current. This area is served by the Hartford Electric Light Co. It may interest the Committee to know that during a hearing before the Federal Power Commission—and no one will accuse the Federal Power Commission of being overfriendly to the utilities—the Hartford Electric Light Co. was held up as a good example of what a good public utility should be; but in spite of that the people of this area are being subjected to propaganda for the establishment of a little T. V. A. in the State of Connecticut.

In this broadcast reference was made to the alleged \$18,000,000 overcharge, as I have said. We in Connecticut consider the often-mentioned \$18,000,000 not as an overcharge but as an indication of the subsidy now going into T. V. A.

The essence of the matter is not whether T. V. A. rates are lower than those in Connecticut. It is admitted that they are; but the question is whether the difference is a measure of overcharge in Connecticut or a measure of the direct and indirect subsidies received by the T. V. A. at the expense of the Nation's taxpayers.

The accusation that the difference is an overcharge is disposed of by the fact that the State reports show that, if revenues should be reduced by the amounts stated as "overcharge," all earnings would be eliminated and, in addition to the elimination of all dividend and interest payments, pay rolls would have to be materially reduced in order to make ends meet; which shows the absurdity of the accusation.

In the closing paragraph of this broadcast Mr. Farmer urged his listeners to make known to their Representatives in Washington their desire for a little T. V. A. in Connecticut. Now, one of two things is certain: Either by the end of the broadcast there were no listeners or there was nobody listening who cared about having a T. V. A. in Connecticut, because from that day to this, from the 7th of January until now, 11 days have elapsed, and I have not received a single request for a little T. V. A. as a result of that appeal. This indicates to me that the people of that area want no part of T. V. A. in Connecticut. [Applause.]

While I did not get a communication supporting Mr. Farmer's position from a constituent, I did get a letter from a former resident of the State of Tennessee, who wrote as follows:

I just heard some man on the Hartford—WTIC—radio talking about T. V. A. Five counties in Tennessee are short of tax money and cannot complete their school terms since T. V. A. took over, due to loss of taxes formerly paid by private utilities.

Due to poor planning by T. V. A. and scaring off utility building, Tennessee is now faced with power shortage.

The writer names four companies that have had to lay off hundreds of men because of lack of power in T. V. A. facilities.

He enclosed a memorandum from a benefit association composed of former employees of T. E. P. stating that many of them were in need of relief due to the fact that these former T. E. P. employees were not hired by T. V. A. or by the cities and co-ops due to their age. It makes one heartsick to read the pitiful stories of men who have given their best years developing the Tennessee Power Co. to a successful concern and now unable to find employment in that area. If the Federal Power Commission really wants to make possible lower electric-light and power rates in my district, it can contribute by desisting in its present practice of having the Hartford Electric Light Co. go to great expense in sending men down to Washington for hearings of all kinds. Such a hearing was recently commenced by the Federal Power Commission in an attempt on the part of the Commission to bring the Hartford Electric Light Co. under its jurisdiction. Several sessions were held, and the hearing now stands in recess. The cost of this Government interference, in the final analysis, must be paid by the consumers on the Hartford Electric Light Co. lines. In view of the record made by T. V. A., I hope that some way will be found to stop the growth of this expensive monster before it reaches into the fair State of Connecticut. [Applause.]

Mr. KEFAUVER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KEFAUVER: Page 69, line 8, before the colon, insert a semicolon and the following: "and, in addition, \$1,000,000 for the construction of a highway and bridge on the Chickamauga Dam."

Page 69, lines 8 and 9, strike out the words "this appropriation" and insert in lieu thereof the words "these appropriations."

Mr. KEFAUVER. Mr. Chairman, it may seem unusual, in view of the economy wave, that I would present this amendment; but I did want to state my case to you, because I feel I have a good one.

This amendment appropriates money for the building of a bridge across Chickamauga Dam; or, I might say, it is to be more of a roadway than a bridge, because it goes along over the top of the dam as a roadway until it comes to the lock, and then it is a bridge.

This is not a project merely for the benefit of the people of my district but it serves a national purpose in making accessible to the people all over the United States the scenic and recreational facilities of this region. May I add that in the first place this was the greatest dream and ambition of the distinguished statesman whom I have the honor of succeeding in this House. I refer, of course, to Judge Sam D. McReynolds. Many of you who knew him well have heard him speak of a bridge across this magnificent dam; and of all the projects that he wanted for his region, I think this came foremost.

Chickamauga Dam, as you will notice from this map, is 7 miles from the heart of Chattanooga, a metropolis of 140,000 people. Roads lead from the north side of the Tennessee River to the north end of the dam and from Chattanooga to the south end of the dam. Thousands of people go each day to either side of the dam, and yet there is no way of going across it. The State of Tennessee is building splendid recreational parks on the south side, and on the north side is a marine park and other parks. If this bridge is built, it will make possible the utilization of that great and beautiful lake there.

I also want to call your attention to the fact there is no bridge between Chattanooga and Loudon, which is 75 miles north.

United States Highway 27 is the main highway to Lexington, Ky., and to Cincinnati and on up to Chicago and points north.

It goes within 3½ miles of the north end of Chickamauga Dam. United States Highway 11 is the principal highway to Knoxville, Washington, and points northeast. It comes within 2 miles of the south end of Chickamauga Dam. The principal highway to Atlanta and to Florida, which is a good place to go at this time of the year, is United States Highway 41, which runs along parallel with United States Highway 11, and is within 7 miles of the south end of Chickamauga Dam. So you can readily see from this map that roads have already been built from the north end to United States Highway 27, and from the south end to United States Highway 11 and United States Highway 41; and the State of Tennessee, I have been reasonably assured, will build fine connecting roads if a roadway is put across this dam, so that traffic coming from the North, instead of having to go through the congestion of Chattanooga traffic, can go across the dam and proceed into this region here [indicating on map] or proceed south on the Atlanta road. This will save approximately 14 miles, in addition to avoiding the congestion of Chattanooga traffic.

We have two bridges in Chattanooga, one of which is old and antiquated. Something has got to be done to relieve that traffic congestion on Chattanooga. These bridges were constructed in Chattanooga at county and city expense. No part of it was built by the Federal Government.

I ask your support of this amendment.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman from Tennessee [Mr. KEFAUVER] has been very industrious and energetic in speaking to members of the committee and to Members of the House in regard to this desirable bridge improvement as embodied and called for in his proposed amendment.

The gentleman states a very persuasive case. The amendment, however, if adopted, would increase the amount of the Tennessee Valley appropriation by \$1,000,000, and would include an item which has not been passed upon by the Budget or considered by the Appropriations Committee. Under the circumstances, I should not like to see the amendment adopted, but would hope that the gentleman would present the matter to the Budget prior to the time the next annual appropriation comes up for the Tennessee Valley Authority and let the matter have a hearing and consideration by the Budget and also a hearing before the Appropriations Committee.

I hope the amendment will not be agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. KEFAUVER]. The amendment was rejected.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from South Dakota [Mr. CASE].

The Clerk read, as follows:

Amendment offered by Mr. CASE of South Dakota: Page 69, line 8, strike out "\$40,000,000" and insert in lieu thereof "\$36,000,000."

Mr. CASE of South Dakota. Mr. Chairman, I shall take only a moment. By reference to the report of the subcommittee, anyone can see that the item for Federal aid to roads is cut \$25,000,000 from last year, which is a cut of 20 percent; that secondary or feeder roads are cut 40 percent. As already called to your attention this afternoon, the Budget recommendations for flood control are cut from \$133,000,000 to \$70,000,000, or a cut of 47 percent. Farm parity payments, we are told, have been entirely eliminated under the Budget recommendations, a cut of 100 percent. This amendment merely reduces the total over-all appropriation for the T. V. A. from \$40,000,000 to \$36,000,000, a flat cut of 10 percent. The T. V. A. has no permanent commitments such as the Veterans' Administration. This will not cripple their program or eliminate any essential activities. It simply gives them a 10-percent cut so that they may get the habit of economy along with the other agencies.

The CHAIRMAN. All time has expired. The question is on the adoption of the amendment offered by the gentleman from South Dakota.

The question was taken; and on a division (demanded by Mr. CASE of South Dakota) there were—ayes 94, noes 127.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In addition to the contract authorizations of \$115,000,000 contained in the Third Deficiency Appropriation Act, fiscal year 1937, and \$230,000,000 in the Independent Offices Appropriation Act, 1940, the Commission is authorized to enter into contract for further carrying out the provisions of the Merchant Marine Act, 1936, as amended, in an amount not to exceed \$150,000,000.

Mr. TABER. Mr. Chairman, I make the point of order against the paragraph on the ground that it is legislation on an appropriation bill. I refer to the paragraph beginning in line 22, page 71, and ending in line 3, page 72.

Mr. BLAND. Mr. Chairman, I desire to be heard upon the point of order.

The CHAIRMAN. The Chair will be glad to hear the gentleman from Virginia on the point of order.

Mr. BLAND. Mr. Chairman, it will be noted that the language to which objection is made provides that in addition to the contract authorizations contained in the Third Deficiency Appropriation Act, fiscal year 1937, the Commission is authorized to contract for further sums carrying out the provision of the Merchant Marine Act of 1936, as amended, in an amount not to exceed \$150,000,000. My contention is that that is not an authorization but purely a limitation; that if it is in effect at all, it is merely a declaration of the Congress of a desire that the Maritime Commission shall enter into contract, because the authorization for entering into the contract exists in the Merchant Marine Act of 1936. This is not a limitation on any appropriation. It is merely that they shall not enter into contract beyond this sum, and expresses a hope that the contract should not be entered into. It is not a limitation on any funds that are being appropriated. The Merchant Marine Act itself of 1936, in section 207, expressly provides and gives authority to enter into these contracts. Section 207 provides that there is authorized to be appropriated such sums as are necessary to carry out the provisions of the act. Under section 207 the Commission may enter into such contracts on behalf of the United States and may make such disbursements as in its discretion may be necessary to carry on the activities authorized by the act.

In the same way, in section 210, it is made the duty of the Commission to study, procure, and adopt a long-range program for effacement and additions to the American merchant marine. Section 502a authorizes the Commission to enter into contracts for construction of proposed vessels and for the payment to the shipbuilders of the contract price of the vessels out of the construction fund of the Commission or out of other available funds. Section 702 authorizes the Commission to have constructed such new vessels as it shall determine may be required to carry out the object of the act.

Section 702 prescribes the conditions upon entering into contracts for the building of such vessels. There are a number of other limitations of the same kind.

The point I make is that if this language has any effect at all it is a limitation, or if not a limitation, merely a declaration on the part of the Congress of a hope that these contracts shall not be made, the authority existing in the original act, and this proving no limitation upon that.

The CHAIRMAN. The Chair is ready to rule.

Mr. TABER. Mr. Chairman, there is something to say on the point of order. Almost every one of the sections that has been read specifically says "out of available funds." The general situation is that these contracts cannot be entered into without specific authority, and those things are not provided for in the general legislation.

The CHAIRMAN (Mr. WARREN.) The Chair is ready to rule.

The gentleman from New York [Mr. TABER] makes the point of order that the paragraph now under consideration is legislation on an appropriation bill. Of course, it is well known that the United States Maritime Commission has authority under the law to enter into contracts. Assuming that to be true, what would be the purpose in that Commission having authority under an appropriation bill to enter into contracts, unless it was for some new purpose?

An almost similar proposition of this kind came up on the second deficiency bill on April 28, 1937, at which time the Committee of the Whole was presided over by Mr. Vinson of Kentucky, when an amendment was offered dealing with the Tennessee Valley Authority. The Chair, at that time, construed it to be legislation on an appropriation bill. The present occupant of the chair so construes it, and sustains the point of order.

Mr. MAGNUSON. Mr. Chairman, I move to strike out the last word.

In June 1938 Congress set up in the Civil Aeronautics Act the first unified and comprehensive national policy ever adopted for civilian flying in the United States. On August 22 of that year the Civil Aeronautics Authority took office to administer that act. That is not quite 17 months ago. Many a new governmental agency in the past has excusably used up that much time in simply getting organized, and two or three times that period in making itself felt in the field of its activities.

But, evidently, the Civil Aeronautics Act, the American aviation industry, and the Civil Aeronautics Authority, together make a very exceptional and potent brew. Let us look at this civil aviation as it was the year before this act was passed and as it was in 1939. During the calendar year of 1937 the domestic air lines in this country carried 1,100,000 passengers. In 1939 they carried 1,900,000 passengers, an increase of 73 percent. The air-express business in 1939 was 28 percent better than in 1937. The domestic air lines handled 27 percent more air-mail traffic in 1939 than in 1937.

As a result of this increase in traffic, the air-line industry, which, in the spring of 1938, was facing bankruptcy, is today a financially sound asset in our national economy which employs 9,445 people within the limits of the United States, and some 4,870 more beyond our borders.

Beyond doubt, the largest contributing factor to this new acceptance of air transportation by the American public is the new level of safety which these carriers have achieved in their operations. In the last 368 days the 17 air lines in the United States have suffered only one fatal accident. During that period they have flown a total of over 82,000,000 miles. For the last 10 months of that period they have flown without a single passenger fatality, doing a job of passenger carrying equivalent to transporting a quarter of a million people from New York to San Francisco.

A large part of the credit for this safety record must go to the pilots, the mechanics, the dispatchers, the executives of the air lines. At least an equal share of the credit should go to the Congress, which framed the Civil Aeronautics Act, and to the Civil Aeronautics Authority, which administers it. The Civil Aeronautics Authority has watched over air-line safety like a mother watches over the health of a new-born child. From the very week it took office it began a policy of encouraging the air lines to set up their own agreements, eliminating practices which had contributed to accidents in the past. It has, through its own technical experts and through the Air Safety Board, conducted a constant study of all air-line mishaps and issued numerous regulations designed to increase air-line safety, which its field inspectors have then enforced with a new thoroughness. It has, through the Administrator, substantially extended and greatly improved the

efficiency of the Federal airways system of aids to aerial navigation—those radio course beams, those beacon lights, those emergency fields, those centers of traffic control—upon which the entire operation of the air lines has come to depend. Granted adequate funds, there is no reason why the efforts of the Authority to insure air-line safety will not continue to be effective. With continued safety, there is no reason why the swift growth of air-line traffic and service to the communities will not continue.

Progress has been equally spectacular in the field of non-scheduled aviation. At the end of 1937 there were 17,681 citizens of the United States holding civilian pilot certificates. At the end of 1939 this number had risen to 31,264. At the end of 1937 there were 9,152 certificated civilian aircraft. Two years later there were 12,829. The total number of air-planes produced for civilian use in this country during 1937 was 2,289. The total number produced during 1939 reached a total of 3,800. The safety of this nonscheduled flying during 1939—and once again the Civil Aeronautics Authority deserves a substantial share of the credit—has improved 20 percent over 1937.

What is interesting and vital here is that these increases represent a new participation by individual Americans in aviation. In 1940 this rate of growth should not only continue, but be vastly stimulated by the training of no less than 10,000 new pilots in the civilian-pilot training program. Units have been installed in some 437 colleges and universities located in all 48 States, in Alaska, Hawaii, and Puerto Rico. In addition units have been set up in 70 communities throughout the United States for training persons not enrolled in colleges. With adequate backing of this program, the Civil Aeronautics Authority estimates that by June 1941 there will be more than 70,000 holders of civilian-pilot certificates in this country, more than a threefold increase over the number in force when it took office.

There are a dozen other items of civil aviation progress that could be added to the list—things like the establishment of trans-Atlantic airplane service, the Authority's excellent record in deciding rate cases and cases involving certificates of public convenience and necessity, a new effectiveness in the coordination of civilian aviation with the activities of the Army, the Navy, and the State Department, general technical progress in a number of fields, all operating toward a general increase in safety—but the main facts are enough to establish the one outstanding conclusion that this act, this industry, this Authority, rates every consideration that we can give. [Applause.]

The Clerk read as follows:

Total, Veterans' Administration, \$580,180,544: *Provided*, That no part of this appropriation shall be expended for the purchase of oleomargarine or butter substitutes except for cooking purposes.

Mr. VAN ZANDT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VAN ZANDT: On page 77, line 6, after the period, insert: "*Provided further*, That no part of this appropriation can be used for hospitalization or examination of persons other than veterans, unless a reciprocal schedule of pay is in effect with the agency or department involved."

Mr. FITZPATRICK. Mr. Chairman, I make a point of order that that is legislation on an appropriation bill.

Mr. VAN ZANDT. Will the gentleman reserve the point of order?

Mr. FITZPATRICK. Yes; I will reserve the point of order.

The CHAIRMAN. The gentleman from New York reserves the point of order. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. VAN ZANDT. During the general debate on this bill, I called to the attention of the gentleman from Virginia [Mr. WOODRUM] the fact that the employees of several Federal agencies, including the Civilian Conservation Corps, the Works Progress Administration, the Post Office Department,

the Civil Service Commission, and the Unemployment Compensation Commission, also beneficiaries of the Railroad Retirement Board, are being examined by the medical staffs of the Veterans' Administration facilities scattered throughout the country. In many cases the employees of these Federal agencies are hospitalized and spend many weeks in veterans' facilities. I further pointed out at that time that all of the agencies referred to reimburse the Veterans' Administration at the rate of \$3.75 a day for each person receiving medical service, with the exception of the Post Office Department, the Civil Service Commission, and the Unemployment Compensation Commission. These three agencies enjoy a special privilege that is charged to the expenses chalked up for the veterans of our wars. Since that discussion of this subject on the floor of this House, I have made special inquiry into this entire matter and I find that the position I took at that time was sound and correct in every detail.

In order to bear out my statement, I read from the printed hearings before the Committee on World War Veterans' Legislation taken last spring when General Hines appeared before our committee. I quote:

Mr. VAN ZANDT. General, may I interrupt you a moment? Can you furnish us with figures of the number of C. C. C. boys as well as post-office employees and other employees of the Federal Government who are hospitalized in Veterans' Administrative facilities?

General HINES. Yes; I can give them to you right now. This report is dated January 31. Of the total load hospitalized by types out of 71,432 grand total, we had 321 that were nonveterans. They would be divided between the C. C. C. people put in by the Employment Compensation Commission generally to be studied and to determine whether they are to be compensated for injury in the Government service, and some retired, either enlisted men or officers of the Army or the Navy. Now, in all cases except the Compensation Commission they pay the Veterans' Administration for the treatment at a reciprocal rate of \$3.75 a day, established by the Federal Board. In no circumstances would any of those be taken in except as an act of humanity where somebody would be sent to our hospital for immediate treatment, if the bed was needed for the veteran. Now, it is true, and I think that is probably what you have in mind, because I know your interest and activity in hospitalizing veterans, it is true that if a C. C. C. boy comes in with a bad fracture, most of them are fractures or emergency operations for appendicitis or something, but fractures are generally the type that take the bed. But they are only hospitalized by the Army when our facility is available and the Army has none. They take care of the C. C. C. in their own hospitals wherever possible.

Mr. VAN ZANDT. In connection with the post-office employee being examined at one of your facilities?

General HINES. That is provided for by the civil service.

Mr. VAN ZANDT. They pay for it?

General HINES. No; but after a number of recommendations on that score I was advised by the Director, or the Acting Director of the Bureau of the Budget that he agrees with me on the suggestion that all services rendered other Government agencies should be reimbursed to the Veterans' Administration.

Mr. VAN ZANDT. At the present time it is not?

General HINES. It is not; except for the Army, the C. C. C.

The CHAIRMAN. General, that includes the Army and Navy?

General HINES. The Army and Navy do it now.

The CHAIRMAN. They do?

General HINES. They do it now. And the C. C. C. But the Compensation Commission and the Civil Service Commission do not pay us for examinations.

The CHAIRMAN. But I notice, at least I gather the impression when they begin to attack the Veterans' Administration about its expenditures, that they do not allocate the expenses the Administration incurs in taking care of the Army and Navy and these other people to whom the gentleman from Pennsylvania is referring.

General HINES. You can say in the matter of hospitalization it is a small matter. But in the matter of examinations it is becoming a very important factor, and in the question of examination for civil service it will become so. It was for that reason I made the recommendation that no matter what is done for another Government agency—we should do it, I think, wherever we can do it without denying the veterans relief—we should be reimbursed, for two good reasons: It is good business, and it is good budgetary practice, as they actually know the cost of the other agencies of the Government.

Now, in order that you may have some idea of the extent of these activities, most of them relate to what is known as outpatient, but let me give you the examinations, for instance, made for the Civil Service Commission. During the month of December 1938 there were 1,082 individuals examined. The Employees Compensation Commission, 59; 60 allied pensioners, that is principally for Canada and Great Britain, where their veterans are in the United States, we have a reciprocal agreement with them that they will hospitalize

any of our veterans in Canada and we will hospitalize theirs, and we are reimbursed, which, I think, is a fair rule and very helpful.

Now, for the Civilian Conservation Corps we had 78. Works Progress Administration, 205. Railroad Retirement, 257, but they are paid for. The Railroad Retirement reimburses us for examinations. Now, the total number of individuals examined that month was 30,536. So the committee can well see that the agency that causes the greatest amount of work is that of the Civil Service Commission, and that is probably caused by the Post Office Department.

Mr. VAN ZANDT. Have you any idea, General, how long it takes to examine one of these individuals?

General HINES. It depends entirely on the character of the examination. If they are to go through the clinic it will take a day.

The CHAIRMAN. How long will it take; a day?

General HINES. It will take a day. If they found any great involvement that will require any special tests, for instance, a gastrointestinal X-ray service, it will require 2 or 3 days. But the general examinations are those that are made within 2 or 3 hours.

Mr. VAN ZANDT. Then I understand, General, with the exception of the Army, Navy, and C. C. C., and the Railroad Retirement Board, the other agencies of the Federal Government who send their employees to the Veterans' Administration pay nothing?

General HINES. For examination?

Mr. VAN ZANDT. For examination. And that is charged against the veterans?

General HINES. That is charged against the veterans, but it will not be any longer because the Director of the Bureau of the Budget has agreed that for any service rendered he will see that we are reimbursed.

Mrs. ROGERS. How much do they pay for care at a hospital?

General HINES. We have a reciprocal rate of \$3.75 a day.

Mrs. ROGERS. The Army and Navy pay you?

General HINES. The Army and Navy pay us, and we pay them when they hospitalize, with one exception, in the tubercular Fitzsimons General Hospital at Denver we pay a \$4 rate. Of course, hospitalization of tubercular patients is much more expensive.

Mr. VAN ZANDT. General, how long has this been going on?

General HINES. Well, it has been going on from the beginning. My argument on the question of reimbursement has been going on about 3 years.

The CHAIRMAN. Who pays for these W. P. A. patients?

General HINES. We have no W. P. A. in our hospitals, unless it would be taking a person in as an act of humanity who was brought there, as any hospital will take them in, if they are able to, as any private hospital will, and if our own are able to, and if they have to be hospitalized as an emergency, they reimburse the Veterans' Administration.

The CHAIRMAN. I understand; but who reimburses for the W. P. A.?

General HINES. There is no reimbursement for the W. P. A. We will not take in the W. P. A. unless they are veterans in the W. P. A. Some are not eligible except under the emergency case where a man is brought to a hospital at a point where there is no other agency to take care of him.

The CHAIRMAN. I was going to say if we are not reimbursed there is a rather dangerous line of demarcation for us to be watchful of. By the way, let me ask about these 300; how many of these W. P. A. men did you say were examined?

General HINES. W. P. A. that were examined, Works Progress Administration, 258 during January. That was not necessarily hospitalization.

The CHAIRMAN. No; but they were examinations?

General HINES. Yes.

The CHAIRMAN. That were made at the expense of the Veterans' Administration?

General HINES. That is right.

The CHAIRMAN. And yet every time anybody wants to jump on the veterans they jump on the expense of the Veterans' Administration, and we have to crawl through the eye of a needle, from a legislative standpoint, to get our bills through, and you can get one through just by saying "W. P. A." It looks like to me here is the point I am driving at—that the expenses ought not to be added to the Veterans' Administration, and, incidentally, to the veterans.

General HINES. That is correct.

The CHAIRMAN. And if it is going to grow there is a probability of its shoving the Veterans' Administration out on the outside.

General HINES. That is the fear I had—that it would grow; that caused me to ask for reimbursement. There is one type of W. P. A. worker, Mr. Chairman, that might land in our hospitals. That would be in a case of accident, where the Compensation Commission would have them hospitalized. And I have no doubt Congressman VAN ZANDT's case of the post-office employee is probably a case of accident, which was put in our hospital by the Compensation Commission because it could include any Government agency.

In addition to the information furnished by General Hines, in the testimony just referred to, I am informed by the Veterans' Administration that during the month of December 1939, 1,323 employees of the Post Office Department, Civil Service Commission, and the Unemployment Compensation

Commission were examined by the medical staffs of various veterans' hospitals. In order to make a complete medical check-up on these Federal employees, it was necessary for the doctors to conduct 3,812 separate examinations.

Now, mind you, as I read from the testimony of General Hines a moment ago, some of these Federal employees spend from 2 to 3 days in the veterans' hospitals if special examinations are required. I was further informed by the Veterans' Administration today that the departments and agencies enjoying this special privilege are opposed to reimbursing the Veterans' Administration for these services.

Now, in reference to the point of order made by my friend the gentleman from New York [Mr. FITZPATRICK] I insist that my amendment is not legislation but a limitation such as already exists in the pending bill.

I ask the Members of this House whether it is fair for the employees of the various departments of the Government to receive medical services at veterans' facilities and then have those services charged against the veterans? I do not believe that any Member of this House will disagree with me about the unfairness of such a practice. Gentlemen, I ask your support of my amendment which will give the veterans a fair deal in this matter. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. Does the gentleman from New York make his point of order?

Mr. FITZPATRICK. Mr. Chairman, I am not familiar with the amendment offered by the gentleman from Pennsylvania. I do not know whether the Veterans' Bureau has been compensated or not. The gentleman knows of my interest in the veterans and that I would not do anything to harm them. I cannot believe that General Hines would do anything to injure the veterans of this country, for I feel that he is one of their greatest champions.

Not being familiar with the effect of the amendment offered by the gentleman from Pennsylvania, I must insist on my point of order.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. FITZPATRICK. I yield.

Mr. VAN ZANDT. My good friend the gentleman from New York [Mr. FITZPATRICK] finds himself in a very difficult position, as I know he is a real friend of the veterans. In the absence of the gentleman from Virginia [Mr. WOODRUM], who is in charge of this bill, I know that the gentleman from New York is duty bound to oppose all amendments. That does not reflect his personal views on this matter, and when this point of order has been settled the gentleman from New York will be free to support the veterans, as he always has done since he has been a Member of this House.

I am aware that in the district represented by the gentleman from New York, in the Bronx Veterans' Administration Hospital, veterans are forced to wait in line while employees of Federal Government departments are being examined by the doctors at the hospital. Apparently the gentleman from New York is not aware of the fact that the cost of examining the employees of the Post Office Department and Civil Service Commission is charged to the Veterans' Administration.

Mr. FITZPATRICK. If that situation exists, I am opposed to it because I never have voted against any measure of merit that would benefit the veterans.

The CHAIRMAN. The gentleman from New York has made a point of order against the amendment offered by the gentleman from Pennsylvania.

The Chair is of opinion that the amendment is in the nature of a limitation, and therefore, overrules the point of order.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I believe the amendment offered by the gentleman from Pennsylvania to be a proper one and that it should be adopted by the committee. [Applause.] There is no question but that the argument of the gentleman from Pennsylvania is sound. My friend, the gentleman from New York, who we all know is strong in his championing of the cause of the veteran, frankly admits that he does not know anything about the situation, that otherwise he would support the amendment if such situation existed.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I know that such situation does exist. Yes; I yield to the gentleman from New York.

Mr. FITZPATRICK. I will support the amendment.

Mr. McCORMACK. Then I believe it is unnecessary to argue further. I hope the amendment will be adopted. [Applause.]

Mr. MILLER. Mr. Chairman, I move to strike out the last word for the purpose of asking the author of the amendment if his amendment contains anything that would prevent the admission to a veterans' hospital of an accident case occurring outside of the hospital.

Mr. VAN ZANDT. Oh, no.

Mr. MILLER. That is covered?

Mr. VAN ZANDT. Yes.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I think the members of the Committee also ought to know that there are certain people not veterans who are hospitalized in veterans' hospitals for whom no compensation is being paid to the Veterans' Administration. This ought to be taken into consideration at this time. The members ought to realize that certain civil-service employees are being hospitalized but that the departments to which they are attached do not pay a penny for their hospitalization.

I am delighted that the gentleman from New York has agreed to support the amendment.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman from Massachusetts yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. VAN ZANDT. When a person is admitted to a Veterans' Administration facility from the Railroad Retirement Board, or the W. P. A., or from the Civilian Conservation Corps, these agencies reimburse the Veterans' Administration at the rate of \$3.75 per day.

Mrs. ROGERS of Massachusetts. But not in every case.

Mr. VAN ZANDT. Not in every case. Exceptions are made in some cases. My amendment would make it mandatory that the Veterans' Administration be reimbursed for every person not a veteran.

Mrs. ROGERS of Massachusetts. Yes. This should not be charged up against the Administration as a cost on behalf of the veterans. It should be distributed through the different departments benefited instead of all being borne by the Veterans' Administration. The following is a table showing the number of veterans' hospitals, the veterans and nonveterans receiving domiciliary care, and so forth. January 4, 1940, there were 1,176 nonveterans hospitalized in veterans' facilities.

Veterans' Administration facilities	Standard bed capacity		Beneficiaries receiving hospital treatment										Beneficiaries receiving domiciliary care				Admin- Grand total, all beneficiaries in Veterans' Administration facilities	Overcapacity (included in grand total, beneficiaries)						
	Hospital	Domiciliary	United States veterans				Non-Veterans' Administration						Total non-Veterans' Administration	Total beneficiaries receiving hospital treatment	Service-connected	Non-service-connected		Included in service-connected and non-service-connected		Total beneficiaries receiving domiciliary care	Hospital			
			Service-connected	Non-service-connected	Observation for insurance, pensions, or compensation	Temporary hospitalization	Civilian Conservation Corps	Pending Emergency Conservation Corps authorization	Employment compensation	Emergency Conservation Corps—other than Work Projects Administration	Others	Member employees occupying beds not in stand-ard capacity						Total	Neuropsychiatric		General	Total		
TUBERCULOSIS																								
Castle Point, N. Y.	479		59	403							3	3	465						465					
Fort Bayard, N. Mex.	305		33	172	2		7					7	214		1			1	215					
Legion, Tex.	420		53	337	8						3	1	402						402					
Livermore, Calif.	339		46	233	1						5	5	290						290					
Oteen, N. C.	850		106	638	2		9				18		773		2		2	2	775					
Outwood, Ky.	375		69	276	8		3				1		357						357					
Rutland Heights, Mass.	467		44	376	5						4	4	433						433					
San Fernando, Calif.	360		116	205							7		328		2		2	2	330					
Sunmount, N. Y.	518		41	360			4				4	1	410						410					
Tucson, Ariz.	358		92	237	4						2	4	339						339					
Walla Walla, Wash.	400		37	329			1						367						367					
Whipple, Ariz.	401		25	197	4	1	5		3				235						235					
Total, tuberculosis hospitals (12)	5,272		721	3,763	34	1	29		3	44	18	94	4,613		5		4	5	4,618					
NEUROPSYCHIATRIC																								
American Lake, Wash.	710		238	444	3		1					1	686		1			1	687					
Augusta, Ga.	1,061		445	632									1,077						1,077	16		16		
Augusta, Ga., annex (Milledgeville)	27		13	14									27						27					
Bedford, Mass.	1,116		450	714									1,164						1,164	48		48		
Camp Custer, Mich.	1,010		353	687					1			1	1,041						1,041	31		31		
Canandaigua, N. Y.	1,115		333	756							1	1	1,090						1,090					
Chillicothe, Ohio	1,195		499	749	1					1	1	2	1,251						1,251	54	2	56		
Coatesville, Pa.	1,459		539	949	2						2	2	1,492						1,492	33		33		
Danville, Ill.	1,798		295	1,493									1,788		1		1	1	1,789					
Downey, Ill.	1,135		528	688									1,196						1,196	61		61		
Fort Lyon, Colo.	805		162	515									677	1			1	678	8		8			
Gulfport, Miss.	788		222	539	6								767						767					
Knoxville, Iowa	1,146		442	626			1					1	1,069		1		1	1,070						
Lexington, Ky.	559		121	437	1						3		559						559					
Lyons, N. J.	1,392		475	749								3	1,227						1,227					
Marion, Ind.	1,509		526	990	2					1	5	6	1,524						1,524	15		15		
Mendota, Wis.	295		182	114									296						296	1		1		
Northampton, Mass.	773		352	425							1	1	778						778	5		5		
North Little Rock, Ark.	1,360		426	774			3					3	1,203						1,204					
Northport, L. I., N. Y.	2,220		1,052	1,077	1							3	2,133		2		1	2	2,135					
Palo Alto, Calif.	1,026		463	647								1	1,112						1,112	91		91		
Perry Point, Md.	1,296		536	792								1	1,328						1,328	32		32		
Roanoke, Va.	1,008		206	835	3								1,044		1		1	1,045	36		36			
Roseburg, Oreg.	560	6	106	322						1	3	4	432						432					
St. Cloud, Minn.	1,046		404	624	1								1,029						1,029					
Sheridan, Wyo.	598		214	355			3	2				5	574						574					
Tuskegee, Ala.	1,498		248	1,221	4					1	2	3	1,476						1,476					
Waco, Tex.	1,122		203	804	1								1,008						1,008					
Total, neuropsychiatric hospitals (27)	29,627	6	10,033	18,952	25		8	2	1	5	22	38	29,048	1	7		4	8	29,056	431	2	433		
GENERAL MEDICAL AND SURGICAL																								
Albuquerque, N. Mex.	259		28	162	4		10	1		1	1	13	207						207					
Alexandria, La.	621		22	501	14								537		2		2	2	539					
Atlanta, Ga.	265		26	235	3	4				2	2	4	272		1		1	1	273		7	7		
Batavia, N. Y.	297		16	258	9								283		1		1	1	284					

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Bath, N. Y.	428	1,067	20	393	1					1	1	415	88	1,179	3		1,267	1,682			197		
Bay Pines, Fla.	444	444	38	346	3			2		8	10	397	71	317		2	388	785					
Biloxi, Miss.	207	793	9	175	2							186	77	677			754	940					
Boise, Idaho	203	147	9	153	3	11		1	2		14	179	11	159			170	349	5	5	29		
Bronx, N. Y.	973		79	776	4				3	3	6	865		1			866						
Cheyenne, Wyo.	107		9	85				1			1	95					95						
Columbia, S. C.	618		29	470	3	2	1			14	15	519					519						
Dayton, Ohio	1,050	2,516	42	901	3			2			2	948	100	2,290	3		2,390	3,338					
Dearborn, Mich.	351		22	330	4					2	2	358					358		7	7			
Des Moines, Iowa	300		18	257			2				2	277					277						
Dwight, Ill.	225		6	212						1	1	219					219						
Excelsior Springs, Mo.	252		5	214				2			2	221					221						
Fargo, N. Dak.	181		12	136					5		5	153					153						
Fayetteville, Ark.	258		15	217	1		5			1	6	239	1			1	240						
Fort Harrison, Mont.	145		5	123	1	1						130					130						
Hines, Ill.	1,750		56	1,496	25		1			1	3	1,580		8		8	1,588						
Hot Springs, S. Dak.	281	551	8	157	1		1				1	167	38	413			451	618					
Huntington, W. Va.	317		8	253	2			1	1		2	265					265						
Indianapolis, Ind.	346		21	252	5	3						281					281						
Jefferson Barracks, Mo.	415		21	363	11							395		1	1	1	396						
Kecoughtan, Va.	496	2,333	8	471	1							480	164	1,616	3	1,780	2,260	40	40				
Lake City, Fla.	353		12	279	4		6	2			8	303					303						
Lincoln, Nebr.	250		7	216				1			1	224					224						
Los Angeles, Calif.	2,037	3,032	183	1,720	8		7			1	6	14	1,925	247	3,323	5	3,570	5,495	10	10	533		
Memphis, Tenn.	450		15	384	4					3	3	406					406						
Minneapolis, Minn.	644		61	528	3	4				3	3	599		3	3	3	602						
Mountain Home, Tenn.	556	1,723	20	465	7		1	1			2	494	83	1,746		1,829	2,323			106			
Muskogee, Okla.	423		30	338	6	1	2				2	377					377						
Newington, Conn.	305		17	225	2		1			1		246		1		1	247						
Pittsburgh, Pa.	505		40	474	3					1	1	2	519				519	14	14				
Portland, Oreg.	406		21	326	1					2	2	350		1		1	351						
Reno, Nev.	26		1	14								15					15						
Salt Lake City, Utah ¹	104		7	88			1			1	2	97					97						
San Francisco, Calif.	339		24	302	2							328		2	2	2	330						
Togus, Maine	294	1,155	10	255	5		1			1	1	3	273	98	908	3	1,001	1,274					
Tuscaloosa, Ala.	535		57	365	5		4				4	431					431						
Wadsworth, Kans.	734	1,375	23	579	10							612	50	1,599	6	1,649	2,261			238			
Washington, D. C.	327		12	272	37					1	1	322					322						
White River Junction, Vt.	188		12	110	1			2		1	3	126					126						
Wichita, Kans.	246		7	202								209					209						
Wood, Wis.	1,193	1,992	49	945	2		8		10	1	1	20	1,016	150	1,792	4	32	1,942	2,958				
Total, general medical and surgical (45)	20,701	17,128	1,140	17,023	200	15	62	6	20	24	50	162	18,540	1,173	16,040	27	46	17,213	35,753	50	83	1,133	
Grand total, Veterans' Administration facilities (84)	55,600	17,134	11,894	39,738	259	16	99	8	24	73	90	294	52,201	1,174	10,052	27	54	17,226	69,427	481	35	516	1,133

¹ Report not received; figures for Dec. 28, 1939, used.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

Mr. WOODRUM of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to make a brief statement which I promised to make on behalf of the Maryland delegation in the House. The Hospitalization Board has considered and favorably passed upon several new construction projects for Veterans' Administration facilities, one of which is a new hospital for Maryland. So far, however, the Bureau of the Budget has not submitted to the Congress estimates for the construction of this facility or for several facilities that have been authorized.

The Maryland delegation in the House have individually and collectively been most diligent in the interest of trying to secure action upon this facility, but, as will be shown in the hearings, no funds are included in this bill for new hospital facilities. There are funds for added construction at existing facilities, but it seems not in accordance with the program of the Budget so far to include funds for new facilities. I am told that the Maryland institution stands high on the priority list if and when funds are made available for the construction of new facilities.

Mr. KENNEDY of Maryland. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Maryland.

Mr. KENNEDY of Maryland. Is it not true that General Hines stated to the Maryland delegation, through the very able dean of the delegation, the gentleman from Maryland, the Honorable WILLIAM P. COLE, Jr., who is absent from the city at this time on official business, acting as chairman of a special committee of the House of Representatives holding hearings in California on oil legislation, that he recommended that the money be appropriated for the hospital; however, the President did not send it up to the Budget Bureau, and is it not further true that the Maryland delegation has been told that in all probability this money will be available in July, and, if available at that time, the Maryland hospital will be the No. 1 project?

Mr. WOODRUM of Virginia. I have been told by the gentleman from Maryland [Mr. COLE] that such assurance has been given him.

Mr. KENNEDY of Maryland. I see my colleague, the gentleman from Maryland, Congressman D'ALESSANDRO, on his feet seeking recognition to express his views on this matter.

I desire to pay tribute to him for the energetic manner in which he has demonstrated his friendship for the veterans. He has cooperated with other members of the delegation in this matter, expressing with me and others the great need for new hospital facilities in and around the city of Baltimore.

It is indeed a sorrowful sight to witness the many hundreds of our veterans, suffering from various ailments growing out of the World War, being required to wait for long periods of time before receiving the proper hospitalization.

I want to state, too, that the other members of the Maryland delegation have also cooperated in every possible way in order to bring this much-needed hospital to Maryland.

I feel sure that under the leadership of the gentleman from Maryland [Mr. COLE], no effort will be spared in order to bring this matter to a successful conclusion.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. And also I was told that Massachusetts would have a hospital this year for the Boston area, a general and surgical hospital, which we have been fighting for years to secure. Now we are told there is no money available. With the billions that have been spent by this administration, it is a tragedy that more hospitals have not been built.

Mr. WOODRUM of Virginia. What I wanted to make clear is that there are no funds in here for new facilities, only for added construction.

[Here the gavel fell.]

The Clerk read as follows:

SEC. 4. No part of any appropriation contained in this act or authorized hereby to be expended shall be used to pay the compensation of any officer or employee of the Government of the United States, or of any agency the majority of the stock of which is owned by the Government of the United States, whose post of duty is in Continental United States unless such person is a citizen of the United States, or a person in the service of the United States on the date of the approval of this act who, being eligible for citizenship, has filed a declaration of intention to become a citizen or who owes allegiance to the United States.

Mr. LUCE. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. LUCE: On pages 78 and 79, at the end of the paragraph, strike out the period, insert a semicolon, and add: "Provided further, That none of the funds appropriated in this bill, except those for the civil service, shall be used or expended for so-called information service in the nature of argument or for detective work."

Mr. LUCE. Mr. Chairman, yesterday through parliamentary mischance it proved impossible to find out the judgment of the House in reference to the matter covered by my amendment. In order that such judgment may be obtained, I wish to present some considerations.

The purpose of this amendment is to put an end to the publicity action on the part of these independent offices for the advancement of their theories. One hundred and fifty-two thousand dollars is to be spent for this purpose if the bill is not changed—\$152,000 for argument in favor of Government projects. This one case illustrates what is going on.

In my hand is a pamphlet of 88 pages issued by the United States Housing Authority, a picture book, intended to secure the votes of electors in the various cities and towns in behalf of these projects. No man can question the propriety of giving the public complete and exact information about the law. My amendment is so worded it does not preclude information, but it does preclude improper and oftentimes inexact arguments.

To illustrate, let me read from this pamphlet and from another two extracts. The first says of the original law:

The United States Housing Authority exists solely to rehouse the lowest income third—

And the other quotes the words of the law itself—

families who are in the lowest income group.

The lowest income third are to be helped by this legislation. But throughout the book, however, we find that the text of this pamphlet and the other one I also hold in my hand does not jibe with the law. It says, for example:

The net construction cost of buildings for U. S. H. A. projects varies from a maximum in the Northeastern States of about \$3,500 per dwelling unit to a minimum in the South and Southwest of about \$2,300.

Here in their own pamphlet they tell you that the minimum is about \$2,300. About half the people of this country have incomes of less than \$1,000 a family. A \$2,300 house ought to rent for about 20 percent of its cost, or \$460. How under the sun can you house a family and make them pay \$460, or by any subsidy now in effect bring it down to what half the people of this country are now paying or can afford to pay?

The project as it is being carried out according to these figures is inuring to the benefit of the lower middle class. The law says it is to be for persons of the lowest incomes, and yet no person of the lowest income can afford to live in one of these structures. Therefore, I trust my amendment may receive your favorable consideration.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Massachusetts [Mr. LUCE].

Mr. Chairman, the objective of the gentleman if it is to curtail the excessive expenditures for these informational services is certainly commendable. I judge from the gentleman's remarks, however, that he is aiming the amendment directly at the United States Housing Authority.

I call his attention to the fact it was shown in the debate yesterday that the committee cut the amount which the United States Housing Authority might use for informational services from something over \$300,000 which they are using this year to \$152,000 which they may use next year. That is more than a 50-percent cut in the amount which they may use for that purpose. It may be that that is an excessive amount even for them to use. However, the effect of the gentleman's amendment is not confined to the United States Housing Authority. It would preclude any agency in this bill from spending any funds whatever for informational service except the Civil Service Commission.

Mr. LUCE. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Massachusetts.

Mr. LUCE. The amendment specifies that it shall not be used for argument.

Mr. WOODRUM of Virginia. Who is going to say whether it is an argument or whether it is not an argument? Who is going to determine a question of that sort? The gentleman says this amendment is aimed at any informational service that is an argument. I feel confident that my distinguished and learned friend wanted to state his position here and that this is more or less a pro forma amendment. I cannot believe he intends it as a serious amendment.

This amendment will reach such agencies as the Civil Aeronautics Authority. The Civil Aeronautics Authority is engaged in a big program which the Congress has approved and of which the country approves. In connection with giving necessary information to the public about their program, I do not know who is going to say that a particular pamphlet is argumentative or not argumentative. Maybe they are engaged in selling ideas to the public on the question of student-training programs or something of the kind. The Interstate Commerce Commission, the Federal Communications Commission, the Federal Trade Commission, and all such commissions of necessity have to maintain certain informational services with reference to the activities in which they engage. The amendment of the gentleman from Massachusetts, I believe, would certainly create a great deal of confusion and work a great deal of havoc in connection with that service. I hope very much that the amendment will not be adopted.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Tennessee.

Mr. GORE. Would it not also curtail the activities of the Federal Housing Administration?

Mr. WOODRUM of Virginia. Undoubtedly so.

[Here the gavel fell.]

Mr. SMITH of Ohio. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wish to call the attention of the Congress to one particular use to which the United States Housing Authority is putting some of the money that is being appropriated to it for propaganda purposes. In numerous places over the country referendums are being held by citizens to determine by vote whether they want these housing projects. I have had personal experience in several places where these referendums were held. The United States Housing Authority uses this money, which is raised from general taxes or borrowing, for propaganda to oppose the citizens themselves in their efforts to vote down the housing projects. I should like to know where there is any justice in a thing of this kind.

I submit, Mr. Chairman, it is a grave injustice to use the money of the taxpayers of the United States for a purpose of this kind. I would not want anything done to this bill, of course, to limit the proper use of funds for giving information in connection with legitimate services that are supposed to be rendered, but I am against the U. S. H. A. being given any funds for propaganda purposes.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. I wonder if the gentleman has read that marvelous book gotten up by the Electric Home and Farm

Authority? If the gentleman has not read it, certainly he ought to read it. It is a very ridiculous showing-up of the wonderful things that have been done under the Electric Home and Farm Authority. The Housing Administration is nothing compared with that.

Mr. SMITH of Ohio. As far as that is concerned, it is exactly in line with what they are doing in Germany, what they are doing in Italy, and what they are doing in Russia. They have to sell their projects in that manner.

Mr. SACKS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman from Pennsylvania.

Mr. SACKS. The gentleman would not want to say that he would like to stop any Government agency from putting its case before the public?

Mr. SMITH of Ohio. In answer to the question, let me say that if these projects cannot sell themselves on their merits without this propaganda they are not worth putting out. [Applause.]

Mr. SACKS. Does not the gentleman believe it is the duty of Government at least to educate its people with reference to progress, and so forth, in addition to putting forth an idea?

Mr. SMITH of Ohio. If this Government would begin to perform its first and primary duty, that of giving justice to the people, instead of sticking its nose into everything, it would do a whole lot better. [Applause.]

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I hesitate to inject myself into this discussion, but I cannot sit in my seat and listen to charges when I know from my own experience a contrary situation exists. I have a housing project in my district. I shall not discuss the merits or demerits of low-cost housing now because that question is not before the Committee. I am in favor of the low-cost-housing program. I know I have been threatened in the past because I supported such legislation. When the project was under consideration, rather extreme measures to try to have me oppose such legislation were used. There have been meetings in my district opposing projects, but I have seen no evidence of the Housing Authority spending any money. I believe it is perfectly all right for any association in opposition to a project to spend money for that purpose, and I have no objection to their spending the money that way. They certainly are powerful organizations, at least as far as my experience is concerned, in connection with the organizations up my way who are opposed to the low-cost-housing program. They have a perfect right to their views.

Mine has been a rather interesting experience, in view of the pressure that was attempted to be imposed on me, and interesting in that the evidences of expenditures came from the other angle and not from the United States Housing Authority. The gentleman who preceded me may have had a different experience. I am not in a position where I can take issue with the gentleman on that.

So far as I am personally concerned, my experience has been that strong agitation has come from those who are opposed to such projects. I have seen none from the United States Housing Authority.

Mr. KELLER. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman.

Mr. KELLER. By what method would the people of this country learn of the new things that the Government is compelled to do unless we did something of the character that is being discussed at the present moment?

Mr. McCORMACK. I do not want to go into that. I am just impersonally stating that I have had considerable experience in my own district and what it has been on the aspect raised by the gentleman who preceded me. I have encountered the efforts of those who opposed, and they had the right to oppose, and I have encountered their pressure in their determination to try to have me change my views on the question. I have seen no evidence of the United States Housing Authority spending a penny in connection with any of

the meetings that have been held in Boston in connection with any of the housing projects in any of the various sections of that city.

Mr. SACKS. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. SACKS. I would like to observe that the same thing the gentleman states has happened in our city, where the pressure has come not from the Housing Authority but from those opposed to it.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. LUCE].

The amendment was rejected.

The Clerk read as follows:

Sec. 5. The total amount used for administrative promotions for officers and employees under any appropriation or other fund made available in this act shall not exceed the amount estimated to be available for such purpose on the basis of the Budget estimate for such appropriation or fund exclusive of new money in any such Budget estimate for such administrative promotions.

Mr. WOODRUM of Virginia. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. WOODRUM of Virginia: On page 79, line 3, after the word "used", insert the words "on an annual basis"; and in the same line, after the word "administrative", insert "within grade"; and on page 79, line 6, strike out the word "estimated" and insert in lieu thereof the following: "determined by the Bureau of the Budget."

The committee amendment was agreed to.

Mr. DIRKSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am very reluctant to impose myself on the House at this late hour, and I do so only for the purpose of bringing to your attention some figures that I intend to insert in the RECORD as of tomorrow.

Much has been said about the whole question of administrative promotions. The Budget has worked out a formula under which those over \$3,200 might be promoted and those under \$3,200 if they have not received promotions within a given period of time.

When one of the agencies was before one of our subcommittees recently, I said to the Director, "I wish you would insert in the record of the hearings"—which have not been published, by the way—"an estimate of the people who have been promoted, one, two, three, four, or five steps before July 1, 1939, for the purpose of defeating the so-called pay freeze in the reorganization bill." When the record finally came back it was most interesting. I shall not weary you with it now to indicate how many were promoted three steps and two steps, how many whose rating was only good, rather than very good or excellent, under the Classification Act, received as much as a three-step promotion in order to defeat the provisions of the reorganization bill effective July 1, 1939.

So if you are interested in this entire question of administrative promotions, if you want to see an example of some of the abuses that can be found in the departments, I suggest you examine these remarks.

One problem which has pressed itself upon the attention of the Committee on Appropriations ever since the membership of that committee assembled early in December to hold hearings on appropriation bills for the fiscal year 1941 has been the question of promotions for the personnel employed in the executive branch of the Government.

There is little doubt but what there are a considerable number of Federal employees who have worked at the same salary level for a great many years without receiving an administrative promotion or an increase in remuneration. This is probably especially true in respect to those who are employed in the lower salary grades. It would appear, therefore, that this matter requires attention by Congress.

In considering the whole matter there is good reason to believe that while injustices exist as a result of failure to provide funds for such promotions, there is also good reason to believe that flagrant abuses exist in respect to unwarranted

promotions. If such abuses could be eliminated, it is entirely possible that a substantial portion of the funds necessary for deserving promotions might be found within the limit of the appropriation which Congress ordinarily makes for the various agencies and departments of Government for salary and administrative expenses.

I shall deal with the matter of abuses in more detail when the appropriation bill for the Department of Agriculture comes to the floor of the House. For the moment, let me submit a table which I prepared from the Budget figures which were submitted to the Committee on Appropriations under the title "Basis for administrative promotion allowances in estimates for fiscal year 1941." This table indicates that the percentages listed for the various departments and agencies show the percentage by which available appropriations are or have been adequate to bring below-average salaries to the average of grades as of June 30, 1939. This table does not purport to show all agencies, but only those where 500 or more employees are employed:

Percentage of sufficiency	
Department or agency:	
Post Office Department.....	97.75
Executive Office (White House, Budget Bureau and others).....	97.19
Rural Electrification Administration.....	96.32
United States Maritime Commission.....	95.85
Federal Trade Commission.....	95.74
Securities and Exchange Commission.....	95.32
National Advisory Committee for Aeronautics.....	95.03
Federal Loan Agency.....	94.94
Federal Works Agency.....	94.70
Department of State.....	94.65
Department of Justice.....	94.35
National Labor Relations Board.....	93.92
Federal Power Commission.....	93.83
Department of Commerce.....	93.65
Treasury Department.....	93.53
Government as a whole (executive branch).....	93.45
War Department.....	93.40
Veterans' Administration.....	93.35
Department of Agriculture.....	93.14
Department of the Interior.....	93.13
Navy Department.....	92.91
Federal Communications Commission.....	92.34
Department of Labor.....	92.09
Railroad Retirement Board.....	91.92
General Accounting Office.....	91.72
Employees' Compensation Commission.....	91.68
Federal Security Agency.....	91.46
Civil Aeronautics Authority.....	91.31
Civil Service Commission.....	91.26

The Clerk concluded the reading of the bill.

Mr. WOODRUM of Virginia. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WARREN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 7922, the independent offices appropriation bill, 1941, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. WOODRUM of Virginia. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? [After a pause.] If not, the Chair will put them en grosse. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the amended bill.

The bill was ordered to be engrossed and read a third time, was read the third time and passed.

A motion to reconsider was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. SECCOMBE, for an indefinite period, on account of illness in family.

To Mr. CROWTHER, for the remainder of the week, on account of official business.

EXTENSION OF REMARKS

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLAND. Mr. Speaker, I ask unanimous consent to extend my remarks upon the bill just passed and to incorporate some statements from Government reports.

The SPEAKER. Is there objection?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include Public Document No. 177.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection?

There was no objection.

ORDER OF BUSINESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RAYBURN. Mr. Speaker, Monday is District of Columbia Day. I think, however, there will be a short program. Therefore I ask unanimous consent that after the business of that committee is concluded it may be in order to call the Calendar for private omnibus claims bills.

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. I understand this is not the same omnibus claims bill that we had the other day.

Mr. RAYBURN. No; this is not the alien omnibus bill. These are private claims.

Mr. MARTIN of Massachusetts. Could the gentleman tell us at this time what the program is for the rest of the week?

Mr. RAYBURN. Mr. Speaker, the Committee on Appropriations will on Tuesday report the Post Office-Treasury appropriation bill, and consideration of that bill will be begun on that day. On Wednesday it is the intention to begin the calling of the Calendar of Committees. Thursday and Friday will be devoted to the consideration of the Post Office-Treasury appropriation bill, and the members of that committee believe that will take 2 days. I might state further that if the Rules Committee on Monday reports a rule extending the life of the Dies committee, that rule will be taken up for consideration the first thing Tuesday.

Mr. MARTIN of Massachusetts. And that would come ahead of the appropriation bill?

Mr. RAYBURN. Yes; during the first hour on Tuesday.

The SPEAKER. Is there objection to the request of the gentleman from Texas with reference to the calling of the private omnibus claims bills on Monday?

There was no objection.

EXTENSION OF REMARKS

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks made this afternoon on

the bill just under discussion by inserting therein a table from the Veterans' Administration showing the beneficiaries receiving hospital treatment and the beneficiaries receiving domiciliary care, and the nonveterans receiving hospitalization, and other information.

The SPEAKER. Is there objection?

There was no objection.

Mr. McLEAN. Mr. Speaker, I ask unanimous consent to extend my remarks and to include some brief excerpts from a dispatch in the New York Herald Tribune on November 25.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a one-page letter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

By unanimous consent, Mr. SCHAFER of Wisconsin was granted permission to revise and extend his own remarks.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a brief article by Mr. R. Wallace Eugoh on the subject of free speech; and on another topic to revise and extend my remarks and include a statement by Mr. Eugene L. Orvis, railroad traffic attorney, on railroads and pipe lines.

The SPEAKER. Without objection, both requests are granted.

There was no objection.

Mr. D'ALESSANDRO. Mr. Speaker, I ask unanimous consent to extend my own remarks and include an address by Governor O'Connor of Maryland given at Indianapolis, Ind.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that on Monday next, after the business of the day and other special orders heretofore entered, I may address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

APPOINTMENTS TO UNITED STATES MILITARY AND NAVAL ACADEMIES

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point. I have a special order.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SHANLEY. Mr. Speaker, the act of June 8, 1926, which this bill amends, increased the number of cadets at the United States Military Academy and number of midshipmen at the United States Naval Academy by 40 at each institution, and provided that appointments to fill the vacancies created by the act should be made by the President from among the sons of officers, soldiers, sailors, and marines, employed in the active service by the War Department or Navy Department who were killed in action or have died, or may hereafter die, of wounds or injuries received, or disease contracted, or pre-existing injury or disease aggravated, in line of duty during the World War.

The appointments under this act correspond to those made by the President from among enlisted men of the Army, Navy, and National Guard. They in no way affect congressional appointments or those made upon recommendations of Senators and Representatives.

The youngest of the possible beneficiaries of the act of June 8, 1926, was born in December 1921 and has now passed his eighteenth birthday. After 1941 he will be too old to enter the Naval Academy and after 1943 too old to enter the Military Academy. This act, unless amended, will thus expire by its own limitation in 1943.

The purpose of the act of June 8, 1926, was to provide educational and professional opportunities for a limited number of sons of those who sacrificed their lives for the country in the World War. The increase in the authorized number of cadets and midshipmen was incidental to this primary purpose.

The limiting date, July 2, 1921, specified in the act is more or less arbitrary. The son of a veteran who has died since that date of a war-service-connected disability is just as much entitled to assistance as one of a veteran who died prior to that date and after his discharge from the military or naval service. This was realized at the time the act was passed, but it was felt that some limit should be placed upon the number made eligible for these comparatively few appointments. This was accomplished by confining the appointments to sons of those who were killed or died during the legal period of the World War.

The number of eligibles, originally more than 6,000, is now 1,536 for appointment to the Military Academy and 242 to the Naval Academy. Next year—1941—there will be only 594 eligible for appointment to the Military Academy and only 101 to the Naval Academy. In 1942 all will be too old to enter the Naval Academy, while the number still eligible for the Military Academy will be only 201.

This bill extends the provisions of the act of June 8, 1926, to include the sons of those who have died since July 2, 1921, or may hereafter die, of a World War service-connected disability, or, to use the language of the bill, "of wounds or injuries received, or disease contracted, or preexisting disease or injury aggravated, in line of duty during the world War."

The records of the Veterans' Administration show that there were on June 30, 1939, 15,760 sons of veterans who have died since the World War of service-connected disabilities. These boys range in age from infancy to 17, inclusive. For compensation purposes, they are divided by the Veterans' Administration into two groups, one consisting of 2,795 under 10 years of age, and the other of 12,965 from 10 to 17, inclusive. The Veterans' Administration has compiled no statistics for children after they have reached and passed their eighteenth birthday, but it is fair to assume that the number is comparatively small. The number of boys rendered eligible under this bill who will desire to take the examination in any one year for appointment at the Military or Naval Academy is, of course, problematic, but judging from the experience with the examinations under the original act it is believed that it will not be so great as to render the administration of the act impracticable or burdensome.

No one has given me greater assistance in this work than Gen. P. C. Harris, whose unselfish services to the American Legion are known wherever Legionnaires congregate. It was his interest that promoted a study of the situation in foreign countries. In 1923, for example, he talked with the commandant of the Royal Military Academy in Rome and learned how much the Italian Government was doing for the sons and daughters of the disabled. From that came his first formal steps to prepare for the act of June 8, 1926, which he wrote, when for the first time the sons of those killed in action before July 21, 1921, would be eligible for appointment to West Point or Annapolis.

THE SPEAKER. Under special order of the House heretofore made, the gentleman from Michigan [Mr. Hook] is recognized for 30 minutes.

THE FARMERS' PART IN AMERICAN GOVERNMENT

Mr. HOOK. Mr. Speaker, the farmers of this country can make or break the Democratic Party; they can make or break the Republican Party. That fact has been demonstrated. In 18 States, the farm population of which is more than 33 percent of the total, farmers now hold the balance of political power, and the electoral vote of these States can decide the next national election. This can be done without the votes of such important industrial States as New York, Pennsylvania, and Ohio.

No wonder, then, that the distinguished leader of the minority in this House is in such a frenzy of fear that the farm vote has been lost to the Republican Party; no wonder he is attempting through his committee of 46 Republican Congressmen to evolve some plan that again will bamboozle and befog the farmer and win him back to the support of the candidate of the G. O. P., whoever he may be. This committee is a purely political agency of the G. O. P. and not a committee of

Congress. It replaces the G. O. P. "brain trust" of 1936 that died with Senator Dickinson's famous "dog food" speech.

My colleagues, I am "talking turkey" to you, and I am "talking turkey" to the farmers of America. They have it in their power to say whether we are to continue the New Deal with its Nation-wide farm program under the A. A. A., a program that has steadily and surely pulled agriculture out of the morass of low prices and low income, or whether we are to try some newfangled plan to be offered by that party which for more than half a century, under the guise of a protective tariff, has promised agricultural equality with other industry and has never fulfilled that promise.

Mr. Speaker, the Republican Party has never kept faith with the farmer, and it never will. The Republican Party cannot keep faith with the farmer at the same time that it takes orders from Wall Street, the Liberty League, and big business, whose chief interest in the farmer is as a source of tribute. For 50 years it was so little concerned with his welfare that it did not even mention him in its platforms, secure in the belief that a safe majority of farmers were traditionally Republican and would stay put, in spite of political neglect and exploitation of their interests. It was not until the aftermath of the World War had brought distress and disaster to agriculture that the Republican Party discovered there was a farm problem. In 1920, however, fearful of the loss of the farm vote, the G. O. P. National Convention said in its platform: "The Farmer is the backbone of the Nation."

But let us for a moment look back upon conditions that followed the World War. European nations were broke. They needed money to buy materials and supplies, and they turned to the United States. We bought back many of our securities that we had sold them when we needed money, and in addition loaned them huge sums of money. We had changed from a debtor to a creditor nation.

In 1921, European buying power, due to the depression, was low and exports of our food products declined. But by 1925 Europe had partially recovered, and with increased production there was increased competition in the international markets for farm products. By 1932 Europe had increased its acreage of important crops above the prewar level by nearly 100,000,000 acres, or 16 percent. Crop production outside the United States was about 40 percent above prewar level. This increase in foreign competition, and a trend toward autarchy and self-sufficiency abroad, brought about a persistent decline in our own exports of food products from 1921 on, long before the 1929 collapse. The decline in foreign demand for American exports was made greatly worse by our own stupid and disastrous tariff policies. The Republican Party, stubbornly adhering to its high protective tariff policy, raised our tariff walls in 1922 by the enactment of the Fordney-McCumber bill, and finally pushed them to an all-time high in 1930 with the passage of the iniquitous Smoot-Hawley bill. Meantime, we were in effect subsidizing part of our export market. Between 1925 and 1929, American loans abroad averaged more than a billion dollars a year. In all, about \$6,000,000,000 were loaned to European countries during that period. So far as our foreign trade was concerned, these loans were one of the greatest subsidies of all time, for most of them were never repaid. We gave nearly \$6,000,000,000 to our European customers and they gave it right back in exchange for some of our agricultural products.

We were thus able to keep a part of our foreign market despite a Republican policy which fundamentally tended to discourage international trade. Of course, such a situation could not continue. Speculation cut off the flow of funds abroad and in the years 1926-29 surpluses of our great export crops began piling up.

All this time the Republican Party, which in 1920 had declared the farmer to be "the backbone of the Nation" kept on promising, but in spite of the efforts of some of its more farseeing members it did nothing and offered nothing practical for the relief of agriculture, firm in its belief that it could still fool the farmer. It came back in 1924 with more

promises, and a frank confession that "we recognize that agricultural activities are still struggling with adverse conditions that have brought deep distress," and then it continued, "we pledge the party to take whatever steps are necessary to bring back a balanced condition between agriculture, industry, and labor."

Mr. Speaker, "by their fruits ye shall know them." A Republican Congress, after long delay and almost endless discussion, finally passed the McNary-Haugen bill, authored by a distinguished member of the Republican Party at the other end of the Capitol, who now says, "After considerable thought, I have arrived at the conclusion that the Republican Party in 1940 can be successful if it demonstrates to the farm vote and those dependent on the farm vote that the party is interested, as formerly, in their welfare." Mark you, my friends, how "formerly" interested in the farmer's welfare the Republican Party was. It was so much interested in the farmer's welfare "formerly" that after a Republican Congress had passed the McNary-Haugen bill, a Republican President promptly vetoed it, and a Republican Congress could not muster enough votes to pass it over his veto. Again in 1928 a Republican Congress reenacted the McNary-Haugen bill, and again it was vetoed by a Republican President. These are the "steps" which the Republican Party in national convention promised to take in order to "bring back a balanced condition between agriculture, industry, and labor."

Mr. CASE of South Dakota. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore (Mr. ZIMMERMAN). Does the gentleman yield for a parliamentary inquiry?

Mr. HOOK. I do not yield for that purpose.

Another national election was at hand in 1928 and the Republican Party, still smug in its belief it could fool the farmer, made more promises, reiterating its policy of a protective tariff as vital to American agriculture, and continuing:

The agricultural problem is national in scope, and, as such, is recognized by the Republican Party, which pledges its strength and its energy to a solution of the same.

And so another 4 years of Republican control. A Republican Congress enacted the bill creating the Federal Farm Board. We all know what happened. Purchases of surplus commodities without control of production. The more the Farm Board bought, the greater the production—the more farm prices continued to fall, the greater the surpluses. And, finally, a loss to the taxpayers of nearly half a billion dollars. But the Republican mountain labored again and brought forth, not a mouse, but the Smoot-Hawley tariff bill, which has been gnawing at the very vitals of our foreign trade ever since.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. HOOK. I cannot yield.

Mr. Speaker, I have said that the Republican Party never has kept faith with the farmers and never will.

Mr. CASE of South Dakota. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state the point of order.

Mr. CASE of South Dakota. The gentleman is making a very interesting speech. He invited the Members to be here and I think we should have a full House to hear him. I make the point of order that there is no quorum present.

Mr. RAYBURN. Oh, the gentleman should not set that kind of a precedent—taking a Member off the floor in that way.

Mr. CASE of South Dakota. Mr. Speaker, I withdraw the point of order so that the half dozen present may continue to hear the gentleman.

Mr. HOOK. The American farmers will read this in the RECORD and the Republican Party will hear of it at the next election.

Up to date they have never shown by their votes in Congress that they have any real consideration for him. When

the Agricultural Adjustment Act was passed in 1933, 90 percent of the Democrats voted for it and 63 percent of the Republicans voted against it. After the A. A. A. was invalidated by a decision of the Supreme Court and soil conservation legislation was up for consideration, 89 percent of the Democrats of House and Senate voted for it, and 78 percent of the Republicans voted against it. And in the case of the present Agricultural Adjustment Act, 81 percent of the Democrats voted for it, and 85 percent of the Republicans voted against it. In the last regular session of Congress almost the entire Republican membership of the House voted against appropriating money to give the farmers parity payments and also voted against the appropriation to provide funds so that loans could be made on their surplus crops.

Mr. H. CARL ANDERSEN. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state the point of order.

Mr. H. CARL ANDERSEN. I just want to call the attention of the gentleman from Michigan to the fact that that last statement is out of order.

The SPEAKER pro tempore. That is not a point of order.

Mr. HOOK. Oh, yes; the Republican Party has been "formerly" interested in the farmers' welfare in the same way it is now interested in him—by making promises and befogging issues in an election year. Mr. Speaker, to paraphrase a great American's homely saying, "The Republicans can fool all the farmers part of the time, and part of the farmers all the time; but they can't fool all the farmers all the time."

Before leaving the Republican Party and its promises, however, I want to pay my respects to some of its members. Not all of them are wholly blinded by partisan prejudice. The distinguished gentleman from Kansas, chairman of the minority leader's committee, has supported by his votes and his speeches on this floor practically all of the farm legislation that has been recommended by the House Committee on Agriculture, and so has the gentleman from Iowa [Mr. GILCHRIST]. A few other Republicans have voted their convictions against the wishes of their party leaders.

The distinguished minority leader from Massachusetts, however, declares that "the administration's farm policy is now a demonstrated failure," and "it is imperative we work out an affirmative and constructive approach to the rescue of agriculture. It is an outstanding problem, and upon our efforts in behalf of the farmer will depend in a large measure the future prosperity of our country." Mark you, "our efforts."

When the Democratic Party took control of the National Government in 1933, after 12 years of Republican rule, and after all the promises Republicans had made—the same kind of promises they are making now—agriculture was worse off than it had ever been in its history. Farm prices had fallen to the lowest figures ever known. Although farmers represented 25 percent of the total population, the farmers' share of the national income was only 7 percent.

Someone has said, "Beware of Greeks bearing gifts." I say to the farmers of this country, "Beware of Republicans making promises." In the light of their record, in the light of their broken promises, how, in the name of common sense, can the farmers ever again trust the Republican Party?

Mr. Speaker, I have said that when this Democratic administration came into control of the National Government it found left on its doorstep by the Republican Party a prostrate agriculture. The problem of rescuing agriculture was a stupendous one. But under the inspiring leadership of Farmer Franklin D. Roosevelt, and the indefatigable efforts of the greatest Secretary of Agriculture this country has ever had, supported by the great farm organizations and tireless Democratic leaders in House and Senate, we have gone a long way toward placing agriculture on an equality with industry. We have not yet solved the whole problem, but we are certainly on our way. Are we now to turn back and permit the Republican Party to start all over again with something new and untried? I do not believe it.

I have faith that a great and constantly increasing majority of the farmers of America believe in the Democratic Party. That faith is founded on the greatly increased participation of the farmers in the A. A. A. farm program. It is said that "the proof of the pudding is in the eating," and if more than 85 percent of the farmers like it, how can there be any question that the program is working? Mind you, it is the farmers' program. It is, as Secretary Wallace has said, "Economic democracy in action."

Now let us see how this has been brought about. Let us start from the beginning.

My colleague from Massachusetts appointed a political committee of 46 House Republicans to make what he called a "study of the agricultural problem." In a statement quoted in the press announcing the appointment of this political committee, the Republican minority leader referred to the "depressed and unhealthy state of American agriculture," and to "its present unhealthy plight." He termed the administration's farm policy a "demonstrated failure" and sent the members of his committee out, not for the purpose of getting facts, but to make political capital out of the agricultural situation by attempting to mislead and fool the farmers and the public in regard to the remarkable betterment of the conditions of the people living on the land, and of the Nation as a whole since President Franklin D. Roosevelt took the helm in 1933.

The Roosevelt administration from the first has insisted that the farm problem is an economic one. It has kept it from being made a political football. The fact that 85 percent, or more than 6,000,000 farmers in America, are cooperating in the program is sufficient evidence, it seems to me, that the thinking people living on our farms consider the program a good one. At the very time my colleague from Massachusetts referred without qualification to the administration's farm policy as a "demonstrated failure," 90 percent of the commercial farmers of his own State were taking part in the program, cooperating with the administration in adjusting their rotations and improving their income and their soils.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield? Does not the gentleman want to be fair?

Mr. HOOK. Yes.

Mr. MARTIN of Massachusetts. I thought he did. The gentleman mentioned my own district, my own State. I think the gentleman wants to be fair.

Mr. HOOK. I yield.

Mr. MARTIN of Massachusetts. The gentleman knows the farmers of Massachusetts have not shared 90 percent of the farm program.

Mr. HOOK. Ninety percent of the commercial farmers of Massachusetts have.

Mr. MARTIN of Massachusetts. What is a commercial farmer?

Mr. HOOK. Any farmer who raises a crop and sells it for cash.

Mr. MARTIN of Massachusetts. What kind of crop?

Mr. HOOK. Any kind of crop, and 90 percent of them have been benefited.

Mr. MARTIN of Massachusetts. How many farmers sell their crops for cash?

Mr. HOOK. They all do when they can get it. They are getting cash for their crops now, but they did not sell their crops for cash under the Republican program.

Mr. MARTIN of Massachusetts. I am afraid the gentleman is mistaken.

Mr. HOOK. Mr. Speaker, at the very time my distinguished colleague from Massachusetts termed the farm policy a "demonstrated failure" thousands of farmers in his State and in adjoining States, where the great hurricane of 1938 caused unprecedented loss of lives and property, were being rehabilitated and placed in position to continue with profitable farm operations through the very agencies decried by the Congressman from Massachusetts. Sufferers of drought, flood, and tornado have been aided and put on their feet again through

adjustments in the Federal farm program, and the special enactments of this Congress.

At the time when the President called Congress into extraordinary session to adjust our neutrality laws in order to meet the established fact of war in Europe my colleague from the Bay State devoted his own primary efforts toward the launching of this false political attack on the Nation's great foundational farm program basically essential in our program of national preparedness.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield for a brief question?

Mr. HOOK. I cannot yield.

"Let us look at the record." The seriousness of the needs of agriculture and the effectiveness of the national farm program and other recovery measures are illustrated by the farm income record for the past 8 years. In 1932 the gross farm income fell to the unprecedented low of \$5,000,000,000. By 1937 the gross farm income had risen to \$10,000,000,000. It was more than nine billion in 1938 and approached \$10,000,000,000 in 1939. The farmers look hopefully toward even greater income in 1940. The benefits of this increased farmer buying power were shared by city workers as well. Mail-order sales in 1938 increased to \$463,000,000 from the low point of \$231,000,000 in 1932. All records in mail-order sales were broken in 1939, and Christmas sales and the volume of mail in this Nation were reported to have been the largest on record during the last Christmas season. As compared to 1932, farm machinery sales increased more than 350 percent in 1938. Automobile sales were 100 percent higher in farm States and fertilizer sales 88 percent higher. In 1932 farmers were being forced from the land by foreclosures as never before in our history. The number of forced farm sales resulting from foreclosures and other causes declined 68 percent from March 1933 to March 1939, and farm bankruptcies declined 70 percent in the same period. With the farmer's business now on a sound foundation, the total value of all farm land and buildings increased \$5,000,000,000 from March 1933, when President Franklin D. Roosevelt took over, to March 1939. As summarized in the report of the Secretary of Agriculture for 1939:

Agriculture has provided an abundance of food supplies at low prices. Many persons unable to buy farm products have received high-quality foodstuffs in large volume through relief agencies. Persons with incomes have been able to satisfy their food wants with small expenditures and to devote a larger share of their incomes than usual to the purchase of other goods.

In referring to the depression that followed 1929, Secretary Wallace states in his 1939 report, that—

Farm-commodity prices were abysmally low; farm surpluses were of towering proportions. There was widespread farm distress. A comprehensive program of crop adjustment and farm relief was necessary. In the field of finance it was necessary not only to strengthen the existing farm-credit facilities but to provide additional facilities for farm rehabilitation and other special needs. There was need also for lower interest rates, for debt adjustments, for the extension of payment dates, and for stabilization loans on stored commodities. These operations required the Government to assume financial risks beyond those that private institutions could be expected to carry.

This great responsibility has been met by the Farm Credit Administration and the farmers of this Nation have been provided with long-term amortized loans for the protection and purchase of their farms, and with short-term production loans for livestock and crop management, at the lowest rates of interest ever offered.

This "demonstrated failure," as the sponsor of this G. O. P. farm committee terms the administration's farm policy, includes also the Rural Electrification program, which during the past 4 years has been the major agency in bringing light to more than 1,500,000 farm families, an increase from 10 percent of American farms that had central-station electricity in 1935, to more than 22 percent of the total by 1939.

Through the Farm Security Administration, more than 600,000 needy farm families have received help in planning and financing their farm enterprises, assistance never before available.

As a member of the Agricultural Committee of this Congress, I have been gratified by the constructive growth of our land-grant colleges, experiment stations, and the extension service under the stimulus of recovery and the Federal farm program. Research and education in agriculture, with few exceptions, are functioning as never before in this Nation, in their job of serving rural people.

The administration's farm policy, which the Republican minority leader terms a "demonstrated failure" has achieved the greatest awakening of public interest in the conservation of our soil, trees, water, and human resources depending on these basic natural resources, that has occurred in the history of this or any other civilized nation. The 6,000,000 farmers cooperating in the agricultural-conservation programs of the Agricultural Adjustment Administration are best fitted to judge the soundness of the present program that encourages the balancing and diversification of crop rotations, the conservation of the soil, the use of lime and fertilizer, the planting of trees, and the construction of terraces, and many other things in which they are cooperating with the Federal program in improving the land upon which they depend for the proper maintenance of their families, and upon which the future prosperity of this Nation depends.

Mr. H. CARL ANDERSEN. Mr. Speaker, will not the gentleman have the courtesy to yield at that point?

Mr. HOOK. Since the gentleman puts it that way, I cannot decline.

Mr. H. CARL ANDERSEN. Does the gentleman from Michigan realize that the statistics of the Department of Agriculture prove—and he may obtain this information from Bulletin 200, issued by the Statistical Division of the Department of Agriculture; and he may likewise obtain this same information from the Wisconsin Department of Dairying—does the gentleman realize that for the 6-year period prior to the present administration, from 1926 to 1932, the average price of butter that we received as farmers in Minnesota was 35 cents? Does the gentleman realize that during the first 6 years of the present administration we have received an average of 26 cents; in other words, one-third less than we received under the Republican administration that the gentleman is, with very poor taste, endeavoring to denounce at this time? [Applause.]

Mr. HOOK. Certainly, with a \$6,000,000,000 subsidy. I do not know from what section of the State the gentleman comes, but I do know that the farmers of my district receive practically double their former price for cream.

Mr. H. CARL ANDERSEN. We have the figures to quote on that, too, if the gentleman wishes them in the Record.

Mr. HOOK. I cannot yield further.

Mr. Speaker, I am really sorry for some of my Republican friends who, under the spur of the distinguished minority leader, the gentleman from Massachusetts, went forth to search for the impossible—an issue that would persuade the farmers that the Republican Party is their only friend, their champion, their protector. What must have been their feeling when farmer after farmer in those traditionally Republican States of Iowa and Kansas got up in meeting and declared that the Republicans had better not try to mess up the triple A farm program. Let me quote just a few. In Des Moines, Earl Elijah, a livestock-association official, said:

It would be a mistake for any Republican to come into Iowa and try to upset all the things Henry Wallace has been trying to do.

Mr. Elijah confessed that he had voted for Hoover twice, but he has learned much since then.

Oscar Heline, of Marcus, president of the Farmers' Grain Dealers' Association, said:

Don't scuttle the present farm program.

William F. Yungclas, of Webster:

It would be folly for any thinking farmer to want to drop the present program.

A. C. Lewis, of Macedonia:

We should not scrap anything that's good, no matter what party started it.

Lyle Embrie, of Red Oak:

Unless Republicans adopt the A. A. A. program, they will be sinking the party ship just as effectively as the Nazis sunk the *Graf Spee*.

And in Kansas, the home of my very dear and able friend, the distinguished chairman of this Republican Committee of 46, L. A. Dubbs, of Ness County, a farmer-member of the Kansas Legislature, startled the members of that committee by saying:

I farm a little farm in Ness County that has been in the family for 60 years. We have seen them come and go. In the nineties nearly everyone left. My folks stayed because they were too poor to get away. The grasshoppers left and the rains came, and other folks came in. A lot of them left again in 1910. The rains came again and they came back. Way back in the seventies there had been another migration back to Indiana. But this time the folks, most of them, stayed. The A. A. A. made it possible. Without the A. A. A. few of us would be here. The last 6 years have been the worst in 60. The reasons why we folks in the high plains believe in the A. A. A. is because it gives us promise of a permanent agriculture. We don't have to pack up and leave every time there is a succession of drought years.

These quotations, my friends, are from the Republican newspaper, *The Topeka Capital*, owned and edited by a distinguished Senator from the Sunflower State.

Listen to what a big Republican wheat farmer has to say:

The Government farm policy has enabled farmers to make their first real profits in more than 10 years.

This western wheat grower further states:

I would have been forced to sell my wheat at 32 cents a bushel at harvest time had it not been possible for me to obtain a Government loan at 49 cents.

We get the benefit of the increased price that almost always comes along after harvest time, instead of speculators who formerly made more money out of the farmers' crops than the farmers themselves.

Such a policy means the difference between a fair profit and near bankruptcy. The Federal program is a safeguard for consumers as well as growers, because the Government will release its wheat holdings during years of short crops, at a fair price, rather than at gouging figures, as would be done by speculators.

And yet the distinguished leader of the minority says the farm program is "a demonstrated failure." In the light of the testimony given before this Republican Committee of 46, I wonder if my good friend from Kansas, the chairman of this committee, agrees with the gentleman from Massachusetts, or would he not be more inclined to believe that the farm program, as passed by this Congress, is the most effective soil-conservation and market-adjustment program ever placed in the hands of the farmers.

Mr. MARTIN of Massachusetts. Mr. Speaker, will my genial and able friend yield at that point?

Mr. HOOK. I yield.

Mr. MARTIN of Massachusetts. That in itself indicates the fairness of the Republican effort to obtain knowledge. We went out in a nonpartisan way to secure evidence from the farmers as to what they thought of the situation. The gentleman can, if he wants to, I am sure, stand up here and for an hour or more read quotations from people who were opposed to the program. Am I not right?

Mr. HOOK. I certainly could not. I do not know of any.

Mr. MARTIN of Massachusetts. If they were given to the gentleman he could.

Mr. HOOK. Certainly; but that is the duty of the energetic minority leader. I presume that from the quotations of these great Republican leaders he will be firmly convinced of the success of this and be fair and accept the report that the committee will give to him.

Mr. MARTIN of Massachusetts. The gentleman in opening his argument objected to our going to the country. What is wrong about actual knowledge from the country about any program?

Mr. HOOK. Let me ask the gentleman in reply if he has been convinced from the report of his committee, a committee that went to the country, that the triple A is a success.

Mr. MARTIN of Massachusetts. No; I could not say that. The committee has not submitted a report for it has not finished its work.

I feel the gentleman is entirely out of order at this early date to criticize a committee which is making a genuine effort to get information to solve, what the gentleman from Michigan I am sure realizes, is one of the most important problems in this country—the revitalization of agriculture. The gentleman does not for one minute contend agriculture does not need any consideration, does he?

Mr. HOOK. I certainly do not. I voted for parity payments. Where did the gentleman stand on that?

Mr. MARTIN of Massachusetts. That is quite all right, but is the gentleman satisfied to stand with the situation as it is?

Mr. HOOK. I am satisfied that the farmer is in better condition under this farm program than any program that has ever been presented to this Congress, and it is a permanent program which, if followed, will bring the farmer out of the ditch that he was in when this administration tackled his problem.

It is a permanent program and if put into effect will bring the farmers out of the ditch all over the country.

Mr. MARTIN of Massachusetts. That does not answer the question. I am getting back to the committee. The gentleman is not opposed to this committee going to the farmers and getting information in the hope it may do something to help agriculture?

Mr. HOOK. It would not do me any good anyhow. I did not have anything to do with the appointing of the members and I would not have any chance to oppose them.

Mr. MARTIN of Massachusetts. But the gentleman does not find any fault with seeking information, does he?

Mr. HOOK. I do not find fault with the committee. I find fault with the fact the distinguished minority leader, before he had the facts, said that the farm program was a demonstrated failure. Why did he say it was a demonstrated failure before he had the facts?

Mr. MARTIN of Massachusetts. The farmers of the country believe that.

Mr. HOOK. Oh, no! With 85 percent of the farmers of this Nation cooperating, does the gentleman think they believe in it?

Mr. MARTIN of Massachusetts. The statistics in reference to farm income and farm expenses will demonstrate that what I say is true.

Mr. HOOK. The farm income has doubled in the last few years.

Mr. MARTIN of Massachusetts. The statistics do not show that.

Mr. HOOK. Mr. Speaker, I am particularly interested in the fact that the consumers of this Nation are protected against the speculators and the high prices that are the result of speculation. The consumers of this Nation, through this program, can be assured of a stable low price for consumer goods. Generally throughout the Nation this program has been accepted. In Michigan for several years the farm leaders and those interested in the political aspect tried to break down the program, but finally had to accept it, and are now using it for their own political advantage by keeping the facts from the farmers and leading them to believe that they, as Republican leaders, are responsible for the fine agricultural program that now exists because of the Federal A. A. A. I trust the farmers will realize who their friends are and act accordingly. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. MURDOCK of Arizona. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona [Mr. MURDOCK]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, is the gentleman going to comment on what has happened here right now?

Mr. MURDOCK of Arizona. That is what I intended to do.

Mr. MARTIN of Massachusetts. Mr. Speaker, I know the gentleman is a very fair Member of the House and I do not

like to anticipate what he might say, but I do not think it is quite fair, if we have a colloquy in the House, to have a Member extend his remarks at this point. I am willing that the gentleman get some time and state it right on the floor at the present moment.

Mr. MURDOCK of Arizona. Mr. Speaker, I see the justice of the proposal stated by the minority leader and I withdraw my request.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a speech of the Honorable Louis Johnson, Assistant Secretary of War, on the one hundred and twenty-fifth anniversary of the Battle of New Orleans, delivered at the city of New Orleans, La.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana [Mr. Brooks]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that on Monday next, after the disposition of business on the Speaker's desk, and at the conclusion of any previous orders heretofore made, I may be permitted to address the House for 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana [Mr. Brooks]?

There was no objection.

EXTENSION OF REMARKS

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a number of tables of statistics.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington [Mr. SMITH]?

There was no objection.

Mr. KING. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address made by me before the Columbia Historical Society of Washington, D. C.

The SPEAKER pro tempore. Is there objection to the request of the Delegate from Hawaii?

There was no objection.

Mr. MURDOCK of Arizona asked and was given permission to extend his own remarks in the RECORD.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 8 minutes p. m.) the House, pursuant to the order heretofore made, adjourned until Monday, January 22, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matters named:

Friday, January 19, 1940, 10:30 a. m.:

House Joint Resolution 424, to authorize the United States Maritime Commission to acquire certain lands in St. Petersburg, Fla.

Tuesday, January 23, 1940:

H. R. 200, to amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 ed., title 46, sec. 316).

Tuesday, January 30, 1940:

The following hearing was at first scheduled for Friday, January 5, but was later postponed until Thursday, January 25, 1940. Now it has been postponed again, this time being Tuesday, January 30, 1940, at 10 a. m.

H. R. 7357, to amend section 4472 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 465) to provide for the safe carriage of explosives or other dangerous or semidangerous articles or substances on board vessels; to make more effective the provisions of the International Convention for Safety of Life at Sea, 1929, relating to the carriage of dangerous goods; and for other purposes.

Tuesday, February 6, 1940:

H. R. 7527, to make effective the provisions of the Minimum Age (sea) Convention (revised), 1936, and for other purposes.

Hearings will be continued Wednesday, February 7, 1940, at 10 a. m., on H. R. 6130, to provide for mandatory or compulsory inspection and permissive or voluntary grading of fish, fishery products, fishery byproducts, shellfish, crustacea, seaweeds, and all other aquatic forms of animal and vegetable life, and the products and byproducts thereof, and for other purposes.

Tuesday, February 13, 1940:

H. R. 1780, to amend section 7 of the act of June 19, 1886, as amended (U. S. C., 1934 ed., Supp. III, title 46, sec. 319), relative to penalties on certain undocumented vessels and cargoes engaging in the coastwise trade or the fisheries, and for other purposes.

H. R. 5837, to amend section 221 of the Shipping Act, barring certain aliens from participating in the benefits thereof.

H. R. 6770, to amend Revised Statutes 4311 (U. S. C. 251).

H. R. 7694, to amend section 4311 of the Revised Statutes of the United States.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings in the committee room, 247 House Office Building, at 10 a. m., on the following dates on the matters named:

SUBMARINE OR AIRCRAFT DISASTERS

Friday, January 19, 1940:

H. R. 6532. A bill to provide pensions at wartime rates for disability or death incurred in line of duty as a direct result of submarine or aircraft disasters.

INDIAN WARS

Monday, January 22, and Tuesday, January 23, 1940:

H. R. 1006. A bill to adjust the rate of pension to soldiers of the Indian wars who served 90 days or more in active service against hostile Indians, and for other purposes.

H. R. 3996. A bill to pension men who were engaged in or connected with the military service of the United States during the period of Indian wars and disturbances.

H. R. 4924. A bill to adjust the rate of pension to soldiers of the Indian wars who served 90 days or more in active service against hostile Indians, and for other purposes.

H. R. 4991. A bill to pension men who were enlisted in the military service of the United States during the period of Indian wars and disturbances, and the widows of such men, and for other purposes.

H. R. 4999. A bill to increase the rates of pension in the case of soldiers who served 90 days or more in the Indian wars during the period from 1817 to 1898, and to grant pensions to widows of soldiers who so served in such wars.

DEPENDENTS OF REGULAR ESTABLISHMENT VETERANS

Thursday, January 25, and Friday, January 26, 1940:

H. R. 7191. A bill to make more equitable provision for pensions for the dependents of deceased veterans of the Army, Navy, Marine Corps, and the Coast Guard.

H. R. 7522. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to dependents of veterans of the World War whose death is due to service.

H. R. 7652. A bill to grant pensions and increase of pensions to widows and dependents of certain deceased members or former members of the military or naval service.

H. R. 7734. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to the dependents of veterans of the World War whose death is due to service.

MEDAL OF HONOR PENSIONS

Thursday, February 1, 1940:

H. R. 3385. A bill to liberalize the provisions of the Medal of Honor Roll Act of April 27, 1916.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a hearing before a subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, January 23, 1940, on H. R. 6652, to aid consumers by

setting up standards of quality based on performance as a guide in the purchase of consumer goods.

NOTE.—This hearing was originally scheduled for Tuesday, January 16, 1940.

Hearings will begin Monday, February 5, 1940, at 10 a. m., before the Petroleum Subcommittee of the Committee on Interstate and Foreign Commerce. State regulatory bodies will be heard first.

COMMITTEE ON ROADS

The Committee on Roads will begin public hearings in the Roads Committee Room, 1011 New House Office Building, at 10 a. m., Monday, January 22, 1940, on H. R. 7891, a bill to assist the States in the improvement of highways. Commissioner Thomas H. MacDonald, of the Public Roads Administration, will be heard first.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1279. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to the appropriation for the disposal of surplus commodities, Department of Agriculture, fiscal year 1940 (H. Doc. No. 569); to the Committee on Appropriations and ordered to be printed.

1280. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to an existing appropriation of the Department of Agriculture, to permit the use of funds provided for the fiscal year 1940 "Parity payments" to make payments under the Price Adjustment Act of 1938 to producers who participate in the agricultural conservation program (H. Doc. No. 570); to the Committee on Agriculture and ordered to be printed.

1281. A letter from the Attorney General, transmitting the draft of a proposed bill to prohibit the transfer of obscene literature in interstate or foreign commerce; to the Committee on the Judiciary.

1282. A letter from the Secretary of War, transmitting the draft of a proposed bill to authorize certain officers of the Army of the United States to accept such medals, orders, and decorations as have been tendered them by foreign governments; to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. BURCH: Committee of conference. H. R. 2001. A bill for the equalization of letter carriers (Rept. No. 1520). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 8015. A bill granting pensions and increase of pensions to certain widows, former widows, and dependent children of veterans of the Civil War; without amendment (Rept. No. 1521). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CANNON of Florida:

H. R. 8016. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplemental thereto; to the Committee on the Judiciary.

By Mr. KING:

H. R. 8017. A bill to amend section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended; to the Committee on the Territories.

By Mr. RANDOLPH:

H. R. 8018. A bill to appropriate \$7,500,000 for the acquisition of forest lands during the fiscal year ending June 30, 1941; to the Committee on Appropriations.

By Mr. RODGERS of Pennsylvania:

H. R. 8019. A bill providing for an examination and survey of the area at and near North East, Pa., with a view to the construction of a harbor of refuge; to the Committee on Rivers and Harbors.

By Mr. SHANLEY:

H. R. 8020. A bill authorizing appointments to the United States Military Academy and United States Naval Academy of sons of soldiers, sailors, and marines who were killed in action or have died of wounds or injuries received, or disease contracted in line of duty, during the World War; to the Committee on Military Affairs.

By Mr. YOUNGDAHL:

H. R. 8021. A bill to amend title 18, section 563, of the Code of Laws of the United States so as to provide compensation to attorneys assigned to defend a person indicted for capital crime; to the Committee on the Judiciary.

By Mr. KING:

H. R. 8022. A bill to amend certain provisions of law relative to the production of wines, brandy, and fruit spirits so as to remove therefrom certain unnecessary restrictions; to the Committee on Ways and Means.

By Mr. YOUNGDAHL:

H. R. 8023. A bill to amend section 2, chapter 368, Forty-sixth Statutes at Large, page 1467, March 2, 1931, relating to extra compensation of inspectors and employees of the Immigration and Naturalization Service; to the Committee on Immigration and Naturalization.

By Mr. ROGERS of Oklahoma:

H. R. 8024 (by request). A bill to provide for the leasing of restricted allotments of deceased Indians in certain circumstances, and for other purposes; to the Committee on Indian Affairs.

By Mr. ROBSION of Kentucky:

H. R. 8025. A bill to prohibit the transfer of employee contributions under the Railroad Unemployment Insurance Act, and for other purposes; to the Committee on Ways and Means.

By Mr. VINSON of Georgia:

H. R. 8026. A bill to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes; to the Committee on Naval Affairs.

By Mr. CANNON of Missouri:

H. J. Res. 434. Joint resolution making not to exceed \$11,000,000 of the appropriation for parity payments in the Department of Agriculture Appropriation Act, 1940, available for parity payments under the Price Adjustment Act of 1938; to the Committee on Appropriations.

By Mr. THILL:

H. J. Res. 435. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER:

H. R. 8027. A bill for the relief of George Holtegard; to the Committee on Claims.

By Mr. BOREN:

H. R. 8028. A bill for the relief of Zoe Hopt Wagner and Io F. Hoyt; to the Committee on Claims.

By Mr. BROWN of Georgia:

H. R. 8029. A bill for the relief of J. B. Lee, Katharine Weeks, and Wiley L. Hutto and Lee R. Burden; to the Committee on Claims.

By Mr. CASE of South Dakota:

H. R. 8030. A bill granting pensions to certain former members of the organization known as the Spring Creek Company of South Dakota Volunteers; to the Committee on Invalid Pensions.

By Mr. CLASON:

H. R. 8031. A bill for the relief of Evan T. Elia; to the Committee on Immigration and Naturalization.

By Mr. COLMER:

H. R. 8032. A bill for the relief of Ethel G. Hamilton; to the Committee on Claims.

By Mr. DEMPSEY:

H. R. 8033. A bill for the relief of John T. McCabe; to the Committee on Military Affairs.

By Mr. ENGLEBRIGHT:

H. R. 8034. A bill for the relief of Ernest P. Leavitt; to the Committee on Claims.

By Mr. HEALEY:

H. R. 8035. A bill for the relief of Johannah Corning; to the Committee on World War Veterans' Legislation.

By Mr. KRAMER:

H. R. 8036. A bill for the relief of Carl D. Holcum; to the Committee on Naval Affairs.

H. R. 8037. A bill granting an increase of pension to Nathan Long; to the Committee on Pensions.

By Mr. LANDIS:

H. R. 8038. A bill granting an increase of pension to Florence C. Woods; to the Committee on Pensions.

By Mr. MYERS:

H. R. 8039. A bill for the relief of Markos Vounas; to the Committee on Immigration and Naturalization.

By Mrs. NORTON:

H. R. 8040. A bill granting the Distinguished Service Cross to Louis Manzano; to the Committee on Military Affairs.

By Mr. SATTERFIELD:

H. R. 8041. A bill for the relief of Dora Marshall; to the Committee on Claims.

By Mr. WHELCHER:

H. R. 8042. A bill for the relief of Joseph Gerdean Thomas; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6188. By Mr. HOPE: Petition of C. M. Smith and 37 other citizens of Stafford County, Kans., urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6189. Also, petition of Joe E. Black and 12 other citizens of Hutchinson, Kans., urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6190. By Mr. LEAVY: Resolution of the Seattle Newspaper Guild, Local No. 82, of the American Newspaper Guild, at the membership meeting on January 9, 1940, demanding that appropriations for construction of Grand Coulee Dam and kindred projects be continued in addition to the national defense program, pointing out that our many social projects and the development of our national resources to meet national needs must be carried on without interruption; to the Committee on Appropriations.

6191. By Mr. McLAUGHLIN: Petition memorializing the Congress and the President of the United States and Public Works Administration and the Works Progress Administration to approve and make an allocation of funds for a grant and loan to the Panhandle pump irrigation district; to the Committee on Appropriations.

6192. Also, petition requesting the Secretary of Agriculture of the United States of America to institute the stamp plan for distribution of surplus food commodities in the State of Nebraska as a unit; to the Committee on Ways and Means.

6193. By Mr. VOORHIS of California: Petition of Roy W. Howard, of Arcadia, Calif., and 1,131 others, endorsing House bill 4931, providing for Government ownership of the stock

of the Federal Reserve banks and for the exercise by Congress of its constitutional monetary powers, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

6194. By the SPEAKER: Petition of Ester Krops and sundry other individuals, petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

SENATE

FRIDAY, JANUARY 19, 1940

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

O Holy Father, who hast led Thy children in all the ages with the Fire and Cloud: Preserve us from all faithless fears, and grant that no clouds of our mortality may hide from us the light of that love which is immortal. Thou hast said in Thy Holy Word, "As one whom his mother comforteth, so will I comfort you"; and now we commit to the gracious keeping of Thy never-failing care and love for this life and the life to come all who are near and dear unto us, knowing that Thou wilt do for them and for those who keep love's holy vigil more than we can pray for. Companion with us, blessed Lord, through life's uncertain days, that when the evening comes and all our strivings cease we may know the sweetness and the calm wherewith Thou givest Thy beloved sleep till the waking of the dawn.

"One sweetly solemn thought
Comes to me o'er and o'er;
I am nearer home today
Than I ever have been before.

"Nearer my Father's house,
Where the many mansions be;
Nearer the great white throne,
Nearer the crystal sea.

"Nearer the bounds of life,
Where we lay our burdens down;
Nearer leaving the cross;
Nearer gaining the crown.

"But lying darkly between,
Winding adown through the night,
Is the silent, unknown stream
That leads at last to the light.

"Father, be near when my feet
Are slipping o'er the brink.
For it may be I am nearer home,
Nearer now than I think."

In the dear Saviour's name we ask it. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 18, 1940, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 7922. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1941, and for other purposes; and

H. J. Res. 419. Joint resolution to extend for 3 additional months the time during which articles imported free of duty for exhibition at the Golden Gate International Exposition or the New York World's Fair may be sold or abandoned.

SPECIAL ATTORNEYS, ETC., DEPARTMENT OF JUSTICE

The VICE PRESIDENT laid before the Senate a letter from the Attorney General, transmitting, pursuant to law, a report

showing the special assistants employed during the period from July 1, 1939, to January 1, 1940, under the appropriation "Compensation of special attorneys, etc., Department of Justice," which, with the accompanying report, was referred to the Committee on the Judiciary.

LAWS AND ORDINANCES OF MUNICIPAL COUNCILS, VIRGIN ISLANDS

The VICE PRESIDENT laid before the Senate three letters from the Acting Secretary of the Interior, transmitting, pursuant to law, copies of laws and ordinances enacted or adopted by the Municipal Councils of St. Croix and St. Thomas and St. John, V. I.; also transmitting a complete set of all such laws and ordinances enacted by the municipal councils above referred to, which, with the accompanying papers, were referred to the Committee on Territories and Insular Affairs.

CONTRACTS FOR SCIENTIFIC EQUIPMENT, MARITIME COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the United States Maritime Commission, transmitting, pursuant to law, a report of the contracts or subcontracts for scientific equipment used for communication and navigation executed by the Commission during the calendar year 1939, which, with the accompanying report, was referred to the Committee on Commerce.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a letter in the nature of a petition from the Council of the Boston Branch, Unitarian Fellowship for Social Justice, Boston, Mass., signed by Elbridge F. Stoneham, secretary, praying for the enactment of pending antilynching legislation, which was referred to the Committee on the Judiciary.

He also laid before the Senate the petition of Rev. Rembert Gilman Smith, D. D., of Tulsa, Okla., praying for the holding of open hearings before the committees of the Senate in connection with the consideration of nominations, especially nominations to the Supreme Court of the United States, which was ordered to lie on the table.

He also laid before the Senate a telegram in the nature of a memorial from J. D. Battle, executive secretary, National Coal Association, Washington, D. C., remonstrating against the enactment of the bill (S. 2420) relating to certain inspections and investigations in coal mines for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes, which was ordered to lie on the table.

Mr. HOLT presented letters in the nature of petitions from sundry citizens of Chester, Hendricks, Colliers, Clarksburg, Williamson, Fairview, Morgantown, Salem, Weston, Hundred, Shinnston, Clendenin, Grafton, New Martinsville, and Kenova, all in the State of West Virginia, praying for the enactment of Senate bill 517, to prohibit the advertising of alcoholic beverages over the radio, which were ordered to lie on the table.

Mr. LODGE presented a resolution adopted by the City Council and mayor of Cambridge, Mass., favoring repeal of the mandatory provisions relating to 30-day furlough after 18 months' employment on the W. P. A., or amendment of the law so as to restore to employment immediately on expiration of the 30-day furlough all persons who have been re-certified and are eligible for reemployment, and also the prompt appropriation of necessary funds for relief, which was referred to the Committee on Appropriations.

REPORT OF COMMITTEE ON AGRICULTURE AND FORESTRY

Mr. McNARY, from the Committee on Agriculture and Forestry, to which was referred the joint resolution (S. J. Res. 194) authorizing the Secretary of Agriculture to make a study of a tract of forest land situated in Lincoln County, State of Oregon, reported it with an amendment in the nature of a substitute.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MINTON:

S. 3157. A bill to authorize the construction of a bridge across the Ohio River at or near Cannelton, Perry County, Ind.; to the Committee on Commerce.

S. 3158. A bill granting a pension to Allie Friend Allen; and

S. 3159. A bill granting a pension to Flora Deutschman Whitson; to the Committee on Pensions.

By Mr. McKELLAR:

S. 3160. A bill to amend section 1 (b) of the Railroad Retirement Act of 1937; to the Committee on Interstate Commerce.

By Mr. DAVIS:

S. 3161. A bill relating to disability and death benefits for Reserve officers of the United States Army; to the Committee on Military Affairs.

HOUSE BILL AND JOINT RESOLUTION REFERRED

The following bill and joint resolution were each read twice by their titles and referred as indicated below:

H. R. 7922. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1941, and for other purposes; to the Committee on Appropriations.

H. J. Res. 419. Joint resolution to extend for 3 additional months the time during which articles imported free of duty for exhibition at the Golden Gate International Exposition or the New York World's Fair may be sold or abandoned; to the Committee on Finance.

ARTICLE BY SENATOR BURKE ON DEFENDERS OF AMERICAN FORM OF GOVERNMENT

[Mr. BURKE asked and obtained leave to have printed in the RECORD an article written by him, entitled "Militant Defenders of Our Form of Government," published in the January issue of the American Czech magazine, which appears in the Appendix.]

RECIPROCAL-TRADE AGREEMENTS

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD an article by Mrs. Charles S. Demaree, of the Missouri League of Women Voters, on the subject Trade Agreements—Your Affair and Mine, and an editorial in the Kansas City Times of January 15, 1940, under the caption "Misleading Import Figures," which appear in the Appendix.]

ORDER TO DISPENSE WITH THE CALL OF THE CALENDAR

The VICE PRESIDENT. The routine morning business is closed. The calendar, under rule VIII, is in order.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the call of the calendar be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BARKLEY. Mr. President, unless there are Senators who desire to be recognized or to insert matters in the RECORD, I shall move that the Senate adjourn.

RESOLUTIONS INDEFINITELY POSTPONED

Mr. NEELY. Mr. President, Calendar No. 1121, Senate Resolution 174, which was submitted by me at a previous session of the Senate, and which provides for an investigation of negotiations by American citizens with the Mexican Government concerning certain oil sales, has long since been abandoned. I move that the resolution be indefinitely postponed.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. BARKLEY. Mr. President, there is another resolution following the one referred to by the Senator from West Virginia which was submitted by the Senator from New Hampshire [Mr. BRIDGES]. Ought they not both to go the same route?

Mr. NEELY. I think that would be an appropriate course.

Mr. BARKLEY. The Senator from New Hampshire is present. In view of the fact that, on request of the Senator from West Virginia, a resolution which he submitted with reference to investigating certain oil situations in Mexico has been indefinitely postponed, because it has been abandoned and was

reported adversely, I wondered whether the next resolution on the calendar, which was submitted by the Senator from New Hampshire, might not take the same route.

Mr. BRIDGES. That would be acceptable to me.

Mr. BARKLEY. Then, Mr. President, I make the request that Calendar No. 1122, Senate Resolution 177, be indefinitely postponed.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the resolution is indefinitely postponed.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTERS

The legislative clerk read the nomination of Jessie Searle to be postmaster at Redrock, Okla., which had been passed over at previous executive sessions.

Mr. McKELLAR. I ask that that nomination again be passed over, and as to the other nominations of postmasters on the calendar I ask unanimous consent that they be confirmed en bloc.

The VICE PRESIDENT. Without objection, with the exception noted, the post-office nominations on the calendar are confirmed en bloc. That completes the calendar.

ADJOURNMENT

Mr. BARKLEY. As in legislative session, I move that the Senate adjourn until tomorrow.

The motion was agreed to; and (at 12 o'clock and 5 minutes p. m.) the Senate adjourned until tomorrow, Saturday, January 20, 1940, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 19, 1940

POSTMASTERS

FLORIDA

William T. Eddins, Bushnell.
Nadia V. Hall, Center Hill.
Lewis S. Andrews, Cocoa.
Fay G. Brown, Foley.
William C. Johnson, Jensen.
Joseph L. Porcher, Melbourne.
Clifford C. Dooley, Mount Dora.
Charles E. Powell, Panama City.
Mabel Fast, Penney Farms.
Mildred Hanks, Port Tampa City.
Obe P. Goode, St. Augustine.
Henry L. Godwin, St. Cloud.
Maude E. Hartline, South Bay.

ILLINOIS

Arthur L. Knable, Abingdon.
Richard A. Nelson, Alpha.
Raleigh C. Gurley, Anna.
Floyd Wells, Barry.
Omar W. Ashworth, Bellflower.
Everett S. Howell, Bluford.
Leslie Lynn, Brookport.
Singleton W. Ash, Canton.
John F. Donovan, Chatsworth.
John E. Jontry, Chenoa.
William M. Donovan, Clifton.
Henry W. Lorig, Colfax.
Emil Rudolph Luebke, Collinsville.
John E. Garrett, Dwight.

Earl R. Hill, East Alton.
 Richard A. McAllister, Fairbury.
 Wayne D. Herrick, Farmer City.
 Harry O. Franklin, Forrest.
 Arthur H. Schuler, Forest Park.
 Ferd H. Gibler, Freeport.
 Mary B. East, Highwood.
 William A. Cook, Irving.
 Byron L. McDow, Jerseyville.
 G. Edgar Boyer, Kansas.
 Robert E. Gamble, Kirkwood.
 Helen L. Lohman, Lake Zurich.
 Nellie Sutter, Lisle.
 Ambrose Harth, Lostant.
 Glenn G. Smith, Manito.
 Eugene Raymond McGee, McHenry.
 William D. Milnes, Maroa.
 Ruth F. Miller, Milford.
 Madeline E. Brannick, Minooka.
 John T. Donahoe, Morris.
 Leo Edward Kinney, Morrisonville.
 Fay Moyer, Mount Carmel.
 Ellis J. O'Daniel, New Lenox.
 Thomas B. Raycraft, Normal.
 Marie C. Marshall, North Aurora.
 Frank H. Morgan, Okawville.
 Herbert H. Cox, Palmyra.
 Ossian Rice Jones, Paris.
 Floyd J. Hill, Princeville.
 Edwin G. Stifle, Robinson.
 Edward J. Hathaway, Rossville.
 Homer F. Markell, Rushville.
 Rita O'Neil, Rutland.
 Vernon L. Baie, Shabbona.
 Margaret J. Brandt, Sibley.
 William J. Woodard, Sidney.
 Joseph Dixon, Stronghurst.
 David E. Boddie, Tonica.
 William Connell, Tremont.
 Philip F. Althoff, Valmeyer.
 Raymond L. Modro, Varna.
 Emmett Pierre Marshall, Vermont.
 William M. Jones, Villa Grove.
 Carl Reeser, Weldon.
 Elmer J. Freund, West McHenry.
 James V. Husch, Willow Springs.
 William B. Daleiden, Winfield.
 Fred C. Shetler, Woodhull.
 Katharine L. Colwell, Wyoming.
 William E. Berry, Zeigler.

MARYLAND

H. Genevieve Long, Stevensville.

MINNESOTA

John L. Anderson, Ada.
 Alphonsus G. Krebsbach, Adams.
 Donald N. Geddes, Akeley.
 Harry S. Heasley, Annandale.
 Clifford A. Hedquist, Argyle.
 Ralph J. Dolan, Arlington.
 Alfred Gilbertson, Audubon.
 Joseph L. Zimmermann, Aurora.
 Mayme E. Alden, Bertha.
 Floyd L. Stroud, Braham.
 Alvah G. Swindlehurst, Cass Lake.
 Marie B. Diekmann, Collegeville.
 John K. Sloan, Coleraine.
 Bernhard Levins, Crookston.
 Helen I. Gervais, Currie.
 Harold J. Peck, Deer River.
 Dennis E. Murphy, Dassel.
 John B. Neugebauer, Ellendale.
 Ernest O. Howe, Erskine.
 Frank J. Mason, Excelsior.
 Henry J. Widenhofer, Fisher.
 Carl E. Young, Good Thunder.

Ferdie A. Brown, Grygla.
 Richard H. Miell, Hackensack.
 Carl L. Beecher, Henderson.
 Edith A. Marsden, Hendrum.
 Patrick R. Reilly, Hokah.
 Florence D. Markham, Hopkins.
 Fred C. Larson, Howard Lake.
 Harry W. Simpson, Jasper.
 Allen B. Roth, Kasson.
 C. Violet Thyren, Kelliher.
 Ora M. Goodfellow, Kenyon.
 Hazel W. Brown, La Crescent.
 Alvin E. Comstock, Lakefield.
 Henry G. Torgerson, Lake Park.
 William C. Ackerman, Lakeville.
 Aileen R. Ellefson, Lancaster.
 Herman Olberding, Lismore.
 Peter J. Vasaly, Little Falls.
 Theodore J. Roemer, Madison Lake.
 Hazel M. Stull, Mazeppa.
 Madonna B. M. C. Lindblad, McIntosh.
 Gerald F. Wrucke, Minnesota Lake.
 Patrick J. Malone, Montgomery.
 Jessie B. Reynolds, Motley.
 Otto E. Schaub, New Brighton.
 Clarence H. Cook, Newfolden.
 Erna A. Baumhefner, Norwood.
 Conrad B. Diekmann, Ogema.
 Charles E. Gravel, Onamia.
 George W. Gresty, Osakis.
 Henry N. Halvorson, Pelican Rapids.
 Henry E. Bye, Pequot.
 Frank J. Mack, Plummer.
 Lloyd C. Waag, Roseau.
 Edwin G. Doyle, Rosemount.
 Virginia B. Flentje, Round Lake.
 Mary N. Chisholm, St. Charles.
 John A. Henry, St. Cloud.
 John V. Schroeder, St. Joseph.
 Michael W. O'Boyle, St. Paul Park.
 Henry C. Megrund, Shelly.
 John W. Lowe, Slayton.
 Katherine Becker, South Haven.
 Roy Viall, Spring Valley.
 May E. Aukofer, Welcome.
 Louis I. Bullis, Winnebago.

NEW HAMPSHIRE

Harleigh C. Brown, Belmont.
 Clayton F. Bamford, Center Ossipee.
 Lester N. Plummer, Enfield.
 Joseph P. Masse, Epping.
 Sidney F. Downing, Lincoln.
 Julia L. Mayo, Lyme.
 John J. Kirby, Milford.
 Glea L. Rand, Plymouth.
 Walter F. Hanrahan, West Swanzey.
 Sanford M. Tarbell, Winchester.

NEW JERSEY

Edna L. Banker, Atco.
 George E. Fox, Avenel.
 Hattie C. Dixon, Bellemead.
 George H. Todd, Budd Lake.
 Ralph B. Kinney, Butler.
 Frank J. Baker, Carlton Hill.
 Jacob Howard Crane, Clayton.
 Anna B. Craft, Columbus.
 William C. Nestor, Jr., Franklin.
 Remsen Howard, Gladstone.
 Nellie Potter, Glen Gardner.
 John J. Dwyer, Grasselli.
 Bertha S. Irving, Haddonfield.
 Katharine A. Butler, Hampton.
 John Schuemann, Jr., Hoboken.
 Elizabeth Novak, Keasbey.
 Edna E. Lewis, Laurel Springs.

John F. Bigley, Magnolia.
 Martin A. Armstrong, Maple Shade.
 Lydia R. Masterson, Minotola.
 Joseph A. Wolfson, Mount Holly.
 Edward Willis Hoagland, Neshanic Station.
 Eugene Rambone, Newfield.
 Gunther William Eggers, New Milford.
 Charles Ippolito, Orange.
 James J. Odsted, Oxford.
 Thomas L. Kelley, Paterson.
 William H. Armstrong, Jr., Plainfield.
 Michael T. O'Brien, Pleasantville.
 Leander P. Eichorn, Ramsey.
 Frederick Raymond Barker, Runnemede.
 Carlisle C. Cahill, Short Hills.
 John B. Geary, Jr., South Plainfield.
 Andrew D. Wilson, Stockton.
 Daniel J. Fitzpatrick, Summit.
 Arthur M. Kimble, Sussex.
 Elizabeth R. Callahan, Swedesboro.
 Irwin D. Harris, Union.
 Frank A. Robertson, Washington.
 Nora Loughman, Wortendyke.

NEW YORK

Edward J. Morley, Ballston Spa.
 John J. Diffily, Chester.
 Leo A. Fanning, Cornwall on the Hudson.
 Frank J. Talbot, Farmingdale.
 LeRoy K. Kurlbaum, Fonda.
 Perry E. Taylor, Schoharie.
 Bernard Keiles, South Fallsburg.

NORTH DAKOTA

Nils H. Koppang, Adams.
 Charles E. Fleck, Arnegard.
 Ella M. Nevin, Bathgate.
 Irnie C. Hogue, Belcourt.
 John A. Knapp, Binford.
 Anna C. Connelly, Brocket.
 William Stewart, Butte.
 Dorothy L. Schultz, Carpio.
 Mary M. Farrell, Casselton.
 Mary S. Mueller, Douglas.
 Frank M. McConn, Fairmount.
 Louis F. Ellsworth, Forman.
 Reuben A. Lehr, Fredonia.
 Peter V. Hermes, Glen Ullin.
 Mary A. Leavy, Granville.
 Leo C. Stein, Harvey.
 Francis W. Powers, Havana.
 Helen Morton, Manning.
 Donald B. Whiting, Max.
 Thomas J. Dougherty, Mohall.
 Walter E. Harke, New Leipzig.
 Francis A. Gallagher, Oakes.
 John P. Jungers, Regent.
 Harry Jerome Mealy, Reynolds.
 H. Harold Bugge, Sanish.
 Mons K. Ohnstad, Sharon.
 Paul Kietzke, Streeter.
 Lena Kremer, Sykeston.
 John D. Leadon, Taylor.
 Raymond Long, Upham.
 Richard L. Hawes, Wahpeton.
 George G. Harvey, Williston.
 Lester H. Knowles, Wing.

OKLAHOMA

Charlie G. Howe, Coweta.
 Audrey Teeter, Grandfield.
 Earl C. Lucas, Newkirk.

WISCONSIN

George H. Kilb, Adell.
 Julia L. Quigley, Arena.
 Francis W. Muenich, Argyle.
 Thomas F. Bohrer, Augusta.

Denis J. Delaney, Avoca.
 Fred Krier, Belgium.
 Patrick Raymond Sornberger, Belmont.
 Walter Anton Grota, Berlin.
 Alma Mabel Jackson, Blanchardville.
 Jerome A. Casey, Bloomington.
 Frank A. Buettner, Bowler.
 Earle D. Bush, Brodhead.
 Dey E. Clemons, Brule.
 Ralph W. Singleton, Camp Douglas.
 John F. Gretz, Cleveland.
 Anton X. Umhoefer, Colby.
 Basil J. Faherty, Cuba City.
 Alma M. Beggs, Dallas.
 Martin A. Thorpe, Darien.
 Arthur C. Smith, Durand.
 Virgil R. Pulling, East Ellsworth.
 Alfred J. Zorn, Elkhart Lake.
 Joseph A. Podruch, Elroy.
 Randolph W. LeTourneau, Fifield.
 Carl E. Seiler, Fish Creek.
 Carl E. Anderson, Galesville.
 Joseph M. Keuper, Genoa City.
 Reginald E. Caves, Hancock.
 Sara E. Ferriter, Hillsboro.
 Floyd A. Pollard, Kendall.
 Henry L. Bonien, La Valle.
 Florence H. P. Stabnow, Loganville.
 Casimir Jaron, Lublin.
 Richard A. Hemp, Mosinee.
 Neil A. Tarr, New Auburn.
 Roy W. Hughes, Pardeeville.
 Joseph H. Blever, Port Washington.
 Leo P. Rozanski, Pulaski.
 Merle Cain, Reeseville.
 Sister Mary Martine, Sinsinawa.
 Paul J. Murphy, Spooner.
 Mabel E. Johnson, Stockholm.
 Raymond E. Lingsweiler, Sturtevant.
 Stanley S. Gordon, Verona.
 Arthur N. Donnellan, Winter.

SENATE

SATURDAY, JANUARY 20, 1940

The Chaplain, Rev. Z^cBarney T. Phillips, D. D., offered the following prayer:

Almighty and eternal God, whose mercies cannot be numbered: We thank Thee for him, our fine companion in this fellowship, who determined not merely to live but to know, and from whose intrepid soul multitudes have drawn courage for the struggles of life. And now for him time has ebbed away back to the deep whence it flowed, and, as death has folded its dim mysteries over the tired body, do Thou receive him into those holy habitations, where with Thee he may go from strength to strength in that life of perfect service.

For her, his beloved companion of the years, we ask Thy tenderest comfort, with the assurance that, though today seems to have naught but crosses in it, parting and desolation, longing and praying in the sleepless dark, nevertheless there is Thy promise shining on every tear, the grace of Christ on every cross, the eternal hope on every sacrifice, the love that triumphs over death, a song that never can be silenced, and the joy that cannot die. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Friday, January 19, 1940, was dispensed with, and the Journal was approved.

DEATH OF SENATOR WILLIAM E. BORAH

Mr. CLARK of Idaho. Mr. President, last night at 8:45 p. m. remorseless events conspired unkindly to take from us our beloved friend and colleague Senator WILLIAM E. BORAH.

Further words from me at this time could take away nothing from the profound sense of futility which the Nation feels today. Later I shall speak at length upon the life and services of our late beloved colleague. At this time I offer resolutions for which I ask immediate consideration.

The VICE PRESIDENT. The resolutions will be read.

The resolutions (S. Res. 220) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. WILLIAM E. BORAH, late a Senator from the State of Idaho.

Resolved, That a committee of 10 Senators be appointed by the President of the Senate to take order for superintending the funeral of the deceased Senator, to be held in the Senate Chamber on Monday, January 22, 1940, at 12 o'clock and 30 minutes p. m., and that the Senate attend the same.

Resolved, That the Secretary communicate these resolutions to the House of Representatives, transmit a copy thereof to the family of the deceased, and invite the House of Representatives to attend the funeral in the Senate Chamber and to appoint a committee to act with the committee of the Senate.

Resolved, That invitations be extended to the President of the United States and the members of the Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, the Diplomatic Corps (through the Secretary of State), the Chief of Staff of the Army, the Chief of Naval Operations of the Navy, the Major General Commandant of the Marine Corps, and the Commandant of the Coast Guard to attend the funeral in the Senate Chamber.

The VICE PRESIDENT. The Chair will name the committee of 10 Senators at a later time.

The VICE PRESIDENT subsequently, under the second resolving clause, appointed the following Senators to take order for superintending the funeral of the deceased Senator: Mr. CLARK of Idaho, Mr. PITTMAN, Mr. NYE, Mr. VANDENBERG, Mr. WHITE, Mr. AUSTIN, Mr. O'MAHONEY, Mr. BURKE, Mr. MINTON, and Mr. LODGE.

Mr. BARKLEY. Mr. President, I ask unanimous consent that at the conclusion of the funeral services of the late Senator BORAH on Monday next the Senate, as a further mark of respect to his memory, shall stand adjourned until Tuesday, January 23, 1940, at 12 o'clock m.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. BARKLEY. Mr. President, as a further mark of respect and reverence to the memory of our departed colleague, I move that the Senate do now adjourn until 12:15 p. m. on Monday next.

The motion was unanimously agreed to; and (at 12 o'clock and 5 minutes p. m.) the Senate adjourned until Monday, January 22, 1940, at 12 o'clock and 15 minutes p. m.

SENATE

MONDAY, JANUARY 22, 1940

The Senate met at 12 o'clock and 15 minutes p. m.

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Almighty God, unto whom all hearts are open and all desires known, and from whom no secrets are hid: Cleanse the thoughts of our hearts by the inspiration of Thy holy spirit, that we may perfectly love Thee and worthily magnify Thy holy name. Through Christ our Lord. Amen.

ATTENDANCE OF A SENATOR

ELLISON D. SMITH, a Senator from the State of South Carolina, appeared in his seat today.

MESSAGE FROM THE HOUSE—THE LATE SENATOR BORAH

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. WILLIAM E. BORAH, late a Senator from the State of Idaho.

The message announced that the House of Representatives accepted the invitation of the Senate to attend the funeral services of the late Senator BORAH in the Senate Chamber today, and that the Speaker of the House had appointed a committee of 10 Members to act in conjunction with the

committee of the Senate heretofore appointed by the Vice President to take order for superintending the funeral of the deceased Senator.

FUNERAL OF SENATOR BORAH

The casket containing the body of the deceased Senator had been previously brought into the Senate Chamber and placed in the area in front of the desk, surrounded by many floral tributes. A spray of red roses had been placed on the desk lately occupied by Senator BORAH.

The VICE PRESIDENT. The Senate is now in session, pursuant to the resolution previously adopted, to attend the funeral of the late Senator WILLIAM E. BORAH. The invited guests of the Senate will be escorted to the places assigned them.

The committee appointed by the Vice President, on the part of the Senate, to take order for superintending the funeral of the deceased Senator, consisting of Mr. CLARK of Idaho, Mr. PITTMAN, Mr. NYE, Mr. VANDENBERG, Mr. WHITE, Mr. AUSTIN, Mr. O'MAHONEY, Mr. BURKE, Mr. MINTON, and Mr. LODGE, were seated to the right of the Vice President.

The committee appointed by the Speaker of the House to attend the funeral of the deceased Senator, consisting of Mr. BOEHNE, Mr. HILL, Mr. LEMKE, Mr. MURDOCK of Utah, Mr. WHITE of Idaho, Mr. HULL, Mr. ARNOLD, Mr. CASE of South Dakota, Mr. DWORSHAK, and Mr. THORKELSON, entered the Chamber and took the seats assigned to them.

The Members of the House of Representatives, preceded by the Sergeant at Arms and the Speaker, entered the Senate Chamber. The Speaker was escorted to a seat on the right of the Vice President, and Members of the House were given the seats provided for them.

The members of the Diplomatic Corps entered the Chamber and were seated to the left of the Vice President's desk.

The Chief Justice of the United States and the Associate Justices of the Supreme Court of the United States, with Mr. Justice Willis Van Devanter, retired, and Mr. Justice George Sutherland, retired, accompanied by the Marshal, entered the Chamber and were seated in the area to the left of the Vice President's desk.

The Acting Chief of Staff of the Army, the Chief of Naval Operations, the Major General Commandant of the Marine Corps, and the Commandant of the Coast Guard entered the Chamber and were seated in the area to the left of the Vice President's desk.

Hon. William E. Lee, appointed by Hon. C. A. Bottolfson, Governor of the State of Idaho, to represent him at the funeral of the deceased Senator, was escorted to the seat provided for him.

Mrs. Borah and relatives and friends of the deceased Senator were seated in the main lobby of the Senate to the left of the Vice President.

Rev. Z. Barney T. Phillips, D. D., Chaplain of the Senate, and Rev. James Shera Montgomery, D. D., Chaplain of the House of Representatives, took their places at the Secretary's desk.

The President of the United States, accompanied by his military and naval aides, and the members of his Cabinet, preceded by the Sergeant at Arms of the Senate, entered the Chamber, and were seated in the area in front and to the right of the Vice President's desk.

Mrs. Henriette Bagger Plum, of the city of Washington, sang Lead, Kindly Light:

"Lead, Kindly Light, amid the encircling gloom,

Lead Thou me on!

The night is dark, and I am far from home—

Lead Thou me on!

Keep Thou my feet; I do not ask to see

The distant scene—one step enough for me.

"I was not ever thus, nor prayed that Thou

Shouldst lead me on.

I loved to choose and see my path; but now

Lead Thou me on!

I loved the garish day, and, spite of fears,

Pride ruled my will; remember not past years.

"So long Thy power hath blessed me, sure it still
Will lead me on,
O'er moor and fen, o'er crag and torrent, till
The night is gone;
And with the morn those angel faces smile
Which I have loved long since, and lost a while."

Amen.

The Chaplain of the House of Representatives recited from the ritual of the Methodist Episcopal Church, as follows:

I am the resurrection and the life. He that believeth on Me, though he die, yet shall he live; and whosoever liveth and believeth on Me shall never die.

For we know that if the earthly house of our tabernacle be dissolved, we have a building from God, a house not made with hands, eternal, in the heavens.

And I saw no temple therein. For the Lord God the Almighty and the Lamb are the temple thereof. And the city hath no need of the sun, neither of the moon, to shine upon it. For the glory of God did lighten it; and the lamp thereof is the Lamb.

The Lord is my shepherd; I shall not want.

He maketh me to lie down in green pastures; He leadeth me beside the still waters.

He restoreth my soul; He leadeth me in the paths of righteousness for His name's sake.

Yea, though I walk through the valley of the shadow of death, I will fear no evil. For Thou art with me; Thy rod and Thy staff they comfort me.

Thou preparest a table before me in the presence of mine enemies; Thou anointest my head with oil; my cup runneth over.

Surely goodness and mercy shall follow me all the days of my life; and I will dwell in the house of the Lord forever.

Lord, Thou hast been our dwelling place in all generations. Before the mountains were brought forth, or ever Thou hadst formed the earth and the world, even from everlasting to everlasting, Thou art God. For a thousand years in Thy sight are but as yesterday when it is past, and as a watch in the night. Thou carriest them away as with a flood; they are as a sleep; in the morning they are like grass which groweth up. In the morning it flourisheth and groweth up; in the evening it is cut down and withereth. So teach us to number our days that we may apply our hearts unto wisdom; that we may rejoice and be glad all our days. Let Thy work appear unto Thy servants and Thy glory unto their children. And let the beauty of the Lord our God be upon us; and establish Thou the work of our hands upon us; yea, the work of our hands establish Thou it.

*"Sunset and evening star,
And one clear call for me!
And may there be no moaning of the bar,
When I put out to sea,*

*"But such a tide as moving seems asleep,
Too full for sound and foam,
When that which drew from out the boundless deep
Turns again home.*

*"Twilight and evening bell,
And after that the dark!
And may there be no sadness of farewell,
When I embark;*

*"For though from out our bourne of Time and Peace
The flood may bear me far,
I hope to see my Pilot face to face
When I have crossed the bar."*

Amen and amen.

The Chaplain of the Senate proceeded with the service, as follows:

Here beginneth the fourteenth chapter of the Gospel according to St. John:

Jesus said:

Let not your heart be troubled; ye believe in God, believe also in Me. In My Father's house are many mansions; if it were not so, I would have told you. I go to prepare a place for you. And if I go and prepare a place for you, I will come again, and receive you unto myself; that where I am, there ye may be also. And whither I go ye know, and the way ye know. Thomas saith unto Him, Lord, we know not whither Thou goest; and how can we know the way? Jesus saith unto him, I am the way, the truth, and the life; no man cometh unto the Father but by Me.

I now read a portion of the eighth chapter of St. Paul's Epistle to the Romans:

As many as are led by the Spirit of God, they are the sons of God. For ye have not received the spirit of bondage again to fear; but ye have received the Spirit of adoption, whereby we cry, Abba, Father. The Spirit itself beareth witness with our spirit, that we are the children of God: and if children, then heirs; heirs of God, and joint heirs with Christ; if so be that we suffer with Him, that we may be also glorified together. For I reckon that the sufferings of this present time are not worthy to be compared with the glory which shall be revealed in us. For the earnest expectation of the creature waiteth for the manifestation of the sons of God.

We know that all things work together for good to them that love God, to them who are the called according to His purpose.

What shall we then say to these things? If God be for us, who can be against us? He that spared not His own Son, but delivered Him up for us all, how shall He not with Him also freely give us all things?

Who is he that condemneth? It is Christ that died, yea rather, that is risen again, who is even at the right hand of God, who also maketh intercession for us. Who shall separate us from the love of Christ? Shall tribulation, or distress, or persecution, or famine, or nakedness, or peril, or sword?

Nay, in all these things we are more than conquerors through Him that loved us. For I am persuaded, that neither death, nor life, nor angels, nor principalities, nor powers, nor things present, nor things to come, nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord.

*"O Love that wilt not let me go,
I rest my weary soul in Thee;
I give Thee back the life I owe,
That in Thine ocean depths its flow
May richer, fuller be.*

*"O Light that followest all my way,
I yield my flickering torch to Thee;
My heart restores its borrowed ray,
That in Thy sunshine's blaze its day
May brighter, fairer be.*

*"O Joy that seekest me through pain,
I cannot close my heart to Thee;
I trace the rainbow through the rain,
And feel the promise is not vain
That morn shall tearless be.*

*"O Cross that liftest up my head,
I dare not ask to fly from Thee,
I lay in dust life's glory dead,
And from the ground there blossoms red
Life that shall endless be."*

Amen.

Mrs. Henriette Bagger Plum sang three verses from Abide With Me:

"Abide with me! Fast falls the eventide;
The darkness deepens: Lord, with me abide!
When other helpers fail, and comforts flee,
Help of the helpless, O abide with me!

"I fear no foe with Thee at hand to bless:
Ills have no weight, and tears no bitterness.
Where is death's sting, where, grave, thy victory?
I triumph still, if Thou abide with me.

"Hold Thou Thy cross before my closing eyes;
Shine through the gloom, and point me to the skies:
Heaven's morning breaks, and earth's vain shadows flee:
In life and death, O Lord, abide with me!"

Amen.

The Chaplain of the Senate offered the following prayer:
*Our Father who art in heaven, hallowed be Thy name.
Thy kingdom come. Thy will be done on earth, as it is in
heaven. Give us this day our daily bread. And forgive us
our trespasses as we forgive those who trespass against us.
And lead us not into temptation, but deliver us from evil.*
Amen.

O merciful God and Heavenly Father, who hast taught us in Thy Holy Word that Thou dost not willingly afflict or grieve the children of men: Look with Thy loving, tender pity upon the sorrows of this dear one, for whom especially our prayers are offered. May she know that underneath are Thine everlasting arms to protect and to shield her. Grant unto her, dear Lord, by Thine own indwelling, surcease from sorrow, by the knowledge of the eternity and the holiness of Thy love. Comfort her with the blessing from the tender Son of God, who at the tomb of Lazarus wept, so that men said of Him, "Behold how He loved him!" May the spirit of the Father and the Son comfort and sustain her.

Grant that we who share in this sacrament of sorrow may rededicate our lives at this, the altar of our country, in perfect consecrated service to Thee, our God, and to the Nation which we love. We ask it in the name of Him who died and rose again for us, Jesus Christ, Thy Son, our Lord. Amen.

O Lord, Jesus Christ, who by Thy death didst take away the sting of death, grant unto us Thy servants so to follow in faith where Thou hast led the way that we may at length fall asleep peacefully in Thee and awake after Thy likeness through Thy mercy, who livest with the Father and the Holy Spirit, one God, world without end. Amen.

Almighty God, with whom do live the spirits of those who depart hence in the Lord, and with whom the souls of the faithful, after they are delivered from the burden of the flesh, are in joy and felicity, we yield Thee hearty and humble thanks for the noble example of this, our late companion and beloved friend, who now rests from his labors; and grant that we, with all those who are departed in the true faith of Thy holy name, may have our perfect consummation and bliss in Thine eternal and everlasting glory. Through Jesus Christ our Lord. Amen.

O God, the God of the spirits of all flesh, in whose embrace all creatures live in whatsoever world or condition they be, we beseech Thee for him, Thine own dear child, whose name and dwelling place and every need Thou knowest. Lord, vouchsafe him light and rest, peace and refreshment, joy and consolation in paradise, in the companionship of saints and loved ones, in the presence of Christ, in the ample folds of Thy great love. Grant that his life, so wonderful here, so full of love and tenderness, may yet unfold itself in Thy sight and find sweet employment in the spacious fields of eternity.

If in aught we can minister to his peace, be pleased of Thy love to let this be; and so keep us from every act which may deprive us of the sight of him as soon as our trial time is over or mar the fullness of our joy when the end of the day hath come.

Pardon, O gracious Lord and Father, whatever is amiss in this our prayer, and let Thy will be done, for our will is blind and erring, but Thine is able to do exceeding abundantly above all that we ask or think; and we only ask in the name

and for the sake of Jesus Christ our most blessed Lord and Saviour. Amen.

And now, Lord, support us all the day long of this troublous life until the shadows lengthen and the evening comes and the busy world is hushed and the fever of life is over and our work is done. Then in Thy mercy grant us a safe lodging, holy rest, and peace at the last. Through Jesus Christ our Lord. Amen.

The Chaplain of the Senate pronounced the benediction, as follows:

And may the peace of God, which passeth all understanding, keep your hearts and minds in the knowledge and the love of God and his Son, Jesus Christ our Lord, and the blessing of God Almighty, the Father, the Son, and the Holy Spirit be upon you and all who are near and dear unto you, both here and yonder, and grant to them and to you the eternal blessing of God's peace. Amen.

At 1 o'clock p. m., the funeral ceremonies having been concluded, the committee of arrangements of the two Houses and the invited guests retired from the Chamber.

Later in the afternoon, following the adjournment of the Senate, the body of Senator BORAH was taken to the Union Station to be conveyed to Boise, Idaho, for interment.

The VICE PRESIDENT. Under the order previously made by the Senate, and as a further mark of respect to the memory of the deceased Senator from Idaho, the Senate now stands adjourned until 12 o'clock noon tomorrow.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 22, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou in whose presence our souls take delight, on whom in affliction we call, clear our vision that we may see Thy face behind the darkest providence. Our souls wait in the solemnity of these moments. We pray for the patience of unanswered prayer and for the heart to wait until Thy perfect will shall be known. As today we walk toward Emmaus in sadness and loneliness, help us to see the empty sepulcher and the vision of our glorified Lord beyond the cross.

The laborer's task is over; the battles of the years are past; the human barque, once brave and strong, no longer bears the buffetings of wrenching strains. As our days glide swiftly by, grant that the needy and the suffering may gather strength because of his heroic strife. Forever enfolded in the gracious arms of our blessed Saviour, may the loving companion of the years find rest and peace in these hours of her day and darkness. In the dear Redeemer's name. Amen.

The Journal of the proceedings of Thursday, January 18, 1940, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had adopted the following resolution:

Senate Resolution 220

IN THE SENATE OF THE UNITED STATES,
January 20, 1940.

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. WILLIAM E. BORAH, late a Senator from the State of Idaho.

Resolved, That a committee of 10 Senators be appointed by the President of the Senate to take order for superintending the funeral of the deceased Senator, to be held in the Senate Chamber on Monday, January 22, 1940, at 12 o'clock and 30 minutes p. m., and that the Senate attend the same.

Resolved, That the Secretary communicate these resolutions to the House of Representatives, transmit a copy thereof to the family of the deceased, and invite the House of Representatives to attend the funeral in the Senate Chamber, and to appoint a committee to act with the committee of the Senate.

Resolved, That invitations be extended to the President of the United States and the Members of the Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, the Diplomatic Corps (through the Secretary of State), the Chief of Staff of the Army, the Chief of Naval Operations of the Navy, the Major

General Commandant of the Marine Corps, and the Commandant of the Coast Guard to attend the funeral in the Senate Chamber.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate do now adjourn until 12 o'clock and 15 minutes p. m., Monday, January 22, 1940.

The message also announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 2953. An act authorizing States owning lands or interests therein acquired from the United States to include the same in certain agreements for the conservation of oil and gas resources.

H. R. 3931. An act for the relief of Charles H. LeGay;

H. R. 7171. An act to amend section 22 of the Agricultural Adjustment Act; and

H. R. 7293. An act to amend section 355 of the Revised Statutes, as amended, to make permissive the acquisition of legislative jurisdiction over land or interests in land acquired by the United States.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2001) entitled "An act for the equalization of letter carriers."

The message also announced that the Senate had passed with an amendment, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 4532. An act to make effective in the District Court of the United States for Puerto Rico rules promulgated by the Supreme Court of the United States governing pleading, practice, and procedure in the district courts of the United States.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 134. An act providing for continuing retirement pay, under certain conditions, of officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability while in the service of the United States during the World War, and for other purposes;

S. 457. An act to amend the World War Adjusted Compensation Act;

S. 1935. An act to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto;

S. 2122. An act to authorize the sale of the Wilmot National Guard target range, Arizona;

S. 2264. An act for the relief of Frank P. Hoyt;

S. 2289. An act for the relief of the Leesburg Welding & Garage Co.;

S. 2420. An act relating to certain inspections and investigations in coal mines for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes;

S. 2782. An act for the relief of Harold W. Kinderman; and
S. J. Res. 153. Joint resolution to approve the action of the Secretary of the Interior in deferring the collection of certain irrigation charges against lands under the Blackfeet Indian irrigation project.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1335. An act relating to the filing of affidavits of prejudice in the District Court for the District of Columbia; and

S. 1919. An act to provide for the acquisition by the United States of the estate of Patrick Henry in Charlotte County, Va., known as Red Hill.

COMMITTEE ON RULES

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution, which was referred to the House Calendar and ordered printed:

House Resolution 321

Resolved, That the Special Committee to Investigate Un-American Activities is authorized to continue the investigation begun under authority of House Resolution 282 of the Seventy-fifth Congress,

and continued under House Resolution 26 of the Seventy-sixth Congress, and for such purposes said committee shall have the same power and authority as that conferred upon it by said House Resolution 282 of the Seventy-fifth Congress and shall report to the House as soon as practicable, but not later than January 3, 1942, the results of its investigations, together with its recommendations for necessary legislation.

With the following committee amendment:

Page 1, line 9, after "3", strike out "1942" and insert in lieu thereof "1941."

Mr. SABATH. Mr. Speaker, under the rules, 1 hour is allowed for debate on the resolution just sent to the desk. There is a general demand for additional time for debate. It is agreeable to a majority of the committee that this additional hour of debate be allowed, and the committee has requested me to submit such a request. I, therefore, ask unanimous consent, Mr. Speaker, that it may be in order to allow an additional hour of debate on this resolution.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

EXTENSION OF REMARKS

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein certain excerpts. These are the remarks I had intended to make this afternoon under the special order previously granted me. I have an estimate from the printer as to the extra cost.

Mr. THOMAS of New Jersey. Reserving the right to object, Mr. Speaker, and I shall not object, would the gentleman be willing to amend his request so that he might include a newspaper article which shows that the Treasury Department records reveal that the Dies committee aided in the probe of the Christian Front?

Mr. HOOK. I shall be pleased to include that article, and I so modify my request, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ELECTION TO COMMITTEES

Mr. MARTIN of Massachusetts. Mr. Speaker, I offer a resolution and ask its immediate adoption.

The Clerk read as follows:

House Resolution 364

Resolved, That the following Members be, and they are hereby, elected to the Committee on Immigration and Naturalization of the House of Representatives, to wit: JAMES E. VAN ZANDT, of Pennsylvania; CARL T. CURTIS, of Nebraska; ALBERT E. AUSTIN, of Connecticut.

The resolution was agreed to.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from committee:

JANUARY 22, 1940.

HON. WILLIAM B. BANKHEAD,

Speaker, House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on Indian Affairs to take effect at once.

With kindest regards, I am,
Yours truly,

CARL T. CURTIS.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MAGNUSON (at the request of Mr. LEAVY), for 3 days, on account of official business.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1335. An act relating to the filing of affidavits of prejudice in the District Court for the District of Alaska.

S. 1919. An act to provide for the acquisition by the United States of the estate of Patrick Henry in Charlotte County, Va., known as Red Hill.

THE LATE WILLIAM E. BORAH

Mr. DWORSHAK. Mr. Speaker, it is with profound sorrow and a sense of keen personal loss that I announce at this

time the passing, on January 19, of the distinguished senior Senator from Idaho, WILLIAM E. BORAH. For 33 years he served with devotion and loyalty the country he loved so intensely. His record and his achievements are known to all Americans.

Mr. Speaker, later I shall speak at length upon the services of this distinguished American. At this time I offer a resolution and ask its immediate consideration.

The Clerk read as follows:

House Resolution 362

Resolved, That the House has heard with profound sorrow of the death of Hon. WILLIAM E. BORAH, a Senator of the United States from the State of Idaho.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

Resolved, That a committee of 10 Members be appointed on the part of the House to join the committee appointed on the part of the Senate to attend the funeral.

The resolution was agreed to.

The SPEAKER. The Chair appoints as members of the funeral committee, Mr. BOEHNE, Mr. HILL, Mr. LEMKE, Mr. MURDOCK of Utah, Mr. WHITE of Idaho, Mr. HULL, Mr. ARNOLD, Mr. CASE of South Dakota, Mr. DWORSHAK, and Mr. THORKE-SON.

Mr. RAYBURN. Mr. Speaker, I offer a resolution.

The Clerk read as follows:

House Resolution 363

Resolved, That the House of Representatives accepts the invitation of the Senate to attend the funeral services of the late Honorable WILLIAM E. BORAH, to be held in the Senate Chamber Monday, January 22, 1940, at 12:30 o'clock p. m., and that the committee appointed by the Speaker of the House to attend the funeral shall act in conjunction with the committee of the Senate to make the necessary arrangements.

Resolved, That upon the return of the House to its Chamber following the services in the Senate Chamber, the Speaker shall, as a further mark of respect to the memory of the deceased Senator, declare the House adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

The resolution was agreed to.

Mr. WHITE of Idaho. Mr. Speaker, the State of Idaho and our country have lost a great leader, a great crusader, and one of the Nation's outstanding authorities on constitutional government. This country had in WILLIAM EDGAR BORAH, Senator from Idaho, a fearless advocate of the fundamental principles embodied in our Constitution and a staunch supporter of democratic government. Idaho and the Nation will long miss Senator BORAH and cannot soon fill the vacancy in the Nation's councils left by his passing.

The SPEAKER. Pursuant to House Resolution 363, the Members of the House will now proceed to the Senate Chamber to attend the funeral services of the late Senator BORAH. The Speaker will take his place at the door and the majority and minority leaders and the other Members will follow in order and proceed to the Senate Chamber.

Thereupon, at 12:15 o'clock p. m., the Members of the House proceeded to the Senate Chamber.

At 1:01 o'clock p. m., the Members of the House returned to the House Chamber.

ADJOURNMENT

The SPEAKER. Pursuant to the provisions of House Resolution 363, the House, as a further mark of respect to the memory of the deceased Senator, will stand adjourned until 12 o'clock noon tomorrow.

Accordingly (at 1 o'clock and 2 minutes p. m.) the House, pursuant to its previous order, adjourned until Tuesday, January 23, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON NAVAL AFFAIRS

There will be a hearing Tuesday, January 23, 1940, at 10 a. m., before the Committee on Naval Affairs on H. R. 8026, to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

COMMITTEE ON ROADS

The Committee on Roads will continue public hearings in the Roads Committee room, 1011 New House Office Building, at 10 a. m., Tuesday, January 23, 1940, on H. R. 7891, a bill to assist the States in the improvement of highways.

COMMITTEE ON MILITARY AFFAIRS

There will be a meeting of the Committee on Military Affairs of the House in room 1310, New House Office Building, at 10:30 a. m., Tuesday, January 23, 1940, for the consideration of all bills pending before the committee relative to taxation of Tennessee Valley Authority properties.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization Wednesday, January 24, 1940, at 10:30 a. m., in re H. R. 5228.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matters named:

Tuesday, January 23, 1940:

H. R. 200, to amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 ed., title 46, sec. 316).

Tuesday, January 30, 1940:

The following hearing was at first scheduled for Friday, January 5, but was later postponed until Thursday, January 25, 1940. Now it has been postponed again, this time being Tuesday, January 30, 1940, at 10 a. m.

H. R. 7357, to amend section 4472 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 465), to provide for the safe carriage of explosives or other dangerous or semidangerous articles or substances on board vessels; to make more effective the provisions of the International Convention for Safety of Life at Sea, 1929, relating to the carriage of dangerous goods; and for other purposes.

Tuesday, February 6, 1940:

H. R. 7527, to make effective the provisions of the Minimum Age (sea) Convention (revised), 1936, and for other purposes.

Hearings will be continued Wednesday, February 7, 1940, at 10 a. m., on H. R. 6130, to provide for mandatory or compulsory inspection and permissive or voluntary grading of fish, fishery products, fishery byproducts, shellfish, crustacea, seaweeds, and all other aquatic forms of animal and vegetable life, and the products and byproducts thereof, and for other purposes.

Tuesday, February 13, 1940:

H. R. 1780, to amend section 7 of the act of June 19, 1886, as amended (U. S. C., 1934 ed., Supp. III, title 46, sec. 319), relative to penalties on certain undocumented vessels and cargoes engaging in the coastwise trade or the fisheries, and for other purposes.

H. R. 5837, to amend section 221 of the Shipping Act, barring certain aliens from participating in the benefits thereof.

H. R. 6770, to amend Revised Statutes 4311 (U. S. C. 251).

H. R. 7694, to amend section 4311 of the Revised Statutes of the United States.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings in the committee room, 247 House Office Building, at 10 a. m., on the following dates on the matters named:

INDIAN WARS

Tuesday, January 23, 1940:

H. R. 1006. A bill to adjust the rate of pension to soldiers of the Indian wars who served 90 days or more in active service against hostile Indians, and for other purposes.

H. R. 3996. A bill to pension men who were engaged in or connected with the military service of the United States during the period of Indian wars and disturbances.

H. R. 4924. A bill to adjust the rate of pension to soldiers of the Indian wars who served 90 days or more in active service against hostile Indians, and for other purposes.

H. R. 4991. A bill to pension men who were enlisted in the military service of the United States during the period of

Indian wars and disturbances, and the widows of such men, and for other purposes.

H. R. 4999. A bill to increase the rates of pension in the case of soldiers who served 90 days or more in the Indian wars during the period from 1817 to 1898, and to grant pensions to widows of soldiers who so served in such wars.

DEPENDENTS OF REGULAR ESTABLISHMENT VETERANS

Thursday, January 25, and Friday, January 26, 1940:

H. R. 7191. A bill to make more equitable provision for pensions for the dependents of deceased veterans of the Army, Navy, Marine Corps, and the Coast Guard.

H. R. 7522. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to dependents of veterans of the World War whose death is due to service.

H. R. 7652. A bill to grant pensions and increase of pensions to widows and dependents of certain deceased members or former members of the military or naval service.

H. R. 7734. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to the dependents of veterans of the World War whose death is due to service.

MEDAL OF HONOR PENSIONS

Thursday, February 1, 1940:

H. R. 3385. A bill to liberalize the provisions of the Medal of Honor Roll Act of April 27, 1916.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a hearing before a subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, January 23, 1940, on H. R. 6652, to aid consumers by setting up standards of quality based on performance as a guide in the purchase of consumer goods.

NOTE.—This hearing was originally scheduled for Tuesday, January 16, 1940.

Hearings will begin Monday, February 5, 1940, at 10 a. m., before the Petroleum Subcommittee of the Committee on Interstate and Foreign Commerce. State regulatory bodies will be heard first.

COMMITTEE ON THE JUDICIARY

On Monday, January 29, 1940, at 10 a. m., there will be a hearing before the Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary on the bills (H. R. 7528 and S. 1935) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto (sec. 75). The hearing will be held in room 346, House Office Building.

On Wednesday, February 14, 1940, at 10 a. m., there will be a hearing before the Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary on the bill (H. R. 8016) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto (municipal compositions). The hearing will be held in room 346, House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1283. A letter from the Postmaster General, transmitting the cost-asertainment report and appendix for the fiscal year 1939; to the Committee on the Post Office and Post Roads.

1284. A letter from the Attorney General, transmitting a report showing the special assistants employed during the period from July 1, 1939, to January 1, 1940; to the Committee on Expenditures in the Executive Departments.

1285. A letter from the Secretary of War, transmitting the draft of a proposed bill to authorize credit in the accounts of certain disbursing officers of the Army of the United States; to the Committee on Claims.

1286. A letter from the secretary, United States Maritime Commission, transmitting a report of the contracts or sub-

contracts for scientific equipment used for communication and navigation which were executed by the Commission during the calendar year 1939; to the Committee on Merchant Marine and Fisheries.

1287. A letter from the Acting Secretary of the Interior, transmitting one copy of legislation passed by the Municipal Council of St. Croix; to the Committee on Insular Affairs.

1288. A letter from the Acting Secretary of the Interior, transmitting two reports showing the status of credit operations provided for under the Indian Reorganization Act of June 18, 1934; to the Committee on Indian Affairs.

1289. A letter from the Acting Secretary of the Interior, transmitting one copy of legislation passed by the Municipal Council of St. Thomas and St. John; to the Committee on Insular Affairs.

1290. A letter from the Acting Secretary of the Interior, transmitting all the laws enacted by the Municipal Council of St. Croix and the Municipal Council of St. Thomas and St. John; to the Committee on Insular Affairs.

1291. A letter from the Acting Secretary of the Interior, transmitting the draft of a proposed bill to authorize the restoration to tribal ownership of certain lands upon the Coeur d'Alene Reservation, Idaho; to the Committee on Indian Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. SABATH: Committee on Rules. House Resolution 321. Resolution for the continuation of the Special Committee to Investigate Un-American Activities; with amendment (Rept. No. 1522). Referred to the House Calendar.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 7787) granting a pension to Earl Dudley; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 7963) for the relief of Charles Palmer Cornwell; Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 8038) granting an increase of pension to Florence C. Woods; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California:

H. R. 8043. A bill to authorize a preliminary examination and survey of the Los Gatos River and its tributaries in the State of California for flood control, for run-off and water-flow retardation, and for soil-erosion prevention; to the Committee on Flood Control.

H. R. 8044. A bill to authorize a preliminary examination and survey of the Coyote River and its tributaries in the State of California for flood control, for run-off and water-flow retardation, and for soil-erosion prevention; to the Committee on Flood Control.

By Mr. CASEY of Massachusetts:

H. R. 8045. A bill providing for an amendment to the Fair Labor Standards Act; to the Committee on Labor.

By Mr. DIMOND:

H. R. 8046. A bill to amend section 1 of the act entitled "An act for the retirement of employees of the Alaskan Railroad, Territory of Alaska, who are citizens of the United States," approved June 29, 1936; to the Committee on the Civil Service.

By Mr. EBERHARTER:

H. R. 8047. A bill to convey abutment premises of lock and dam No. 1, Allegheny River, Pa., to the city of Pittsburgh, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. MAY:

H. R. 8048 (by request). A bill to amend the act entitled "An act to give wartime commissioned rank to retired warrant officers and enlisted men," approved May 7, 1932; to the Committee on Military Affairs.

By Mr. OLIVER:

H. R. 8049. A bill to authorize the Commissioner of Public Works Administration to make financial allotments of unexpended funds for the reconstruction of public buildings destroyed by disaster; to the Committee on Appropriations.

By Mr. SACKS:

H. R. 8050. A bill to provide for the establishment of the Gloria Dei National Historical Park in the city of Philadelphia; to the Committee on Public Buildings and Grounds.

By Mr. ALEXANDER:

H. R. 8051. A bill to liberalize the provisions of the Medal of Honor Roll Act of April 27, 1916; to the Committee on Invalid Pensions.

By Mr. BOYKIN:

H. Res. 365. Resolution to amend the rules of the House of Representatives relating to the Private Calendar; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. KEEFE:

H. R. 8052. A bill to reimburse certain cooperatives for losses occasioned by the Federal Farm Board's stabilization operations; to the Committee on Agriculture.

By Mr. BOLLES:

H. R. 8053. A bill to reimburse certain cooperatives for losses occasioned by the Federal Farm Board's stabilization operations; to the Committee on Agriculture.

By Mr. JOHNS:

H. R. 8054. A bill to reimburse certain cooperatives for losses occasioned by the Federal Farm Board's stabilization operations; to the Committee on Agriculture.

By Mr. HAWKS:

H. R. 8055. A bill to reimburse certain cooperatives for losses occasioned by the Federal Farm Board's stabilization operations; to the Committee on Agriculture.

By Mr. MURRAY:

H. R. 8056. A bill to reimburse certain cooperatives for losses occasioned by the Federal Farm Board's stabilization operations; to the Committee on Agriculture.

By Mr. HULL:

H. R. 8057. A bill to reimburse certain cooperatives for losses occasioned by the Federal Farm Board's stabilization operations; to the Committee on Agriculture.

By Mr. GEHRMANN:

H. R. 8058. A bill to reimburse certain cooperatives for losses occasioned by the Federal Farm Board's stabilization operations; to the Committee on Agriculture.

By Mr. CHURCH:

H. R. 8059. A bill for the relief of George H. Bosler; to the Committee on Claims.

H. R. 8060. A bill granting a pension to Leonia J. Cram; to the Committee on Invalid Pensions.

By Mr. CLASON:

H. R. 8061. A bill for the relief of Alice R. Swett; to the Committee on Claims.

H. R. 8062. A bill for the relief of the estate of Robert S. Swett; to the Committee on Claims.

By Mr. COLE of New York:

H. R. 8063. A bill granting an increase of pension to Edward B. Snow; to the Committee on Pensions.

By Mr. DUNCAN:

H. R. 8064. A bill for the relief of James Simmons, Laura Simmons, and Ruth Simmons, minor; to the Committee on Claims.

By Mr. PACE:

H. R. 8065. A bill for the relief of Mrs. Cliff Snider; to the Committee on Claims.

By Mr. SACKS:

H. R. 8066. A bill for the relief of Marjorie Johnson and Sophie Yeats; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6195. By Mr. HOUSTON: Petition of Dan Rardin, of El Dorado, Kans., and seven citizens of Wichita, Kans., urging enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6196. By Mr. KEOGH: Petition of the National Civil Service Reform League, New York City, concerning House bill 960; to the Committee on the Civil Service.

6197. Also, petition of the National Association of Life Underwriters, New York City, concerning any unsound monetary policies; to the Committee on Banking and Currency.

6198. Also, petition of the National Association of Real Estate Boards, Chicago, Ill., regarding abuses in the construction industry; to the Committee on Labor.

6199. By Mr. MONKIEWICZ: Resolution of the Connecticut State Grange, urging restoration of Farm Credit Administration to its former independent status; to the Committee on Agriculture.

6200. Also, resolution of the Connecticut State Grange, favoring continuation of Dies committee; to the Committee on Rules.

6201. By Mr. PFEIFER: Petition of the National Civil Service Reform League, New York City, urging the passage of House bill 960; to the Committee on the Civil Service.

6202. By Mrs. ROGERS of Massachusetts: Petition of the City Council of Cambridge, Mass., urging the enactment of legislation to repeal the mandatory provisions of the Works Progress Administration Act relating to 30-day furloughs; to the Committee on Ways and Means.

6203. By Mr. SPENCE: Joint resolution of the General Assembly of the Commonwealth of Kentucky, petitioning the Congress that legislation may be enacted providing that States shall not be required to transfer amounts collected from railroad employees under the Railroad Unemployment Insurance Act to the Federal Railroad Retirement Board if such amounts so withdrawn are used solely to reimburse each such employee for the amount of contributions so collected from him; to the Committee on Ways and Means.

6204. By Mr. SPRINGER: Resolution of the United Automobile Workers of America, Local No. 371, New Castle, Ind., pertaining to a condition existing in the administrative affairs of the Wage and Hour Division, United States Department of Labor; to the Committee on Labor.

6205. Also, petition of a group of people engaged in the bakery business at Richmond, Ind., protesting against the imposition of new processing taxes on bread; to the Committee on Ways and Means.

6206. By Mr. TENEROWICZ: Petitions of employees of the Bohn Aluminum & Brass Corporation, petitioning the Congress to consider the legislative program adopted by the Congress of Industrial Organizations and urging that the United States keep out of any foreign wars; to the Committee on Foreign Affairs.

6207. By the SPEAKER: Petition of the Tuckerman House, Boston, Mass., petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

6208. Also, petition of James B. Fisher, of Brooklyn, N. Y., petitioning consideration of their resolution with reference to un-American activities; to the Committee on Rules.

6209. Also, petition of the Allis-Chalmers Workers' Union, West Allis, Wis., petitioning consideration of their resolution with reference to civil liberties and rights; to the Committee on the Judiciary.

SENATE

TUESDAY, JANUARY 23, 1940

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

O Thou who in the days of old didst promise the outpouring of Thy spirit upon all flesh: We beseech Thee for a share in Thine own creative vision, that our very thoughts may become the ministers of purity and goodness, of brotherhood and peace. Reveal to us as a Nation, O Father, the vast possibilities and glorious capacities of the children of our beloved country, and grant that there may be nobler fathers and deeper-hearted mothers to aid in the development of a people properly equipped to command the future and to secure an ever-ascending scale of living.

We look not to the angels for new light but to the cradles of the land, where we wait for the consolation of the race. By this new creative spirit, help us to build a social whole so wise, so clean, so sure of God that, like a mighty tide, it will carry mankind up through the gates of the City into Thy very presence. We ask it in the name of Thy dear Son, Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Saturday, January 20, and Monday, January 22, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives by Mr. Chaffee, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1335. An act relating to the filing of affidavits of prejudice in the District Court for the District of Alaska; and

S. 1919. An act to provide for the acquisition by the United States of the estate of Patrick Henry in Charlotte County, Va., known as Red Hill.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	Hughes	Russell
Ashurst	Downey	Johnson, Calif.	Schwartz
Bailey	Ellender	Johnson, Colo.	Schwellenbach
Bankhead	Frazier	King	Shipstead
Barbour	George	Lee	Slattery
Barkley	Gerry	Lucas	Smathers
Bilbo	Gibson	Lundeen	Smith
Bridges	Gillette	McKellar	Stewart
Brown	Glass	McNary	Taft
Bulow	Green	Maloney	Thomas, Okla.
Byrd	Guffey	Mead	Tobey
Byrnes	Gurney	Miller	Townsend
Capper	Hale	Murray	Truman
Chandler	Harrison	Neely	Tydings
Chavez	Hatch	Norris	Van Nuys
Clark, Mo.	Hayden	Pepper	Wagner
Connally	Herring	Radcliffe	Walsh
Danaher	Holman	Reed	Wheeler
Davis	Holt	Reynolds	Wiley

Mr. BARKLEY. I announce that the Senator from Washington [Mr. BONE], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Alabama [Mr. HILL], the Senator from Texas [Mr. SHEPPARD], and the Senator from Louisiana [Mr. OVERTON] are absent from the Senate because of illness.

The Senator from Idaho [Mr. CLARK], the Senator from Nevada [Mr. PITTMAN], the Senator from North Dakota [Mr. NYE], the Senator from Michigan [Mr. VANDENBERG], the Senator from Maine [Mr. WHITE], the Senator from Vermont [Mr. AUSTIN], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Nebraska [Mr. BURKE], the Senator from

Indiana [Mr. MINTON], and the Senator from Massachusetts [Mr. LODGE] are members of the committee appointed to attend the funeral in Idaho of the late Senator BORAH, and are, therefore, absent.

The Senator from Florida [Mr. ANDREWS] and the Senator from Nevada [Mr. MCCARRAN] are detained on important public business.

The Senator from Utah [Mr. THOMAS] is detained on official business for the Special Committee on Civil Liberties.

Mr. McNARY. I announce that the Senator from New Jersey [Mr. BARBOUR] and the Senator from Wisconsin [Mr. LA FOLLETTE] are absent on official business of the Senate.

The VICE PRESIDENT. Seventy-six Senators have answered to their names. A quorum is present.

TRIBUTE TO THE LATE SENATOR BORAH

Mr. LEE. Mr. President, I ask unanimous consent to address the Senate for about 4 minutes at this time.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Oklahoma will proceed.

Mr. LEE. Mr. President, today for the first time in one-third of a century, the clerk who called the roll omitted the name of Senator BORAH. It is difficult to think of the United States Senate without him. How often have the Senate pages rushed into the anterooms and whispered to us, "Senator BORAH is speaking." And always we hurried in to hear him. We listened to him; and I am glad that we did, for he was a great man.

But now his eloquent tongue is stilled forever. His clear voice will never again fill this Chamber, but his clear thinking will, down through the years, I am sure, continue to influence this body.

Today his seat is vacant. Later it will be occupied, but it may never be filled, for Senator BORAH was a great man. He lived for America as nobly as others have died for her. He fought valiantly for the causes in which he believed. He walked with kings all right, but he never lost the common touch.

He was courageous but not foolhardy. He was liberal but not radical. He was conservative but not reactionary. He was progressive and yet he was cautious—suspicious of the untried and slow to relinquish the proven.

He debated, but he never quibbled. He was determined but never contentious. He was always courteous. The fairness of his manner often disarmed his opponent. He differed without offending. He disagreed without antagonizing. I never heard him use ridicule or abuse. He never resorted to sarcasm, but relied solely upon the soundness of his arguments. There was little escape from the compelling logic of his conclusions, and the very simplicity of his language was its eloquence.

I well remember the last great speech he made in this Chamber. He spoke on the neutrality bill. You remember it, too. The Senate and the galleries were breathless. His eyes blazed with the light of battle as he denounced war profiteering, and his whole frame shook with emotion as he urged that we not take one step toward war.

No one ever questioned his sincerity and few have ever matched his patriotism.

And now he is gone. He has been a part of the United States Senate so long that we will find ourselves expecting him to come in—but he will not come. We will unconsciously glance toward the desk which he has occupied so long, expecting there to see his benign countenance, only to be reminded of our great loss. We shall miss him—we shall miss him so much that it will be exceedingly difficult to reconcile ourselves to his absence.

We who knew him are fortunate because in the years to come when we read his precepts, they will have a richer meaning because we knew Senator BORAH, the man.

He was kindly and personable. He loved children and they loved him. Last year during the special session, he was accustomed to sit on a bench in a little park which is just in front of the apartment house where we live. Our little girl, Mary Louise, used to play in that park. They

became fast friends. The last time I talked to Senator BORAH, he asked to be remembered to his little playmate.

Mr. President, I admired Senator BORAH at long range even before I met him. I admired him more at closer range as merely an acquaintance, but as that acquaintance became more intimate, my admiration warmed into friendship.

Although he had been here over 30 years, he never forgot to encourage a newcomer. His was the first friendly hand laid upon my shoulder when I first became a Member of this body. My seat was the one just next behind his. Many times during those first months, I whispered to him for advice. He always gave it so kindly and so encouragingly that I was drawn to him by the sheer warmth of his great heart.

And now he is gone. He has been called to sit in that celestial gallery to which many of his colleagues before him have already been summoned. But he leaves to us the thrilling inspiration that comes from the great life of a great American.

I thank you.

CONDOLENCES ON DEATH OF SENATOR BORAH

The VICE PRESIDENT laid before the Senate a radiogram from Hon. Louis S. Zephirin, president of the Senate of Haiti, stating (translation), "The Haitian Senate shares in the grief of the American Senate on the occasion of the death of the lamented Senator BORAH and sends its profound condolences," which was ordered to lie on the table.

The VICE PRESIDENT also laid before the Senate a radiogram from Hon. Jiuji Kasai, of the Imperial Japanese Diet, Tokyo, Japan, expressing deepest sympathy to the American Nation in its bereavement occasioned by the death of Hon. WILLIAM E. BORAH, late a Senator from the State of Idaho, which was ordered to lie on the table.

BOARD OF VISITORS TO THE NAVAL ACADEMY

The VICE PRESIDENT. The act of August 29, 1916, requires the Vice President to appoint annually four Senators on the Board of Visitors to the United States Naval Academy, in addition to the chairman of the Committee on Naval Affairs of the Senate, who is an ex officio member of the Board.

The Chair accordingly appoints the Senator from Maryland [Mr. RADCLIFFE], the Senator from Missouri [Mr. TRUMAN], the Senator from Vermont [Mr. AUSTIN], and the Senator from New Jersey [Mr. BARBOUR] as the members of the Board to serve with the chairman of the committee, the Senator from Massachusetts [Mr. WALSH].

AMENDMENT OF THE BANKRUPTCY ACT

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 6505) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ASHURST. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. HUGHES, Mr. HATCH, and Mr. AUSTIN conferees on the part of the Senate.

COST-ASCERTAINMENT REPORT, POST OFFICE DEPARTMENT

The VICE PRESIDENT laid before the Senate a letter from the Postmaster General, transmitting, pursuant to law, the cost-ascertainment report of the Post Office Department, showing the cost of carrying and handling the several classes of mail matter and of performing the special services for the fiscal year 1939, with appendix, which, with the accompanying papers, was referred to the Committee on Post Offices and Post Roads.

REPORT OF CREDIT OPERATIONS, INDIAN OFFICE

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting, pursuant to law, a report of credit operations in connection with Indian affairs under authority of certain acts of Congress, as of June 30, 1939, which, with the accompanying paper, was referred to the Committee on Indian Affairs.

COEUR D'ALENE INDIAN RESERVATION LANDS, IDAHO

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation authorizing the restoration to tribal ownership of certain lands upon the Coeur d'Alene Indian Reservation, Idaho, and for other purposes, which, with the accompanying paper, was referred to the Committee on Indian Affairs.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following joint resolution of the General Assembly of Virginia, which was referred to the Committee on Foreign Relations:

House Joint Resolution 16

Urging the removal by Great Britain of the embargo on the importation of tobaccos from the United States

Whereas the embargo now in effect on the importation of tobaccos by Great Britain is causing serious loss to the tobacco growers and manufacturing industries of our country, and in particular in Virginia; and

Whereas it is the earnest desire of the General Assembly of Virginia that such embargoes be removed as quickly as possible: Now, therefore, be it

Resolved by the House of Delegates of Virginia (the senate concurring), That we call upon the Members of Congress of the United States from Virginia to urge upon the Departments of State and of Agriculture in Washington to do everything in their power to induce Great Britain to remove such embargo at the earliest possible time; and be it further

Resolved, That a copy of this resolution be transmitted by the clerk of the house of delegates to the Presiding Officer of the United States Senate and House of Representatives, respectively, and to the Representatives in the Congress of the United States from the Commonwealth of Virginia.

January 18, 1940: Agreed to by the house of delegates.

E. GRIFFITH DONSON,

Clerk, House of Delegates.

January 19, 1940: Agreed to by the senate.

E. R. COMBS,

Clerk of the Senate.

The VICE PRESIDENT also laid before the Senate a letter from the Acting Secretary of the Interior, transmitting a petition received in the Department of the Interior from the United States High Commissioner to the Philippine Islands, consisting of 3 albums containing more than 48,000 signatures of residents of the Philippine Islands, praying that legislation be enacted by the Federal Government to impose an embargo on the shipment of war commodities to Japan, which, with the accompanying petition, was referred to the Committee on Foreign Relations.

He also laid before the Senate a resolution of the Council of the City of Los Angeles, Calif., favoring the enactment of legislation to extend the operations of the Public Works Administration to January 1, 1941, and also to authorize extension of time on present operating P. W. A. projects to allow the completion thereof by January 1, 1941, which was referred to the Committee on Appropriations.

He also laid before the Senate a resolution adopted by Local No. 46, State, County, and Municipal Workers of America (affiliated with the C. I. O.; department of public assistance), Philadelphia, Pa., favoring the appropriation of adequate funds for the N. Y. A., W. P. A., C. C. C., and other social agencies rather than increased funds for armament, which was referred to the Committee on Appropriations.

He also laid before the Senate a resolution adopted by Local No. 248, U. A. W. A., Allis-Chalmers Workers' Union, C. I. O., West Allis, Wis., protesting against the enactment of certain legislation introduced in the Congress as threatening civil liberties and rights, and favoring the preservation of security and democracy by protecting the Bill of Rights, which was referred to the Committee on Immigration.

He also laid before the Senate a resolution adopted by the California Association of Port Authorities, protesting against the enactment of legislation asserting Federal title to submerged lands and tidelands based upon principles of national sovereignty, which was referred to the Committee on Public Lands and Surveys.

He also laid before the Senate a resolution adopted by the Liga Pro Democracia, San Juan, P. R., protesting against the making of loans to any foreign country until the adverse economic conditions affecting the people of Puerto Rico are remedied, which was referred to the Committee on Banking and Currency.

Mr. REED presented a resolution adopted by the board of directors of the Wichita (Kans.) Chamber of Commerce, signed by J. Ward Gale, president, and A. N. Booth, general manager, protesting against the enactment of House bill 7372, to promote the conservation of petroleum; to provide for cooperation with the States in preventing the waste of petroleum; to create an Office of Petroleum Conservation; and to amend the act of February 22, 1935, as being opposed to the best interests of the Nation, the States, the consuming public, and the petroleum industry, which was referred to the Committee on Interstate Commerce.

Mr. TYDINGS presented a resolution unanimously adopted by employees' representatives at the Maryland plant of the Bethlehem Steel Co., Sparrows Point, Md., protesting against the invasion of Finland by the armies of Soviet Russia and favoring all aid short of war to the Republic of Finland, which was referred to the Committee on Banking and Currency.

He also presented a resolution adopted by Bethesda-Chevy Chase Post, No. 105, the American Legion, Department of Maryland, favoring continuance of the operation of the so-called Dies committee investigating un-American activities and appropriation of the necessary funds therefor, which was referred to the Committee on the Judiciary.

Mr. CAPPER presented a resolution adopted by the Four County Bankers Association of southeastern Kansas, Coffeyville, Kans., favoring the enactment of legislation to exempt bank employees from the operation of the wage-and-hour provisions of the Fair Labor Standards Act, which was referred to the Committee on Education and Labor.

He also presented a letter in the nature of a petition from the secretary of the Johnson County Council of Parents and Teachers, representing 1,600 members, of Merriam, Kans., praying for the enactment of Senate bill 517, to prohibit the advertising of alcoholic beverages over the radio, which was ordered to lie on the table.

Mr. HOLT presented a letter in the nature of a memorial from the secretary of the Huntington (W. Va.) Central Labor Union, protesting on behalf of the union against the present method of making reciprocal-trade agreements with foreign nations and favoring more safeguards to protect the interests of American manufacturers and employees, which was referred to the Committee on Finance.

He also presented a resolution of H. W. Daniels Unit, No. 29, of the American Legion Auxiliary, Elkins, W. Va., favoring continuance of the operation of the so-called Dies committee investigating un-American activities, which was referred to the Committee on the Judiciary.

He also presented letters in the nature of petitions from sundry citizens of Fairmont, West Union, Glenville, St. Albans, Marlinton, Catawba, Ceredo, Bluefield, Parkersburg, Martinsburg, Rowlesburg, Charleston, and Uffington, all in the State of West Virginia, praying for the enactment of Senate bill 517, to prohibit the advertising of alcoholic beverages over the radio, which were ordered to lie on the table.

REPORTS OF COMMITTEES

Mr. ADAMS, from the Committee on Appropriations, to which was referred the bill (H. R. 7805) making supplemental appropriations for the Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation, for the fiscal year ending June 30, 1940, and for other pur-

poses, reported it with amendments and submitted a report (No. 1162) thereon.

Mr. BANKHEAD, from the Committee on Banking and Currency, to which was referred the bill (H. R. 7342) to amend the Emergency Farm Mortgage Act of 1933, as amended, reported it without amendment and submitted a report (No. 1164) thereon.

Mr. HOLMAN, from the Committee on Military Affairs, to which was referred the bill (S. 2346) for the relief of Beryl M. McHam, reported it without amendment and submitted a report (No. 1165) thereon.

Mr. BYRNES, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the joint resolution (S. J. Res. 199) amending Public Resolution No. 112, of the Seventy-fifth Congress, and Public Resolution No. 48, of the Seventy-sixth Congress, reported it without amendment.

JOINT COMMITTEE ON ARRANGEMENTS FOR INAUGURATION OF PRESIDENT-ELECT—REPORT OF COMMITTEE ON RULES

Mr. NEELY, from the Committee on Rules, to which was referred the concurrent resolution (S. Con. Res. 32) authorizing the appointment of a joint committee to make arrangements for the inauguration of the President-elect of the United States in 1941—submitted by Mr. NEELY on the 4th instant—reported it without amendment.

IMPORTATION OF ARTICLES FREE OF DUTY FOR SAN FRANCISCO AND NEW YORK EXPOSITIONS

Mr. GEORGE. Mr. President, from the Committee on Finance I report back favorably without amendment House Joint Resolution 419 to extend, for 3 additional months, the time during which articles imported free of duty for exhibition at the Golden Gate International Exposition or the New York World's Fair, may be sold or abandoned, and I submit a report, No. 1163, thereon. I ask for the immediate consideration of the joint resolution. I may say that under the existing law all exhibits from foreign nations at both the San Francisco and the New York World's Fair were entered free of duty, of course, for a limited period of time. That period of time expires on the 29th day of this month, and the joint resolution merely extends the time so that it will not be necessary to return these exhibits or to sell them or to destroy them.

Mr. McNARY. Mr. President, let me ask the able Senator whether a favorable report was made by the Committee on Finance?

Mr. GEORGE. The report of the committee is favorable. The resolution passed the House without opposition. The Finance Committee has reported it favorably, and I am presenting it on behalf of the chairman of the committee, who is not at the moment present.

Mr. McNARY. The Senator is asking for immediate consideration?

Mr. GEORGE. Yes.

Mr. McNARY. I have no objection.

The VICE PRESIDENT. Is there objection to the immediate consideration of the House joint resolution?

There being no objection, the joint resolution (H. J. Res. 419) to extend, for 3 additional months, the time during which articles imported free of duty for exhibition at the Golden Gate International Exposition or the New York World's Fair, may be sold or abandoned, was considered, ordered to a third reading, read the third time, and passed, as follows:

Resolved, etc., That the joint resolution entitled "Joint resolution providing for the importation of articles free from tariff or customs duty for the purpose of exhibition at the Golden Gate International Exposition to be held at San Francisco, Calif., in 1939, and for other purposes", approved May 18, 1937, as amended, is amended by striking out the words "within 3 months" wherever appearing therein and inserting in lieu thereof the words "within 6 months."

SEC. 2. That the joint resolution entitled "Joint resolution to permit articles imported from foreign countries for the purpose of exhibition at the New York World's Fair 1939, New York City, N. Y., to be admitted without payment of tariff, and for other purposes",

approved August 16, 1937, as amended, is amended by striking out the words "within 3 months" wherever appearing therein and inserting in lieu thereof the words "within 6 months."

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

S. 3162. A bill to establish a fish hatchery; to the Committee on Commerce.

By Mr. McNARY (for himself and Mr. HOLMAN):

S. 3163. A bill to provide for a national cemetery in the vicinity of Portland, Oreg.; to the Committee on Military Affairs.

By Mr. MILLER:

S. 3164. A bill for the relief of Fred Herbert Kenney; to the Committee on Military Affairs.

By Mr. DAVIS:

S. 3165. A bill relating to disability and death benefits for Reserve officers of the United States Army; to the Committee on Military Affairs.

By Mr. VAN NUYS:

S. 3166. A bill granting a pension to Adele Evans; to the Committee on Pensions.

By Mr. TRUMAN:

S. 3167. A bill to amend the District of Columbia Alcoholic Beverage Control Act to provide for the better control of the alcoholic-beverage industry in the District of Columbia; to the Committee on the District of Columbia.

By Mr. THOMAS of Oklahoma (by request):

S. 3168. A bill to provide for the leasing of restricted allotments of deceased Indians in certain circumstances, and for other purposes; to the Committee on Indian Affairs.

By Mr. MEAD:

S. 3169. A bill to provide for the classification of field service positions, and the adjustment of compensation of field service employees of the United States Immigration and Naturalization Service; to the Committee on Immigration.

By Mr. MURRAY:

S. 3170. A bill to provide vocational guidance, vocational training, and employment opportunities for youth between the ages of 16 and 25; to provide for increased educational opportunities for high-school, college, and postgraduate students, and for other purposes; to the Committee on Education and Labor.

By Mr. JOHNSON of California:

S. 3171. A bill authorizing the appointment and retirement of Raleigh Edward Hughes as a lieutenant, United States Navy; to the Committee on Naval Affairs.

S. 3172. A bill to provide for the extension of certain oil- and gas-prospecting permits; to the Committee on Public Lands and Surveys.

By Mr. WALSH:

S. 3173. A bill for the allowance of certain claims, not heretofore paid, for indemnity for spoliation by the French prior to July 31, 1801, as reported by the Court of Claims; to the Committee on Claims.

S. 3174. A bill to authorize the Secretary of the Navy to accept, without cost to the United States, a fee-simple conveyance of 16.4 acres, more or less, of land at Floyd Bennett Field in the city and State of New York; to the Committee on Naval Affairs.

Mr. HARRISON. Mr. President, at the request of the Treasury Department, I introduce a bill which I ask be referred to the Committee on Finance.

The VICE PRESIDENT. The bill will be received and referred as requested by the Senator from Mississippi.

By Mr. HARRISON:

S. 3175 (by request). A bill to require owners or operators of international toll bridges or tunnels to provide and maintain free and adequate inspectional facilities for Federal agencies stationed at such bridges and tunnels for the purpose of supervising and regulating commerce with foreign nations; to the Committee on Finance.

By Mr. PEPPER:

S. 3176. A bill for the relief of W. P. Richardson; to the Committee on Commerce.

S. 3177. A bill for the relief of Christine Ransberger; to the Committee on Claims.

S. 3178. A bill for the relief of Mattie Castro; to the Committee on Finance.

S. 3179. A bill granting a pension to David Troupe; to the Committee on Pensions.

By Mr. LUCAS:

S. 3180. A bill to amend the Fair Labor Standards Act; to the Committee on Education and Labor.

By Mr. DOWNEY:

S. 3181. A bill to amend the Social Security Act and the Internal Revenue Code, to provide more adequate unemployment compensation, and for other purposes; to the Committee on Finance.

By Mr. WILEY:

S. 3182. A bill for the relief of the Employers Mutuals Liability Insurance Co., of Wausau, Wis.; to the Committee on Claims.

S. 3183. A bill to extend the time for completing the construction of a bridge across the Mississippi River at or near La Crosse, Wis.; to the Committee on Commerce.

By Mr. McNARY:

S. J. Res. 201. Joint resolution for the relief of North Pacific Grain Growers, Inc.; to the Committee on Claims.

By Mr. VAN NUYS:

S. J. Res. 202. Joint resolution authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. MEAD:

S. J. Res. 203. Joint resolution authorizing the President of the United States of America to proclaim April 19 of each year as National Youth Citizenship Day; and

S. J. Res. 204. Joint resolution authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

MATTIE N. COLE

Mr. NEELY submitted the following resolution (S. Res. 221), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Mattie N. Cole, widow of William N. Cole, late an employee of the Senate under supervision of the Sergeant at Arms, a sum equal to 6 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

TRIBUTES TO THE LATE SENATOR BORAH BY SENATORS PITTMAN, VANDENBERG, AND SHIPSTEAD

[Mr. McNARY asked and obtained leave to have printed in the RECORD radio addresses delivered by Senators PITTMAN, VANDENBERG, and SHIPSTEAD relative to the late Senator Borah, which appear in the Appendix.]

LET'S BECOME PRO-AMERICAN—ADDRESS BY SENATOR REYNOLDS

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD a radio address recently delivered by him at Washington, D. C., on the subject Let's Become Pro-American, which appears in the Appendix.]

JACKSON DAY ADDRESS BY SENATOR VAN NUYS

[Mr. BYRD asked and obtained leave to have printed in the RECORD an address delivered by Senator VAN NUYS at the Jackson Day dinner held in Alexandria, Va., January 18, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR MEAD TO BROOKLYN REAL ESTATE BOARD

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD an address on the housing situation delivered by Senator MEAD before the Brooklyn Real Estate Board on January 20, 1940, which appears in the Appendix.]

DR. RIZAL—ADDRESS BY HON. HARRY B. HAWES

[Mr. TYDINGS asked and obtained leave to have printed in the RECORD an address delivered by former Senator Harry B. Hawes, of Missouri, on Dr. Rizal, martyr of the Philippines, which appears in the Appendix.]

RECIPROCAL TRADE AGREEMENTS PROGRAM

[Mr. GILLETTE asked and obtained leave to have printed in the RECORD a statement on the reciprocal trade agreements program by Hon. Henry A. Wallace, Secretary of Agriculture, before the House Committee on Ways and Means, January 12, 1940, which appears in the Appendix.]

RECIPROCAL TRADE AGREEMENTS PROGRAM

[Mr. GREEN asked and obtained leave to have printed in the RECORD an editorial published in the Providence Sunday Journal of January 21, 1940, on the subject of the reciprocal trade agreements program, and a letter to the editor of the same newspaper on the same subject from Robert L. Anthony, which appear in the Appendix.]

DISCONTINUANCE OF CHATTANOOGA NEWS—ARTICLE FROM THE NEW REPUBLIC

[Mr. NORRIS asked and obtained leave to have printed in the RECORD an article from the New Republic of January 15, 1940, relative to the discontinuance of publication of the Chattanooga News, which appears in the Appendix.]

UNICAMERAL LEGISLATURE OF NEBRASKA

[Mr. NORRIS asked and obtained leave to have printed in the RECORD an article by John P. Senning, published in the National Municipal Review for December 1939, relative to the unicameral Legislature of the State of Nebraska, which appears in the Appendix.]

ADDRESS BY DOUGLAS G. WRIGHT ON NEBRASKA PUBLIC POWER AND IRRIGATION PROJECTS, ETC.

[Mr. NORRIS asked and obtained leave to have printed in the RECORD an address by Douglas G. Wright, assistant chief project engineer of the Nebraska Public Works Administration, on the operation of the Nebraska public power and irrigation projects and the stabilization of river flow, which appears in the Appendix.]

LETTER FROM OSWALD GARRISON VILLARD ON JEWISH EXILES IN POLAND, ETC.

[Mr. KING asked and obtained leave to have printed in the RECORD a letter from Oswald Garrison Villard, published in the New York Times of Saturday, January 6, 1940, relative to Jewish exiles in Poland and other European countries, which appears in the Appendix.]

RECIPROCAL-TRADE AGREEMENTS—REPORT OF BUSINESS ADVISORY COUNCIL

[Mr. LUCAS asked and obtained leave to have printed in the RECORD a report of the Business Advisory Council, organized by the Secretary of Commerce, on the subject of reciprocal-trade agreements, which appears in the Appendix.]

SILVER-PURCHASE PROGRAM, ETC.

[Mr. TOWNSEND asked and obtained leave to have printed in the RECORD an article from the New York Times of January 22, 1940, relative to the silver-purchase program, and an article from the Trans-Pacific, published in Tokyo, Japan, of December 28, 1939, relative to the finding of gold in East Formosa, which appear in the Appendix.]

PUBLIC OWNERSHIP OF UTILITIES—ARTICLE FROM FORUM MAGAZINE

[Mr. LUNDEEN asked and obtained leave to have printed in the RECORD an article from the Forum magazine entitled "Should Government Own Our Utilities?—A Debate," which appears in the Appendix.]

WHAT DEMOCRACY MEANS—ADDRESS BY SENATOR BRIDGES

Mr. GURNEY. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered by the Senator from New Hampshire [Mr. BRIDGES] at the Westminster College political forum, Fulton, Mo., January 16, 1940.

The VICE PRESIDENT. Is there objection?

Mr. CONNALLY. Mr. President, reserving the right to object, may I inquire of the Senator whether that is the speech in which the Senator from New Hampshire made a personal assault on the junior Senator from Missouri [Mr. TRUMAN]?

Mr. BRIDGES. Mr. President, if I may answer that question, the Senator from New Hampshire made no personal assault on the junior Senator from Missouri. The speech referred to is one made by the Senator from New Hampshire at the Westminster College political forum, at Fulton, Mo.

The VICE PRESIDENT. Is there objection?

Mr. CONNALLY. Just a moment, Mr. President. Has the Senator from New Hampshire concluded?

Mr. BRIDGES. I have.

Mr. CONNALLY. Will the Senator from South Dakota bear with me further?

Mr. GURNEY. I yield to the Senator from Texas.

Mr. CONNALLY. Mr. President, I have before me a newspaper report of the speech made by the Senator from New Hampshire. The Senator from New Hampshire is in the newspapers a great deal. It says:

United States Senator STYLES BRIDGES, of New Hampshire, who was the guest of the Republican State and city committees here yesterday, told party leaders any aspirant of their choice whom they might send to the Senate next fall would be better than Senator HARRY S. TRUMAN, of Independence, Democratic incumbent and candidate for reelection.

Then the article proceeds to say:

"Well, anybody you send," BRIDGES replied, "would be better than TRUMAN."

The remark was greeted by laughter and applause.

Mr. President, I can understand the "laughter" part but I cannot understand the "applause" part.

Mr. BRIDGES. Mr. President, may I explain that to the Senator?

Mr. CONNALLY. I should like to know whether the Senator said that, and whether he means to stand by it or repudiate it? I understand that privately he has repudiated it, but I think he ought to keep his newspaper statements and his private statements in harmony.

Mr. BRIDGES. Mr. President, to begin with, in answer to the Senator's question, the speech which the Senator from South Dakota offered for reprint in the CONGRESSIONAL RECORD was a speech made at Fulton, Mo., at the Westminster College political forum, which is nonpartisan. The president of the college is a gentleman by the name of Dr. McClure, whom I respect highly and who is doing a good job in starting such a forum.

There is nothing objectionable in the speech to anyone who believes in the American form of government, as I do.

In answer to the second part of the question, referring to the newspaper clipping which the Senator read, which says: "BRIDGES belittles TRUMAN's record." I have seen the clipping. The heading in the newspaper is as the Senator has quoted it. But if the Senator will read down he will get a better understanding of what was said. The newspaper quotes me as saying that anyone would be better in the Senate than Mr. TRUMAN. In the first place, let me say that I do not see that I have to explain my actions or statements to the Senator from Texas or anyone else. I am not responsible to him.

Mr. CONNALLY. Well, the Senator has not gotten his speech in the RECORD, either.

Mr. BRIDGES. Let me tell the Senator that if he objects to my speech being placed in the RECORD I assure him that he will not get one of his in the RECORD.

Mr. CONNALLY. The Senator from Texas never asks to put his speeches in the RECORD. He makes them on the floor. The Senator from New Hampshire does not have to answer the question whether or not he said that.

Mr. BRIDGES. I should be glad to, but I say that I am not answering it because the Senator from Texas thinks he can bulldoze me.

Mr. CONNALLY. Oh, no; the Senator has none of that quality of "doze" or "bull" either.

Mr. BRIDGES. Nevertheless, in answer to the question, I will say that I was told by a certain gentleman who happened to be the State chairman at a private Republican luncheon at Fulton, Mo., that I might like to know they were going to have a Republican governor in Missouri next year, which rather pleased me. He then said, "We think DEWEY SHORT is rather lonesome down in the House of Representatives, so we are going to send some other Republican Congressmen to give DEWEY SHORT a little company in the House." That pleased me. And then he said, "And we think you may be a little lonesome, you and your Republican colleagues down there in the United States Senate, and so we propose to send a Republican to the United States Senate in place of the present incumbent, Mr. TRUMAN," or words to that effect. And my reply to him was to the effect—and I still stand by it—that any Republican that they might send is better than any Democrat they can send from Missouri.

Mr. President, I am partisan enough so I would make that statement. But, so far as making any attack on the junior Senator from Missouri personally or his character or integrity is concerned, I did not do it, and I think if the Senator will read the article he will find my statement to be true. So far as concerns the statement that any Republican would be better than the present junior Senator from Missouri, or any other Democrat, I did make the statement, and I stand by it. And this would apply in Texas as well as Missouri or any other State.

The VICE PRESIDENT. Is there objection?

Mr. CONNALLY. Mr. President, reserving the right to object, let me say that of course the newspaper did not quote the Senator from New Hampshire as mentioning anything about Republicans. It says:

Well, anybody you send would be better than TRUMAN.

Mr. BRIDGES. Let me answer that. What took place was at a private Republican luncheon and, naturally, I was talking about Republicans at the time.

Mr. CONNALLY. Well, it was private, but it got in the newspaper and, I suppose, with the acquiescence at least of the Senator from New Hampshire.

Mr. BRIDGES. Of course, and I as a rule do not object to what they put in the newspapers.

Mr. CONNALLY. I was aware that the Senator was not reporter-shy or newspaper-shy, but I think the Senator from New Hampshire does the junior Senator from Missouri a very grave injustice. I will not object to having the speech placed in the RECORD, because I think it will help the Democratic Party and the Democratic cause. Therefore I will not object.

The VICE PRESIDENT. Is there objection?

There being no objection, the address was ordered to be printed in the RECORD and appears in the Appendix.

PROPOSED JAPANESE EMBARGO

Mr. WILEY. Mr. President, I again ask the indulgence of the Senate for a few moments.

Tomorrow marks the date when the commercial relationship which we have had with Japan for so many years will cease, because of the abrogation of our treaty.

At the present time this problem of commercial relationships with Japan is both vital and controversial. It is apparent from even a casual study of the mail that both individuals and groups are taking a firm stand in opposition to a renewal of our commercial relationship with Japan.

All America feels for China. Just as we are sympathetic toward Finland, so our sympathies go out to China because of the Japanese invasion of her land, and the wrongs done.

Because of our sympathies for China and our reactions to the wrongs done the Chinese people, we Americans immediately have certain reactions. We have, since the World War, some of the phobia engendered thereby still lodging in our veins; and whenever injury is done—no matter where—we react in a way that would have us go to the rescue. Therefore, a good many folks want to have an embargo imposed by the United States on the shipment of all war material and implements of war to Japan.

Because it is always desirable that a change in our foreign policy be examined very closely, and because there are so many excellent minds here that can make a genuine contribution on this problem, I should like today to present a few questions relative to the proposed embargo.

First, what would be the consequences to China, Japan, America, of such an embargo? Would it not mean that America would be taking sides? Would it not amount to a slap in the face to a friendly nation, and what would follow? Would not the undeclared war become a declared war by Japan on China? Is not the present war an undeclared war because of our so-called neutrality law? If we imposed an embargo, would not Japan declare war on China, blockade Chinese ports, shut out all imports, and would it not apply martial law wherever Japanese armies were, and would not Japan see to it that all foreigners were excluded from China? Would we not see that all foreign settlements were taken over by Japan?

Would such a state of affairs help China? Would it help our friendly relations with Japan? Would it help America? Would not the results be that certain of our industries and commerce would be seriously jeopardized and penalized? Would such action lead to and be in the interest of peace?

Is it not up to us to think with other men's minds, and to see with other people's eyes, to feel with other people's passions, and try to understand other people's problems? Down deep in the soul of us there are identities greater than our differences.

I am posing another question: Will we do nothing, then? Are we to sit back and fold our hands and carry on as usual, and disregard conditions in the east? Or are we to intervene? Or is there another course to follow? Can we not help both China and Japan in this situation, and thus make a constructive contribution to future peace in the east, and the peace of the world?

I like the article in the Christian Century written by A. L. Warnshuis. He says:

I am persuaded that our only effective aid must come not by war, economic or otherwise, but by persuasion through the offer of creative, reconstructive cooperation.

Such cooperative proposals, he says, can be determined only by consultation; but he does make some suggestions which I believe are worthy of the consideration of this body.

First, should we give recognition to the fact that Japan has a place in the world and should we extend to the Japanese the same immigration laws which govern all other peoples who desire to come to America? Would not this be righting a wrong, or is there some other and more satisfactory answer to this issue of immigration?

It pays to put the ointment of friendship and understanding on the wounds of nations the same as in the case of wounds we have inflicted on individuals.

Second, should we negotiate a new commercial treaty based upon a reaffirmation of the principles of the Nine Power Treaty and modifying the terms of the treaty of 1911 as may be required by the circumstances which have developed in the last three decades?

The normal flow of commerce to nations is like the normal flow of the blood within our veins and arteries, and in the field of commerce we must restate and put into practice those rules which speak of fair dealing, understanding, and fair play.

Third, should we give to Japan access on equitable terms to raw materials we control, and should Japan be given an opportunity in the markets of the world to have a square deal—the full right to fair competition?

The world is growing smaller each day, and we have tried a lot of selfish and outmoded ways. The situation calls now for Christian statesmanship. I know it sounds superficial to some folks, but it is not. What I am suggesting is fundamental. It is doing unto other nations as we would be done by.

Fourth, should we offer financial assistance in the reconstruction and readjustment of Japan's economic system after the war?

At first this thought did not appeal to me, but as I reflected on it, I realized that if by this very method the war in the East could be stopped, and Japanese securities on the American market once more made to be worth par, and friendship reestablished, we would be not only pouring oil on the troubled waters, but in investing our money we would get real returns for our idle money, which now brings in nothing.

Fifth, should we not, around the table—Japan and America—work out a reduction in their expenditures on naval armaments?

I am for that. Just yesterday I received in my mail letters and resolutions calling to my attention the fact that America inside her boundaries could very readily use the money that is being spent on a naval program, for ships, and so forth, which become obsolete in a few years. With the money spent on one \$50,000,000 battleship many people could be put to work building highways and homes. Yes; we can afford to adopt the round-table method, to which Stanley Jones refers as having been used among the conflicting religious sects in India. Let us use that method to iron out our international hatreds, armament races, and so forth.

Should we not, before we talk about this Nation giving assistance to China and becoming partisan, agree first to give consideration to other proposals Japan might wish to make?

None of these matters, it will be noted, will interfere with individuals or groups giving help or relief to the suffering people of China, or in offering to do that which is necessary in the reconstruction and reorganization which must follow after the war.

We all know that Japan is in this war because she feels she must dominate the East, and does not want another strong nation in the East. Why does Japan feel that way? Because as she looks at her little islands she realizes she must have raw materials, she must have a place to sell her goods. She feels that she may be shut off from the markets of the world. She wants to be treated on a par with other great nations of the world. She needs more material wealth. She must have greater income to sustain her Navy, or she must have no need for that Navy.

If the plans suggested here were followed out, she would be treated as other nations are treated. The markets of the world would be opened to her. She would not have to conquer nations to get raw material. She would find a friendly hand reaching out to her, offering her financial assistance. She would agree willingly then to reduce her expenditures on naval armament, and she could use that money, even as America could, to develop her country, contribute to the social welfare of her people, and bring up the standard of living, and she would not then insist that China become a part of her domain. We know that China will continue to fight against a division of her territory.

But, to get back to the embargo proposition. Let us be frank. Will it provide any positive help? Is it not in fact a measure of doubtful assistance to China? Will it arouse antagonism on the part of Japan?

We are called upon to abandon that type of foreign relations. We are called upon as a people to act with understanding, wisely, generously, and constructively, giving aid.

By keeping out of war, we will make a contribution to the welfare of the world. By understanding, we are told, the house is built, and, verily, by understanding and wise and friendly relations with other nations, we can make an added contribution to the peace of the world. So doing, we will be casting bread upon the waters, which will return to us a thousandfold.

Mr. President, if we do not follow this course, we may find ourselves in a crisis in the East, how severe, how threatening, no one knows. If we follow this course, we do not agree to Japan's right to take over China. If we follow this course, we may cause a rift in the thought that only through conquest can a nation be built up. If we follow this course it may mark the dawn of a new day. The world is looking for something. At home we have been experimenting with many untried, unworkable schemes.

Why not try the only thing that will work? Why not in our international affairs try a few of the ideas about which we so glibly talk, and which we generally practice in our relationships with one another?

In view of the unsettled conditions elsewhere in the world, trying this course might not only postpone the crisis, it might prevent the crisis ever appearing in the east.

Furthermore, it might do away with talk of a two-ocean Navy. We could not construct such a Navy, even if we desired to, within 5 or 10 years. Perhaps some such plan as has been suggested here might prevent a great naval race. It might also ease the situation in relation to the Philippines and the possessions in the east belonging to the Netherlands and other European nations.

Then do we want a congressional embargo? If we put such a thing into effect, Japan would be forced to make reprisals. This does not mean that we have to follow the suggestions made in order to supply Japan with substantial quantities of arms, munitions, and raw materials out of which arms are made. This traffic can be reduced without resorting to a congressional embargo. America needs much of this material. If any legislation is passed, let it be passed solely with an eye on America's needs, rather than as an open challenge to Japan. But let us get into action, and by action I do not mean war; I mean that we should take steps to open up the gates which will lead to reason and understanding.

Mr. President, what I have stated in the last part of this talk is based largely on the assumption that if we take certain steps we may find that Japan is ready and willing to meet us halfway. I realize that if I am mistaken in this assumption we may find that we will have to become, as someone has said, more realistic in our approach to this problem. Our position in the Far East, of course, is different from our position in Europe. We are one of the nine signatories to the Nine Power Treaty, and we have taken a position which runs contra to the Japanese position; we say that treaty cannot be modified except with the consent of the signatories thereto. Japan has taken the position that, because conditions have changed, she, as one of the signatories, can change that treaty. To this, of course, we do not agree.

If Japan is willing to proceed on the basis which I have outlined, we certainly should be willing to do all or most of the things I am suggesting.

Perhaps the time is fast approaching when Japan will be ready to modify her position, which in plain language is that whatever she does in China is nobody's business but her own. Perhaps if a friendly hand is outstretched we may find that that friendship will be reciprocated.

From nothing I have said would I have implied that I feel that our officials have been remiss in their attitude toward Japan. I think in that respect our Government has, with dignity and judgment, pursued its course in the Far East and protected the rights of this Nation and its citizens in that sphere of action. Japan now has been at war in China for over 2 years. Her own people are not in unity in respect to the Chinese policy. My only hope in making these few remarks is that they might make a contribution toward bringing about a clearer understanding among our people of the problems we have to meet in the east and the course we should take in meeting such problems.

Before we take any definite action in relation to an embargo we should think the problem through. We are not a people that indulges in mere bluffing or empty gestures. We want to be at peace with the entire world and on friendly terms with every nation, and we hope that other nations will be willing to meet us in that spirit.

Mr. President, what has been suggested here is machinery for making peace. Peace is one of the noblest words in our language, a word that suggests the greatest challenge to the race. We should not be afraid of achievement. Peace deals with the individual, the community, the State, the Nation, the world. It deals with the life in the village, in factories, diplomacies, boards of trade. Mr. President, we have ever been talking about creating machinery for making war.

What I have suggested is the open door which leads to where we will create machinery that makes for peace.

DISPLAY OF AIRPLANES, ETC., AT BOLLING FIELD

Mr. GURNEY. Mr. President, as a member of the Military Affairs Committee, I am requested to invite the attention of the Senate to the War Department and Army Air Corps exhibit at Bolling Field, and particularly to advise the Members of the Senate that special hours have been set aside for Members of Congress to view this exhibit, from 11 to 1 o'clock tomorrow. I myself have viewed this exhibit. I think it is very much worth while. I think every Member of Congress should, if possible, see the airplanes, new airplane engines, and so forth, which are on view. This remarkable exhibit is displayed in two large hangars, which are well heated. I am sure Members of Congress will be well rewarded for going there. They can view the exhibit in complete comfort. The War Department and Army Air Corps are very anxious that each Member of the Senate be notified to come there between 11 and 1 o'clock tomorrow if possible.

ORDER DISPENSING WITH CALL OF CALENDAR

The VICE PRESIDENT. The morning business is closed. The calendar, under rule VIII, is in order.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the call of the calendar be dispensed with.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

SUPPLEMENTAL MILITARY AND NAVAL APPROPRIATIONS

Mr. ADAMS. Mr. President, House bill 7805, the supplemental appropriation bill for the Military and Naval Establishments was reported earlier in the day. I ask unanimous consent that the Senate proceed to its consideration.

The VICE PRESIDENT. Is there objection to the request of the Senator from Colorado for the immediate consideration of House bill 7805?

Mr. McNARY. Mr. President, the bill has not yet reached the calendar.

Mr. ADAMS. It was reported a few moments ago. By reason of the incidents of the past few days, there has been delay in reporting the bill to the Senate, but copies of it have been available.

Mr. McNARY. With very few exceptions, I have always taken the position that a bill should go to the calendar and lie over for a day in order that Members of the Senate may have an opportunity to study the various items and provisions of the bill as well as the report on the bill. An exception might very readily be made in this instance. I understand that the House has reduced the amount of the appropriation under the Budget estimate, and also that the Senate committee has further reduced the proposed appropriation.

Mr. ADAMS. That is correct.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield?

Mr. McNARY. I yield.

Mr. THOMAS of Oklahoma. There will be objections to some of the reductions, and there will be some arguments in support of the objections.

Mr. McNARY. That would necessarily follow, of course. Mr. President, I have no objection to the immediate consideration of the bill so far as the rules of the Senate are concerned.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 7805) making supplemental appropriations for the Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation for the fiscal year ending June 30, 1940, and for other purposes, which had been reported from the Committee on Appropriations, with amendments.

Mr. ADAMS. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with and that it be read for amendment, the amendments of the committee to be first considered.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. GLASS. Mr. President, inasmuch as I cannot remain in the Chamber all day, I ask unanimous consent for the immediate consideration of an amendment which simply permits the continuance of Col. Philip D. Fleming as Administrator of the Wage and Hour Division in the Department of Labor without loss of or prejudice to his status as a commissioned officer on the active list of the United States Army.

Mr. ADAMS. Mr. President, I may add that the committee had this matter before it, and the chairman was authorized to offer this amendment.

The VICE PRESIDENT. Is there objection to the request of the Senator from Virginia?

Mr. McNARY. Mr. President, the able Senator from Virginia explained the matter a few moments ago. I have no objection to the immediate consideration of the amendment.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. On page 14, after line 25, it is proposed to insert a new section, as follows:

SEC. 3. Notwithstanding the provisions of section 1222 of the Revised Statutes (U. S. C., title 10, sec. 576), Philip B. Fleming, a commissioned officer on the active list, United States Army, is authorized to hold the office of Administrator of the Wage and Hour Division in the Department of Labor without loss or prejudice to his status as a commissioned officer on the active list of the United States Army, and if appointed to such civil office he shall receive, in addition to his pay and allowances as such commissioned officer, an amount equal to the difference between such pay and allowances as such commissioned officer and the salary prescribed by law for such civil office.

Mr. CONNALLY. Mr. President, is it proposed by the amendment merely to give Colonel Fleming the pay of a commissioned officer?

Mr. BARKLEY. It is proposed to give him the pay he would draw as Director of this Division if he were not an Army officer.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The amendments of the Committee on Appropriations will be stated.

The first amendment of the Committee on Appropriations was, under the heading "Title I—War Department—Field exercises", on page 4, line 10, after the numerals "1940", to strike out "\$18,000,000" and insert "\$15,000,000", so as to read:

For an additional amount for the conduct of special field exercises, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$15,000,000, to remain available until June 30, 1941.

The amendment was agreed to.

The next amendment was, on page 4, line 15, after the word "small", to strike out "units" and insert "units; for rental of land or purchase of options to rent land without reference to section 3648 of the Revised Statutes; for the use or repair of private property", and on page 5, line 1, after the name "Secretary of War", to insert a comma and "or by such officer as he may designate", so as to make the proviso read:

Provided, That this appropriation may be used for troop movements and travel of personnel of the Regular Army in connection with field exercises, including special combat training for small units; for rental of land or purchase of options to rent land without reference to section 3648 of the Revised Statutes; for the use or repair of private property; and settlement of claims (not exceeding \$500 in any one case) for damages to or loss of private property resulting from such exercises heretofore or hereafter accrued, when payment thereof will be accepted by the owners of the property in full satisfaction of such damages, and when each claim is substantiated in such manner as the Secretary of War may prescribe by regulation and is approved by the Secretary of War, or by such officer as he may designate, such action thereon to be conclusive.

The amendment was agreed to.

The next amendment was, under the subhead "Quartermaster Corps", on page 6, line 21, before the word "such", to strike out "\$22,962,564" and insert "\$21,962,564", so as to read:

Army transportation: For an additional amount for Army transportation, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$21,962,564, such sum to

be available for packing, crating, and transportation of authorized baggage and household effects of retired personnel when ordered to active duty and upon relief therefrom, and for the purchase (not exceeding \$2,000,000) of passenger-carrying vehicles.

The amendment was agreed to.

The next amendment was, under the subhead "Acquisition of land", on page 7, line 21, after the figures "\$150,000" and the semicolon, to strike out "and for the acquisition of approximately 800 acres in Puerto Rico for the establishment of a general depot and cantonment area and the enlargement of Camp Buchanan, as authorized in the acts of July 2, 1917, and April 11, 1918 (50 U. S. C. 171), \$200,000", and on page 8, line 2, after the words "in all", to strike out "\$550,000" and insert "\$350,000", so as to read:

For the acquisition of approximately 200,000 acres as a bombing area for use in connection with McChord Field, Wash., \$200,000; for the acquisition of approximately 48,000 acres as a bombing area in connection with Hamilton Field, Calif., \$150,000; in all, \$350,000, to remain available until expended.

Mr. TRUMAN. Mr. President, I wish to be heard on this amendment.

The provision proposed to be stricken out authorizes the purchase of additional land adjoining Fort Buchanan, 7 miles south of San Juan, P. R., for the purpose of a munitions depot and a place for barracks and storage of artillery and aircraft ammunition.

The House bill authorized an appropriation of \$320,000 for the purchase of 800 acres adjoining Fort Buchanan, which, as I say, is only 7 miles south of San Juan, P. R. The necessity for the addition of that post is due to the fact that the forces in Puerto Rico have been increased from a little more than 800 to 2,400, and will no doubt be double that number before the completion of improvements to the fortifications in Puerto Rico.

For 300 years the Spaniards knew that Puerto Rico was the key to the Caribbean Sea. It has taken us about 40 years to find that out. Puerto Rico is one of the main outposts and defenses of the Panama Canal. We are establishing in Puerto Rico a large air depot and are proposing to maintain there about half a division for the defense of the island. It is necessary to have storage space for ammunition to make our arms effective.

Puerto Rico is a very small island. I think it is only 80 miles by 40 miles, and only 40 percent of it is fit for cultivation. The part of it that is in cultivation is mostly in sugar plantations. The land has been completely surveyed by the military authorities. The assessed valuations have been gone into, and a value of \$400 an acre has been placed on the land, because most of it is sugar land. Forty-nine percent of it is now in pasture, but most of the 49 percent could be used for raising sugar.

I am told that the income from sugar lands runs from \$150 to \$500 an acre. The original purchase of this post was made by trading land which the United States Government owned in the city of San Juan to the Government of Puerto Rico for the 271 acres which are now Fort Buchanan. I think it is absolutely essential that the proposed depot be constructed now. At the present time the ammunition is stored outside under tarpaulins, which is dangerous. If the ammunition should by any chance be exploded it would completely wipe the camp off the map, and no doubt would do serious injury to the people of San Juan. The proposed location was chosen because it is close to transportation of all sorts, by railroad, water, and air. It will be necessary to place an airport on a portion of this land for the landing of army planes.

The appropriation provided by the House was \$200,000, although \$320,000 had been recommended. I believe the appropriation ought to be left in the bill. The whole 800 acres cannot be purchased for \$200,000, but a start can be made toward storing the bombs and ammunition in a safe place and putting up the barracks and other buildings which are necessary to house the soldiers who have recently been sent to Puerto Rico, and who are now living in tents.

Mr. KING. Mr. President, will the Senator yield?

Mr. TRUMAN. I yield.

Mr. KING. I am somewhat familiar with Puerto Rico. As a member of the Committee on Territories and Insular Affairs I have visited it on a number of occasions. Will the Senator advise the Senate on just what part of the island the desired depot is to be erected?

Mr. TRUMAN. The air depot is at the northwest corner of the island of Puerto Rico. The quartermaster munitions depot is 7 miles south of the city of San Juan. The quartermaster depot is the one I am talking about.

Mr. KING. Is there any necessity for placing the station or depot for munitions on the shore? Of course, as the Senator knows, the island is very small—less than 3,000 square miles. It seems to me it would be more advantageous to put the depot inland.

Mr. TRUMAN. It must be accessible to transportation. It must be accessible for the use of the forces which have to have the ammunition. Let me read what the commanding general has to say.

Mr. KING. Any part of the island is accessible.

Mr. TRUMAN. It might be accessible, but the land would not be any cheaper. Sugar land on the island of Puerto Rico costs just as much at one place as at another.

Mr. KING. There is considerable land on the island of Puerto Rico that is not sugar land.

Mr. TRUMAN. That is true, but it would not be useful or available for the purpose contemplated. The land must be level enough to put buildings on; it must be level enough to put an air landing field on; it must be level enough to be approached by busses and trucks, because that is the only way they can get the ammunition to the points where it may be needed.

Let me read a telegram from the commanding general of the Army forces in Puerto Rico, which is not a part of the regular hearings. This telegram is in reply to a telegram to me.

Land suitable for general depot cannot be secured at a lesser cost because there is no cheaper accessible land. Sites nearer to San Juan and in urban area would be much more costly. Suitable sites farther away from San Juan would not be cheaper because of intensive sugar cultivation and, furthermore, would not be suitable for general depot. Painstaking reconnaissance has resulted in the selection of area recommended as best both tactically and economically. No percentage of land is waste land. There is practically no waste land on northern coastal plain except scattered swamps. Forty-nine percent of tract is pasture land. Thirty-seven percent is in cultivation for sugar. Fourteen percent is sugar land not now in cultivation. Prevailing valuation per acre of pasture land in vicinity is \$350. Pasture valuation appears high but if not used as dairy pasture would be suitable for sugar cultivation. Prevailing valuation per acre of sugar land is from \$300 to \$500. Annual production of sugarcane per acre in Puerto Rico varies from \$150 to \$500. Estimated annual production of sugarcane per acre in tract to be acquired is \$250. Sugarcane on this tract is now ripening and will probably be cut in January and February. Estimated average price per acre of \$400 was arrived at after thorough search of assessor's records, investigation of like purchases, and contact with officials and civilians with real-estate experience. It will be of great advantage to acquire this land within next 2 months because immediately after sugarcane is cut only small adjustment is necessary for value of seed cane left in ground. As crop grows value increases rapidly. The installation of ammunition storage and general depot is vital. In my best judgment the acquisition of this tract of land at a price not to exceed \$320,000 is sound and will result in both immediate and long-term economy to the Government.

It is true that the installation of this depot is absolutely vital to the defense plan the Army now has under consideration for Puerto Rico, Panama, and the Panama Canal.

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. TRUMAN. Certainly.

Mr. HOLMAN. Neither have I now nor in the committee have I had an objection or desire to stop the military development on the island. The one question, however, I should like to be satisfied about is the relation of the value of the land proposed to be purchased to its assessed valuation for taxation purposes.

Mr. TRUMAN. The land is assessed at 100-percent value in Puerto Rico, and the assessed value of the land in question, I am informed, is \$400 an acre.

Mr. KING. Mr. President, will the Senator yield?

Mr. TRUMAN. Certainly.

Mr. KING. As the Senator knows, the population of Puerto Rico is great, measured by the lands available for use. As I have stated, there are only a few thousand square miles of territory and a population of a million seven or eight hundred thousand.

Mr. TRUMAN. The population is 1,834,000.

Mr. KING. The population is increasing rapidly. It has increased nearly 100 percent under American occupation. The area susceptible of cultivation for sugar purposes is not very great, and it seems to me that, if possible, there should be no invasion of the sugar lands, because to that extent it would deprive the population of opportunity for labor and would increase the burden of cost upon the Government. Already there are, as I am advised, nearly 600,000 persons on relief in the island of Puerto Rico, and the number is increasing, because of legislation which deprived of employment a large number of persons engaged in the needlework industry and drove that industry to other countries and deprived the island of about \$25,000,000 of annual revenue from the export of needlework commodities. There is limited opportunity for employment for the people, and it would seem unwise to deprive them of a rather large area of sugar lands which would give opportunity for work and bring to the island several million dollars annually.

Mr. TRUMAN. This proposal will not deprive anybody of anything that would add to the sustenance of the population; in fact, if this purchase should be made there would be more people put to work in Puerto Rico than at any time during the last 10 years.

Mr. KING. But it would deprive them of the opportunity of producing sugar to a certain extent.

Mr. TRUMAN. They are deprived to some extent of the opportunity of producing sugar by our quota law, anyway.

Mr. KING. We can amend that law if we care to do so. As I have indicated, the area of cane land in Puerto Rico that is susceptible of the cultivation of sugar is limited, and sugar is about the only commodity that can be raised. The coffee plantations have been largely destroyed by hurricanes and otherwise, and Puerto Rico cannot compete with Cuba or Florida in the production of citrus fruits. I am not in favor of a policy that would further reduce the area that is susceptible of cultivation.

Mr. TRUMAN. There is no other available place where this depot may be located economically and practically so as to be of use to the War Department.

Mr. PEPPER. Mr. President—

The PRESIDING OFFICER (Mr. GILLETTE in the chair). Does the Senator from Missouri yield to the Senator from Florida?

Mr. TRUMAN. I yield.

Mr. PEPPER. I merely wish to make the comment that, in view of the very serious deprivation of the right of the State of Florida to produce sugar, for which it is so peculiarly adapted, it makes me very happy if any of the competing sugar land in Puerto Rico or any of the other offshore areas which are getting such a generous share of the quota that is consumed in the United States may be devoted to such useful purposes as the defense of the Caribbean area. I hope it will be possible for our military and naval authorities to buy more and more sugar land in Cuba, Puerto Rico, Hawaii, and in the Philippines. I commend our Government for this policy.

Mr. KING. Mr. President, will the Senator from Missouri yield further?

Mr. TRUMAN. I yield.

Mr. KING. I should be glad to have the Senator from Florida join with me in the view which I have expressed many times in favor of increasing the production of sugar in the United States, so that our domestic needs may be largely supplied by domestic production.

Mr. TRUMAN. More Puerto Ricans will be put on relief when that is done; but that has no bearing on this subject at all.

I have just been to Puerto Rico; I flew down there and examined this site and I think I know how necessary it is for

the national defense system. With the Senator from Oklahoma [Mr. THOMAS], chairman of the committee, we made a complete survey of this site of the air depot and of various other sites in Puerto Rico for a defense depot. I think it would be a disaster not to go through with this program at the present time. The sum of \$200,000 will not buy this whole tract, but I think that the item of \$200,000 ought to be left in this bill.

Mr. McKELLAR. Mr. President, the trouble with this situation was that the committee did not have sufficient facts on which to base a favorable report on this item. The principal facts adduced were those in the House hearings on pages 73, 74, and 75. They are brief and I want to give the Senate those facts just as they were testified to by witnesses.

Mr. TRUMAN. Mr. President, will the Senator yield?

Mr. McKELLAR. Yes.

Mr. TRUMAN. I wish to say that the witness was not very well informed on this subject; in fact, he did not know as much about it as I did.

Mr. McKELLAR. No; he was not very well informed, and for that reason it was thought by the committee, as the main appropriation bill will be here within 60 days, at the outside, or will be before our committee within 60 days, that we would have a chance to get all the facts, including those in the possession of the Senator from Missouri and the Senator from Oklahoma, who have been there, and reach a just conclusion about the matter.

The Senator says that the House did not reach a just conclusion because they appropriated only \$200,000. Now if we should go ahead and agree to the House provision of \$200,000, and it was afterward found that a better place could be had for this particular activity than the particular site referred to, then we would be in a peculiar situation, indeed.

I read from the testimony:

Mr. WOODRUM. You have an item—

The question was addressed to Colonel Gregory—

Mr. WOODRUM. You have an item, "Acquisition of land, Puerto Rico," \$320,000. Tell us about that.

Colonel GREGORY. In Puerto Rico it is desired to acquire 800 acres of land for the establishment of a general depot and cantonment area and the enlargement of Camp Buchanan.

Which has recently been established there.

That is near the present Camp Buchanan. There will be several thousand troops in Puerto Rico and there is no depot there at all to supply these people.

Mr. LUDLOW. How much is it proposed to spend for that purpose?

Colonel GREGORY. \$320,000; 800 acres at \$400 an acre. It is about 15 miles out from the city of San Juan.

Mr. DITTER. Is this an item of land purchase, too?

Colonel GREGORY. Yes, sir.

Mr. DITTER. Has that ever been presented to the regular subcommittee?

Colonel GREGORY. It has not been, because this Puerto Rican department is a newly organized unit, since the committee last met.

Mr. LUDLOW. How does that compare with real-estate prices down there?

Colonel VALLIANT. Some of that consists of sugarcane land that will run from \$350 to \$500 or more an acre. We have set an average price of \$400 for it; \$400 for 800 acres.

Mr. TABER. For the benefit of these sugar people who do not pay any taxes. What is this to be used for?

Colonel VALLIANT. This is to be used for a general depot.

Mr. WOODRUM. Is there not any cheaper land than land costing \$400 an acre? That price would represent the price of suburban Washington real estate.

Mr. LUDLOW. Is that near the town?

Colonel VALLIANT. It is about 15 miles beyond San Juan.

Mr. TRUMAN. It is just 7 miles from San Juan by the road.

Mr. McKELLAR. I am reading the testimony of the colonel who was in charge of the matter. I am much obliged for the correction if the colonel made a mistake. He says, however:

It is about 15 miles beyond San Juan.

Mr. DITTER. How many owners are there of this land that you contemplate purchasing?

Colonel VALLIANT. About 10; 11 altogether.

Mr. DITTER. For how many acres?

Colonel VALLIANT. Eight hundred acres.

I call the particular attention of the Senate to this part of the testimony:

Mr. CANNON. What purpose is that land being put to at the present time?

Colonel VALLIANT. Largely sugarcane. Some are pasture and some of it is apparently waste land.

Four hundred dollars an acre for either pasture or waste land! I am interpolating now. In my judgment, that is a somewhat high price for it.

Mr. TRUMAN. Mr. President, will the Senator yield at that point?

Mr. McKELLAR. Yes.

Mr. TRUMAN. It sounds terrible, but it is not so terrible in Puerto Rico. The reason why that land is used for pasture is because there is no other place for dairy cows for milk for the kiddies in the town, and that is what the land is set aside for. If the land were not used for that purpose, every foot of it would be in sugarcane.

Mr. McKELLAR. Where will the "poor kiddies" of the town get milk if this land is used for Army purposes?

Mr. TRUMAN. More sugar land will be put into pasture. That will help Florida and Utah.

Mr. McKELLAR. It may help Florida and Utah, but I am afraid it will hurt the Treasury of the United States.

Mr. TRUMAN. Let me say to the Senator that the land purchased for an airport in Hawaii cost nearly twice as much as this land does, and it was sugar land as this is.

Mr. McKELLAR. I understand that; but the purchase of land in Hawaii may have been made in much the same way that this purchase is proposed to be made, and I want to read the testimony to show how it is proposed to be made.

Mr. CANNON. What purpose is that land being put to at the present time?

Colonel VALLIANT. Largely sugar cane. Some are pasture and some of it is apparently waste land.

Mr. LUDLOW. Do you propose to pay \$400 an acre for that waste land, too?

Colonel VALLIANT. No, sir. It will average out \$400 an acre for the whole 800 acres.

Mr. LUDLOW. There must be some that you are paying \$1,000 an acre for, in that case.

Colonel VALLIANT. You can only get good land, that is, irrigated and adaptable for sugar raising in Puerto Rico, by paying a very high price per acre.

When I think of the wonderful lands in the State of Iowa, for instance—lands as rich and as productive as I have ever seen or known in my life—or lands in the Mississippi Delta, with which I am very well acquainted, and compare the price proposed to be paid for this land with the \$100 to \$150 an acre paid for the very choicest lands both in Iowa and in Mississippi, I wonder if \$400 an acre is a proper price to pay for waste land.

Mr. TRUMAN and Mr. CLARK of Missouri addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Tennessee yield; and if so, to whom?

Mr. McKELLAR. I yield first to the junior Senator from Missouri. Then I will yield to his colleague.

Mr. TRUMAN. Mr. President, I desire to ask the Senator if he is going to put the defenses of the Panama Canal in Iowa or in the Mississippi Delta?

Mr. McKELLAR. Oh, no.

Mr. TRUMAN. Then that comparison has no bearing on the case.

Mr. McKELLAR. The Senator has a right to his opinion, but I am not now bothering about that feature of the matter. I am undertaking to show the facts about this proposed contract.

I now yield to the senior Senator from Missouri.

Mr. CLARK of Missouri. Mr. President, as the Senator read the testimony I was wondering if he had not possibly been reminded of the statement of a great citizen of Missouri, Mark Twain, who said that the first time he went to Niagara Falls the hack fares were so much higher than the Falls that he completely lost sight of the Falls. [Laughter.] It seems to me that if we are paying for locating an airport

the sort of prices that would be paid in Belgium, in the most intensively farmed area in the world, there must be something wrong in the selection of the airport.

Mr. TRUMAN. It is a quartermaster depot.

Mr. CLARK of Missouri. That makes it all the worse.

Mr. TRUMAN. The comparison with Belgium is exactly pertinent. It is the same sort of land.

Mr. McKELLAR. Let me read the testimony of Colonel Valliant:

Mr. LUDLOW. As the chairman has indicated, you cannot get \$200 an acre for land that is 8 or 9 miles out of town, in some of our great American cities. Why do you think the land is so high down there?

Colonel VALLIANT. On account of transportation; the availability of the railroad to it, the highways leading to it, and the fact that it is close in toward the city, where the new commanding general down there desires to have it. This also is to be used as an auxiliary storage depot for bombs.

Incidentally, the fact was brought out before our committee that the actual negotiations for this land were carried on by the Department by long-distance telephone or by radio, I have forgotten which; I think by radio. I myself used to deal in land occasionally, and my experience is that it is a very wise thing to look at land before buying it by either telephone, radio, or otherwise.

Mr. TRUMAN. This land was not negotiated for by radio. The negotiations were carried on by the Army officers on the ground, as directed by the War Department.

Mr. McKELLAR. I continue reading from the testimony before the House committee:

Mr. WOODRUM. What sort of a survey or statement of this have you got? Have you anything to show that there is no other land available for this purpose? I do not remember this committee authorizing any purchase of land at that sort of price for those purposes, unless it was pretty clearly demonstrated that it could not be gotten for less money.

In addition, I am told that when the question of the establishment of this air base at Puerto Rico was before the committee they were informed that they would not need to purchase any land in Puerto Rico. What about that? Is that correct or not?

Colonel VALLIANT. I have never heard such a statement as that made, sir, and with the lack of availability of United States Government-owned land in Puerto Rico, I do not think such a statement could have been made with great authority back of it.

Mr. WOODRUM. That is a great deal of money to pay for that kind of land, it seems to me.

Let me digress long enough to say that when I asked one of the officers of the Army—I think Colonel Browne—when he was before our committee as a witness, or when he came before the committee afterward, how much of the area proposed to be acquired was pasture land and how much was sugar land and how much was waste land, he stated that 20 percent of the 800 acres was waste land. By that I understood him to mean mountain crags or very steep hills which are really waste land. Twenty percent of the 800 acres would be 160 acres of that character. Of the remainder, 49 percent was sugar land and 51 percent was pasture land for cows for the use of the "kiddies" in San Juan, as the Senator from Missouri [Mr. TRUMAN] stated a moment or two ago.

But in answer to Mr. WOODRUM's question, Colonel Valliant said:

There are a number of mountain ranges in Puerto Rico and the part that is flat and low is fairly well developed throughout the island, particularly if we have to run on some land that is being used for sugarcane production.

Mr. JOHNSON. Can you not find some spot down there a little distance from the city that would be much cheaper than that?

Colonel VALLIANT. I cannot answer that.

To paraphrase the testimony:

"Can you not, in the interest of our Government, find some land down there that is just as good for this purpose?"

"I cannot answer that."

That was one of the answers that made the committee feel that we ought to postpone this purchase for 60 days, until we could have the facts before us and act properly upon the matter.

Mr. JOHNSON. You referred a moment ago to the fact that the general in charge desired this location. Is it not his desire, that is, to control altogether, is it?

Colonel VALLIANT. When we consider the fact that we have to make it accessible both by railroad and by highway, it may not be possible—

"It may not be possible." He said he had not examined the site, but—

it may not be possible to find other sites that would suit the requirements of the commanding general.

I should like to investigate that. I do not think we ought to buy sites necessarily because they would suit the commanding general. I would always have a very high respect for his opinion, of course, but I think we should have more information before we buy 800 acres at \$400 an acre, over half of it either waste land or pasture land, which we all know from experience can be bought for a great deal less than \$400 an acre. I think we ought to have more facts before us before we do this merely to please the commanding general.

Mr. TRUMAN. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. TRUMAN. I tried to place the facts before the committee, but the committee did not have time to listen to me yesterday. I know the facts, because I have been on the ground, and have seen the situation. A survey was made by the military authorities in the interest of national defense. There is no other location that will meet the necessities as does the one recommended. I have been over every foot of the land. The Government already owns 271 and a fraction acres at this site. The idea is to place the contemplated ammunition depot where it will be of use for national defense. I doubt whether the officer from whose testimony the Senator is reading has ever been in Puerto Rico. It was not possible to send for the commanding general and bring him before the committee, unless the committee was willing to spend considerable money for that purpose. If the committee had asked me or the senior Senator from Oklahoma [Mr. THOMAS], we would have given them all the facts they wanted.

Mr. McKELLAR. We did not know that. We did not know the two Senators had been on the ground, and we did not have their testimony. We can have the advantage of their testimony when the regular bill comes before the committee.

Mr. TRUMAN. By that time the new sugar crop will be in, and the land will cost just twice as much as it would now.

Mr. McKELLAR. I would not want the land to cost \$800 an acre, I am very frank to say.

Mr. TRUMAN. In addition to that consideration, there are now several million dollars' worth of ammunition lying out in the weather.

Mr. McKELLAR. Was the Senator shown any site except the one in question?

Mr. TRUMAN. No; there is no other site available for the purpose.

Mr. McKELLAR. The Senator was told that?

Mr. TRUMAN. The Senator made a complete survey of the whole north side of the island, both from the air and on foot.

Mr. McKELLAR. I asked the Senator whether he was shown any other site, and I understood him to say that he had not been. But that question can be brought up later.

I read further from the testimony:

Mr. JOHNSON. How much land is involved in the camp?

Colonel VALLIANT. Camp Buchanan consists of about one-hundred-and-eighty-odd acres that we acquired from the people of Puerto Rico 10 or 12 years ago.

Mr. JOHNSON. What did you pay for it?

Colonel VALLIANT. We exchanged it for some land that we owned up in San Juan.

Mr. LUDLOW. How far did you say this was from San Juan?

Colonel VALLIANT. About 15 miles.

Mr. LUDLOW. What sort of land is the intervening territory? Is it settled? How is it populated?

Colonel VALLIANT. I have driven by this site; that was in July, and it is not densely populated, any more than the rest of the island is. The building of the suburbs appears to be in the opposite direction.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. THOMAS of Oklahoma. I should like to know what evidence was presented to the committee which caused the committee to eliminate the House item from the bill. Was it because there was no justification, or not sufficient justification, for the item?

Mr. McKELLAR. Yes.

Mr. THOMAS of Oklahoma. Mr. President, at the proper time I shall give the Senate the benefit of my observations, and the reasons why I am committed to a restoration of this item. If the Senator would suspend and let me make my statement now, he might not have any objection to restoring the item.

Mr. McKELLAR. I should like very much to finish presenting the testimony on which the House acted. The House itself could not have been very greatly impressed with the testimony, because it gave \$200,000, when it was asked for \$320,000, to pay for the 800 acres. Suppose we allowed \$200,000; who knows what kind of land we would get? We might get the waste land, we might get the dairy land, or we might get a little sugarcane land.

Mr. THOMAS of Oklahoma. Mr. President, the land desired is immediately adjacent to what is now known as Fort Buchanan. It is the only land available that is adjacent to it. It is either that or nothing. If they have to go somewhere else for a location for the depot and landing field, they must move Fort Buchanan, and the land in question will be subject to other disposition. The site now sought is immediately adjacent, and it is the only suitable site for this purpose. There is no other land available, because there are hills and mountains on every side.

Mr. McKELLAR. I read further:

Mr. JOHNSON. What did they raise on this land down there?

Colonel VALLIANT. They are raising sugarcane.

Mr. JOHNSON. On all of the land?

Colonel VALLIANT. No. Some of it is used for pasture land.

Mr. CANNON. And you say some of it is waste land?

Colonel VALLIANT. Some of it appears to be waste land.

Mr. JOHNSON. How much of it is waste land?

Colonel VALLIANT. A rough estimate would be perhaps 20 percent.

Mr. JOHNSON. How much is pasture land?

Colonel VALLIANT. The pasture land might be 30 percent.

A print was furnished our committee later which showed that 49 percent of the remainder was sugar land, and, as I recall, 51 percent was dairy land or pasture land.

Mr. JOHNSON. And the rest of it is what?

Colonel VALLIANT. Sugarcane.

Mr. LUDLOW. What would be the highest price per acre for the best land under this evaluation? You say some of it is waste land. That would bring the average down. What would be the highest price that you would pay per acre?

Colonel VALLIANT. The highest estimate seems to be \$700 per acre.

Mr. WOODRUM. How many acres of that are there?

Colonel VALLIANT. There are 15½ acres of that.

Seven times fifteen makes \$105,000, so that \$107,000 or \$108,000 would go for the 15-acre tract which is the most urgent.

Mr. LUDLOW. Why would that land be worth \$700 an acre; because it is in the production of sugarcane?

Colonel VALLIANT. Sugar raises the price considerably.

Mr. CANNON. How much do they make on an acre of sugarcane down there?

We are asked to buy land, and one of the members of the House committee asked how much they were making on sugar land in that vicinity, and this is the answer of the witness:

I do not know, sir; I am sorry, I cannot answer that.

It struck me, as a member of the Committee on Appropriations, and it struck a majority of the members of our committee, that a man who is testifying as an expert for the Government, who is buying the land, who does not even know what the owner made on it last year, does not know very much about the land, and that we ought to have the opinion of experts who do know.

Mr. CANNON. You do not know the value of the product of an acre of sugarcane?

Colonel VALLIANT. No, sir; I do not.

Mr. LUDLOW. What use would this land be put to?

Colonel VALLIANT. This will be a storage depot for general supplies, quartermaster supplies, and also storage of bombs.

Mr. LUDLOW. Would all of the 800 acres be required for that?

Colonel VALLIANT. There would have to be some protective area for the storage of bombs, you see. We would need the whole 800 acres.

Mr. President, that is the testimony which came before the committee, and upon that testimony we thought that it would not do any harm for this matter to go over 60 days, until we could have complete testimony. When the bill reached the full committee we learned for the first time that the Senator from Missouri [Mr. TRUMAN] and the Senator from Oklahoma [Mr. THOMAS] had been to Puerto Rico and had looked at the land in question, and were very favorably impressed with it. We were also informed at that time that this was the only site to which they were taken and the only site they saw, and that the commanding general wanted the land purchased for reasons which do not appear in the testimony.

Under these circumstances, Mr. President, so far as I am concerned, I would not like to have the Government buy this land without more testimony being produced concerning it. I should like to know at what value it is assessed. We have not even the rate assessment on the land.

Mr. SMITH. Mr. President, let me ask the Senator, what is the average price of this 800 acres?

Mr. McKELLAR. Four hundred dollars an acre, with 49 acres of it in sugarcane, 160 acres in waste land; that is, land which can not be used for any purpose, and the remainder of it in pasture land.

Mr. TRUMAN. Mr. President, if the Senator will permit me to call his attention to the accurate figures, 38 percent is in sugar, 17 percent has been in sugar and is available for sugar, and 49 percent is now in pasture. There is very little waste land. I do not suppose there are over 10 acres of waste land in the whole tract.

Mr. McKELLAR. This witness testified 20 percent of it was waste land.

Mr. TRUMAN. I went over the tract, and I am stating the facts as I saw the land.

Mr. McKELLAR. What kind of land is the waste land?

Mr. TRUMAN. It is hills, behind which the authorities desire to put the ammunition depot, so that if it explodes it will not blow up the city of San Juan.

Mr. McKELLAR. Is it near enough to San Juan so that the city might be blown up? I think it would be very unwise for us to store bombs and other ammunition and material so close to the city that if an enemy, or a person bent on mischief, should come by and blow up the depot, it would blow up the city, or have that tendency.

Mr. TRUMAN. The vast majority of the ammunition is being stored in warehouses in San Juan, at a cost of \$3,000 a month to the Government.

Mr. McKELLAR. That is very unfortunate, and the ammunition should not have been carried there until arrangements had been made to take care of it, it seems to me.

There is another point. I am not a military expert, but it seems to me that to put valuable military stores, and especially things which may blow up, close to the sea or on an island is rather a dangerous military venture. But, of course, I am not a military expert and cannot be certain in my opinion.

Mr. SMITH. Mr. President, I wonder if the price asked is about the average price of land in that section.

Mr. McKELLAR. I do not know. Ever since I have been on the Committee on Appropriations, which has been more than 20 years, anyway, I think we have had yearly appeals from the people of Puerto Rico for relief, it being stated that fiscal or financial or economic conditions in Puerto Rico were in exceedingly bad shape. When I went to Iowa some years ago I was told that the very best land there could be bought for \$250 an acre, and it was as fine land as a crow ever flew over, and knowing about the Mississippi Delta lands, where \$208 an acre is an enormous price for the choicest lands, it struck me with a good deal of surprise that we should pay \$400 an acre for land, a part of which was sugar land, a part waste land absolutely, and a part pasture land.

Mr. ADAMS. Mr. President, the emergency appears in the appropriation, because this purchase is to be made by virtue of an act of July 2, 1917.

Mr. McKELLAR. Mr. President, I think probably some sort of emergency has existed in Puerto Rico for some time. But the Senator put his finger on another question, and the lack of answer to it struck me with some force. I asked the witnesses from whom this land is to be purchased. I thought the people on the island were poor, but if they own land which is worth \$400 an acre there cannot be such great poverty, and perhaps our next appropriation for relief in Puerto Rico may be very much less. I hope to heaven it will be. I do not want to see any people suffer, but if all the lands on the island are worth, on an average, \$400 an acre, it seems to me we could well reduce our relief appropriation during the present session of Congress.

Mr. SMITH. Mr. President, before the Senator takes his seat let me ask him whether he obtained an answer to the question as to who owned this land.

Mr. McKELLAR. There is not a word about that in the record, except that it is owned by 11 different persons.

BRITISH CENSORSHIP OF AMERICAN MAIL

Mr. MEAD. Mr. President, I rise at this time to register a complaint against Great Britain's censorship of our mail. I rise to call for a more friendly, a more neighborly, a more sympathetic attitude toward our country. While my objection is principally lodged against the unreasonable delay caused to our mail, it is likewise emphatically registered against the stopping of our ships and taking them off the safe neutral sea lanes and into the troubled, mine-infested, and submarine-infested areas of Europe.

Mr. President, under the Hague Convention, which was entered into by the nations of the world for the purpose of considering the treatment by the various nations of each other's mail, a definite attitude was taken and a definite convention or treaty was entered into which relates to the treatment of mail under present-day conditions.

Great Britain, along with the United States, joined and participated in that convention. The mails of neutral nations have always been treated with the utmost care and given expeditious treatment under the most severe and adverse circumstances.

There can be nothing gained by any country that interferes with the proper or expeditious dispatch of our mail. I read an editorial recently in the New York Times commenting on that particular question, which I believe should be read into the Record at this point.

I quote from the editorial—

Entirely apart from the question of technical rights under international law is the question of the wisdom of the British policy. It is not easy to see what the British Government stands to gain by interfering with United States mails that would compensate for the serious risk it may run of alienating American sympathy. The British note—

And this refers to a reply made to our State Department, which has already registered emphatic protest against the British treatment of our mails—

The British note stresses the "money orders, cheques, drafts, notes, and other negotiable instruments which may pass as the equivalent of money" to be found in the correspondence. But these, in general, merely effect a transfer of claims within Germany; they are useless to Germany as a whole except insofar as they can be used for the purchase of actual foreign commodities. To the extent that the British blockade can prevent the actual physical commodities from entering, mere money transfers become irrelevant. An even more important consideration is that any worth-while sum can be transferred to Germany by wireless without the use of the mails.

Mr. President, I cannot see, nor could that editorial writer see, nor for that matter can our State Department visualize the benefit resulting from the censorship of the mails of the United States.

Mr. President, we have no objection to the removal of mails from British ships, particularly mails that originate in or are destined to the United Kingdom. We have no objection to the censorship of mails that must normally and naturally pass through the British Empire in transit. But we em-

phatically object to the removal of mail from American, or for that matter, from other neutral ships, when such mail is addressed to other neutral countries. We object to Great Britain censoring and delaying such mail sent under those circumstances from our country.

The State Department readily admits the right of the British Government to censor mails, as I said a moment ago, originating or destined to the United Kingdom. They probably have the right, a right which the State Department readily admits, to take the mail off our clipper planes and to open that mail, to censor it, to detain it until their work is completed, but, Mr. President, in view of the fact that our people pay an extra charge for the expeditious delivery of the mail commonly referred to as air mail, it is a hardship on our people to have that mail delayed.

It certainly is not a friendly act, a neighborly act, on the part of a neutral nation to do that. It is a hardship on the air line corporation, because it loses in volume of business. When one considers the cost of the examination, and the futility of the examination, it occurs to me that Great Britain should at this time show a more sympathetic consideration for the articles of the Hague Convention, particularly as they relate to mail.

Mr. President, on December 27, 1939, this Government protested in a note to the British Government the censorship of American mail.

This note marked one of a series of protests against British interference with neutral rights. Other notes included the protest against the British Order in Council for the seizure of goods of German origin, wherever they may be destined; the one in which the United States is associated with the other American republics against violation of the safety zone drawn around the Western Hemisphere by the Panama Conference; and informal representations against long delay in detention of American ships for purpose of such search as is permitted by international law.

On January 17, last week, the British Government replied at length to our protest and quite definitely declined to make any changes in its present practices of delaying, opening, and censoring private mail destined to neutral countries from the United States.

Now let us see just what our protest amounted to—for this is a tremendously serious matter.

We said in our note to Great Britain that the State Department has been advised that British authorities have removed from British ships and from American and other neutral ships American mails addressed to neutral countries. We said that we had evidence that the British Government had opened and censored sealed-letter mail sent from this country. The State Department cited a few specific instances of this censorship and said that:

On October 10 the British authorities took from the steamship *Black Gull* 293 sacks of American mail addressed to Rotterdam and 10 sacks addressed to Antwerp. On October 12 Downs (a British contraband control port) removed from the *Zandam* (a Netherlands liner) 77 sacks of parcel post, 33 sacks of registered mail, and 156 sacks of ordinary mail addressed to the Netherlands, as well as 65 sacks of ordinary mail addressed to Belgium, 4 to Luxemburg, 3 to Danzig, and 259 to Germany. On October 12 authorities at Weymouth removed from the *Black Tern* 94 sacks of American mail addressed to Rotterdam, 81 to Antwerp, and 184 to Germany. On October 24 authorities at Kirkwall removed from the *Astrid-Thorden* 468 bags of mail from New York to Gothenburg (Sweden) and 18 bags from New York to Helsinki.

The note went on to state that many additional individual instances of British censorship have come to the State Department's attention.

These four specific instances which were mentioned in detail bring the total to more than 1,700 sacks of American private mail which definitely have been opened and censored by British authorities.

This Government's note went on to indicate clearly our position with respect to this objectionable practice. The note declared:

This Government readily admits the right of the British Government to censor private mails originating in or destined to the United Kingdom or private mails which normally pass through the

United Kingdom for transmission to their final destination. It cannot admit the right of the British authorities to interfere with American mails on American or other neutral ships on the high seas, nor can it admit the right of the British Government to censor mail on ships which have involuntarily entered British ports.

Mr. President, we recently adopted a neutrality policy which indicated our desire to remain aloof from involvement in the war; a neutrality policy which prevented our ships from entering the troubled waters of Europe. There are in the record a number of instances in which British ships hailed American ships on the high seas, outside the war zones of Europe, and brought them either to British ports or other European ports in the proscribed area. That is in violation of the policy of our neutrality act. That is seizing mails on neutral ships bound for neutral countries, and is in no wise related to the present European conflict. Surely it is not a friendly act, nor is it to be expected in this instance. I have no objection, of course, to the investigation of American cargoes under international law; but I do believe an exception should be made of mails emanating from this country, which do not touch on territory belonging to the British Empire, and mails destined to neutral countries. We readily realize that holding up American ships involuntarily brought into belligerent ports for as much as 1, 2, or even 3 weeks, is a hardship to the mailer, a financial burden to the shipper, and embarrassing treatment to our country. As I said a moment ago, such procedure will in no wise aid in the determination of the war. It will not pay the cost that is necessary for the continuation of a policy of that kind.

The note from our State Department continued by pointing out that the Eleventh Hague Convention recognizes that postal correspondence of neutrals or belligerents is inviolable on the high seas. It added that:

The United States Government regards as particularly objectionable the practice of taking mails from vessels which ply directly between American and neutral European ports and which through some form of duress, are induced to call at designated British control bases. This is believed to be a clear violation of the immunity provided by the Hague Convention.

Our Government asked in that note that it receive early assurances that this practice of censorship on the part of the British Government be discontinued.

On January 20, the British Government replied at some length and summed up its position by stating that it finds itself unable to share the views of the United States Government that its action in examining neutral mail in British or neutral shipping is contrary to its obligations under international law.

The British note seeks to defend its present practice by pointing out that contraband may be contained in letter mail. While that might seem a little incredible to the average person, the British note asserts that currency, checks, securities, industrial diamonds, and the like may quite easily be passed into hostile hands by way of a letter envelope of limited size, weight, and bulk. The note reminds us that in May 1916 our Government told Great Britain that—

The Government of the United States is inclined to the opinion that the class of mail matter which includes stocks, bonds, coupons, and similar securities is to be regarded as of the same nature as merchandise or other articles of property and subject to the same exercise of belligerent rights. Money orders, checks, drafts, notes, and other negotiable instruments which may pass as the equivalent of money are, it is considered, also to be classed as merchandise.

However, let me say, Mr. President, that the delegates assembled at the Hague Convention, which had to deal with mail, and mail only, had full knowledge of what contraband in wartime means; and with that thought in mind they separated and segregated private and public mail from what might otherwise be considered contraband cargo in time of war.

The British Government likewise states that—

Quite apart from transmission of contraband the possibility must be taken into account of the use of the letter post by Germans to transmit military intelligence, to promote sabotage, and to carry on other hostile acts. It is in accordance with international law for belligerents to prevent intelligence reaching the enemy which might assist them in hostile operations.

I may say in passing that, in my judgment, we have the most efficient and the most perfect postal investigating and inspecting system in the world. We have made every effort, and have gone to great lengths in trying to prevent injury to any country insofar as our mailings are concerned. Surely we deserve more friendly consideration; and I most emphatically support the State Department in its appeal for justice to the American mailer and to the American shipper.

The British note remarks that private mails were completely destroyed when several British ships were sunk since the beginning of the present war. These English ships carried neutral mail, but the indiscriminate sinking of the vessels without regard to the safety of the neutral correspondence abroad was not made a subject of protest by our Government to the German Government, it is revealed. At least, the note states that the British Government has had no word that we protested to the German Government in those instances.

After defending its right to censor American mail, the British note goes on rather gallantly to state:

In contrast to this reckless and indiscriminate destruction of neutral property, the examination conducted by His Majesty's Government of the mails which are under discussion does not involve innocent mail being either confiscated or destroyed. In accordance with the terms of the Hague Convention, mail found in ships which have been diverted to British ports is forwarded to its destination as soon as possible after its innocent nature is established. In no case is genuine correspondence from the United States seized or confiscated by His Majesty's Government.

In addition to this exchange of notes with the British Government, I am informed that our Government has likewise lodged a similar protest against similar censorship by the French Government. Not so much publicity, however, has been accorded that protest; and I am not aware whether or not the French Government has responded or what the nature of its response may be.

Mr. President, we have ascertained from reliable sources that American ships passing through the Straits of Gibraltar are involuntarily haled into a belligerent port, either the port which is located there or a port a great distance from there. The distant port I have in mind is the port of Marseilles. American ships were detained while their cargoes were examined, for as long as 2 or 3 weeks, while ships of other neutral nations were detained on an average of only 4 or 5 days. More than that, the captain of one of the American ships readily agreed to an investigation, and even censorship of his cargo, if the British authorities would allow that ship to pass on to Naples, its destination. But that privilege was not accorded the American ship. It was detained at the port of Gibraltar, and the delay was very costly and very embarrassing.

Censorship by the British Government of the private mail of American citizens—especially if that mail is addressed to another neutral country—appeals to me to be an exceedingly serious matter. I think our Government should continue to challenge the right of the British Government to intercept, examine, and delay American mails on the high seas or mails which are involuntarily taken into British ports.

It has been represented in the press that our State Department officials are keenly disappointed in the attitude taken by the British Government in response to our formal protest against interference with mail addressed to foreign countries by private American citizens. The State Department takes the position that inspection and censorship of United States letter mail is a violation of the Hague Convention which, quite specifically, guarantees the inviolability of mail on the high seas sent by neutrals or belligerents. It is held that interception, delay, and possibly confiscation of United States mail on the part of the British Government is in violation of the guarantees set up in the Hague Convention. In this connection, I consider that our State Department is on very solid ground. Its attitude will be favorably reflected in the judgment of all American citizens.

We are not in this war and we do not intend to be involved in its military operations. Our every effort is devoted to the cause of peace and to military noninvolvement. In the existing Neutrality Act, I consider that we put a

great deal of our pride in our pocket in order to guarantee ourselves a more than reasonable chance to remain aloof from Europe and its conflicts. We withdrew our ships, our money, and our nationals from the danger zones of the war abroad. We went away out on an economic limb, so to speak, to sacrifice profitable trade and commerce. We made financial sacrifices and we waived many of our traditional rights to the freedom of the seas in order that we might provide for our country the greatest possible measure of security against entanglement in the European quarrel.

After making all of these concessions, we rightfully felt that we had gone about as far as our dignity and economy would permit us to go. Now, however, we discover that unwelcome interference and humiliating indignity are being visited upon us in the form of unrestricted censorship of the mails of our private citizens.

We have, of course, a real pride in the United States Postal System. It represents an ultimate achievement in service and efficiency. We have come to place absolute reliance in the inviolability of a sealed and posted letter. Mr. President, for 18 years I was associated with the House Committee on the Post Office and Post Roads and for 8 years I was chairman of that committee. So, I am intensely concerned with our mails, and for that reason and because of my knowledge of the mails, I can realize the detrimental effect and the inefficiency resulting from the British censorship.

Furthermore, it is a shock to our integrity and to our sense of the sacredness and inviolability of the United States mail to realize that we cannot post a letter destined to another neutral country without the fear that it may be intercepted, censored, delayed, and possibly destroyed by a belligerent power. That situation obtains whether we send our mail by boat or by air.

We do not condone our private mails being used for purposes of sabotage, for the purpose of transmitting military intelligence, or for the purpose of assisting one or another of the belligerents in any manner. However, it is an entirely different matter when innocent letter mail is delayed and tampered with. In many cases, it appears never to reach its intended destination.

Let me give an example: A clipper plane left here day before yesterday, Sunday, January 21, with 963 pounds of letter mail aboard. That plane was detained at Bermuda by British authorities. No one knows how long it will be detained for examination and general censorship. Some of it may never reach its intended destination, even though that destination be a neutral country. A clipper plane leaving here on January 18 suffered the loss of 2,508 pounds of mail, also at Bermuda. In this instance, 1,647 pounds of the mail was permitted to continue on its way but 861 pounds were held for an unstated length of time for censorship. No one can predict whether all of that mail will ever reach its proper destination.

But it is true, Mr. President, as everyone who is familiar with the Air Mail Service realizes, that all the benefits of the expeditious dispatch of that mail have been lost by reason of the prolonged detention by the censorship control at Bermuda. We recognize their right in this instance, because that mail has been stopped on territory that belongs to the United Kingdom, but we recognize the fact also that we have accorded our wholehearted cooperation to the British authorities, and we expect in return that they will speedily examine this mail, that they will prevent undue delay, and that they will help us in our effort to continue this particular service as the most expeditious service of mail that we have in this country.

Not long ago the *S. S. Washington*, an American vessel, was held at Gibraltar by the British authorities for the examination of 426 bags of American private mail. I am informed that all American mail on American boats going by way of Gibraltar is examined and censored. Much of this mail is, of course, intended for Germany, but also much of it is destined for Italy and other neutral countries.

Mr. President, I have in my hands accounts of at least 100 typical complaints made by American citizens against

British censorship. I do not intend to bore the Senate with a long recitation of these complaints, but I wish to refer to a few of them as examples of the manner in which this practice is directly affecting our people.

For instance, a man in Dayton, Ohio, asks if the \$10 he sent to his brother in Vienna and to his sister in Czechoslovakia will reach them, or will England take the money?

A company in New York City complains that a letter received from Malta is marked "opened by Censor No. 9." The letter fails to contain a check for £50 stated to be enclosed with the letter.

In the instance of mail from Malta, Great Britain has the right to censor it, as Malta is British territory.

A man in Beverly Hills, Calif., writes "Since when does the British Empire decide whether Uncle Sam's mail is to be delivered or not?" He protests the censorship of his mail sent abroad.

A company in Philadelphia complains of tardy delivery of private mail sent to Switzerland, and submits an envelope which has been opened and marked by British censors.

A company in Astoria, Oreg., protests that two letters sent by air mail to Sweden were delayed in delivery by British censorship.

A lady in Bridgeport, Conn., complains with some vehemence that an English censor in Ireland has opened and censored her mail, and she says, "I object to it, and I ask that you stop it."

Another lady in West Barrington, R. I., asks the best way to send \$500 to Egypt. Fear of censorship is expressed in her complaint.

A man in Duluth, Minn., states that his private mail destined for Norway was badly delayed and urges that the United States send battleships with mail steamers to show the British that they must respect United States mail.

A man in Reisterstown, Md., says, "I know letter from Hungary was censored and contents removed except canceled stamps sent by the American consul. I ask for return of all matter censored out of my mail."

A man in New York City complains of nonreceipt by the American consul at Vienna of affidavits needed in connection with a visa and which were sent registered.

A lady in Amherst, Mass., asks why letter received from American citizen now in Jamaica should be censored. By whose authority was it done, she demands.

As Jamaica is British territory, British officials had a right to open that mail. But, Mr. President, I am trying to point out in the first place that we adopted a neutrality policy new in the history of international law. That policy indicated the friendly attitude of this country to all the nations of the world. By the adoption of that policy we made a great economic sacrifice in order to remain out of the whirlpool of the European war. We object, Mr. President, to having our ships halted on the high seas and taken into the dangerous waters surrounding the belligerent nations of the Old World. We object also to the confiscation of mail emanating in our country in transit in our ships and destined to be delivered in nations nowise engaged in the war.

We are interested, Mr. President, in allaying the complaints, in minimizing the ill feeling that is being developed in America because of the unjust actions and restrictions which delay the delivery of our mail. We appeal, in support of the contention of our State Department, to the Government of Great Britain. We ask the British authorities, in keeping with the principles of the Hague Convention, to which they have so frequently subscribed in the past, to help us in the delivery of this mail; to help us keep our ships out of the danger zone, and to help us keep down the rising number of complaints which are emanating from our people. We ask, Mr. President, for the friendly, sympathetic, and neighborly cooperation of the belligerent nations, and of the neutral nations, so that our shipping may in no way be affected. We are anxious to remain at peace; we are anxious to treat the nations of the world fairly and justly. We want to keep this war, and everything connected with it, as far away from America as we can; and in our efforts to accomplish that laudable end we bespeak only the friendly

consideration of the justifiable complaints registered by our State Department in connection with these recurring incidents.

Mr. President, we know the sad story of the last war, and the difficulties which beset this country in its relations with the belligerent nations before our entry into that war. It is to obviate or to keep down those difficulties, which ultimately involved us in the war, that there has been developed by our State Department the policy contained in the notes to Great Britain and particularly applicable in this instance.

In closing, I again register my complaint against the unjustifiable, involuntary halting of our ships off the peaceful lanes of the ocean and into the belligerent seas, where danger may beset them, and inflame the people of our country. I ask the belligerent powers to be very careful, to be very sympathetic in the treatment of mail originating in America, traversing the seas on American ships, and not destined for belligerent nations. The destruction by a submarine or a mine of an American ship leaving a belligerent port into which it was forced by a naval vessel against the will of the commander of the American ship might develop into a very serious problem. No good of a compensating degree can result from a confiscation of our mail, from the censorship of our mail, or from the delay of our mail.

I call for a strict compliance with the real spirit and letter of the Hague Convention. I call for the sympathetic consideration of the justifiable complaints registered by our State Department. I do it as one who believes in peace, who believes that it is the destiny of our country to remain at peace. I do it as one who wishes to allay, keep down, and diminish any feeling of complaint or opposition against any of the belligerent nations of the world.

Mr. President, I hope the reply to the State Department's last note to the Government of Great Britain will be characterized by a high degree of friendliness, and by an eagerness to cooperate in our efforts to secure the justice which we believe is due to us.

We wish to preserve the privacy of the United States mail. We do not wish the private mail of our citizens to be tampered with, to be delayed, or to be subjected to undue and unmerited censorship. We are taking all possible steps to remove ourselves from even the slightest participation in the current war. We are demonstrating that we mean to be neutral and that we desire to keep our ships and our nationals clear of the conflict in Europe. Our every act has been designed to impress upon belligerents abroad our desire to remain aloof, insofar as it is possible for a nation to do so. Certainly, our acts have been such as to warrant a more cooperative attitude on the part of the British Government with regard to the mail of our citizens.

I heartily concur in the action thus far taken by the Secretary of State. Circumstances demand, and we insist, that our mail go unmolested and uncensored to its neutral destination.

SUPPLEMENTAL MILITARY AND NAVAL APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 7805) making supplemental appropriations for the Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation for the fiscal year ending June 30, 1940, and for other purposes.

Mr. KING. Mr. President, I wish to inquire of the members of the committee having the bill in charge as to the justification for many of the items for which appropriations are asked.

My recollection is that at the last session of Congress we appropriated six or seven hundred million dollars for the Army, and a sum much in excess of that amount for the Navy. We have had no war since that time. Our shores have not been invaded. We do not anticipate any war. The last appropriation bills dealing with the Army and the Navy made, as we believed, not only ample but very, very generous provision for both the Army and the Navy for the ensuing year and for a number of years, to be supplemented, of course, as the years go by, with additional appropriations.

Notwithstanding the appropriation for military purposes of more than a billion and a half dollars, we now have before us a deficiency bill carrying several hundred million dollars. It seems to me that the committees have been derelict—and, of course, I include committees of which I am a member—in approving these large, and in many instances unnecessarily large, deficit appropriations.

A number of years ago Congress attempted to prevent these deficits. They recognized the fact that the Congress carries the purse as well as the sword, and that no expenditures may be made by the Federal Government except such as are authorized by the Congress of the United States. Notwithstanding the law which we passed to prevent such expenditures, however, we are confronted at nearly every session of Congress with demands for very large deficit appropriations.

I invite attention to the provisions of the act of Congress known as section 665 of title 31 of the United States Code, Annotated, entitled "Money and Finance." The heading of the section reads as follows:

Sec. 665. Expenditures in excess of appropriations; voluntary service forbidden; apportionment of appropriations for contingent expenses or other general purposes.

This is the section itself:

No executive department or other Government establishment of the United States shall expend, in any one fiscal year, any sum in excess of appropriations made by Congress for that fiscal year, or involve the Government in any contract or other obligation for the future payment of money in excess of such appropriations unless such contract or obligation is authorized by law.

I understand that those in charge of the pending bill concede that contracts have been entered into calling for large expenditures of the public funds, and that those contracts have not been and are not authorized by law.

Continuing the section:

Nor shall any department or any officer of the Government accept voluntary service for the Government or employ personal service in excess of that authorized by law, except in cases of sudden emergency involving the loss of human life or the destruction of property.

And, hastily reading this bill, I have not discovered that these appropriations or contracts come within that provision.

All appropriations made for contingent expenses or other general purposes, except appropriations made in fulfillment of contract obligations expressly authorized by law, or for objects required or authorized by law without reference to the amounts annually appropriated therefor, shall, on or before the beginning of each fiscal year, be so apportioned by monthly or other allotments as to prevent expenditures in one portion of the year which may necessitate deficiency or additional appropriations to complete the service of the fiscal year for which said appropriations are made; and all such apportionments shall be adhered to and shall not be waived or modified except upon the happening of some extraordinary emergency or unusual circumstance which could not be anticipated at the time of making such apportionment, but this provision shall not apply to the contingent appropriations of the Senate or House of Representatives; and in case said apportionments are waived or modified as herein provided, the same shall be waived or modified in writing by the head of such executive department or other Government establishment having control of the expenditure, and the reasons therefor shall be fully set forth in each particular case and communicated to Congress in connection with estimates for any additional appropriations required on account thereof.

None of these provisions has been complied with.

Further reading:

Any person violating any provision of this section shall be summarily removed from office and may also be punished by a fine of not less than \$100 or by imprisonment for not less than 1 month.

Mr. President, I stated a moment ago, and I repeat, that many of the Federal agencies, in the face of this statute, which is clear and unambiguous, create deficits, deliberately or otherwise, and they expect that as soon as Congress meets, whether it be shortly thereafter or several months later, Congress will put the stamp of approval upon their expenditures, made without authority of law, legalize them, and pass an appropriation bill to cover the deficiencies which have been created, or to meet contractual obligations which have been entered into in violation of law.

I should like to know what authority exists for this large appropriation bill. Obviously this statute, as I read it, would interdict these expenditures. It seems that Congress, charged with the responsibility of raising revenue and of making appropriations to meet the obligations of the Government, ought to inquire into these violations of the law, and should by its action indicate that it will not approve these unauthorized expenditures. Congress should give notice to the departments that when it makes an appropriation it expects the departments and agencies to live within the terms of the appropriations, and not to run to Congress as soon as it convenes and ask for large appropriations to meet deficiencies.

I know of no condition which has arisen during the last few months, since we made a very large appropriation for the Army and for the Navy, which would warrant a deficiency bill of several hundred million dollars. I presume, however, that before Congress adjourns nearly every department of the Government will be before us asking for large appropriations, not only for the coming year, but to meet deficiencies which have been created during the present fiscal year.

Mr. President, I do not find it in my heart to support some of the provisions of the bill. I hope that the War Department and the Navy Department and other agencies of the Government will conform to the terms of the statute to which I have invited attention.

Mr. THOMAS of Oklahoma obtained the floor.

Mr. BYRNES. Mr. President—

The PRESIDING OFFICER (Mr. SCHWARTZ in the chair). Does the Senator from Oklahoma yield to the Senator from South Carolina?

Mr. THOMAS of Oklahoma. I yield.

Mr. BYRNES. I wish to make a statement about the subject discussed by the Senator from Utah.

I think it should be stated that the question as to whether or not appropriations were carried in the pending bill for purposes not authorized by law was investigated at some length by the Committee on Appropriations of the House of Representatives, and in the Senate by the Committee on Appropriations. The fact is that, in my opinion, there is a question as to only one or two items.

The Senator says that he knows of no emergency requiring the incurring of a deficiency. The emergency was the present war in Europe, and as a result of the existence of that war the President on September 8 issued an Executive order declaring that an extraordinary emergency existed.

The deficiency act from which the Senator has read specifically provides that funds appropriated for a fiscal year shall be apportioned, and that apportionment shall not be waived or modified except upon the happening of some extraordinary emergency or unusual circumstance which could not be anticipated at the time of the making of such apportionment. Whenever there is an emergency which could not be anticipated, the departments are authorized to spend funds without regard to the apportionment.

The fact in this case is that the departments acted in good faith with the Congress, for shortly after the declaration of the emergency, in September, when the Congress met, the Congress was advised of what had been done by the President in signing the Executive order. It was notified certainly through the chairmen of the respective subcommittees having charge of the appropriations, and the Congress took the position that in the extraordinary session its committees would not meet. The majority of the Senate, acting through its steering committee, took that position, and communicated that policy to the chairmen of the other committees. The Senate will recall that no committee met during the extraordinary session even for the purpose of considering nominations. Therefore the Committee on Appropriations did not at that time consider the estimates for appropriations prepared by the Executive.

Strictly in accordance with the deficiency law, as soon as the Congress met in January an estimate of deficiencies was sent to the Congress. As a matter of fact, it was sub-

mitted to the Committee on Appropriations of the House of Representatives early in the fall, and during the fall, while the Congress was in recess, the bill now before us was considered by the Committee on Appropriations.

What happened was a result of waiving the apportionment provisions of the law. The Departments proceeded to spend funds which were appropriated by the Congress for specific purposes. They were instructed, however, not to spend such funds so as to have them exhausted before February, in order to give the Congress ample time to act upon the estimates submitted to the Congress for a deficiency appropriation.

There are special statutes which give to the executive departments the right to create deficiencies for fuel, transportation, clothing, and many other items, once personnel is increased. There is no question as to the authority of the President, under a special statute, whenever he declares an emergency to exist, to increase the personnel of the Army or Navy within the authorized strength. The increases in the Army and Navy and Marine Corps, as a result of the President's order, were within the authorized peace strength of the Army, Navy, and Marine Corps.

I stated there was but one item in question. As a matter of fact, that was the determination of the House. It was an item covering some temporary buildings, hospital buildings, which had been erected. There is a question whether a building, even though it be regarded as a temporary building, was authorized by any of the appropriations. With the exception of that one item, I do not know of any item which was not authorized by law. The difference here is that the money has been spent without regard to apportionment.

Mr. THOMAS of Oklahoma. Mr. President, I rise in opposition to the committee amendment. This amendment has to do with the entire policy of the Nation regarding national defense.

We have in this country and in our possessions approximately 200 military establishments. These establishments are located in the several States, save those in the Territories and possessions, which have no representation upon this floor and cannot be heard through their own chosen representatives. So the Senate must constitute itself into a committee to consider itself the agent of these several Territories.

Inasmuch as I shall discuss rather briefly our national-defense program, and inasmuch as I may mention some of the establishments which may be discontinued—which would save this country multiplied millions—I think the Senators who are interested in those establishments should be on the floor. Therefore I make the point of no quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	Hughes	Russell
Ashurst	Downey	Johnson, Calif.	Schwartz
Bailey	Ellender	Johnson, Colo.	Schwellenbach
Bankhead	Frazier	King	Shipstead
Barbour	George	Lee	Slattey
Barkley	Gerry	Lucas	Smathers
Bilbo	Gibson	Lundeen	Smith
Bridges	Gillette	McKellar	Stewart
Brown	Glass	McNary	Taft
Bulow	Green	Maloney	Thomas, Okla.
Byrd	Guffey	Mead	Tobey
Byrnes	Gurney	Miller	Townsend
Capper	Hale	Murray	Truman
Chandler	Harrison	Neely	Tydings
Chavez	Hatch	Norris	Van Nuys
Clark, Mo.	Hayden	Pepper	Wagner
Connally	Herring	Radcliffe	Walsh
Danaher	Holman	Reed	Wheeler
Davis	Holt	Reynolds	Wiley

The PRESIDING OFFICER. Seventy-six Senators have answered to their names. A quorum is present.

Mr. THOMAS of Oklahoma. Mr. President, the question pending before the Senate relates to an amendment of the Senate committee to the House bill. The House bill proposes to appropriate a few hundred thousand dollars to buy some land adjacent to Fort Buchanan, at San Juan, P. R., for the expansion of that military post. The Senate committee struck out a large part of the House appropriation, and the

only reason given is that the committee did not have sufficient information upon which to base an opinion.

Mr. President, if that is to be the policy of the Senate, let me make this observation: I am a member of the Committee on Appropriations. We appropriate money literally by the tens of billions of dollars to be spent at points we know not of and for purposes we never heard of. That statement will not be challenged.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. McKELLAR. That was one of the reasons; but the principal reason was that there was a recommendation of \$400 an acre, on an average, for 800 acres of land, 20 percent of which is land that is not useful for anything, and part of which is pasture land. Only about 49 percent of it is sugar land.

Mr. THOMAS of Oklahoma. I shall come to that point a little later in my remarks.

Mr. President, if the Congress desires to save money we can save it by being parsimonious with our Military Establishment. We can commence right here in Washington. We can close Fort Myer, across the river, and save some money. We can close the navy yard in the city of Washington and save some money. Going down the Potomac, we can close Quantico and save some money. We can close Langley Field in Virginia and save much money.

The next State to the south is North Carolina. We can close Fort Bragg in North Carolina and save much money.

The next State to the south is South Carolina. We can close Camp Jackson, at Columbia, S. C., and save a large sum of money. We can send home the soldiers who are now there and who do not belong there, and save a substantial amount of money. We can go across to Charleston, S. C., and save much money there by closing several military establishments.

In Georgia we can save some money by closing the activities at Savannah. We now have 16,000 or 17,000 soldiers assembled at Fort Benning. We could send those soldiers home and save a large amount of money. We could sell the land on which Fort Benning is located—a whole county in Georgia—and to that extent we could replenish the Federal Treasury.

Mr. President, I am not asking that these things be done.

Coming down to Florida, we could refuse to buy land at Fort Eglin, in northern Florida. The land is desired for a proving ground to test guns and ammunition. We could save a large amount of money. We could close the establishment at Pensacola. We could stop the improvement of Tampa, and save 6,000 acres for some other beneficial use, and save multiplied millions which it will cost to build there a great air field and a great depot.

In Alabama we could close Maxwell Field, a big air field at Montgomery, and save multiplied millions, because the camp is not yet completed.

Going across to Louisiana, we could close Barksdale Field and thereby save money. If we should close and abolish the military establishments in Texas we could save upward of half a billion dollars.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. CONNALLY. We could save more money by moving the rest of the military establishments down to Texas. [Laughter.]

Mr. THOMAS of Oklahoma. I am not prepared to discuss that issue at this time, Mr. President; but before long we shall have before us a request to add 2,000,000 acres to the reservation at Fort Bliss in Texas. That may be necessary, but it will be discussed when the issue comes before the Congress.

I could go farther west, to New Mexico and Arizona. In Arizona we found the finest trained soldiers in the entire United States, West Point not excepted.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. TYDINGS. I merely wish to remark that in case the Senate should act on the suggestions of the Senator from Oklahoma, who has devoted so much time to the study of our military establishments, I entreat the Members of the Senate not to do it until after the next election. [Laughter.]

Mr. THOMAS of Oklahoma. Mr. President, as we proceed in this session of Congress I wish now to serve notice that I shall not be agreeable to requests made for all these expansion programs. At some points I think we are spending money ridiculously and foolishly; and I shall come to those matters, not this afternoon, but at other times when the issues come before the Senate.

In southern Arizona, at a fort by the name of Huachuca, at the base of the southern edge of the Rocky Mountains, we found something like a thousand or twelve hundred colored soldiers on the reservation, miles away from any city of importance. Those soldiers passed in review before the congressional delegation. During the course of years I have seen reviews in all sections of the country. Of all the reviews I have witnessed, West Point not excluded, the review at Fort Huachuca disclosed the best trained soldiers, from the standpoint of marching, that I have ever seen. So if we want to train soldiers to march we should send them down to Fort Huachuca in southern Arizona.

Mr. President, California is dotted with military establishments. Beginning at San Diego, and even farther south, inland and on the seacoast, California is practically a military camp today. Later we shall come to the various items going to make up the California military establishments; but I shall not discuss them today. However, if we desire to save money, we can decline to approve the expansion program. We can refuse to buy the additional land necessary.

In the early days of air navigation airplanes were small and slow moving. To land an airplane of that character did not require much of a field. Forty acres was ample for some of those small, slow planes. However, today we have planes which will travel 400 miles an hour. At Moffett Field in California we saw planes which we were told were flying in excess of 360 miles an hour. I had no means of measuring the speed, but we were told that, and I believe the information to be correct.

The fast-flying planes of today must land at a speed of about 130 miles an hour. That means that they cannot land within a quarter of a mile, or 1,320 feet. They cannot land in safety on a field half a mile in length. So today, in order to accommodate the fast, large planes, small fields must be expanded. The runways must be made longer; and if the runways cannot be made longer, the fields must be abandoned.

At Crissy Field in San Francisco we saw a concrete example of a field that could not be expanded, and as a result the field had to be abandoned, and it has been abandoned. Crissy Field was built a few feet above San Francisco Bay. One end abuts against a mountain, which is now one end of the Golden Gate Bridge. It is a rocky mountain, and could not be removed. The other end of the field extends out into San Francisco Bay, and just in front of the field are the docks and wharves of the military establishment. The field could not be expanded in that direction. It could not be expanded out into the bay, because ships must come and go, and to make the field sufficiently long would require filling in the bay. So the field could be expanded in no direction, and, being too small for the heavy, fast ships, it had to be abandoned.

When our committee met last summer to consider the War Department bill we were told that France Field, on the Atlantic side of the Panama Canal, was to be abandoned. The field was too small to accommodate the fast, heavy planes. They could not land there. Therefore, the field was of no further use to the military establishments of either the Army or the Navy. However, after the bill was passed, I learned that France Field, on the Atlantic side of the Panama Canal, instead of being abandoned, was to be expanded. Some of the hangars and other facilities built around the field are now to be destroyed. They are to be razed, and the swamp land—for that is what it is—will be filled in, and the

field will be expanded. Unless that is done there will be no landing field on the Atlantic side of the Panama Canal.

On the Pacific side the Department is expanding what is known as Allbrook Field. That field was built only a year or two ago. Yet now more money is needed to build the runways longer, so that fast, heavy ships may land on the runways of Allbrook Field. In addition to Allbrook Field in Panama, an entirely new field is now being built in the interior.

To build that field the land must first be cleared. We own the land. We own the Canal Zone, so we do not have to pay \$400 an acre for the land. However, Mr. President, when we clear the land, cut down the mountains, and move the land that is now there in the form of mountains over into the valleys and fill up the valleys for runways, the land underneath the new air field will cost thousands upon thousands of dollars per acre.

Yet we have an objection here to buying in Puerto Rico 800 acres, sugar land, in the main, to be added to Fort Buchanan, a fort which we now own. The only objection, so far as I know, is that the land is costing too much. We do not know who owns the land. Personally, I do not know who owns the land and I do not care who owns it. I do care whether or not we pay a reasonable price for the land, but who owns the land is of no concern to me.

The purchase of the land, Mr. President, is an administrative act. If the Congress makes an appropriation to buy land and passes a legislative act, then, if the administrators of that fund pay more than the land is worth, that is malfeasance, I might state, on the part of the administrative branch of the Government, and I am not now ready to make that charge against the War Department or against the Navy Department.

If we want to save money, we should commence here in the city of Washington. In many directions we could curtail expenditures. We could disband our several military establishments, at a saving this year of about \$2,000,000,000. If we should do that, we would have no army; we would have no navy; and we would have millions of acres of land which we could sell with which to replenish what some say is an almost bankrupt Treasury. We could discharge the Army personnel of 227,000, or thereabouts, and the Navy personnel of over 200,000, and they could go out in everyday life and find jobs. If they could not find them, we could add to our relief load 500,000 more persons who would become unemployed.

Mr. President, this little item affecting Puerto Rico in this bill serves to bring out the whole question of the policy of the Nation regarding national defense. I ask the question, Does the United States need an army? Does the United States need a navy? Is there any Senator upon the floor ready now to say that the United States needs no army? I pause for a reply. Is there any Senator upon the floor prepared to rise in his place and say that the United States needs no navy? I pause for a reply, and I hear none. Is there a Senator upon this floor prepared now to say that the United States needs no air corps as a part of the national defense? I pause for a reply, and I hear none. So, Mr. President, it must be conceded that we do need an army; that we do need a navy; and that we do need an air corps to be a component part of our national-defense establishment.

Now, the question is what kind of an army do we need; what kind of a navy do we need; and what kind of an air corps do we need?

We concede we must have them. If we are going to have them, where are we going to put them? Shall we place them in the interior of the United States, thus leaving the seacoast wholly unprotected and undefended? Shall we place them on the desert in Utah?

I may state that the distinguished senior Senator from Utah [Mr. KING] is not now present, although I think he knew I was to mention his State. There is in the deserts of Utah an arsenal where there are now being loaded shells and bombs for destructive purposes. Adjacent to that arsenal, where

bombs and shells are being loaded with TNT, we are now spending multiplied millions of dollars in building an airport. For what purpose? It is not a commercial airport; there is no town near it; it is on the desert. It is impossible to reach that airport or that arsenal without going through gates, although there are no fences except barbed-wire ones. When one reaches the gates he is searched. The first thing required is that the visitor divest himself of all matches and cigar or cigarette lighters. It is against the law to enter that arsenal reservation with a package of matches or a single match or even a cigarette lighter on one's person. A man goes around with a hat, and the visitor takes out his matches. His pockets are searched carefully and matches and cigarette lighters are taken and put in the hat. Then the visitor can go on the reservation, and when he departs he may have returned to him the matches, if he wishes them, and his cigarette lighter, if he wishes it; but one cannot go to this airport except after such an inspection.

What is this airport for? It embraces thousands of acres of land in the desert near Ogden, Utah. It is not, I repeat, a commercial airport. That desert land grows nothing save an occasional weed when rains infrequently come. That land, on an average, cost \$47 an acre although it is worthless for any purpose on earth. That may have been a reasonable cost; that may be the price for which land sells on the desert around Ogden, Utah; I do not know as to that. But, Mr. President, we could save some money by moving that would-be arsenal from Ogden, Utah, to some other place; we could save money by not spending money in developing that airfield close to Ogden, Utah, and the arsenal there. As the military appropriation bills come before the Senate they will contain items all of which I cannot now remember but I will mention one of them.

We are today shipping by freight to Ogden, Utah, cast-iron or steel bombs, the raw bombs, from the places where they are made, the steel factories. Then we are shipping the ingredients, the high explosives, from whatever places they are being made to Ogden, Utah. There the TNT in the crystallized form is melted and mixed with other ingredients and put in the empty cast-iron or steel bombs and shells. After the bombs are filled with TNT or other high explosives, the nose, or the cap, so to speak, is put on the bombs; then the bombs or shells are stored on another desert tract of land in the immediate vicinity. When completed the bombs are not shipped back to some place where they could be used, because there is not a cannon, so far as I know, within a thousand miles of that arsenal. Yet on a large tract of ground someone has had built there—not someone in this administration—115 large concrete igloos, concrete buildings, with rather thick walls, with concrete floors, and covered on top with dirt as a camouflage.

Those igloos for the storing of ammunition on the desert in Utah are a thousand miles or more from the Atlantic coast, a thousand miles or more from the Pacific coast, and, of course, as far from the Gulf of Mexico. These shells and bombs must be shipped to the points at which it is intended to use them, where, unless there should be warfare in the interior of the United States, they must be sent to the western coast or to the eastern coast, or to the Gulf of Mexico coast, or to Hawaii, or the Philippines, or Puerto Rico, or Panama. How are we to transport those shells and bombs from the desert of Utah to the points where they would be used? There are there today, I repeat, 115 large concrete igloos containing hundreds of thousands of bombs and shells, loaded, ready for use, not in Utah, but at some other place, at a training ground, or some place of actual warfare. How are we to transport those shells and bombs to the place where they are to be used? They are no good on the desert. In order to get the bombs and shells where they are to be used, we are building a great airport in Utah so that airplanes may come and get a bomb or two bombs. One plane can carry only two of the larger size bombs, because the bombs weigh over a ton, and the present bombing planes can carry only 2 or 3 tons. So a plane comes in, lands at this airport, takes on two bombs and goes back to the training ground or to the scene of potential warfare. That airfield, in connection

with the Ogden arsenal, is costing multiplied millions, and its only purpose, so far as I know, is as a field for planes bringing empty shells to land, and to take back loaded shells.

Mr. President, I do not approve of such means of transportation for such materials.

Mr. ADAMS. Mr. President, will the Senator yield for an inquiry?

Mr. THOMAS of Oklahoma. I yield.

Mr. ADAMS. Does not the series of facts which the Senator gives us indicate that the Appropriations Committees themselves ought to be more careful and exacting in acting upon appropriation bills rather than merely accepting the recommendations which are made to them?

Mr. THOMAS of Oklahoma. Mr. President, my answer is, "Yes; a thousand times, yes!"

When I became the chairman—not at my solicitation—of the subcommittee of the Committee on Appropriations dealing with War Department items, what did I do? At the first opportunity I gave 2 months of my time and hundreds of dollars to visiting as many Army posts as I could visit in 2-months' time. I traveled over 20,000 miles, and, with the Senator from Missouri [Mr. TRUMAN], the Senator from Indiana [Mr. MINTON], and a number of Members of the House, inspected 150 military establishments in continental United States, in Panama, and in Puerto Rico. I cannot give all my time to this one activity, but I am going to bring to the attention of the Senate my information upon this particular point.

The Senator from Colorado [Mr. ADAMS] has certain military activities in his own State. If we are going to save money, Mr. President, we can save multiplied millions by stopping the military activities in Colorado, which is a thousand miles from possible warfare from either coast, east or west, from Canada or from Mexico. I am not advocating that course; but if the only purpose of the committee is to recommend blindly lopping off a few hundred thousand dollars here and appropriating a few billion dollars there, then I do not go along with the committee.

I am not a member of the deficiency subcommittee of the Senate Appropriations Committee, and, unfortunately, I could not be present the other morning when, after very brief hearings, the full committee met and reported this bill. Had I been there at that time, much of what I am now saying would have been said before the committee.

Mr. President, awhile ago I asked the question, Do we need an army? No one is prepared to say "No," so I must conclude that we do need an army. Now, the question is, What kind of an army do we need, and where shall that army be located in peacetime? That is the only question before the Senate.

I am not in favor of building up the largest army in the world. If I had my way about it, I would have a relatively small army. I think the present personnel is ample—227,000 in our Regular Establishment—but, Mr. President, I would not retain and maintain that small army of 227,000 in their present state of inefficiency, unpreparedness, unhoused, unclothed, and without the necessary guns and ordnance.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. CONNALLY. I am interested in what the Senator is saying about the inefficiency and lack of preparation of the Army. I desire to ask someone who knows, and has responsibility for the Army Establishment, why that is true.

Our Army costs us, for each man, about three times as much as any other army in the world costs; yet I saw in the newspapers only a few days ago—probably a month ago—a statement from the Chief of Staff, for whom theretofore I had entertained a rather high opinion, in which he said that the Army of the United States was only 25 percent prepared or efficient.

If that be true, why is it true? We give them the money they ask for. They are supposed to be experts. We have an able general staff. As one who always votes for generous appropriations for the Military Establishment, if those are facts I should like to know where the responsibility lies. Our Army is costing us more money than any other army of the same size costs—three times as much, as I understand,

though I may be inaccurate about that—but some member of the Appropriations Committee told me that some time ago, and I know it costs three times as much for each man in the United States Army as the cost in any other army in the world. We have a great Secretary of War and an excellent General Staff. If the Army is not efficient, if it is not properly cared for and not properly fed and not properly equipped, I should like to know what in the name of Tom Hill they are doing with the money.

Mr. THOMAS of Oklahoma. Mr. President, as to what the Senator from Texas says, I do not at this time desire to join issue. I will say, however, that we have in the United States slightly higher standards than those found in some other countries.

For illustration, on our tour we landed in 1 of the neighbor nations. We found that that neighbor nation boasts of an army of almost 500 men. I was interested to know what the men received for their services. In that particular country 1 American dollar is worth 5 of their units. That means that 1 unit of currency in that particular country is worth 20 cents.

The laboring people in that country and the soldiers in that country receive from 15 to 40 percent of 20 cents a day. Senators may make the calculation for themselves. If our information is correct, the laboring people of that neighbor country and the soldiers of that neighbor country receive from 3 to 12 cents a day, or approximately that. The standard in America is somewhat higher than that.

Let me offer one other answer to the question of the distinguished junior Senator from Texas. After the World War was concluded, the people of the United States—or, I will say, many of us—had hopes that we would settle and solve our future international problems by diplomacy around a conference table, rather than by war. In 1920 I supported the proposal to establish a world-wide tribunal for the adjustment and settlement of just such problems as I am now referring to; but the country did not approve of that proposal, so the first effort on behalf of this country to find some method of solving our international problems by means other than war failed. I refer to the League of Nations. But the people were against war then; they have been against war every day from that day until this; and they are against war today.

Under President Harding and the then Secretary of State, now Chief Justice Hughes, the so-called Disarmament Conference was suggested. It was held in the city of Washington. It was the second step in the movement for the solution of international controversies by peaceful means, by conferences and diplomacy rather than by war. We led in the first step. We led in the second step. The treaty resulting from the Disarmament Conference was lived up to by the United States. We scrapped certain of our ships. We cut down our Military Establishment, and we hoped in the future to solve all of our international problems by diplomacy rather than by war.

The next administration came on; and under Mr. Coolidge and Mr. Kellogg a third step was taken, with the approval of the people of the United States. The third step was known as the Kellogg-Briand Peace Pact, in which the nations of the world were invited to renounce war as an instrument of national policy, and practically every nation in the world signed that treaty. Thus, the third step was taken under the leadership of the United States. The League of Nations was step No. 1. The Disarmament Conference was step No. 2. The Kellogg-Briand Peace Pact was step No. 3.

All the time the Congress led the people to believe that they did not need to build up a great, strong military establishment. We proposed in the future to lead the world in meeting around the conference table and there to discuss and solve our problems. Only 2 years ago, 20 years after the war had closed, we learned that some of the nations that had joined in some of these movements, instead of living up to those agreements and trying to carry out peace policies by conference rather than by war, had been using the intervening time to build up great military establishments. That was true of Germany; it was true of Italy; it was true of

Russia; it was true of Japan. While they were building up their military establishments in secret, the United States was trying to lead its people and the world to the solution of international problems by peaceful means.

When the fact dawned upon this country and upon Congress that certain other nations had been building up their military establishments in secret, Congress began a feverish movement to build up our military establishments. They had been allowed to run down for 20 years. We had spent little money upon our forts. We had spent little money for re-roofing or re-flooring the buildings at our military posts. The roads had deteriorated. We now have ammunition made over 20 years ago. That ammunition is dead, so to speak. It must be reconditioned. We now have the same Army rifles that we had 20 years ago. We now have the same cannon that we had 20 years ago. We now have the same machine guns that we had 20 years ago. Yet in 4 years' time we have tried to supplant our supply of old rifles with modern ones. Four years ago, in 1936, we adopted the modern rifle, the Garand rifle, a semiautomatic weapon which shoots 8 times with one loading, and shoots 30 times a minute.

The old Springfield rifle would shoot but one load at one time. It was necessary to pull back a block, put in a shell, shoot, pull back the block, pull out the first shell, stick in another shell, and shoot again. The Springfield rifle is the only one we now have in any quantity. Four years ago we adopted a modern rifle; and after 4 years' time, to this good hour, but 22,000 of those guns have been manufactured. A Senator suggests that the number is 25,000. I have stated my recollection. The variation is not material. These rifles are being made at the rate of 100 a day, 5 days a week, 500 a week, 2,000 a month, 24,000 a year. How long would it take at that rate, with only 24,000 rifles being made in a year, to arm an army of 1,000,000 men? It would take 4 years to make 100,000 rifles. It would take 40 years to equip an army of 1,000,000 men with these modern rifles. The infantry and the cavalry and the marines must have the best gun in the world, because they will have to meet the best guns in the world.

Mr. LUNDEEN. Mr. President—

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from Oklahoma yield to the Senator from Minnesota?

Mr. THOMAS of Oklahoma. I yield.

Mr. LUNDEEN. Will the Senator permit me to make an inquiry? If the condition of our arms is so bad and we have all this dead ammunition, these old guns, and all that sort of thing, then what became of the hundreds of millions of dollars and billions of dollars that we have been appropriating? Our military appropriations over a period of years exceed those of any other nation. What has become of all this money? The American people may be interested in that, and I know the able Senator has the information at his command.

I submit here tables giving the country information as to our military expenditures during the last 50 years.

Library of Congress, Legislative Reference Service—Appropriations for the Army, Navy, and aviation, 1890–1939

Year	Army		Navy		Combined services	
	Aviation ¹	Total ¹	Aviation ³	Total ⁴	Aviation	Total
1890		\$24,316,616		\$21,675,375		\$45,991,991
1891		24,206,472		23,136,036		47,342,508
1892		24,613,529		31,541,646		56,155,175
1893		24,308,500		23,543,267		47,851,767
1894		24,225,640		22,104,061		46,329,701
1895		23,592,885		25,366,827		48,959,712
1896		23,252,608		29,416,077		52,668,685
1897		23,278,403		30,562,661		53,841,064
1898		23,128,344		33,003,224		56,132,578
1899		23,193,392		56,098,784		79,292,176
1900		80,430,204		48,099,970		128,530,174
1901		114,220,096		61,140,917		175,361,013

¹ Army Air Service (Corps) organized in 1918.

² Includes appropriations for support of the Army, 1890–1922, and military activities of the War Department, 1923–39.

³ Bureau of Aeronautics of the Navy Department organized 1922.

⁴ Includes appropriations for the naval service, 1890–1922, and for the Navy Department and the naval service, 1923–39.

Library of Congress, Legislative Reference Service—Appropriations for the Army, Navy, and aviation, 1890-1939—Continued

Year	Army		Navy		Combined services	
	Aviation	Total	Aviation	Total	Aviation	Total
1902.....		\$115,734,049		\$78,101,791		\$193,835,840
1903.....		91,730,136		78,856,363		170,586,499
1904.....		77,888,753		81,876,791		159,765,544
1905.....		77,070,301		97,505,141		174,575,442
1906.....		70,396,632		100,336,680		170,733,312
1907.....		102,071,670		71,817,165		173,888,835
1908.....		98,958,508		78,684,582		177,643,091
1909.....		95,382,248		122,662,485		218,044,733
1910.....		101,195,853		136,935,194		238,131,047
1911.....		95,440,598		131,410,998		226,851,596
1912.....	\$125,000	93,374,756	\$25,000	120,405,509	\$150,000	219,780,265
1913.....	100,000	90,958,713	30,000	123,151,539	130,000	214,110,252
1914.....	125,000	94,296,146	10,000	140,718,435	135,000	234,984,581
1915.....	275,494	101,019,213	10,000	144,868,717	285,494	245,887,930
1916.....	300,000	101,939,196	1,000,000	149,661,865	1,300,000	251,621,061
1917.....	60,331,696	267,596,530	14,585,000	313,298,072	74,916,696	590,894,602
1918.....	10,800,000	273,046,323	\$1,183,000	517,273,802	61,933,000	790,329,125
1919.....	952,304,758	10,225,478,313	220,383,119	1,573,468,416	1,172,657,877	11,708,946,729
1920.....	25,000,000	772,324,878	25,000,000	616,096,839	50,000,000	1,388,421,717
1921.....	33,000,000	392,558,365	20,000,000	433,279,574	53,000,000	825,837,939
1922.....	19,200,000	328,013,530	13,413,431	410,673,289	32,613,431	738,686,819
1923.....	12,805,000	270,563,264	14,803,560	289,356,577	27,608,560	599,899,841
1924.....	12,626,200	257,274,789	14,793,500	294,456,628	27,419,700	551,731,296
1925.....	12,798,576	256,515,279	15,328,500	275,105,067	28,127,076	531,620,546
1926.....	14,911,191	260,757,250	14,981,000	287,402,328	29,892,191	548,159,678
1927.....	15,250,694	268,330,246	10,256,288	319,650,075	34,512,982	588,989,321
1928.....	20,602,594	282,118,835	20,301,000	316,215,107	40,902,594	598,335,992
1929.....	24,630,268	311,167,469	31,956,000	362,145,812	56,586,268	673,313,281
1930.....	34,660,785	335,404,342	31,430,000	360,236,667	66,120,785	692,641,039
1931.....	35,823,473	339,106,459	32,033,211	380,573,111	67,856,684	719,679,670
1932.....	31,479,635	334,705,965	31,145,000	358,253,952	62,624,635	692,959,915
1933.....	25,439,131	289,500,024	25,245,420	317,583,591	50,684,551	607,083,615
1934.....	23,324,185	277,050,381	21,957,459	308,669,562	45,281,644	585,719,943
1935.....	27,396,453	255,526,147	18,643,320	284,658,799	46,039,773	540,184,046
1936.....	45,383,400	341,348,204	40,732,310	458,694,379	86,115,710	800,032,583
1937.....	59,397,714	383,104,859	38,588,270	526,546,532	97,985,984	909,651,391
1938.....	58,618,406	415,263,154	49,500,000	516,258,808	108,118,406	931,621,962
1939.....	70,556,972	449,931,374	48,075,000	559,175,744	118,631,972	1,009,107,118
Total.....	1,627,392,595	19,424,909,470	814,358,448	12,147,674,347	2,441,750,043	31,572,583,817

* Includes \$1,000,000 available to the Secretary of War and the Secretary of the Navy for purchase of aircraft patents.

SOURCES

Army: 1890-1922, 1931-38—Digest of Appropriations, 1938; table C, pp. 852-859. 1928-30—United States Budget, 1924-31. 1939—United States Budget, 1940.

Navy: 1890-1933—Digest of Appropriations, 1938; table C, pp. 852-859. 1939—United States Budget, 1940.

AVIATION

Army: 1912, 36 Stat. 1038; 1913, 37 Stat. 571; 1914, 37 Stat. 705; 1915, 38 Stat. 353, 359; 1916, 38 Stat. 1064; 1917, 39 Stat. 622, 910, 40 Stat. 187; 1918, 40 Stat. 42; 1919, 40 Stat. 816, 843-849, 1027; 1920-39, United States Budget, 1922-40.

Navy: 1912, 36 Stat. 1268; 1913, 37 Stat. 343, 348; 1914, 37 Stat. 894; 1915, 38 Stat. 396; 1916, 38 Stat. 930; 1917, 39 Stat. 559, 40 Stat. 203; 1918, 39 Stat. 1169-1170, 40 Stat. 369; 1919, 40 Stat. 706; 1920-39, United States Budget, 1922-40.

(Thomas R. Baldwin, Nov. 21, 1939.)

Mr. THOMAS of Oklahoma. Mr. President, I shall not divert my remarks at this time to an explanation of what became of all this money, for the one very good reason that I do not know. The Senator from Minnesota has as many facilities for investigating as I have. I think he is on the Military Affairs Committee, though I may be in error. I am not on that committee. I am on the Appropriations Committee. My committee cannot recommend the appropriation of money unless the Senator's committee recommends an authorization. The first step in making an appropriation is an authorization bill, which must come from a legislative committee of the House or the Senate. My committee does not pass on whether or not we need something; that is passed upon by the policy-making committee—that is, in the case now before us, the Committee on Military Affairs. My committee considers a request as it may be authorized by the policy-making body, the Committee on Military Affairs of the House of Representatives or the same committee in the Senate.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. CONNALLY. I wish to confirm what I stated awhile ago about the cost of the Army. The senior Senator from Colorado [Mr. ADAMS] has shown me the kindness of giving me the figures as to what the Military Establishment of the United States costs per man. It cost the United States \$3,400

per annum for every soldier in the Army, based on an Army of 220,000, which is considerably larger than the Army we have in peacetimes. I want those figures in the Record to confirm what I said awhile ago.

Mr. LUCAS. Mr. President, will the Senator from Oklahoma yield to me?

Mr. THOMAS of Oklahoma. I yield.

Mr. LUCAS. Am I to understand from the statement made by the Senator from Texas that our Government spends on each soldier \$3,400?

Mr. THOMAS of Oklahoma. Oh, no.

Mr. CONNALLY. That covers all the military appropriations. It does not spend that much on each man, but counting all the appropriations for military purposes, and then figuring the number of men in the Army, it costs \$3,400 a man per annum.

Mr. THOMAS of Oklahoma. The total number divided by the total personnel gives that quotient. It means that the cost of all equipment, clothing, land, housing, repairs, the cost of ammunition, of cannons, guns, and everything of the kind, goes to make up the total, and dividing the total expense for all kinds of military purposes by the number of personnel in the Army we get the quotient stated by the Senator from Texas.

Mr. BYRNES. Does the Senator from Oklahoma know whether in reaching that conclusion the figure used relates to the number of enlisted men in the Regular Army, and has no reference to the National Guard?

Mr. THOMAS of Oklahoma. I prefer that the Senator from South Carolina direct the inquiry to the Senator from Colorado, who gave the figures. The question is, Does the quotient refer to the Regular Army; or to the Army and the Navy; or the Army, Navy, and the Air Corps; or the Army, Navy, and Marines; or does it include the National Guard of all the States?

Mr. ADAMS. As the Senator has stated, it is the mathematical result of dividing the total of the military appropriations by the number of soldiers in the Army. Of course, it does not mean that that amount is spent on or for each individual soldier. It is merely an effort to give some figure for comparison between the cost of our Army and the cost of other armies. It does not include the National Guard. The figure is merely a pencil notation of the cost of our Military Establishment per individual soldier, not the amount expended upon the individual soldier.

Mr. McKELLAR. Mr. President, will the Senator from Oklahoma yield?

Mr. THOMAS of Oklahoma. In a moment. We have now about 227,000 men in the Regular Army, if the quota is full; it is not full yet but it is being filled as rapidly as possible. We have almost 250,000 in the Marine Corps and in the Navy. Then taking in the Reserve Corps, the remnant of the officers of the World War, we have something like 135,000. We have a very large number of boys who have completed courses in the C. M. T. C., the R. O. T. C., and other similar organizations, who are entitled to be enrolled in the Military Establishment. They have placed themselves in position to be called if war should come. We have almost a million men who might be classified as being more or less in our Military Establishment. But I am talking only about the Regular Army Military Establishment of 227,000 men.

I yield to the Senator from Tennessee.

Mr. McKELLAR. I was going to make the same explanation the Senator has made. We have about 227,000 now in the National Guard who are being trained every year.

Mr. THOMAS of Oklahoma. Yes; I omitted those. They should be added to the number I mentioned.

Mr. McKELLAR. They number about 227,000 and they are very excellent soldiers, I have no doubt. They are being trained under the same appropriation. So that if we consider all the groups who fall in the Army as just enumerated by the Senator from Oklahoma, together with the National Guard, it would reduce the cost of the Army very greatly per unit, so that it would be shown that the cost would not exceed \$1,200 a man.

Mr. THOMAS of Oklahoma. The total sum appropriated for our Military Establishment embraces all branches of the Army, so while I have not seen the concrete figures, it is my judgment that the Senator from Colorado used the total amount of the appropriation and divided that, not by the total personnel of these complements but probably by just the number in the Regular Army, or 227,000. If so, the figures given are not exactly accurate.

Mr. CONNALLY. I beg the Senator's pardon for interrupting him again, but I think it is hardly fair to say that the inclusion of the members of the National Guard, prorated, greatly reduces the figure, for the simple reason that the National Guard draws pay for only a fractional part of the time. The guardsmen camp only 2 or 3 weeks a year, and while their little monthly bills are paid, the amount is infinitesimal compared with what we spend on the Regular Army. It is true that the costs, as I understood the Senator from Colorado, do include the appropriations for the National Guard, but the expenditure for the National Guard is only a fraction of what it would be if the same soldiers were in the Regular Army.

Mr. McKELLAR. That is, indeed, true, and the expense of the private soldier in the Regular Army accounts for only a fraction of the entire appropriation. But I wish to say that we have found by actual experience that the National Guard, though they do not get the training of the Regular Army, when it comes to fighting, are very excellent soldiers, some of the very best.

Mr. LUCAS. Mr. President, will the Senator from Oklahoma yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. LUCAS. I should like to observe that, insofar as the National Guard is concerned, much money is appropriated and spent for the Regular Army equipment which could be used by the National Guard in emergency just as the Regular soldiers could use it in case of emergency. While there is only a small amount appropriated for the actual pay of the guardsman, because he serves for only 2 weeks, at the same time the trucks, and the machine guns, and the ammunition, and all such things, are as necessary for the National Guard army of some 300,000 as they are for the peace-time Regular Army.

Mr. McKELLAR. Mr. President, will the Senator from Oklahoma yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. McKELLAR. Awhile ago the Senator spoke of the lack of rifles in the Army, among other things. It was testified before our committee that we now have in the neighborhood of 2,500,000 Springfield and Enfield rifles, which served a good purpose, and were considered among the best rifles, and have always been so considered. It is true that a new rifle has been perfected which is considered better, and that the Government is now manufacturing those rifles in one arsenal for its Army, and the number is about the number the Senator mentioned a few minutes ago. On the other hand, in the present war private companies have started the manufacture of these excellent rifles. So I do not think there will be any dearth of rifles in the next war.

Mr. THOMAS of Oklahoma. Let me keep the record straight, however; that statement is only partially true. We have let one contract to one of the big rifle companies, the Winchester Arms Co., if I remember correctly, to make 65,000 rifles.

Mr. McKELLAR. That is true.

Mr. THOMAS of Oklahoma. That is the only extent to which we have gone out of our own regular arsenal at Springfield, in Massachusetts, to provide the new rifles.

Mr. McKELLAR. That is entirely true; but at the same time there are private companies now making rifles for foreign nations, and those private companies could be utilized in the event of any trouble. I merely wanted to show that we are not without preparation when it comes to rifles.

Another matter is that of ammunition. It is true that a great deal of ammunition becomes old and has to be reconditioned. The Army is looking after that matter, and the

officials testified in the hearings that they have a sufficient quantity of ammunition to go along with the rifles.

Mr. THOMAS of Oklahoma. Mr. President, we want to keep the record straight as we go along. We are now making in our own arsenal at Springfield, Mass., approximately 100 rifles a day, that is, the Garand rifle, a new, modern rifle, adopted as the standard rifle in 1936. Aside from those rifles, we have let but one contract, and that contract is to the Winchester Arms Co. The contract covers 65,000 rifles, at an expense of about \$120 a rifle.

To enable this company to make these rifles it must do what is called "tooling up"; that is, it must procure the machinery with which to make the rifles. Such machinery is very valuable. It takes a year or 14 months for a manufacturing concern to obtain the machinery with which to make the rifles. So, while we let this contract months and months ago, the Winchester Co. has made no rifles. The company has not yet procured any machinery. It will not have machinery for some months. And after it gets the machinery, say in a year or 14 months, it will then begin to make a certain number of rifles, to wit, 65,000. Then, unless this concern gets a new contract, it will have machinery on hand which will be practically worthless. That is the reason why the rifles to be made by the Winchester Co. cost about \$120 each, whereas we can make them in our own arsenal, and are making them, for about \$80 or \$90 a rifle; and as we speed up production and the men become more familiar with the machinery, that expense will be cut down.

Mr. LUNDEEN. Mr. President—

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from Oklahoma yield to the Senator from Minnesota?

Mr. THOMAS of Oklahoma. I yield.

Mr. LUNDEEN. It would seem to me that we should give a continuing contract running over a period of years to this company, or any other company doing this work. Let there be some planning in the matter. That will cut down expenses and save our taxpayers some real money.

Mr. THOMAS of Oklahoma. Mr. President, I will state to the distinguished Senator from Minnesota that it will be my purpose to make a request of the War Department officials that they speed up the production of the improved rifles. We have 225,000 Regular soldiers, the National Guard, and the marines and the men of the Navy, who must use rifles. If they must use rifles, they are entitled to the best rifle the mind of man can invent or perfect or produce.

Mr. LUNDEEN. Mr. President, I should like to say to the Senator in that connection that many Americans will vigorously oppose selling these valuable modern rifles to some foreign government at a dollar apiece. I am sure the Senator will agree with me on that. We invent these weapons of defense for America; let us keep them for our own country.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. DANAHER. I should like to ask the Senator if he can tell us whether or not the tools to which he makes reference will become the property of the United States Government?

Mr. THOMAS of Oklahoma. I cannot answer that question.

Mr. DANAHER. The reason for my inquiry, I may add, is that report has it that the very company to which the Senator from Oklahoma has made reference sold all of its previously owned machinery to Russia. I wonder if the Senator knows whether that is so.

Mr. THOMAS of Oklahoma. I am not advised.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. GURNEY. I believe I have a little information concerning the Garand rifle, and that information is to the effect that our Government arsenal is now making Garand rifles at the rate of 200 a day. Our contract with the Winchester Co. is for 65,000 rifles, and the Winchester Co. will complete that contract in approximately 15 months. At the end of the 15 months' period the stocks and dies and necessary machinery will remain the property of the Government for a number of

years. During that time the Winchester Co. will have to keep its plant in shape to make more rifles for our Government if the Government so desires.

Mr. THOMAS of Oklahoma. Mr. President, still desiring to keep the record straight, let me say that when we inspected the Springfield Arsenal we were shown the plant by the man in charge, Colonel Stewart, and, naturally, our committee members plied the colonel with many questions. I was with the colonel most of the time we were there. I was advised that he was making at that time approximately 100 rifles a day. Upon my return to Washington I dispatched a letter to the colonel asking him to advise me definitely how many rifles he was making a day, and how many he could make a day with his present equipment, and what it would cost to speed up production so as to make 200 a day, or 400 or 500 rifles a day. His reply was that they were not making 200 rifles a day. The number is approximately 100. But Colonel Stewart said that with increased facilities and increased equipment, and the better training of his men—because they are all new in this business—he hopes to speed up production, and he may make as many as 200 a day in the very near future.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. ADAMS. Let me give an item of information that came before the Senate committee. We find that a little conflict exists. On page 60 of the committee hearings General Gasser, who is the Deputy Chief of Staff, said with respect to these rifles:

We are getting them at the rate of 4,000 a month, and we have on hand now about 24,000 or 25,000. * * * By June 1942 we expect to complete those that are now on order, namely, 149,628.

There seems to be some confusion, because Colonel Kutz said:

* * * In the Springfield Armory the production is 200 per day.

In other words, General Gasser said they were receiving 4,000 a month and Colonel Kutz said the production is 200 a day.

The Winchester contract provides that 65,000 shall be completed by June 30, 1942.

I think one other bit of information should go into the Record; that is, with reference to the ordinary rifle. The witnesses before the committee said that the Army possesses 850,000 Springfield and 1,850,000 Enfield rifles. They said that the British Army today is largely using Enfield rifles. In other words, so far as shoulder rifles are concerned, the ordinary kind, there are on hand nearly 2,000,000 rifles.

Mr. THOMAS of Oklahoma. Mr. President, it is obvious to anyone that there are no more rifles in the country than have been manufactured. It is obvious that no military establishment has received more rifles than have been manufactured, and when we were at the Springfield Arsenal shortly before the holidays we had the word of Colonel Stewart, who is the commandant, that he had turned out and delivered approximately 22,000 of the new rifles.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. BYRNES. I do not think there is any conflict between that statement and the testimony given last week by General Gasser.

Mr. THOMAS of Oklahoma. There could not be.

Mr. BYRNES. As I understand, the production is 200 in the Springfield Arsenal, and he said, roughly, there were 20,000 on hand as of the 1st of the month, as I recall. The figure as of next month will be 25,000. There is no conflict in the testimony given before the committee.

Mr. THOMAS of Oklahoma. There is no controversy. The moment these rifles are made they are shipped. There is such a demand for the rifles that they are hardly completed at the plant before they are on their way to their destination. Our committee traveled 10,000 miles looking for these rifles before we found one of them. We covered the southern part of the United States. We went to Panama. We came back to Texas, went to San Diego, went up through California to Oregon, back to Ogden, Utah, back to Salt Lake City, over to Cheyenne, Wyo., and

we found at Cheyenne that the rifles had been there, but there were none there then because the officer who had received the rifles had been sent to Camp Jackson, in South Carolina, and the guns were all gone. We went to Denver. We found none of the new rifles there. We went to Fort Riley, Kans., and there we had our first sight of one of these new rifles. At the city of San Francisco is a very beautiful fort, one of the finest in the world. There we asked about these rifles. The commandant said they had seen one of them, which had been sent there and had been on exhibition a couple of days and was then sent on to be placed on exhibition at some other point. So at Fort Riley, Kans., we finally ran down the first one of these new rifles.

Mr. President, further answering the question asked by the distinguished Senator from Tennessee, I wish to call his attention to one thing which I found, of which I am sure he will not approve. He mentioned the reconditioning of ammunition. It is true we have millions and millions of rounds of ammunition. We have millions of rounds of shells of the 3-inch variety, the French 75, so-called. We have many millions of rounds of rifle ammunition. It fits into the rifle used in the Spanish-American War—the Krag-Jorgensen. It fits also into the new Springfield rifle, and it fits the more modern Garand rifle. We have millions of rounds of that ammunition. But the 3-inch shells to which I have referred were fabricated for use in the World War. That was more than 20 years ago. Some of these shells are not in very good condition, and since they are not in good condition, because of age, it has been decided to recondition them. They are now located in Hawaii; they are located in Panama; they are located in Puerto Rico. The Senator's committee, of which I am a humble member, makes recommendations each year for the appropriation of millions of dollars for the War Department. Of that money hundreds of thousands of dollars are used for paying freight and expense of transportation.

At this moment we are bringing back the old shells from Hawaii, from Puerto Rico, and from Panama to the United States to be reconditioned. I will not say they were made exactly 20 years ago, but they are old shells and later on were sent to Hawaii, Puerto Rico, and other places. When these shells are reconditioned, the first thing to do is to take off the nose or cap. Then the TNT is taken out. Then the shell is refilled with new TNT and a new nose put on, and the shell is repainted, relabeled, and sent out again.

Those shells must be shipped back from Hawaii, first to San Francisco, and then by freight from San Francisco to Ogden, Utah. The man in charge of the Ogden arsenal told our committee that just before we came there he had paid a freight bill of over \$200,000 on one shipment of old shells from Hawaii. Over \$200,000 was paid in one item of freight for shipping shells from San Francisco to Ogden, Utah. When the shells got back to Ogden it was a simple process to recondition them.

Mr. President, for the sake of the Record—and that is the only way we can get this matter before the Senate—let me say that in a dictatorship or monarchy the man at the top would run the Army, the Navy, the Air Corps, and everything else, and the public would not know anything about it. Here in the United States, however, we boast of having a democracy. Having a democracy, the people should know and they would like to know the details of all these matters. The reconditioning of shells is a simple process. I am coming to the point I wish to make.

A plant for reconditioning shells can be constructed for as little as \$10,000. The plant requires no house. The only thing required is a concrete block which looks like a wedge. On the front side of the concrete block is usually a mountain or a hill, so that if a shell should explode between the concrete block and the mountain no one would be injured.

There are many places in the United States where we can find a mountain or a hill and a place 100 yards from it to build a big concrete block, 10 feet thick at the base, and tapering to a thickness of only a foot at the top.

On the front of the concrete block is a vise. An old shell is put into the vise to hold it steady. Then a wrench is

put on the nose of the shell. There is a shaft which runs back through the concrete block, and a man stands behind the concrete block, perfectly safe, because if in turning the shaft to remove the nose of the shell the nose should explode, it would explode against the mountain or hill, and no one would be there to be injured. To date there has been no explosion. The expense of building such a concrete block is very small. The machinery for taking off the nose of the shell is inexpensive.

After the shell has been relieved of its nose, the shell, with no nose on it, is put on an inexpensive rack—a little streetcar track, so to speak—and placed over a small pool of boiling water. The steam coming up from the little pool of boiling water softens the TNT, which, becoming wet with steam and hot water, falls out, leaving the shell empty. It is then ready for reloading.

A plant for the reconditioning of shells can be built anywhere in the world for from \$10,000 to \$50,000, which is the maximum cost. No house is required. There is no house at Ogden, Utah, or Charleston, S. C., where the same operation is being performed. I believe someone is overlooking a point. At Charleston, S. C.—that fine city in the State of the distinguished junior Senator from South Carolina [Mr. BYRNES]—there is a plant of this kind. From San Francisco one shipment of shells was sent to Ogden, at a cost of \$200,000.

In South Carolina, a few days before we were at Charleston, on one little shipment of shells from the dock at Charleston across a long toll bridge, through Sullivans Island to Fort Moultrie, more than \$8,000 freight was paid. When the work is done and the shells have been refilled and reconditioned, they must be sent back to the dock at Charleston, which involves another \$8,000 of freight. Then they must be transported to Puerto Rico, Panama, Hawaii, or some other place where they are to be used.

Mr. President, of course the War Department is like the Congress in that no one man controls the War Department. No one man knows all about the War Department. Each man has his little niche, his little work to perform. Apparently, no one man knew all these things that were being done in the reconditioning of shells. If he had, I cannot conceive of any official of the War Department consenting for a single day to shipping shells from far-away points back to America to be reconditioned and then sending them back again, when a reconditioning plant could be built in Hawaii, Puerto Rico, or the Panama Canal Zone at a cost not exceeding \$50,000, which would save transportation to the United States and from the United States back to the point where they are to be used.

I commend that suggestion to the distinguished ranking member of the Senate Committee on Appropriations.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. McKELLAR. I am very much interested in what the Senator has said about saving money. I am not familiar with the details of reconditioning shells. However, I have before me the statement of Colonel Kutz, which states exactly what is being done. It seems to me that reconditioning shells is a sensible thing. Whether or not it could be done more cheaply I do not know. I take it the Senator has examined that question. Perhaps it could be done more cheaply. However, this is what Colonel Kutz said about it:

Colonel Kutz. We maintain continuous surveillance of all lots of ammunition, both in storage and in the hands of troops. There is continuous surveillance of the smokeless-powder propellant and also of the shell filler itself, in order to detect any deterioration so that when a particular lot of powder approaches what is regarded as the end of its normal life, say approximately 20 years, and our surveillance tests indicate advanced deterioration, all lots of ammunition which are loaded with those propellant powders are immediately withdrawn from service, and then they are broken down, and the serviceable components are salvaged and reused in loading new ammunition.

We have renovating plants at four or five of our field service establishments where we currently renovate ammunition. That is now going on. For instance, take our 75-mm. shells. Complete rounds are broken down, and the smokeless powder which has deteriorated to a dangerous degree is taken out, and new rounds are assembled, using new powder.

Senator BYRNES. Let me ask you again about this. The gentlemen who have been investigating these matters are alarmed and some people have taken the position that 20 years being the normal life of powder, and we had a lot of powder on hand at the conclusion of the war, a lot of ordnance supplies, and 20 years now having elapsed, they think that we are continuing to rely upon munitions that are no longer of any value. You make this survey continually, do you not?

Colonel Kutz. Continually; yes, sir.

Senator BYRNES. Then in your training of men in the Coast Artillery work, do you use some of that ammunition at that time?

Colonel Kutz. Yes; and we have naturally adopted the best business practice. We turn over the older stocks first. The funds which you give us for training ammunition each year are put into new stocks. The ammunition which is used, naturally, is drawn from that that has been longest in storage—the oldest ammunition which is available.

Senator BYRNES. When you use that ammunition you then ought to be able to get a pretty good idea as to the condition of your supplies?

Colonel Kutz. Yes, sir.

Senator BYRNES. When you take some of those shells and use them in the artillery and when you try them out in the course of artillery training, you ought to get a pretty good idea as to the condition of the other shells you have not used, but which are of the same age.

Colonel Kutz. Yes, Senator; in addition to the regular current surveillance of all powder lots, we annually fire test lots at the proving ground in some cases we have the troops fire test lots of ammunition which are approaching the end of their service life to determine their actual serviceability for accuracy firing.

Colonel Kutz went on to testify that the appropriations for the renovation of ammunition had recently been increased. The Department has the necessary money to renovate ammunition. So our ammunition is in good condition. Whether or not the reconditioning could be done more cheaply, I do not know. The Senator's plan may be very much better than the one which is being used, but certainly, if Colonel Kutz's statement is correct, we have proper ammunition for our guns. I hope he will consider the Senator's plan, and I hope the reconditioning can be done more cheaply than it is now accomplished.

Mr. THOMAS of Oklahoma. Mr. President, I did not intend to imply that our ammunition is of a defective character. I am sure it is not. For training purposes it does not make much difference. If a shell will not shoot, it simply will not shoot, and that is all. As hunters, I am sure many Members of the Senate have had the experience of shells failing to fire. It may be that some of our shells will not fire.

Mr. ADAMS. And we have obtained the same results as though they had fired. [Laughter.]

Mr. THOMAS of Oklahoma. The distinguished Senator from Colorado suggests that if the shells had fired, the result would have been the same. That observation may apply to the game sought by hunters; but it certainly should not apply if we had more important game at which to shoot.

Getting down to the particular point, if we are to have an army, its personnel should be placed where it is most needed. Some will contend that the soldiers should be trained in the interior, at small posts scattered throughout the United States. If war should come, the soldiers would be drawn from the small posts and placed in great cantonments for training purposes, so that the Infantry could be trained with the Artillery, and those two branches could be trained with the Air Corps, and all of them could be trained with the Engineering and Chemical Warfare Divisions, and so forth.

I am of the opinion that we should treat our Army today as though we might be called upon to use it tonight or tomorrow. Nations no longer declare war. So far as I know, Italy never declared war on Ethiopia. So far as I know, Japan has not declared war on China. So far as I know, Russia has not declared war on Finland, although I noticed in the public press a statement to the effect that unless the Finns "stop stealing Russian arms," Russia will declare war on Finland. So far as I know, Germany has not declared war against Great Britain and France. I think perhaps Great Britain and France have declared war against Germany, though I am not sure about that.

However, Mr. President, the point is that an army, to be effective, must be ready for instant use. We cannot depend upon a period of time between the outbreak of war

and the time when actual hostilities begin. We cannot depend upon 6 months, or 9 months, or a year. In my opinion we must have an army ready to fight tonight if the occasion exists for a fight tonight or tomorrow. If my position be correct, that nations no longer declare war, but are constantly ready for war, the Army ought to be assembled, ready for fighting. Japan is ready for war. Germany is ready for war. Russia is ready for war. Great Britain and France are ready for war. Other great nations are ready for war. We must be ready for war if we have to meet those nations. I hope that time will never come; but if it shall come we will not have 6 months or 9 months or a year to get boys out of the small camps into large cantonments and then build rifles and cannon, recondition ammunition, and train the boys for service. The Army must be ready at once.

So, Mr. President, I want an army so small that we can afford to train the personnel of the Army to the "nth" degree. I want an army so small that we can give it proper clothing and housing, proper rifles, proper cannon, proper planes, and proper ammunition; and, with it all, properly trained, one unit with another. That makes it necessary to have our Army scattered at pivotal points; and, from my point of view, the Panama Canal is the one pivotal point that ranks "ace high" in our national-defense establishment. So long as the Panama Canal is open, the Navy can be transported from the Atlantic to the Pacific, and vice versa; so long as the Panama Canal is open we can get men and supplies from the eastern seaboard to the western seaboard. If the Panama Canal should be closed, then, of course, all that would be stopped. So, from my viewpoint, the Panama Canal deserves first consideration in our national-defense program.

The Panama Canal, from that standpoint, is not being overlooked, though, Mr. President. We have in the Panama Canal Zone now about 17,000 men. We are spending in the Canal Zone, in improving our defense there and our equipment, many million dollars. We have authorized the appropriation of \$247,000,000, as I recall the amount, to build a new set of locks in the Panama Canal. We are, on the Atlantic side, expanding the air field, what is known as France Field, at an expense of many million dollars. We are expanding the Allbrook Field on the west side at heavy expense. We are building a new air port away from these fields at terrific expense. We are tearing down hills in Panama and filling valleys to make land sufficiently level on which to build houses to shelter the larger complement that has to be housed there. There is practically no level land in the Panama Canal Zone. There are many swamps, and the swamps, if they are to be used, must be filled in. The land must be obtained either from the ocean or the bay or from the hills to make the land. They are tearing hills down, leveling off the hills, to make level areas on which to build houses with which to shelter the soldiers. At Fort Davis they are now leveling off land so that there may be built houses to accommodate approximately 10,000 additional soldiers, so that, when we get through there, we will have, with the additional complement, soldiers of all kinds of approximately 25,000.

If that is a mistake, we had better find it out now, because the program has not as yet been completed. If it was a mistake to expand France Field, let us decide it is a mistake, and not make the appropriation. If it is a mistake to build the new air field close to Allbrook Field in the interior, let us find it out now, and not spend that money. If it is a mistake to tear down the hills and level the valleys, so as to be able to build houses for the soldiers there, let us find that out now and not send the soldiers there. We cannot send them there unless there are housing facilities for them. In order to have the housing facilities, we must have the land; we must ship the materials with which to build the houses. If that is a mistake, let us decide it to be so now and save that money. If, however, we have to carry out the program of fortifying the Panama Canal Zone, keeping that zone free and open, protected and safe for American ships to go back and forth, then we must maintain soldiers there.

On the west side we have Hawaii, highly developed, highly fortified, as a protection to the west entrance of the Panama Canal Zone. We have in Hawaii our largest fort. We are spending more money in Hawaii for the defense of the west Pacific coast and the defense of the west entrance of the Panama Canal than on other fortifications. If it is important to defend the western side of the Canal, it is important to defend the eastern side of the Panama Canal which faces the Caribbean Sea. If we defend the eastern entrance to the Panama Canal, we must do it on some territory which we own.

What territory do we own on the eastern side away from the entrance from the Panama Canal? Puerto Rico is about the nearest, unless, perchance, it may be the Virgin Islands, but they, I think, are farther away than Puerto Rico. As stated earlier today, the Spaniards 400 years ago decided San Juan was the farthest point from America in Puerto Rico. There is a beautiful bay at San Juan; a superb harbor; a fine climate. There is practically no level land there; the terrain is mountainous; the only level land is in the valleys; and such land is used for sugar cultivation. There is not much of valley land and it is very expensive. However, we must depend upon some of our possessions on which to build our fortifications to protect the eastern side of the Panama Canal Zone. We have decided to do that at San Juan in Puerto Rico. At a point in the northern part of Puerto Rico they are building now an airfield. If it is a mistake to fortify San Juan, let us decide it to be a mistake now; bring out of San Juan the Navy complement. There are dozens of ships in the bay there at this moment. The Navy is dredging the bay and throwing the silt out of the bay into a swamp, thus building up the swamp and making for the Navy their own base and airfield at San Juan. We can save multiplied millions of dollars by stopping the dredging of that bay and throwing that dirt and silt over into the swamp. The water runs off and leaves the silt and after a while they have a field there, an airfield, exactly like we are building in the Potomac River on the outskirts of Washington. They are building at San Juan for the Navy a vast and expensive airfield and it is being built by dredging the lowlands, swamps, and bays.

If that is a mistake, if we are going to get out of San Juan, let us save our money; let us save millions of dollars in the naval appropriation bill by withdrawing the Navy from San Juan. But, Mr. President, if we are going to use San Juan as a base for the Navy, it is a rule in our military defense establishment that where the Navy goes the Army must follow to protect the Navy; otherwise, the Navy ships would have to stay there to protect themselves. So the rule in the Army is that where we have a Navy base, under an unwritten or a written law—I do not know which—the Army is under obligations to protect the Navy base with Army fortifications and Army men. So if we have the Navy at San Juan we must follow with the Army. If we are to have an Army in San Juan we must have some place in which the Army may live. What kind of a place have we there now?

Mr. President, I vouchsafe the statement that, with the exception of two of its members, no Senators have seen the proposed military fortifications of San Juan; and the hearings on this particular item in the Senate committee were practically nil. The House took some testimony on this item, but when the bill came to the Senate, no member of the committee who knew anything about it being present, there was no evidence given. So they saw a place in Puerto Rico where they could save two or three hundred thousand dollars by refusing to appropriate money for the purchase of some land to be added to the Fort Buchanan Reservation on which we must build a place to house soldiers necessary to protect the Navy at that point.

We have at San Juan, Fort Buchanan. That fort is on a tract of land, purchased by the Government, consisting of less than 300 acres. The land is rough. I repeat that there is very little level land in Puerto Rico. Even Fort Buchanan is rough. It is made up of hills, small mountains, and valleys, but most of it is serviceable for Army purposes, because they can use each particular part of the land for some particular purpose. Our committee saw on the 300

acres that we now own there stores, military equipment, and men living in tents. I am not complaining about men living in tents; we saw them at many places where they should not be living in tents; but in Puerto Rico we saw a great number of tents. They were screened; they had wooden floors, and they were all right for that southern climate; but the men are living in tents in Camp Buchanan today. Furthermore, the storehouses there have no shelter. We saw in a valley—and we have photographs to prove what I am going to relate—a row of what are called sound detectors, which are expensive machines with rubber tires, equipped with gigantic horns that can be pointed upward. The detectors have mechanisms something like those on loudspeakers, so that when the horn is pointed upward and is moved around, if an airplane is flying in the vicinity, the horn will gather the sound and bring it down, and the machinery under the horn transmits that sound to the ear of the listener, so that the presence of an airplane miles and miles away can be detected. Yet we saw those machines, costing thousands upon thousands of dollars apiece, standing out in the open.

There was no house there to shelter them; not even a tarpaulin or a tent was over them, and they are left in that condition there today. We saw millions of dollars' worth of supplies necessary to take care of the few thousand soldiers there now, but there was no house for those supplies. They were under tents, under tarpaulins. We saw stack after stack of ammunition being used now for training purposes, but which might be used tomorrow for some purpose other than training, out on the hillsides. It is true there was a wire fence around them but the stacks of ammunition had nothing above them except oiled cloth or cotton cloth called tarpaulin. There is no land at this particular point at which to house a vast establishment.

In the State of Colorado we are building just east of Denver a gigantic airfield and air base. We have taken our men out there and our money, and we have virtually taken down the hills and moved them away. We are building there the finest air field in the world, costing millions upon millions of dollars. We have taken over there an old health resort, and are now using it as a base for the Military Establishment so far as officers are concerned. Then we are building there a gigantic camp. There is one hangar on this field that is large enough to hold both Democratic and Republican conventions at one time, and one convention would hardly know of the presence of the other. We found in the West one hangar that is so large that the mist gathers inside the hangar, and it rains inside the hangar when it is clear and the sun is shining on the outside. That is not a fabrication. We were told that that is the truth. I did not see it. That was not in Colorado, because not much rain falls in Colorado.

Mr. President, if we want to save money we can stop the activities at Denver and save multiplied millions. We were advised at Denver that after this great airport is built they will have a great complement of bombing airplanes; and in order that bombing airplanes may be efficient they must have some place to practice dropping their bombs. They cannot drop bombs in a civilized community where people live, because a bomb might unfortunately fall on some man's house, or on his farm, or on a city, and the damage would be severe. In order that bombing planes may train they must have a large tract of ground where nobody lives, so that they may fly out over the ground, put a target out there, and then from various distances—a mile, 2 miles, perhaps 4 miles, 5 miles, 6 miles, or 10 miles—they may drop their bombs. It takes a long time for a bomb to reach the ground after it is dropped. If a man could see it coming he could run out of the way, but one cannot see them coming. He can hear them, but he cannot see them. In order that the institution at Denver may be efficient, after we have spent millions upon millions upon it, we must buy in Colorado or in Utah or in some other place a great tract of ground to which the planes kept on the field at Denver may fly and drop their bombs and thus train. I am for that. If we are not going to do that, then I want to close the establishment located at Denver.

Mr. ADAMS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Colorado?

Mr. THOMAS of Oklahoma. I yield.

Mr. ADAMS. I desire to say to the Senator that the fields in Denver were not bought by the Government but were bought by the city of Denver and its constituents, and donated to the Federal Government.

Mr. THOMAS of Oklahoma. Mr. President, I do not question that statement; but I challenge the inference that the city of Denver, or the county in which Denver is located, or the State of Colorado, has contributed a single penny to the work which is now going on at that point, giving employment to thousands of men, and which in the end will cost multiplied millions of dollars.

Mr. President, if we are going to have a naval establishment in San Juan to protect the Panama Canal, the Army must protect the naval establishment. If we are going to have part of the Army down there, we must have some quarters in which the Army may live. San Juan is on a little, narrow island, and the people on that island are so numerous that it is difficult to get through the narrow streets. There is hardly any place on the island for even the officers to live. General Daley, in command at San Juan, has to live in a house that was built in the year 1500. Columbus only discovered this country in 1492. Puerto Rico was discovered shortly afterward. The Spaniards had charge of Puerto Rico, and the Spaniards saw the military importance of Puerto Rico, and began to fortify San Juan.

In addition to building a very fine fort for that day, which is still preserved, they erected a building for, I presume, the high official, Ponce de Leon. I think he was there at that time, and I think he had charge of building the castle, called Casa Blanca. So, General Daley is now living in an old castle on the main island of San Juan called Casa Blanca, built in 1500. It cannot be said that that was an expense to the United States. Close to Casa Blanca castle he has converted some old, vacant buildings, as I understand, into a headquarters. He has planned now to spend, or will try during this Congress to obtain, sufficient money to buy a little land in the slums of San Juan proper on which to extend his military establishment, because if we are to fortify San Juan we must have some place in which the officers may live.

So, if we are to have part of the Navy there, I say again, we must have part of the Army there, because it is a rule that the Army must defend and protect naval bases. If we are to have part of the Army in San Juan we must have some place for the Army to be housed. We already have Fort Buchanan; and this little item has for its purpose the appropriation of about half the required amount of money to start buying land adjacent to Fort Buchanan on which may be built a magazine to store ammunition and a depot or warehouse in which to store the supplies which are now there out in the open. In addition to that, of course, the Army must have a place to build permanent houses for the permanent establishment, which means barracks and things of that character.

Mr. President, we are going to buy this land. We may not do it in this bill; we may not do it during the life of this Congress; but, as surely as the Congress exists, money will be made available with which to buy this land or some similar land in San Juan, Puerto Rico. I regard San Juan as being as important to the defense of the Panama Canal as are the Hawaiian Islands. If it is important to fortify the Hawaiian Islands with the most expensive military establishment in the world—and the largest camp in the world is now located in the Hawaiian Islands for the purpose of protecting the Pacific seaboard and the western entrance of the Panama Canal—then, in my opinion, we must provide similar establishments on the eastern side to protect the eastern entrance of the Panama Canal.

Mr. CONNALLY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Texas?

Mr. THOMAS of Oklahoma. I yield to the Senator from Texas.

Mr. CONNALLY. If Puerto Rico is—and it is—such a strategic point for the protection of the Panama Canal, it is more important as a naval base than as an Army base; is it not?

Mr. THOMAS of Oklahoma. I agree with the Senator; but under the rule—

Mr. CONNALLY. I ask that question because we might have all the Army we wanted to have in Puerto Rico, but if any nation were going to attack the Panama Canal it would merely route its ships around Puerto Rico and go down and hit the Canal. As a naval base, I think it is of the highest importance; and yet I cannot see the necessity of maintaining any very considerable military establishment in Puerto Rico, unless it is for the accommodation of aircraft.

Mr. THOMAS of Oklahoma. Mr. President, what would happen to this necessary naval base, then, if trouble should come, and the ships should be drawn out of the harbor, away from the base? What would happen to the base while the ships were gone? The rule is that the Army protects the naval bases while the ships are away. The ships are not supposed to protect the bases from which they come. That is the duty and responsibility of the Army. So, if that is true, we must have at San Juan land on which to house these soldiers. The Army does not now have it.

Mr. President, one further word. I have occupied too much time already; but while I am on this point I might just as well cover it a little more fully.

It is my conviction that battleships are not of much benefit in modern warfare. I think they are only targets for the enemy air forces. I read a squib in a newspaper the other day, or heard it stated, that if a few more of Great Britain's capital ships were sunk, in the event the King desired to inspect his fleet he might have to put on a diving suit.

It is proposed to expend multiplied millions in building battleships. I voted for some of those bills. When I cast my vote I was not satisfied that I was casting a sound vote. I am not satisfied now that I cast sound votes in voting multiplied millions of dollars with which to build battleships.

Some one may want to know why I make that statement.

Mr. President, I saw in San Francisco Bay a demonstration which is the basis of my present statement. In San Francisco Bay, close to Fort Hamilton, which is the big air field, I saw a target placed out in the shallow water. The target seemed to be about 50 feet across. It looked like an inverted saucer and as if it might be made of a wooden frame, covered with tin. The tin was about the color of the pink slips that are on our desks. I think it was painted with red lead. From our point of vantage we could see the target in San Francisco Bay. It may have been a mile away; it may have been less, or it may have been farther, but it was approximately a mile away.

We were advised that a squadron of about 10 or 12 planes would climb to an elevation of 20,000 feet, which means almost 4 miles, and would undertake to drop bombs on the target. The target was not nearly so large as a battleship. It was about as wide as a battleship, but only a small percentage of the length of a battleship. It took the planes a few minutes to reach the required elevation. We finally sighted the planes coming back over the target in perfect formation.

We would have seen nothing, would have heard nothing, had our attention not been called to the planes. Had we not been out looking we would not have known any such planes were in existence. If we had had a detector, we might have detected them, but we did not have a detector service. That is another thing about which the Army is deficient, and I shall call attention to that later.

We saw the planes flying over in perfect formation. They were not dropping real bombs; they were dropping dummy bombs. The bombs were filled with a sufficient amount of power to make a smoke and to make a little noise, and were heavy enough to make a big splash.

A little later we heard a swishing sound, like ducks coming in about 4:30 in the morning. I do not presume many Members of the Senate know what that sounds like, but

some do. Of course, we were watching the target, and after the swishing noise we heard the shells falling around the target. They all fell at once, practically. For hundreds of feet around this target the bay was literally sprayed with bombs. It was late, and we did not examine the target to see whether or not it had been hit, but I am advised that a bomb falling near a battleship is more destructive than if the bomb hits the battleship. The ships being sunk today are not being sunk by direct hits, as a rule; they are sunk by torpedoes, and there is no torpedo boat that can shoot a torpedo through the water in such a way as to pierce a battleship and sink it. The damage is not done by the piercing quality of the torpedo; it is done by the explosion of the torpedo. At the end of the torpedo there is a fuze, so that when the torpedo hits the battleship it explodes and the concussion, away from the battleship, blows the battleship in two, or blows it in, and destroys it.

The bombing we saw in San Francisco Bay, at Fort Hamilton, would have destroyed any battleship under similar circumstances anywhere in the world, the planes flying 20,000 feet, or practically 4 miles, in the air.

The Navy and the Army have a sight they are putting on the bombing planes, which is a secret. They did not show us the sight, but we did not have to see it, as we saw its effect, and we were told by those who know that they can drop a bomb upon a target from an elevation of a mile as accurately as the most accurate cannon capable of shooting a mile can send a shell. We have cannon which can hit a small target a mile away, and if an airplane can drop a bomb as accurately as our cannon can shoot, they can hit a ship a mile away, 2 miles, 5 miles, 10 miles, 20 miles away, if they can go that high; and these planes were 4 miles high.

Shortly after the first planes went over, a second squadron of about five or six planes came by, and they did exactly what the first had done. No battleship made could have withstood the fire of those bombs had they been 600-pound or 1,100-pound or 2,200-pound bombs.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. LUNDEEN. The Senator's statement recalls the books written some years ago by that great and brilliant general of the air, William Mitchell. General Mitchell predicted all this mighty air development. He did so when many of our military and naval authorities were asleep. I am glad to know that the able Senator appreciates our air services. I am glad to hear their importance emphasized.

Mr. REYNOLDS. Mr. President, will the Senator from Oklahoma yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. REYNOLDS. I am exceedingly regretful that I have not had the opportunity of hearing the entire address of the able Senator from Oklahoma. I particularly was anxious to hear what he had to say, because I know that but recently he has made quite a tour by airplane to many parts of the United States, as well as to Panama and to portions of the West Indies, at least those portions in which we are interested, the Virgin Islands, and San Juan, the capital of Puerto Rico.

I assume, from what I have heard the Senator stating, that he is highly in favor of the expenditure of the necessary amounts of money for the development of our air force, and is opposed to what I term reckless expenditures of money for the construction of naval armaments.

Mr. THOMAS of Oklahoma. Mr. President, I will make two statements before answering the question.

Mr. REYNOLDS. I merely ask the question because I should like to have the benefit of the Senator's ideas about the matter.

Mr. THOMAS of Oklahoma. I am in favor of developing and building up the most efficient and the best army in the world, and that does not necessarily mean the largest army in the world. I only want to have the Government build up an army to protect the United States, our people, and our property. As to the size, I cannot say. That is a

matter for the mature judgment of the people as expressed through their representatives in the Congress.

As to the relative merits of battleships and the air force, and artillery and infantry, that is another matter about which I am not prepared to give any expert advice. I have my convictions. I do not think battleships are worth very much in present warfare. I am advised unofficially that the greatest English battleship is hid; it cannot be found. If it is hid, of what use is it? It is the greatest ship in the world. If it is hid, it is serving no useful purpose. If that be true, it is my opinion that if we should build up a great navy in the United States and war should come, and some naval power should attack the United States, the safest place in the world would be on one of our battleships. The chances are that the battleships, unless we had a preponderance of power, would be somewhere away up the Mississippi River where they would be perfectly safe. They would have to be in some such place, because if the air forces could find the battleships, they would not last any time. If what our committee saw in San Francisco Bay can be done anywhere in America, a battleship would have no chance whatever.

The battleship today has no chance against the modern bombers with their bombs. The only chance of security is for the same nation that has the battleships to have more bombing planes and more pursuit planes and more of other kinds of planes than the enemy has, so that if a plane attempts to attack our battleships, we can send our planes to meet the enemy plane, and if an enemy squadron makes an attack, we can send a squadron to meet the enemy squadron, and fight it out in the air.

Consider the case of the Panama Canal. We have there vast coast defenses established. I think they are almost wholly worthless. We have guns at Panama, guns at San Diego, and guns at San Francisco, which do not shoot very far. The officers are not sure they can shoot at all, because they have not been shot for years.

At Charleston, S. C., we found military defenses at Fort Moultrie, just opposite Fort Sumter, on Sullivan's Island. We have guns there, but they have not been shot for 20 years, and if they should be fired, they would not shoot more than 5 or 6, or perhaps 10 miles. A modern battleship could stand out in the ocean, immune from the danger of shells from the guns at Fort Moultrie, and could shell and destroy that fort and destroy Charleston.

There is another reason why the guns at Fort Moultrie have not been shot. The fort was built many years ago, and the guns have been there a long time. The little settlement on Sullivan's Island is a separate municipality, only a few people living on the island. The mayor of the community lives on the island, between the emplaced guns and the sea, and he objects to the Army shooting these guns from Fort Moultrie because it disturbs his peace and quietude; and for that reason the guns have not been shot for years and it is not known whether or not they would shoot. If a ship should come, some of the bombing planes would spot it and fly out and destroy it.

We are going to keep the base at San Juan. We must defend it with the Army, and we must house the Army, and the land in question is needed for the purpose. If a hostile ship comes into that area we will have bombers there. On the north point of the island, 90 miles away, we are building a gigantic air field.

We will have a complete system of communications. If an enemy plane or ship should come anywhere in that area, our pursuit planes and our bombing planes would destroy it before it could come near.

We must have land at San Juan to carry on this activity. We have already bought the land for the bombing ship base on the northern point of Puerto Rico. We have only 286 acres on the south point.

In South Carolina, at Camp Jackson, the land owned is almost equal to an average county. At Fort Benning, Ga., land equal to an average county has been bought and paid for, and is being used for training purposes. At Fort Bliss

there is a large reservation now, and authority will be asked to acquire 2,000 acres more. We will also have a reservation in New Mexico.

Mr. President, this is a good time for the acquisition of land. If we are to buy land, now is the time to do it, because land is cheaper today than it will ever be in our lifetime, in my judgment; and I think I know.

Land will increase in value. People cannot live with commodities at present prices, which means that prices must go up. Sugar is going up in price, which means that land in Puerto Rico will go up in price. Corn is going up in price, which means that corn land in Iowa will go up in price. The price of wheat will rise, and the price of wheat land in the Northwest will rise. The volume of land cannot be increased; there is only so much of it. So as prices of commodities rise, the price of land will rise, and, in my opinion, we will never in our lifetime see land so cheap as it is today. Therefore, if we are to buy this land in Puerto Rico, the sooner it is bought the better. The same thing is true of the other reservations where we are asked to buy land to add to our existing air fields, and to add to our existing military reservations, for training purposes. If I am correct in stating that from this time on we will keep our soldiers in great numbers on great reservations rather than scattered around in small posts here and there, then the land-acquisition program should be carried through now.

It is my conviction that we should have our Army in the South in wintertime for training purposes, and when it gets hot in the South, as it does, we should send the Army back to the North, to be trained in the summertime in the North, where it is cool. Someone may say that it will cost a great deal of money to send the soldiers south in the winter and send them north in the summer. But transportation is one of the most important items in wartime. It is not possible for us to choose the place where we will fight, if war comes. We must run down the other fellow, and in order to be safe, sometimes we must run away from the other fellow, and that all involves transportation. So the Army must be trained in transporting itself from place to place. Therefore, in bringing the Army to the South in wintertime, as we are doing now, to Fort Benning, to Camp Jackson, and to San Antonio, and Fort Bliss, and southern California, we are doing a fine thing. When the summertime comes, we send the soldiers back to the North to train with the National Guard of the Northern States, where it is cool. Transportation will not be expensive, but it is just as important a part of the training of the Army as the teaching of the boys to shoot guns, or to fly airplanes, or to fire cannon, or what not. So, as I see the picture, every reason exists for buying the particular piece of land in question, and buying it now. There is no other land in the vicinity available.

There are mosquito-infested swamps in that area. We must get the soldiers away from those swamps. The land in question is a little above the city, 7 miles away. Our material is all on the ground. If a man were to build an establishment, and he had only a small tract of land, he would move his lumber and his sand and gravel and machinery and what not and be ready to start his development. But we have it there. We have a start made. We have the soldiers there. The supplies are there. The ammunition is there. Everything; equipment of all kinds and character is there, but there is no place in which to house it. There are only 286 acres at Camp Buchanan. So this land immediately adjacent to Camp Buchanan, between the camp and San Juan, will be made use of. The high land will be smoothed down, and the area made useable for an airport.

Mr. President, today a military establishment without an airport is wholly worthless. Where there are soldiers there must be an airfield. Travel by train is too slow. Ships are too slow. Other nations do not depend on ships or on trains. Even Russia sends some of its soldiers across to Finland in airplanes, and the soldiers are dropped from the airplanes in parachutes. That shows the kind of transportation now being used by other nations. I am not recommending such means of transportation, because in the particular instance when the

soldiers were transported in this manner the Finns anticipated where the soldiers would be dropped, and they waited for them, and when they came dropping down they shot at them like boys shooting at ducks. The soldiers dropping from their planes made the finest kind of targets and as a result became dead Russians.

Mr. REYNOLDS. Mr. President, may I ask the Senator a question?

Mr. THOMAS of Oklahoma. I yield.

Mr. REYNOLDS. Are we going to utilize land planes or hydroplanes at San Juan? I think that would affect the purchase of the land.

Mr. THOMAS of Oklahoma. I will say to the Senator that we will use both. The Navy is now developing a gigantic landing basin for hydroplanes. That basin is over in the swamp. They are dredging the swampland now, and there is no objection, so far as I know, to completing the basin. The naval air basin at Point Borinquen is to be used in connection with Camp Buchanan.

Mr. REYNOLDS. A Senator advised me a moment ago that the price to be paid for some of the land is \$400 an acre. Is that correct?

Mr. THOMAS of Oklahoma. In answer to that question I desire to read a portion of a telegram from the best authority I know of.

Mr. LUNDEEN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Minnesota?

Mr. THOMAS of Oklahoma. Before answering the Senator from North Carolina I yield to the Senator from Minnesota.

Mr. LUNDEEN. The Senator has given us the results of much research and material gathered by him, and I am sure all of us are very much impressed with it. There can be no sound objection on the part of anyone to purchasing this land. So far as I am concerned I am in favor of the development of aviation to the limit. We must build Army and Navy bases wherever necessary. I voted for the largest number of planes at all times and I intend to continue to do so.

I believe this request for a proposed air field will be granted, and that many other fields will be built.

Mr. ADAMS. Mr. President, the field under consideration is not an aviation field.

Mr. LUNDEEN. It is an Army field and aviation field combined.

Mr. THOMAS of Oklahoma. I wish to keep the record straight, Mr. President. A part of this land is to be used for a depot; that means a warehouse to store supplies. A part of it is to be used for building of igloos or housing facilities for bombs and ammunition. Part of it is to be used for building barracks to house the soldiers. A part is to be used to build an airport of sufficiently large size to serve a military force of the kind involved.

Mr. LUNDEEN. I will say to the Senator we understand that this will be an Army base with airport facilities. I could not quite hear, but I think the Senator made a statement about great ships in hiding. Who made that statement?

Mr. THOMAS of Oklahoma. I made the statement that I believe the British Navy is in hiding. The German Navy cannot find it at least.

Mr. LUNDEEN. I do not want to intrude any opinion of mine in this discussion, but I wish to recall the statement of the great admiral in command of the American Fleet in the late war, Admiral William S. Sims, who said that the safest place for dreadnoughts in the next war would be just as far up the Mississippi River as we could get them.

Mr. President, I appreciate the valuable statement made by the Senator from Oklahoma here today. It is about time that we give some real thought to the new methods of warfare that are coming upon this earth. War is being fought in a different manner, and it is very evident that the able Senator is wide awake on the subject, and giving us valuable information.

Mr. THOMAS of Oklahoma. I thank the Senator from Minnesota. Answering now the question submitted by the Senator from North Carolina [Mr. REYNOLDS] as to the reasonable value of the land in question, of course I am not familiar with land values in Puerto Rico. I flew over the land. Not much of the land has great value. It is mountainous. No one lives on it. Relatively speaking only a little of the land is valuable, and that is the land which produces sugar. As a rule, however, the land which produces sugar must be irrigated, so even Puerto Rican land that is not irrigated is not valuable for the production of sugar.

When this issue arose the War Department telegraphed to General Daley, in command of the Army forces in Puerto Rico, asking, first, for information relative to the necessity for this land, and, second, as to its reasonable cost. I desire to read just a few sentences from the telegram sent by General Daley, and I will then ask permission to place the entire message in the RECORD. I quote from the message:

Painstaking reconnaissance has resulted in the selection of area recommended as best both tactically and economically. No percentage of land is waste land. There is practically no waste land on northern coastal plain except scattered swamps. Forty-nine percent of tract is pasture land. Thirty-seven percent is in cultivation for sugar. Fourteen percent is sugar land not now in cultivation. Prevailing valuation per acre of pasture land in vicinity is \$350. Pasture valuation appears high but if not used as dairy pasture would be suitable for sugar cultivation. Prevailing valuation per acre of sugar land is from \$300 to \$500.

Annual production of sugarcane per acre in Puerto Rico varies from \$150 to \$500. Estimated annual production of sugarcane per acre in tract to be acquired is \$250. Sugarcane on this tract is now ripening and will probably be cut in January and February. Estimated average price per acre of \$400 was arrived at after thorough search of assessor's records, investigation of like purchases, and contact with officials and civilians with real-estate experience.

Mr. President, I ask that the telegram be printed in full in the RECORD at this point.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

SAN JUAN, P. R., December 5, 1939.

The ADJUTANT GENERAL,
Washington, D. C.:

Re U rad December fourth land suitable for general depot cannot be secured at a lesser cost because there is no cheaper accessible land. Sites nearer to San Juan and in urban area would be much more costly. Suitable sites further away from San Juan would not be cheaper because of intensive sugar cultivation and furthermore would not be suitable for general depot. Painstaking reconnaissance has resulted in the selection of area recommended as best both tactically and economically. No percentage of land is waste land. There is practically no waste land on northern coastal plain except scattered swamps. Forty-nine percent of tract is pasture land. Thirty-seven percent is in cultivation for sugar. Fourteen percent is sugar land not now in cultivation. Prevailing valuation per acre of pasture land in vicinity is \$350. Pasture valuation appears high, but if not used as dairy pasture would be suitable for sugar cultivation. Prevailing valuation per acre of sugar land is from \$300 to \$500. Annual production of sugarcane per acre in Puerto Rico varies from \$150 to \$500. Estimate annual production of sugarcane per acre in tract to be acquired is \$250. Sugarcane on this tract is now ripening and will probably be cut in January and February. Estimated average price per acre of \$400 was arrived at after thorough search of assessor's records, investigation of like purchases, and contact with officials and civilians with real-estate experience. It will be of great advantage to acquire this land within next 2 months because immediately after sugarcane is cut only small adjustment is necessary for value of seed cane left in ground. As crop grows value increases rapidly. The installation of ammunition storage and general depot is vital. In my best judgment the acquisition of this tract of land at a price not to exceed \$320,000 is sound and will result in both immediate and long-term economy to the Government.

DALEY.

Mr. THOMAS of Oklahoma. Mr. President, interpreting this message, the land wanted is next to an existing military reservation. In no other direction can they buy land of any value because it is hilly or mountainous, and would not be valuable. So this is the only land adjacent to Camp Buchanan which may be used for aviation purposes. From the information given in General Daley's telegram the 800 acres is largely sugar land, and the average price of sugar land is around \$400 an acre. That is based on the assessor's records and the records of those competent to give testimony.

I will say that this message was not before the House committee. The House committee reduced the appropriation from what was requested, because they did not have the information now available. When the item came to the Senate committee, the Senate committee still further reduced it, still without information, apparently.

Mr. President, I do not know who owns this land. That makes no difference to me. No other land except the land in question can be procured for the purposes needed unless we abandon Camp Buchanan and go somewhere else and build a new military establishment. The experts in San Juan say this is the land they want. They so decided in this instance, otherwise they would not have established Camp Buchanan. Now, because of the added importance of the San Juan military and naval base, it should have a larger establishment, and more land is needed. They want to have a naval base there of a size large enough to maintain a force sufficient to protect the island.

So I submit that the committee amendment striking out \$200,000 in this particular instance should not be agreed to. The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee on page 7, beginning in line 21. (Putting the question) The Chair is in doubt.

Mr. REYNOLDS. Mr. President—

Mr. THOMAS of Oklahoma. Mr. President, can we not have a vote on this question?

The PRESIDING OFFICER. All those in favor of the amendment will stand.

Mr. THOMAS of Oklahoma. I suggest the absence of a quorum.

Mr. McNARY. Mr. President, will the Senator withhold that suggestion?

Mr. THOMAS of Oklahoma. I will.

Mr. McNARY. Mr. President, I do not wish at this time to argue the question. The hour is late, and in view of that fact, I was about to suggest that the Senate adjourn for the day.

Mr. BARKLEY. Mr. President, I do not care to hold the Senate in session late, and that might be the result if there should be a call for a quorum. Obviously we cannot finish consideration of the bill today. I will defer to the Senator from Colorado. Does he think best to recess at this point?

Mr. ADAMS. I suggest we suspend until tomorrow.

ORDER FOR RECESS TO THURSDAY

Mr. McNARY. Mr. President, will the Senator yield for just a moment?

Mr. THOMAS of Oklahoma. I yield.

Mr. McNARY. Let me suggest to the able majority leader that he obtain unanimous consent for a recess until Thursday.

Mr. BARKLEY. I ask unanimous consent that when the Senate concludes its business today it take a recess until Thursday next at 12 o'clock noon.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives by Mr. Chaffee, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 2953. An act authorizing States owning lands or interests therein acquired from the United States to include the same in certain agreements for the conservation of oil and gas resources;

H. R. 3931. An act for the relief of Charles H. LeGay;

H. R. 7171. An act to amend section 22 of the Agricultural Adjustment Act; and

H. R. 7293. An act to amend section 355 of the Revised Statutes, as amended, to make permissive the acquisition of legislative jurisdiction over land or interests in land acquired by the United States.

EFFECT OF WAR ON COMMODITY PRICES

Mr. REYNOLDS. Mr. President, a moment ago I heard my able and distinguished colleague make the very interest-

ing prediction that it would not be long before there would be a rise in the prices of sugar, corn, and wheat. I should like to inquire of him whether or not he can tell me when there will be a rise in the price of tobacco, which is grown in North Carolina, Tennessee, and Oklahoma.

Mr. BARKLEY. And Kentucky.

Mr. REYNOLDS. And Kentucky.

Mr. McKELLAR. Also, in the price of cotton.

Mr. REYNOLDS. I should also like to have him tell me when there will be a rise in the price of cotton, which is grown in North Carolina, Tennessee, Kentucky, and Oklahoma.

I make that inquiry for the reason that before the arms embargo was lifted—and, incidentally, I voted against lifting the arms embargo—persons in North Carolina and in other States led our farmers to believe that if the arms embargo were lifted the boys "over there" would buy all our tobacco and all our cotton; that the price of tobacco would rise from 17 cents to 50 cents, and that the price of cotton would rise from 10 cents to 20 cents.

In passing, I notice that the junior Senator from Virginia [Mr. BYRD] is listening with interest. In his State a great amount of tobacco is raised. I see the junior Senator from Louisiana [Mr. ELLENDER] listening with interest. In his State a great amount of cotton is raised.

I read in the newspapers that the British have placed an embargo upon our tobacco, and as a result of that embargo the producers of tobacco in North Carolina, Virginia, South Carolina, and our sister State of Georgia—

Mr. McKELLAR. And Tennessee.

Mr. REYNOLDS. And Tennessee—the producers of tobacco in those States will not be able to experience a rise in the price of tobacco; but further, the Agricultural Department of our Government has suggested that perhaps in the face of these embarrassing circumstances we shall of necessity be forced next year to limit our acreage of tobacco even more than we now do.

In reference to cotton, I noticed in some newspaper the other day that our friends across the sea are not now in a position to go through with their barter plan, whereby it is my recollection that we were to let Great Britain have 500,000 bales of our cotton in exchange for rubber and tin from the Malay States, out of the seaport of Singapore. We probably shall not be able to begin that exchange until April, and then perhaps the British will be so thoroughly involved in the war, which now looks as though it really will be a great World War, that they will need all the tin and rubber they can obtain, not only from the Malay States but also from the Dutch East Indies, to assist their friends in the present world condition of chaos. That being the case, a rather embarrassing situation is presented.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. LUNDEEN. Am I to understand the able Senator to say that our British friends think more of the Turks than they do of the United States? I wonder just what our friends in the able Senator's State of North Carolina think about the British embargo on tobacco—our friends in Kentucky and Virginia seem much interested in all this. I thank the distinguished Senator for bringing this friendly British embargo to our attention. Perhaps after a while we can get someone in our State Department to read up on Andrew Jackson and his conduct of foreign affairs.

Mr. REYNOLDS. Somebody said that they said they could not accommodate the people in North Carolina, South Carolina, Kentucky, Tennessee, Oklahoma, and other States because they had to favor their allies, the Turks. So, it is evident that they think more of the boys around Constantinople than they do of the boys in Columbia, S. C., Richmond, Va., or the capitals of the other States engaged in growing tobacco.

Finally, in connection with the very able address delivered by the Senator from Oklahoma [Mr. THOMAS], I wish to say that from the portion of it which I heard, I am of the opinion that we should consider the whole national-defense

program from the standpoint of national defense, with emphasis upon the word "defense."

Otherwise, we shall become involved to the extent of making expenditures of more billions of dollars than we should, bearing in mind the fact all the time that we are not building or developing our Army for the purpose of attacking any other nation in the world, but in our national-defense construction program we are building only for the purpose of protecting the United States of America against invasion from any other nation or nations in the world. Therefore, I am happy to be able to assume from the address of the well-informed Senator from Oklahoma that he is in accord with me, or that I am in accord with him, to the effect that we should put more money into the development of airplanes and less into a big Navy, because, as he has very forcefully explained, ships can be destroyed without much difficulty by the larger planes which we have been constructing and which we are constructing at the present time.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. CHANDLER in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTER—NOMINATION PASSED OVER

The legislative clerk read the nomination of Jessie B. Searle to be postmaster at Bedrock, Okla., which had previously been passed over.

Mr. McKELLAR. Mr. President, at the request of the Senator from Oklahoma [Mr. THOMAS], I ask that that nomination again go over.

The PRESIDING OFFICER. The nomination will be passed over.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the remaining nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters, with the exception of the one passed over, are confirmed en bloc.

That concludes the calendar.

RECESS TO THURSDAY

Mr. BARKLEY. As in legislative session, I move that the Senate, in accordance with the order previously entered, take a recess until Thursday next at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 57 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until Thursday, January 25, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 23, 1940

COAST GUARD OF THE UNITED STATES

Commander William F. Towle to be a captain in the Coast Guard of the United States, to rank as such from August 29, 1939.

APPOINTMENTS IN THE NATIONAL GUARD OF THE UNITED STATES

GENERAL OFFICERS

John Francis Williams to be major general, National Guard of the United States from January 31, 1940.

Brig. Gen. Charles Francis Bowen, Adjutant General's Department, New Hampshire National Guard, to be brigadier general, Adjutant General's Department, National Guard of the United States.

APPOINTMENTS AND PROMOTIONS IN THE NAVY

Capt. John H. Towers to be a Rear Admiral in the Navy, to rank from the 29th day of December 1939.

The following-named lieutenants to be lieutenant commanders in the Navy, to rank from the date stated opposite their name:

Carson R. Miller, July 1, 1939.

George C. Wright, December 8, 1939.

David M. Tyree, December 29, 1939.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the date stated opposite their name:

Paul G. Osler, November 1, 1939.

George L. Raring, December 29, 1939.

Robert B. Fulton, 2d, January 1, 1940.

John M. Lietwiler, January 1, 1940.

Donald I. Thomas, January 1, 1940.

Herbert M. Coleman, January 1, 1940.

Howard F. Stoner, January 1, 1940.

Ensign William H. Wright to be a lieutenant (junior grade) in the Navy, to rank from the 4th day of June 1939.

Passed Assistant Surgeon Jay F. Miller to be a surgeon in the Navy, with the rank of lieutenant commander, to rank from the 1st day of July 1939.

The following to be assistant paymasters in the Navy, with the rank of ensign, to rank from the 18th day of January 1940:

John P. Carson

Preston R. Clark

Richard Cobb

Paul F. Cosgrove, Jr.

James W. Haggard

Alfred C. Jackson

William R. Kaye

Charles S. Osborne, Jr.

Lieut. Jackson S. Champlin to be a lieutenant commander in the Navy, to rank from the 1st day of January 1940.

Glen R. Rings

Julian A. Schroeder

Ellis G. Youtz

Homan L. Walsh

Paul R. Lally

George H. Henry

James W. Christie, Jr.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 23, 1940

POSTMASTERS

ALABAMA

Reuben W. Lowe, Clanton.

Ludwig Lindoerfer, Elberta.

Maxwell L. Warren, Enterprise.

Charles A. Boller, Foley.

Lynn S. Bruner, Fort Deposit.

Grace C. Spangler, Leighton.

William Tullie Collins, Northport.

Hazel M. Thomas, Prichard.

Jeptha H. Blake, Sheffield.

Henry M. McLeod, Tuscaloosa.

CONNECTICUT

Lawrence T. Loftus, Broad Brook.

Robert A. Brookes, Higganum.

John L. Walker, Ridgefield.

Joseph Stewart, Shelton.

HAWAII

Harry K. Ching, Ewa.

Hung Luke, Kohala.

Antonio D. Furtado, Lahaina.

Kenichi Oumi, Waihalua.

IOWA

William S. Richard, Corydon.
William H. Metzinger, Montrose.

OKLAHOMA

Silas E. West, Disney.
Thomas R. Johnson, Elk City.
Roy Rine, Nash.
Shelby T. McNutt, Ringwood.

RHODE ISLAND

Nicholas Ball, Block Island.
Millard F. Phelan, Conimicut.

WYOMING

John L. Downs, Douglas.
Alfred B. Mills, Lusk.
Lowell O. Stephens, Powell.
John Barwick, Superior.
Robert W. Hale, Thermopolis.
David J. Nolan, Upton.
Percival F. McClure, Worland.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 23, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty and everliving God, unto us as children of Thy jealous care, Thy benedictions are like streams of water in a dry and thirsty land: Thus to Thee we offer our hearts of praise and gratitude. We pray that the memory of our sins and failures may be grievous unto us. By every temptation overcome may we be made wiser and stronger. O kindle in our hearts those visions which never fade and open for our waiting feet the ways of purity, peace, and power, and may we never falter. Finally, brethren, whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report, if there be any virtue and if there be any praise, think on these things. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

BOULDER DAM

Mr. BLOOM. Mr. Speaker, I present a privileged report from the Committee on Foreign Affairs on House Resolution 356.

The Clerk read the resolution, as follows:

House Resolution 356

Resolved, That the Secretary of State is directed to answer to the House the following inquiries:

1. When and in what foreign capital was the conspiracy entered into to destroy, by the use of explosives, the power and reclamation projects of the United States at Boulder Dam?
2. When did the State Department first learn of this conspiracy?
3. What had been done by the conspirators and the details of their scheme up to the time the State Department first obtained information of the plot?
4. What are the names of the conspirators?
5. What were their political and national affiliations during the existence of the conspiracy?
6. Have any of them been questioned by officials or agents of the State Department or any other department of the United States?
7. Have any of the conspirators or other persons been arrested or held as a result of said plot?
8. Are any of the conspirators Communists or did any of them act in furtherance of the designs of any communistic group?
9. What other information is in the possession of the State Department concerning said plot?

Mr. BLOOM. Mr. Speaker, I move that the resolution be laid on the table.

The motion was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mrs. O'DAY. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a letter written to the Federation of Women's Clubs.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to address the House on tomorrow for 20 minutes after disposition of the matters on the Speaker's table and the legislative program of the day.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I wonder if we know now what the program is going to be tomorrow. If we are going to have general debate following any Calendar Wednesday business, I wonder if the request would be necessary.

Mr. RAYBURN. Mr. Speaker, the resolution coming up today will probably take 2 or 3 hours, and in all probability it will be 3 or 3:30 o'clock before we get to a vote. It was our thought that the Treasury and Post Office bill might go over until tomorrow, but the gentleman from Indiana [Mr. LUDLOW] has his statement on the bill ready and would like to get it in the RECORD tonight. So after the so-called extension of the Dies committee resolution is disposed of, it is the purpose of the gentleman from Indiana to move that the House go into the Committee of the Whole House on the state of the Union and, at least, to make his statement today. Tomorrow is Calendar Wednesday, and the call rests with the Committee on Naval Affairs. I do not believe that committee wants to use the day because it is not ready to proceed, but I think we should begin calling the calendar on Wednesday for at least one committee. After the call of the committee, it is the intention to go on with general debate on the Post Office and Treasury Departments bill.

Mr. MARTIN of Massachusetts. The purpose, then, is to call one committee on tomorrow, which will be the Committee on Naval Affairs, and then continue with general debate on the appropriation bill?

Mr. RAYBURN. Yes.

Mr. MARTIN of Massachusetts. The only thought I had in mind was that the gentleman from New York could probably get time under general debate instead of a special order.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EMBARGO ON AMERICAN TOBACCO

Mr. SASSCER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. SASSCER. Mr. Speaker, the agricultural sections of this country, particularly those producing tobacco, were shocked when they learned that the British Government had placed an embargo on the importation of American tobacco to the United Kingdom. It is reported that the Empire expects to purchase from Turkey the tobacco heretofore bought in America. I suppose that the purpose is to incur favor with Turkey in connection with the Dardanelles. Favor may be incurred with Turkey by this action, but the embargo on American tobacco strikes a stinging blow at vast agricultural sections of this country and incurs disfavor and resentment.

As the reduction in our foreign markets will further depress a price level—upon which the farmers are hardly existing now—it is vital for us from the States or sections depending upon tobacco production to cooperate to the fullest degree to effect a removal of this embargo. I note with pleasure that my colleagues, the gentlemen from North Carolina, Representative COOLEY and Representative WARREN, have protested to the Agriculture Department on behalf of their constituents.

This embargo on an agricultural product is so far-reaching in policy and effect, I arise to suggest that all of us from tobacco sections cooperate immediately and pool our energies in exerting every honorable influence for the removal of this restriction. The British Government may feel justified in using this means to strengthen its economic and political policies with Turkey. They must, however, realize that the matter is sufficiently vital in its effect on the economic life of the agricultural sections of America affected by the restrictions to fully justify us as a last resort to advocate trade reprisals within our influences for the removal of this embargo. [Applause.]

DEFICIENCY APPROPRIATION BILL

Mr. WOODRUM of Virginia, from the Committee on Appropriations, reported the bill (H. R. 8067, Rept. No. 1525) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1940, and for other purposes, which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. TABER reserved all points of order on the bill.

EXTENSION OF REMARKS

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein the address delivered by the President of the United States on last Friday in connection with a White House conference on children in a democracy.

The SPEAKER. Without objection, it is so ordered. There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

[Mr. RANKIN addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. TENEROWICZ. Mr. Speaker, I ask unanimous consent to extend my remarks in the CONGRESSIONAL RECORD on the subject of the 1940 labor scene; also, to extend my own remarks in the CONGRESSIONAL RECORD on the subject of a radio program and to include two letters which I have received in this connection.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

By unanimous consent, Mr. PATRICK, Mr. VOORHIS of California, Mr. CASEY of Massachusetts, and Mr. GIBBS were granted permission to revise and extend their own remarks.

Mr. SMITH of Illinois. Mr. Speaker, I ask unanimous consent to insert in the RECORD a radio speech that I gave last night over the Mutual Broadcasting System.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SMITH of Illinois. Mr. Speaker, I ask unanimous consent that on Thursday of this week, after the business of the day has been disposed of, that I may speak for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

THE CHRISTIAN FRONT

Mr. CELLER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. CELLER. Mr. Speaker, I am happy to note that Attorney General Jackson has ordered a complete "front"

inquiry into the charges against 17 Christian Front members of sedition and plotting the Government's overthrow.

I applaud that order.

Let the chips fly where they may.

Especially let the investigation include those who (1) directed, (2) abetted, (3) financed, and (4) incited—particularly incited—these fifteen-or-so foolish youths who allowed themselves to be hoodwinked by their leaders, Cassidy and the Nazi with the long criminal record—his name escapes me at the moment. Their scheme was fantastic, yet it betokens serious warnings and tendencies.

Fourteen Members of Congress were to be assassinated. I was No. 2 on the list. Our colleagues from our metropolitan area who voted to lift the embargo were also slated to go. Such a scheme is fantastic, yet it is also tragic.

Let the inquiry reach out into Detroit. Let Father Coughlin explain his avowed contacts with, encouragement, and praise of, the Christian Front, and particularly its leader, Cassidy, and his comradeship with him.

This man Cassidy created much mischief in Brooklyn with his rowdy cohorts. For many months he and his band abetted by editorials in Social Justice, edited by Father Coughlin, intimidated peaceful citizens in Brooklyn because of their religion, outraged the feelings of the decent people of our borough, and made of themselves nuisances bordering on criminality. Now, thank goodness, the law has caught up with them. They must answer to the charge of sedition.

Father Coughlin has hailed these same ruffians and brigands. I quote from an article in the New York Times:

As for the apparent acceptance by Social Justice of Cassidy as a member of the Christian Front in good standing, the files of the magazine show the following:

On July 31, 1939, the large cover-page headline on Social Justice read: "Christian Front Carries Fight Into More States." There was a reference to page 3, on which was a one-column article, under a New York date line headed: "Units of Militant Christian Front are being formed in Middlewest; Hosts Battle Communism in New York; National Movement Growing From Patriotic Action of 36 Christian Men in Brooklyn."

This article said in part:

"From a modest start of only 36 men banded together in Brooklyn last year, for the purpose of actively combating communism on the streets of New York, the organization has penetrated all boroughs of the metropolis. Under the leadership of Mr. John F. Cassidy of Brooklyn there are now five central units operating in the metropolitan district."

FIVE MILLION MEMBERS PREDICTED

The article spoke of the Christian Front as "the inevitable counteraction to communism," and as "a protector of Christianity and Americanism," and predicted a membership of 5,000,000 by 1940.

On July 24, 1939, Social Justice carried an account of a meeting in Philadelphia that heard Father Coughlin by radio. In the address, the priest, so the article said, "praised the heroism and zeal of the Christian Front in those areas where its work has already borne fruit, and urged Philadelphians to emulate their Christianity and Americanism."

Father Coughlin espoused the cause of the Christian Front, thus:

Ponder upon this fact, that the Christian Front is no longer a dream; it is a reality in America; a reality that grows stronger, more courageous and more determined under the threat of your ideological invasion.

MEETING FORCE WITH FORCE

Nevertheless, the Christian way is the peaceful way until—until—until all argument having failed, all civil authority having failed, there is left no other way but the way of defending ourselves against the invaders of our spiritual and national rights, the Franco way.

The Commonweal, a Catholic magazine of considerable excellence, editorially castigates Father Coughlin and his Social Justice, and blames him, with others, for the plight of these 17 men.

"Fantastic yet tragic and alarming," is the way it describes the criminal conspiracy of plotting destruction of public and private property, culminating in seizure of high offices and officers.

Great credit is due J. Edgar Hoover and his men for their skill and ingenuity and courage in unearthing this dreadful plot.

Hoover has been criticized for wasting time on such misguided youths. Wasting time—hell!

This conspiracy contains all the recognizable elements of antidemocratic and anti-Semitic terror, which were the pre-udes of Nazi and Fascist and Communistic victories. There was a complete terrorist schedule with guns, bombs, and rifles. Only one bomb set off in a crowded building would have killed hundreds.

Suppose they had shot one of our members, what would these critics have then said. Thank goodness their scheme was nipped in the bud.

All hail J. Edgar Hoover for his excellent work. [Applause.] [Here the gavel fell.]

SELECT COMMITTEE TO INVESTIGATE UN-AMERICAN ACTIVITIES

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. JOHNS. Mr. Speaker, we are going to have under discussion today the extension of the powers of the Dies committee, and I want to include in my remarks a letter from the American Legion of Wisconsin, in which 35,000 members, together with 21,000 members of the American Legion Auxiliary, are for the extension of this committee.

I ask unanimous consent to include this letter from the American Legion of Wisconsin, and also a letter from the American Federation of Labor, signed by William Green, president.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The matters referred to follow:

THE AMERICAN LEGION,
DEPARTMENT OF WISCONSIN,
Milwaukee, January 18, 1940.

HON. JOSHUA L. JOHNS,
Member of Congress, Washington, D. C.

MY DEAR CONGRESSMAN: When the House of Representatives originally created the so-called Dies committee, which has been investigating un-American activities in this country, your action had the full support of the American Legion.

The national convention of the American Legion at Chicago in September 1939 voted overwhelmingly for the continuation of this committee, and I can assure you that the American Legion in Wisconsin, 35,000 strong, together with 21,000 members of the American Legion Auxiliary, are heartily in favor of the continuation of this committee.

We sincerely hope that this committee will be continued and that you will use all of your efforts in support of it.

Respectfully yours,

FRANK L. GREENYA,
Department Commander.

AMERICAN FEDERATION OF LABOR,
Washington, D. C., January 20, 1940.

HON. JOSHUA L. JOHNS,
House Office Building, Washington, D. C.

DEAR SIR: The convention of the American Federation of Labor which was held at Cincinnati, Ohio, recently expressed approval of the work which the Dies congressional committee has performed and of its continuation of the investigation which it is making into the activities of subversive groups within the United States.

In conformity with this action taken by the highest authority within the American Federation of Labor, I am officially requesting that you support such proposal as may be submitted to Congress, providing for the continuation of the Dies committee and of an appropriation sufficient to enable it to carry on its investigations.

I cannot conceive of anyone, other than those who may be exposed through association with Communist organizations and Communist front organizations, objecting to a thorough investigation into the activities of subversive groups by a congressional committee. Those who have no sympathy with these un-American groups, these subversive forces within our social order who are constantly seeking to change our form of government and to promote revolution can with perfect propriety give wholehearted support to the work of the Dies committee and to the investigation it has made and which it can continue to make.

The people of our country are entitled to know the truth. We of the American Federation of Labor want them to know the facts. We want those who are undermining our form of government and those who are engaged in subversive activities to be exposed. Ridicule, denunciation, and sarcasm, all directed toward the Dies committee by those who seek to suppress its activities and prevent it from carrying on its important work, can only be looked upon with suspicion. We cannot permit those who engage in such tactics to prevent a thorough investigation and a public exposure of the actions and of the activities of individuals and groups who are

engaged in un-American activities, and who are seeking either directly or indirectly the overthrow of our Government.

The preservation of freedom and democracy is a matter of vital concern to all those who believe in our form of government. We can protect ourselves if we know who and what it is that is undermining and attacking our governmental structure. Those who are with us need not fear; those who are against us ought to be exposed. The Dies committee is rendering a great public service. It should be continued until its investigation is completed.

I urge you to support the Dies committee. I appeal to you to vote for an appropriation which will adequately equip the Dies committee to complete the excellent, splendid work which it has thus far carried on.

Sincerely yours,

WM. GREEN,
President, American Federation of Labor.

TREASURY AND POST OFFICE DEPARTMENT APPROPRIATION BILL, 1941

Mr. LUDLOW, from the Committee on Appropriations, reported the bill, H. R. 8068 (Rept. No. 1526), making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1941, and for other purposes, which was read a first and second time, and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Mr. TABER reserved all points of order.

EXTENSION OF REMARKS

Mr. STEFAN. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. CURTIS] be allowed to extend his own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. STEARNS of New Hampshire. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of a report prepared by Samuel Crowther for the Commission for the Promotion of the Wealth and Income of the People of New Hampshire entitled "What We Earn—What We Owe," and to include therein an editorial from the New York Daily Mirror of December 6, 1939.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a very brief editorial from the New York Sun of January 10 last.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. O'BRIEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech given by the patriotic and distinguished newspaper publisher, Frank Gannett, in Rochester, N. Y., on January 16 last.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. THOMAS of New Jersey. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from the president of the New Jersey State Federation of Labor.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE LATE MAJ. GEN. OMAR BUNDY

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SPRINGER. Mr. Speaker, I rise to report the death of one of our outstanding military geniuses, Maj. Gen. Omar Bundy.

Major General Bundy was born in Newcastle, Ind., in my congressional district. He departed this life on January 21, 1940, in the city of Washington at the age of 78 years. A graduate of West Point in 1883, he afterward participated in many of the great military expeditions of this country. In his early military life he took part in the engagements with the Sioux Indians. In the World War he commanded the Second Division, and later the Sixth and Seventh Army Corps. His record as a soldier is outstanding.

General Bundy will be best remembered because of his refusal to retreat when ordered to do so. His action in standing fast had a direct influence on the early outcome of the World War. He was a brave and gallant soldier. His inspiration will continue throughout the years. Having filled his mission in life—may he rest in peace.

[Here the gavel fell.]

BOULDER DAM

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

Mr. HINSHAW. Mr. Speaker, I have requested this minute to ask the chairman of the Committee on Foreign Affairs the reason he moved to table the privileged resolution just offered by him, in view of the fact that it is so highly important to the people of southern California that Boulder Dam be protected and that they may know what to do about it? Is the gentleman from New York willing to answer?

Mr. BLOOM. Mr. Speaker, the Committee on Foreign Affairs had this resolution under consideration yesterday and voted unanimously to report it out adversely. The letter received from the Secretary of State regarding this matter is on file with the Committee on Foreign Affairs; and if the gentleman from California will come to the committee rooms and read the letter of the Secretary of State, he will find his question answered fully.

Mr. HINSHAW. I thank the gentleman.

COMMITTEE ON MILITARY AFFAIRS

Mr. MAY. Mr. Speaker, I ask unanimous consent that the Committee on Military Affairs, or any subcommittee thereof, may be permitted to sit during the sessions of the House for this week.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

EXTENSION OF REMARKS

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my own remarks on the character of the Russian attack on Finland and the proposed loan to Finland.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ALEXANDER asked and was given permission to extend his own remarks in the RECORD.

Mr. CHIPERFIELD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech delivered by STYLES BRIDGES at St. Louis, Mo., on January 17 last.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks on two subjects:

First, to extend in the RECORD a letter written me by one of my constituents, with an accompanying article by the columnist Ted Lee Berthon, appearing in the Los Angeles Daily News.

Second, to extend in the RECORD a letter addressed to me by Mr. Bruce Hannon, secretary-treasurer of the Maritime Federation of the Pacific.

The SPEAKER. Without objection, the request will be granted.

There was no objection.

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article from the South Bend Tribune in reference to the testimonial dinner given to Bishop John F. O'Hara, the newly consecrated auxiliary bishop of the United States Army and Navy diocese.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. HARRINGTON]?

There was no objection.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a bill which I have introduced to extend the time within

which applications for payment under the World War Adjusted Compensation Act, as amended, may be filed, and also to enlarge the class of dependents under such act so as to include the brothers and sisters and estates of deceased veterans.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include in those remarks an address by Judge Joseph Hutcheson, of Houston, Tex., on the subject of neutrality and this Nation's relation to other nations, delivered to the Birmingham Bar Association.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. PATRICK]?

There was no objection.

Mr. DICKSTEIN asked and was given permission to extend his own remarks in the RECORD.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief article from the Washington Post of January 20.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. HINSHAW]?

There was no objection.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include two resolutions.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein a letter and a certificate.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

FOUR HUNDRED THOUSAND PATRIOTIC CITIZENS PETITION FOR CONTINUANCE OF THE DIES COMMITTEE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, the petitions here presented to the House are typical of petitions from 27 States signed by over 400,000 petitioners supporting this resolution:

Resolved, That we petition the Congress of the United States to vote an appropriation necessary to continue the congressional committee for the investigation of un-American activities, Congressman MARTIN DIES, chairman, until 1942.

All of the original petitions are on file in Detroit in the offices of the Committee of 1,000,000. Accompanying these petitions is a letter from the national chairman, Gerald L. K. Smith, and a list of the States in which the petitioners reside and the certification of the headquarters staff of the Committee of 1,000,000, certifying to the facts set forth in the letter of Mr. Smith. These exhibits will be printed following this statement.

My information is to the effect that since these petitions were signed and filed in the office of the committee, additional petitions have been sent in and that the number of petitioners now exceeds 500,000. When 500,000 petitioners will take the trouble to sign petitions asking that money be appropriated to continue a congressional investigation, it is most encouraging proof that all the vilification, the ridicule, and the unfair attacks which have been made upon the individual members of this committee and upon the committee itself have been judged and, by the American people, found without substantial foundation.

Little men, columnists; men who have never held an elective office; men who, if they offered themselves as candidates for Representatives in Congress, might discover that their opinions and views had little or no weight with those charged with selecting Representatives at the polls, have

seen fit to belittle the members of this committee; to charge some of them with being interested only in political activities.

The answer to all those who have followed that course, whether they be columnists, or those high in authority in the New Deal councils, or whether they be members of the family in the White House, will be found today in the overwhelming vote of the House for a continuation of this Committee. The answer to all those accusations, the faith of American people in our form of Government, the desire of our people to put down and suppress all those who would overthrow our Government by force, is found in the overwhelming public sentiment throughout the country for the continuation of this committee. [Applause.]

GERALD L. K. SMITH, NATIONAL CHAIRMAN,
COMMITTEE OF 1,000,000,
January 21, 1940.

The Honorable CLARE E. HOFFMAN,
Member of Congress, Washington, D. C.

MY DEAR MR. HOFFMAN: As per arrangement I am forwarding to you petitions calling for the continuation of the Congressional Committee for the Investigation of Un-American Activities, Congressman MARTIN DIES, chairman.

The Committee of 1,000,000, of which I am the national chairman, is strictly a program of enlistment and education by the use of the printed page and the radio. Our weekly broadcast covers 27 States.

Some few weeks ago we invited our listeners to circulate petitions asking for the continuation of the Dies committee. Since this suggestion was first made over the radio, petitions have been requested in great numbers and are now being filled out at the rate of between four and six thousand names per day. We now have on hand petitions totaling close to one-half million names.

I am forwarding you herewith approximately 100 typical petitions representing 27 States. If the resolution calling for the continuation of the Dies committee comes to debate, or is carried over for further consideration to the point where you would advise that we carry these thousands of petitions to Washington, we shall be pleased so to do.

These petitions, as you will readily see, indicate the wide coverage of our campaign and the great popularity of the Dies committee.

I attach herewith a picture also of the recent midwestern rally, representing 15 States, held under the auspices of our committee, at which time 23,000 delegates attended. On the back of this picture you will see listed the resolutions adopted at this rally, with less than 300 people dissenting and more than 22,000 voting for the resolutions.

You will observe that Resolution No. 8 calls for the continuation of the Dies committee.

An interpretation of my heavy radio mail, which runs into thousands upon thousands of pieces, reveals that the average voter assumes that the main opposition to the Dies committee is coming from the Nazi propagandists and the Communist Party.

I attach herewith signed certification, signed by our office manager and the secretary in charge of the files, confirming the fact that these petitions merely symbolize an enlistment approaching nearly one-half million names.

Although there is other subject matter in the petition, we ask you in this instance to make use of the petition as it relates to the continuation of the Dies committee. Because of our great confidence in you, we ask that you present these petitions, together with the facts set forth in this letter, to the Committee on Resolutions, of which Congressman SABATH is the chairman. I understand that this committee meets Monday, January 22, 1940.

Sincerely yours,

GERALD L. K. SMITH,
National Chairman of the Committee of 1,000,000.

P. S.—The committee of 1,000,000 represents the active cooperation of the leadership of 141 patriotic and civic groups.

MEMO A

JANUARY 21, 1940.

Memo for Congressman CLARE E. HOFFMAN concerning token petitions to be presented to the resolutions committee as samples of nearly one-half million names calling for the continuation of the Dies committee

The attached petitions are from the following States: Michigan, Wisconsin, Pennsylvania, West Virginia, Ohio, Indiana, New York, Iowa, Missouri, North Dakota, Tennessee, Utah, Illinois, Massachusetts, Maine, Connecticut, Maryland, Oklahoma, New Hampshire, Louisiana, Kentucky, Florida, Alabama, North Carolina, Minnesota, South Carolina, and Texas.

MEMO B

JANUARY 21, 1940.

Memo for Congressman CLARE E. HOFFMAN concerning token petitions to be presented to the resolutions committee as samples of nearly one-half million names calling for the continuation of the Dies committee

We, the undersigned, are members of the headquarters staff of the Committee of One Million, having to do with files, petitions, and office management.

We have read the letter addressed to Congressman CLARE E. HOFFMAN by Gerald L. K. Smith, national chairman of the Committee

of One Million, setting forth the certain facts having to do with the petitions that have been secured calling for the continuation of the congressional committee for the investigation of un-American activities, Congressman MARTIN DIES, chairman.

We certify by our signatures that the facts set forth by Mr. Smith are substantially correct.

PHYLLIS CHANDLER,
Keeper of Files.
BERNARD DOMAN,
Office manager.
E. M. SMITH.
WALLACE GAMBER.

This, the 21st day of January 1940.

EXTENSION OF REMARKS

Mr. MILLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein a radio broadcast made Sunday evening.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. MILLER]?

There was no objection.

INVESTIGATION OF UN-AMERICAN ACTIVITIES

Mr. SABATH. Mr. Speaker, I call up House Resolution 321 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

House Resolution 321

Resolved, That the Special Committee to Investigate Un-American Activities is authorized to continue the investigation begun under authority of House Resolution 282 of the Seventy-fifth Congress, and continued under House Resolution 26 of the Seventy-sixth Congress, and for such purposes said committee shall have the same power and authority as that conferred upon it by said House Resolution 282 of the Seventy-fifth Congress and shall report to the House as soon as practicable, but not later than January 3, 1942, the results of its investigations, together with its recommendations for necessary legislation.

With the following committee amendment:

Page 1, line 9, strike out "1942" and insert "1941."

Mr. FISH. Mr. Speaker, may I ask the gentleman from Illinois if we can reach an agreement about the control of the time?

Mr. SABATH. Mr. Speaker, the gentleman knows the House has granted the committee an additional 1 hour. Under the rules I take it that that should be divided equally between those favoring and opposing the resolution. The gentleman is familiar with the fact that on this side, the gentleman from Alabama [Mr. STARNES], representing the committee, and two other members of that committee, desire and are entitled to time on behalf of the resolution; therefore, I feel that time should be set aside for them out of the extra hour, so there will be no complications or question.

Mr. FISH. Will the gentleman yield further?

Mr. SABATH. I yield to the gentleman from New York.

Mr. FISH. I agree with the gentleman from Illinois [Mr. SABATH] that certain members of the committee should have time, but I will have to insist that the time be equally divided between the gentleman and myself. Of course, I will be glad to give some time to those gentlemen, if the gentleman from Illinois cannot do it out of his time, but I think it should be well understood at the beginning of this debate that the time shall be divided equally, as is the usual custom, between the gentleman from Illinois and the ranking minority member of the Rules Committee.

Mr. SABATH. I was in hopes the gentleman would agree that I yield the time to the members of the committee who are in favor of the resolution; but if the gentleman objects and insists, believing and trusting that he will divide the time allowed him evenly, I shall agree to his proposition.

The SPEAKER. The gentleman from Illinois yields 1 hour under the unanimous-consent agreement to the gentleman from New York [Mr. FISH].

The gentleman from Illinois is recognized for 1 hour.

Mr. SABATH. Mr. Speaker, were it not for the fact that I have been misquoted in my interview of a few days ago, I would not take any time now.

I favored the resolution creating the special investigating committee of which the gentleman from Massachusetts [Mr. McCORMACK] was chairman. I also favored the resolution which created the special committee of which the gentleman from Texas [Mr. DIES] is chairman; also I voted for the \$100,000 last session for the expenses of that special com-

mittee on the assurance that the investigation would be properly conducted. However, I am obliged at this time to state that, although I am reporting this resolution by direction of the Rules Committee, I am opposed to it because I feel that many righteous and outstanding men and women, as well as various constructive, patriotic, and enlightened organizations, have been unfairly and unwarrantedly assailed and stigmatized by being charged with communism, nazi-ism, and so forth.

I am pleased to inform the House that at the hearing yesterday at least three of the members of the special committee assured the Committee on Rules that nothing like that will be done in the future and that no statements will be given out unless they are actually justified by facts.

Personally, of course, I do not blame the Republicans for taking the position they do. If I were a Republican I, too, would favor the resolution, because, unfortunately, this special committee has aided the Republicans by assailing and attacking our leaders and progressive, patriotic organizations. I regret very much that the special committee has lent itself to assailing and attacking progressive labor organizations throughout the United States.

I know where the petitions to which the gentleman from Michigan [Mr. HOFFMAN], has referred, signed by so many members of the American Legion, emanated. We know that the leaders of the American Legion somehow or other are misled by the Republicans and are being used by them. [Laughter.] That is all right; I will show you later that such is true.

On the other hand, I have received thousands upon thousands of resolutions, petitions, and appeals that the life of this special committee be not continued. I have here [indicating] petitions from the American Federation of Teachers, the Consumers Union, the Committee for Peoples Rights, the National Association for the Advancement of Colored People, the Professional League for Civil Rights, the Public Affairs Committee, National Board of the Young Womens Christian Association, the American League for Democracy and Intellectual Freedom, the League of Women Shoppers, and many other organizations, all urging that they be heard against the resolution.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. SABATH. In just a moment.

Mr. COX. Is the gentleman attempting to catalog all the communistic activities in this country in the reading of that list?

Mr. SABATH. Mr. Speaker, I have not yielded to my colleague, and I resent the statement of the gentleman and deny that any of these named organizations are composed of Communists or are communistically inclined. I will say that I am just as much opposed to communistic activities as is the gentleman from Georgia. I am just as much opposed to the activities of the Nazis and all similar un-American organizations as is the gentleman, and, perhaps, even to a greater degree.

Mr. Speaker, not only have I received protests from ex-service men as to the unfair tactics and procedure of the investigating committee, but from practically every type and kind of organization in the United States, totaling at least a million protests. I am not going to encumber the RECORD with insertions of voluminous petitions and lengthy communications, but shall take the liberty of including a few excerpts from some of the petitions and brief telegrams and letters of outstanding organizations. I quote from a report by a special committee of the American Civil Liberties Union as adopted by the board of directors on January 8, 1940:

Congressional investigations properly conducted are one of the admirable attributes of our democracy. This is so, even though, because of the immunity given to congressional inquiries, the press often repeats, without legal liability, what would otherwise be slanderous and libelous statements. The cure is not a suppression of congressional inquiry, but, rather, orderly procedure of the congressional committee and public debate as to the truth or falsity of the material revealed.

Although we would not restrict congressional committees by the ordinary rules of evidence, we believe that such committees should observe at least a minimum standard of fair play, flagrantly ignored by the Special Committee to Investigate Un-American Activities.

The second report of the Special Committee to Investigate Un-American Activities is more calm and temperate in tone. It is more nearly on the proper track of the course an investigation of this kind should take. It is in striking contrast to the alarmist statements of Chairman Dies himself. However, the injury done to organizations and to persons through the publicizing of unfounded charges against them cannot be obliterated or atoned for by the subsequent issuance of a report which does not repeat such charges. Any continuation in any form of this kind of inquiry should, in all equity, give full opportunity to all those so maligned to testify and to offer witnesses in their behalf.

Mr. Speaker, the gentleman from Michigan has referred to the petitions he has received in great numbers. I desire to insert at this point a telegram I received today from the Reverend J. H. Bollens, of Detroit, chairman of the Civil Rights Federation. It says:

DETROIT, MICH., January 22, 1940.

Congressman SABATH,

House Office Building, Washington, D. C.:

Civil Rights Federation, composed of over 300 Michigan church, labor, farm, civic, fraternal organizations, representing 500,000 residents, strongly urge Rules Committee postpone action on resolution to continue Dies committee until public hearing is held. Request opportunity to be heard.

Rev. J. H. BOLLENS,

Chairman, Civil Rights Federation.

Among the many telegraphic protests directed to me as chairman of the Committee on Rules is one from Mr. Arthur Kallet, director, Consumers' Union, New York City, reading as follows:

NEW YORK, N. Y., January 12, 1940.

Representative SABATH,

Chairman, House Rules Committee,

House Office Building, Washington, D. C.:

May we strongly urge that before giving any rule affecting the continuance of the House Committee Investigating Subversive and Un-American Activities you allow us to testify in behalf of our 85,000 members on the unsupported and outrageously unfair attack on ourselves and other consumer organizations by that committee's chairman and research director. We are convinced we have evidence to show that this attack was so motivated as to raise serious questions as to the integrity of the committee and the desirability of continuing it.

CONSUMERS' UNION,

ARTHUR KALLET, Director.

Next, I have the following telegram from the chairman of the Committee for People's Rights:

PHILADELPHIA, PA., January 21, 1940.

Hon. ADOLPH SABATH,

Washington, D. C.

Resolution adopted at meeting of 500 Philadelphians, auspices Committee for People's Rights:

Whereas the arrest of 17 members of the Christian Front by the Department of Justice is the only case involving conspiracy to overthrow the Government by force and violence which has as yet been brought to light; and

Whereas the Dies committee presumably investigating un-American and subversive activities has not only failed to uncover such plots but has persistently refused in spite of numerous demands to investigate the activities of Father Coughlin and the Christian Front and similar organizations; and

Whereas MARTIN DIES himself has been publicly charged by Congressman Hook, of Michigan, with being connected with the Christian Front; and

"Whereas the Dies committee has contented itself with smearing innocent individuals and organizations and has engaged in numerous other un-American activities, including illegal raids, searches, and seizures without warrant: Now, therefore, be it

"Resolved, That we, citizens of Philadelphia, hereby petition the Congress of the United States that the Dies committee should not be continued, nor given additional funds, since sufficient laws now exist for the punishment of subversive activities and existing agencies, such as the Department of Justice, are adequately equipped to investigate and apprehend such violators, and further since the Dies committee has proven its inability or unwillingness to investigate organizations actually working to destroy our Government by force and violence."

JOSEPHINE TRUSLOW ADAMS,

Chairman, Committee for People's Rights.

Please listen to a telegram from the chairman of the public affairs committee of the national board of the Y. W. C. A. It says:

NEW YORK, N. Y., January 11, 1940.

Hon. ADOLPH J. SABATH,

Chairman, Rules Committee,

House Office Building:

Urge public hearing on question of Dies committee continuation and appropriation. Many people subscribing to purpose Dies committee, gravely concerned over methods and scope of investigation,

believing them to be serious threat to civil liberties and violation of rules of congressional investigation.

DR. EMILY HICKMAN,
Chairman, Public Affairs Committee, National Board,
Y. W. C. A.

Again, I want to quote from resolutions adopted by the American Federation of Teachers, December 30, 1939, which resolutions, in my opinion, cite really cogent reasons for a proper procedure for this special committee. This organization says, in part:

The American Federation of Teachers does not take issue with the stated purposes of the congressional (Dies) Committee to Investigate Un-American Activities but believes that such purposes can best be served by existing governmental agencies in the enforcement of Federal and State laws already enacted against sedition, espionage, sabotage, and violent overthrow of Government or incitement to violence.

The Dies committee has itself clearly violated democratic procedures and therefore been truly un-American (1) by calling witnesses without due regard to their credibility; (2) by accepting testimony unsupported by trustworthy evidence; (3) by releasing to the public press testimony which attacks the reputations of these individuals and organizations without affording them the semblance of a fair chance to refute irresponsible charges; (4) by condemning individual people through association; and (5) by summoning witnesses without due notice, thus preventing adequate opportunity to secure data either for complete clarification or defense.

The methods of the Dies committee violate the civil liberties guaranteed in our Constitution by un-American treatment of dissident minority groups.

The action of the Dies committee has brought attacks upon organized labor, threatened its security, and thus endangered the most important movement in advancing and protecting our American democracy.

The Dies committee has failed to define Americanism and thus confuses the entire country, embarrasses all liberals including teachers, students, and others who sincerely believe in democracy, and generally discredits free thought and expression.

The Dies committee has not been impartial and comprehensive in its choice of organizations to be investigated and thereby testifies to its own confusion or prejudices.

The methods of the Dies committee discredit all Government agencies with investigatory powers by reason of its obviously political motives in contradiction to its stated purposes.

The Bill of Rights should remain inviolate especially in view of the present international crisis.

Mr. Speaker, these are the underlying reasons why I cannot support the resolution before us.

Mr. COX. Will the gentleman yield further?

Mr. SABATH. I did not yield in the first place. I dislike to decline to yield to my genial colleague, a member of the Committee on Rules, but he seems to get the floor whether I yield or not.

I shall not take any more time of the House at this time, and now yield to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, as a member of the American Legion I am well aware, and I believe everybody else is, that the American Legion is a nonpartisan organization. However, I am very happy to hear from such a high source as the gentleman from Illinois [Mr. SABATH] that the American Legion is in sympathy with the Republican Party on this issue and I hope on all others.

I now yield to the gentleman from Illinois [Mr. ALLEN] as much time as he may desire.

Mr. ALLEN of Illinois. Mr. Speaker, the question before the House is whether or not we feel the Dies committee should be continued. Before so determining we must ask ourselves these questions. Has it ably and successfully accomplished the things it set out to do? Has the money we have already appropriated brought results of beneficial nature? Do the great majority of our citizens feel that it should be continued? If it were discontinued, would detrimental interests be benefited?

Every Member of this House knows full well that any committee appointed by this House and directed by this House to do the things that the Dies committee was directed to do would not have unanimous acclaim. It is only natural that exposures made by the Dies committee would bring certain enemies to the front at this time. Their work necessitates stepping on somebody's toes. I would ask you who are the

ones unfriendly to the Dies committee? Who wants it discontinued?

Here are a few: Earl Browder, under indictment. We all know about him. The Communist Party. We all know about it. The New Masses; Labor's Nonpartisan League; the American Youth Congress; the American Student Union, which has given its blessing to Russia's attack on little Finland; the American League for Peace and Democracy; the Workers Alliance; Secretary Ickes; and Madam Perkins.

Mr. COX. Mr. Speaker, I trust my colleague will not overlook the list given by our colleague, the chairman of the Committee on Rules, all of which organizations are fronts for the Communist Party.

Mr. SABATH. The gentleman from Georgia cannot prove that. It is easy to make that charge, but it has been disproved, and the committee does not state it in its report.

Mr. ALLEN of Illinois. It is always to be remembered that all of these were behind the bill to pack the Supreme Court; they all applauded the attempt to purge certain United States Senators whose ability, honesty, and integrity were above reproach.

It is my ardent hope that the Dies committee will be continued, and it will be continued by practically a unanimous vote. It is my sincere wish that it will then bring before them the leaders of these subversive organizations and insist that they tell the purposes and objectives of their associations.

The American League for Peace and Democracy is but one of the larger groups opposing the Dies committee. Who are they? The record clearly shows it to be a communistic organization, standing for the things that are opposed by every Member of this body. The origin of the American League for Peace and Democracy dates back to 1933. It was born and cradled in communistic Russia, and why?

Stalin becoming alarmed at the rise of fascism throughout the world called a meeting of the executive committee of the International at Moscow, at which Earl Browder represented the American Communists. They decided, among other things, to set up in America what is known as a popular front organization. I am sure it would interest every Member of Congress to discuss with the members of the Dies committee what they learned about that particular popular front.

A year ago the gentleman from Illinois, Representative MASON, a member of the Dies committee, named six or seven important government officials whose names were enrolled as members of the American League for Peace and Democracy. Other lists have been published showing that there are hundreds of governmental employees belonging to that "communistic organization." They hold office under the Roosevelt administration. Their wages are paid by the loyal citizens of your district and my district, or the money borrowed by the Federal Government, the principal and interest of which must be paid by future generations. I feel certain that after the Dies committee is continued that it will bring in these alleged Communists, give them a hearing, and if their activities are disclosed as subversive, expose them, and use every honest effort to have them forced off of the Federal pay roll. To me it seems repulsive to every sense of honesty and decency to permit these termites to be drawing a salary from the Government while millions of real Americans walk our streets looking for work which they cannot find. It would be of interest to know who are sponsoring these un-Americans boring into the bowels of our Government from within.

I have named certain individuals and organizations who are opposed to the continuation of the Dies committee. Now, what organizations and individuals are hoping and urging its continuation? You all know. There is not a Member of this House that has not received countless letters and telegrams insisting on its continuation, letters from outstanding people of each district, letters from Legion posts and from other patriotic organizations.

I hold in my hand many letters and telegrams from these loyal Americans. Here are several letters asking for its continuation which alone would warrant the support of this reso-

lution by any Member of Congress. They are from the American Legion:

As representative of 85,000 Legionnaires in Illinois, I respectfully request that you do everything possible to insure the continuance of the Dies committee. We sincerely feel that the principles of Americanism are being fostered and encouraged by the exposures being made by this committee.

L. N. BITTINGER,
Department Commander.

Here is another:

The 40,000 Legionnaires and their families in Cook County hope that you will vote favorably on the continuance of the Dies committee.

WILLIAM J. COLLINS,
Commander.

Still another:

The 2,100 Legionnaires from your district urge your support of the continuance of the Dies committee. We are counting on your cooperation.

CHARLES EDSON,
Commander, Thirteenth Illinois District of the American Legion.

Like all of you, I too, have received letters from the Ladies Auxiliary of the American Legion. Like all of you, I have received many letters from the Veterans of Foreign Wars. They all urge its continuation.

The American Federation of Labor has passed resolutions urging its continuation. The National Grange, representing thousands of farmers, passes a resolution favoring the continuation of this special committee.

Of course the Dies committee made mistakes the first year. These minor mistakes have been broadcast by the enemies of its work. I am sure, however, that if it would have received proper cooperation from the Federal Government it would have done much better. With a very limited appropriation the first year, \$25,000, with nothing but ridicule for its every effort, and this ridicule originated with those that should have been anxious to give a helping hand, it is only natural there should be some mistakes.

The committee started its second year with an appropriation of a hundred thousand dollars, with a year's experience and with competent counsel and other able help. Results were soon evident. Facts were soon brought out concerning the various subversive groups. Publicity relative to these leaders and their foreign connections, their racketeering in money affairs, and their flagrant violation of laws were clearly proven. Some of the offenders have been placed in jail by the Department of Justice. As a result of the work of the Dies committee the American people have been brought to realize "that it can happen here."

The investigation phase of its work has not been completed. Much remains to be done. It is necessary that the committee continue its work and to make a diagnosis of the causes of subversive activities; and to recommend a constructive program for the cure or prevention of such activities in the future. This I am sure will be done. [Applause.]

Mr. SABATH. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. HAVENNER].

Mr. HAVENNER. Mr. Speaker, in the Seventy-fifth Congress I voted for the creation of the committee now known as the Dies committee because, in common with all true Americans, I was in sympathy with its announced purpose, which was to investigate un-American activities in the United States. I am still in sympathy with that purpose, but I believe now, as I believed a year ago when I voted against its continuation, that the committee has failed in its mission and misused its authority.

During the first year of its existence the committee conducted its hearings without regard for the most elemental rules of fair investigation. Reputable American citizens from all walks of life were subjected to false and vicious accusations of un-American conduct by witnesses of doubtful integrity, without being afforded opportunity to confront their accusers or even to make subsequent statements in their own behalf. The witnesses who made these reckless assaults on the reputations of American citizens were permitted to indulge in

surmise, hearsay, unsupported opinions, and damaging conclusions, with no attempt to confine their testimony to facts and legal evidence.

In all fairness, it may be said that during the past year those flagrant abuses of the rights and the reputations of American citizens have been to a large extent eliminated. This has been due to changes in the personnel of the committee, and to the determined efforts of certain of its members to compel proper conduct of the committee investigations. Notwithstanding these improvements, however, members of the committee still complain that prejudicial statements have been published as emanating from the committee without their consent or knowledge. Efforts to amend the resolution now under consideration so as to require prior inspection and approval by the committee members of all publicity releases have been rejected on the ground that they would "hamstring the committee."

In its early career the committee used the prestige of the Congress to disseminate over Nation-wide news agencies political propaganda which was employed with damaging partisan effect in State elections. This was done repeatedly and in such obvious manner that its deliberate purpose was unmistakable. In every instance this propaganda was designed to discredit and defeat liberal candidates and supporters of the New Deal by branding them as "reds" and radicals.

With these political abuses of a year and a half ago still fresh in their memories, the liberals of America are today unanimous in their opposition to a further grant of unrestricted authority to this committee to meddle in the coming State elections and attack the reputations of loyal progressive Americans.

Amend this resolution to provide for an orderly investigation of real un-American activities, and the true liberals of this Nation will not oppose it.

Revive and continue the old witch-burning campaign of terrorism against freedom of speech and freedom of political action, and the liberals of America will fight to a finish.

I should like to say to the party leaders on both sides of this aisle that neither of you can win in the coming elections without the liberal vote, and neither of you can be sure that you will get it. The only thing you can be sure of now is that if you give support and aid to those who are trying to terrorize liberals and suppress liberalism in this country you will not get it. [Applause.]

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein some excerpts from the report of the committee and some brief quotations from various letters I have here.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ROBSION of Kentucky. Mr. Speaker, ladies and gentlemen of the House, it was my privilege to speak and vote for Resolution 282 in the Seventy-fifth Congress to create the Dies committee to investigate un-American activities. I voted for House Resolution 26 in the Seventy-sixth Congress to continue its activities. I arise now in support of House Resolution 321 authorizing the Dies committee to continue its activities for another year.

The Dies committee, composed of five Democrats and two Republicans, on January 3, 1940, submitted a unanimous report of its work and findings. This report contains much startling information and should be read by every loyal American. I know of no investigating committee since I have been a Member of Congress that has done a more constructive, effective, and helpful job for this country than the Dies committee. I was glad to see that committee bring in a unanimous report. This is very unusual under the circumstances.

Many persons desire to know what is meant by un-American activities. The committee itself lays down what I consider a

very clear statement of un-American activities on page 2 of its report:

By un-American activities we mean organizations and groups existing in the United States which are directed, controlled, and subsidized by foreign agencies or governments, and which seek to change the form of government of the United States in accordance with the wishes of such foreign governments.

THREE IMPORTANT UN-AMERICAN GROUPS

The Dies committee finds that these un-American activities flow from three general groups—Communists, Nazis, and Fascists. Each of these groups was born in a foreign land. Each is directed, controlled, and subsidized by foreign governments and agencies. Each of these groups seeks to change our policies and form of government in accordance with the wishes and purposes of foreign governments. The leaders of each of these groups swear allegiance to foreign governments. Their purpose is to overthrow our Government by force and violence, if necessary, and substitute for our policies and form of government the policies and forms of government of foreign nations. These facts have been established by the sworn testimony of the officers and leaders of these groups and by their own records.

It is difficult to estimate how many millions living within our borders have from time to time fallen under the influence of these un-American groups and have become directly attached to these groups or brought into sympathy with their purposes.

The committee adopted a splendid formula on which to conduct these investigations. I do not know how we could find a better one.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. ROBSION of Kentucky. I have only a limited time, but I yield to my colleague from Kentucky.

Mr. MAY. The gentleman has had long years of experience at the bar, and the very definition that he refers to, the gentleman realizes that the evidence would have to take wide latitude and go into many ramifications.

Mr. ROBSION of Kentucky. Yes; I realize that the committee had a very comprehensive matter to investigate. It involved many organizations and millions of people. The committee proved its case by the officers and members of these organizations and by their records. I do not say this committee made no mistakes in this very wide and extended investigation. I do say, however, that I like the committee for some of the enemies it has made. It put the "reds" on the run. [Laughter and applause.]

COMMUNISM

The Communist group is by far the largest. It has resorted to many devices and tricks to deceive the American people and to cover up its purpose. One of its "front" organizations is the American League for Peace and Democracy. This organization was supposed to have 6,000,000 members. There could not be a more appealing name to the average American. It is a part of the great Communist movement that has been growing in this country for the last 20 years. The primary purpose of communism is to overthrow by force and violence if necessary not only our own Government but every government in the world that refuses to accept communism. There could be no peace or democracy with Communists in control. Communism is headed by that monster of a dictator, Stalin of Russia. Communism is the enemy of religion, the destroyer of the home, the advocate of revolution, murder, and destruction. Communism means neither peace nor democracy.

In order to beguile the workers of this country they styled one Communist "front" organization as the International Workers. In order to capture the young people of the land they named one of their activities "The American Student Union." To make an appeal to the Negroes of the United States the Communists got up the National Negroes Congress, and the Southern Negro Youth Congress. There are many others just as deceptive as those I have mentioned. Last but not least, in order to capture the friends of the immortal Abraham Lincoln and to make the American people believe that communism was the great champion of liberty and freedom they organized another Communist "front"

organization called the Friends of the Abraham Lincoln Brigade. The committee found many other groups—the Workers Alliance, International Workers Order, the I. W. W., and others—all of them controlled by the Communists and working in the interest of Dictator Stalin and his Communist government in Russia. They have a common purpose and that is to overthrow this Government by force and violence if necessary; to overthrow religion, break down the sanctity of the home, and enslave the workers and the childhood of the world.

What the Communists in the United States are attempting to do, they are doing in every other nation in the world which has not accepted communism. Earl Browder, the head of the Communists in the United States, and other leaders, frankly admitted they owed their allegiance to Dictator Stalin and the Russian Communist Government, and in the event of a struggle between this Nation and Russia they would take the side of Russia. With all of this Browder had the unmitigated gall to be the candidate of the Communist Party for President of the United States in 1936. On yesterday he was tried and convicted in the United States court in New York for the false use of passports in making his trips to Russia. Yes, Browder, from time to time, made trips to Russia in order to get instructions from Dictator Stalin and to carry reports to Stalin.

The Communists have induced many people from this country to go to Russia to receive training and instructions as to what to do when the proper time comes to help overthrow this Government. Communism is not really a political party—it is merely a great group of conspirators who have been plotting and planning for many years to overthrow this Government. Browder was convicted yesterday of these frauds and immediately sentenced by the judge to 4 years in prison and to pay a fine of \$2,000. He was out on bond, and before a great group of Communists in New York City declared his conviction was a badge of honor. He refused to testify in his own behalf. He claims it was an honor to have been convicted for false swearing and for committing frauds against this Government, and these 20,000 Communists cheered his remarks.

THE GERMAN-AMERICAN BUND

The German-American Bund is an organization inspired and financed by Dictator Hitler and his government. Its head in this country is one Fritz Kuhn, who is designated as the fuhrer of the American bund. This is merely a political group. This organization divides the United States into 3 divisions, 47 districts, and 69 local posts or units. Thousands and thousands of persons, according to the evidence, have united with this German-American Bund. It is claimed that it has more than 100,000 members and sympathizers. Kuhn and his followers swear allegiance to Adolph Hitler and the German flag. It was found that in many communities of our country boys and men were armed and trained. Many of our boys were taken to Germany and there they saluted Hitler and the German flag and swore allegiance to Hitler and his flag.

They claim that one of their main purposes is to fight communism in the United States. It will be observed, however, that their technique is identical with the German leader who organized the Austrian Germans and led to the overthrow of Austria and made it a part of Germany, and the same procedure and policies were followed by the German leader in Czechoslovakia who helped to overthrow that nation and helped to make it a part of Germany, and the same procedure was followed in Poland. These same bund organizations are developed in many other countries of the world. The central idea seems to be to unite at some distant date all Germans under the German Reich. Kuhn and his followers admit that in the event of war between the United States and Germany they, like the Communists, would aid Germany. It is an un-American group.

Now, the Communists in the United States claim that they organized in order to protect this country from the Nazis, and the Italian organizations of American Fascists in turn claim that they organize to protect our country from Communists, but the leaders and most of the members of each one of these

groups in the main swear allegiance to some European dictator.

The Dies committee has pulled the cover from off these un-American groups. The disclosures of the Dies committee brought about the indictment and conviction of Browder and other Communist leaders, and also developed the facts to show that Fritz Kuhn, the American fuhrer, was not only parading as an agent of Adolph Hitler and the German Government, but was stealing the membership dues paid into his organization, and he was recently indicted and convicted for stealing in the New York courts.

The Communists claim that one of their main objectives is to protect this country from the Nazis and Fascists. These facts against the Nazis, the Fascists, and the Communists have proved beyond question that these organizations are un-American. They are directed, controlled, and subsidized by foreign governments and agencies and they seek to change the policies and form of our Government in accordance with the wishes of foreign governments. Many of them are aliens, and they are enemies of this Government. The exposures of the criminal acts of these organizations and their leaders have caused many innocent persons who were beguiled to join these groups to drop out and condemn these un-American groups and their leaders.

You find that these Communists heartily applaud the invasion of Finland by Russia, and the unholy compact entered into between Stalin and Hitler. Fritz Kuhn and his followers wholeheartedly approved the ruthless overthrow of Austria and Czechoslovakia and the plundering of those small nations. They likewise favored the cruel aggression of Hitler and Stalin in Poland, and the overthrow of that government and the plunder and murder of the Polish people. Many American people who innocently became members of these various un-American groups have begun to realize that these groups have bored into the churches, the schools, the labor organization, and the Army and Navy. They have also found out that there is no peace, freedom of speech, or of the press, or religion where these groups control. They are beginning to realize that the people in Russia and Germany are forced to slaughter defenseless people in small countries whenever it suits the whims of a Hitler, a Stalin, or a Mussolini to do so.

We are spending billions to build a great Navy and a great Army to defend and protect our country. We know that no great country has ever been destroyed by forces from without. They have always fallen because of the enemies within. The great threat to our country does not come from forces across the seas. If this Nation ever falls, it will be because of the enemies within our own gates. It will come through groups like the Communists, the Nazis, or the Fascists, who are our enemies and swear allegiance to governments and dictators like Hitler and Stalin. [Applause.]

Mr. THOMAS F. FORD. Mr. Speaker, will the gentleman yield?

Mr. ROBSON of Kentucky. I am very sorry that I cannot yield. I do not have the time.

The Dies committee has rendered a great service to our country in exposing these termites and vipers here in the United States who have been and are injecting their poisonous venom into the very heart of this great Republic.

I wish to commend the American Legion and other veterans' organizations, the hundreds of patriotic groups, the American Federation of Labor, other labor groups, many farm organizations, and industrial and professional groups for their support of the Dies committee and its work.

The liberties that we enjoy in this country came to us through the blood and sacrifices of millions of noble men and women. It cost us too much to permit a lot of vipers and termites to overthrow it and use our Nation and people as pawns for foreign governments and foreign dictators. It is high time we cleaned up America. Are we going to let a lot of enemies within our own borders scuttle the Navy we are building? Are we going to stand idly by and see them destroy the morale of our Army and teach our young boys to march under and salute another flag across the seas and swear allegiance to dictators in other lands?

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Americans who join these un-American groups and knowingly conspire against their own Government should receive their reward as have Browder, Fritz Kuhn, and others. Aliens who are conspiring with Browder, Kuhn, and their like should at once be put on ships and sent back across the seas and let them enjoy communism and nazi-ism in the raw in Russia and Germany.

When the Dies committee has finished its investigation, measures that have already been passed by Congress to protect this country should be strengthened. Let us not forget that there is no country that enjoys a democracy like our own and that it leads the world in peace and justice.

This resolution should be adopted by the American Congress without a dissenting vote, and I trust it will be. [Applause.]

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. KELLER].

Mr. KELLER. Mr. Speaker, I want to repeat that the whole objective of the Congress in authorizing the committee was not to get newspaper headlines, but to get information that would aid Congress in any necessary remedial legislation. If that had been done, there would be no criticism coming to Mr. DIES.

I want, further, to repeat the fact that Mr. Metcalfe, the first witness before the Dies committee at its first meeting for taking testimony on August 12, 1938, made a very complete report on the German-American Bund activities, and Mr. Kuhn's association therewith. Mr. Metcalfe laid before the Dies committee a sufficient amount of evidence to have enabled the Federal Bureau of Investigation to round up every one in the bund, and would have enabled them to learn from the members of the various organizations what were the sources of their uniforms, their arms, their money, their plans of campaign and ultimate objectives, and more especially who the instigators of those objectives were. That would have been a real service. It would have enabled the prosecution of the leaders of the bund who might have been guilty of any offense against the laws of the United States. It is the way that every investigating committee that wishes for results carries on its business.

If the Federal Bureau of Investigation had had such a report, they would have had a mine of information that could have enabled them to get every other thing they needed about the German-American Bund organization and its associates.

But not so the Dies committee, because the chairman, who, from the beginning has made himself the whole committee, blared out the entire story to the newspapers. The headlines and the pictures that resulted excited the fears of many good Americans.

It is this extremely sensational method of presenting all of the information that has come into Mr. DIES' hands that has done so much injury and served no good purpose. Sensation always gets headlines. No one knows that better than the gentleman from Texas [Mr. DIES]. He loves the spotlight. It makes little difference whether or not a statement is true so far as sensation goes. All that is required is that there be an announcement that somebody has done something awful. If the accusation is untrue, no opportunity for correcting its influence is given. If a false accusation injures someone, he is never given a chance to defend himself under Mr. DIES' method of punishing un-Americanism. The injury is done. The knife of the assassin in the dark has done it work.

All other testimony taken by the Dies committee has been treated in the same way. It has been from the start a gathering and getting of sensational reports to the newspapers that would call forth headlines with Mr. DIES' name played up and the objective for which the Congress created this committee completely forgotten. I point this out deliberately and challenge anyone to deny the fact herein stated.

The gentleman from Texas [Mr. DIES] made very enticing promises before he was originally appointed chairman of this committee, both on the floor of the House and in private, as regards his good behavior and consideration of the rights of men, because a good many Members of Congress had a very clear understanding of what might be accomplished under the

terms of the resolution if the hearings were not conducted with great care and with a deep sense of justice to individual citizens. After the gentleman from Texas [Mr. DIES] had made such a mess of the thing and came back to the House for a second appropriation, before he was reappointed chairman he went to even greater lengths and promised the leadership of the House that he would commit no further offenses along that line. He also agreed that he would not ask any extension of the committee beyond the 1 year, and that the second appropriation of \$100,000 was granted with that specific understanding. He had asked for 2 years' time, which was frankly denied him. He had no more received the appointment and the money made available than he started out with increased vigor along exactly the same line, ignoring completely and entirely the other members of the committee.

It has been, is now, and in all human probability will continue to be a one-man committee, with the gentleman from Texas [Mr. DIES], of course, the one man.

It was the intention of the Congress that an investigation, especially of the foreign influences being exercised in this Government, should be made by the gentleman from Texas [Mr. DIES] from the beginning, and especially during the second year of his chairmanship. But this he has completely ignored and has gone forward with insistent deliberation not to get information that would help the House in any way to pass necessary remedial legislation but to destroy the New Deal, which he has hated from the start; to destroy organized labor and to embarrass the Roosevelt administration, and where possible, to aid the Republican at the expense of the Democratic Party.

During the congressional campaign—1938, in fact—it appeared many of the Republicans placed more reliance for success of their party upon the reports of the Dies committee than they did on their own campaign committee. Everybody knows, or ought to know, how the gentleman from Texas [Mr. DIES] deliberately and with political malice of forethought embarrassed the Democratic campaigns, especially in California and in Michigan, where the misrepresentation of correspondence to him and his committee resulted in the defeat of one of the very high-class men in America, Governor Murphy. It is, therefore, not to be wondered at that every Republican has voted for the continuation of the Dies committee. They are going to need more help, of course, and they are going to look to the gentleman from Texas [Mr. DIES] to furnish it.

I want now to reveal other actions of the Rules Committee in regard to the entire matter. A number of us went before that committee and asked for time to debate the whole matter, time to make a thorough presentation of all the facts on the floor of the House. We asked for 5 hours' open debate on the resolution. The Rules Committee had the full power to grant that if they had desired to do so. They had full power, but they did not do it. No one denied that they had full power to do it. They granted only 1 hour, because they were unwilling that a full presentation of all of the facts in this matter should be made.

At the same time, in the meeting of the Rules Committee, the gentleman from California [Mr. VOORHIS], a member of the Dies committee, presented the following amendments to this resolution extending the life of the Dies committee, to prevent the abuses heretofore pointed out:

First. The committee shall hold regular executive meetings at least once each week.

Second. No public statements, press releases, communications, or reports involving the work and the responsibilities of the committee shall be issued or released by any member thereof, excepting after such statements, releases, communications, or reports have been submitted to the entire committee and approved by the majority thereof.

Third. Positive efforts shall be made by the committee to call persons accused of engaging in un-American activities before it as soon as possible after accusation to this effect has been made.

Fourth. Members of the committee shall make no speeches or public utterances during the course of the investigation which deal with matters under investigation, nor shall any charges or predictions as to future findings of the committee be made unless and until substantiated by evidence.

The Rules Committee refused to consider these amendments and were not as polite to the gentleman from California [Mr. VOORHIS] as they might have been in refusing. That the Rules Committee had the power to include this as a part of the resolution there can be and is no doubt at all.

If such provisions had been made a part of the resolution, it would have, at least, I think, restrained their chairman, the gentleman from Texas [Mr. DIES], from vocalizing on the investigator's reports to the committee in such a manner as to render them ineffective in the great service they could have rendered. The Rules Committee knew this very well. They evidently favored this vocalization method.

If the amendments had been made a part of the resolution itself, I should have voted for the continuation of the Dies committee. I should, at the same time, have been of the opinion that the gentleman from Texas [Mr. DIES] would not have paid much attention to these rules, by his evident and constant refusal to be directed by the Congress. Such restraints upon him by the act of the Congress itself would, in the eyes of the people, have largely nullified his sensational appeals for the rest of the life of the committee.

Some member of the Rules Committee suggested that the Dies committee itself might adopt the policies expressed in Mr. VOORHIS' amendments, but his fingers were crossed when he made it, and a good many winks went from one member to the other of the Rules Committee, upon hearing that bland announcement, because they knew two things. One, that there is not 1 chance in 10 that the Dies committee itself would adopt any such individually repressive measures on the vocal chairman of the committee. They also knew that if the committee would adopt any such rules for the control of the gentleman from Texas [Mr. DIES] that he would pay no attention to them, for no publicity would be given to that feature of the proceedings of the Dies committee. In other words, they knew that proceedings in the committee would go on, just as they had done before, unless the Voorhis amendments were made a part of the House resolution itself.

There has never been any desire on my part to prevent or handicap the proper investigation of any person or situation that even might be injuring America. In saying this, I believe that I am speaking for everyone who has opposed the Dies committee, as I have tried to make clear here. It is the method and the unfortunate result of that method which I have recognized and which I have been justified in opposing. The wholesale denouncement of people certainly is inexcusable and certainly as un-American as anything a man can be guilty of doing. It is to this sort of thing—the abuse of American citizens and the rendering ineffective to the purposes of this House in creating the committee of its evidence—that I have objected, that I do object, and shall continue to object.

Mr. FISH. Mr. Speaker, I yield 7 minutes to the gentleman from New Jersey [Mr. THOMAS].

Mr. THOMAS of New Jersey. Mr. Speaker, Fritz Kuhn is in Sing Sing. Earl Browder is on his way to Leavenworth. Nicholas Dozenburg and James Wheeler-Hill have pleaded guilty to indictments and are awaiting sentence. A dozen other of the objects of the Dies investigation have been indicted and are awaiting trial. Before many months have passed there will be scores of indictments; and many more of the un-American agents in our midst will be behind prison bars.

The vast majority of the American people know full well that our law-enforcement agencies have been spurred to action and the whole American people led to an understanding of the nature of un-American activities by the revelations of the Dies committee. This power of our democracy to protect itself against foreign agents aiming at the overthrow of our form of government is a tribute to the wisdom and vigor of our political institutions. Yes; and it is something else: it is the sufficient reason why the overwhelming majority of the American people want the Dies committee to continue its work, and it is the very excellent reason why every man in this House knows now that this body entertains

no serious thought of ending the Dies investigation or of hamstringing its efforts to drag the rest of the un-American crew out into the open.

With the \$115,000 which it has spent to date, the Dies committee has accomplished a piece of national education which, if it had been done before it was too late, would have saved many European countries from the fate which has overtaken them—thanks largely to their ignorance of the identity and true nature of the enemies of their now vanished free institutions. It may yet be written in the history of this country that an investigation committee set up by this House did more than any other single factor to save this country from the illusions and the terrors of totalitarian government. Our national education in these matters at this crucial period in the world history has been worth infinitely more than the sum which has been expended.

Our people are learning the important lesson of caution before joining organizations with high-sounding names and sinister purposes. It is due entirely to the work of the Dies committee that we now speak familiarly throughout this country of such things as "united front," "fellow travelers," and "transmission belts." Two years ago these phrases were not in our national vocabulary. Today they are almost universally understood, and understanding is the essence of our protection against them. I have it on good authority, and am happy to announce to this House, that Moscow's most successful "united front" or "transmission belt" in this country—the American League for Peace and Democracy—is about to fold up and go out of the business of hoodwinking the gullible. Just a year ago this "transmission belt" of Stalin was at the peak of its influence at the time of its annual convention held right here in Washington. Now it is about to become an unhappy memory.

It is altogether unnecessary for me to catalogue the achievements of the Dies committee. The American people and the Members of this House are pretty well acquainted with the committee's achievements, and that is why both the people and this body favor the continuation of the committee's work. Despite this widespread acquaintance with the results of the committee's work, I wish to state briefly at least 10 among the many things which the committee has succeeded in making clear:

First. It has exposed the fact of widespread passport frauds by Communists.

Second. It has established the connection between Stalin and a gigantic counterfeiting plot in this country.

Third. It has shown, by hundreds of pages of testimony, that the Communist Party in this country is a branch of Stalin's government and, as such, is guilty of violation of the act requiring the registration of foreign agents with the State Department.

Fourth. It has proven that numerous auxiliaries of the Communist Party, such as the American League for Peace and Democracy, have violated the same act by failing to register.

Fifth. It has adduced substantial evidence that the Communist Party has been engaged on a wide scale in espionage and sabotage in this country through the instrumentality of Stalin's OGPU.

Sixth. It has revealed an alarming penetration by the Communist Party into the ranks of labor and the penetration of communism in our schools, colleges, and governmental agencies.

Seventh. It has shown the direct link between Hitler and the German-American bund.

Eighth. It nipped in the bud a crude move of the Moseley-Deatherage-Gilbert-Campbell group to launch a race-hating violent American fascism.

Ninth. It has exposed from top to bottom the un-American character of Pelley's Silver Shirts, and of a score of kindred Fascist outfits including the Christian Front.

Tenth. It demonstrated again and again, long before the Stalin-Hitler alliance, the essential identity of all the totalitarians—the Communists, the Nazis, and the Fascists.

And yet, even with all of these achievements to its credit, the work of the committee is not finished. There are whole areas, both geographical and topical, where Communists and Fascists are operating, but where with its limited facilities, the committee has not yet brought about complete exposures. The continuation of the committee's work is, I am glad to say, a matter upon which both sides of this House can agree overwhelmingly. As the chairman of the committee has so often said, it is a work which rises far above all partisan questions and commands the wholehearted support of all Americans. [Applause.]

Mr. Speaker, I yield back the balance of my time.

The SPEAKER. The gentleman yields back one-half minute.

Mr. SABATH. Mr. Speaker, I yield to the gentleman from California [Mr. GEYER] such time as he may desire.

Mr. GEYER of California. Mr. Speaker, everyone, including the chairman of the committee to investigate un-American activities and many of the committee's distinguished members, has been ready to admit that the so-called Dies committee has made mistakes. It has been freely stated that the committee's procedure has often been less than scrupulously fair and impartial, as we Americans understand fair procedure. It has not been denied that the committee engaged as its first investigator a man of at least questionable reputation and an unsavory past, in which anti-Semitic, anti-Catholic, and un-American activities played a part. It has not been denied that the committee has frequently given considerable weight to the testimony of witnesses whose credibility was open to serious doubt, some of whom even had criminal records. It has not been denied that the committee acted to influence national elections in at least three States, and in a manner characterized by the President of the United States as "unfair and un-American." It has been charged—and I believe the facts substantiate the charges—that the Dies committee has timed its appearance in certain cities to coincide with the holding of National Labor Relations Board elections, or the settlement of serious labor disputes, and that it has used its unquestioned influence to affect the outcome of those elections and those settlements in a manner inimical to the interests of the workers involved.

It has not been denied that the Dies committee has on occasion been irresponsible in its dealings with the press, nor that it has spread unsubstantiated charges against the character of prominent persons without giving them adequate opportunity to clear themselves.

Mr. Speaker, a recital of the admitted mistakes of this committee, which now asks the House to continue its life for a third year, a recital of the mistakes cheerfully and publicly confessed to by its own members, would take a lot more time than has been allowed to me and all the other opponents of this resolution. If the committee members themselves came before this House and confessed to all the mistakes they have previously admitted, it would take more time for their confessions than the 2 hours granted us for this entire debate.

But there is one mistake to which the committee and its members do not confess, Mr. Speaker. And that mistake is the fundamental one on which I base my firm opposition to continuing the life of the Dies committee. That is the mistake of permitting such a committee as this to exist at all in these critical times, and to pursue the objectives it has pursued in the past and will, we may be certain, continue to pursue in the future.

What are the objectives of the Dies committee? By their fruits ye shall know them. The objectives of the Dies committee are to spread mutual distrust and fear among the common people of America; to create in the popular mind a war hysteria and to set neighbor against neighbor in a hunt for heretical thoughts; to disrupt and destroy the progressive organizations through which the people seek to solve their problems of jobs, security, wages, and living standards; to cripple the attempts of consumers to protect their living standards against rising prices; to weaken the trade unions; to hobble the minds of students and muzzle their teachers.

In short, the objectives of this committee as established by their deeds and their "achievements" are to undermine American democracy by terrorizing the American people into the surrender of their traditional rights.

I am not alone, Mr. Speaker, in recognizing the essentially un-American nature of the objectives of the Dies committee and in opposing its continuance on this ground. The rank and file of organized labor is mindful of the danger. Many hundreds of trade-union locals have spoken out in resolutions and petitions and individual letters to the Members of this House. The American Federation of Teachers, of which I am proud to be a member, has asked me to make its views known here. Recently a group of distinguished educators, associated with the American Committee for Democracy and Intellectual Freedom of which the Professor Franz Boaz is chairman, sent every Member of Congress a detailed analysis of the Dies committee's record. This report by the best and most respected savants in our country charges that the Dies committee has engaged in a series of attacks upon the "freedom of teaching and investigation in leading institutions of learning by recognized scholars and by professional associations of educators."

It warns us against the Dies committee, not only as a danger to freedom of speech, press, and assembly but as an even greater danger to that inalienable right of freedom to think for ourselves.

The President of the United States, when he charged the committee with being unfair and un-American, and when he spoke of its "sordid procedure" in publishing the membership and mailing lists of the American League for Peace and Democracy, brought its objectives as well as its procedure into question.

Unfortunately this opposition to the continuance of the Dies committee has been drowned out by those subversive elements who have every reason to want it to continue and by the millions of misguided citizens whom the committee has succeeded in misleading as to its purpose and its methods. A committee whose objectives are those of the chambers of commerce, of the National Association of Manufacturers, of the Associated Farmers, the Christian Front, the reactionary press, the Wall Street financiers, the munitions makers, and all the most powerful and richest enemies of democracy—such a committee has no trouble in making itself heard.

There is another reason for the failure of the opposition to the Dies committee to become more effective. The failure of the unions and other progressive groups to register the full strength of their opposition is itself a measure of the extent to which the Dies committee has already succeeded in weakening and intimidating the progressive forces in this country. It just is not healthy to speak the truth about the Dies committee any more. Mr. Speaker, I submit that this alone is sufficient reason for calling a halt.

And there is still another reason why the Dies committee can feel confident today that it will get a new lease on life from this House and more funds with which to continue to whip up more and more war hysteria in our country. That is the failure of the leaders of my party, the Democratic Party, to voice their unqualified opposition. Mr. Speaker, I hesitate to express the grave fears which this silence on the part of the administration and its spokesmen arouse in me. But I feel constrained to express them, because I know that they are present in the minds of my constituents and because they concern the future peace and security of our country.

I cannot help asking, Mr. Speaker, whether the willingness of leading new dealers to accept this resolution is connected with the new drive for economy in social expenditures reflected in the 1940 Budget? Is it connected with the increasingly ominous signs that we propose to convert our economy into a war economy? Is it connected with the attempts to cripple the Wagner Act and emasculate the Fair Labor Standards Act? Is it connected with alarming tendency toward building up a political secret police in the Federal Bureau of Investigation, as testified to by Mr. J. Edgar Hoover and his card-index system of "suspicious characters"?

If the new dealers are preparing to scuttle the New Deal, if they intend to abandon the fight for peace, progress, and the social security of our people, then they have every reason for wanting to continue the Dies committee. For, if that is what they intend, they will need all the help they can get in disarming the American people and persuading them to take this betrayal lying down.

The gentleman from Texas, Chairman DIES, has written a series of articles for Liberty magazine. The striking title of this series is, "More Snakes Than I Can Kill."

Mr. DIES' voting record in this House convinces me that his definition of "snakes" and mine differ. If by "snakes" the gentleman from Texas [Mr. DIES] means red-blooded, fighting Americans who mean to defend what they have won under the New Deal and who mean to hold the new dealers to their promises, then the gentleman from Texas [Mr. DIES] is quite right. There are more "snakes" of that breed than he, or any other man, or any other committee, can kill, though all the resources of the Federal Treasury were put at their disposal.

Mr. Speaker, no sensible man would delude himself in thinking that the Dies committee will be stopped by speeches today. I know that it will continue, at least for another year. But I know, too, that in the last analysis it will be defeated in its purpose. The American people will continue and democracy will continue. Not just for 1 year, but through the years to come, and long after the Dies committee has been forgiven and forgotten.

Mr. SABATH. Mr. Speaker, I yield 1 minute to the gentlewoman from New York [Mrs. O'DAY].

Mrs. O'DAY. Mr. Speaker, I voted originally for the creation of this committee. I believe that all subversive and un-American activities should be stamped out, but I did not vote for a continuation of the committee because of the un-American way in which it conducted the committee meetings. Unless we are assured that the committee will be conducted in a different manner in the future, I, for one, will not be able to vote for it. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. Cox].

Mr. COX. Mr. Speaker, I am grateful to my friend, the ranking member of the minority on my committee, for the time he has given me. My own chairman has not found it convenient to consult with me with reference to time, and therefore I must go to the opposite party for the little time I may use.

Mr. Speaker, you may say what you please about the Dies committee, but it has the reds in this country on the run, and as to the position that it holds in the confidence of the people of this country, you will find ample testimony when this vote is taken.

I wanted time, Mr. Speaker, to make answer to the scurrilous attack made upon the chairman of this committee by the gentleman from Michigan [Mr. Hook], in his extension of remarks in the Record of yesterday. The gentleman from Michigan reminds me of the boy who burned the Temple of Ephesus. He wants to connect his name with some important event in history, even though he be represented by a mere daub of mud. [Applause.]

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I am obliged to state that I have offered time to the gentleman. I made arrangements with the gentleman from New York for my colleague to have 5 minutes, but he has refused to take it that way.

Mr. COX. Mr. Speaker, I had a conversation with the gentleman this morning on the telephone concerning the control of the time at the disposal of the committee members presenting this resolution. My friend stated to me that he would make arrangements for me to control a part of the time. I now find that he has generously saved me 2 minutes, and I have stated to him that I do not want it. The gentleman being against the resolution should have had nothing to do with the control of time.

In the speech which the Member from Michigan [Mr. Hook] inserted in the Record yesterday attacking the chairman of the Dies committee, he stated that Mr. James Wheeler-Hill, secretary of the German-American Bund, was listed as a sponsor on the program of a luncheon in New York City which was addressed by the gentleman from Texas, MARTIN DIES, on December 8, 1938. I have in my hand a copy of the program of that luncheon which gives the names of 43 sponsors. The name of James Wheeler-Hill is not among them. The luncheon was open to the public and it is true that James Wheeler-Hill and Fritz Kuhn, like hundreds of others, purchased tickets of admission. When the gentleman from Texas, MARTIN DIES, was apprised of the presence of these two leaders of the German-American Bund, he declared, according to the New York papers: "I detest the Communist Party and the German-American Bund alike." Turning to the chairman of the gathering, the gentleman from Texas [Mr. DIES] added: "I wish he had brought Browder along, too, and a few others to hear what I have to say about the American doctrine." That, my friends, is the sort of link which the gentleman from Texas, MARTIN DIES, has with the German-American Bund.

Now, let us look for a moment at the alleged "guilty association" between the gentleman from Texas, MARTIN DIES, and William Dudley Pelley, of the Silver Shirts. Incidentally Pelley is suing the gentleman from Texas [Mr. DIES] for the tidy sum of one-half million dollars. Certainly that is no evidence of the existence of a "friendly link" between the two.

The entire substance of the evidence of DIES' "guilty association" with Pelley is contained in alleged letters written by Pelley to a third party—one David Mayne. Now, no one can exercise a censorship over the correspondence of two other parties. In this instance the correspondence is between a fugitive from justice and one of his stool pigeons.

The Member from Michigan considers that the report of the Dies committee to this House is altogether inadequate in dealing with the aims and activities of William Dudley Pelley. The whole country has, on the contrary, hailed the Dies report as a fair and balanced document. On the subject of Pelley who will say that the report does not effectively castigate the leader of the Silver Shirts? I read from the report only one of the statements concerning Pelley, which occupy two pages of the committee's findings:

From the documentary evidence and testimony before the committee concerning the activities of Pelley, the conclusion that he is a racketeer engaged in mulcting thousands of dollars annually from his fanatical and misled followers and credulous people all over the United States, Canada, and certain foreign countries is inescapable.

Repeatedly in his broadcasts and in his comments during the hearings of the committee the gentleman from Texas, Chairman DIES, gave expression to this and similar estimates of Mr. Pelley. The truth of the matter is that the testimony concerning Pelley occupies not simply 88 pages of the Dies record but is found scattered through each of the 9 volumes that have thus far come from the press. No one who can read will be able to come to the conclusion that the committee or its chairman has handled Pelley with kid gloves.

Through its most commendable vigilance, the Dies committee learned that an agent of Pelley tried under false pretenses to obtain employment as a committee investigator. The committee promptly cited this agent of the Silver Shirt leader for perjury committed in his effort to obtain employment, and he is now under indictment for that offense in the District of Columbia courts.

Practically all of Pelley's recent issues of his magazine, *Liberation*, have teemed with vituperation of the gentleman from Texas, MARTIN DIES. These publications have been widely circulated among the Members of this House.

Such are the evidences of a link between the gentleman from Texas, MARTIN DIES, and William Dudley Pelley.

Let us look for a moment into the allegation that a link exists between the gentleman from Texas, MARTIN DIES, and the Christian Front. There is not the slightest evidence of

such a tie, but there are enemies of MARTIN DIES' brand of Americanism who would like to manufacture such evidence. I am informed that the Dies committee is in possession of testimony that an agent of the Communist Party has recently offered a certain gentleman who had some casual connection with the committee's investigation the sum of \$2,500 for a false affidavit alleging a link between the gentleman from Texas [Mr. DIES] and the Christian Front. That is the desperate and despicable length to which the un-American forces in this country are prepared to go in their reckless attempt to smear one of the outstanding public servants of our time.

The Dies committee's report to this House brands the Christian Front and the Christian Mobilizers as un-American outfits. The devious logic of the Member from Michigan is not worth the paper on which it is written when it tries laboriously and painfully to trace a connection between the gentleman from Texas [Mr. DIES] and the Christian Front. Furthermore, I have in my possession astonishing evidence that these self-styled Christians entertain no love for the chairman of the Committee on Un-American Activities. They love him in the same way that the Daily Worker and the Communist Party love him. On last September 21, the Acting Chief of the United States Secret Service notified the gentleman from Texas, MARTIN DIES, in writing that he was the object of a threatened physical assault by these self-styled Christians. I hold in my hand the letter and the memorandum which the Acting Chief of the United States Secret Service sent to the gentleman from Texas, MARTIN DIES. That, ladies and gentlemen of the House, was 4 months ago. When his personal safety was threatened, the gentleman from Texas, MARTIN DIES, did not go to the press with a news story that would have made the first pages of newspapers all over the country. In the light of the documents from the United States Secret Service which I hold in my hand, every Member of this House should resent with burning indignation any statement, express or implied, that the distinguished chairman of the Dies committee is linked with these Christian Fascists.

Mr. CELLER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CELLER. Is the resolution under consideration subject to amendment?

The SPEAKER. It is not unless the chairman of the Committee on Rules yields for that purpose or unless the previous question is voted down, in which event the whole resolution would be open to amendment.

Mr. FISH. Mr. Speaker, I yield 2 minutes to the gentleman from South Dakota [Mr. CASE].

THE AMERICAN RIGHT OF FREE SPEECH

Mr. CASE of South Dakota. Mr. Speaker, yesterday the Evening Star of Washington reported an un-American act which I hope this committee, in the extension which I expect this House to vote to it, will explore.

The Associated Press is quoted as saying that the National Labor Relations Board yesterday contended that freedom of speech was "a qualified and not an absolute right"; and, consequently, ordered the Ford Motor Co. to desist from distributing any literature which carried the attitude of Mr. Ford on the subject of labor. I suggest that the Dies committee in its investigation of things that are un-American in this country could well include an investigation of those governmental bodies which take such un-American positions as to say that any act of Congress can override or make null and void the First Amendment to the Constitution, that guaranteeing free speech. [Applause.]

Permit me to say further, Mr. Speaker, that that is an unfriendly act to labor and an unfriendly act to minorities and to those groups who need the protection in times of stress.

If an act of Congress can in the one instance nullify the constitutional guarantees of free speech in one direction, it can in another. The day has been seen and will be seen again when labor will plead the Constitution and the Bill of Rights for protection against some act of Congress. If you destroy

free speech for the employer, you destroy it also for the employee.

Yet here we have an agency of the Government saying that the right of free speech is a qualified right, subject to nullification by an act of Congress. Mr. Speaker, if the National Labor Relations Board makes such an un-American decision in the belief that the Supreme Court at this time will uphold them, then the responsibility rests upon Congress to rise to its sworn duty of defending and upholding the Constitution by wiping out the Board and the act that seeks in such a manner to destroy the right of free speech.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. CASE of South Dakota. For a question only.

Mr. MARCANTONIO. Does the gentleman also believe that the Dies committee should investigate a picture that is now being shown at the R. K. O. Theater in Washington, wherein the statement is made by Abraham Lincoln that the people have a revolutionary right to change the form of their Government?

Mr. CASE of South Dakota. I have not seen the picture and am not familiar with the quotation. Which matters little. The right of men to establish new governments was stated in the Declaration of Independence—a right when governments deny life, liberty, and the pursuit of happiness. Yet the gentleman knows and every Member of this Body knows that giving allegiance to one's country's enemies is treason. And one witness before the Dies committee is credited with having said that in case of war between this country and Russia, the members of his organization would be bound to follow the Communist Internationale.

The man who probably wrote into the Declaration of Independence those words on the right of men to establish free governments, however—the right of revolution, if you want to put it that way—Thomas Jefferson, was among those most anxious to have adopted the first 10 amendments to the Constitution, the Bill of Rights. And first among them was:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press * * *.

He wanted this Government to succeed. He wanted it to maintain liberty. Yet here we have the National Labor Relations Board, a Government agency, saying:

The guarantee of such rights (self-organization) to the employees would, indeed, be wholly ineffective if the employer, under the guise of its constitutional right of free speech, were free to coerce them into refraining from exercising the rights vouchsafed to them in the act.

Lay aside the absurd contention that the simple distribution or posting of a circular stating the views of Mr. Ford on labor was coercion. The bald thesis of the N. L. R. B. is that an act of Congress is superior to the Constitution. No matter what the constitutional rights are, the Board says, in effect, if they make ineffective a guaranty of rights set forth in an act of Congress, the Constitution, not the act, fails.

Strange doctrine that. Strange friendship for labor that. Another act could give some board power to deny employees the right to have their voice or to print their side of a case.

Mr. Speaker, this body is sworn to defend the Constitution of the United States. When any governmental agency puts out such un-American doctrine, it is time that this body perform its duty whether it be to extend the life of the committee under discussion or to take direct action against the life of the Board or act guilty of such an un-American doctrine. [Applause.]

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. SCHAFER of Wisconsin. Does the gentleman not believe that the Dies committee should thoroughly investigate the un-American discriminatory activity against the people of the colored race down below the Mason and Dixon's line?

Mr. CASE of South Dakota. If such exists.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Speaker, as I view it, the House is today confronted with the choice of two evils. On the one hand, to adopt this resolution is to seemingly approve the un-American procedure of the Special Committee to Investigate Un-American Activities. On the other hand, to defeat the resolution is to seemingly approve of a continuation of subversive activities.

It is unfortunate that such a choice must be made. It is indeed difficult to vote to continue a legislative committee which in itself has adopted methods which are a mockery of democratic processes. While it is true that telling exposures have been made, time after time persons and organizations have been accused of un-American leanings and, because of the manner of the committee in handling and disclosing the charges, have been found guilty, at least in the public's mind, without even being permitted to offer a defense. Practices of this sort are born of intolerance and beget hysteria in the public's mind.

In a sense, unbridled demagoguery is more of a menace to Americanism than the activities of a few scattered and half-brained sympathizers of communism, especially when it has legislative sanction and the open approval of Congress. Procedure violative of fair play and the sacred right of the accused to a fair hearing before being adjudged guilty should not for a moment be tolerated; and excusing such conduct in a legislative inquiry will gradually lead to a contempt for time-tested judicial methods of determining issues. Americans venerate the courts of this land, because in the final analysis in their hearts they know that justice will be obtained. The result may come slow, but it is assured.

I cannot believe that a single member of this special committee would for a moment seriously contend that this country is at present in such a grave emergency, because of un-American activities, that it calls for the suspension of constitutional methods or the rights of man.

This committee has, without doubt, performed a wonderful service to the people of this country, but the effect of much of what has been accomplished has in a large degree been nullified by its own methods of procedure and its incessant and insatiable desire for the newspaper headlines. It is my sincere hope that it will heed the just accusations which have been lodged against it, and with which I believe a majority of the committee will agree. It has had and, as it probably will be continued, will have in the next year a wonderful opportunity to perform a service of lasting benefit to the country. I pray that it will see the light and will act accordingly.

The ideologies of communism, fascism, and nazi-ism are unspeakably loathsome to me, and perhaps that is why I speak so strongly and condemn so heartily methods which in themselves are on the border line of intolerance.

However, because I do not want in the least way to do anything which may be expressive of sympathy for, or which may lend encouragement to subversive or un-American activities, be they communistic, Fascist, or Nazi, my vote must and will be cast in favor of the continuation of the Special Committee to Investigate Un-American Activities. [Applause.]

Mr. FISH. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. VOORHIS].

Mr. SABATH. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. VOORHIS].

The SPEAKER. The gentleman from California [Mr. VOORHIS] is recognized for 5 minutes.

Mr. VOORHIS of California. Mr. Speaker, I have been a member of this committee. The first thing I want to say is that I regret more than I can say the nature this debate inevitably takes on. The debate on the subject of the Dies committee is taken advantage of every time it comes up by various Members to make the accusation, in the first place, that there can be no honest opposition to the committee, and, in the second place, to express their own personal views about certain organizations and movements in America. The gentleman from Kentucky [Mr. ROSSON] quoted from the report a definition of un-American activities which, in my opinion, sets forth the scope of this committee and is the proper field

of its work. I think it is a shame that the membership cannot discuss this question on its merits and dispassionately instead of attempting to make political capital out of it right here on the floor. For example, the old charge about there being large numbers of Communists employed by our Government has been reiterated again today. Such a charge is not supported by evidence before the committee, nor should such a loose charge ever be made by anyone until he is ready to be specific and to name names and give his evidence. When that is done, I, for one, believe that any person who belongs to a foreign-controlled group should be dismissed at once. But unfounded charges on a matter as important as this are wrong.

If it were within my power to do so, I should like to see this committee adopt as its rules of procedure the following things which I suggested yesterday to the Rules Committee:

First, the committee shall hold regular executive meetings at least once each week.

Second, no public statements, press releases, communications, or reports involving the work and responsibilities of the committee shall be issued or released by any member thereof excepting after such statements, releases, communications, or reports have been submitted to the entire committee and approved by a majority thereof.

Third, positive efforts shall be made by the committee to call persons accused of engaging in un-American activities before it as soon as possible after accusation to this effect has been made.

Fourth, members of the committee shall make no speeches or public utterances during the course of the investigation which deal with matters under investigation, nor shall any charges or predictions as to future findings of the committee be made unless and until substantiated by evidence.

When I suggested and submitted that, I was told it would "hamstring" the committee. I cannot understand that. I am convinced, on the other hand, that if we had followed these suggestions every mistake which this committee has made would have been avoided. Some of the mistakes which the committee made such as issuance of the report on consumers organizations in the way it was done, have been of such character as to cast discredit upon its other work. I hope and believe that what the House wants is a real investigation of un-American activities. We do not want this committee to accuse people on anything but clear evidence, carefully and properly developed.

Mr. Speaker, I did sign the report of the committee and I believe the basic findings contained therein are correct. I believe the basic work done by the committee is correct and has given the Nation valuable information. I am one of those Members who has spoken out when I felt the committee was wrong, and I propose to do just that in the future. For a committee of this kind cannot possibly be too careful in its work, even in the case of the report which I think was a good report, I want to say at this time that I am compelled to admit we were apparently not as careful as we should have been with regard to a couple of organizations concerning which certain facts have come to my attention since and which I certainly think should be given an opportunity to present their case at the earliest possible moment. One of these organizations is the United Electrical and Radio Machine Workers, which I am now informed, has a long record of peaceful relations with a great many employers. Its record does not look like that of a Communist-dominated union. I want to say that I believe the evidence upon which we acted is insufficient—particularly in the face of the union's record—to include that organization in the list of Communist-dominated unions, and I deeply regret my own failure to spend more time and pains on this matter.

Mr. MASON. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Illinois.

Mr. MASON. May I state that that evidence has been placed in my hands this morning and it appears that an injustice has been done this electrical union. I, for one, will be glad at the first opportunity to give that union a

chance to clear itself and to repudiate what has been said about it. [Applause.]

Mr. VOORHIS of California. I thank the gentleman very much. I want to proceed to another case. I am told that the Spanish Refugee Relief sends all its money to the Friends Service Committee. If that is true, then the committee certainly ought to look into that further than it has done before putting this organization down in the list contained in the report. I believe one of the jobs this committee ought to do is to look much more thoroughly into some of these groups and organizations and give them a chance to appear before the committee at the earliest possible date. Of course, as I stated, I take my share of that blame. Other things have happened which I am sure would have been corrected if the rules of procedure which I suggest had been followed. I shall try to see that is done in the future and I am sure other members of the committee largely agree with me in that respect.

Mr. CELLER. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from New York.

Mr. CELLER. Will the gentleman examine into the activities of the Christian Front and those individuals and organizations which espouse its case?

Mr. VOORHIS of California. I cannot speak for the committee, of course. I hope the committee will proceed with equal attention as to the Communist movement on the one hand and the Fascist-Nazi movements on the other hand. So far as I am concerned, my effort will continue to be bent earnestly in that direction. I do not see how the committee can fail to go into the organizations the gentleman mentions.

May I point out that mention has been made that the F. B. I. investigations and arrests have resulted in indictments of leaders of many of the organizations that have been under investigation—including the Communist Party and the bund. Obviously if the F. B. I. had not done this work, and if the F. B. I. had not looked up and actually apprehended the people who are guilty of disobedience to our laws, the work of the Dies committee would not be nearly as effective.

Mr. Speaker, I would like to point out that the country faces three dangers today. Of course, there may be more than three, but I want to speak of just three at this time. The first is the unemployment problem. If this Congress thinks by setting up a Dies committee it is going to give the people a substitute for security and jobs, it is badly mistaken. Our first job is these jobs and that security, and if we ever forget that we will be negligent in our most elementary duties. The second kind of danger is the danger that the Dies committee is set up to investigate—activities aiming to subvert our democracy and set up dictatorship in its place. I am for finding all the facts and giving the American people all the facts about such activities. Such information is one of the ways a free government has of defending itself. But there is a third kind of danger that has been mentioned. That is the danger of inflaming the public mind. On this point I want to say that the important thing is for the committee to let the evidence speak for itself. The effectiveness of this committee's work is going to depend almost entirely upon the degree to which it operates in a conservative, factual, and careful way. It will be weakened, and the impact of its work upon these foreign-controlled organizations will be lessened just to the extent that earnest people whose unswerving loyalty is to the United States—whatever their economic views may be—are drawn under any circumstances into this matter. The effectiveness of the committee's work will be further weakened if the committee is utilized by a member of the committee or anybody else as a means of making political capital against the essential, progressive forces of this country, without which a solution of our problems is impossible.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield to the gentleman from New York [Mr. CELLER] such time as he may desire.

Mr. CELLER. Mr. Speaker, as the gentleman from California [Mr. VOORHIS] has stated, the Dies committee has made some stupid blunders and it is well

that we air our views today frankly, openly, and fairly. The errors of the Dies committee have been due to faulty technique and bad procedure. Here is a committee set up to investigate un-American activities, and itself adopts un-American procedure. Its chairman has issued too many self-serving declarations. His ambition has outrun his sense of justice and fairness. This chairman allowed its research director, J. B. Matthews, to publish a report on alleged communistic activities in consumer organizations. The report was not even seen by any other member of the committee than the chairman. This is star-chamber business and should not be tolerated. But the real vice of it all was that the report unjustifiably smeared many decent American consumer organizations. Mr. Matthews charged that Communists have been active in the management of a number of consumer organizations interested in such matters as the price of milk, the retail cost of goods, and the honesty of advertising. There was not even a single hearing on the report. Not a witness was called to testify. Such tactics are outrageously unfair. Mr. Matthews claimed that many of these organizations were controlled by Communists. This was lamentably false and witnesses could have easily been submitted to deny such allegations. It may have been true that in some instances a Communist or several Communists were members or one Communist was an officer, but one color does not make a spectrum, two stars do not make a firmament, one swallow does not make a summer. Some of the organizations mentioned are riddled with Communists, notably the International Workers Order, but many of the others enumerated are not so tainted and they are not the so-called transmission belts for communism. Great injury was done these groups.

The recent Gallup poll—American Institute of Public Opinion—showed that 75 percent of the Nation believed that Congress should extend the activities of this committee for another year. The public believes that much of the work done by this committee has value. There has been exposed to the light of day communism and nazi-ism, not only in the field of politics but also in the field of propaganda. Such subversive activities in these fields have heretofore been concealed. The committee has brought to light much espionage, spying and "boring from within." The committee did good work in connection with Fritz Kuhn and the Nazis. It uncovered much of the intolerance of these vile leaders like Kuhn and Browder. It gave publicity to the contribution of Communist funds to various supposedly noncommunistic organizations. Many of the members of these organizations had had no previous knowledge whatsoever concerning such communistic connections. All this is good work.

The bad work of the committee is unfortunate, but it can be remedied. For example, a few weeks ago the committee gave "shotgun" publicity to a list of 563 names of Federal employees in a way that seemed to charge that the persons listed were "reds" or "pinks." This is damnable business and should not be repeated. I am assured by the members of the committee that there will be no repetition of this mistake. And it is for this reason that I am going to vote for the bill. Frankly, however, I do so with my tongue in my cheek. The American Committee for Democracy and Intellectual Freedom has the following to say concerning the Dies committee:

Freedom is essential to the intellectual life. In an age of conflict, free and untrammelled exchange of opinion is particularly necessary. That is why the Bill of Rights must be treasured at all costs.

"We believe," said 62 prominent educators, men of letters, and other public figures in a recent open letter, "that the Bill of Rights must apply to the rights of all Americans—or that it will prove a cheat for all. We do not accept the dangerous proposition, now being broadcast from certain quarters, that civil rights can be withheld from this dissident minority or that, at the pleasure of those who may have the power to do so."

The recent experience of other countries has shown that education is one of the early victims of suppression, sharing the fate of political minorities, labor, the church, and the press. As responsible citizens, we cannot remain silent when such vital issues are at stake. We must enter into the struggle to defend civil liberties at every point of threat, direct or indirect. Free America has given us our chance to train our minds, and we should be ungrateful if we did not bring our best thought to her.

Because we acknowledge these principles, we urge the Congress to grant no further appropriations to the Dies committee. In pre-

senting the following analysis in support of our request, we, as educators, have confined ourselves largely to the treatment of educational world by the committee and its witnesses.

1. The House resolution introduced by Representative Dies assigned to his committee the task of "conducting an investigation of (1) the extent, character, and objects of un-American propaganda activities in the United States; (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution."

The use of the phrase "un-American propaganda," which is vague, undefined, and undefinable, left the committee free to follow its own bias and prejudice. The result has been something approaching the character of a witch hunt, reminiscent of the activities of Attorney General A. Mitchell Palmer and the Lusk committee in the heat of the period of the first World War. Political phrases have been manipulated as epithets in order to discredit individuals and organizations. Public attitudes of intolerance and hatred have been created which discredit minorities—political, cultural, religious, labor—and greatly lessen their effective appeal. "The fundamental right of free men," said Mr. Justice Brandeis (Mr. Justice Holmes concurring), "to strive for better conditions through new legislation and new institutions will not be preserved, if efforts to secure it by argument to fellow citizens may be construed as criminal incitement to disobey the existing law—merely because the argument presented seems to those exercising judicial power to be unfair in its portrayal of existing evils, mistaken in its assumptions, unsound in reasoning or intemperate in language."

2. The Dies committee has attacked freedom of teaching and investigation in leading institutions of learning (Harvard, Vassar, Stanford, California, Columbia, among others), by recognized scholars (Albert Einstein, Dean Grayson, N. Kefauver of Stanford, Prof. Kirtley F. Mather, of Harvard; Prof. Max Radin, of California; Prof. Paul Douglas, of Chicago; Dr. Eduard C. Lindemann, of the New York School of Social Work; Prof. Wyllistine Goodsell, of Teachers College, Columbia, among others), and by professional associations of educators (American Association of University Professors, American Federation of Teachers, Progressive Education Association, Commission on School Studies of the American Historical Association, among others).

Reduced to their essential implication, these attacks mean that our universities, educators, and learned societies must give up their intellectual freedom and conform to the views held by a congressional committee or else be pilloried by the publicity it can command and be threatened with legislative interference. We cannot accept such an unwarranted assumption of authority and retain our integrity.

3. The Dies committee has attacked freedom of association and debate among students. We believe that our students think their own way through the political, economic, and social philosophies of our time. Any attempt to exercise tyranny over the minds of youth not only exceeds the authority vested in Congress, but is bad pedagogy and likely to produce results contrary to those desired. The safeguard of the United States tomorrow is the free minds of its youth today.

4. The Dies committee has sat in judgment upon current books, periodicals, plays, and works of art. We assert that the very foundations of intellectual liberty are shaken when any congressional committee can hold even the shadow of a threat over the books we read or the plays we see.

I have great respect for the aforesaid opinion of this American Committee for Democracy and Intellectual Freedom. Headed as it is by Professor Boaz, it is made up of a distinguished array of college professors. I have presented their conclusions to certain members of the committee. They assure me wholeheartedly and unmistakably that there will be no repetition of the errors of the past. They will respect the Bill of Rights. They will accord everyone appearing before it a fair hearing. They will try to put a muzzle on the gentleman from Texas, Chairman Dies. They will not attack the intellectual freedom of educators and university instructors. They will not berate students for their opinions, and they will not attempt the censorship of books, plays, or works of art. They will treat labor and labor organizations squarely and fairly.

Finally, I have also been assured that the committee will attempt to examine the Christian Front, and particularly the crackpot conspiracy of the 17 men arrested in Brooklyn, charged with plotting to overthrow the Government. These political lunatics were aided and abetted by the writings and mouthings of Father Coughlin. It is hoped that the committee will look carefully into this matter, will look into the ramifications of the so-called Christian Front and see what part this political priest played in the beginnings and the furtherance and the encouragement of this so-called Christian Front. Its terror schedule had among its objectives the assassination of 14 Members of Congress in the metropolitan

area of New York, all of whom voted to lift the embargo. Let these Christian Front leaders be asked what effect the editorials in Social Justice had upon their conduct. And let us find out to what ends and for what purpose Social Justice approved the formation of so-called rifle clubs designed to assist in quelling any revolutionary disturbances.

Let the committee examine the various advices given in Social Justice to the Christian Front. That advice read, in part, "Meet force with force only as a last resort."

Behind the camouflage of the defense mechanism, Coughlin has constantly hinted to his followers of impending violence and cited the Franco insurrection as a classic political model. Only a fortnight ago, in a national broadcast, he candidly announced his faith in the dictatorship idea.

Mr. SABATH. Mr. Speaker, I yield such time as he may desire to the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, I will vote for the continuance of the Dies Committee on Un-American Activities.

For years the service and patriotic organizations of the country have been warning us of the existence of subversive activities in the United States. They have shown these activities were on the increase and that they were reaching out into all parts of this land. Many of us scoffed at the idea that in our land there could be any large group whose patriotism and loyalty were in question. Others of us thought these service organizations were trying to create a problem of their own choosing to increase their own activities and membership and for publicity purposes. Few of us realized the full nature and significance of these undercover activities until the Dies committee was authorized to bring out into the open the enemies of the United States of America.

Under our system of government and under the terms of our Bill of Rights it has been difficult to handle this problem. Many of the solutions urged by Members of Congress would have done violence to our Bill of Rights or to the Constitution. Publicity alone was in most instances all that was necessary, and this has been the great work of the Dies committee.

They may attempt the smear the chairman of the committee with acts un-American and unpatriotic. They censor him for mistakes and blunders. This, in my opinion, has very little to do with the problem today. It is our duty to pass upon the question as to whether or not the whole committee, not the chairman only, is to be continued in office.

I for one believe that the committee has done a mighty good job. It has brought to the attention of the public the real seriousness of the subversive activities existing in the Nation. It has focussed public indignation upon these activities, and this, in turn, has resulted in useful legislation in Congress. This work should continue. It should continue until every bit of evidence bearing upon disloyalty in the United States is fully exposed. It should continue until the work of the Nazi bund and Soviet Communism in America has been fully exposed, even unto the very last scintilla. The committee should not be held back at the flood tide of its activities by the hand of Congress calling it back from battle. It has our support as it has the almost united support of the American people and should be given full opportunity of developing its case and extirpating finally and forever this slimy work of the alien who bites the hand that feeds him.

Andrew Jackson once said about a close friend of his, "My friend is the natural enemy of scoundrels." The Dies committee is the natural enemy of all who seek to undermine our form of government.

Mr. FISH. Mr. Speaker, I yield such time as he may desire to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Speaker, undoubtedly the most conspicuous thing about the Dies report is the absence of any definition of communism. It says:

Essentially, communism is an international revolutionary movement seeking to replace democratic government by a so-called dictatorship of the proletariat. This is the aim and goal of all true Communists and fundamentally it never changes.

This is merely a definition of a means toward attaining communism. The mere replacement of a democratic government by a so-called dictatorship of the proletariat is neither

the ultimate aim nor the ultimate goal of communism. The one and only end that all Communists, without a single exception, have striven for is the abolition of private property and its absorption into the community or the state. The Encyclopedia Britannica defines communism as the "abolition of private property and its absorption into the community." Karl Marx in his Manifesto defined it simply as the "abolition of private property."

Certainly no one is at this hour going to question Marx's definition of communism, which has been universally accepted by all Communists and which has been fully established in Russia.

Why has the Dies committee left out of its report even a hint at a true definition of communism? Is it because of fear it would expose the really dangerous forces of communism in our country? Communism being the abolition of private property, why is the report so silent about the program of the United States Housing Authority, which has under way the abolition of between twenty and forty billion dollars' worth of private property—and our homes at that, the most sacred physical possession of the family—and its absorption into the Federal Government?

Why is the committee's report silent about the Tennessee Valley Authority, which is the abolishment of hundreds of millions of dollars' worth of private property and its ownership taken over by the Federal Government?

I challenge the Dies committee to show that these are not communistic programs.

Furthermore, one of the basic principles of communism, so stated by Karl Marx as well as all other communistic writers and as carried out in practice by Russia, is the prohibition against the use of money of intrinsic value. I challenge the Dies committee to show that the irredeemable paper money the United States is now on is not, at bottom, the same as that which is used in Russia, that it is not the communistic money advocated by Karl Marx.

If I vote for this measure it will be principally because I am hopeful that its work may arouse the people of the country to a consideration as to what communism really is. If they do give it this consideration, they will see that the real danger of communism is from within not from without. They will see that we are now, ourselves, on communistic money. They will see that the T. V. A., the U. S. H. A., the Export-Import Bank of Washington, and a great many other of the programs adopted by the Federal Government in the last few years are communistic.

They will see that the real promoters of communism in this country do not live in dark, subterranean haunts of illicit intrigue but that they live in marble palaces and other respectable places.

Mr. FISH. Mr. Speaker, I yield such time as he may desire to the gentleman from Minnesota [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Speaker, I cannot conceive of anyone, other than those who may be interested in or exposed by and through association with Fascist and Communist organizations, objecting to a thorough investigation into the activities of subversive groups by a congressional committee. This is essentially what I find in the following letter just received from William Green, president of the American Federation of Labor.

We can protect ourselves, as European peoples did not, if we know who and what is undermining and attacking our representative governmental structure. Those who are with us need fear nothing, those who are against us ought to be exposed, is another statement which is obviously fundamental. Read the whole letter and note that there is no quibbling or pussyfooting as to where a large part of organized labor stands on Americanism:

AMERICAN FEDERATION OF LABOR,
Washington, D. C., January 20, 1940.

HON. JOHN G. ALEXANDER,
House Office Building, Washington, D. C.

DEAR SIR: The convention of the American Federation of Labor which was held at Cincinnati, Ohio, recently, expressed approval of the work which the Dies congressional committee has performed, and of its continuation of the investigation which it is making into the activities of subversive groups within the United States.

In conformity with this action taken by the highest authority within the American Federation of Labor, I am officially requesting that you support such proposal as may be submitted to Congress, providing for the continuation of the Dies committee, and of an appropriation sufficient to enable it to carry on its investigations.

I cannot conceive of anyone, other than those who may be exposed through association with Communist organizations and Communist front organizations, objecting to a thorough investigation into the activities of subversive groups by a congressional committee. Those who have no sympathy with these un-American groups, these subversive forces within our social order, who are constantly seeking to change our form of government and to promote revolution, can with perfect propriety give wholehearted support to the work of the Dies committee, and to the investigation it has made and which it can continue to make.

The people of our country are entitled to know the truth. We of the American Federation of Labor want them to know the facts. We want those who are undermining our form of government and those who are engaged in subversive activities to be exposed. Ridicule, denunciation, and sarcasm, all directed toward the Dies committee by those who seek to suppress its activities and prevent it from carrying on its important work, can only be looked upon with suspicion. We cannot permit those who engage in such tactics to prevent a thorough investigation and a public exposure of the actions and of the activities of individuals and groups who are engaged in un-American activities, and who are seeking either directly or indirectly the overthrow of our Government.

The preservation of freedom and democracy is a matter of vital concern to all those who believe in our form of government. We can protect ourselves if we know who and what it is that is undermining and attacking our governmental structure. Those who are with us need not fear, those who are against us ought to be exposed. The Dies committee is rendering a great public service. It should be continued until its investigation is completed.

I urge you to support the Dies committee. I appeal to you to vote for an appropriation which will adequately equip the Dies committee to complete the excellent, splendid work which it has thus far carried on.

Sincerely yours,

WM. GREEN,

President, American Federation of Labor.

On page 18 of the Appendix of the CONGRESSIONAL RECORD I inserted a definition of Americanism. As a guide to all parties interested in this question now under debate and to the members of the Dies committee, I again repeat:

Americanism is an abiding faith in the correctness and justice of the principles contained in the Declaration of Independence, the Constitution of the United States, and the Bill of Rights.

Americanism is a way of life, based on this abiding faith. It is a willingness to live in peace and harmony with our fellow men, regardless of political or religious faith.

Americanism is a willingness to apply the principles of free speech, free press, and freedom to worship God to our fellow men, even when their ideas and speech and methods of worship are opposed to our own.

Americanism is a willingness to live for the principles of America in peacetimes, as well as a willingness to die for American principles in wartimes.

Americanism brings to each American liberty under law, and a regard for law which means liberty and happiness for each of us.

If this is a fair statement of Americanism, and I believe it is, then let each and every one of us adopt it as our program and practice it in our everyday lives. [Applause.]

Mr. FISH. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Speaker, despite the unnecessary and unwarranted sensations sought by the chairman of the committee, for his personal publicity, I am in favor of the continuation of the Dies committee investigation.

It cannot be denied that the work of the committee in exposing the activities of organizations in our country which seek to undermine American institutions has been of the greatest value. It has aroused our people to a complete awareness of the forces hostile to our democracy. It has united us in defense of the things we cherish in our land. The work of bringing darkness into the light has not yet been completed. The Dies committee gives promise of doing its job more effectively than any other organization in our country. I know that I speak for thousands of Americans in my desire to see that job completed. [Applause.]

Mr. SABATH. Mr. Speaker, I yield 4 minutes to the gentleman from New Mexico [Mr. DEMPSEY].

Mr. DEMPSEY. Mr. Speaker, as a member of the Special Committee to Investigate Un-American Activities since the creation of the committee, I most heartily recommend to the Members of the House its continuation. We have had a rather tough assignment, that of investigating un-American activities, especially because, at the time the committee was created, there were several distinct groups of that type, each competing with the other. There were the Fascists, the Nazis, and the Communists. It was strange to me that when we were investigating the Nazis we got great applause from the Communists, but when we were investigating the Communists we were accused of infringing on the right of free speech. That is the attitude the Communists took.

The Communist Party of the United States is a branch of the Comintern of Moscow, from which organization it gets its orders, and it obeys those orders. Mr. Browder, general secretary of the Communist Party in the United States, who was sentenced yesterday to 4 years in the penitentiary, is being sentenced because of evidence developed by the Dies committee about his fraudulent use of passports and the manner in which he obtained these passports.

I believe the committee has done a splendid job. This Nation is a nation of joiners, largely. We like to join organizations with patriotic names, at times not realizing that the real purposes of those organizations are quite the reverse of patriotic. This deception has been going on in this country for years, and millions of our citizens have joined such organizations. The moneys they have contributed have been used by foreign agents to spread propaganda throughout the country.

Something has been said about dissension in the committee. There has been some dissension in the committee, but I have yet to see any member of the Dies committee who failed to continue investigation of any subversive group after his attention had been drawn to it. We have been unanimous on everything except, at times, procedure. There is much more for the committee to do. It would be shortsightedness and the sheerest folly, I feel, not to continue its work. That is all the resolution before the House provides—that the Special Committee on Un-American Activities shall bring to a successful conclusion the work it has begun, to the end that there shall not remain in this Nation a vestige of the threat that has existed through these subversive activities.

Mr. HOBBS. Mr. Speaker, will the gentleman yield?

Mr. DEMPSEY. I shall be pleased to yield.

Mr. HOBBS. I appreciate the gentleman's comment on the suggestion of the gentleman from California [Mr. Voorhis] with regard to certain rules of procedure.

Mr. DEMPSEY. I have been in favor of regulation, but it must be by the committee itself.

Mr. KEEFE. Mr. Speaker, will the gentleman yield for a question?

Mr. DEMPSEY. I yield to the gentleman from Wisconsin.

Mr. KEEFE. In view of the remarks placed in the RECORD yesterday by the gentleman from Michigan [Mr. Hook], which very vigorously attacked the gentleman from Texas [Mr. Dies] and his committee, can the gentleman not tell the House here and now, as a member of that committee, that the Dies committee has done everything possible to apprehend this man Pelley and bring him before it?

Mr. DEMPSEY. The committee has not only had its own investigators seeking Mr. Pelley—and he is a fugitive from justice from the State of North Carolina—but has appealed to the Department of Justice to try to locate him. I want to say about Mr. Pelley that he is a cheap, slimy, gutter racketeer of the worst type. I have never said an unkind word about a Member of Congress on the floor and I never expect to, but I am afraid that when the gentleman from Michigan yesterday gave as his authority that reprehensible person, Mr. Pelley, he did not have the information he should have had before using him as an authority. Mr. Pelley has condemned the President of the United States for taking moneys con-

tributed to the victims of infantile paralysis, and he has attacked everybody who has tried to do a decent thing in this country.

Mr. DICKSTEIN. Mr. Speaker, will the gentleman yield for a brief question?

Mr. DEMPSEY. I yield to the gentleman from New York.

Mr. DICKSTEIN. The chairman of the gentleman's committee about 3 weeks ago made public a certain statement, which appeared in the press. I want to know whether the committee acquiesced in that statement or agree with the chairman of the committee in his statement that if the power is given to him under this resolution he will deport 7,000,000 people from this country. Has the gentleman read that statement, and does the committee approve that kind of a statement?

Mr. DEMPSEY. I did not read it, and if I had read it I would not give credence to it because the committee has no such power.

Mr. DICKSTEIN. Such loose statements and press releases disturb the people of the country.

Mr. DEMPSEY. I cannot be responsible for that.

[Here the gavel fell.]

Mr. FISH. I yield 1 minute to the gentleman from New Mexico.

Mr. DEMPSEY. Mr. Speaker, it is a strange thing that each time we investigate and bring information to this House, especially about the Communists, so many persons in the House are disturbed. [Applause.] Let me say that my hatred for these alien "isms" is so great that it was only because of that feeling, and not because of any wish to shield the real believers in them—for I believe the un-American "isms" are the most despicable of all beliefs—that I took the attitude I did with reference to the publication of the names of Government employees who were on the mailing list of the League for Peace and Democracy, an organization which I know to be a front organization for the Communist Party. I believe we should exercise the greatest care not to connect innocent persons with membership in such organizations.

We are a committee having immunity. We can say anything we please about people, and they have no recourse. This being the situation, we should be more than ordinarily careful about our statements. I wish to say, however, that the committee members were unanimous on their report. There may be some errors in the report, and I am inclined to agree with the gentleman from Illinois [Mr. MASON] and the gentleman from California [Mr. VOORHIS] about the electrical union; but the committee members were unanimous on the report and are unanimously in favor of a continuation of the life of this committee. We have on this committee liberals, middle-of-the-roads, and conservatives, as we should have on such a committee. I defy any Member of this body to point to a single committee that has ever been appointed by the Congress that has done greater good for the people of this Nation on a similar expenditure than has the Dies committee. [Applause.]

Mr. DICKSTEIN. How about the McCormack committee? [Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Speaker, it has been reported to me, and I believe reliably, that the red flag of Soviet Russia and the swastika of Nazi Germany have flown over secret meetings in the valleys and canyons of my district.

These statements have been made to me from time to time by individual citizens, most of whom have been members of patriotic organizations such as the American Legion, the Benevolent and Protective Order of Elks, and others.

There is no law that I know of to prevent the flying of foreign colors in the United States, but on the contrary there is freedom to do so, and on numerous patriotic occasions flags of all nations have been flown side by side with the Stars and Stripes.

But, Mr. Speaker, it cannot be denied that on the occasions referred to and at these secret meetings the general purpose of the occasion was not to promote good will be-

tween the United States and these totalitarian states but on the contrary to promote the organization of groups of American citizens devoted to the overthrow of our American form of government and the establishment of new governments under the domination either in principle or in fact by these foreign states.

It is a generally known fact in my district in California that while certain Nazi and Fascist activities are in existence there, that the largest activity by far is the International Socialist, better known as the Communist movement. The Communist Party of America is established and has the privilege in California of placing candidates upon the ballot. The Communist registration is not large in my district, but numbers about 1,000. However, I have reason to believe that there are much larger numbers of International Socialists, fellow travelers of the Soviet Socialists, who participate in political activities disguised under other party labels.

Mr. Speaker, I do not quarrel with people who cherish political views differing from my own but on the contrary I shall maintain their right to express their views so long as I may be able, in spite of the fact that experience elsewhere teaches us that were the situation reversed and these people in full control that my expression of my own views then would probably be not tolerated. These people cry out for and are freely granted the very rights that they deny others when they attain to full power. But that is not my concern at the moment. The thing that does concern me and millions of others like me of all American political shades is the fact that many of these people are engaged in fomenting trouble and violence, in obstructing wherever possible the flow of commerce and employment, in promoting the allegiance of our people to foreign ideologies and to foreign institutions whose objectives are world revolution and dictatorship.

Now Mr. Speaker, I offer the following letter for the RECORD. It is addressed to me by the Democratic Club of Glendale, Calif., a city of 80,000 population in my district.

I quote as follows:

GLENDALE, CALIF., December 27, 1939.

HON. CARL HINSHAW,
Representative, House of Representatives,
Washington, D. C.

MY DEAR MR. HINSHAW: At the regular monthly meeting of the Democratic Club of Glendale, a motion was unanimously adopted to discontinue the Dies committee.

We trust that you will feel as we do, that the Attorney General's Department is adequately equipped to investigate subversive activities, and that the Dies committee is an additional expense which the country cannot afford at this time.

Please vote "yes" to discontinue the Dies committee.

Very truly yours,

RUTH M. FRABLE,
Secretary, Democratic Club of Glendale.

Mr. Speaker, I believe that the Democratic Club in Glendale, Calif., is in error when they state that the Attorney General's Department is adequately equipped to investigate subversive activities. The Attorney General has manifold duties to perform in connection with enforcing the laws on the statute books of the United States, in combating espionage and other like acts against the United States. The duties and authority of the Attorney General and the Department of Justice are well stated in the United States Government Manual of October 1939. To adequately staff the office of the Attorney General and the Federal Bureau of Investigation for investigating subversive activities of all kinds would be, in my judgment, at this time against public policy, as it could easily lead to the establishment of a political secret police on a permanent basis that could be the equivalent of the Nazi Gestapo or the Soviet OGPU, which God forbid.

The purpose of the Dies committee is not to establish a secret political police but to expose to the strong light of public inquiry the propaganda, the activities, and the active membership of un-American organizations, to expose their subversive principles to public analysis, and to establish the fact of their connection with foreign-born international revolutionary movements, all as a basis for such legislation as the Congress may deem advisable for the proper

protection of the Government and the people of the United States. The Attorney General is not charged with conducting public inquiry of this sort; but, on the contrary, his investigations and reports are generally quite secret. The Attorney General is bound to report only to the Executive and his staff. He may conduct only such investigations as are authorized by law and directed by the Executive. It would be proper for the Attorney General, through the Executive, to proffer the services of members of his Department in aid to this special committee of the Congress; but to date, as reported by the Dies committee, no such offer of aid has been extended.

In view of the facts and the circumstances, I feel that the Dies committee's authority should be renewed and an adequate appropriation of funds granted. As I have stated before, however, I do feel that the Dies committee might well adopt such rules for its own conduct as have been recommended by my colleague from California [Mr. VOORHIS], a member of that committee, in his address earlier this afternoon. It is especially important that innocent joiners of organizations fostered by and aided and abetted by alien enemies to our great Republic shall be protected from being branded by virtue of their mistaken enthusiasm. But it is equally important that they find out quickly that they are being made tools of alien objectives or philosophies. I shall vote "aye" on the resolution.

Mr. Speaker, I ask unanimous consent to extend my remarks and to include certain letters and communications.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Speaker, yesterday I received this mimeograph copy of a speech which says at the top "Speech of Congressman FRANK HOOK, of Michigan, prepared for delivery Monday p. m., January 22, 1940, on the House floor."

Evidently, the gentleman from Michigan [Mr. HOOK] was precluded from delivering it upon the floor due to the early adjournment of the Congress Monday, but it appears in the CONGRESSIONAL RECORD under Extension of Remarks.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield for just one statement?

Mr. KEEFE. In just a moment, please.

Perhaps, being under Extension of Remarks, some privilege may be given to the gentleman from Michigan that he might not be accorded had he stood here in the Well of the House and made the attack which he makes in this speech upon the character and the integrity of the gentleman from Texas, MARTIN DIES, the chairman of this committee.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. KEEFE. Just a minute, please. You will have your opportunity.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. KEEFE. In just a moment—I have only 5 minutes.

Mr. HOFFMAN. I will yield you my 1 minute.

Mr. KEEFE. I yield.

Mr. HOFFMAN. Just to make the announcement that as soon as the debate has concluded and the rules permit I shall rise to a question of privilege of the House and ask to have the remarks of the gentleman from Michigan [Mr. HOOK] expunged from the RECORD.

Mr. KEEFE. It seems to me that action would be justified. It further seems to me that when this important matter is up for discussion that it is strange that a Member of this House should so violently attack a colleague, especially one on his own side. I do not know the gentleman from Texas, MARTIN DIES, intimately, being a new Member here, but I would not dare, upon the flimsy facts that are set forth in this statement, under my oath as a Member of this House, give utterance to the things that are set forth in this speech.

I want to ask the gentleman from Michigan [Mr. HOOK] where he got this information. I want to ask the gentleman from Michigan who wrote his speech for him.

Mr. HOOK. I wrote that speech.

Mr. KEEFE. All right; I want to ask you where you got your information.

Mr. HOOK. That is none of your business, but it is placed in the Department of Justice now and it is authentic.

Mr. KEEFE. Just let me show you what happened, if you have not read this thing.

Mr. HOOK. If you want some more information I will give it to you.

Mr. KEEFE. The gentleman, I assume, is a lawyer. I read his biography in the book here and it said he graduated from Valparaiso University, college of law, and I assume he is a lawyer.

Now, I ask any Member of this House who is a lawyer to turn to page 9 of this speech and read the factual information which is presented as an indictment of the gentleman from Texas, MARTIN DIES, in an effort to show that he is connected with the Christian Front organization or that he is connected with a Mr. Pelley or with Pelley Publications. There appears a series of letters which the gentleman says he has photographic copies of, which he offers as evidence as letter and admissions of the gentleman from Texas, MARTIN DIES.

Mr. HOOK. Will the gentleman yield?

Mr. KEEFE. No.

Letters which appear to have been written by this man Pelley to a stool pigeon of Pelley's here in the city of Washington, by which Mr. Pelley himself builds up a case in this correspondence of self-protection against the gentleman from Texas, MARTIN DIES.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Wisconsin yield to the gentleman from Michigan?

Mr. KEEFE. I do not yield, Mr. Speaker.

This is a series of letters, written by Pelley to a stool pigeon of Pelley's in Washington, which the gentleman from Texas, MARTIN DIES, had no part in and could not know anything about, and yet the gentleman produces these letters as indicating that the gentleman from Texas, MARTIN DIES, is a party to a conspiracy with Pelley in connection with his subversive and un-American activities in this Nation.

I am simply astounded and surprised to think that anybody would impose upon the intelligence of lawyers, especially, and ask them to accept that as an indictment based upon facts. There is not a word in it but what would be excluded by any court, because at best they are mere self-serving declarations of Mr. Pelley himself in trying to build up a case for himself. [Applause.]

Mr. Speaker and my colleagues, I shall support the resolution. My service in the Congress has demonstrated to me at least one thing that is exceedingly clear, namely, that un-American and subversive groups are so ruthlessly determined to project their foreign ideologies in America that any citizen or any Member of Congress who dares to expose and defy them immediately subjects himself to a campaign of vilification, slander, or libel, and immediately he is pointed out as a reactionary or a Fascist.

In view of this situation, it is indeed refreshing to note that an overwhelming majority in this House and an overwhelming majority of the people throughout the country demand that the spotlight of publicity be turned upon these smear artists and character assassins to the end that the public may know the full extent and purposes of their various subversive activities.

The continuation of the Dies committee has been challenged by various groups of so-called liberals, who are pleased to point to the constitutional guaranties of free speech, assembly, and so forth, and under the specious plea that the Dies committee in the performance of its solemn duties threatens the fundamentals of the Bill of Rights, its work should be curtailed or stopped.

Let it be noted the source from which this clamor comes.

I am certain that such an examination will disclose that it comes, not from those sincerely interested in the protection of our constitutional liberties, but that in most cases it is

inspired by those who owe allegiance, secretly or otherwise, to some foreign government or some foreign ideology.

I can see a clear line of distinction between those groups that owe fealty and loyalty to our Government, but who demand the right to advocate change in our social and political structure, and those groups or individuals who claim the benefits and protection afforded by our Constitution and yet who secretly have taken an oath to support and defend some foreign dictator should the occasion arise.

I will defend the right of any group or any American citizen inspired by liberality of thought and progressive action to belong to any political party or to express any doctrine compatible with our democracy, because I believe that as time marches on, change in our social structure is inevitable, and that the Constitution is flexible enough to permit such change as may be necessary in the public interest in accordance with constitutional procedure.

I applaud those great liberals of the past who have, within the provisions of our law, advocated great social changes which have come to be recognized today as the law of the land. However, as I scan the record of the past I find not one of those great leaders of social and economic progress who owed secret allegiance to any nation other than the United States.

Many were thoroughly criticized because of the advocacy of change, but the march of progress under our system of government could not, and cannot be denied, and we have as a nation accepted many departures from the old order of things in the public interest. The difficulty today, however, is that we find many fake liberals who, with secret contempt in their hearts for our system of government, pose as liberals in order to more effectively promote the ideologies of Stalin and Hitler. The Communist who has wormed his way to a large extent into our social and economic structure, owes no allegiance to the country that guarantees to him the right of free speech and free press, but clothed with the mantle of protection afforded by our Constitution he works energetically at all times to secretly and covertly destroy the very government that guarantees those liberties.

I, for one at least, believe the time is here now, when those who assemble in Madison Square Garden or any other place under orders from Stalin or Hitler should be told in no uncertain terms that the mantle of free speech and free assembly can no longer be used as a cloak and a protection to those determined to destroy our form of government.

Nikolay Lenin, the dean of communism, once wrote, "Scratch a liberal and you find a reactionary." I am convinced that the true mark of all American liberals is to be called reactionary by the sons of Stalin.

I shall never vote to suppress or curb the right of any citizen to express his judgment or opinion on a political, social, or economic problem, because I have a right to assume that if the test ever comes between a revolutionary program of a Stalinite or a Hitlerite, and the orderly processes of change under our system of government such a citizen, no matter how radical he may be, would stand firm for the protection of our constitutional form of government.

However, I can no longer countenance alien or citizen agitators or groups who owe secret allegiance to Moscow or Berlin, and who have sworn that in the event of trouble between this democracy and the Soviet or Nazi Governments in Europe they will defend the Nazi or Soviet Governments, being permitted to continue their efforts to break down our form of government by force and violence and to substitute another type of government to which they have secretly or openly sworn allegiance.

The Dies committee has done commendable work in exposing to the people of this Nation such individuals and groups, and it is refreshing, indeed, to note how the Stalinites, Hitlerites, and other foreignites squeal and clamor when the pitiless light of publicity is turned upon them. I, for one, want this work to continue in the orderly manner that it has been conducted in the recent investigation because I know that the spotlight of publicity turned on these groups will disclose them ultimately to be as impotent as the alleged

colossus of Stalin which has, up to date, been so badly defeated by the small but inspired and courageous army of Finland.

My colleagues, in this crisis there is every reason in the world to continue this investigation. We will not be deterred by the spurious plea that the Bill of Rights is being trampled upon, or that liberal thought is being suppressed, but we will send the message out to the world that 130,000,000 people love their country and do not intend to have it imperiled or destroyed by a comparatively few disciples of Hitler or Stalin.

We are subject to the plea today, "Defend America. Spend for naval defense. Enlarge our Army. Enlarge our Navy. Build more airplanes, more guns, more implements of war"; and, although I know that the Government is aware of the activities of foreign agents and saboteurs in our midst, I want this Congress and this Nation to know that national defense involves more than the mere military or naval safeguarding of our shores. Impregnable though we may be from invasion, the most self-assured citizen must admit that our far-flung industries throughout the Nation are extremely vulnerable to the attack of foreign agents seeking to break down and destroy our great industries.

I am not an alarmist when I say this because Federal grand juries throughout the land and reports of the Federal Bureau of Investigation clearly disclose that these agents of foreign powers are carrying on their work here in America every day.

I want to call the attention of the Congress to what I conceive to be the most vital and at the same time the most vulnerable link in our national defense. I direct your attention to the Great Lakes and inland-waterways transport system of this Nation. The immensity of this transport system and its relation to the industrial system of the Nation is scarcely realized by the people of this Nation.

On the Great Lakes alone there are 568 American ships, of 2,596,564 gross tons, serving American and Canadian ports. The three main cargoes of the Lakes are coal, ore, and grain. In 1938 ships plying the Lakes carried 40,368,121 net tons of coal, 50,481,451 net tons of iron ore, and 11,172,079 net tons of grain. A total of 114,229,856 tons of cargo of all sorts was carried. Add to this, if you will, the gross tonnage carried on the other inland waterways through barge lines, and so forth, and the importance of maintaining this uninterrupted flow of commerce is immediately clear.

Our excellent railroad systems, together with our great highway systems, with their autotruck transportation, could not cope with the increased traffic if for any reason lake and waterway transportation were stopped.

The great steel mills depend upon the carriers of the Great Lakes to build the ore reserves in their yards to insure a sufficient ore supply. The railroads alone are not able to handle a sufficient tonnage of ore to supply the normal operation of the steel mills. In Buffalo the greatest grain elevators in the world are filled with the grain of the West, brought there in the great grain-carrying ships of the Lakes. The harbors of Duluth, Superior, Milwaukee, Chicago, Toledo, Buffalo, and of all other Great Lakes ports, are equipped with the most modern machinery and freight-handling devices—equipment upon which depends the successful operation of the entire Lakes commerce and a great portion of the Nation's steel and allied industries.

Stop this flow of commerce on the Lakes and industry throughout the country would be paralyzed. It is the vulnerability of this part of the commerce to attack that I wish to direct your attention to. I do not anticipate an attack by submarines, battle cruisers, or airplanes, but I have concluded an investigation which leads me to the conclusion that it will come as a result of well-laid plans of foreign agents and saboteurs who for a period of some 10 years under instructions from Moscow have been working indefatigably on a plan that would permit the sabotage of industry in this country through the strike medium destined to tie up the commerce and shipping upon the Great Lakes.

Wage and living standards of the crews of the Lakes steamers have always, even during the worst business years,

been higher than the salt-water scales of the Atlantic, Gulf, and Pacific coasts. Serious labor difficulties have been rare. The American Federation of Labor maintained its Lakes maritime organization during the lean years between 1921 and 1934. Annual agreements were entered into between the union and certain employers throughout these years and a mutual respect was established.

Many of the Lakes seamen were members of the Independent Lake Carriers Association. The allied Lakes crafts—stevedores, grain scoopers, ore handlers, warehousemen, tugboatmen, and so forth—have also enjoyed a comparatively high wage scale and have been singularly free of wage disputes of a lengthy or violent nature. They were largely organized in the International Longshoremen's Association of the American Federation of Labor, or in organizations affiliated to the I. L. A. and A. F. of L. Great credit for the establishment and conduct of these responsible organizations is due to the late T. V. O'Connor, formerly president of the I. L. A., and later Chairman of the United States Shipping Board, and to Joseph P. Ryan, present president of the I. L. A.

There is no doubt that foreign agents have for years schemed and planned ways and means to paralyze lake traffic and sabotage the vast industrial network dependent upon that traffic. In 1930 agents of at least one foreign power definitely embarked upon a campaign the results of which constitute an imminent menace to the successful operation of the Lakes commerce and the steel industry.

In the early spring of 1930 Communist saboteurs dispatched selected organizers to various ports on the Great Lakes. Many of these were identified by testimony given to the Dies committee. The first task of these organizers was to make a survey of ships, docks, steel mills, and basic industries, compiling a list of all persons sympathetic to the Communist Party and the Soviet Union. This work went on from 1930 to 1934 under the guise of the Marine Workers Industrial Union, which was then being maintained by a direct subsidy from the Communist Party. This organization participated in all strikes, including the Curtiss and Consolidated Aircraft strike in Buffalo in 1934. They were active in the steel industries also, assisting in the organizing campaign of the Trade Union Unity League.

At the close of the 1934 Lakes season the Marine Workers Industrial Union, its membership largely recruited by Communist organizers, disintegrated. However, the Communists remained on the Lakes and were taken over by the organization known as the National Maritime Union. Organized efforts were extended to the Mississippi and tributary rivers and under recognized Communist leadership membership was recruited for the National Maritime Union among employees of the Federal Barge Lines and independent operators.

At the present time I am advised that the National Maritime Union is conducting an active campaign on the Great Lakes and upon the inland waterways in the recruiting of new strength for the purpose of so controlling this vast commerce that a strike would effectively sabotage the entire industries of the East and Middle West.

I want to emphasize to the Congress that the operation of the inland waterways, rivers, canals, and the Great Lakes, while vital in normal times, is absolutely indispensable in critical times. The Communist organizers serving their foreign masters have made an investment for 10 years in their attempt to control this vital industry, and if I know the activities of Communist organizers, as conducted in the past, I know that they do not intend to lose this investment without a struggle. They do not intend to call a strike in the interests of the workers, but if and when one is called, it will be because of their desire to stop the flow of munitions abroad, to sabotage our steel mills and our Navy program, and to bring about discord and strife in the Nation, so as to provide a more fertile field in which to spread their Communist propaganda.

If such a strike is called, it will be a "rule or ruin" policy, with complete control of the Great Lakes commerce in the hands of the Communist element in charge of the leadership of the National Maritime Union. My investigation discloses that while the organizing work appears on the surface to be

merely another organizing campaign of the C. I. O. National Maritime Union, yet the real object and purpose is not to better the conditions of the Lakes seamen but to carry out a plan of sabotage long ago conceived by the fertile brains of the Communist masters in Moscow. Ten years of work by un-American agents are culminating in this effort, and the plans are part and parcel of the Communist political campaign in this Nation in 1940.

A mere glance at any recent issue of the *Daily Worker*, the official mouthpiece of the Communist Party, is proof conclusive of this. A strike in the Lakes this year with the ore stock pile reserves at low ebb would so curtail steel production that even the normal domestic demands could not be met. Foreign orders would have to be canceled. The naval and merchant-marine building program would be stopped or drastically curtailed, and if it spread into the steel industry with many shifts laid off because of an inadequate ore supply, I can envision chaos resulting, with Mr. Stalin chuckling over the handiwork of his puppets.

Responsible labor leaders in both the C. I. O. and A. F. of L. are opposed to a recurrence of the 1933-36 strike wave. The general membership of the unions is also opposed to it. Strike hysteria, however, is harder to stop than a forest fire, and a strike precipitated on the Great Lakes would inevitably bring vast unemployment in its wake, and unemployed workers are easy victims of the skilled Communist propagandists who have crept into the leadership and control of the National Maritime and certain other American unions.

Under the cloak of strike action these Communist strike agitators would be able to strike their blows at American industry. In 1934 the *Daily Worker* admitted the long-range plans of the Communist Party in a feature article which described the Great Lakes as "the most important link in the American war industries." The conclusion was that the organization of the Lakes was a major Communist objective.

Today the *Daily Worker* is accusing the United States of America of plotting an imperialist war against the U. S. S. R. The President even is accused of starving American unemployed to build battleships. The long-haired boys and the short-haired girls are on their soap boxes every night yelling, "We want bread, not bullets." The old propaganda machine that organized the unemployed demonstrations, the hunger marches, the relief-station riots, and the hysterical disorders starting March 6, 1930, and lasting 4 straight years, is in progress of operation again. The real issues mean nothing to these propagandists. Hunger, misery, strikes, riots, unemployment, and crises are their weapons.

The Communist Party is directing precisely the same attack at President Roosevelt in 1940 as they did at President Hoover in 1931. The slogans, the banners, the speeches, and the petitions are practically the same. Skip the pitiful stories of the Finnish colossus attacking poor, defenseless Russia, and the rest of the *Daily Worker* in 1940 would appear identical with its 1931 program.

What are we going to do about it? I have always glorified in the liberal traditions of America. Certainly the men and women of America have the right to be either radical or conservative as their members may choose. Certainly they have the right to conduct their campaigns even if the objective of these campaigns is wrong, so long as they keep within the bounds of law and order and the fundamentals of our system of government. This is America, and an American citizen has a right to advocate the principles of communism if he so desires, provided that in his advocacy he is doing so because of his interest in the welfare of America.

The Communist saboteurs who worm their way into the National Maritime Union and any other great organization of liberals are not motivated by a desire to help the oppressed laboring man and to restore equality of opportunity and better working conditions, but in reality are using these slogans to capture the sympathy of the workingman in order to carry out their secret orders delivered direct from Moscow.

I believe it is time that we look this issue square in the face, and the time is not far distant when an aroused

American people will demand that action be taken. That demand is here now and has gradually been spread throughout the length and breadth of this land until even the long-haired Communist and the rotund "Bundist" has been driven to cover.

We can and will protect our democracy. We can and will protect our economy against the sabotage of Mr. Stalin and his puppets. We can and will expose those in our midst who are parties to the great conspiracy against America. We can and will continue to go forward with orderly processes and maintain our system of government, which, despite all of its traducers, continues to represent freedom and liberty, not only to 130,000,000 people fortunate enough to be here, but to countless millions of oppressed minorities throughout the world.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. Hook].

Mr. HOOK. Mr. Speaker, the gentleman from Wisconsin made some charges as an attorney. The gentleman knows that the evidence collected by the Dies committee is not restrained or bound by the rules of evidence and are protected by immunity for any remarks they make as members thereof, and further protected from criticism; a vicious rule, in my opinion.

Let us go to the remarks made by my friend the gentleman from Illinois [Mr. Allen] where he mentioned that there were thousands of Communists on the Government pay roll. I yield to any member of the Dies committee at this time to name me one Communist on the Government pay roll that they could have justly named in their report, excepting the investigator of their own committee. I hear none.

Let me refer now to a speech that was given by our colleague the gentleman from Texas [Mr. Dies] when he said over the air over a national broadcast something about a famous list, referring to the list of the Pelley publications, about which the gentleman from Texas [Mr. Dies] referred when he said, "When the mailing list of the William Dudley Pelley Silver Shirts was spread on the record there was no charge of 'sordid procedure.'"

I yield now to the members of the Dies committee to show me any such list placed in the record. There was no such list. But there was a list of names published smearing innocent people with a "red" tinge. Never a Fascist list. My colleague either did not know what the record of his committee contained or was very much wrong in making this statement.

What kind of reports are we getting? I have asked the Attorney General of this United States, based on the evidence that is in my possession, to make a full and complete investigation of un-American activities. I have always felt that the founding fathers of this Nation intended the legislative, executive, and judicial arms of the Government to have specific and separate functions, designated not to encroach upon each other. The biggest stumbling block to communism today is the fight that is being made by that noble little country, Finland. If we would vote aid to her, we would stop communism from further spreading in this Nation. They are really fighting communism—not shadow boxing with it.

Yes. Did any of the patriotic gentlemen who would decry my stand in this matter disagree with me when I was the first one to stand on the floor of this House and oppose in no uncertain terms the unlawful and un-American sit-down strikes? Did they disagree with me when I voted against the antilynching bill? Did they disagree with me when I have talked and talked against communism and fascism in every form on the floor of this House?

Mr. THOMAS of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. HOOK. Was my sincerity questioned at that time? I decline to yield.

Mr. THOMAS of New Jersey. I want to answer the gentleman's first question.

Mr. HOOK. I decline to yield. Did they question my sincerity then? I believe in the investigation of all un-American activities. The first three words of the Constitution of the United States are "We, the people." I want "We,

the people" to be represented so that all un-American activities will be taken into consideration. Many Members of this House come here by the vote of less than 5 percent of the population of their district. Is it un-American to keep people from voting because of intelligence tests, poll tax, and race, color, or creed?

Is the Ku Klux Klan an un-American body? I do not know. I think it is, but I know that the Dies committee has never touched that.

Mr. THOMAS of New Jersey. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman yield for a parliamentary inquiry?

Mr. HOOK. I do not.

Mr. THOMAS of New Jersey. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. THOMAS of New Jersey. I make the point of order that the gentleman from Michigan challenged any Member of the Dies committee to answer a certain question and I am prepared to answer the question.

Mr. HOOK. Get your time and do it.

The SPEAKER. The point of order is overruled. The gentleman from Michigan.

Mr. HOOK. Many members of the Dies committee and others come now to the floor of this House and assure us that the same tactics that were used in the last year will not be used again.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield the gentlemen 1 additional minute.

Mr. HOOK. I wish we had a recording of the talks that were given here the last time the committee was extended. The very same promises were made. Those promises were broken. Are we going to pass legislation over broken promises? Five hundred thousand people signed a petition, according to the gentleman from Michigan; but there are 131,000,000 people in this United States. Ninety-nine majority believe in curbing and destroying un-American activities, but believe in doing it without blaspheming innocent people. I compliment J. Edgar Hoover, Attorney General Jackson, and others in their fine work in doing just that in the American way.

I want to pay my respects to the former committees that investigated un-American activities, for the gentlemanly manner in which they conducted them. I believe the procedure that was suggested by the gentleman from California [Mr. Voorhis], a member of the committee, should be followed. It is the same procedure that is followed by the Monopoly Committee investigating monopolies here. That is a gentlemanly committee and doing a wonderful work. I wish I could vote for this resolution but it is my opinion this work is the duty of the Department of Justice. So I cannot, under the circumstances, vote for a continuation of this committee. [Applause.]

At this point I offer the statement issued by the Attorney General of the United States, Hon. Robert H. Jackson, issued on January 21, 1940:

I am today instructing United States Attorney Kennedy at Brooklyn as to the scope of the grand jury investigation of the charge of sedition and other offenses, made by the Federal Bureau of Investigation under the direction of J. Edgar Hoover against the 17 Christian Front defendants in proceedings instituted by my predecessor, Frank Murphy. This investigation will include examination of the activities of any individual or group, wherever located, who may have aided, abetted, directed, financed, or incited these particular defendants or any other subversive group working for similar unlawful ends.

Out of this investigation should come a clear identification of any person or groups who have provoked or financed or otherwise conspired with these defendants. They should be held responsible for their conduct if they have violated or induced the violation of any Federal law. If, on the other hand, these defendants have acted independently of any others, the public should be assured of that fact so that there may be no exaggerated anxiety caused by the incident.

In order to expedite the Brooklyn proceedings, I have instructed Assistant Attorney Oetje John Rogge, Chief of the Criminal Division, and members of his staff who have been in charge of cases involving subversive groups elsewhere in the United States, to go

to New York to cooperate with United States Attorney Kennedy, and have asked United States Attorneys John T. Cahill, of New York, and William J. Campbell, of Chicago, to cooperate by furnishing all helpful evidence in their possession. These instructions do not constitute an accusation against any person involved but only call for a thorough-going inquiry in accordance with our traditional grand-jury system.

Mr. FISH. Mr. Speaker, I yield myself 7 minutes.

Mr. Speaker, the distinguished chairman of the Rules Committee at the outset of this debate said that the American Legion was in sympathy with the Republican Party.

Mr. SABATH. I said the officers.

Mr. FISH. That the officers of the American Legion were in sympathy with the Republican Party. The gentleman and every Member of this House know that the American Legion is a nonpartisan organization, composed of Republicans and Democrats alike, united, however, in their determination to expose and stamp out all Communist, Nazi, and Fascist propaganda in the United States of America. [Applause.] But if the American Legion is in sympathy with the Republican Party on this issue or any other issue, I, for one, welcome the support of that patriotic organization.

The American Legion is not the only great patriotic or national organization in America that has endorsed the Dies committee. The American Federation of Labor has likewise given its unanimous and enthusiastic support to the Dies committee, its achievements, and to the report submitted by that committee.

The following letter, I assume, was sent to all Members of the House by Mr. William Green, president of the American Federation of Labor:

AMERICAN FEDERATION OF LABOR,
Washington, D. C., January 20, 1940.

HON. HAMILTON FISH,
House Office Building, Washington, D. C.

DEAR SIR: The convention of the American Federation of Labor which was held at Cincinnati, Ohio, recently, expressed approval of the work which the Dies congressional committee has performed and of its continuation of the investigation which it is making into the activities of subversive groups within the United States.

In conformity with this action taken by the highest authority within the American Federation of Labor, I am officially requesting that you support such proposal as may be submitted to Congress, providing for the continuation of the Dies committee and of an appropriation sufficient to enable it to carry on its investigations.

I cannot conceive of anyone, other than those who may be exposed through association with Communist organizations, and Communist front organizations, objecting to a thorough investigation into the activities of subversive groups by a congressional committee. Those who have no sympathy with these un-American groups, these subversive forces within our social order, who are constantly seeking to change our form of government and to promote revolution, can with perfect propriety give wholehearted support to the work of the Dies committee, and to the investigation it has made and which it can continue to make.

The people of our country are entitled to know the truth. We of the American Federation of Labor want them to know the facts. We want those who are undermining our form of government and those who are engaged in subversive activities to be exposed. Ridicule, denunciation, and sarcasm, all directed toward the Dies committee by those who seek to suppress its activities and prevent it from carrying on its important work, can only be looked upon with suspicion. We cannot permit those who engage in such tactics to prevent a thorough investigation and a public exposure of the actions and of the activities of individuals and groups who are engaged in un-American activities, and who are seeking either directly or indirectly the overthrow of our Government.

The preservation of freedom and democracy is a matter of vital concern to all those who believe in our form of government. We can protect ourselves if we know who and what it is that is undermining and attacking our governmental structure. Those who are with us need not fear, those who are against us ought to be exposed. The Dies committee is rendering a great public service. It should be continued until its investigation is completed.

I urge you to support the Dies committee. I appeal to you to vote for an appropriation which will adequately equip the Dies committee to complete the excellent, splendid work which it has thus far carried on.

Sincerely yours,

WILLIAM GREEN,
President, American Federation of Labor.

Mr. Speaker, I do not believe the gentleman from Illinois [Mr. SABATH] will venture to say that the American Federation of Labor or its officers are completely in sympathy with everything that the Republican Party does. I hope they are. The following telegrams from American Legion posts in my district—and these are only about half of them—show clearly

that the Legion is in dead earnest in combating subversive activities. In addition, I received over 200 telegrams from Legion posts throughout New York State.

PORT JERVIS, N. Y., January 22, 1940.

HON. HAMILTON FISH,

House of Representatives, Washington, D. C.:
American Legion James C. Bilz Post 685 favors continuance Dies committee. We urge your support.

CHARLES G. CROOPIN,
Post Commander.

MIDDLETOWN, N. Y., January 22, 1940.

The Honorable HAMILTON FISH:

Urge your support continuance of the Dies investigating committee.

AMERICAN LEGION AUXILIARY POST 151,
MAE THORNTON, President.

HIGHLAND FALLS, N. Y., January 22, 1940.

HON. HAMILTON FISH,

House of Representatives:
The O'Connor Doyle Post 633, Highland Falls, N. Y., membership 160, insist upon the continuation of the Dies committee.

WILLIAM E. DYROFF,
Commander.

NEWBURGH, N. Y., January 21, 1940.

Representative HAMILTON FISH,

Washington, D. C.:
Galloway Post, American Legion, urges continuation of Dies investigation committee.

WILLIAM BARNETT,
Commander, Galloway Post, American Legion.

NEWBURGH, N. Y., January 21, 1940.

HON. HAMILTON FISH,

House Office Building, Washington, D. C.:
Urge your vote to continue Dies committee investigation and for appropriation requested for performance of that vitally important mission in present world affairs. We urge continuance of committee regardless of objection by the President, John L. Lewis, or any other of reddish tinge.

HARRY STANBROUGH MONELL,
Commander, Memorial Grove Post 1213, the American Legion.

POUGHKEEPSIE, N. Y., January 21, 1940.

HON. HAMILTON FISH,

Washington, D. C.:
Please support the continuance of the Dies investigating committee.

KATHRYN REID,
Dutchess County Chairman of Legislation, American Legion Auxiliary.

POUGHKEEPSIE, N. Y., January 20, 1940.

Congressman HAMILTON FISH:

Please act in accordance with Legion resolution favoring Dies committee.

HARRY L. WELCH,
Commander, Dutchess County American Legion.

I take this occasion to deny the remarks made by my friend [Mr. SABATH], the chairman of the committee, that the Rules Committee of this House is antilabor. I cannot, and I do not intend to, speak for the Democratic members. I can speak for some and I believe all of the Republican members. I know that they are not antilabor, and I likewise know that their record in this House proves them to be the friends of labor, and particularly of the American Federation of Labor.

Mr. SABATH. Mr. Speaker, will the gentleman yield for a question?

Mr. FISH. I yield for a brief question.

Mr. SABATH. I have not made the statement that all of the members are antilabor. Some of them do support the labor organizations.

Mr. FISH. I am speaking for the Republicans; and, of course, not for the Democrats.

The gentleman from Michigan [Mr. HOOK] has let his logic run away with his reason when he condemns the gentleman from Texas [Mr. DIES], the chairman of the committee, through association, because a so-called Mr. Pelley, head of the Silver Shirts, writes one of his stool-pigeons here in Washington and mentions Mr. DIES' name. By the same token it would be very easy for me to condemn the President of the United States by association because he wrote letters

commending the activities of the American Student Union and the American Youth Congress, as there are Communists in both these groups. By the same logic and the same reasoning, and by reductio ad absurdum, the President of the United States must be a Communist.

That is the main argument the gentleman from Michigan [Mr. Hook] has advanced to denounce the gentleman from Texas [Mr. Dies], who is unable to answer for himself on account of illness. He has given of his time, of his energy, and of his health to the extent that he is now at home in Texas suffering from the effects of his labors in exposing un-American activities. If he were here to defend himself he would answer those charges directly, as he has from his own State in the press, and deny and repudiate every charge made by the gentleman from Michigan on the floor of this House that would associated him with Mr. Pelley or his group. In addition, Mervin K. Hart, whom I know well, has likewise been charged by the gentleman from Michigan [Mr. Hook] with being connected with the Christian Front. In all fairness to Mr. Hart, who is head of the New York State Economic Council and a man of high character, he has publicly denied having any connection, directly or indirectly, with the Christian Front, and has denounced such charges as "an unmitigated lie."

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman.

Mr. HOOK. Does not the gentleman believe that those were exactly the same tactics that were used by the chairman of the committee to brand others as Communists when they were not?

Mr. FISH. No; I do not believe that. I think, under all the circumstances, that the gentleman from Texas [Mr. Dies], and his committee, have rendered the greatest possible service to this country in exposing un-American activities, particularly of the Communists and the Nazis, and not by association but by direct evidence.

Mr. HOOK. Mr. Speaker, will the gentleman yield further?

Mr. FISH. I do not yield further. As a result, Fritz Kuhn, of the German-American Bund, is in jail today; and Earl Browder, the head of the Communist Party in America, is likewise in jail for a 4-year term.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield myself 3½ minutes additional.

It is not good for the ultimate health of American ostriches to bury their necks in the sand and not know about the spread of un-American activities around them.

I know of no compromise between Americanism and communism. No public official can be half for America and half for Soviet Russia. There is no room for divided allegiance in the United States. The interests of our people and our country come first, last, and all the time. With the aid of the Dies committee, I hope we may be able to drive from the Federal service all communistically minded officeholders and fellow travelers. [Applause.]

The American people will not tolerate any of their money going into the hands of public officials to be used to undermine our free institutions and republican form of Government.

It makes very little difference whether a public official is a member of the Communist Party or a fellow traveler, if his salary goes to spread communism and revolutionary activities in the United States. There is no room for this breed of cats on the American Government's pay roll, and every one of them should be exposed, as Cicero did Cataline, and driven out or dismissed from office and, if not, by the ballots of a free people.

I am convinced that the most important duty of the Dies committee at the present time, with Europe aflame with war and hatred, is to investigate immediately the insidious, dangerous, and un-American activities of foreign warmongers who are spreading poisonous war propaganda in our midst. The Dies committee could do no greater service than to expose, without fear or favor and from whatever source, all foreign agents and propagandists who are trying to inflame our passions and hatreds and to drag us into foreign entanglements and wars.

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If these foreign propagandists have not enough decency to mind their own business and let America make its own decisions, then Congress should enact laws to deport all alien war propagandists. We have enough trouble trying to solve our own deplorable economic problems, with 10,000,000 unemployed American citizens, without being made a victim of foreign propaganda and being propagandized into foreign wars.

This Congress should not wait for the final report of the Dies committee, but should enact drastic deportation laws immediately, in order to deport all alien Communist and Nazi agitators back to their native lands, and give their jobs to loyal American citizens now walking the streets.

I am in favor of recalling our American Ambassador from Moscow and severing diplomatic relations with Soviet Russia. We should stop sending notes of protest against the inspired Communist propaganda emanating from Soviet Russia, and instead start sending shiploads of alien agitators back to Stalin with the compliments of the American Congress. [Applause.]

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. SHANNON].

Mr. SHANNON. Mr. Speaker, not much can be said in 2 minutes.

History repeats itself. Twenty years or more ago a great President, Woodrow Wilson, was in office, and he was assailed just like the gentleman from Texas, MARTIN DIES, is assailing the President of the United States today. A great man, General Bragg, cried out in Chicago at a Democratic national convention one time: "We love Grover Cleveland for the enemies he has made." I view with suspicion the admiration shown the gentleman from Texas, Chairman DIES, by his new-found Republican friends over here and his labor-hating friends on this side of the Chamber. I say to you, this committee should not be continued. I hope there will be manhood enough in this body to write into this bill somewhere the provision that no Member shall collect one dollar of revenue from any newspaper or from any speech that he may make if you authorize the committee's continuance. [Applause.]

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 3 minutes to the gentleman from Washington [Mr. COFFEE].

Mr. COFFEE of Washington. Mr. Speaker, I regret that there is not sufficient time in which adequate discussion may be given this very important and very controversial subject. It was deplorable that the Rules Committee did not vouchsafe to the proponents and the opponents of this measure more than 25 minutes during their hearings yesterday, and in the brief time allotted to us on the floor today comprehensive discussion cannot be afforded.

I am going to vote against the continuation of the Dies committee, as I voted against its original creation in 1938, as I voted against it 1 year ago. At the time it was being considered some 2 years ago the former Member from Texas, Mr. Maverick, led the fight against the Dies committee. At that the distinguished prospective chairman, the gentleman from Texas [Mr. Dies], said, in effect, that "We have had witch hunts exposed in the past, and I do not propose that the committee, if placed under my charge, shall be culpable of the practices against which indictments have been justly laid in the past." He predicted that efforts would be made to engage in widespread "red" hunting, but that he would not indulge in it as long as he was chairman of the committee.

WHAT CAUSES EXTREMISM

Mr. Speaker, there are infinitely more important problems confronting the country than the proposition embraced within the functions of the Dies committee. What comfort can be drawn from the spectacle of this House voting to this committee another large sum of money? Surely the unemployed, the indigent, the needy, the evicted, the harassed, the submerged one-third whom the President described as ill-housed and undernourished, can derive no stimulus from this situation. If there are those who wonder at the existence of subversive and extremist organizations let them recall that there are 9,000,000 heads of families

still unemployed in America; that we are turning out nearly half a million preparatory school and college graduates every year, yet to whom the door of opportunity is almost shut. If we would overcome un-American activities we must get at and extirpate the cause. One cannot expect to eliminate a volcano's rumblings by clamping a cement cover over the outlet. We may inveigh at groups with whose philosophy we are in diametrical disagreement, continually and persistently, but to do an effective piece of work we should enact legislation the effect of which would be to take away the dread sword of Damocles of insecurity hanging by a tenuous thread over the heads of millions of our citizens today. Remove the curse of unemployment, of hunger, of want, of lack of opportunity, of sickness, of malnutrition, and our problem is settled.

THE SAME OLD PLEA

One year ago the chairman of this committee said: "We want just one more year. We can wind up the work of the committee during that year. Give us \$100,000. Let us finish the work on which we are now engaged, and we will not be back again." But they are back again and they will be back next year.

WITCH HUNTING STREAMLINED

We are urged to cut the unemployed in America one-third of their total appropriations by the financial advisers of the House. In the Budget just submitted to the House we are going to find that we do not have sufficient money with which to take care of those on the W. P. A. because we "cannot find the money," but we can find \$100,000 to engage on a witch-hunting, bogey-chasing expedition, in which rules of evidence will be flouted and in which hearsay testimony will be allowed to be introduced in that record which would not be admissible in any court of record in the United States; in which unsupported and readily refutable assertions made by unqualified witnesses will be allowed to be spread on the record; in which reputable citizens will be assailed and accused of being Communists and will be charged with engaging in un-American activities, but not in the presence of the accusers; and in which, when persons and groups so slandered have asked for permission to appear before the committee and deny the charges, frequently they have not been accorded that opportunity. This prognosis of the committee's future conduct is based on its past record. The American Negro Congress has been requesting an opportunity to come before the committee through its officers and deny the charges that have been laid at its door. One of its officers told me a few moments ago that they had not been accorded the privilege of appearing before the committee to deny these charges.

Mr. Speaker, let no one in this body delude himself by any conviction that the American people are a unit in demanding the continuation of this committee. There are countless groups who are opposing it. There are newspapers by the score who have carped at its antics. Magazines have editorially hurled diatribes of ridicule at its methods of procedure. Prominent educators, intellectuals, and creative thinkers have bitterly denounced what they term "injustice" pervading many of its hearings. A little later I shall briefly include excerpts from some of their pronouncements.

Mr. Speaker, unfortunately this committee has not had time or inclination so far effectively to investigate such nationalist, anti-Semitic, pro-Nazi, or Fascist organizations as the following: The Silver Shirts; the American Nationalist Federation; the American Nationalist Party; the Ku Klux Klan; the American Crusaders; the American Coalition; the Christian Front; the Christian Mobilizers; the American Immigration Conference Board; the Black Legion; the American Vigilant Intelligence Federation; James True Associates; the Paul Reveres, Inc.; Christian Defenders; Associated Farmers; American White Guards; American Patriot Guard; the Vindicators; Pelley Publishers; the White Legion; the Khaki Shirts; the Order of '76; the Christian Militia; the Crusaders for Economic Liberty; and the Awakener.

Among the people or organizations who or which have been termed Communists or helping communism without rebuke in front of the committee are such famous figures as the

motion-picture stars, James Cagney, Joan Crawford, Nancy Carroll, Miriam Hopkins, and Betty Davis. Among other famous figures or groups similarly referred to are the American Newspaper Guild; the late Heywood Brown; former United States Senator Robert Bulkley, of Ohio; former Gov. Elmer Benson; the composer, Irving Berlin; the director of the Indian Service, the Honorable John Collier; Hon. Oscar Chapman, Assistant Secretary of the Interior. Among others so treated are Senator Sheridan Downey, of California; the great public-health and medical-care authority, Paul de Kruif; Bishop Ralph S. Cushman; the great writer and economist, Stuart Chase; Prof. Paul Douglas, of the University of Chicago; the great scientist, Albert Einstein; Harold E. Hoffman, former Governor of New Jersey. The League of Women Shoppers, a national organization of women interested in the consumer movement and including in its membership hundreds of the most prominent women of America was similarly charged before the committee. The following well-known figures or groups were likewise referred to: Gypsy Rose Lee; J. Warren Madden; Justice Frank Murphy; College President Henry Noble McCracken; Frederic March; Bishop F. J. McConnell; National Council of Methodist Youth; Gov. C. O. Olson, of California; former Senator James Pope, of Idaho; John Steinbeck, author of *Of Mice and Men*, and *Grapes of Wrath*; former Congressman Byron Scott, of California; the University of Michigan; Y. W. C. A.; Y. M. C. A.; Frances Perkins; Dorothy Parker; Mrs. Franklin D. Roosevelt; the Senate Civil Liberties Committee; Stanford University; World Youth Congress; William Allen White, famous Republican editor of the *Emporia (Kans.) Gazette*; Clark Gable; Howard University; and the Department of Health of the City of Detroit.

Mr. Speaker, I attach herein below a list of prominent educators, thinkers, and scientists in America who have aggressively, both orally and in writing, signified their relentless opposition to a further appropriation for continuation of the Dies committee.

The list follows:

Frank E. Baker, president, Milwaukee State Teachers College.
 Rufus E. Clement, president, Atlanta University.
 Clarence M. Dykstra, president, University of Wisconsin.
 William Alfred Eddy, president, Hobart and William Smith Colleges.
 Guy Stanton Ford, president, University of Minnesota.
 George Willard Frasier, president, Colorado State College of Education.
 Ralph K. Hickok, president, Western College.
 Raymond A. Kent, president, University of Louisville.
 Frank Kingdon, president, University of Newark.
 William A. Nelson, former president, Smith College.
 Walter Dill Scott, former president, Northwestern University.
 Mary E. Woolley, former president, Mount Holyoke College.
 Harold C. Urey, Nobel laureate in chemistry, Columbia.
 John Dewey, professor emeritus of philosophy.
 Charles A. Beard, former president, American Historical Association.
 J. McKeen Cattell, editor, *Science*.
 Francis J. McConnell, bishop, Methodist Church.
 Paul U. Kellogg, editor, *Survey Graphic*.
 Olin Downes, music critic, *New York Times*.
 Jonathan Daniels, editor, *Raleigh News and Observer*.
 Paul Robeson, singer and actor.
 Zechariah Chafee, Jr., professor, Harvard University.
 Paul J. Kern, president, Municipal Civil Service Commission of New York City.
 Charlotte Carr, head, Hull House, Chicago.
 Edith Abbott, dean, University of Chicago School of Social Service.
 Ned H. Dearborn, dean, New York University.
 Christian Gauss, dean, Princeton University.
 Malcolm S. MacLean, dean, University of Minnesota.
 Frank L. Mott, dean, University of Iowa.
 Carl Wittke, dean, Oberlin College.
 Mary Antin, author.
 Joseph Warren Beach, author.
 Van Wyck Brooks, author.
 Lillian Hellman, author.
 Inez Haynes Irwin, author.
 Emil Lengyel, author.
 Elmer Rice, author.
 Ralph Roeder, author.
 William Carlos Williams, author.
 Henry Pratt Fairchild, professor, New York University.
 Randolph B. Smith, director, Cooperative School for Teachers.
 Sophronisba P. Breckinridge, former president, American Association of Schools of Social Work.

Comfort A. Adams, former president, American Institute of Electrical Engineers.

Oswald Veblen, former president, American Mathematical Society.
John P. Peters, secretary, Committee of Physicians for Improvement of Medical Care.

A. M. Schlesinger, vice president, American Historical Association.

W. M. Malisoff, editor, Philosophy of Science.
Ellsworth Huntington, professor, Yale University.
Edward C. Tolman, professor, University of California.
George P. Adams, professor, University of California.
Ralph Linton, editor, The American Anthropologist.

W. A. Oldfather, former president, American Philological Association.

Walter E. Hager, secretary, Teachers College, Columbia University.
John F. Fulton, Yale Medical School.

Ralph Barton Perry, author, Pulitzer Prize biography of William James.

Clyde Eagleton, professor, New York University.
Karl Menninger, director, Psychiatric Clinic, Topeka, Kans.

Robert S. Lynd, professor, Columbia University.
Fred L. Redefers, secretary, Progressive Education Association.

Halford E. Luccock, professor, Yale Divinity School.
Alice Hamilton, professor emerita, Harvard Medical School.

Vida D. Scudder, professor, Wellesley College.
Eugene W. Lyman, professor, Union Theological Seminary.

D. W. Prall, professor, Harvard University.
A. J. Carlson, former president, American Physiological Society.

Paul F. Gemmill, professor, University of Pennsylvania.
Edgar Dale, professor, Ohio State University.

Lester Dix, principal, Lincoln School.
V. T. Thayer, educational director, Ethical Culture Schools.

Harry J. Carman, professor, Columbia University.
Goodwin Watson, professor, Columbia University.

L. G. Barth, professor, Columbia University.
Dorothy Douglas, professor, Smith College.

Frank H. Hankins, professor, Smith College.
Hadley Cantril, professor, Princeton University.

Roy Dickinson Welch, professor, Princeton University.
Kirtley F. Mather, director, Harvard University summer school.

Morris R. Cohen, professor, College of the City of New York.
Harry A. Overstreet, professor, College of the City of New York.

Jerome Davis, former president, American Federation of Teachers.
Robert Iglehart, vice president, American Federation of Teachers.

Alonzo F. Myers, president, New York College Teachers Union.
Max Lerner, professor, Williams College.

Jesse H. Holmes, professor, Swarthmore College.
George Soule, editor, the New Republic.

Malcolm Cowley, editor, the New Republic.
Freda Kirchwey, editor, the Nation.

Maxwell S. Stewart, editor, the Nation.
Victor Weybright, editor, Survey Graphic.

Frank C. Bancroft, editor, Social Work Today.
Dashiell Hammett, author.

Leane Zugsmith, author.
Arthur Kober, author.

Countee Cullen, poet.
Matthew Josephson, author.

Jean Starr Untermeyer, poet.
Alfred Kreyenborg, author.

Donald Ogden Stewart, president, League of American Writers.
Lewis Mumford, author.

Herman Shumlin, producer.
W. W. Norton, publisher.

Vilhjalmur Stefansson, past president, Explorers Club.
Marie Romaet-Rosanoff, musician.

Aaron Copland, composer.
Lehman Engel, musician.

Rockwell Kent, artist.
Morris Carnovsky, actor.

Oliver La Farge, author.
Philip Loeb, actor.

Max Yergan, secretary, International Institute for African Affairs.
Charles Belous, former councilman, New York City.

Dorothy Kenyon, former justice, New York City.
Hugh DeLacy, councilman, Seattle.

Justine Wise Polier, justice, New York City.
Nicholas Tomassetti, representative, Connecticut.

William Lloyd Innes, Rev., New York City.
John Howard Lathrop, Rev., Brooklyn, N. Y.

Mary Van Kleeck, Russell Sage Foundation.
Mrs. Rachel Davis-Dubois, Service Bureau for Intercultural Education.

Dr. Bernard Glueck, psychiatrist.
John B. Andrews, secretary, American Association for Labor Legislation.

J. F. Dashiell, professor, University of North Carolina.
Edward A. Ross, professor emeritus, University of Wisconsin.

W. H. Manwaring, professor emeritus, Columbia University.
Willistine Goodsell, professor emeritus, Teachers College, Columbia University.

Mitchell Franklin, professor, Tulane University.
Harry Elmer Barnes, historian and journalist.

Edwin G. Boring, professor, Harvard University.
Rev. Alfred W. Swan, Madison, Wis.

Sara Bard Field, poet.

Charles Erskine Scott Wood, writer.

S. Stephenson Smith, professor, University of Oregon.

James B. Carey, secretary, C. I. O.

Charles William Taussig, chairman, National Advisory Committee.

Martha Dodd, writer.

William E. Dodd, former Ambassador to Germany.

George Seldes, author.

C. E. Ficken, dean, Macalester College.

Mr. Speaker, the following statement is an excerpt from a public declaration of the National Board of the National Negro Congress on the Dies committee, dated January 22, 1940.

We must point out to the American people that the unsuccessful attempt of the Dies committee to smear the national Negro Congress is only one link in the chain of reactionary forces in America who seek to throttle freedom of speech and to destroy the democratic rights of the Negro people vouchsafed us by the Constitution and laws of the United States. We call on the United States Congress to repudiate and abolish the Dies committee. We call upon the American people to denounce the star-chamber procedures of this committee. We serve notice on MARTIN DIES and his friends of the Ku Klux Klan that we will not be stopped in our struggle to win economic freedom and democracy for the 15,000,000 Negro Americans in our land. And we leave the American people to judge by our deeds whether it is we or the Dies committee who are un-American.

Mr. Speaker, by special permission of the House, I attach herein below statements from newspapers and organized groups in which the Dies committee is discussed in various of its aspects.

[San Diego Sun, Nov. 1, 1939]

IS DIES COMMITTEE UN-AMERICAN?

(By Raymond Clapper)

NO DISCRIMINATING

The Dies committee has been no more discriminating in separating alien subversive activities from domestic liberalism than the lady in the New York Herald Tribune who chirped brightly every morning throughout the 1936 campaign that only so many days remained to save the American way of life by electing Alf Landon. It is like Mrs. Dilling, who in her "red network" classed William Allen White as a "red."

Representative DIES had an opportunity to make distinct in the public mind the subversive alien activities, on the one hand, and on the other the native progressivism, the yeast in our democracy, the movements to make our form of government work more effectively, which are as American as the Constitution itself. Bryan, Theodore Roosevelt, Wilson, Brandeis, populism, the non-Partisan League of the Dakotas, the La Follettes in Wisconsin, Franklin Roosevelt, and the New Deal—all have been damned as socialistic, Communistic, un-American. DIES talked about new dealers being "lapdogs of Moscow."

The Dies committee could have done a good turn to progressive democracy by pulling it clear of the radical-communist color. Instead, it has served to paste more Communist labels on the New Deal. Apparently the job will have to be done by the administration because it is vital that someone do it. To allow progressive ideas to succumb to a wave of red hunting and throw the country back into a period of reaction such as followed the Mitchell Palmer "red" hunt after the last war, would be an unnecessary and tragic loss.

The late Rodney Dutcher, N. E. A. staff correspondent, agreed with his colleagues as to the unique character of the Dies committee—unique, not in a flattering sense. He wrote:

No such loosely handled investigation has been covered previously by this generation of Washington correspondents.

Along the same line is the comment of Heywood Brown:

If the Dies committee had used any sort of cross-examination whatsoever, it might have held its more imaginative witnesses in bounds. Instead the more florid romancers were egged on as they seemed to be drawing to the end of the chapter. MARTIN DIES and his men seemed like eager infants in their disposition to say, "Don't stop now, Granny. Tell us another story. Tell us the one about the ogre who ate up the Sunday-school superintendent."

Another journalist, Frederick R. Barkley, feature writer for the New York Times, describes this method in actual operation, and also the gentleman from Texas [Mr. DIES'] reaction when the witnesses refused to cooperate by "yessing" the investigator:

What conclusions the people out in the country are reaching from the widely publicized testimony is puzzling many observers here. Have the committee's many ineptitudes and its unquestioning acceptance of the most fantastic tales wholly discredited it? Or is the public taking all the stories told it as gospel truth?

Luther A. Huston, likewise writing in the New York Times, summarizes the work of the committee in the early stages of the investigation, thus:

During a week of torrid testimony in torrid weather, a procession of witnesses . . . pinned the red badge of Moscow on the bosoms of a host of labor leaders, placed Communist sympathizers not only in the legion of the New Deal, but in the staid ranks of the Grand Old Party, hinted that Stalin's minions were trying to corrupt the church, attributed Communist affiliations and sympathy to many organizations, hitherto designated as patriotic or educational, and pointed scornful fingers at persons who gave money to buy ambulances for wounded Spanish Loyalists. . . .

At no time in the testimony was a definition given of communism or a Communist. Some of the witnesses left the impression on critical observers that their definition of communism was any program that opposed theirs, and a Communist was anyone whose opinion differed from their own.

Arthur Krock, Washington correspondent of the conservative New York Times, and himself critical of the New Deal, wrote:

Mr. DIES, like Representatives FISH and DICKSTEIN, is a foreign-propaganda bloodhound. But he goes further than even Mr. FISH and leaves Mr. DICKSTEIN at the post in finding links between foreign ideologies and radical movements on the left fringe of the New Deal. . . . Mr. SHEPPARD, chairman of the senatorial committee investigating campaign activities, is merely after facts he was instructed to obtain. But Mr. DIES was from the very first suspected of being after unilateral evidence to support a preconception.

EDITORIAL VIEWS ON THE DIES COMMITTEE

Newspapers of both major parties and of all shades of opinion, conservative and liberal alike, are agreed in their views of the Dies committee. A few representative views follow:

The New York Herald Tribune, leading conservative Republican organ and critic of the Roosevelt administration, writes:

. . . the country should be warned against the danger of spying a Communist under every bush.

Let us realize, for instance, that Mr. Frey is a special pleader and that his object is to discredit the C. I. O. When, therefore, he says that the C. I. O. is in the grip of the Communists, his assertion should be taken with several grains of salt.

And in another editorial this newspaper asks rhetorically:

Are William Allen White, Henry Nobel McCracken, a bishop of the Methodist Church, and the former Governor of New Jersey, among others of like standing, dense enough to become the "stooges" of Stalin? There must be a catch somewhere.

The catch, we believe, appears in the assumption that because Communists ally themselves with a liberal cause they necessarily capture it.

The New York Times, Democratic and critical of the New Deal, in its restrained way, pokes fun at the committee thus:

One gathers from some of the testimony given before the House Committee on Un-American Activities that it is now possible to be a Communist without knowing it. One may think he is merely working for peace and democracy, or against war and fascism, but in the background, if one takes this testimony at its face value, is the sinister figure of Stalin and the OGPU.

Clear across the continent the Portland Oregonian, conservative Republican, says:

The Dies committee listens to the fanatical Dr. J. B. Matthews charging that Mrs. Franklin D. Roosevelt herself is a dupe of the Communists. It passes this abnormal suspicion along to the Nation. . . .

To accuse this bountiful and warm-hearted First Lady of being manipulated from Moscow is an affront of common sense and good taste.

The Baltimore Sun, critic and opponent of the New Deal, declares that Secretary of Labor Perkins—

Is on firm ground . . . in her refusal to deport C. I. O. Leader Harry Bridges on the ground that he is a Communist, as Representative MARTIN DIES demanded.

The Sun continues:

There is such a thing as sedition and it is fairly defined by law; but this committee is not investigating sedition, it is investigating "un-American" activities. . . .

The inevitable implication is that there is such a thing as an American activity, which can be defined and recognized.

This is flat nonsense. . . . The investigation was not limited to sedition for a coherent, if not creditable, reason. Some of its proponents wished to annoy people whom they dislike; but these people are not guilty of sedition, and the proponents of the

inquiry knew it. That is the only intelligible explanation of the meaningless term "un-American." Under such a term anything can be dragged in.

Another newspaper, the Walla Walla Morning Union, calls attention to the committee's failure to investigate certain other and really subversive organizations. It says:

Instead of running after the Methodist Federation for Social Service, the League of Women Shoppers, and the Milk Consumers' Protective Committee, the Dies group could have performed a real service by investigating such definitely un-American groups as the Silver Shirts, Knights of the White Camellia, Order of Black Shirts, and Dr. Winrod's fanatical following.

The New York Daily News, summarizing the work of the committee and commenting thereon editorially, says:

Up to now, the Dies committee has smeared the President of the United States and his wife with suspicions of having aided and abetted communism by making friendly gestures at the World Youth Congress; has hung a "red" label on poor little Shirley Temple, among other movie stars; and now wants the help of the G-men in digging up more smear stuff.

Recently Harlan Miller, famous columnist of the Washington (D. C.) Post, wrote in his daily news column, syndicated throughout the country (January 21, 1940):

And don't get me wrong about DIES himself. He's a great big lovable boy with a fine gift for shooting off his mouth. I'm sorry to see him looking so sick and pasty. But illness never kept DIES away from a microphone or a lecture platform; just away from Congress. I know MARTIN. I've had breakfast and lunch with him and talked with him by the hour. Sometimes he's fooled me.

Lately he's felt too puny to be in his seat here representing Texas, but not too frail to dash off \$10,000 worth of magazine articles.

Funny thing is, DIES means well. He yells how tolerant he is, while all the time acting intolerant to almost everybody who doesn't act and talk and dress like they do in his corner of Texas. He can't help that.

I tell you, Joe, he's a great guy. He isn't content to deport 7,000 or 70,000. No; he wants to deport 7,000,000. That scared the other members of his committee, because it would take every canoe in the country for the next 5 years, and how could Congressman KENT KELLER go canoeing?

Mr. DIES used to be the whole show, but now a majority of his committee is agin him.

They found out he was flirting with the notion of running for Vice President, or maybe for Senator against TOM CONNALLY, one of the finest Senators on the Hill.

"Mention me in your speech," he said to a colleague who was speaking in Texas, "it'll help me for Senator."

DIES promised he'd expose all the Communists. He spent \$100,000 and dug up one—Browder, their candidate for President. Great sleuthing, Joe, wasn't it?

He told me he'd get lists of all the Communists in the Government, and that he had the goods on where the Nazi and Fascist money was coming from. Joe, he never delivered.

But he got a lot of breaks. Hitler signed up with Stalin, and together they blackjacked Poland; Hitler stole Bohemia and Stalin picked on Finland; Fritz Kuhn got sent to jail and General Krivitsky exposed the Communists from the inside. The "reds" quarreled among themselves, and the Nazis bombed Warsaw, and all the lunatic fringe DIES was supposed to be exposing got in dutcher and dutcher.

It would have stunk without DIES to stir it up. But he got the credit; his name fits into any headline.

What I mean, Joe, is that DIES has got no business calling Shirley Temple or Eleanor Roosevelt a radical just because he wants to be Vice President. Them and thousands of others.

Joe, they're no more Communists than you or I or MARTIN DIES.

The other members of his committee would like to restrain MARTIN's exhibitionism and keep him away from microphones long enough to get well. They'd like to muzzle him, that's what they say.

But Congress apparently hasn't got the guts. They know it's popular to raise hell about the Communists, and they think DIES is now too popular to trifle with.

They'd like to muzzle him, but they didn't.

A few of the Congressmen think the way MARTIN does, and some of the dumber ones think the way the guys do who throw up their hats for DIES. But most of 'em see how dangerous that kind of stuff is to the plain old Samuel Adams-Patrick Henry brand of freedom.

But they just plain haven't got the guts to make it clear that Communists and Nazis are lousy, but DIES isn't so hot, either.

They know DIES in the House. He's famous as chief of the demagogues club.

Once he spoke against a bill, voted for it 2 minutes later.

When the first poll showed Roosevelt slipping a little, DIES said, "Boys, he's slippin'; I'm turnin' agin him."

Speaker BANKHEAD named DIES chairman. He knew MARTIN's dad, who was a great guy. In MARTIN he recognized a good demagogue, because BANKHEAD's a little that way himself.

So you'd better resign from the Epworth League, Joe, or they'll be callin' you a Communist.

Yours, on a limb.

HARLAN.

On January 17, 1940, Dorothy Thompson, wife of Sinclair Lewis, the novelist, and the most brilliant and gifted woman newspaper writer in America, said, among other things:

The Dies committee also discovered the German-American Bund and revealed what had been published previously in numerous newspapers. But the report does not contain a single reference to the "Christian" boys—of the "Christian Front," or the "Christian Mobilizers"—who see in "Christianity" a war whoop for the persecution of nongentiles in this country.

I once heard this definition of a detective: He is a man who closes his eyes and paints an eye on the eyelid so that people will think that his eyes are open.

Despite the fact that one has to pick one's way across or around the members of the Christian Front thrusting copies of Father Coughlin's Social Justice under one's nose all over Forty-second Street in the very heart of New York, and in spite of the animal screams of blood lust that emerge from the patriotic throats of Mr. McWilliams' Christian Mobilizers, which, I understand, are rivals of the good father, thinking that they have discovered in their handsome chief a more likely "fuehrer of the future," our Government investigators have not noticed these boys.

The fact that Father Coughlin's name is enthusiastically cheered at the meetings of the German-American Bund; the fact that invitations to the Christian Front meetings and to bund meetings have been handed out synonymously by the same men at the same meetings; the fact that the Christian Front maintained picket lines at WMCA radio station every Sunday for a full year, bearing large placards on which was the picture of Father Coughlin, has escaped the notice of investigators.

On January 11, 1940, Walter Lippmann, one of the most astute fourth estate commentators we have in America, a man who has been a frequent critic of the New Deal, and whose writings generally reveal a decidedly conservative penchant, wrote in his column as it appeared in the Washington Post:

The Dies committee are not really a legislative committee. They are a kind of committee of public safety set up by Congress to suppress activities which, though detested by the great majority of the people, are in themselves either not unlawful, or, even if they were outlawed, could not be dealt with by the ordinary procedure of the law. The Dies committee are official vigilantes operating in an area, that of the political underworld, where there is as yet no effective law and there is, therefore, no order. The committeemen, like their vigilante predecessors on the American frontier, are therefore themselves often lawless in spirit and disorderly in their methods.

This accounts for the somewhat shamefaced approval which thoughtful men have given to the work of the committee. The public is confronted with the ancient moral question of whether the end justifies the means. Thus, only the very innocent and self-deluding have any doubt that the Dies committee have been attacking a formidable evil in modern society. The menace is real. It is not imaginary. And it must be met. Yet there is no doubt also that the procedure of the Dies committee is itself a violation of American morality; it is a pillory in which reputations are ruined, often without proof and always without the legal safeguards that protect the ordinary criminal; it is a tribunal before which men are arraigned and charged with acts that are, as a matter of fact, lawful.

END IS ATTAINED BY DEPLORABLE MEANS

Therefore the end, which is to protect the American system, is attained by means which, if used for some other end, would be deplored by everyone, by everyone, except, of course, the revolutionists whom Mr. Dies is stalking.

It is plain that the Dies committee cannot be abolished and must be continued since it offers a center of resistance to evils which could not otherwise be brought to light and checked. It is equally plain that the committee needs to be reformed, so that its methods will in spirit, at least, be lawful, and, therefore, capable of commanding the respect of law-abiding citizens.

I do not know how this can be done except by subjecting the procedure of the committee to public criticism, and by adding to the membership one or two learned and respected lawyers who will make it their business to reform the procedure, and by giving the committee enough money to hire competent investigators so that they may cease to rely upon dubious informers and the crackpots who always gather about an inquiry of this sort.

In the home State of the chairman of the committee is printed a famous newspaper, the El Paso (Tex.) Times. In its issue of December 26, 1939, it published the following editorial:

AND HE'LL GET THE MONEY

Chairman DIES of the House Un-American Activities Investigating Committee roars into action again.

Great things are just over the hill. Tremendously menacing things. He could tell a great deal about communism among the big movie actors. It seems Hollywood has been rather thoroughly penetrated.

Then there are the great labor troubles which have played havoc with the Pacific coast. Chairman DIES foresees important and alarming developments coming out of that investigation.

All of which, possibly true to some extent, at least, signifies just this:

The Dies committee is about out of money. In preparation for asking Congress for another appropriation, DIES wants the country to know what menacing things are just over the hill.

And DIES will get the money. Mark our prediction. He may not get as much as he wants, but he will be given a substantial sum.

The White House dislikes him. Congress knows him for what he is, a show-off and politics player, a hunter of headlines. But few Congressmen will dare vote against an appropriation to carry on the work of the Dies committee, which, incidentally, has been productive of some little good. Because they won't care to run the risk of being branded secretly "red."

From the Kansas City (Mo.) Star of October 26, 1939:

KEEP TO THE NEEDED WORK

The Dies committee has an abundance of necessary work to do in exposing un-American activities of the dangerous sort. It does not need to slop over and cast suspicion upon possibly hundreds of persons who may be thoroughly loyal citizens. The committee has done that in giving out the membership and mailing list of the American League for Peace and Democracy.

The committee has exceeded both its authority and the bounds of discretion in thus subjecting some 563 persons to possibly unjust criticism. It failed to indicate whether the persons named were members of the league and in sympathy with its work or whether they simply were on its mailing list. And while the committee charges that the league is a Communist organization, that is not definitely proved. Its officials deny that it is "Communist dominated."

The league is a radical agency and may be Communist. The committee could establish the facts about it. Until it does and until it has conclusive evidence to show certain persons on the league's lists are an actual part of it, then it should be silent about those persons. The committee has done good work. It can continue without injustice to any citizen.

From the Davenport (Iowa) Democrat, of November 26, 1939:

How these Congressmen do succumb to the glare of the spotlight! There was Senator NYE, who presided over extended committee hearings which gave a pat on the back to any witness who would say that the munition makers cause our wars. When he couldn't get enough attention at the congressional sessions he graduated to the summer Chautauqua circuit. And there was Senator WHEELER, under a similar spell, going on the lecture platform, which brought him to Davenport as an after-dinner orator.

Now it's Representative DIES, who has a committee investigating un-American activities, and counts a quorum whenever he is present. The inquiry has cost about \$125,000 to date, and DIES wants a lot more than that to keep it going. For fear of a lack of enthusiasm in Congress, he is planning a series of mass meetings to bring pressure on Congress to give him what he wants. The first will be held in Madison Square Garden next Wednesday.

It begins to look as if Mr. DIES is not so much possessed by the idea that "the reds'll get you if you don't watch out," as he is by an obsession for self-advertisement. As Iowa Legionnaire Frank Miles said at a forum in Des Moines, DIES is inclined to be "stagey" and has done "a lot of grandstanding which I wish he hadn't." Which was a frank admission after Frank had stated that the Legion had been instrumental in establishing the Dies committee.

The country will hear plenty of and from DIES. The Texas Congressman will see to that, himself.

From the Philadelphia Record, of October 27, 1939:

CHEAP TRICK

There is need for a genuine, decent, thoroughgoing investigation of foreign pressure groups and un-American activities in this country. But the Dies committee isn't it.

The committee's action in publishing a list of supposed members of the League for Peace and Democracy was an unbelievably cheap trick.

The League for Peace and Democracy is generally recognized today as a Communist front organization, although most of its members probably are not Communists.

But the list given out by the Dies committee was not a list of members. The papers handed to the press were marked "membership and mailing list" at the top. The committee ran a pencil through the words "and mailing." The press was supposed to draw the inference that it was a membership list, even though a committee member said that the committee made no claim that all those on the lists were members of the league.

Anyone's name can turn up on any mailing list. Why is it surprising or significant in any way that the names of Government officials were on the list? All the league's Washington office had to do to get the names was to consult a directory of Government officials, or look up addresses in the phone book.

What's to prevent Communist headquarters from putting MARTIN DIES' own name on its mailing list? What's to prevent some cheap "investigator" from seizing such a list and publishing it with the snide innuendo that MARTIN DIES is an agent of Moscow?

We think the committee owes an apology to the loyal Americans it has spattered with mud in a reckless and irresponsible manner.

The investigating power of congressional committees is one of the most useful instruments of government. It should not be abused.

From the Minneapolis (Minn.) Star-Journal, of October 27, 1939:

TEMPEST IN A TEAPOT

Representative DIES and the committee which bears his name certainly put their foot in it when they published the names of Government employees who were on the mailing list of the American League for Peace.

The Dies list totals 563 out of a Government pay roll in Washington of 147,760. Even if those listed were supporters of communism, which is not proven or even alleged, they would form such a small percentage of the whole that there would be nothing to get very excited about.

Publication of these names was unfair to most of the individuals concerned, and it is difficult to see how it served any useful purpose. Cannot the committee find something more important to do to justify its existence?

From the St. Louis (Mo.) Post-Dispatch, of October 23, 1939:

MR. DIES' REAL OBJECTIVES

If further evidence as to the unjudicial procedure of the Dies committee is needed, it is to be found in its chairman's boast that it has paralyzed the left wing of the Democratic Party, discredited John L. Lewis and the C. I. O., and driven Elmer F. Andrews from his post as Wage and Hour Administrator. Very sure of himself, Dies even has listed future victims of his witch hunt, among them David Saposs, chief economist of the Labor Board.

There have been some disgraceful congressional committees in the past, but it would be difficult, indeed, to find one with the record of the Dies committee and its parade of discredited and irresponsible witnesses, its public smearing of reputations, without the least effort to determine the truth of the charges being broadcast. Now, its chairman admits that the purpose of the committee is not an exploratory one, but that it has definite objectives. It is out to "get" the New Deal. It is out to "get" the C. I. O. Well, those are legitimate targets in the political arena, but a congressional committee set up to investigate subversive activities should not be allowed to become an instrumentality in such partisan warfare. No committee should ever again be permitted to enter a State campaign, as this committee did in Attorney General Frank Murphy's unsuccessful gubernatorial campaign in Michigan.

Now the Dies committee wants another \$100,000 to continue its work. If, in the light of the objectives outlined by its chairman, it is granted this new appropriation, Congress will have taken about as effective a step against the democratic rights—that the committee was supposed to protect—as can well be imagined. Further, the Fritz Kuhns and the American Communists have done about everything possible to discredit themselves. If they are allowed to become "martyrs" to the Dies inquiry, the gentleman from Texas may yet succeed in rehabilitating them.

From the Dallas (Tex.) News of October 27, 1939:

UNJUSTIFIED COMMITTEE

The House Committee on Un-American Activities, whose probe has made some useful revelations, has made repeated mistakes that showed lack of thought and forethought. Not the least of these is publication of an alleged membership list of the League for Peace and Democracy, an organization it previously had branded as a Communist front. This committee action, now under fire even by some of its minority members, does an injustice to many individuals.

The claim that the publication is a violation of civil rights has little weight, of course. No one need be ashamed of belonging to an organization working for peace and democracy. The real injustice is in the unsupported branding of this organization as a Communist front, with the implication that its members, or many of them, are either Communists or Communist sympathizers. To a levelheaded citizen, a mere reading of prominent names on the membership list does not support the claim that the organization is tainted with communism, but there always are people ready to believe the worst of their fellows.

Any organization, even a lodge or a church, is likely to acquire a few members with Communist leanings—and as long as the Communist Party is a legitimate political body, there is no reason for discrimination against its members. But since many Americans consider themselves libeled by being tagged incorrectly as Communists or Communist sympathizers, and since such labeling might harm them politically or economically, congressional probes, no less than individuals, should be extremely cautious in order to avoid unjust accusations.

From that famous Republican newspaper of Worcester, Mass., the Telegram, in an editorial, dated October 26, 1939:

THE UNNECESSARY MR. DIES

All who have been following the newspaper reports of the doings of un-American organizations and their members within the borders of the United States must agree that there is plenty of work of the first importance to be done by the Dies committee. Thus public opinion is likely to second the request of the committee for funds to continue its investigations another year.

At the same time, however, all who have been following the newspaper reports of the sayings of Representative MARTIN DIES, chairman of the committee, must regret that the flamboyant Texan cannot be replaced by a man of more judicial temper. The committee has unearthed a vast deal of invaluable data concerning

forces operating to overthrow the American form of government. It has revealed the menacing foreign sources of some of these forces. And it has caught the serious attention of the American people.

But it has been able to do these things not because of Chairman Dies but in spite of him. The chairman has done his best—unconsciously of course—to gum the proceedings. The limelight into which the chairmanship thrust him has sent him into a veritable St. Vitus dance of political ambition. He has sought constantly to make personal political capital out of the accomplishments of the committee.

He has absented himself from hearings in order to barnstorm here and there in the hinterland. He has cried out, when he should have been silent, as on the other day, when he asserted that the committee has the goods to send all Communist and Fascist leaders in America to jail. He has stressed the trivial and botched the momentous. He displays no real understanding of what it is all about. For him, it would seem, the committee's investigations are a circus and he the rollicking clown.

From the Charlotte (N. C.) Daily News of November 25, 1939:

POISON—MR. DIES CALLS FOR A HEADER INTO MADNESS

The other suggestion made by Mr. Dies, however, is just plain terrible. He wants a series of mass meetings to be held all over the country to develop "a crusade of real Americanism."

What that means we know well enough from the early post-war days of Mitchell Palmer and the Ku Klux Klan. It means the whipping up of a mob hysteria of hate and rage masquerading as patriotism, which must have its scapegoat at any price—which exhibits all the characteristics of the mob spirit, and above all its impatience with the notion that holders of unpopular opinions still have their rights.

In short, what MARTIN DIES proposes is a Nation-wide hydrophobia against the Bill of Rights. For that, precisely, is what the sort of thing he calls for has always produced.

THE COMMITTEE SHOULD BE ETHICAL

We are told we should not criticize the committee. I think our agencies ought to lean backward and not be guilty of engaging in un-American activities themselves. A judge about to sentence a prisoner usually grants him full opportunity to speak. Anyone who has not been given a fair trial in the courts may appeal to the higher or court of last resort. But when the accused before the Dies committee does not agree with the charges that are made and wants to appear and deny them in toto, and such appearance is refused, there is no tribunal to which he can appeal, only the Congress of the United States. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein a sermon given by the Most Reverend John F. O'Hara.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

INVESTIGATION OF UN-AMERICAN ACTIVITIES

Mr. SABATH. Mr. Speaker, I yield 8 minutes to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Speaker, the discussion at this time, and particularly the attitude which is being taken by the overwhelming majority of the membership of this House, reminds me of two people who went to a heavyweight champion prize fight at Madison Square Garden. During that fight there was a moment when it looked as though the champion was going to be knocked out. All eyes were focused on the ring. Everybody was on his toes shouting, waiting for the big kill and for the new champion. Do you know what these two people were doing? They were sitting there discussing the merits of a ping-pong tournament that had been played the night before.

The House today is doing the same. Instead of dedicating its efforts toward the solution of very serious problems which are confronting our country, problems that really affect the general welfare of our Nation, which, the President said, was the basis of our national defense; problems of unemployment; problems of peace; problems of the laboring people; problems of the farmers; problems of the small-business men and professional men—the membership is rushing through the House and making it practically the first order of business what I deem to be the most reprehensible record in legislative history since the days of the World War.

We are going to continue what should be put away on the musty shelf to be forgotten as a disgraceful assault on the liberties of the American people.

Mr. Speaker, I am not going into the question of procedure, and I am not going to make any attack on any member of the committee. I could just as readily stand up here and repeat the words of the leader of the Democratic Party, the President of the United States, and describe the procedure of this committee as sordid, and have that great authority behind me.

However, I am not going to go into that because my opposition to the continuance of this committee is based upon a basic principle—that is, the principle of the civil rights guaranteed in the Constitution of the United States.

Oh, it is perfectly easy to attack a dissident minority. The press applauds. In fact, "communism" has become very, very convenient for many, many Members of this House, and many people outside of it. If communism is destroyed I do not know what some of you will do. [Applause.] It has become the most convenient method by which you wrap yourselves in the American flag in order to cover up some of the greasy stains on the legislative toga. You can vote against the unemployed, you can vote against the W. P. A. workers, you can emasculate the Bill of Rights of the Constitution of the United States, you can try to destroy the National Labor Relations law, the Magna Carta of American labor, you can vote against the farmer, and you can do all that with a great deal of impunity, because after you have done so you do not have to explain your vote. You do not have to defend yourselves to the country and to the unemployed, to labor, or to the farmer. All you have to do is stand up here and say, "I am opposed to communism. Let us destroy communism." What are you going to do when there is no more communism in this country? [Laughter and applause.]

Mr. Speaker, this resolution presents a very serious issue. It presents the issue of guaranteeing the rights of dissident minorities. Destroy the constitutional rights of minorities, particularly the rights of those minorities that you so vociferously condemn, and you are marching with seven-league boots toward the destruction of democracy. This committee, under the guise of investigating subversive activities, has done its utmost to abolish democratic rights in the United States.

It has failed to distinguish between illegal activities and constitutional activities. It has sought to destroy the right to constitutional activities under the pretext of investigating illegal activities. The right of minorities to freedom of press, speech, and petition have been endangered as never before by this committee. Oh, I know that when my friend the gentleman from Alabama [Mr. STARNES] gets up here he will say, "I subscribe to the doctrine of free speech." Let me say that what the Dies committee has failed to recognize is the fundamental principle of application. There is a great deal of difference between mere subscription and application. I say that every dissident minority has the right to advocate, it has the right to organize, and it has the right to propagandize. The Dies committee has failed to recognize the difference between subversive and constitutional. There is a difference between espionage, sabotage, and conspiracy, on the one hand, and on the other hand the right to organize, advocate, and propagandize. Until you establish that a person is guilty of conspiracy to violate laws or to engage in espionage or sabotage, I say that person has the right to advocate and to do everything the Constitution gives him the right to say, publish, and do, whether he be a Communist, a Socialist, a Republican, a Democrat, or a Laborite. [Applause.] Once you tamper with this principle, no matter under what pretext, once you undermine it, you undermine the Constitution of the United States and deal a death blow to the fundamental principles upon which this country is based.

Legislation such as this is not anything new. It is the third time such a situation has arisen. Twice before now it has arisen. Every time we have gone through a critical period a real effort has been made to destroy the civil rights

of the American people by making an attack on the rights of dissident minorities. Our institutions can survive only when we reaffirm the American tradition of greater freedom for the American people during periods of crises.

In 1798 we passed the Alien and Sedition Acts. Thomas Jefferson was hounded and accused of being an agent of a foreign country, France. The Alien and Sedition Acts, most similar in purpose with the activities of the Dies committee, were imposed on this country at that time. These laws were aimed at Jefferson and his followers. Now everybody respects Thomas Jefferson. Even my great friend from Dutchess County appeals to the Democrats in the name of Jefferson and calls them Jeffersonian Democrats when he wants them on his side.

Let us see what Thomas Jefferson said with regard to that legislation which is the monstrous ancestor of the type which you are putting over here today. He charged that that legislation was put over by a "war party." We are before a war situation now. He said that such laws were "merely an experiment on the American mind to see how far it would bear an avowed violation of the Constitution." He further stated, referring to the Sedition Acts:

These and successive acts of the same character, unless arrested at the threshold, necessarily drive these States into revolution and blood, and will furnish new calumnies against republican government, and new pretexts for those who wish it to be believed that man cannot be governed but by a rod of iron.

The Sedition Acts were repealed by the American people and the party that enacted them died.

During the World War we had a repetition of this situation. We passed the espionage laws, and we had the subsequent Palmer raids of which every American is ashamed today. No man was safe in his home. No minority was safe. No labor leader or labor union, no organization was safe to conduct its activities—legal activities, activities guaranteed by the Constitution of the United States.

Let me quote what a great Republican—one whose memory we will always respect, one who, too, was frequently in the minority, Senator Borah—said with regard to the espionage law when he opposed it in the United States Senate on April 19, 1917:

Without an unfettered press, without liberty of speech, all the outward forms and structures of free institutions are a sham, a pretense—the sheerest mockery. If the press is not free, if speech is not independent and untrammelled, if the mind is shackled or made impotent through fear, it makes no difference under what form of government you live, you are a subject and not a citizen. Republics are not in and of themselves better than other forms of government except insofar as they carry with them and guarantee to the citizens that liberty of thought and action for which they were established.

The espionage law of 1917 was repealed in disgust by the American people. After its repeal, at a mass meeting in New York City on March 11, 1923, held for the purpose of demanding the release of the political prisoners imprisoned under the espionage law, Senator Borah said, referring to the repealed Espionage Act:

It was not thought a fit law to remain upon the statute books of the United States in time of peace. I trust that at no time in the future will it ever be regarded or considered as a precedent for the enactment of any measure of that kind again. It should be regarded as not only opposed to the principles of free government in time of peace but also in time of war.

Mr. Speaker, take away the rights of people whom you do not like, take away the constitutional rights of dissident minorities, and you yourselves are engaging in un-American activities.

You say that you are worried about dissident minorities getting us into war. It is not the dissident minorities that will get us into war, it is the hysteria that this type of repressive legislation, that this type of persecution legislation you are going to pass today, will create that will get us into war. It will be the same as the hysteria that got us into war in 1917. The purpose is obvious. This is a prelude for an offensive against the Bill of Rights and for a drive to give the American workers the jobs of stopping bullets and shrapnel at the front. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 3 minutes to the gentleman from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. Speaker, I was interested in what the preceding speaker had to say about the connection of war and peace with the investigation being conducted by the Dies committee. It seems to me there is a subject we might emphasize just a little bit this afternoon in considering the reasons why we should or should not continue this investigation.

I believe the evidence so far revealed has clearly shown there is a direct connection between the various subversive outfits in America and attempts being made to drag America into a foreign war or to influence our attitude with regard to one or more of the three conflicts now raging in the world. If for no other reason, I believe it would be a splendid thing on the roll-call vote which is to come on this measure if 90 percent, or more, of the Members of this House would vote to continue the Dies investigating committee with the admonition that has been expressed here frequently that it concentrate for a time on the sources of foreign propaganda coming into this country and that the committee analyze it clearly and see how much of it is being paid for by foreign governments and how many foreign agents are posing as lecturers, journalists, members of royal families, and what-not, going about the country trying to change the attitude of our citizens with regard to our neutrality program.

I believe one thing we can do to safeguard the neutrality of America is to tell the world here and now that we are deliberately providing this committee with another adequate appropriation and authorizing it to investigate the sources of foreign propaganda which are attempting to influence our attitude on foreign affairs, or to drag us into war.

I submit, Mr. Speaker, that the peace policy of this country and our attitude on foreign policy are matters to be determined by American citizens and by American citizens only. They must not be influenced by paid propagandists doing the work of Communists, Fascists, or Nazis, nor by foreign agents of England, France, Italy, Japan, or any other belligerent nation, all of which, on both sides of the war are trying to flood our country with hate-provoking propaganda spread by foreigners who are receiving their pay and their inspiration from the rulers of foreign countries. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. GREEN].

Mr. GREEN. Mr. Speaker and my colleagues, it is a disappointment to me to see any opposition expressed on the floor of the House against continuance of the Special Committee to Investigate Un-American Activities. This committee was created by act of Congress and has rendered an outstanding and useful service for the Nation. Possibly the committee has made some mistakes in its investigations, and perhaps some things have been done which should not have been done; but, after all, such is always the result in these investigation efforts. The fact remains that, largely as a result of this committee's efforts, Browder and Kuhn, both notorious un-American workers, have been convicted and imprisoned.

When we were sworn in as Members of Congress, we took the following oath:

I do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God.

Surely un-American and subversive activities are not in accord with this oath, but are in dire violation of it and the very fundamentals of our American form of government. Surely we are bound under this oath to protect our country from domestic enemies as well as foreign. This committee has revealed in our midst both foreign and domestic enemies. I cannot give consolation nor approval to enemies of our Government, neither foreign nor domestic.

In voting to continue this committee, I feel that I am voting to uphold this oath, the Constitution of the United

States, and our American Government. The efforts of this committee are approved by the various veterans' organizations of our country, patriotic groups in our country, as well as millions of right-thinking and properly acting American citizens. I am voting for passage of the resolution, and shall regret to see a single one of my colleagues who are under the same oath as I am vote against it. [Applause.]

Mr. FISH. Mr. Speaker, the motives of the American Legion have been questioned here in endorsing the Dies committee. I rise for the purpose of making this brief statement. All veterans' organizations—the Veterans of Foreign Wars and all other World War veterans' organizations and the Spanish-American War veterans—have gone on record in favor of a continuation of the Dies committee. All these organizations are nonpartisan and are outspoken in their opposition to all subversive activities in America.

Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. CASEY].

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. CASEY].

Mr. CASEY. Mr. Speaker, I cannot agree with the last speaker, wherein he expressed the hope that no one disagrees with the continuance of the Dies committee. I think it is a pretty good American custom to have our legislators engage in debate, express their opinions, and out of the welter and exchange of opinions no harm can come; nothing but good can come; and, certainly, with respect to this committee, there ought to be a great difference of opinion.

I am somewhat alarmed at the lack of criticism of the Dies committee. You cannot take a middle ground, because emotions have been aroused. You are all black or you are all white. You are 100 percent for the committee and everything it does or you are 100 percent against the committee and everything it does.

Now, we ought to be able to take a rational middle ground. We ought to be able to approve the things we approve and to criticize the things we disapprove. We ought to be able to subject the activities of this committee or any other committee to the searchlight of investigation, to find out whether what they are doing is right and just and democratic.

Now, the Dies committee has done a great work in exposing Earl Browder. It has done a most commendable job in exposing Fritz Kuhn. We cannot shut our eyes to those things. In many ways it has done admirable and commendable work, but the point I wish to make is this. Why can we not engage in exposing and denouncing un-American activities without also repealing the Magna Carta, without also giving up the rights that our forefathers have fought and bled and sweated for? This is the point I wish to impress upon you ladies and gentlemen of this Congress.

The Dies committee could be subjected to criticism for quite a few things and ought to be subjected to criticism. I refer, for example, to a report which I signed, and I admit my mistake, and other members of the committee here today have admitted their mistake, in characterizing the United Electrical, Radio, and Machine Workers of America as a union in which there is strongly entrenched Communist leadership.

We received some telegrams from James B. Carey, the head of that union, making a perfectly pertinent inquiry, asking who are the leaders in the United Electrical, Radio, and Machine Workers of America who are Communists. A simple question and a natural question. I sent for the evidence and I asked the clerk of the committee to gather together the evidence against this organization that we branded communistic.

I find that we have nothing but sheer hearsay. We have nothing that would hold up in any court of law. We have little more than the fact that Mr. Carey once spoke before the American League for Peace and Democracy. That is about all we have so far as he is concerned.

Now, Mr. Carey, I am informed, has spoken before the Young Republican Club of Brooklyn. So by the same reasoning, that would make him a member of the Young Republican Club. He has also spoken before Vassar College, and by the same reasoning that would make him a student of Vassar.

In a letter from Julius Emspak, secretary of this union, I find the following passage:

The United Electrical, Radio, and Machine Workers of America is a union formed 4 years ago from the local unions previously affiliated to the American Federation of Labor, and local unions that were independent and unaffiliated. From a membership of 14,000 at the time it was formed, the union has grown so that there are now approximately 250,000 employees in the electrical manufacturing industry working under the union's contracts.

The union functions in strictest accord with the fundamental principles of American democracy. Although the union has contractual relationships with 75 percent of the industry, with some 300 contracts in existence, the union has never once been accused of violating or breaching a contract.

I might also add that he states that the United Electrical had asked the chairman of our committee for a chance to appear and deny and refute the testimony. This chance was denied the United Electrical. I say this is something which the committee has done that should be criticized.

We have had other organizations in which the same denial could be made. We have, for example, the United Office and Professional Workers of America, in which we have said that Communists are strongly entrenched in their leadership. I have here a letter from Lewis Merrill, general president, in which he says:

Our organization has been given no opportunity to defend itself and our communications addressed to the committee have been disregarded.

I could go on and name others—for example, the American Association of University Women. They have some complaint to make with respect to consumers' unions being smeared as Communist. I say here there are undoubtedly other innocents whom we have branded as Communists. This loose talk about communism can blast reputations. Our committee has received a terrific amount of publicity in the American press. We should be careful. We should scrutinize the evidence with the utmost care. We should be judicial and analytical, and we have not been that.

I want to say to Mr. Carey, president of the United Electrical, Radio, and Machine Workers Union of America, that, as one member of the committee, I apologize for having put my name on a report branding his organization as communistic.

Now, let us go on from that. I have here another criticism to make of the Dies committee. When I say I am criticizing the Dies committee, I am not withdrawing from my share of the blame. We have good Members there. I am glad to pay my respects to the gentleman from Illinois [Mr. Mason] on the Republican side. I feel that with his assistance we can reform the procedure. But let me point out the most despicable thing which this committee has done, or rather which was done in the name of the committee.

The Dies committee made a report of Communist activities in consumers' organizations. Let me recite chronologically the facts leading up to that report on consumers' organizations. On August 17, 1939, the Federal Trade Commission issued a complaint against Good Housekeeping Magazine, and Hearst Magazines, Inc., owner of Good Housekeeping Magazine. At that time Richard E. Berlin, executive vice president of Hearst Magazines, Inc., distributed a public statement assailing the Commission's action as Communist-inspired, and threatening public exposure of certain radical and communistic groups in and out of the Government service. This attack by Hearst Magazines, Inc., specifically singled out Consumers Union, Consumers National Federation, and Consumers' Council in the Department of Agriculture.

Having in mind Mr. Berlin's threat of August 17, 1939, let us turn our attention to the circumstances under which the Dies committee made its famous, or rather infamous, report of Communist activities in consumer organizations. No other member of the committee had any notice of this meeting, except the chairman. It was held on a Sunday night at 6 o'clock and was clouded in such secrecy that even to this day we of the committee do not know where it was held. The chairman of the committee sat as a subcom-

mittee of one and called the meeting to order. There were no witnesses produced, nothing but the report of the investigator, Mr. J. B. Matthews, which was inserted in the record and later given widespread publicity in the newspapers of the country. It was an attack on consumer and cooperative organizations which seek to protect the housewife from profiteering, alleging that all had their inspiration from the same source—Moscow. The report was credited to the Dies committee, at least in the headlines, but that was repudiated by my colleague from New Mexico, Congressman JOHN J. DEMPSEY, Democrat, and by my colleague from California, Congressman JERRY VOORHIS, Democrat, both of whom attacked that report. The gentleman from California [Mr. Voorhis] said:

This report was purely and simply the opinion of one man.

That is an accurate characterization but who is the one man? He is Mr. J. B. Matthews, chief investigator of the Dies committee, a renegade Communist and formerly associated with Consumers Research, Inc., a rival consumer organization which was completely spared by his report. Mr. Matthews is still connected, by marriage, with the Consumers Research, Inc., because his wife, Grace Matthews, is a member of the staff and associate editor of this organization's magazine. This one-man committee, Mr. Matthews, is the same gentleman whom the newspapers reported as dropping in for dinner one night at the home of George Sokolsky, who once was paid \$6,000 by the National Association of Manufacturers as ghost writer and pamphleteer. Present at the Sokolsky dinner was Robert Lund, of St. Louis, former president of the Manufacturers' Association, and head of the Lambert Pharmacal Co., manufacturers of Listerine. Another guest was F. J. Schlink, president of Consumers Research.

There can be little doubt but that Mr. Matthews' report was for the purpose of discrediting consumer organizations actively engaged in trying to secure a fair deal for the consuming public and also discredit the Federal Trade Commission which had issued in August 1939 a complaint against the Hearst Magazines, Inc. From a conservative Republican member of the Federal Trade Commission I learned that the advertisers themselves who had advertised in the Good Housekeeping magazine, under the seal of approval of that magazine, admitted their advertisements were false and misleading and agreed to cease and desist; but the Hearst Magazines, Inc., evidently feeling that it was a law unto itself and above the authority of the Federal Trade Commission, sought to avoid its guilt by countering with the allegation that the charges against it were Communist-inspired and threatening an exposé.

After the Dies committee had held those hearings, the releases of the report were given out by Mr. Berlin in New York. The report was known to Hearst Magazines, Inc., before it was given to the press and the mimeographed release was prepared jointly for the private use of Mr. Berlin of the Hearst organization and for the official use of Mr. Matthews of the Dies committee. Think of it. An investigation committee, created by the House of Representatives, being used to serve a selfish and private interest. It is, to put it mildly, a perversion of the authority granted to it by the House.

Mr. Matthews, the investigator, evidently felt that, in order to effect his purpose, all of the other members of the committee should be kept in utter darkness for they might ask too many questions. Is that not the reason for this secret meeting?

Mr. Speaker, you can cut men's throats with whispering, you can blast their reputations with either loose talk or deliberate misstatements in the name of the Dies committee. These things which I have spoken to you about are disgraceful and un-American and in themselves demand investigation. They can and will be stopped. I hope and I believe that other members of the committee will join me in seeing that they are remedied to the end that we can carry on our investigation in a calm, judicial, more honest, and more accurate manner. [Applause.]

Mr. SABATH. Mr. Speaker, I yield 1 minute to the gentleman from Missouri [Mr. SHANNON].

Mr. SHANNON. Mr. Speaker, I want to appeal to this body to vote down the previous question. Otherwise we can offer no amendments to this resolution. This is an ironclad gag rule. I want to offer this amendment:

After the period in line 11, add the following: "Provided, That all members of said committee are expressly prohibited from receiving any emoluments from writing or speaking as members of said committee, and a violation shall be punished by a fine of \$1,000."

Likewise, there are other safeguards that should be put into this resolution. I understand they are prepared and are ready to be offered from the floor. I appeal to you, in common decency, to vote down the previous question so that amendments can be offered to this resolution.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, as I have stated this afternoon, I have reported this resolution, though opposed to it, to carry out a mandate of the majority of the Rules Committee who voted for its consideration. A further reason for reporting the resolution was to give opportunity to some courageous Members of the House to express their views on the unfair tactics, press releases, and publicity given out by the chairman and personnel of the committee in advance of hearings without a check having been made as to the truth or falsity of such statements submitted to the chairman by irresponsible publicity seekers or those affiliated with organizations who had an ax to grind. Unfortunately, some statements were issued by the chairman of this special committee without the knowledge of members of the committee as they stated to me and before they had an opportunity to go over the evidence. The procedure of the committee was so contrary to all rules of procedure that injustice has been done in many instances and persons of highest standing have been placed in a false light and their patriotism and loyalty questioned.

Mr. Speaker, a great deal of evidence pertaining to the Nazi activities was known to me 2 years previous to the formation of the Dies committee, it having been disclosed by the McCormack-Dickstein investigating committee.

Like the gentlemen from Michigan and New York [Mr. HOFFMAN and Mr. FISH], I have received many telegrams from members of the American Legion.

Some of the high American Legion officials frequently mislead the membership. If the rank and file of the Legion membership were familiar with the unfairness of this special investigating committee, I know they would not allow their names to be signed to the many telegrams and petitions that have been received. I know that the rank and file of the American Legion and other veterans' organizations—the same as all other fair-minded men—are opposed to shamefully blasting the reputations of loyal and patriotic men and women. It is quite evident that the attack on labor organizations by the special investigating committee has been for the purpose of weakening or destroying them. I am satisfied that the membership of the American Legion on the whole in my district and city disapproves any action that unwarrantedly injures the fair name and reputation of any worthy individual.

It appears to me that the American Legion officers are being used by the Republicans for political purposes. I am satisfied that the Republicans, naturally, for the political advantages which they believe will inure to them, will cast their votes for the resolution.

Personally I have been and am for a proper investigation not only of the Communists and Nazis but of all other similar un-American organizations. I hope, in view of the assurance that was given by at least three members of the special committee, that henceforth the investigation will be fair, and that people will not be charged unjustly, unfairly, indiscriminately with being undesirable citizens and members of destructive organizations.

Further, it is my hope that the committee will investigate other subversive bodies also, particularly the Christian Front and the Ku Klux Klan. Father Coughlin first disclaimed friendship for the Christian Front, but is now ready to adopt it as his own. That being the case, let the glory be his.

Mr. Speaker, I yield to the gentleman from Alabama [Mr. STARNES] 5 minutes. I understand the gentleman from New York will do likewise.

Mr. FISH. Mr. Speaker, I yield the balance of my time to the gentleman from Alabama [Mr. STARNES].

The SPEAKER. The gentleman from Alabama is recognized for 13 minutes.

Mr. STARNES of Alabama. Mr. Speaker, in the brief time I have I ask my colleagues to bear with me and let me, if I may, present a factual summarization of the work of the special committee to investigate un-American and subversive activities. It was authorized under House Resolution 282 under date of May 26, 1938, first, to investigate the extent, character, and objects of un-American propaganda activities in the United States; second, the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principles of government as guaranteed by our Constitution; and third, all other questions in relation thereto that would aid the Congress in any necessary remedial legislation.

What is Americanism and what are un-American activities? Americanism recognizes the existence of a deity and that the fundamental rights of man are derived from deity. Among these inalienable rights are freedom of speech, freedom of press, freedom of worship, freedom of assembly, the right to work, and the right to enjoy the fruits of work. In effect Americanism guarantees all of the rights set forth in the Declaration of Independence, the Constitution of the United States, and the Bill of Rights. Any force or power, whether of foreign or domestic origin, which limits or circumscribes the citizen or groups of citizens in the enjoyment of these inalienable rights is un-American and subversive.

For more than 18 months your committee has functioned. We have expended \$115,000. Save and except the services of one Government official lent us by the Veterans' Administration, we have received no aid from any source other than the money which the House itself voted us through its Committee on Accounts. In this brief space of time we have found and have exposed to the sunlight of publicity a large number of so-called patriotic groups in this country, dissident groups, if I may borrow the term from the distinguished and eloquent little gentleman from New York [Mr. MARCANTONIO]—dissident groups who have cloaked themselves in the garb of patriotism but who in reality are un-American because they appeal to the basest of instincts, the racial instincts, hatred, and to class instincts. These groups have really acted as organized racketeers in filching American citizens out of money to carry on their nefarious activities. Among such groups are the Christian Front and Christian Mobilizers and others whose names are set out in the committee's report.

In addition to these organizations of domestic origin we have also found that three groups have been at work in the social, economic, and political life of America, which were instigated, propagandized, and financed in whole or in part from foreign countries. I refer to the Fascist movement represented by the Black Shirts, the Nazi movement represented by the German-American Bund, and the Communist movement represented by the Communist Party of the United States.

The Fascist movement is very small and there is very little record of its financial transactions. It is so small in membership and has so few sympathizers, its activities and the results obtained may be dismissed as negligible. The vast majority of American citizens of Italian descent have no sympathy for this movement. They appreciate and exemplify good citizenship.

The German-American Bund is the successor of the Friends of New Germany. The Friends of New Germany contained many aliens within its ranks whose activities were so nefarious that many of its members were prosecuted in this country for espionage and sabotage. Many fled the country to escape prosecution. The bund was organized in Buffalo, N. Y., in 1936 with Fritz Kuhn as its leader. He is still its leader, although he now has to direct its activities from the State prison in New York. There are some 20,000 members of this organization and approximately 75,000 sympathizers in this country. Kuhn testified that it was necessary for the bund to be organized in order to give a political voice to the aspirations of a nationalistic minority in this country composed of citizens of German descent. He further testified that the purposes of the organization were to combat Marxism in all its forms and to fight Jewish control in this country. Mr. Speaker, that is the same song and dance that was sung and played which led to the invasion and destruction of the sovereign state of Austria. That was the same song and dance that was sung and played which led to the invasion and destruction of the Republic of Czechoslovakia and later to the rape, desolation, and destruction of Poland. How have they operated in this country? Through a strong group organization composed of 69 units in 19 States organized along military lines. They have conducted military drills in a distinctive uniform under the swastika of Germany. They have sponsored and led a youth movement in this country modeled after the Hitler youth movement, in which American children were taught the German language and Nazi ideology.

The Communist Party is the largest numerically, has been at work the longest in this country, and is the most dangerous dissident minority in the United States of America. [Applause.] From its inception it has been an international movement. For two decades it has carried on its work in this country. From the time of its inception it has been financed well by funds from the Soviet Union. Later the party has flied American citizens of millions of dollars in order to carry on its work. It is well organized, it is well financed, and it embraces a group of the world's master propagandists.

They have operated in three ways: First, they have posed as the friends of organized labor and have attempted to subvert the trade-union movement in America for political purposes. They believe that if they can gain control of the trade-union movement they could order a general strike and overthrow our Government overnight. They have used Trojan-horse tactics to do so; but, thanks be to God, through the vigilance of the leaders of trade-unionism in America, especially in the American Federation of Labor, they thwarted these apostles of disaster and dissent on every hand. As a member of this committee and as an American citizen I pay tribute to the leadership, to the courage, and to the patriotism of the working men and women of America everywhere. [Applause.] I want to express the appreciation of the committee for the magnificent support that has been given us by the largest and most powerful group of organized labor in this country, the American Federation of Labor. The American Federation of Labor is a great labor movement grounded in American ideals and entrenched in the economic life of our Nation.

In answer to the charge that the committee is unfriendly to organized labor I insert herewith a letter from the Honorable William Green, president of the American Federation of Labor, in which he praises the work of the committee and asks for its continuance.

Mr. Speaker, I ask unanimous consent to insert in the extension of my remarks a letter from Mr. William Green, president of the American Federation of Labor, in which he praises the work of the committee and calls on the Members of the House to continue its splendid work.

The SPEAKER. Without objection, it is so ordered.
There was no objection.

AMERICAN FEDERATION OF LABOR,
Washington, D. C., January 20, 1940.

Hon. JOE STARNES,

House Office Building, Washington, D. C.

DEAR SIR: The convention of the American Federation of Labor which was held at Cincinnati, Ohio, recently, expressed approval of the work which the Dies congressional committee has performed and of its continuation of the investigation which it is making into the activities of subversive groups within the United States.

In conformity with this action taken by the highest authority within the American Federation of Labor, I am officially requesting that you support such proposal as may be submitted to Congress providing for the continuation of the Dies committee and of an appropriation sufficient to enable it to carry on its investigations.

I cannot conceive of anyone, other than those who may be exposed through association with Communist organizations and Communist-front organizations, objecting to a thorough investigation into the activities of subversive groups by a congressional committee. Those who have no sympathy with these un-American groups, these subversive forces within our social order, who are constantly seeking to change our form of government and to promote revolution, can with perfect propriety give wholehearted support to the work of the Dies committee and to the investigation it has made and which it can continue to make.

The people of our country are entitled to know the truth. We of the American Federation of Labor want them to know the facts. We want those who are undermining our form of government and those who are engaged in subversive activities to be exposed. Ridicule, denunciation, and sarcasm, all directed toward the Dies committee by those who seek to suppress its activities and prevent it from carrying on its important work, can only be looked upon with suspicion. We cannot permit those who engage in such tactics to prevent a thorough investigation and a public exposure of the actions and of the activities of individuals and groups who are engaged in un-American activities, and who are seeking either directly or indirectly the overthrow of our Government.

The preservation of freedom and democracy is a matter of vital concern to all those who believe in our form of government. We can protect ourselves if we know who and what it is that is undermining and attacking our governmental structure. Those who are with us need not fear; those who are against us ought to be exposed. The Dies committee is rendering a great public service. It should be continued until its investigation is completed.

I urge you to support the Dies committee. I appeal to you to vote for an appropriation which will adequately equip the Dies committee to complete the excellent, splendid work which it has thus far carried on.

Sincerely yours,

WM. GREEN,

President, American Federation of Labor.

Mr. STARNES of Alabama. Mr. Speaker, they have attempted to seize control of our schools and colleges and poison the wells of thinking of the youth of America. Strange to relate, this state socialism of Communistic Russia has a subtle appeal to the so-called intelligentsia of this land. No one denies the influence of a teacher upon the child. No one who has listened to the testimony given us by college men and women throughout America can deny that they have made some real headway in winning converts to the cause of communism in the ranks of the teachers of America. Therein lies our biggest danger.

They have operated as exponents of twentieth century democracy in our schools and colleges and as exponents of genuine liberalism and defenders of academic freedom. They operate under the guise and mask of liberalism. This disguise makes it all the harder to detect them, because we would do a great injustice indeed to the progress of America if we attempted to place the tag of communism on every man whose ideas differed from our own. It would be an injustice to call every radical or progressive thinker and leader a Communist. But I think we have stripped the mask from the American League for Peace and Democracy and the American Student Union. These are the media through which they have attempted to operate in American college life. Their most effective device, probably, from a political standpoint, is the United Front. The largest United Front organization is the American League for Peace and Democracy, which claims a membership of approximately 6,000,000. The United Front and its related activities in this country probably has a membership of from eight to ten million. Not all of the members are communistic or inclined to the Communist theory, but these Communist organizations are organized or controlled by the Communists to further the Communist

Party line and use millions of innocent American citizens as dupes and contributors.

What is the work of the Communist Party in this country? What have we as a committee done to expose it? We have shown that it is an agent of a foreign government which has failed to register as such. We have shown that not only the German-American Bund but the Communist Party follows the line laid down by the parent country, namely, Germany and the Soviet Union. We have shown that the Communists have operated a false passport ring. We have shown that both the German-American Bund and the Communist Party have furnished espionage and sabotage rings for their respective parties for the benefit of those countries which I have named. We have shown that every Communist in this country owes his allegiance to the fatherland, the Soviet Union. I want to call the attention of the Members of this House to the fact that not one single Communist who testified before the committee would declare his allegiance to the United States of America in case of war with the Soviet Union. They stated they would hinder the work of the United States of America or else they would go to jail before they would defend the United States or fight for the United States in a war with the Soviet Union.

The committee has furnished the Department of Justice and the Department of State with testimony and evidence of the violation of laws which have led to further investigation by these agencies. After further investigation indictments and convictions have been obtained in every case. We have also furnished evidence to the War and Navy Departments concerning espionage and sabotage. We have attempted to cooperate fully with the various agencies of the Government in order that to the end that law and order may be established and enthroned. We can investigate but it is not our province to prosecute.

In every instance we have sought to protect and defend the rights of citizens and minorities. At no time has the committee recommended legislation or action which would lead to the suppression of the rights of the citizens or dissident minorities.

Why should this committee be continued? It should be continued for the very purposes that the gentleman from New York [Mr. MARCANTONIO] said it should be destroyed. It should be continued for the purpose of exposing the activities of minorities in this country, nationalistic minorities, international minorities, who, if their theories of government prevailed, would destroy every vestige of individual freedom and would destroy the rights of dissident minorities in this country.

It is necessary that the people know the facts. An enlightened public opinion is really all we need. Why should this committee be continued? We have a tremendous amount of material accumulated, much of it new, much of which will shed light upon the activities of these groups in the merchant marine, in schools and colleges, in the field of agriculture, and in the field of politics that the country is entitled to know. Secondly, in view of the tense international situation when the world is again hovering on the brink of war which may sweep organized society into the abyss of oblivion we should have a committee of the Congress in being to expose the activities and propaganda efforts of international groups in this country who would attempt to embroil us in the affairs of Europe. America wants peace, she hates war. We are not interested in the imperialistic dreams of Germany and Russia. Not even the Hohenzollerns nor the Czars showed the rapacity and ruthlessness of Hitler and Stalin. No modern nation has ever experienced the bloodshed and destruction of individual freedom as state socialism has imposed upon the unhappy people of Germany and Russia. Finally, Mr. Speaker, we need this committee continued in order to study remedial legislation. It will be necessary to call in the best minds of America and obtain the benefit of the composite picture of progressive and conservative thought of America in framing a remedial legislative program to correct and to cure some of the evils complained of, insofar as legislation can do so.

Finally, and long last, what we ought to do is evolve a constructive program, a program to sell the advantages of democratic government and democratic ideals and institutions to the people of America. [Applause.]

[Here the gavel fell.]

The SPEAKER. All time has expired.

Mr. SABATH. Mr. Speaker, I move the previous question on the resolution and the amendment.

The question was taken; and on a division (demanded by Mr. SHANNON) there were—ayes 251, noes 8.

So the previous question was ordered.

The SPEAKER. The question is on agreeing to the committee amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment: Page 1, line 9, strike out "1942" and insert "1941."

The committee amendment was agreed to.

The SPEAKER. The question is on agreeing to the resolution.

MESSRS. COX, THOMAS F. FORD, FISH, STEFAN, and MARCANTONIO demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 344, nays 21, answered "present" 1, not voting 57, as follows:

[Roll No. 8]

YEAS—344

Alexander	Costello	Gwynne	McGehee
Allen, Ill.	Courtney	Hall, Edwin A.	McLaughlin
Allen, La.	Cox	Hall, Leonard W.	McLean
Allen, Pa.	Cravens	Halleck	McLeod
Andersen, H. Carl	Crawford	Hancock	McMillan, Clara G.
Anderson, Calif.	Creal	Harness	McMillan, John
Anderson, Mo.	Crowe	Harrington	Meas
Andresen, A. H.	Crowther	Hart	Mahon
Andrews	Culkin	Harter, N. Y.	Maloney
Angell	Cullen	Harter, Ohio	Mansfield
Arends	Cummings	Hartley	Marshall
Austin	D'Alesandro	Healey	Martin, Ill.
Ball	Darden	Hendricks	Martin, Iowa
Barden	Delaney	Hennings	Martin, Mass.
Barnes	Dempsey	Hess	Mason
Barton	DeRouen	Hinshaw	Massingale
Bates, Ky.	Dingell	Hobbs	May
Bates, Mass.	Dirksen	Hoffman	Merritt
Beckworth	Disney	Hope	Michener
Bender	Dondero	Houston	Miller
Blackney	Doughton	Hunter	Mills, Ark.
Bland	Douglas	Jacobsen	Mills, La.
Bloom	Dowell	Jarman	Monkiewicz
Boland	Doxey	Jeffries	Monroney
Bolles	Duncan	Jenkins, Ohio	Moser
Boren	Eaton	Jenks, N. H.	Mott
Boykin	Eberharter	Jennings	Mundt
Bradley, Mich.	Edmiston	Jensen	Murdock, Ariz.
Brewster	Elliott	Johns	Murray
Brooks	Ellis	Johnson, Ill.	Myers
Brown, Ga.	Elston	Johnson, Ind.	Nelson
Brown, Ohio	Engel	Johnson, Luther A.	Nichols
Bryson	Englebright	Johnson, Lyndon	Norrell
Buck	Evans	Johnson, Okla.	Norton
Buckler, Minn.	Faddis	Johnson, W. Va.	O'Brien
Buckley, N. Y.	Fay	Jones, Ohio	O'Leary
Bulwinkle	Fenton	Jones, Tex.	Oliver
Burch	Ferguson	Kean	O'Neal
Burdick	Fish	Kee	O'Toole
Burgin	Fitzpatrick	Keefe	Pace
Byrne, N. Y.	Flaherty	Kefauver	Parsons
Byrns, Tenn.	Flannagan	Kennedy, Martin	Patman
Byron	Flannery	Kennedy, Md.	Patrick
Camp	Ford, Leland M.	Kennedy, Michael	Pattison
Cannon, Fla.	Ford, Miss.	Keogh	Peterson, Fla.
Cannon, Mo.	Fulmer	Kilday	Peterson, Ga.
Carlson	Gamble	Kinzer	Pfeiffer
Carter	Garrett	Kirwan	Pittenger
Cartwright	Gartner	Kitchens	Plumley
Case, S. Dak.	Gathings	Kleberg	Poage
Casey, Mass.	Gavagan	Knutson	Polk
Celler	Gearhart	Kocalkowski	Powers
Chapman	Gehrmann	Kunkel	Rabaut
Chipherfield	Gerlach	Lambertson	Randolph
Church	Gibbs	Landis	Rankin
Clark	Gifford	Lanham	Rayburn
Clason	Gilchrist	Larrabee	Reed, Ill.
Claypool	Gillie	Leavy	Reed, N. Y.
Clevenger	Gore	LeCompte	Rees, Kans.
Cluett	Gossett	Lesinski	Richards
Cochran	Graham	Lewis, Colo.	Risk
Coffee, Nebr.	Grant, Ala.	Lewis, Ohio	Robertson
Cole, N. Y.	Grant, Ind.	Luce	Robinson, Utah
Collins	Green	Ludlow	Robison, Ky.
Connelly	Gregory	McAndrews	Eockefeller
Cooley	Griffith	McArdle	Rodgers, Pa.
Cooper	Gross	McCormack	Rogers, Mass.
Corbett	Guyer, Kans.	McDowell	Rogers, Okla.

Routzohn	Smith, Ill.	Talle	Walter
Rutherford	Smith, Maine	Tarver	Ward
Ryan	Smith, Ohio	Terry	Warren
Sandager	Smith, Va.	Thill	Weaver
Sascer	Smith, W. Va.	Thomas, N. J.	Welch
Satterfield	Snyder	Thomas, Tex.	West
Schaefer, Ill.	Somers, N. Y.	Thomason	Wheat
Schaefer, Wis.	South	Tibbott	Whelchel
Schiffler	Sparkman	Tinkham	White, Ohio
Schuetz	Spence	Tolan	Whittington
Seccombe	Springer	Treadway	Williams, Del.
Secrest	Starnes, Ala.	Van Zandt	Williams, Mo.
Seger	Stearns, N. H.	Vincent, Ky.	Winter
Shafer, Mich.	Stefan	Vinson, Ga.	Wolcott
Shanley	Sumner, Ill.	Voorhis, Calif.	Wood
Sheppard	Sumners, Tex.	Vorys, Ohio	Woodruff, Mich.
Simpson	Sutphin	Vreeland	Woodrum, Va.
Smith, Conn.	Taber	Wadsworth	Youngdahl

NAYS—21

Bradley, Pa.	Havener	Marcantonio	Shannon
Coffee, Wash.	Hook	Mitchell	Tenerowicz
Dunn	Izac	O'Day	Wallgren
Ford, Thomas F.	Keller	Pierce, Oreg.	
Fries	McGranery	Sabath	
Geyer, Calif.	McKeough	Schulte	

ANSWERED "PRESENT"—1

Dickstein

NOT VOTING—57

Arnold	Dworshak	Maciejewski	Short
Barry	Fernandez	Magnuson	Smith, Wash.
Beam	Folger	Mouton	Steagall
Bell	Hare	Murdock, Utah	Sullivan
Beehne	Hawks	O'Connor	Sweeney
Caldwell	Hill	Osmers	Taylor
Cole, Md.	Holmes	Pearson	Thorkelson
Colmer	Horton	Ramspeck	White, Idaho
Crosser	Hull	Reece, Tenn.	Wigglesworth
Curtis	Jarrett	Rich	Wolfenden, Pa.
Darrow	Kelly	Romjue	Wolverton, N. J.
Dies	Kerr	Sacks	Zimmerman
Ditter	Kramer	Schwert	
Drewry	Lea	Scrugham	
Durham	Lemke	Sheridan	

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Boehne (for) with Mr. Sheridan (against).
Mr. Drewry (for) with Mr. Sacks (against).

General pairs:

Mr. Caldwell with Mr. Horton.
Mr. Mouton with Mr. Lemke.
Mr. Arnold with Mr. Schwert.
Mr. White of Idaho with Mr. Durham.
Mr. Crosser with Mr. Scrugham.
Mr. Taylor with Mr. Barry.
Mr. Beam with Mr. Sullivan.
Mr. Fernandez with Mr. Magnuson.
Mr. Dies with Mr. Maciejewski.
Mr. Murdock of Utah with Mr. Ramspeck.
Mr. Bell with Mr. Sweeney.
Mr. Hare with Mr. O'Connor.
Mr. Zimmerman with Mr. Smith of Washington.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT

Mr. COOPER. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, I desire to announce that my colleague, the gentleman from Tennessee [Mr. PEARSON] is unavoidably absent on official business of the House. If present, he would have voted "yea" on the resolution just passed.

Mr. SUTPHIN. Mr. Speaker, my colleague, the gentleman from Nevada [Mr. SCRUGHAM] is absent on official business. He has requested me to announce that if he were present he would have voted "yea" on the resolution just passed.

Mr. GARTNER. Mr. Speaker, I wish to state that my colleague, the gentleman from Pennsylvania [Mr. DARROW], who is absent because of illness, would have voted "yea" on the resolution just passed if he were present.

Mr. DOXEY. Mr. Speaker, my colleague, the gentleman from Mississippi [Mr. COLMER] is unavoidably absent. If present, he would have voted "yea."

Mr. BULWINKLE. Mr. Speaker, I have received a telegram from certain of my colleagues announcing how they

would have voted on the resolution just passed. This telegram is signed by Mr. LEA, Mr. KELLY, Mr. COLE of Maryland, Mr. WOLVERTON of New Jersey, Mr. PEARSON, Mr. HOLMES, and Mr. WOLFENDEN of Pennsylvania, and reads as follows:

In event of record vote on Dies resolution announce for Record absence of undersigned on petroleum investigation that each would, if present, have supported continuance of Dies committee with adequate appropriations.

I also wish to state that if the gentleman from North Carolina [Mr. FOLGER] were here, he would have voted "yea."

Mr. ENGBRIGHT. Mr. Speaker, had our colleagues, Messrs. WOLVERTON of New Jersey, WOLFENDEN of Pennsylvania, RICH, WIGGLESWORTH, DARROW, JARRETT, OSMERS, HAWKS, DITTER, THORKELSON, SHORT, DWORSHAK, CURTIS, REECE of Tennessee, and HOLMES been present, they would have voted for the resolution just passed. They were absent either through illness or because of official business.

Mr. COSTELLO. Mr. Speaker, due to the indisposition of my colleague the gentleman from California, Mr. KRAMER, he is unavoidably absent. Had he been present he would have voted "yea" on the resolution just passed.

Mr. GEHRMANN. Mr. Speaker, my colleague the gentleman from Wisconsin, Mr. HULL, is a member of the committee appointed by the Speaker to attend the funeral of the late Senator BORAH, and is absent for that purpose. He has requested me to announce for the Record that had he been present he would have voted in favor of the resolution just passed.

Mr. COFFEE of Washington. Mr. Speaker, the gentleman from Washington, Mr. HILL, is necessarily absent from the Chamber on official business of the House, attending the funeral of the late Senator Borah. I do not know how he would have voted on the resolution just passed, and on inquiry I cannot ascertain it.

Mr. CLARK. Mr. Speaker, my colleagues the gentlemen from North Carolina, Mr. KERR and Mr. DURHAM, are unavoidably absent. I am authorized to say that had they been present they would have voted "yea" on the resolution just passed.

Mr. PATRICK. Mr. Speaker, I wish to state that our colleague the gentleman from Alabama, Mr. STEAGALL, is unavoidably detained in Alabama on important business. If present, he would have voted "yea."

EXTENSION OF REMARKS

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to place in the RECORD in connection with the revision of the remarks I made this afternoon a letter received from Mr. William Green, of the American Federation of Labor.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial by William Allen White.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent that to the remarks I made today I may be permitted to add certain brief editorials with reference to the subject matter of the remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. FISH. Mr. Speaker, I ask unanimous consent that all Members of the House may have five legislative days in which to extend their own remarks in the RECORD on the Dies resolution.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, I ask unanimous consent that in my remarks today I may be permitted to include a half dozen telegrams from the American Legion.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including an address delivered by the Attorney General, Hon. Robert H. Jackson, at the twentieth anniversary dinner of the Federal Bar Association.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD congratulating Governor Hell, of Wisconsin, on his determination to remove the oleomargarine tax; and also to include an article on flood control, an editorial from the Arkansas Gazette.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. KELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include certain excerpts from some editorial columns in connection with my own remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include in my remarks today a statement of the Attorney General, Robert H. Jackson.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ENGEL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an article entitled "Our Gold Elephant," written by Hon. ROBERT LUCE and appearing in the Investor America.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an address by W. Arthur Simpson, director of old-age assistance for the State of Vermont.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. ELSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a brief editorial from Municipal Sanitation.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CULKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a list of important Lake ports.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that my colleague, the gentleman from Massachusetts [Mr. WIGGLESWORTH] may be permitted to extend his own remarks in the RECORD on the independent offices appropriation bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a copy of my own address before the National Automobile Dealers Association here in Washington, D. C., and to include therein a copy of a bill which I am introducing.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

STATEMENT

Mr. BRADLEY of Pennsylvania. Mr. Speaker, my colleague the gentleman from Pennsylvania [Mr. SACKS] was absent today, due to illness. He has authorized me to say that if he had been present he would have voted "no" on the Dies resolution.

Mr. ROBINSON of Utah. Mr. Speaker, I wish to announce that my colleague the gentleman from Montana [Mr. O'CONNOR] is unavoidably detained at his home today suffering with a severe cold.

Mr. KINZER. Mr. Speaker, I desire to announce that my colleagues the gentlemen from Pennsylvania [Mr. DITTER and Mr. WOLFENDEN] are both absent on official business. If present, they would have voted "yea" on the Dies resolution.

PRIVILEGES OF THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I rise to a question of privileges of the House.

The SPEAKER. The gentleman from Michigan rises to a question involving the privileges of the House and offers a resolution which the Clerk will report.

The Clerk read as follows:

House Resolution 366

Whereas Hon. FRANK E. HOOK, of Michigan, on January 22, 1940, obtained leave of the House to insert remarks in the CONGRESSIONAL RECORD; and

Whereas under the leave so given he has caused to be printed in the RECORD as his remarks charges against a Member of this House in his representative capacity, and against a committee of the House; and

Whereas said charges reflect upon the integrity of a Member of the House and upon the integrity of a committee of the House and upon the House as a whole and tend to bring a Member of the House, a committee of the House, and the House as a whole into disrepute; and

Whereas the said charges were not in order and were an abuse of the privilege of the House: Therefore,

Resolved, That the said remarks printed on pages 849, 850, 851, 852, and 853 of the [daily] CONGRESSIONAL RECORD dated January 22, 1940, be, and are hereby, expunged from the CONGRESSIONAL RECORD, and are declared not to be a legitimate part of the official record of the House.

Mr. HOFFMAN. Mr. Speaker, I will not on this occasion repeat any of the statements made in the RECORD, for the reason that those statements are all available to every Member of the House. The only thing I desire to say now in that connection is that a reading of the remarks will show that there is ample justification for the resolution.

The gentleman from Michigan [Mr. Hook], speaking today and yesterday before the Committee on Rules, complained bitterly about the action of the Dies committee. He charged that that committee had not given a fair hearing to those who wanted to appear. To avoid any like charge, and so that he may have ample time to justify his remarks as presented in the RECORD, I send to the Clerk's desk a motion.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. HOFFMAN moves that the resolution be referred to the Committee on Rules.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Michigan.

The motion was agreed to, and a motion to reconsider was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. KRAMER, for 3 days, on account of illness.

To Mr. SMITH of Washington (at the request of Mr. LEAVY), for 2 days, on account of official business.

To Mr. ZIMMERMANN (at the request of Mr. WILLIAMS), indefinitely, on account of illness.

To Mr. ROMJUE (at the request of Mr. WILLIAMS), indefinitely, on account of serious illness in his family.

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL,
1941

Mr. LUDLOW. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state

of the Union for the consideration of the bill (H. R. 8068) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1941, and for other purposes; and, pending that motion, I ask unanimous consent that general debate shall continue throughout this afternoon without limitation, the time to be equally divided and controlled by the gentleman from New York [Mr. TABER] and myself.

The SPEAKER. The gentleman from Indiana moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 8068, and, pending that motion, asks unanimous consent that general debate on the bill shall continue through the balance of the afternoon, one-half the time to be controlled by himself and one-half the time by the gentleman from New York [Mr. TABER]. Is there objection to the request of the gentleman from Indiana?

Mr. STEFAN. Mr. Speaker, reserving the right to object, and I shall not object, I merely take this opportunity to ask the gentleman from New York [Mr. TABER] when we can expect the deficiency bill on parity payments?

Mr. TABER. Well, not today. I do not know. Frankly, the hearings that have been held so far do not justify the resolution. Information has been asked from the Department of Agriculture as to what the facts are. What they are, I do not know. Whether that information will be available tomorrow or not, I do not know. I cannot tell anything about it until I do know.

Mr. STEFAN. I merely want to state to the gentleman that the farmers of my district who have been promised these parity payments for the 1939 crops are very anxious to receive them. I take this opportunity merely to ask when we can expect this bill in the House.

I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Indiana.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 8068, with Mr. HOBBS in the chair.

The Clerk read the title of the bill.

Mr. LUDLOW. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. LUDLOW. Mr. Chairman, I yield myself 55 minutes.

Mr. Chairman, at the outset I wish to express my profound appreciation to my colleagues on our subcommittee, Democrats and Republicans alike, for their friendship and for the fine spirit of cooperation which at all times pervades our committee circle. Our deliberations are entirely free from partisan rancor. I said once before in presenting an appropriation bill that the members of our subcommittee park their politics with their hats in the ante-room, and that still holds true. We appraise the proposals that come before us and reach our decisions on the basis of what we believe to be for the best interest of the country and on no other basis whatsoever. The framing of a large appropriation bill is a long and laborious process, requiring close attention to innumerable details. First we had weeks of hearings and then in executive session we gave careful consideration to the various items, in the light of the justifications and the testimony that had been elicited by cross-examination across the committee table. To the seven able men who serve with me on our subcommittee—Messrs. O'NEAL, JOHNSON, MAHON, CASEY, TABER, McLEOD, and KEEFE—I tender my heartfelt thanks for their undeviating faithfulness to the public interest and their generous tolerance of the shortcomings of their chairman. Our clerk, Marcellus C. Sheild, has had so many compliments showered upon him year after year for his marvelous ability that any pane-

gyric of mine would seem like needless repetition. I shall not try to run the gamut of praise in referring to him but will simply say that our subcommittee's appreciation of Mr. Sheild cannot be expressed in words.

The total of the 1941 bill making appropriations for the Treasury and Post Office Departments is \$1,032,154,612, as against appropriations for the same Departments amounting to \$1,772,577,527.05 for the fiscal year 1940, a reduction of \$740,422,915.05. This reduction is explained by the fact that in the reorganization of the Government, the old-age reserve account, a major item, the United States Public Health Service, a large activity, and the Public Buildings Branch of the Procurement Division have been transferred elsewhere, while only the Lighthouse Service, a relatively small establishment, has been transferred into our jurisdiction.

TOTAL CUT \$11,491,900 BELOW BUDGET

However, in harmony with the urge for true economy, which seems to be so essential in charting the way to better times, we have cut estimates sometimes very deeply, wherever we thought it possible to do so without injury to essential activities. We have cut \$8,057,150 from the estimates of the Treasury Department and \$3,434,750 from the estimates of the Post Office Department and we bring before you the bill for the combined Departments cut \$11,491,900 below the budget. The appropriations carried in the bill for the Treasury Department are \$218,691,530 as against \$978,557,563.05 for the current year 1940. For the Post Office Department the total of appropriations recommended by us for 1941 is \$813,463,082 as against appropriations of \$794,019,964 for the present fiscal year, 1940.

We feel that in bringing the proposed 1941 appropriations of the Treasury-Post Office bill \$11,491,900 below the budget estimates we have accomplished a real achievement, especially when the nature of the two Departments is taken into consideration. Both are distinctively service departments, and there is always less room for cutting in such items than there is in the case of many appropriations that are non-service in character. The mails must be moved, Government fiscal operations incident to the relief program and other very expansive activities in which our Government is engaged must be serviced, and the personnel necessary to do these things must be furnished. The Post Office Department, for instance, is showing an upsurge in the volume of mail, and the mails must be handled, whatever the volume may be. So our opportunities to cut have been limited, but we have cut wherever we could do so, with reason and common sense, and we believe that not in any instance where we have applied the pruning knife have we done injury to any essential activity. We have been very careful to provide all of the personnel necessary to enable both Departments to function properly and efficiently.

The admirable committee report prepared by Mr. Sheild which accompanies this bill, explains its provisions very thoroughly and I shall not venture into too much detail but shall content myself with a discussion of some of its main provisions. Let us first look at the postal picture. By and large, it is an attractive picture, for while the total of appropriations we recommend for the Post Office Department in 1941, \$813,463,082, seems a large amount it is comforting to realize that the Treasury will be recouped almost entirely for this expense by the revenues of the Postal Service.

POSTAL SERVICE PRACTICALLY SELF-SUSTAINING

The Postmaster General estimates that the postal revenue for the fiscal year 1941 will be \$760,000,000 which, if it materializes, will be the high-water mark of income of the Postal Service. This compares with an estimated income of \$755,000,000 during the current fiscal year 1940 and an actual income of \$745,955,075.24 during the fiscal year 1939 and \$728,634,051.36 during the fiscal year 1938. The appropriations for the Post Office Department carried in this bill, as previously stated, are \$813,463,082, or an amount \$53,463,082 in excess of the anticipated revenue in 1941. The Department estimates that the nonpostal items, that is to say the departmental penalty mail, the congressional franking mail, the domestic and foreign air-mail subsidy and other nonpostal

items, will amount to \$51,000,000 in the fiscal year 1941, which would reduce the gross estimated deficit of \$53,463,082 to an estimated net deficit of less than \$2,500,000.

Furthermore, it is the opinion of the Post Office Department officials that the estimated increase in postal revenue of only \$5,000,000 over the estimated revenue for 1940 errs on the side of conservatism and that the increase in revenue, judging from all present forecasts, will really be much greater than \$5,000,000, in which event the Postal Service may come out of the "red" and have a surplus by the end of the fiscal year 1941. That would not be a new experience, for after deducting nonpostal items the Department had a surplus in 1935, 1937, 1938, and 1939. The 1939 surplus was \$14,547,795.30.

Recent added costs resulting from decisions of the Civil Aeronautics Authority increasing the pay of air-mail contractors, the granting of vacation and sick leave to substitutes as provided by a recent act of Congress, etc., have increased postal expenditures, and there is an anticipated net deficit for the current fiscal year of \$2,290,079. In testifying before our subcommittee, Mr. W. W. Howes, the First Assistant Postmaster General, predicted that the small net deficit estimated in 1941 "will disappear completely if, as we have every reason to believe, the earnings from 1941 postal service exceed the forecast."

That this is not a wild guess but a reasonable assumption is indicated by the growth in the volume of postal business which is general throughout the country and which promises to reach still higher levels. The United States Postal Service is a service organization with a total of 263,601 employees, and there is no thought or purpose on the part of those connected with its administration to convert it into a money-making establishment, but it is interesting to know that it is one department of Government that virtually pays its way.

ADMINISTRATIVE PROMOTIONS

We are carrying in this bill a provision in reference to administrative promotions which is identical with the provision in the independent offices bill that passed Congress last week. It conforms to a policy agreed upon by the Appropriations Committee to be carried in all of the regular 1941 appropriation bills. The subject of administrative promotions was brought to the front when the Budget Bureau sent to Congress with the Budget estimates a few weeks ago a proposed formula for general administrative promotions. In the report on the Treasury-Post Office Departments' appropriation bill for 1940 we suggested that the Budget Bureau make a study of this perplexing question with a view to recommending a plan for uniformity in promotions. Heretofore promotions have been haphazard and irregular, based on lapses and savings, and it was thought that a promotion method might be devised that would iron out these injustices and irregularities.

To give a one-step promotion to all Government employees who come within the scope of the Budget's formula would require about \$3,000,000 of new money and an estimated \$4,000,000 more to be derived from lapses and savings. The Appropriations Committee decided that, with national finances in the shape they are at present, a plan as comprehensive as was proposed in the Budget formula could not be justified at this time. It was decided to eliminate the new money proposed for administrative promotions and to authorize a distribution of the \$4,000,000 estimated lapses and savings according to a provision which is carried in the independent offices bill and in this bill in the following language:

The total amount used on an annual basis for administrative within-grade promotions for officers and employees under any appropriation or other fund made available in this act shall not exceed the amount determined by the Bureau of the Budget to be available for such purpose on the basis of the Budget estimate for such appropriation or fund exclusive of new money in any such Budget estimate for such administrative promotions.

If promotions are made under this rule the burden will be placed on bureaus and agencies of finding promotion money in lapses and savings. This can hardly be regarded as a definite and final solution of the promotion problem but at this time when so many of our fellow citizens are jobless, with no income at all, it is not considered likely that the public

sentiment of the country would approve a general plan of promotions in the Government service. Pursuant to the formula of the Appropriations Committee we have deleted all of the items for administrative promotions for the Treasury and Post Office Departments wherever they appeared in the estimates submitted by the Budget Bureau. It will be permissible to make promotions only where money can be found in lapses and unexpended balances.

ALL SERVICE ITEMS ALLOWED IN FULL

For all of the main functions of the Postal Service requiring personnel, we deemed it prudent to allow the full Budget estimates. It is a truism that the mails have to be moved and it would be bad business to deny the personnel necessary to handle them. The principal Budget estimates for personnel which we allowed in every instance in toto are as follows: Clerks, first- and second-class post offices, \$205,000,000, and this is the largest item, I may say, in the Post Office Appropriation bill; clerks, third-class post offices, \$8,000,000; clerks in charge of contract stations, \$1,600,000; city delivery carriers, \$143,480,000; Railway Mail Service, \$56,283,000; Rural Delivery Service, \$91,840,000.

Our subcommittee did not subtract a dollar from the budget estimates for any of these groups and if the volume of mail should increase to an unexpected and sensational extent the substitute rolls can be drawn upon for the additional personnel needed. A table on page 13 of the hearings shows that the number of clerks in first- and second-class offices on November 30 last was the highest of all times. On that date there were 76,469 clerks in the service, or more than double the number employed in the prosperous years 1928 and 1929. The number of city delivery carriers in the service on November 30 last, 57,459, also established a peak record for all time in the carrier service, as shown by the same table. These high personnel levels will be carried forward into the fiscal year 1941. Should funds for these service operations become exhausted at any time the doors of the deficiency subcommittee are always open for additional appropriations and we feel that we have made ample provision for all postal services in allowing the full budgetary estimates.

MONEY ALLOWED TO EXTEND RURAL DELIVERY

We have provided in this bill for a reasonable extension of the Rural Delivery Service by allowing \$100,000 for new routes and \$245,000 for extensions, in addition to the cost of maintenance of existing service. The Department estimates that this will permit the establishment of 75 new routes and 4,000 extensions. Under the program allowing this additional money, all of the new routes that have been approved can be established. The Department has on hand 2,018 applications for extensions that have been approved. In other words, the number of approved applications for extensions on hand is only about half the number that can be established under the money provided in this bill. The amount recommended for the Rural Delivery Service in this bill is \$91,840,000, which is \$240,000 more than the amount for the current fiscal year.

The Budget estimates sent to us proposed the creation of 25 new positions as inspectors in the Postal Service. This increment of new personnel would have cost \$65,000 a year in salaries, with commensurate increases in the travel item and the clerical expenses at headquarters in Washington. We are loath at all times, and especially in a period of distressed national finances, to increase the permanent office-holding personnel unless there are imperative reasons for doing so. In this instance it appeared that enlargement of the inspection force might be deferred, without prejudice, and we disallowed the increase. There are now 615 inspectors and without disparagement to the outstanding importance of this arm of the Postal Service it may be pointed out that Congress has been fairly liberal in building up this force. In 1936 we allowed 15 new inspectors; in 1937, 35; in 1938, 15; in 1939, 10; and in 1940, 5; or a total of 80 additional inspectors during the last 5-year period.

DOMESTIC AIR MAIL

We have made provision for the continuance of domestic air mail on the basis of the maintenance of the existing Service

with \$96,005 additional for increased frequencies. The Budget submitted an estimate of \$50,000 to create a new set-up which would function as an agency to advertise the air mail. The ultimate magnitude of this new creation was not indicated, however, by the limited size of the proposed initial appropriation but the fact that the Department asked the Budget to approve \$200,000 to start the new enterprise pointed to the probability that this unit, once established, would seek expanding appropriations. We tried to look at the proposal objectively, with a view to the best interests of the Service, and with due regard to the fact that it involved an entirely new policy, since no other postal facility has ever been singled out for such advertising.

The use of the air mail is growing rapidly without this proposed artificial promotion; the air-postage revenue for 1939 being \$16,326,358.27, or more than three times the revenue in 1930 and almost double the revenue from this source in 1936. The prevalent thought in our subcommittee was that an excellent postal facility like the air mail is certain to advertise itself, and we disallowed the item without prejudice and without closing the door for consideration again at some appropriate time in the light of further developments. The domestic air-mail service is a comparatively new activity, but it seems to be making satisfactory progress in every way, and the testimony taken by our subcommittee—page 130 of the hearings—shows that the subsidy in this service is already being washed out to the vanishing point. One deterrent to putting on an air-mail advertising campaign is that every letter sent by air mail deprives the Post Office Department of the revenue from the sale of a 3-cent regular postage stamp, and often also the revenue from the sale of a special-delivery stamp, and it did not seem to your subcommittee that much advantage would accrue from building up one branch of the service at the expense of another.

The domestic air-mail appropriation carried in this bill does not provide for any new routes, the reason for that being as follows: Under recent legislation new domestic air-mail routes can only be established by the Civil Aeronautics Authority on a basis of convenience and necessity. Our committee has a settled policy of not appropriating for new routes until such routes are authorized by the Civil Aeronautics Authority. Otherwise we would be in the position of appropriating for routes which conceivably may not be established at all. When new routes are established, the Civil Aeronautics Authority has only to certify that fact to the subcommittee on deficiencies for deficiency appropriations. The amount provided in this bill carries on all of the existing domestic air-mail service at the rates of pay fixed by the Civil Aeronautics Authority.

FOREIGN AIR MAIL

We now come to the foreign air mail service. There the financial picture is not quite so attractive for the subsidy, instead of being near to the vanishing point, amounted to \$5,313,532.14 in the fiscal year 1939. However, every passing year more clearly emphasizes the great importance of the foreign air mail service to the United States, both politically as well as in the sense of trade and commerce. The trans-Atlantic service, which we authorized a few years ago, is exceeding all expectations and if it were not for the dislocations and impediments imposed upon this service by the war in Europe it would already be producing a handsome revenue based upon the established postage rate of 30 cents a half ounce.

We are carrying in this bill \$1,301,035 for a full year's service to New Zealand, which opens the way to Australia with its teeming millions. It is not anticipated that air mail on the long Pacific reaches, either to New Zealand or to Hong Kong and Manila, will ever be self-sustaining from mail revenue but those services are important from the standpoint of maintaining American prestige and building up ties of friendship and commerce. The trans-Atlantic service, on the other hand, promises in normal times to become lucrative from the revenue standpoint. With conditions as they are in Europe the estimated revenues of trans-Atlantic service rose for the first time above the \$100,000 mark last October

or, to be exact, \$114,371, which was 66.19 percent of the operating cost. It is easily conceivable that with the return of peace this service will become a valuable revenue-producing operation.

We now come to an important item of increase in air mail service to South America which we have approved in this bill. We have allowed \$1,926,462 to provide additional frequencies in the air service to that continent. This will permit an additional round trip per week on the present route on the east coast of South America from Port of Spain to Buenos Aires and on the west coast from Mexico City to Buenos Aires. The present air service does not provide for a frequency which can be expected to properly develop air-mail service and trade relations between the United States and South American points. The increased frequencies provided for should prove of great benefit in developing new business.

IMPORTANCE OF FOSTERING FRIENDSHIP OF LATIN AMERICA

Nor could we overlook in the consideration of this bill the political implications involved in fostering a closely knit community of nations in the Western Hemisphere, with common interests and ties, bent on enforcement of the Monroe Doctrine. It seems that whatever we can reasonably do to bind the nations of the Western Hemisphere together in bonds of commercial intercourse and amity will be wisely done. There was testimony in abundance that these additional frequencies will go a long way toward establishing closer, better, and friendlier relations with our neighbors at the South and that the effect would be to harmonize perfectly with Secretary of State Hull's program of drawing all nations of this hemisphere closer together.

Aside from the advantages that might accrue in the field of international relations there was testimony, very impressive testimony, that with European air services to South America bogging down on account of the war we are face to face with a golden opportunity to entrench ourselves for future trade and commercial advantages if we lose no time in strengthening our air service to South America. It was an impressive showing and our subcommittee was unanimous in believing that these additional frequencies should be granted.

There was one provision in the postal estimates which we felt obliged to deny, notwithstanding its very strong humanitarian appeal. It was an item in the estimates for powerboat service appropriating \$55,000 to carry mail, passengers, and freight by steamboat or other powerboat of American registry on the route from Seward by points on Kenai Peninsula, Kodiak Island, Alaska Peninsula, the Aleutian Islands, to Umnak Island and points on Bristol Bay and vicinity and back under a schedule to be prescribed by the Postmaster General.

Testimony showed that this was an effort of persons outside the Postal Service to achieve a worthy humanitarian purpose by tying it to the fiction of a postal item. The Alaska Steamship Co. has withdrawn service from that section and this has marooned the unfortunate residents of that out-of-the-way region and has deprived them of the means of ingress and regress. It was testified that one small boat makes occasional trips in that region, but that its capacity is utterly inadequate and that if an epidemic should break out there would be no way of transporting the sick to the nearest hospital. In fact, it was stated that one good-hearted captain who operated a Government small boat actually carried a sick man to a hospital at one time on his boat and was fined \$1,000 for his good Samaritan act. The appropriation was strongly urged by the diligent Delegate from Alaska [Mr. DIMOND], but he did not attempt to justify it as a postal item. The postal revenue from the operation would be practically nothing.

A DIFFICULT DECISION

We were faced with the decision as to whether we should establish this purely humanitarian service under the guise of a postal expenditure. The Post Office Department is already carrying the burden of a lot of items that are not

postal in character, such as the sale of baby bonds for which it is only partially reimbursed, the excess of expense, over cost in handling country newspapers, and so forth, and we did not feel that we would be justified in foisting this additional nonpostal activity on the Postal Service, as much as we sympathize with the people of Alaska and their able champion, Mr. DIMOND. It is our hope that some arrangement may be made to have United States Government vessels of the Coast Guard or some other service reorganize their schedules so as to furnish the boat service which the people of that region so sorely need.

COTTON VERSUS JUTE

There is one other postal matter to which I desire to direct attention before I proceed to the Treasury items. In the 1940 Post Office appropriation bill the following language was inserted, after a strenuous controversy:

Not more than three-fourths of the funds herein appropriated for the purchase of twine shall be expended in the purchase of twine manufactured from materials or commodities produced outside the United States.

Under that law, experiments have been conducted which show that cotton twine and jute twine are equally serviceable for postal uses. The price differential, so far as shown by the experiments up to date, is in favor of jute but in a warring world anything may happen, and in reply to a question, Mr. Purdum, the Fourth Assistant Postmaster General, said it is conceivable that conditions may arise as a result of international relations whereby jute will become more expensive than cotton. It seemed to us, therefore, only fair that the experiments should continue and we are carrying the same language in the 1941 appropriation bill. I may add that Mr. Purdum, who administers the law, strongly recommended that this be done.

DECISION IN RE EMERGENCY PERSONNEL

For a number of years we have been faced in the Treasury estimates with requests that blocs of personnel that are being paid from emergency funds be transferred to and fused into the regular organization of various offices. The representation that usually is made is that these employees have for a long time been engaged on regular work and that they are needed as permanent employees. Some of the emergency agencies are disappearing from the picture, and others apparently will be liquidated before many months or years, and this helps to create an urge among emergency employees to get on the regular rolls where they will be more secure and less tempest-tossed.

Wherever it appeared that a bona fide and conclusive case had been made for the conversion of emergency employees into regular employees, we have fused the emergencies into the regular staffs in preparing this bill, but we propose to put an end to the practice by asking the subcommittee on deficiencies to include the following language in the next relief act—

No employees shall be paid from relief funds who are engaged in work of the Treasury Department not incident to relief.

We believe that this language, if adopted, will establish a permanent line of demarcation between regular and emergency personnel and will avoid the danger of loading down the regular rolls with emergency employees who have not been inducted through regular civil-service channels.

INTRODUCING A NEW PERSONNEL DIVISION

In this bill we have set up in the Treasury Department a new title and a new division to be known as the Personnel Division. The new division will absorb the old Division of Appointments, with added latitude of authority in bringing about a more uniform and better administration of personnel problems, which was the objective of the President's Executive order of June 24, 1938. We have set up this division on the basis of the status quo of December 15, 1939, with 57 employees, salaries aggregating \$115,360, and 7 other employees with salaries aggregating \$19,240 engaged in personnel work in other bureaus who will be transferred under the provisions of this bill to the Division of Personnel. The Budget asked for the considerable sum of \$185,000 to create this Divi-

sion with more personnel than we thought justified. We believe that an effective working set-up can be made on an appropriation of \$134,600, or \$50,400 less than the Budget estimate, and with the limitations above described.

THE VINSON-TRAMMELL ACT

In recent years, multifarious acts of Congress have imposed new duties on the Bureau of Internal Revenue and this, of course, requires an expanding personnel. It is axiomatic that if Congress desires a proper execution of the duties it imposes it must provide personnel adequate to do the job. Among the statutes passed by Congress is the Vinson-Trammell Act under which contractors for the construction of naval vessels must pay to the Treasury all profit in excess of 10 percent on the contract price, and contractors for Army and naval aircraft must pay to the Treasury all profit in excess of 12 percent. With an enormous defense expansion program under way, the Bureau of Internal Revenue is about to feel the full impact of the Vinson-Trammell Act. So far 3,900 contracts and subcontracts have been let which will be subject to the Vinson-Trammell Act.

The total money volume of all contracts on record is in excess of \$450,000,000. Obviously the detailed examination of all of these contracts to determine the factors of cost and the proper basis on which to apply the law will require an enormous amount of detailed work. The recaptures to date have been about \$3,000,000 but this is only a start. The maximum single contractor's profit reflected on any one of the reports that have so far been considered amounted to \$570,891.47 and represented 27.45 percent of the contract price.

The large appropriations for national defense purposes are causing the work to flow into the Bureau of Internal Revenue in such volume that an increase of force is absolutely necessary to do the work imposed by the Vinson-Trammell Act and to protect the interest of the Treasury. The Budget submitted an estimate of 7 new employees at headquarters here, 100 field agents and 25 clerks with a combined salary roll of \$360,240 to perform the duties of the Vinson-Trammell Act. We allowed the headquarters personnel 75 field agents and 15 clerks, a total of 97 persons with salary and other expenses aggregating \$281,840 and we believe that with careful administration this provision will be sufficient.

The total amount carried in the bill for the Bureau of Internal Revenue is \$104,968,760, an increase of \$2,822,060 over the current 1940 appropriation and \$360,900 under the budget request. The principal cut in the budget estimate is \$539,500 which had been set up for administrative promotions, \$55,500 in Washington and \$484,000 in the field.

INCREASE FOR TAX REFUNDS

We approved the full budget estimate of \$42,000,000 for refunding ordinary internal revenue collections, although that amount is \$4,000,000 above the 1940 appropriation. However, a deficiency of \$29,000,000 for 1940 is indicated which brings the total amount for this fiscal year up to \$57,000,000. Expenditures during the first 5 months of the present fiscal year ran at an annual rate in excess of \$65,000,000. It is good business to pay these refunds as soon as possible since under the law they draw interest at the rate of 6 percent per annum. The Government can borrow money at a fraction of that interest rate and accumulated refunds pile up a charge on the Treasury that can be avoided by prompt payment.

GRATIFYING DECREASE IN DRUG ADDICTION

Our subcommittee was well pleased with a report by H. J. Anslinger, Chief of the Bureau of Narcotics, showing a marked decrease in drug addiction, and we allowed the Bureau the full amount of its estimate for operating purposes so that its good work may continue. Testifying in regard to the progress that has been made in controlling this evil, Mr. Anslinger stated that in 1924 there was 1 drug addict to every 1,000 population in the United States, whereas there is today, at most, 1 to every 3,000 of the general population. I quote as follows from Mr. Anslinger's testimony as shown on page 431 of the hearings:

So far as opium, morphine, heroin, and cocaine are concerned there is a very decided decrease in the number of addicts. About

the year 1880 there was 1 drug addict to every 400 inhabitants. At that time there was hardly a family that did not have a drug addict somewhere in the connection. Opium was the popular method used in committing suicide. Infants were fed soothing sirup containing opium. At that time 350,000 pounds of opium were imported into the United States for a population of only 47,000,000. Today we import 150,000 pounds for a population of 130,000,000. In the United States the consumption of drugs has decreased from 53 grams per capita to 8 grams per capita. Whereas at one time we received 5 tons of illicit heroin from one European country, we do not receive any today. European governments have now enacted legislation and do not export drugs unless an importation authorization is issued.

Mr. Anslinger recommended amendatory legislation providing heavy penalties for dope peddlers, ranging as high as 10 years in the penitentiary to take the confirmed offender "out of circulation," as he expressed it. He gave the Harrison Act, passed in 1914, credit for reducing drug addiction 50 percent.

A very important service is the Coast Guard.

Recognizing that the Coast Guard has very trying duties to perform, both in its regular and emergency activities, we have been very liberal with it in framing this bill, in respect to both its A and B budgets. Its A budget is its regular budget and its B budget has reference to its duties in enforcing the neutrality law. We have found Admiral Waesche, the head of the Coast Guard, to be a very alert and capable official who knows how to take care of his own in his battles for adequate appropriations. Although on general principles we are averse to a merger of separate appropriations we have granted a consolidation of eight titles in the Coast Guard appropriations under the new head of "General expenses, Coast Guard." The titles consolidated are "Outfits," "Fuel and water," "Rebuilding and repairing stations," "Communication lines," "Contingent expenses," "Repairs to Coast Guard vessels," "Repairs to Coast Guard aircraft," and "General expenses, Lighthouse Service."

LARGE SAVING PROMISED

We have approved this consolidation rather hesitantly, but on the promise of the Coast Guard Commandant that he will guarantee a saving of \$960,800 a year as a result of it and his further assurance that he will make as complete a detailed annual statement to the Appropriations Committee of his operations and expenditures as he has heretofore made. The advantage claimed for the consolidation is that it will make possible greater flexibility and efficiency of administration.

The total amount recommended in this bill for the Coast Guard A and B budgets is \$41,463,035, and while that seems a large amount, compared with former appropriations, it is a reduction of \$3,594,035 below the Budget.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. LUDLOW. I yield.

Mr. CASE of South Dakota. I was just wondering if the gentlemen could tell us whether or not, in his opinion, the United States is going to be able to enforce this neutrality zone regarding which agreement was had with the South American republics?

Mr. LUDLOW. I may say to the distinguished gentleman from South Dakota that that is the theory on which this B budget has been submitted to the committee and the theory on which these appropriations were made: That the Coast Guard had a function to perform in the enforcement of our neutrality. I am not prepared to say that its function extends as far from shore as the limits of the zone which the Panama Conference sought to establish.

Mr. CASE of South Dakota. My purpose in asking that question is because the gentleman, as everyone knows, has been a real student of international relations. I am wondering if the gentleman, in his opinion, feels that we are wise in attempting to implement the Coast Guard with funds to enforce a neutrality zone of 600 miles.

Mr. LUDLOW. The gentleman, I take it, wants my individual opinion on that.

Mr. CASE of South Dakota. The gentleman is qualified to give an opinion on this subject.

Mr. LUDLOW. I cannot speak for our subcommittee, but I myself do not believe it is a wise policy. It is inconceivable

to me that we should voluntarily assume the obligation and the hazard of enforcing a neutrality zone of such width, but I understand the funds in this bill would be needed for enforcement of neutrality regardless of the dictum of the Panama Conference.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. LUDLOW. Certainly.

Mr. MAHON. In making this appropriation we do not propose to limit the work of the Coast Guard to enforcing any particular neutrality law. There is a lot of other work irrespective of this neutrality zone, additional work that the Coast Guard must perform. Is not this true?

Mr. LUDLOW. The gentleman is absolutely correct. The B budget, as my colleague knows, is based on the enforcement of our neutrality. That embraces many duties besides patrol work, although that is, of course, important.

Mr. MAHON. Yes.

Mr. LUDLOW. It is not entirely devoted, of course, to patrol work, for there are many other functions, as the gentleman from Texas so well says, in connection with the enforcement of neutrality for which money is provided. The neutrality patrol is cooperative between the Coast Guard and the Navy. I think this answers the gentleman's question.

The Budget Bureau recommended a large appropriation, amounting to \$2,199,000, for additional Coast Guard airplanes, with which it was proposed to purchase eight long-range seaplanes at a cost of \$1,520,000 and seven intermediate planes at a cost of \$679,000, for enforcement of neutrality. We felt that this estimate was excessive in view of the fact that naval airplanes in large numbers are actively engaged in neutrality patrol work. We reduced the item from \$2,199,000 to \$500,000 without seeking to apply the lesser amount to the purchase of any particular type of aircraft, but leaving that to the discretion of Admiral Waesche and his associates.

UNDERWATER SOUND DEVICES DISAPPROVED

One Coast Guard item which we disallowed was an estimate in the amount of \$1,820,000 for the installation of underwater sound-detecting devices on 70 Coast Guard vessels, 21 cutters, and 49 patrol boats. The unit cost of these proposed installations would be \$40,000 per cutter and \$20,000 per patrol boat. While I am sure that all of the members of our subcommittee believe in adequate preparedness, it seemed that this estimate was a little extreme. My personal reaction to it was about the same as that of Chairman VINSON of the Naval Affairs Committee when he was moved the other day to disapprove the expenditure of half a billion dollars for naval vessels for which there appeared to be no real necessity. Admiral Waesche, Chief of the Coast Guard, testified—page 671 of the hearings—that he would not have suggested this appropriation for sound-detecting devices if he had not been asked to do so in a letter from the Navy Department. I call attention to the following testimony on page 671:

Admiral WAESCHE. I would not say that if it were to be used exclusively for regular work we would be justified in asking for \$1,800,000 for the use we would get out of it in the peacetime work of the Coast Guard.

Mr. LUDLOW. You would not have suggested this if it had not been for the Navy, would you?

Admiral WAESCHE. No, sir.

The Navy, which cooperates with the Coast Guard in patrol duty, now has 281 vessels equipped with the underwater sound-detecting device and it will soon have 168 more, or 449 in all. It was testified by Admiral Johnson—see page 668 of the hearings—that it would require only about 15 days to equip a vessel of the first-class type with one of these devices. In case of war, or an emergency approaching war, the Coast Guard would immediately become a part of the Navy automatically, and the Navy would have funds available to make these installations out of naval appropriations. The brief time required to make the installations would indicate that the item can be deferred without jeopardy. It seemed to your subcommittee that under these circumstances it would be the part of wisdom to hold the Coast Guard for the present in a peacetime status, as far as this equipment is concerned, and allow developments to demonstrate the need of a future program.

WE BELIEVE OUR BILL IS SOUND AND JUST

This bill, as I stated at the outset, covers a vast latitude of governmental operations. The United States Postal Service is the largest civil organization anywhere in the world.

Mr. JACOBSEN. Mr. Chairman, will the gentleman yield?

Mr. LUDLOW. I yield.

Mr. JACOBSEN. Will the gentleman tell me whether consideration has been given to the air-mail pick-up service; will the gentleman tell us something about this?

Mr. LUDLOW. I may state to my colleague from Iowa that adequate provision has been made to continue the pick-up service. The reports of the Post Office Department officials were quite flattering as to the success of this service. It has been experimented with only a short time, of course, but there is every disposition and intention on the part of the Department and on the part of the committee to continue the experiment, because we feel there is something good in it and that a continuation of the experimentation and of the appropriation is justified.

Mr. JACOBSEN. Will experiments be continued on additional routes?

Mr. LUDLOW. This, of course, has been left to the determination of the Post Office Committee. In our bill we did not try to specify any of the routes.

If there are no further questions, Mr. Chairman, I will conclude. I have discussed only some of the high lights of the bill, as obviously I could not do more. We have prepared a bill which we believe to be sound in principle and reasonable and just in its details. In commending it to your consideration I wish to thank you for your patience in listening to me for so long a time. [Applause.]

[Here the gavel fell.]

Mr. McLEOD. Mr. Chairman, I yield 23 minutes to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Chairman, representatives of the Canadian Government are here in Washington today. They are in conference with representatives of our State Department, discussing a subject of vital importance to the people of this Nation. That subject is the consummation of an agreement between the United States and Canada looking toward the completion of the Great Lakes-St. Lawrence seaway, a project which I want to designate today as the master project of the North American Continent.

Mr. Chairman, on the 11th day of January this year in the city of Detroit, Mich., a part of which I have the honor to represent as a portion of my congressional district, the Seventeenth of Michigan, the General Motors Co. held a celebration of the building of the twenty-fifth millionth automobile by that company. On that occasion Mr. Charles F. Kettering, noted and famous engineer, inventor, and manufacturer, delivered a very stimulating and appropriate address. Among other things, he said:

The world isn't finished. In fact, it isn't started, because we are just now learning how to get out of the great difficulties which most people think we have gotten ourselves into. We have an excess of men, money, and materials not because we have too much engineering, not because we have too much technological development, but simply because we haven't enough. With excess of men, money, and materials, what on earth can cause that but a lack of projects? We haven't enough projects.

This appeal for more and new work coming from so distinguished an authority will focus anew fresh attention to a project that has been justly described as the master project of the North American Continent, namely, the Great Lakes-St. Lawrence seaway, with its great potential power possibilities incidental thereto.

When this mighty venture has once secured the approval of the Canadian Parliament and the Congress of the United States it will undoubtedly be administered by a two-country—United States and Canada—Great Lakes-St. Lawrence Basin commission.

Regardless of objections and obstacles raised by interests which may not clearly comprehend the great importance of this proposed undertaking to a vast inland empire comprising more than one-third of the population of our country, there is a steady and forward march toward the time when the Governments of the 2 countries named will have consummated an agreement which will make possible the final act to complete the last link of 48 miles in a water highway of a thousand miles. It will open the neck of the bottle in a deep-sea waterway that will lead directly to the markets of the world. It will make a dream that has stirred men's vision for two centuries come true. Then for the first time will move

unvexed to the seven seas the enormous production of farm and factory of the Middle West and the Great Lakes States. Duluth, Chicago, Milwaukee, Detroit, Cleveland, Toronto, Buffalo, together with some 75 other lake ports in both Canada and the United States, will become ocean ports with direct communication to the seaports of the entire world.

There is no comparable area on this earth that includes so many of the requisite qualifications for a master project as the Great Lakes region of the United States. In it is found a temperate but invigorating climate, unlimited quantities of iron ore, coal in abundance or near at hand, oil and mineral salts, varied but fertile soil conditions, adequate rainfall, immense agricultural areas, numerous industrial and commercial cities, ample labor, skilled and unskilled, boundless tracts of virgin timber, unnumbered square miles of recreational expanse, and in the center of it all, an all-wise and generous Providence planted five deep blue, fresh-water seas, the Great Lakes, to provide low cost transportation for raw materials and fabricated products, totaling more than the combined foreign tonnage of all the seaports of the United States. In the latest report of the Chief of the Army Engineers it is shown that the total commerce of the United States for the fiscal year 1938 amounted to 467,000,000 tons, while the total commerce of the Great Lakes was more than 98,000,000 tons, or 21 percent of the entire commerce of the United States moved on the breast of the fresh-water seas, while our total foreign commerce amounted to but 89,000,000 tons.

This vast region, the Great Lakes Basin, embracing the granary and the pantry of two friendly nations, is entitled to consideration, for in it are included 17 States or parts of States of the Union; inhabited by 35 percent of our population. Compared to the total wealth of the United States it produces 38 percent of our manufactured products; 32 percent of the agricultural products; 50 percent of our live stock; 52 percent of our dairy cattle; 72 percent of our hogs; 66 percent of the butter; 45 percent of the eggs; 76 percent of the corn; 64 percent of the wheat; 82 percent of our oats; 33 percent of our wholesale trade; 40 percent of our retail trade; 45 percent of the wages paid to industrial workers; and 41.6 percent of the wages paid to wage earners.

These figures are taken from Senate Document No. 116, Seventy-third Congress, second session, and may therefore be considered as official and reliable.

This mighty seaway with its incidental potential power possibilities—the Great Lakes-St. Lawrence—this master project of the North American Continent will, when completed, create a new seacoast with 3,576 miles of shoreline connecting the very heart of the continent with all the commercial arteries that lead to the ports of the world.

It is indeed a master project. It will serve to stabilize many important industries in their present mid-western location, anchor them there for the benefit of the railroads as well as the utilities which will be supplied with greater power facilities, and for the benefit of all other public conveniences which thrive in prosperous communities.

The people of this country owe a debt of gratitude and an obligation of sincere thankfulness to the pioneer railway builders, and to courageous men and women who risked their capital in the development of private power facilities.

Westward the course of Empire took its way, but not in reality until the indomitable will and courage of American pioneers stretched the lengthening bands of steel, the railroads, and penetrated that boundless domain.

The resulting material profit and progress to the whole country cannot be overemphasized. Cultural values followed in the wake of these daring pioneers, but progress and development have outgrown the limitations of the landlocked period of the Great Lakes Basin. It has reached a stalemate in its history. There can be no standing still in the growth and progress of a region. When progress ceases, decay begins. This great midwest section needs new transportation facilities for further expansion, and that facility is the master project which I am discussing.

Its size and international character challenge the attention of the world. It will provide navigation for large seagoing ships and accommodate 85 percent of all the ships on

earth along this international boundary of 2,700 miles. Its cost is moderate when compared with other Government spending. After deducting the sale of power, which will be developed as incidental to the main project, \$18,000,000 a year for 10 years has been estimated sufficient to complete the project.

The time allotted to me does not permit a detailed statement of all the economies which might be marshaled to justify this undertaking, but I shall register a few trite illustrations to show the tremendous importance of low-cost water transportation to an immense section of the country that is now being stifled and retarded in its growth and expansion.

Once the St. Lawrence seaway is opened, more of the manufactured products of the Great Lakes industries, and more of the agricultural products of the Prairie and Midwestern States will reach intercoastal and foreign markets which are now denied to them.

A new market for goods is created only when the cost to reach it is reduced, and the sale of a product is achieved often in the saving of its transportation costs, no matter whether it comes from the factory or the farm.

As an example of the low cost of water transportation a ton of coal can be shipped from Buffalo, N. Y., to Duluth, Minn., a distance of 1,000 miles, for about the same cost required to move it from the curb in front of your home to your cellar window.

About two and one-half million bushels of American apples reached European markets last fall, but not one bushel came from my State of Michigan, a great apple-producing State. Why? Because the cost of transportation to the seaboard is prohibitive. Just as soon as ships can be provided for this trade into the Great Lakes, there will be new markets opened for Michigan apples, and the railroads will lose nothing in freight, for they never had this business. On the contrary, the railroads will gain new business shipping apples to the lake ports once they have been transformed into seaports.

Bread is the staff of life, therefore I consider it most appropriate and fitting to consider wheat. During the crop year 1939 the United States produced 754,971,000 bushels of wheat. This is a decrease in the amount produced in 1915, in which year the United States harvested 1,025,000,000 bushels. Last year the United States exported 63,000,000 bushels of wheat and nearly 8,000,000 barrels of flour. But that was less than the amount exported in 1920 from this country when we exported approximately 218,000,000 bushels of wheat and nearly 20,000,000 barrels of flour. This loss of foreign markets for the "staff of life" is one of the underlying causes which has necessitated Government aid, and last year our Government loaned \$114,000,000 on approximately 164,000,000 bushels of wheat. The statement of December 15, 1939, of the Commodity Credit Corporation shows that we purchased outright 1,300,000 bushels of wheat with Government funds.

I do not argue, neither do I advance the theory, that the present railway structure is alone responsible for the drying up of American wheat production and export of that commodity. We must all recognize that the production of wheat outside of the United States has increased in recent years, but it is also true that if the St. Lawrence waterway had been opened from Duluth to the markets of the world, we would have been able to compete on a more equitable and fair basis with the rest of the world in maintaining our markets in foreign fields for that commodity.

Sugar-beet factories in the Great Lakes area, now operating 60 to 90 days per year and many of them entirely shut down and dismantled, might operate all the year round, or a large portion of the time, by utilizing Cuban raw sugar in the off-season period of the year for beets, if the shipment of that commodity could be economically justified by water transportation.

Some consideration and thought might be given to the probable plight of the Michigan petroleum refining industry, when the Michigan oil fields become exhausted. We all know

that oil fields do cease to yield and those in Michigan undoubtedly will be no exception, because we know their formation of limestone, low porosity, thin sands, and low rock pressure. I do not believe that it is an unreasonable journey in the field of speculation to say that the St. Lawrence waterway would enable the petroleum refiners of Michigan to bring in oil from Texas by tanker for less than the pipe-line price to Chicago.

Living costs would be reduced for the people in the Great Lakes region and Midwestern States when this seaway is once in operation. Perhaps the Members of the House are not all familiar with the fact that studies of rates on commodities generally consumed in that great midwestern section are now being made in a survey conducted by the Department of Commerce in relation to the economic aspects of the waterway. Honolulu pineapples, California and Florida oranges, Central American bananas, and Texas grapefruit would be consumed in increased quantities if the cost of transportation of these commodities could be reduced.

IT WILL HALT COSTLY DECENTRALIZATION

With the automotive industry that is now undergoing the same experience of every basic industry—decentralization—it is vital to capture for the future all the adverse experience of the past in order that every helpful economy in transportation may be availed of without delay. If this is not done, that industry may gradually diminish and eventually disappear from its present location.

New business blueprinted as a gift of the completed St. Lawrence seaway, cannot be charged as a loss to other types of transportation. There would be no expansion into uncharted markets except for the low-cost water transportation. The St. Lawrence seaway is a transportation unit that will carry its own rewards with market terminals dependent upon relief in freight charges that it alone can offer. When a ship from the Great Lakes region has once reached the Atlantic coast, any port on earth may become its destination.

I desire to point out that in addition to the new local business developed for the railroads and trucks in and out of the lake ports, that will have been transformed into seaports, there would be an increased volume of east- and west-bound rail traffic for more than 5 months of the year when a part of the St. Lawrence waterway is closed. Traffic experts contend that it is impossible to enhance the trade of a region for a part of the year without automatically creating an increase for the remaining portion of the year. When production is speeded up for a portion of the year, there is a natural overlapping of the freight demanding movement into the remainder of the year which, in the case of the St. Lawrence seaway, can be handled by the railroads, and would be handled by the railroads alone.

Chicago is nearer to New Orleans via the St. Lawrence route than New York is distant from San Francisco by way of the Panama Canal, through which passes more than 30,000,000 tons of freight each year. The Mississippi River, with all its tributaries and channels that range from 6 to 9 feet in depth, handles approximately 100,000,000 tons of freight annually. The tonnage of the present 14-foot St. Lawrence-Great Lakes seaway channel going to or coming from lake ports is indeed not very impressive, compared to the two water routes mentioned. However, the best unbiased experts estimate that the increase in the volume of trade from the Great Lakes Basin through deepening the St. Lawrence canals to 27 feet for ocean-going ships, would be so great that both routes would be needed and utilized to their capacity. One is the complement of the other.

When a suit of clothes becomes too small for a growing boy, his parents do not hesitate to provide larger garments. That is precisely the predicament of the Great Lakes region of the United States. It has reached the stage when its commerce requires more room at the throat, and that room can be provided only by loosening and deepening the depths of the St. Lawrence River.

Surely, the vision of Mr. Kettering, proclaimed by him in his recent speech in Detroit, should serve as an inspiring

stimulus to the final authorization and completion of this continent's master project—the Great Lakes-St. Lawrence seaway. [Applause.]

Mr. LUDLOW. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. HOBBS, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 8068, the Treasury-Post Office Department appropriation bill for the fiscal year 1941, had come to no resolution thereon.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 134. An act providing for continuing retirement pay, under certain conditions, of officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability while in the service of the United States during the World War, and for other purposes; to the Committee on Military Affairs.

S. 457. An act to amend the World War Adjusted Compensation Act; to the committee on Ways and Means.

S. 1935. An act to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

S. 2122. An act to authorize the sale of the Wilmot National Guard target range, Arizona; to the Committee on Military Affairs.

S. 2264. An act for the relief of Frank P. Hoyt, to the Committee on Military Affairs.

S. 2289. An act for the relief of the Leesburg Welding & Garage Co.; to the Committee on Claims.

S. 2420. An act relating to certain inspections and investigations in coal mines for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes; to the Committee on Mines and Mining.

S. 2782. An act for the relief of Harold W. Kinderman; to the Committee on Military Affairs.

S. J. Res. 153. Joint resolution to approve the action of the Secretary of the Interior in deferring the collection of certain irrigation charges against lands under the Blackfeet Indian irrigation project; to the Committee on Indian Affairs.

ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2953. An act authorizing States owning lands or interests therein acquired from the United States to include the same in certain agreements for the conservation of oil and gas resources;

H. R. 3931. An act for the relief of Charles H. LeGay;

H. R. 7171. An act to amend section 22 of the Agricultural Adjustment Act; and

H. R. 7293. An act to amend section 355 of the Revised Statutes, as amended, to make permissive the acquisition of legislative jurisdiction over land or interests in land acquired by the United States.

BILLS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 2953. An act authorizing States owning lands or interests therein acquired from the United States to include the same in certain agreements for the conservation of oil and gas resources;

H. R. 3931. An act for the relief of Charles H. LeGay;

H. R. 7171. An act to amend section 22 of the Agricultural Adjustment Act; and

H. R. 7293. An act to amend section 355 of the Revised Statutes, as amended, to make permissive the acquisition of legislative jurisdiction over land or interests in land acquired by the United States.

ADJOURNMENT

Mr. LUDLOW. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 48 minutes p. m.) the House adjourned until tomorrow, Wednesday, January 24, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON NAVAL AFFAIRS

There will be a hearing Wednesday, January 24, 1940, at 10 a. m., before the Committee on Naval Affairs on H. R. 8026, to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

COMMITTEE ON ROADS

The Committee on Roads will continue public hearings in the Roads Committee room, 1011 New House Office Building, at 10 a. m., Wednesday, January 24, 1940, on H. R. 7891, a bill to assist the States in the improvement of highways.

COMMITTEE ON MILITARY AFFAIRS

There will be a meeting of the Committee on Military Affairs of the House in room 1310, New House Office Building, at 10 a. m., Wednesday, January 24, 1940, for the consideration of all bills pending before the committee relative to taxation of Tennessee Valley Authority properties.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization Wednesday, January 24, 1940, at 10:30 a. m., in re H. R. 5228.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matters named:

Tuesday, January 30, 1940:

The following hearing was at first scheduled for Friday, January 5, but was later postponed until Thursday, January 25, 1940. Now it has been postponed again, this time being Tuesday, January 30, 1940, at 10 a. m.

H. R. 7357, to amend section 4472 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 465) to provide for the safe carriage of explosives or other dangerous or semidangerous articles or substances on board vessels; to make more effective the provisions of the International Convention for Safety of Life at Sea, 1929, relating to the carriage of dangerous goods; and for other purposes.

Tuesday, February 6, 1940:

H. R. 7527, to make effective the provisions of the Minimum Age (sea) Convention (revised), 1936, and for other purposes.

Hearings will be continued Wednesday, February 7, 1940, at 10 a. m., on H. R. 6130, to provide for mandatory or compulsory inspection and permissive or voluntary grading of fish, fishery products, fishery byproducts, shellfish, crustacea, seaweeds, and all other aquatic forms of animal and vegetable life, and the products and byproducts thereof, and for other purposes.

Tuesday, February 13, 1940:

H. R. 1780, to amend section 7 of the act of June 19, 1886, as amended (U. S. C., 1934 ed., Supp. III, title 46, sec. 319), relative to penalties on certain undocumented vessels and cargoes engaging in the coastwise trade or the fisheries, and for other purposes.

H. R. 5837, to amend section 221 of the Shipping Act, barring certain aliens from participating in the benefits thereof.

H. R. 6770, to amend Revised Statutes 4311 (U. S. C. 251).

H. R. 7694, to amend section 4311 of the Revised Statutes of the United States.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings in the committee room, 247 House Office Building, at 10 a. m., on the following dates on the matters named:

DEPENDENTS OF REGULAR ESTABLISHMENT VETERANS

Thursday, January 25, and Friday, January 26, 1940:

H. R. 7191. A bill to make more equitable provision for pensions for the dependents of deceased veterans of the Army, Navy, Marine Corps, and the Coast Guard.

H. R. 7522. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to dependents of veterans of the World War whose death is due to service.

H. R. 7652. A bill to grant pensions and increase of pensions to widows and dependents of certain deceased members or former members of the military or naval service.

H. R. 7734. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to the dependents of veterans of the World War whose death is due to service.

MEDAL OF HONOR PENSIONS

Thursday, February 1, 1940:

H. R. 3385. A bill to liberalize the provisions of the Medal of Honor Roll Act of April 27, 1916.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a hearing before a subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m., Wednesday, January 24, 1940, on H. R. 6652, to aid consumers by setting up standards of quality based on performance as a guide in the purchase of consumer goods.

Hearings will begin Monday, February 5, 1940, at 10 a. m., before the Petroleum Subcommittee of the Committee on Interstate and Foreign Commerce. State regulatory bodies will be heard first.

COMMITTEE ON THE JUDICIARY

On Monday, January 29, 1940, at 10 a. m., there will be a hearing before the Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary on the bills (H. R. 7528 and S. 1935) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto (sec. 75). The hearing will be held in room 346, House Office Building.

On Wednesday, February 14, 1940, at 10 a. m., there will be a hearing before the Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary on the bill (H. R. 8016) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto (municipal compositions). The hearing will be held in room 346, House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

1292. Under clause 2 of rule XXIV a letter from the Secretary of War, transmitting draft of a proposed bill to amend the act approved May 24, 1938 (52 Stat. 1317, ch. 271), enacted by the Seventy-fifth Congress, third session, entitled "An act for the relief of the Comision Mixta Demarcadora de Limites Entre Colombia y Panama," and for the relief of Jose Antonio Sossa D, was taken from the Speaker's table and referred to the Committee on Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. BLOOM: Committee on Foreign Affairs. S. 2973. An act for the relief of Inez Gillespie (Rept. No. 1523). Ordered to be printed.

Mr. TAYLOR. Committee on Appropriations. H. R. 8067. A bill making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1940, and for other purposes; without amendment (Rept. No. 1525). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUDLOW: Committee on Appropriations. H. R. 8068. A bill making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1941, and for other purposes; without amendment (Rept. No. 1526). Referred to the Committee of the Whole House on the state of the Union.

Mr. CANNON of Missouri: Committee on Appropriations. House Joint Resolution 434. Joint resolution making not to exceed \$11,000,000 of the appropriation for parity payments in the Department of Agriculture Appropriation Act, 1940, available for parity payments under the Price Adjustment Act of 1938; without amendment (Rept. No. 1527). Referred to the Committee of the Whole House on the state of the Union.

Mr. THOMASON: Committee on Military Affairs. S. 1820. An act to provide for the transfer of certain land owned by the United States to the State of Texas and certain other land to the county of Galveston, Tex.; without amendment (Rept. No. 1528). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 7941. A bill relating to the citizenship and compensation of certain employees on military construction work in the Panama Canal Zone; without amendment (Rept. No. 1529). Referred to the Committee of the Whole House on the state of the Union.

ADVERSE REPORTS

Under clause 2 of rule XIII,

Mr. BLOOM: Committee on Foreign Affairs. House Resolution 356. Resolution concerning inquiry of plot to sabotage Boulder Dam (Rept. No. 1524). Laid on the table.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 7996) granting a pension to Katherine R. Salmon, and the same was referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANGELL:

H. R. 8069. A bill to reform the lease for the Sellwood station of the Portland, Oreg., post office; to the Committee on the Post Office and Post Roads.

By Mr. DEMPSEY:

H. R. 8070. A bill to authorize a preliminary examination and survey of the Rio Grande and tributaries, New Mexico, with a view to the control of floods; to the Committee on Flood Control.

By Mr. DIMOND:

H. R. 8071. A bill to authorize the construction of armories in the Territory of Alaska, and for other purposes; to the Committee on Military Affairs.

By Mr. HARTER of Ohio:

H. R. 8072. A bill to provide allowances for inactive-status training for certain officers of the Officers' Reserve Corps of the Army; to the Committee on Military Affairs.

H. R. 8073. A bill to provide allowances for uniforms and equipment for certain officers of the Officers' Reserve Corps of the Army; to the Committee on Military Affairs.

By Mr. JOHNS:

H. R. 8074. A bill to permit contributions and gifts to the Republic of Finland to be deducted in computing net income for income-tax purposes to the same extent that charitable

contributions are deductible; to the Committee on Ways and Means.

By Mr. KILDAY:

H. R. 8075. A bill to grant wartime grades for retirement purposes to enlisted men of the Army, Navy, Marine Corps, and Coast Guard who served during the World War; to the Committee on Military Affairs.

By Mr. LANHAM:

H. R. 8076. A bill to authorize the furnishing of steam from the central heating plant to the National Academy of Sciences, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. MAY (by request):

H. R. 8077. A bill to authorize certain officers of the Army of the United States to accept such medals, orders, and decorations as have been tendered them by foreign governments; to the Committee on Military Affairs.

By Mr. PIERCE:

H. R. 8078. A bill to convey to the Hermiston irrigation district and to the West Extension irrigation district of the Umatilla reclamation project in the State of Oregon all the interest of the United States in the Umatilla reclamation project, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. RANKIN:

H. R. 8079. A bill to extend the time within which applications for benefits under the World War Adjusted Compensation Act, as amended, may be filed, and to enlarge the class of dependents under such act, as amended; to the Committee on Ways and Means.

By Mr. VOORHIS of California:

H. R. 8080. A bill to provide financial credit for national defense in time of war without incurring public debt, to regulate the volume of such credit, to prevent post-war depression, and to provide for orderly transition from a war economy to a peace economy; to the Committee on Ways and Means.

By Mr. WHELCHER:

H. R. 8081. A bill to amend Public Resolution No. 24, Seventy-sixth Congress; to the Committee on Appropriations.

By Mr. CREAL:

H. R. 8082. A bill to enable certain former employees of the classified civil service of the United States to apply for and receive annuity as provided under the provisions of the Retirement Act of May 22, 1920, as amended to date; to the Committee on the Civil Service.

By Mr. FADDIS:

H. R. 8083. A bill to authorize the Secretary of War to furnish certain markers for certain graves; to the Committee on Military Affairs.

By Mr. VINSON of Georgia:

H. R. 8084. A bill authorizing the sale of fuel, electric current, and water at isolated naval stations; to the Committee on Naval Affairs.

H. R. 8085. A bill to authorize the Secretary of the Navy to accept, without cost to the United States, a fee-simple conveyance of 16.4 acres, more or less, of land at Floyd Bennett Field, in the city and State of New York; to the Committee on Naval Affairs.

By Mr. WALTER:

H. R. 8086. A bill to make it a crime to wreck or attempt to wreck a train engaged in interstate commerce; to the Committee on the Judiciary.

By Mr. ALEXANDER:

H. J. Res. 436. Joint resolution authorizing an appropriation for the purchase of dairy and farm products to be distributed among the distressed women and children of Poland; to the Committee on Foreign Affairs.

By Mr. JOHNS:

H. J. Res. 437. Joint resolution authorizing the President of the United States of America to proclaim Citizenship Recognition Day, for the recognition, observance, and commemoration of American citizenship; to the Committee on the Judiciary.

By Mr. VOORHIS of California:

H. J. Res. 438. Joint resolution extending time for construction of work-relief and public-works projects until January 1, 1941; to the Committee on Appropriations.

By Mr. HOFFMAN:

H. Res. 366. Resolution requesting leave to expunge certain remarks from the CONGRESSIONAL RECORD; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Virginia, memorializing the President and the Congress of the United States to consider their House Joint Resolution No. 16, with reference to embargo on tobacco; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under Clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM:

H. R. 8087 (by request). A bill to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claims of certain insurance companies heretofore reported to Congress by the Secretary of War arising from the explosions and fire at the plant of the T. A. Gillespie Loading Co., at Morgan, N. J., October 4 and 5, 1918; to the Committee on War Claims.

By Mr. BOLAND:

H. R. 8088. A bill for the relief of Ella F. Gulick; to the Committee on War Claims.

By Mr. BYRNE of New York:

H. R. 8089. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon certain claims arising out of an accident involving a Government-owned automobile; to the Committee on Claims.

By Mr. CLASON:

H. R. 8090. A bill for the relief of J. Walter Bowers; to the Committee on Claims.

By Mr. HARTLEY:

H. R. 8091. A bill for the relief of May C. Taylor; to the Committee on Claims.

By Mr. HOFFMAN:

H. R. 8092. A bill for the relief of Clarence M. Pool; to the Committee on Military Affairs.

By Mr. JENSEN:

H. R. 8093. A bill for the relief of Henry Jefferson Black, deceased; to the Committee on Military Affairs.

H. R. 8094. A bill granting a pension to Grace E. Butler; to the Committee on Invalid Pensions.

By Mr. JOHNSON of West Virginia:

H. R. 8095. A bill to amend the military record of James Ledsome, and for other purposes; to the Committee on Military Affairs.

By Mr. KENNEDY of Maryland:

H. R. 8096. A bill for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department; to the Committee on Claims.

H. R. 8097. A bill to amend an act entitled "An act for the relief of Mrs. A. R. Barnard, Charles A. Stephens, Donald W. Prairie, and dependents of Vern A. Needles," approved July 15, 1939; to the Committee on Claims.

H. R. 8098. A bill for the relief of Roy F. Lassly, former acting chief disbursing clerk, Department of the Interior; to the Committee on Claims.

H. R. 8099. A bill for the relief of James L. Kinney; to the Committee on Claims.

By Mr. KILDAY:

H. R. 8100. A bill granting a pension to Rose Frances Butler; to the Committee on Pensions.

By Mr. KING:

H. R. 8101. A bill relating to the citizenship of William Lawrence Tan; to the Committee on Immigration and Naturalization.

By Mr. McARDLE:

H. R. 8102. A bill for the relief of Emelie I. Sweeney; to the Committee on Claims.

By Mr. ROBSION of Kentucky:

H. R. 8103. A bill for the relief of William Solomon; to the Committee on Military Affairs.

By Mr. ROBINSON of Utah:

H. R. 8104. A bill for the relief of George H. Crow; to the Committee on Claims.

By Mr. SHANLEY:

H. R. 8105. A bill for the relief of Austin L. Tierney; to the Committee on Military Affairs.

H. R. 8106. A bill for the relief of Peter J. Petersen; to the Committee on Military Affairs.

H. R. 8107. A bill for the relief of Martin J. Connellan; to the Committee on Naval Affairs.

By Mr. TENEROWICZ:

H. R. 8108. A bill for the relief of Johannes or John, Julia, Michael, William, and Anna Kostluk; to the Committee on Immigration and Naturalization.

By Mr. VINCENT of Kentucky:

H. R. 8109. A bill for the relief of Daisy Mims, administratrix of the estate of Arthur Mims; to the Committee on Claims.

H. R. 8110. A bill for the relief of C. M. Sherrod; to the Committee on Claims.

H. R. 8111. A bill granting a pension to Maud Davis; to the Committee on Invalid Pensions.

By Mr. VREELAND:

H. R. 8112. A bill for the relief of Michael Riley; to the Committee on Naval Affairs.

By Mr. WELCH:

H. R. 8113. A bill for the relief of Charles F. Stone; to the Committee on Military Affairs.

By Mr. WILLIAMS of Missouri:

H. R. 8114. A bill granting a pension to Nancy Jane Berry; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6210. By Mr. ANDERSON of California: Resolution adopted by the Peace Officers Association of the State of California in convention at Santa Cruz, Calif., October 21, 1939, and signed by James T. Drew, secretary, pledging our continued friendly and enthusiastic cooperation with Director J. Edgar Hoover of the Federal Bureau of Investigation in aiding in the defense of our country, its principles and institutions, against the attack of enemies both foreign and domestic; to the Committee on the Judiciary.

6211. By Mr. CARLSON: Petition of J. C. Rapp and 23 others, of Norton County, Kans., favoring the Patman chain-store tax bill; to the Committee on Ways and Means.

6212. Also, petition of C. C. Frevert and 18 others, of the Sixth District of Kansas, favoring the Patman chain-store tax bill; to the Committee on Ways and Means.

6213. Also, petition of August J. Karl and 22 others, of the Sixth District of Kansas, favoring the Patman chain-store tax bill; to the Committee on Ways and Means.

6214. Also, petition of E. S. Toll and 20 others, of the Sixth District of Kansas, favoring the Patman chain-store tax bill; to the Committee on Ways and Means.

6215. By Mr. DELANEY: Petition of the Kings County American Legion, Flatlands Post, No. 391, urging favorable action for the continuance of the Dies committee; to the Committee on Rules.

6216. Also, petition of the Kings County American Legion, Westend Post, No. 1061, urging favorable action for the continuance of the Dies committee; to the Committee on Rules.

6217. Also, petition of the Kings County American Legion, Windsor Terrace Post, No. 1175, urging favorable action for the continuance of the Dies committee; to the Committee on Rules.

6218. Also, petition of the Kings County American Legion, County Child Welfare, urging favorable action for the continuance of the Dies committee; to the Committee on Rules.

6219. Also, petition of the Kings County American Legion, Uniformed Firemen's Post, No. 1171, urging favorable action for continuance of the Dies committee; to the Committee on Rules.

6220. Also, petition of the Kings County American Legion, Dolly Madison Post, No. 115, urging favorable action for the continuance of the Dies committee; to the Committee on Rules.

6221. Also, petition of the Kings County American Legion, E. E. Bennett, Jr., Post, No. 725, urging favorable action for the continuance of the Dies committee; to the Committee on Rules.

6222. Also, petition of the Kings County American Legion, Brooklyn Nurses Post No. 967, urging favorable action for continuance of the Dies committee; to the Committee on Rules.

6223. Also, petition of the Kings County American Legion, Brooklyn Post No. 500, urging favorable action for the continuance of the Dies committee; to the Committee on Rules.

6224. Also, petition of the Kings County American Legion, Edward J. Bell Post No. 790, urging favorable action for the continuance of the Dies committee; to the Committee on Rules.

6225. Also, petition of the Kings County American Legion, County Americanism, urging favorable action for the continuance of the Dies committee; to the Committee on Rules.

6226. Also, petition of the Kings County American Legion, Victory Post No. 1084, urging favorable action for continuance of the Dies committee; to the Committee on Rules.

6227. Also, petition of the Kings County American Legion, Brownsville Post No. 33, urging favorable action for continuance of the Dies committee; to the Committee on Rules.

6228. Also, petition of the Kings County American Legion, Williamsburg Post, No. 1104, urging favorable action for continuance of the Dies committee; to the Committee on Rules.

6229. Also, petition of the Kings County American Legion, Boro of Brooklyn Post, No. 1180, urging favorable action for continuance of the Dies committee; to the Committee on Rules.

6230. Also, petition of the Kings County American Legion, One Hundred and Sixth Infantry, urging favorable action for continuance of the Dies committee; to the Committee on Rules.

6231. Also, petition of the Kings County American Legion, Forty-seventh Infantry Post, No. 147, urging favorable action for continuance of the Dies committee; to the Committee on Rules.

6232. Also, petition of the Kings County American Legion, Joyce Kilmer Post, No. 55, urging favorable action for continuance of the Dies committee; to the Committee on Rules.

6233. By Mr. FLAHERTY: Petition of the Gloucester Sea Food Workers' Union, Gloucester, Mass., opposing the continuance of the reciprocal-trade pacts; to the Committee on Ways and Means.

6234. Also, petition of Labor's Non-Partisan League of Massachusetts, Boston, Mass., opposing antialien bills; to the Committee on Immigration and Naturalization.

6235. Also, petition of the Cambridge City Council, Cambridge, Mass., urging legislation to eliminate furlough provisions in Relief Appropriation Act; to the Committee on Appropriations.

6236. By Mr. FULMER: Resolution of the board of directors of the South Carolina Public Service Authority, that the two United States Senators and the Members of the House of Representatives from South Carolina be, and they hereby are, requested to have incorporated in the bill making an

appropriation for the construction of the Clark's Hill hydro-electric and navigation project on the Savannah River a proviso requiring that in the sale of the power generated preference shall be given to public bodies and the rural electrification cooperative associations in line with the provisions made for other Federal water-power projects; to the Committee on Appropriations.

6237. By Mr. HART: Petition of the New Jersey State Industrial Union Council of the Congress of Industrial Organizations, Newark, N. J., urging that no further appropriations be made for the continuation of the Dies committee; to the Committee on Rules.

6238. Also, petition of the Industrial Union of Marine and Shipbuilding Workers of America, Local No. 16, Jersey City, N. J., requesting that provision be made to exclude the importation of refined sugar made by cheap tropical labor in order that American workmen can regain the work they have lost; to the Committee on Agriculture.

6239. By Mr. HOUSTON: Resolutions of the board of directors of the Wichita Chamber of Commerce, opposing the passage of House bill 7372 as being contrary to the best interests of the Nation, the States, the consuming public, and the petroleum industry; to the Committee on Interstate and Foreign Commerce.

6240. By Mr. LUTHER A. JOHNSON: Petition of A. B. Walker & Son, of Corsicana, Tex., favoring House bill 7466, to amend part 1 of the Interstate Commerce Act, as amended, with respect to the use of refrigerator cars; to the Committee on Interstate and Foreign Commerce.

6241. By Mr. MARTIN J. KENNEDY: Petition of Private Chauffeurs Union, Local No. 800, New York City, endorsing the program of the Central Trades Council of Greater New York concerning restoration of the prevailing wage on all Government projects; to the Committee on Appropriations.

6242. Also, petition of the American Federation of Labor, Washington, D. C., expressing approval of the work of the Dies committee and urging support for the continuance of the Dies committee; to the Committee on Rules.

6243. By Mr. KEOGH: Petition of Private Chauffeurs Union, Local 800, New York City, concerning the restoration of prevailing wage on all Government projects; to the Committee on Appropriations.

6244. Also, petition of the American Federation of Labor, Washington, D. C., favoring the continuance of the Dies committee; to the Committee on Rules.

6245. Also, petition of F. J. Cacciola, president, Brooklyn Army Base Local 43, of the United Federal Workers of America, concerning the Ramspeck bill (H. R. 960); to the Committee on the Civil Service.

6246. By Mr. LEAVY: Resolution adopted by the Twisp Valley Grange on January 5, 1940, opposing the appropriation or expenditure of more than \$100,000,000 per year for war preparedness; pointing out that large numbers of our citizens are still in need and that the expenditure in excess of this amount for preparedness makes it more certain that the United States will become involved in the conflict abroad; to the Committee on Appropriations.

6247. By Mr. LESINSKI: Petition of John Nestor, of Dearborn, and other residents of Detroit, Mich., urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6248. By Mr. ROUTZOHN: Petition of 70 residents of Dayton, Ohio, and environs, protesting against the levying of excise or any other form of processing taxes on bread and other everyday indispensable necessities of life; in particular, protesting against the passage of Senate bill 2395; to the Committee on Agriculture.

6249. By Mr. SUTPHIN: Petition of the New Jersey State League of Municipalities, opposing the proposed tax on interest on municipal bonds; to the Committee on Ways and Means.

6250. By the SPEAKER: Petition of Local 1250 of United Retail and Wholesale Employees of America, urging the

consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

6251. Also, petition of the American League for Peace and Democracy, Chicago, Ill., urging consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

6252. Also, petition of the American League for Peace and Democracy, Washington, D. C., urging consideration of their resolution with reference to un-American activities; to the Committee on Rules.

6253. Also, petition of the American Youth Congress, New York, urging consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

6254. Also, petition of the American Committee for Democracy and Intellectual Freedom, New York City, urging consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

6255. Also, petition of the State Industrial Union Council, Local No. 151, of California, urging consideration of their resolution with reference to expansion of United States housing program; to the Committee on Banking and Currency.

6256. Also, petition from the office of the city engineer, city hall, Los Angeles, Calif., urging consideration of their resolution with reference to Public Works Administration; to the Committee on Appropriations.

6257. Also, petition of Liga Pro Democracia, San Juan, P. R., urging consideration of their resolution with reference to the grave economic crisis of Puerto Rico; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 24, 1940

The House met at 12 o'clock noon.

Rt. Rev. John Z. Jasinski, D. D., Bishop of the Polish National Catholic Church of America, Buffalo, N. Y., offered the following prayer:

Let us pray.

Our Gracious God and Most Merciful Father, we humbly stand before Thee in worship and supplication. Let us feel the inspiration of Thy presence. May Thy kingdom come more perfectly in our hearts, as we grow in years, may we grow in the beauty of holiness and human kindness. In the days of prosperity may we not forget Thee, and in the days of affliction we know that Thou will not forget us. We thank Thee for Thy watchful providence in the past and for the promise of Thy guidance in the days to come. Enlarge our hearts that we may have a great vision of national righteousness, of civic integrity, of social service, and conquest of international sin.

O God, exalt our purpose; make divine activities of our vocation. O Lord, in our discouragement, speak to us; in our encouragement, speak to us; in our culture, speak to us; in our ignorance, speak to us; in our gracelessness, speak to us; in our graciousness, speak to us.

O Lord, increase our faith in our American institutions, and encourage us to form our plans and assume our duties and responsibilities in accord with Thy holy will. Almighty God, bless our country, make it great for good and liberty. Make us all good, so that we shall all be after God's manifest nation of greatness.

Our dear Heavenly Father, the high and mighty Ruler of the universe, we beseech Thee most heartily, bless Thy servant, the President of the United States, the Members of the House of Representatives of the Seventy-sixth Congress and all others in authority; and so replenish them with the grace of Thy Holy Spirit, that they may always incline to Thy will, and walk in Thy way. Grant them in health and prosperity long to live; and finally, after this life to attain everlasting joy and felicity. Through Jesus Christ our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 419. Joint resolution to extend, for 3 additional months, the time during which articles imported free of duty for exhibition at the Golden Gate International Exposition or the New York World's Fair, may be sold or abandoned.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 6505) entitled "An act to amend an act entitled 'An act to establish a uniform system of bankruptcy throughout the United States,' approved July 1, 1898, and acts amendatory thereof and supplementary thereto," disagreed to by the House and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HUGHES, Mr. HATCH, and Mr. AUSTIN to be the conferees on the part of the Senate.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

EXTENSION OF REMARKS

Mr. PLUMLEY and Mr. BENDER asked and were given permission to extend their own remarks in the RECORD.

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article from the Pacific Rural Press of January 13, including a tabulated diagram.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Washington Post entitled "A Lincoln Memorial."

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SECCOMBE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by the Honorable John W. Bricker, Governor of Ohio.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. WELCH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an excerpt from Brian Hooker's translation of Edmond Rostand's *Cyrano de Bergerac*, as printed in the San Francisco News under the title "Borah Might Have Said It."

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

FINNISH RELIEF

Mr. FISH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FISH. Mr. Speaker, I should like to know what disposition the Speaker has made of the letter sent to the Speaker by the President of the United States about Finnish relief. May I ask if the Speaker has referred that letter to any committee of the House?

The SPEAKER. The communication to which the gentleman refers was not a message addressed to the Congress; it was merely a communication addressed to the Speaker of the House. In view of its importance and of the general interest in it, the Chair had it read immediately to the House of Representatives for its information, and the communication was published in full in the RECORD. The letter has not been referred to any committee of the House.

Mr. FISH. Does this mean, then, Mr. Speaker, that any proposed legislation affecting Finnish relief may be considered by various committees of the House, such as the

Committee on Foreign Affairs, the Committee on Banking and Currency, and so forth?

The SPEAKER. Any measure that may be introduced touching that subject will be referred by the Speaker to the appropriate committee.

CALENDAR WEDNESDAY

The SPEAKER. This is Calendar Wednesday. The Clerk will call the committees.

The Clerk called the Committee on Naval Affairs.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that further proceedings under the call of the calendar may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL, 1941

Mr. LUDLOW. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 8068) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1941, and for other purposes; and pending that motion, may I ask the ranking member of the committee on the other side if it is agreeable that we continue general debate throughout this afternoon, without limitation?

Mr. TABER. I believe that will be desirable. I think we should conclude general debate this afternoon and perhaps read the first paragraph so that we may be started on reading the bill.

Mr. LUDLOW. Then, Mr. Speaker, I ask unanimous consent that general debate on the bill may run throughout the day without limitation as to time; the time to be equally divided and controlled by myself and the gentleman from New York [Mr. TABER], and that at the conclusion of the general debate today the first paragraph of the bill may be read.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8068, with Mr. HOBBS in the chair.

The Clerk read the title of the bill.

Mr. TABER. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, I have today introduced a bill to repeal the National Census of Housing Act of 1939, an act that, if permitted to be administered as now contemplated, will violate the most sacred rights of a free people. It is such a flagrant violation of the sanctity of the home and the intimate affairs of the individual that I absolutely fear that many loyal citizens will refuse to answer these prying questions, thus bringing about thousands of criminal prosecutions, involving fine and imprisonment.

Too frequently under this administration Congress has been urged to delegate its powers to the executive branch of the Government. Invariably when this has been done the language of the acts has been so construed by the Executive as to distort and expand the powers far beyond the intent and purpose Congress had in mind. It would be deplorable if this Congress were to permit a law passed by it to be so construed and administered as to almost force self-respecting citizens, for their own protection, to disobey it.

It is the good citizen to whom we must look for law and order in this country, and this Congress should be the last department of government to unwittingly become the abject tool of totalitarian technique and tyranny.

The housing census should not have been authorized. Its expressed purpose, namely, to aid in the formulation of a housing program, has ceased to be its true objective. Its

real purpose stands revealed. The best evidence that it is not to serve as the basis for a housing program is the fact that the so-called housing bill was defeated the day before this census bill came before the House for consideration. I would call the attention of the Members of the House to the fact that notwithstanding the defeat of the housing bill, there was enacted the following day this subversive housing-census bill, carrying an authorization of \$8,000,000 to inaugurate a snooping program unworthy of this free land of America. It is, however, not unlike the coercive invasion of home and personal privacy which has become the order of the day in Russia and other countries under the tyrannical rule of dictators.

Mr. Chairman, official business made it impossible for me to be present the day this census bill was under consideration; but having heard rumblings that there might be some legislation of a snooping character brought to the floor of the House, I left a pair in opposition to any such bill should one come to the floor for a vote.

I have had the honor to represent a typical American constituency for many years. I claim for those whom I represent every attribute of character and loyal service to our country which one would expect to find as the backbone of true Americanism. They are not averse to answering questions propounded by public officials in the interest of good government, but they resent—and properly so, as free people—the invasion of their private rights and personal privacy by being compelled to reveal information such as is now sought to be obtained under the Census of Housing Act and the question regarding income which is asked for the first time in the population census.

Mr. Chairman, I have received a large volume of mail from my constituents, men and women of whom this Nation may well be proud, who have protested with all the vigor at their command and urged, as true Americans jealous of their rights should do, that this totalitarian program be not put into effect. I wish to quote from a few of these letters which fairly represent the sentiments of my constituents. One citizen writes to me as follows:

We who are fortunate enough to pay income tax have given personal and intimate information to the Government, but not to every Tom, Dick, and Harry in the village, or even among our close friends and acquaintances.

I genuinely object to giving him, or any local person, the amount of my income, for instance. I feel that the Government is getting too close to regimentation in asking for the intimate information required to be asked for when the census is taken. I am voicing this objection, and wish there were some way that this phase of the law could be changed or the information refused.

Another constituent advises me that he has no desire to obstruct or hinder any necessary function of government, but, he says:

I feel that if I am compelled to answer these disagreeable questions it is a violation of my rights as a citizen and householder. I think now that rather than allow this thing to go on I shall choose to be put in jail rather than answer these questions, which can be of no possible use to officials except to further regiment and regulate us.

Summing up, an able newspaper editor advises me:

The American people, it seems, object strenuously to divulging their incomes, mortgages, and other private matters to local enumerators, male or female, and they do not intend to do so unless they are compelled.

In quoting from these letters, I express the hope that no constituent of mine will subject himself to a fine or jail sentence by refusing to answer the questions which the housing census will require unless that act is repealed. I further hope, however, that the House of Representatives will take immediate steps to prevent the army of 120,000 census enumerators from invading the privacy of our 30,000,000 families under the guise of supporting the so-called housing program that has already been defeated by the Congress.

Why spend \$8,000,000 on this hastily mobilized horde of men and women to stir up resentment and bitterness in the hearts and minds of the loyal element of this country? It is so un-American and does such violence to our traditions of freedom and our liberty as guaranteed in the Constitution

that it is a challenge to the Members of this House—who have taken a solemn oath to preserve, protect, and defend every provision of the great charter of our liberties—to take immediate legislative action to repeal this offensive, threatened violation of the letter and spirit of the Federal Bill of Rights.

Mr. Chairman, it may be that many Members of the House have not examined the many obnoxious questions which appear for the first time in our census history. I say "obnoxious," which is a mild word to apply to the interrogatories that some local appointee will submit to the self-respecting citizens in every congressional district in the United States. I would call attention further to the fact that back of every one of the questions is the threat of a severe penalty or a jail sentence if the individual deviates so much as a hair's breadth from the facts which he is required to reveal. I would invite my colleagues in the House to take these blanks and examine them with considerable care because on April 1, or soon thereafter, unless you repeal the act, each of you will be called upon to explain why you supported this inquisitorial invasion of the personal liberties of the people whom you represent.

I invite your attention to a few of the questions to stimulate your interest:

Aa. Present amount of outstanding indebtedness on first-mortgage or land contract; on junior liens.

Bb. Frequency and amount of regular payments on first-mortgage or land contract.

Cc. Do these regular payments include principal reduction? Yes or no. Real-estate taxes? Yes or no.

Dd. Interest rate on first-mortgage or land contract?

Ee. Type of holder of first-mortgage or land contract: Building and loan associations, commercial bank, savings bank, life-insurance company, mortgage company, H. O. L. C. (Home Owners' Loan Corporation), individual, other.

Mr. Chairman, aside from this housing census, the Secretary of Commerce has injected into the regular population census for the first time, by his own admission, questions demanding to know:

Amount of money wages or salary received (including commissions) for the past 12 months.

Did this person receive income of \$50 or more from sources other than money wages or salary? Yes or no.

I call attention to the specific provision of the law which places limitations on the power of Secretary Harry Hopkins to frame questions under this census of population. The act of June 18, 1929, specifically and emphatically provides:

SEC. 4. That the fifteenth and subsequent censuses shall be restricted to inquiries relating to population, to agriculture, to irrigation, to drainage, to distribution, to unemployment, and to mines. The number, form, and subdivision of the inquiries in the schedules used to take the census shall be determined by the Director of the Census, with the approval of the Secretary of Commerce.

Mr. Chairman, it is perfectly obvious that the Congress, when it enacted that law, provided with meticulous care that the census powers granted to the Secretary of Commerce did not delegate more power than specifically set forth in the act but restricted the extent of inquiry which he might pursue. Of course, it was not the intent of Congress that the Secretary of Commerce should have the power to pry into the incomes of our citizens. Consequently, no such question was asked in the census of 1930, nor has it ever been asked before.

Now, I would have the membership of the House refresh its recollection with reference to some of the philosophy that has been in operation in the departments of Government since 1933. I do so because it has a very important bearing on the subject under consideration. There has recently gone out to 5,000 communities an appeal from the Department of Commerce asking that committees of civic leaders be set up to urge cooperation in the coming census. With the appeal there is a report in the nature of a sedative to quiet the nerves of the people who are alarmed and aroused by the questions now to be asked, under penalty, for the first time in our history. You will find in that report this statement:

Census facts have taken on a new value since the Federal Government has embarked on a program of social planning.

Bearing in mind that none other than Mr. Harry Hopkins is head of the Commerce Department and that the Secretary of Commerce is required by law to approve every census question, it is interesting to note the methods suggested by Professor Tugwell for carrying out social planning. I quote from Professor Tugwell:

We begin with small unnoticed changes and end by not being able to resist vast and spectacular ones. * * *

The first series of changes will have to do with statutes, with constitutions, and with government. * * * It will require the laying of rough, unholy hands on many a sacred precedent, doubtless calling on an enlarged and nationalized police power for enforcement.

Mr. Chairman, I know and every Member of the House of Representatives is aware that this country has at last become aroused to a degree where it will no longer tolerate or submit to the technique of planned economy which has been so adroitly, skillfully, and disastrously used by the dictators of Russia and Germany. We know that the planned economy of Russia and Germany required controls which could only be attained by a complete surrender of individual rights. There has been disclosed in recent investigations sufficient evidence to convince the American people that the time has come when every subversive individual and every vestige of his communistic work should be eliminated from every branch of this Government. [Applause.]

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. I yield.

Mr. BENDER. I happened to be here on the day the legislation referred to by the gentleman was adopted, and when the \$8,000,000 additional was appropriated I called attention to the fact that practically all of this information was available to us across the street in the Library of Congress and that it was not necessary to carry on this work. I also pointed out that this money would be used for the purpose of employing New Deal political hacks to go out and do the very thing the gentleman from New York has pointed out; that the Government's money would be used to oil up the New Deal machine.

I have in my hand here a letter dated December 29, 1939, addressed to Miss Mary E. Rhodes, Huntsburg, Ohio. The letter reads as follows:

DEAR MISS RHODES: Replying to your letter of December 27, addressed to Senator _____ in regard to census work, you should secure the endorsement of your Democratic ward and precinct committeeman and place your application with your district supervisor of the census. We do not have the address of the census headquarters, but you will be able to ascertain that locally.

Very truly yours,

Secretary to Senator _____.

This information is being gathered by political workers whose sole object is to keep on the pay roll. These jobs are regarded as a part of the Democratic Party's patronage. The homes and the personal affairs of the citizens are being pried into in order to pay political debts to these local workers.

Mr. REED of New York. I thank the gentleman for his contribution, but I want to say this, however: It runs much deeper into the social and political life of this Nation than the mere taking of the census by a party through its appointees. I say to you that this is a part of a set-up of social planning and regimentation. There is no rhyme or reason in asking these questions, and I say to you that he has no power under the authorization of the law itself, in the regular census, to inquire into the income of people. [Applause.]

Mr. O'NEAL. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. DICKSTEIN].

CROCIFIXION OF POLAND

Mr. DICKSTEIN. Mr. Chairman, the history of Poland covers almost 1,000 years, of which the last 200 are a story of persecution and cruelty. About the same time that the Colonies which now compose the American Union became independent States, Poland was partitioned for the first time. After the partition of 1772 came the partition of 1796 and then the partition of 1798, when Poland lost its

independence and became divided into three parts. One part, the largest, went to Russia, another part next in size went to Austria, and a third part went to Prussia and later became a part of the German Empire.

In 1815, at the end of Napoleon's era of conquest, an attempt was made to resurrect Poland, and around the city of Warsaw European powers created what was known as Congress Poland, and which was given to the Czar of Russia to be united in a personal union, by which the Czar of Russia became also the king of the new Poland. But even though the Czar of Russia continued to call himself the king of Poland or sometimes Czar of Poland, nevertheless no attempt was made to rule the country for the benefit of the Polish people, and little by little all the liberties which Poland was able to salvage after its union with Russia were thrown into the scrap heap. In 1830 and again in 1863 the Polish people rose against the Czar and sought to reestablish their independence, but after each attempt to resurrect Poland new and graver tortures were inflicted on the unhappy people of that country, and finally at the end of the nineteenth century every vestige of independence was taken away from it and Congress Poland became to all intents and purposes a part of the vast Russian Empire, governed for the benefit of the Czar and his satellites.

When the Great War broke out in 1914 Poles served in the armies of three nations, namely, Russia, Austria, and Germany. Austria and Germany were united in interest and waged war against Russia. Polish soldiers were obliged to fight against their own brethren on the other side of the border. Glowing promises were made to the Poles by both sides to the conflict. The Russians promised to reestablish Poland within its old boundaries if Russia were successful and won the war against Germany and Austria. Germany and Austria also made promises to the Poles to reestablish the old kingdom if they were successful in their war against Russia. However, it was necessary for Polish soldiers to fight against their brethren if they were to achieve national independence. The Czar of Russia, of course, wanted to become the king of the enlarged Polish kingdom, which was to be established if Germany and Austria lost the war. The Austrian emperor and the German emperor each had their sons or other relatives in mind as prospective rulers of the new Poland which was going to be set up should Russia be defeated in the war.

What happened in 1917 is well known. The Russians threw away their arms and refused to fight and the Central Powers were engaged in a life-and-death struggle with France and Britain. This was Poland's opportunity, and for the first time in almost 100 years another Polish state was formed with Pilsudski at its head. This state refused from its very inception to live at the mercy of either Germany or Austria or Russia. The Poles decided that the time had come for them to lead their own national life unhampered by any sovereignty not their own. It was then for the first time that it was possible to speak of a modern Poland. It was during the 100 years when Poland was the plaything of other countries that a real Polish national consciousness was developed and a new Polish state was finally created.

The constitution of the new Poland was a very liberal one. Poland became one of the pioneering democratic republics of Europe and sought to create a national life without any distinction of race, class, or creed. This state of affairs, however, did not last very long. Soon dissensions developed, both from within and without. It was Poland's misfortune to number a very large group of non-Polish races within its borders. These racial minorities could not very well become welded into a uniform Polish state. Somehow or other Poland missed her opportunity to create a new nation out of these diversified racial elements. Perhaps there were too many of them. Perhaps there was too much of a racial consciousness among the various Polish minorities. It is very rare for racial minorities to have a real love for a country which treats them as minorities, and the example of Czechoslovakia is perhaps the most interesting of them all.

Here was a country which was organized definitely with the view of giving each national element proper representation and the proper feeling that they were all part of one united community. But apparently this experiment was not destined to succeed. Czechoslovakia came to its doom, not so much because of Hitler's pressure, although, of course, this contributed to Czechoslovakia's downfall, but primarily because its many minorities did not consider themselves truly a part of the state. The same trouble was found in Poland. Unfortunately, its many nationalities did not pull together. As a result, there was an inherent weakness in the Polish state which could have been solved in only one way, and, as I said before, the Polish people missed a glorious opportunity to become a truly united nation. If Poland had felt that all its races and nationalities were entitled to the same treatment and did not consider them as minorities who were merely tolerated, Poland would have had a glorious future, and I doubt very much whether the combined powers of Hitler and Stalin could have destroyed the Polish nation.

Unfortunately, as I said before, Poland missed its opportunity. Perhaps it was not allowed to live long enough to make this experiment successful, but I hope and pray that if Poland is resurrected that it will bear in mind that all its races and minorities are one and that all members of one state are entitled to equal treatment. Should Poland do this and create a truly unified state, it will result in a thoroughly unified nation and the day of national minorities will have passed and the day of national rivalries would cease to be.

This, however, is a matter for the future. At the present time Poland is overrun by the enemy in the east and west. In the east it is Russia, which has carved out for itself a large slice of what we knew as Poland; in the west Germany has occupied the most important sections of the country. By its occupation, Germany, in particular, saw fit to transplant its philosophy of hatred to the Polish Commonwealth. Germany now persecutes all who are not German, and particularly the Jews, whom she is seeking to exterminate in every possible way.

Much as the Jews had cause to complain about the treatment which was accorded to them by the Polish, much as they resented the fact that in the institutions of learning separate ghetto benches were provided for Jews and that a good many occupations were closed to them, and that there were very few Jews who saw the inside of a government office, nevertheless Jews are ready to forget their Polish persecutions in the light of what is being done to them by their German oppressors. German oppression threatens Jew and gentile alike. Poles of all races and ages are being treated like slaves and an inferior race. Perhaps this common danger and common suffering which Jew and gentile are alike exposed to will result in a greater love of one branch of the nation for another. Perhaps out of this crucible there will arise a new and united nation which will face the future with more confidence than Poland has heretofore done.

Mr. Chairman, the press has been furnishing information about the atrocious conduct of the German and Russian authorities which are now in occupation in what used to be Poland. While all our sympathies at present are centered on the valiant struggle which the brave little Finnish nation is waging against overwhelming odds, we cannot forget the Polish situation, and it is my duty as a Member of the House to bring to your attention in as detailed a manner as I can what is going on under the Nazi terror in Poland.

His Holiness Pope Pius XII caused a statement to be issued which appears in the New York Times of January 23, 1940, and which is substantially to the effect that while conditions are bad under both the Soviet and the German regime in former Poland, conditions in the German-occupied part are infinitely worse. And, sad as the plight may be of all the inhabitants of Poland, the plight of the Jewish members of that community is infinitely worse.

Let me quote to you from the New York Times of January 23:

TWO HUNDRED AND FIFTY THOUSAND JEWS LISTED AS DEAD IN POLAND—REPORTS TO JOINT DISTRIBUTION COMMITTEE COVER PERIOD SINCE OPENING OF WAR—HEAVY TOLL IN EPIDEMICS—ECONOMIC LIFE IS "COMPLETELY STRANGLER," IT IS SAID, AND THOUSANDS LACK SHELTER

More than 250,000 Jews have been wiped out in Poland by military operations, disease, and starvation since September 1, according to an estimate released yesterday by the Joint Distribution Committee on the basis of reports it has received. It added that 80 percent of the remaining 1,250,000 Jews in the German-occupied area have been "reduced to beggary."

Typhus epidemics are raging in Warsaw, Lodz, and many other towns, and their virulence is augmented by the widespread starvation and exhaustion, the committee said. Economic life has been "completely strangled," and hundreds of thousands of families, uprooted from their homes, wander along open roads, seeking a shelter. Women, aged men, and children are "subjected to countless indignities."

Although the suffering from starvation, epidemics, pogroms, persecutions, and wholesale expulsions is most acute in the German-occupied territories, there is also great hardship in the Russian-occupied section, where 600,000 Jews have taken refuge, and among the refugees in the bordering countries, according to the report of the committee.

TWENTY-FIVE HUNDRED SUICIDES REPORTED

In Nazi Poland 2,500 Jews are reported to have committed suicide, and their number is being increased daily, according to the committee, while "many hundreds" have been summarily executed. Hundreds of others have been and still are being held for ransom, the report says. The wearing of a yellow arm band bearing a six-pointed star has been instituted in many cities.

"Not the least of the hardships confronting the Jews of Poland are their fears for the future," the report says. "The institution of a ghetto in Warsaw, which would have crowded 350,000 people into a few square blocks, half of whose buildings were destroyed by bombardment or fire, was officially ordered, but has been delayed because of fear that epidemics might spread to the rest of Warsaw's population."

"The search for corpses in the debris of the bombed Jewish sections of Warsaw continues even today. Rumors that the Nuremberg racial laws are shortly to be introduced have added to the panic of Poland's Jews."

The committee's statement confirmed previous reports that the German authorities have decreed that Lublin is to become the hub of a Jewish reservation where not only all of Poland's Jews but the Jews of old Germany, Austria, Bohemia-Moravia, and Slovakia are to be concentrated. At the end of 1939 more than 40,000 Jews had been dumped into Lublin, the committee said, and no organized help is permitted in behalf of these refugees.

The borders between the German- and Russian-occupied areas, as well as between the German area and Lithuania, are "peppered with 'no man's lands,' where small groups of Jews are huddled under conditions of the utmost misery, unable to advance or retreat," the committee said. It praised the self-sacrifice and devotion the small Jewish communities of these districts were said to have shown in aiding the refugees.

HOUSING CONDITIONS BAD

There are about 900,000 refugees in the Russian-occupied area of Poland, 70 percent of them Jewish, according to the information reaching the committee. Housing conditions were said to be especially bad, with 300,000 homeless refugees crowded into Lemberg, 120,000 in East Galicia and its Provinces, 100,000 in the cities of Rovno, Lutsk, and Kowal, and 60,000 in Bialystok.

Although food is distributed under government auspices in public soup kitchens in this area, the number of such stations is insufficient and it is difficult for a refugee to get the single meal a day to which he is entitled, according to the committee. There are severe shortages of warm clothing, shoes, medicine, and fuel, and there is a lack of medical attention for the numerous cases of typhoid.

The situation of the 25,000 Jewish war refugees in Lithuania, most of whom are located in Vilna, was said by the committee to be "severe," but the situation of several thousand other refugees in Rumania, Hungary, and Latvia "has now been brought under control" with funds supplied by the joint distribution committee. The report told in detail of relief work done by the committee in the other stricken areas.

As far as any real news items from Poland are concerned, Poland, whether occupied by the Soviets or by the German Army, is a great blank spot. The press is virtually excluded. Very few persons are allowed to go into the country and make a real study of conditions on the spot. It is therefore with great interest that I was able to collect material from news items cabled by the Jewish Telegraphic Agency, and I feel that it would be of interest to the House to submit this material to you as a part of my speech.

RAPE BY TROOPS, HANGINGS, EXPULSION OF THOUSANDS RELATED IN LETTER FROM LODZ

PARIS, January 10.—Rape of Jewish women by German soldiers and officers, hangings of Jews, and expulsion of thousands to the

Lublin "reservation" were described in a reliable report which reached this correspondent from Lodz, Nazi Poland, today. Some of the events related in the report are unprintable. The account, which is dated January 1 in Lodz, describes the situation in that city as follows:

All Jews of Lodz were originally ordered to leave the city by January 15, but the Nazi authorities, realizing that this would be impossible, postponed the dead line to March 1. Meanwhile the Gestapo is packing thousands of Jews daily into cattle trains directed to Cracow, Warsaw, and Lublin. The Lublin Jewish community has been ordered by the Gestapo to prepare barracks for 15,000 persons. The expulsions are officially explained by the Nazi authorities as punishment for the refusal of the Lodz Jewish community to supply women for the military brothels.

Twenty-four members of the Jewish Community Council were arrested in connection with this refusal. After being held in prison for several weeks, they were sent on December 28 to Cracow, seat of Dr. Hans Frank, Nazi civil governor of Poland.

Despite the Nuremberg "racial purity" laws, Nazi soldiers and officers drag Jewish women from their homes to military trains, where they are raped. The whereabouts of many of the women remain unknown, but a large number of them are known to be held in military brothels. Jewish parents, anxious to protect their daughters, are exerting all possible efforts to send them to Warsaw and Cracow.

Meanwhile, in order to mislead public opinion abroad about the treatment of the Jews, the Gestapo forced 400 Jews into a synagogue, where they were directed to don their prayer shawls and pray while they were photographed with moving-picture cameras. They were then led into a restaurant, where food was abundantly laid out on white tablecloths and were ordered to sing and look merry for the benefit of the photographers, but were forbidden to touch the food. After the filming was completed the Jews were taken away for forced labor.

A number of Jews and Poles were hanged for "conspiring against Nazi interests" and their bodies remained suspended for 48 hours in the Balut quarter, the poorest section of Lodz.

Panic among the Lodz Jews was described in the report as "unimaginable." Many Jews pay as much as 1,000 zlotys for a taxicab to take them to Warsaw, 2 hours away. The fare by train would be 10 zlotys if they could obtain tickets.

The Jewish community council, which received the order to clear the city of Jews by March 1, can hardly cope with the task. Under the Gestapo's supervision the council daily packs thousands of Jews into cattle cars going mainly in the direction of Warsaw and Cracow, but the trains move very slowly, sometimes taking 8 days or longer, during which the Jews suffer from cold and lack of water and food. One such train reached Warsaw with eight children dead. The trains from Lodz to Lublin are few. Their number is expected to increase when the barracks in Lublin have been completed.

Jews are given 3 days' notice to vacate their apartments in Lodz and directed to leave behind their furniture and other property. These apartments are then given to Germans repatriated from Baltic countries.

The report emphasizes that the 70,000 Germans in Lodz are cooperating completely with the Gestapo and are receiving confiscated Jewish enterprises as compensation.

NAZIS ORDER POLISH JEWS TO SET UP NEW COMMUNITY COUNCILS

PARIS, January 10.—The text of a decree issued by Dr. Hans Frank, Nazi civil governor in Poland, requiring establishment of new Jewish community councils to carry out orders of the German authorities, reached Paris today. The decree follows:

"1. A Jewish representation is to be formed in every Jewish community.

"2. This representation, to be called the Judenrat, is to be composed of 12 persons in towns of population up to 10,000 and of 24 persons in towns where the population is over 10,000. These persons must be local residents and are to be elected by the Jews of the given community. In case one member of the Judenrat departs, another is to be elected immediately.

"3. The Judenrat is to elect, from among its members, one person as the head and another as the substitute.

"4. The list of members of the Judenrat must be submitted to the regional and municipal authorities, who will decide whether the composition of the Judenrat is acceptable. They are also authorized to change the composition of the Judenrat with new persons.

"5. The Judenrat is obligated, through its head or through his substitute, to receive the orders of the German authorities and is responsible for the carrying out of these orders to their full extent. All Jews and Jewesses must obey the provisions contained in these orders.

"Governor General FRANK."

Here is another dispatch, this time dealing with the typhus epidemic:

NAZIS ORDER POLISH JEWS TO DECLARE PROPERTY; TYPHUS DEATHS MOUNT IN WARSAW

PARIS, January 12.—The Nazi authorities in Poland have ordered Jews owning more than 2,000 zlotys in cash and property to declare all possessions by January 19, it was reliably reported today.

The decree, climaxing the confiscation of Jewish property through collective fines and expropriation of Jewish businesses, was interpreted as foreshadowing the final pauperization of the Jews in Nazi-occupied Poland.

Included in the inventory which Jews must declare are all household goods, furniture, silverware, clothing, and movable possessions. The measure was apparently prompted by the fact that Germans repatriated from Baltic countries, who were being moved into Poland, were arriving without household goods and clothing reserves.

The French radio yesterday broadcast a report quoting the Berlin correspondent of a Dutch newspaper who described persecution of Jews in Poland and asked: "Why is not the world taking any cognizance of the plight of the Jews in Poland?"

A report received by the J. T. A., correspondent from Nazi Poland, said that confiscation of Jewish property was proceeding at a rapid pace, with the Jews denied any recourse to the courts.

It was also declared that mortalities from typhus were mounting among Warsaw Jews. The Warsaw Jewish hospital now has 1,200 typhus cases. During November alone 800 Jews in the former Polish capital died of the disease. The Jewish hospital lacks sufficient medical supplies and is unable to provide adequate treatment. In some Jewish sections, where typhus is particularly prevalent, signs have been posted: "German soldiers prohibited from entering this street because of typhus among the Jews."

(The typhus epidemic has resulted in a "great number of dead among the Polish population," it was reported by Sonia Tomara in a Bucharest dispatch to the New York Herald Tribune. Refugees from Poland were quoted as reporting a grave fuel shortage in Warsaw, Cracow, Lwow, and other cities, with typhus resulting from an intense cold wave.)

In spite of the fact that the Germans are very proud of their racial laws, they do not very seriously object to raping Jewish girls. Here is a dispatch from Paris:

NAZI TROOPS RAPE 40 JEWISH GIRLS IN WARSAW

PARIS, January 14.—Authenticated reports of rape of Jewish girls by German soldiers and officers in Nazi-occupied Poland were received here today. The seizure of Jewish girls was carried out despite the Nuremberg racial laws, which prohibit relations between Aryans and non-Aryans.

One incident, details of which have been checked, occurred in Warsaw. German army officers took over an apartment at 8 Piusa Street which had belonged to M. Szereszewski, prominent Warsaw Jew, who is now a refugee outside Poland. Officers and soldiers then carried out a raid, in broad daylight, on Jewish houses in a nearby street and seized about 40 girls, most of them between the ages of 18 and 20, and transported them to this apartment. The girls were then stripped and were ordered to perform nude dances. Afterward all of them were violated, and they were held in the apartment until the early hours of the morning.

Reports said this was only one incident of many occurring in Warsaw daily. It has become dangerous for a Jewish woman to be seen on the streets of the former Polish capital, it was said. Similar accounts were received from the Polish provinces.

And here are a few miscellaneous items:

VIENNA JEWS HELD IN OPEN SPORTS FIELD; MANY DIE OF EXPOSURE

BUCHAREST, January 14.—Several thousand Jews in Vienna are being held in an open-air sports stadium, where many are dying of exposure and ill treatment, according to reliable reports reaching Bucharest. Most of these Jews are Polish citizens or stateless.

Their families are informed, at an average rate of 50 weekly, to call at the stadium, where they are given the prisoners' corpses on payment of 300 marks each.

It was also reported that 1,700 Jews had been transferred from Vienna to the Lublin Jewish reservation in Poland during December, of whom only about 300 remained in Lublin and the rest fled, barefoot and half naked, across the Soviet border. Another transport waited in Vienna for several days for shipment to Lublin, but instead its members were interned in a concentration camp in Vienna where the Jewish community was obliged to feed them.

GHETTO EDICT IN VIENNA

AMSTERDAM, January 14.—The Nazi authorities in Vienna have issued a new order to concentrate the city's Jews in a few ghetto districts, it was reported here today. These districts are the Leopoldstadt, Alsergrund, and Brigittenau. Jewish owners of flats in these districts were ordered to accept as lodgers Jews evicted from apartments in other districts. No room in a Jewish flat may be occupied by fewer than two persons, except for the owner of a flat, who is allowed to have a room for himself.

NAZI RACE THEORY HELD QUINTESSENCE OF TYRANNY

GLASGOW, January 14.—The Nazi theory that nothing matters but the development of the race and the success of the state was described by Sir John Simon, Chancellor of the Exchequer, as "the quintessence of tyranny." Sir John spoke at St. Andrew's Hall here yesterday.

(The Associated Press reported from Berlin that the Jewish ration cards for the period of January 15 to February 11 have been invalidated with regard to "coupons for a total of 125 grams (almost 4½ ounces) of meat and all coupons for podded vegetables, such as peas, beans, and lentils." The dispatch, which confirms J. T. A. reports dated from Paris and neutral cities in recent weeks on discrimination practiced against Jews in rationing, adds that

Jews have also been denied certain general ration cards recently issued to Germans enabling them to obtain extras when the Nazi regime is able to make allotments beyond the regular daily ration.)

Polish sources in Paris reported that in Radom, Poland, where Poles and Jews were imprisoned in camps, a system of four categories for distribution of food had been set up, with Jews in the last group and receiving virtually no food at all. Those in the first category received less than half a pound of bread and a soup mixture per day, it was said.

Reliable information received by this correspondent from Warsaw said the Jewish community of Lublin, principal city of the Jewish "reservation" in Poland, was unable to construct barracks for 15,000 Jews as had been ordered by the Gestapo, and feared the consequences if the barracks were not ready at the end of the time allotted.

In Warsaw the Jewish community was ordered by the Gestapo to submit a report on the present situation of the Jewish population and on the activities of workshops where Jews are being trained for new vocations. The Gestapo has also demanded of this community a report on the Zionist movement in Poland.

NAZI TROOPS SHOOT 83 JEWS IN DRIVING 400 OUT OF POLISH TOWN

PARIS, January 14.—German troops have driven some 400 Jews out of the Polish town of Hrubieszow, near Lublin, shooting down 83 who were not able to flee quickly enough, it was reported here today. The expulsion was ordered by the new military commander of the town, who previously had carried out a mass execution of Jews in the public square of Kalisz.

The commander ordered all Jewish males of Hrubieszow between the ages of 16 and 60 to gather in the public square. Many of them, fearing such a massacre as occurred in Kalisz, instead fled from the town, and only 400 appeared in the square. These were then driven by German troops to the outskirts of the town and from there into the fields. Eighty-three who did not run fast enough were shot and the remainder hid in the woods.

Local Polish Christians, horrified by the event, sent a delegation to the commander to appeal for mercy for the Jews, but he replied that he considered the expulsion and slayings as a warning to the town's Jews to hasten their departure.

To speed the expulsion of Jews from the Polish provinces, apparently to make place for repatriated Baltic Germans being sent into occupied Poland, the Nazi authorities have ordered Jewish small traders and artisans to apply to the economic department of the Gestapo for renewal of their licenses.

While in Warsaw some Jews succeed in obtaining licenses if they can prove that they have stocks of merchandise, the issuance of permits to Jews in the provinces is much more restricted.

That these are not sporadic instances, but that all of them are part of a diabolical plot to destroy Jewish population in Central Europe, can be seen from the following dispatch:

HITLER DEMANDED EXTINCTION OF JEWS IN HUNGARY, RUMANIA, YELLOW BOOK REVEALS

PARIS, January 16.—Annihilation of Jews in Rumania, Hungary, and other countries was stressed as a primary German objective by Chancellor Hitler and Foreign Minister Von Ribbentrop in conversations with Czechoslovakian Foreign Minister Chvalkovsky a week before the Nazi occupation of Prague, it is asserted in a Yellow Book issued this week by the French Government.

The assertion is contained in a report made from Prague on February 7, 1939, by V. de la Croix, French Minister to Czechoslovakia, to French Foreign Minister Bonnet, and is based on talks between De la Croix and Chvalkovsky.

"From the impressions gathered by Chvalkovsky in his talks with Hitler and Ribbentrop," the report states, "the most striking thing appears to be the importance which Hitler and Ribbentrop attached to the Jewish question, which was out of all proportion to the importance of the subjects under discussion. The German Foreign Minister, as well as the Chancellor, both emphatically declared that it was impossible to give a German guaranty to any state which did not eliminate the Jews."

According to Chvalkovsky, the German leaders made the following declaration to him: "Do not misunderstand our sentimentality and slowness in handling this problem. Our good will emanated from weakness, and we regret it. This vermin has to be eliminated. The Jews are our sworn enemies, and there shall be no Jew left in Germany at the end of this year."

"It is not the French, nor the Americans, nor the English who are responsible for the difficulties which exist in our relations with Paris, London, or Washington. The responsible ones are the Jews. We shall give similar advice to Rumania, Hungary, and other countries. Germany will try to create a bloc of anti-Semitic states, because she will not treat as friendly any state in which the Jews, whether through their economic activity or their high public functions, have any influence whatever."

This is a sample as to how the German Government is treating the Jewish population in the section of Poland which the German Government itself designated as a Jewish reservation:

STARVATION FACES 35,000 LUBLIN JEWS AFTER 3-MONTH NAZI REIGN OF TERROR

COPENHAGEN, January 1.—Eyewitness accounts of a Nazi reign of terror against the 35,000 Jewish residents of Lublin, hub of the

reservation, were related here today by reliable persons who have just arrived from the territory.

For more than 3 months the city's Jews were the victims of pogroms, systematic plunder, and torture. Those of the regular residents still left in Lublin are stripped of all their worldly possessions and are doomed to starvation, the refugees said.

Twice the Nazi authorities imposed huge collective fines on the Jews. The first was for 500,000 zlotys (\$100,000 at pre-war rates). This later was reduced to 320,000 zlotys and collected in 3 days. The second fine was 300,000 zlotys in cash plus 500,000 zlotys' worth of gold. This was imposed after a secret wireless station had been discovered in a Polish students' hostel. In this connection, also, 6 priests and 30 students of the Lublin Catholic University were executed.

All Jews, irrespective of their age or sex, were forced to wear on their overcoats a yellow Mogen David (Jewish star) 10 square centimeters in size. Not a single trade or profession was left open to the Jews. Pogroms were repeatedly staged. Hundreds were subjected to torture, many dying of their wounds. Virtually every Jewish shop, house, and apartment was stripped of fixtures, furniture, and valuables.

Synagogues, including the famous Maharschalschul, were similarly plundered and used to accommodate deportees from other parts of Poland and the Reich who were being dumped into the reservation. Jews living in non-Jewish sections of the city were evicted from their apartments on half an hour's notice. Their apartments were turned over to Poles evacuated by the Nazis from Silesia and Pomerania. The Jewish community was ordered to register all Jews from the ages of 18 to 55. No reason for the registration was given.

The buildings of the famous Jewish religious college, Yeshivat Hahmei Lublin, were transformed into a barracks for Nazi storm troopers and a frightful torture chamber. Torture of Jews caught in the streets adjacent to the college was a daily occurrence. Not less than 60 percent of the younger generation has fled from the city.

A similar reign of terror prevailed in the city of Chelm, second largest in the Province, with a Jewish population of more than 25,000. All Jewish notables were arrested and a number of them, including the physicians Zuckerfein and Ochs, were shot. Pogroms and plundering of Jewish property were conducted repeatedly. On one cold December day more than 2,000 Jews were rounded up in the market place and ordered to leave the city. They were driven to an unknown destination, reportedly the Soviet frontier. Many perished of torture and exhaustion.

Another dispatch describing conditions in the "reservation":

THIRTY THOUSAND DUMPED IN "RESERVATION"

COPENHAGEN, January 1.—More than 30,000 Jews have been dumped into the Jewish "reservation" in the Lublin area of Nazi Poland, it was reported by newly arrived refugees from that territory. Of this number, 12,000 have come from the old Reich, 3,000 from Austria, 4,000 from Bohemia-Moravia, and 10,000 from Polish areas, including 7,000 from Kalisz, 2,000 from Sieradz, Koin, Kolo, and Unijow, and 1,000 from the Suwalki region.

According to the arrivals, the "reservation" embraces the districts of Lublin, Chelm, Grubiezow, and Wlodawa, but the majority of the deportees are brought to the city of Lublin. Each is allowed to have 25 marks and 25 kilograms of luggage. The deportees are put off the trains during the night. Often the trains are stopped in the field between two stations and the passengers are ordered off and told to find their way in the intense cold and darkness to some settlement.

There is none to assist the deportees, no arrangements for their reception, no organized help of any kind, no housing accommodations, and no food stations. The completely ruined and plundered Jewish community of Lublin is unable to do anything for the new arrivals.

The more fortunate of the deportees are taken into congested Jewish flats, which frequently shelter as many as 10 families. There is no bedding. Hundreds sleep in synagogues where no services have been held for more than 3 months.

The New York Post of January 22, 1940, contains the following story of conditions in the "reservation":

ONE THOUSAND NINE HUNDRED JEWS SLAUGHTERED BY GERMANS IN POLAND—SURVIVORS OF 4-DAY MARCH DRIVEN INTO RUSSIA, THEN BACK ACROSS BOUNDARY

GENEVA, January 22.—Authenticated details of the massacre of a number of Jews conservatively estimated at 1,900, who lived in Chelm and Hrubiaszow in the Lublin Province of Nazi-occupied Poland, near the Soviet border, were received here today.

The slaughter occurred during a 4-day enforced march of several thousand Jews to the Bug River, which divides German and Soviet Poland at that point.

The official German news agency issued only this report on the massacre:

"An attempt of the Jews to revolt in the Chelm and Hrubiaszow districts was ruthlessly suppressed."

The actual events were as follows:

On Thursday evening, November 30, the Nazi authorities in Chelm ordered all Jews between the ages of 15 and 60 to appear at 8:30 o'clock next morning in the market square. No reason for the order was given. To insure compliance, the Nazis took 20 prominent Jews as hostages.

Many Jews, fearing the worst, fled on Thursday evening and Friday morning. But the majority of the Jews appeared at the specified time.

When about 2,000 Jews had assembled, they were surrounded by Nazi auxiliary police, Elite Guards, and a small detachment of soldiers armed with machine guns. Gestapo officers addressed the Jews, informing them that the Jews of Chelm had been sentenced to be deprived of civil rights and expelled from the town.

The Jews were then ordered to sing Jewish songs and were kept in the square until 12:30 p. m. Their wives, mothers, and sisters, who had collected in adjacent streets, were repeatedly dispersed by the police, and many were beaten. Their desperate cries for the return of their loved ones were ignored.

At 12:30 the Jews were ordered to line up in military formation. They were surrounded by Nazi soldiers riding lorries and motorcycles and were marched off on the highway in the direction of Hrubiaszow. The women were forbidden to follow and those disobeying were driven back.

TWENTY ARE EXECUTED

A few kilometers from Chelm, near a military hospital situated in the woods, the party was halted and told that 20 would be executed. Twenty were then picked out and were marched off into the woods, from where shots were shortly heard, accompanied by screams.

The rest of the party was then driven on again at a quick pace. Those falling from exhaustion were shot dead on the spot. The bodies of those thus executed were later found scattered along the road. Two Polish peasants hired by a Chelm Jewess to follow the party and determine the fate of her husband counted more than 600 bodies between the wood where the first execution occurred and the township of Bialopol, 36 kilometers from Chelm on the road to Hrubiaszow.

On Friday evening the remnants of the Chelm party reached a village 2 kilometers from Hrubiaszow and were ordered to camp in the fields. The camp was lit up with searchlights to prevent any from escaping.

Meanwhile the Nazis in Hrubiaszow issued a similar order to local Jewish males between the ages of 15 and 60 to appear on Saturday morning at a specified place outside of the town. Unaware of the fate of the Chelm Jews, more than 2,000 Hrubiaszow Jews assembled between 7 and 9 o'clock on Saturday morning.

VALUABLES CONFISCATED

Four hundred were freed and were told to return home. The others were lined up and were told they had been sentenced to expulsion. Their documents and valuables were confiscated and they were told they would be taken to the Soviet frontier.

At 9:30 a. m. the remaining Jews from Chelm arrived and joined them. It was estimated the party now included 1,100 Jews from Chelm and 850 from Hrubiaszow. Before being marched off they were told that those who returned would be treated as spies and executed.

Although the frontier was only 4 kilometers distant, the Nazis took the Jews by a roundabout route, covering more than 50 kilometers, chasing them across fields, woods, and marshes from Hrubiaszow to Mieniany, Cuchoburze, and Dolbyszow.

Every 5 minutes the Nazis ordered those who were tired and unable to continue to stand aside. These were shot dead and their bodies were left lying in the fields. During the march, Jews were not given food or drink, and those trying to leave formation to take water from ditches were shot dead.

TOLD TO CROSS RIVER

When Dolbyszow was reached, the survivors were divided into 2 groups, one numbering about 550 and the other about 400. Thus, 1,700 in all had been shot between Chelm and Hrubiaszow and between Hrubiaszow and Dolbyszow.

The larger party of 550 was marched off toward the frontier town of Sokal, and the party of 400 toward Belzy. Of the smaller party, only a few were shot before reaching the bridge over the Bug River, but of the larger party 250 were slain.

Thus, during the 4-day march a total of 1,950 were killed.

The 2 parties reached Sokal and Belzy, respectively, on Monday, December 4. At the Sokal bridge the 300 survivors of the 550 group were counted and were told that anyone failing to cross the river, either over the bridge or by swimming, within 20 minutes would be shot. Before crossing the Jews were allowed to have a meal of dry bread and water brought by Christians of Sokal.

On reaching the Soviet side, the Jews had to wait 3 hours and then were given the decision of the Soviet authorities that they had to return to the German territory. Despite desperate resistance, they were taken across the frontier by the Soviet guards and turned over to the Germans.

ORDERED BACK ACROSS RIVER

At 7 o'clock in the evening the Jews were told by the Nazis that they would be shot unless they crossed the river again, at their own risk, at 6 o'clock the next morning. A number swam across and succeeded in entering Soviet territory undetected. The rest were arrested by the Soviet authorities but were not sent back. A few found refuge in neighboring villages on the German side.

The 400 brought to Belzy crossed into Soviet territory, though they were not admitted at first. A number of Jews at both Sokal and Belzy were drowned in attempting to swim across the river. Many who succeeded in crossing were taken to Soviet hospitals, where several died.

During the 4 days of the march the Jews were given only 1 loaf of bread daily for each 30 men.

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Among those killed was Isaac Lewenfuss, 55 years old, who had been the bookkeeper of the Hrubiaszow People's Bank. He was completely exhausted and unable to carry on after arriving 15 kilometers from Hrubiaszow. When he was ordered to lie down, which was the prelude to execution, his 20-year-old son, Mendel, offered to die in his place, but the offer was refused.

The youth then declared: "Then shoot me together with my father."

A storm trooper said: "Oh, you are volunteering to die. Very well, it's very nice of you."

Father and son were then shot together while locked in embrace.

Among others executed were three members of the well-to-do Chelm family Lewenstein.

To summarize: German brutality knows no bounds. The Hun is on the rampage. Will the civilized world sit idly by and offer no protest against these intolerable conditions?

It almost seems that the conscience of mankind has taken a holiday.

Mr. Chairman, I know that what I have said and may say about the plight of former Poland may not seem so important to some people of this country preoccupied with Finland. I want to call their attention to the fact, however, that I, too, am sympathetic with Finland, as well as all the other persecuted people of Europe. Naturally we have no business there, and we cannot go and fight other people's battles, but we are a great democracy which should try to help those in distress. It is known all through the world that we fed the unfortunate abroad during the last war and during many other wars, and much has been said about Finland and about what we are trying to do for that great little country, which is putting up such a great fight. However, little has been said about the destruction of the little democracy of Poland. In the last war we were responsible for creating that country or that Polish state. In this war Poland has been raped by both the Nazis and Communists.

I wonder how many Members of this House know the number of people that are being slaughtered every single day in the week by the Nazi government. I wonder if anyone in this country has raised a voice to God and to humanity and to this great democracy to do something for the suffering, poor, unfortunate people who are dying of starvation by the thousands when we have such a plentiful supply of food in this country. There are many millions of American citizens who would be glad to contribute to a fund to provide food and care for these unfortunate victims who are being tortured to death.

I have some very important information that came to me, Mr. Chairman, a few days ago from the inland of Poland, in a city under the Nazis, where they practically destroyed every Protestant and Catholic church. I do not need to repeat what they have done to the Jews. They have been on the first-line trenches, and until a week ago, if my figures are correct, they had slaughtered one-hundred-and-some-odd-thousand women and children in cold blood and without any justification whatsoever. The Nazi police in Poland have thrown Catholics, Jews, and Protestants into concentration camps, and in many instances have shot them at sight. When the Nazi police are forcing pure women to become prostitutes and forcing decent women to have illicit intercourse with these so-called Nazi police they do not discriminate between Catholics or Jews or Protestants. I say to you and to the American people that today in Nazi Poland every girl over 10 years is forced into prostitution unless she wishes to die by a bullet.

Civilization is quiet. Why? We talk so much about Finland, and we have so much sympathy for other minorities, yet the world does not know what is going on with two or three million people in the territory of the former Poland. Yes; it is true, my people are getting the worst of it. They do not even give them a chance to turn around before they shoot them. Not only have they confiscated their property and pauperized them, but they are killing them at the rate of an average of two or three hundred a day. The Pope in Rome, in an article in yesterday's New York Times and today's New York Times, which I will ask permission to include in my remarks, has made a protest to the world against the persecution, prosecution, and destruction of humanity. The American people, this great democracy of ours, this great humane Government, this great Congress of the United States, ought

to make some gesture to the world. There ought to be some way by which we can bring pressure upon the Nazi Government to stop this prostitution by their police, and stop the killing of hundreds of thousands of people daily.

[From the New York Times of January 24, 1940]

VATICAN DISCLOSES MORE REPORTS OF GERMAN ATROCITIES IN POLAND—WHOLE WEIGHT OF PAPACY BEHIND DENUNCIATION—PERSECUTION OF CLERGY AND EFFORTS TO SUPPRESS RELIGION DESCRIBED

ROME, January 23.—The Vatican City radio station made two more broadcasts today, adding many details to the atrocities that supposedly are being committed in German-occupied Poland. It is now clear that the Papacy is throwing the whole weight of its publicizing facilities into this exposé of conditions which, yesterday's broadcaster said, "profoundly pained" the Pope.

The material for these talks, it is now learned, forms what amounts to an unofficial Blue Book compiled by the office of Cardinal Hlond, archbishop of Gniezno and Posen, here in Rome. It is in the form of a memorandum of 40 pages, or about 12,000 words of material, that the cardinal feels has been fully authenticated.

Only the surface of this mass of facts has been scratched by the three broadcasts thus far made, and it is most likely that other talks will be given. Some of the material, it is stated, is too horrible to be given over the air or printed.

The memorandum was compiled from information brought to Rome not only by Polish priests who escaped into Rumania or Hungary, but also by civilians and through diplomatic channels.

COPY WENT TO POPE

Of these, one went to the Secretariat of State and was automatically passed on to the Pope. That explains how the radio announcer yesterday was able to say that the Pontiff had been shocked. The second copy went to Father Vladimir Ledochawski, superior general of the Jesuits, who is a Pole, and the third copy was turned over to Father Soccorsi, head of the Vatican radio, for use in the broadcasts.

Both of today's talks were in English, one at 2:30 p. m. and one at 8 p. m. They were the regular news broadcasts and not confined solely to Poland, but each talker devoted about 10 minutes to the subject. They started by repeating what was said yesterday and then added many new details. Here are some of the facts presented by the speakers:

In Gniezno, for instance, a majority of the clergy were arrested, most of the schools closed, and worship limited in the churches to only 2 hours weekly. Religion cannot be taught in those schools that are remaining open and crucifixes have been taken down from the walls.

Since September all churches in the districts of Inowroclaw, Szubin, Znin, Wyrzysk, and Wrzesnia have been closed. Later many priests were imprisoned, others sent to concentration camps, and still others sent into Germany or to the suburbs of Warsaw and forced to do manual labor. Troops are quartered in the seminary of Gniezno.

In Posen the cathedral and the parish church have been closed. The Collegiate Church of St. Mary Magdalene is being turned into a dance hall.

DEPORTATION DESCRIBED

"The unhappy population had to make room for Germans who arrived from other countries," said this evening's speaker. "We would not refer to this if the forced immigration had been carried out in a loyal way, but here, too, loyalty forbids us to remain silent.

The systematic transportation of Poles from Posen, Pomerania, and Silesia to the so-called Central Government protectorate began in November.

"People were told to leave their homes at 10 minutes notice. They were not allowed to take anything with them. After being escorted to the station, they were locked up in trains and driven to some small station in the neighborhood of Warsaw and left there to their fate. Some of these rides took place in open cars while the temperature was several degrees below zero. Others were transported in closed train cars and were only allowed to leave them after 3 days.

"On November 9, 300 families were transferred from Gniezno. On December 3 an additional 150 families followed. At Inowroclaw, on the night of November 30, about 1,000 families were assembled in the market place and packed into goods trains, which left for an unknown destination. In the middle of December 1,500 persons were in a like manner transported from Znin, and all these people and many more were left in the direst poverty with the specter of famine before their eyes."

[From the New York Times of January 23, 1940]

VATICAN DENOUNCES ATROCITIES IN POLAND; GERMANS CALLED EVEN WORSE THAN RUSSIANS

ROME, January 22.—An outspoken denunciation of atrocities in Poland was made over the papal radio station this morning. Germany, as well as Russia, was strongly criticized in this authorized talk, which spoke of the Pope as being "profoundly pained."

While these broadcasts are not official, they are delivered by a priest and carefully controlled by the papal Secretariat of State. One may take it for granted that today's attack expresses a view that the papacy is willing to see presented over the Vatican's own radio. As is always the case, however, authorities would not say who composed the talk or whether the pontiff sanctioned it.

"It is no longer a secret that His Holiness has been profoundly pained by reports that were recently received at the Vatican, and

all too completely confirmed, of the martyr's fate reserved once more for his dear Poland, on whose inevitable resurrection he continues to count with such confidence," said the speaker.

After referring to the Pope's September 30 speech to the Polish residents of Rome, in which he expressed his hope "that Catholic life will be able to continue abundantly," the broadcaster went on:

"These modest hopes of the Holy Father for the Polish people he tenderly loves have been grossly deceived, we regret to announce, and the misgivings that accompanied them have been abundantly justified. The new year, with its frail but refreshing promise of peace, brings us almost daily from Warsaw and Cracow, from Pomerania, Poznan, and Silesia, a tale of destitution, destruction, and infamy of every description which one would be loath to credit if it were not established by the unimpeachable testimony of eyewitnesses to the horrors and inexcusable excesses committed upon a helpless and homeless people, as peaceful and unpretentious as any in Europe.

"These are not confined to the sections of the country under Russian occupation, heart-rending as news from that quarter has been. Even more violent and persistent is the assault upon elementary justice and decency in that part of prostrate Poland that has fallen to German administration. The richest part of western Poland is being unceremoniously stolen from the Poles and deeded over to the Germans as the real proprietors are packed off in foul-smelling trains to the war-torn region of Warsaw, which the Holy Father only last week described as 'a desert where once the smiling harvest waved.'

DEPORTATIONS CALLED BRUTAL

"A system of interior deportations and zonings is being organized in the depths of one of Europe's severest winters on principles and by methods that can be described only as brutal. And stark hunger stares 70 percent of Poland's population in the face as their reserves of foodstuffs and tools are shipped to Germany to replenish the granaries of the metropole. Jews and Poles are being herded into separate ghettos, hermetically sealed and pitifully inadequate for the economic subsistence of the millions destined to live there.

"But the crowning iniquity of an administration that has never ceased to proclaim that it has no designs against religion lies in the cynical suppression of all but the nearest suggestion of religious worship in the lives of this most pious and devoted of the peoples of Europe. An administrative decree applied with varying effectiveness throughout the government protectorate restricts public religious services to a bare 2 hours on Sunday.

"It adds up to a fearful total and a tremendous responsibility, one more grievous affront to the moral conscience of mankind, one more contemptuous insult to the law of nations, one more open thrust at the heart of the Father of the Christian family who grieves with his dear Poland and begs for a peace with decency and justice from the throne of grace."

I should like to see at least this democracy raise its voice and to join this great Pope Pius XII and others in an appeal to the world. Something should be done to bring to the attention of the world and particularly to the attention of the American people the fact that thousands of innocent human beings, without any justification, with no crimes having been committed by them, are being forced into prostitution by this Nazi Government, which is so proud of its Aryan purity. Women and children are the innocent victims. Little is known about that, because some people are afraid to know the facts and other people do not give a care about them. Who could lead public opinion more than the democracy of these United States? We are practically the only civilized nation today that can bring pressure by public opinion to stop this wholesale slaughter of human people.

I should like, if there was any way possible, to send some food to those who are still living, to give them the chance that God gave them to live if they can maintain themselves with at least one meal every 2 and 3 days.

If my information is correct, and I know it is correct, they have robbed the food of every housewife in the jurisdiction of the Nazi police, and left them almost frozen on the icy streets of Warsaw. They do not even bury their victims any more. They just throw them into the river. They do not even take the trouble to remove them from where they shoot them when the women refuse to submit to this dastardly prostitution by force and violence.

Civilization, where are you? O God, where are You? We have heard many talks on this floor and in the other body about Finland. What about Poland, my friends? Poland, with 40,000,000 or more people is being annihilated, in the most cruel way possible. There have been more bullets used to kill the civilian people of Poland today than there was in the Ethiopian War between Italy and Ethiopia.

My friends, I wish I could paint a stronger picture, because the facts warrant it. So that we may in some way relieve humanity, I propose to introduce a resolution calling

upon this Congress to at least express its hope that this continued slaughter of human people, be they Jews, Catholics, or Protestants, should be stopped. I am sure it will receive the attention of the world. I am sure it will receive the attention of the American people. My friends, we do not have to go to war for other people, but they are just as human as we are and the least we can do is to show our sympathy. At least, as a great democracy, we can present the facts to the world as they now exist.

I do not want to take any further time. I think you should read the record. I do not think history can produce anything worse than I have presented to you in this speech.

I thank you, Mr. Chairman, for giving me this opportunity at this time. [Applause.]

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield 15 minutes to the gentleman from Alaska [Mr. DIMOND].

Mr. DIMOND. Mr. Chairman, on page 49 of the bill are two items concerning the Territory which I have the honor to represent in this body. The first one reads:

Star route service, Alaska: For inland transportation by star routes in Alaska, \$150,000.

The next one is:

Powerboat service: For inland transportation by steamboat or other powerboat routes, including ship, steamboat, and way letters, \$1,270,000.

While the residents of large areas of Alaska are vitally affected by the amount of the first item for star-route service in Alaska, which is set down in the bill for \$150,000, the item to which I desire to address myself now is the second one, powerboat service, in a total of \$1,270,000, to cover service both in the 48 States and Alaska, an item that has been reduced below the Budget estimate, according to the report, in the exact sum of \$75,500, and all of this deduction coming from the Budget estimate for service in Alaska.

The cuts mentioned are explained in the committee report accompanying the bill, pages 27 and 28, as follows:

TRANSPORTATION OF MAIL BY STEAMBOAT OR OTHER POWERBOATS

The amount recommended for this form of transportation of the mail is \$1,270,000, which is an increase of \$45,000 over the 1940 allowance and \$75,500 under the Budget estimate. The increase allowed for 1940 includes \$25,000 additional to cover increased costs arising out of an enlarged volume of mail between the United States and the Hawaiian Islands, and \$20,000 to provide payment for five additional weekly trips for carrying the mail to Alaska. Under the present contract for service to Alaska, the contractor is paid for not more than 55 trips, whereas there are 72 round trips annually on all of which mail is carried.

The Budget estimates requested payment for 65 out of 72 trips and the committee has approved payment for 5 additional trips, which will allow payment to be made for 60 of the 72 weekly trips. The disallowance of \$75,500 from the Budget estimates consists of the \$20,000 just referred to in connection with the Alaskan service, and an item of \$55,500 designed to establish boat service on the route from Seward via Kodiak Island, the Alaskan Peninsula, the Aleutian Islands, and points on Bristol Bay and return. At the present time there is an existing mail contract under an annual rate of \$70,000, which sum, together with \$55,000 requested, would provide \$125,000 for the proposed service. The request was based not upon the needs of the mail service but upon the needs of these communities for regular boat service. The frequency of travel is not sufficient to induce the contractor carrying the mail to provide a boat of sufficient size for passenger needs. The committee felt that while the situation was an appealing one, being urgently pressed by the Delegate from Alaska, that they were not justified in adding this character of charge to the Postal Service.

I have nothing to say at this time about the reduction of \$20,000 for mail service between Alaska and the United States, but the remaining cut below the Budget, \$55,500, is of grave import to several thousands of the residents of Alaska. I am not here asking anyone to go beyond the Budget. I know how difficult it would be to convince the committee or to convince any Member of Congress that the Budget ought to be exceeded; the reasons would have to be grave. I do say, however, that once the Budget has passed upon and approved an item of this kind, anything said in support of the Budget estimate ought to be given sympathetic attention.

The \$55,500 cut out of the Budget estimate by the committee was designed to give transportation service to between 8,000 and 9,000 of the residents of Alaska who reside in an

area about 2,200 miles long, on both sides of the Alaska Peninsula and into the Aleutian Islands, and also extending into the main body of Alaska to a point called Goodnews Bay in the southwestern part of the Territory. The people of a considerable part of the area, who numbered 2,231 in the 1930 census and who number now, according to our best estimates, between 3,000 and 4,000, are entirely without any regular means of transportation, and during the winter period most of them are cut off from any transportation facilities whatever. They had transportation up until June 30, 1938, transportation supplied by the mail carrier. The carrier owned a steamship called the *Starr*. This boat plied once a month over the route from Seward, which is situated in about the center of the main body of Alaska on its southern coast, and which is the northern terminus of the main steamship line running between Seattle and Alaska, thence extending to the west and southwest along the Alaska Peninsula to Unalaska, to Umnak Island, the Aleutian Islands, to Bristol Bay, and thence to Goodnews Bay. This boat would carry about 50 passengers and 500 tons of freight, and the people were reasonably adequately served. With the expiration of the old contract, however, on June 30, 1938, the then carrier, the Alaska Steamship Co., refused to put in a bid on the new contract. The Post Office Department advertised three times and finally one bid was received, and one only, that of the present carrier who operates a motor ship called *The Fern*, a small boat, an old boat licensed to carry only 12 passengers and having only very small capacity for freight. Without the backlog, if I may use this term, of the mail contract money it is not possible for anyone to enter successfully into the business of carrying freight and passengers in this particular area.

The boat of the present mail contractor is too small to give the people much service, and the result is that the people are left without any substantial transportation service whatever, except for a short interval during the summertime.

There are several reasons why men engaged in the steamboat business would not bid on this mail route in 1938. In the first place, during the winter period the region is frequently stormy. The waters of this area are sadly lacking in navigation facilities, such as lights and buoys. Insurance rates for ships on the route are about 15 percent—and 15 percent yearly on a \$300,000 or \$400,000 vessel is a substantial sum; it almost equals all that can be now given under the mail contract. At the expiration of the 1938 contract there were other reasons why steamboatmen did not care to undertake the job. One was the rise in power and influence of the maritime labor unions, which made steamship operation much more expensive; but the one thing that absolutely prevented our securing a vessel on this mail route that would carry a reasonable number of passengers and a reasonable amount of freight was the passage by Congress of the safety-at-sea law. The result of this law was that many of the vessels which were then running to Alaska and along the coast of Alaska were put out of service because they could not comply with the safety-at-sea law and most of them had to be scrapped; in fact, the Japanese bought most of them and scrapped them. They scrapped the steamship *Starr*, which had formerly operated in this area.

Faced as we were in Alaska with a total absence of facilities for transportation in this area, there was only one thing to do, and that was to appeal to the administration and to the Congress for relief. We made this appeal. I personally took the matter up with the President, but he was at first reluctant to have anything added to the duties of the Post Office Department that did not directly concern the transportation of mail. At the President's suggestion a conference was held with the various departments of the Government which have a particular interest in Alaska—Navy, War, Coast Guard, Post Office, Interior, and, most important of all, the Maritime Commission. We had hoped that at least the United States Maritime Commission could supply a vessel for the route, and a careful study was made of the entire subject. Several conferences were held and it was discussed in detail, but in the end it was discovered that

there was no practicable way under our laws through which transportation facilities could be granted to the people of this area, except by using the mail service and requiring that the vessel that carried the mail should also carry a reasonable number of passengers and a fair amount of freight. A bill to this effect was introduced in the House and a similar bill was introduced in the Senate by the junior Senator from Washington. These bills were referred to the respective Post Office Committees of the House and the Senate and carefully considered.

Mr. Chairman, the Post Office Committees, like the Appropriations Committee of the House, hesitated to impose this burden upon the Post Office Department. The argument was advanced that what we asked did not directly concern the carriage of mails; it was a sort of subsidy. And there was no exact and precise precedent for all that we desired, although there was precedent to authorize the Postmaster General to make special contracts without advertising for the carriage of mails by railroads. After an exhaustive hearing on the subject in the House, the authorizing bill was unanimously reported out of the House Committee on the Post Office and Post Roads. A similar bill was unanimously, as I understand, reported out of the Senate Committee on Post Offices and Post Roads, and the bill was passed by both the House and Senate by unanimous consent.

I make no particular point of the passage of the bill by the two Houses of Congress by unanimous consent, because I know from my experience here that many bills are passed by unanimous consent concerning which the majority of the Members know very little; but I do suggest to the Members of the House, and I suggest to the members of this Committee, that the reporting of this bill by unanimous vote of the House Committee on the Post Office and Post Roads and a similar unanimous report from the Senate Committee on Post Offices and Post Roads is entitled to very serious consideration. It cannot be claimed, and it will not be claimed, that the members of those committees were neglectful of the interests of the Government and that they disregarded proper procedure. As I said a moment ago, they did not wish to report such a bill; they tried to find some way to avoid reporting it, and yet give the relief sought, a relief which is much needed in Alaska; but no such procedure could be found, and the bills were reported by the committees and passed by the Congress. We therefore have the authorizing legislation. The bill was reported by the committees and passed by the Congress with the full approval of the Bureau of the Budget, and it also had the approval of the President of the United States. I happen to know that the President was fully informed as to the nature of this legislation, as well as the merit and desirability of it.

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield the gentleman 10 additional minutes. I wonder if he will yield a minute to me, not for a question but for an observation?

Mr. DIMOND. Gladly.

Mr. LUDLOW. All of us know the diligence, thoroughness, and conscientiousness with which the Delegate from Alaska represents his Territory. His ability as a pleader sometimes inclines us to do things that we doubt whether we should do and this is one of those times.

May I suggest to the gentleman from Alaska that there is a service in existence which is preeminently devoted to life saving. I understand one of the humanitarian features advanced in connection with this proposition is that it would be impossible for the citizens or residents of that locality to be taken to hospitals in the case of an epidemic or other illness.

The agency to which I refer is the Coast Guard. After discussing the matter with the gentleman, I believe some reorganization of the Coast Guard schedules might be effected whereby this service could be obtained. As chairman of the subcommittee that handles the Coast Guard appropriations, without committing any other members of the subcommittee, may I say I would be inclined to do what I could to obtain extra money if it required a little extra money under that

head to furnish the service. I wonder if the gentleman's procedure would not be to take up this matter still further with the President of the United States and with the Commandant of the Coast Guard to see if something may not be done along that line to furnish the relief which his people so sorely need? There was no lack of sympathy on the part of our subcommittee toward the gentleman's problem. We were intensely sympathetic with it. But certainly we are reluctant to fasten upon the Post Office Department an almost irrelevant function. It would be imposing another nonpostal obligation on a service that is already heavily burdened with duties that have little or no connection with the Postal Service. I wonder if the gentleman could not find a way to proceed along the line I suggested.

Mr. DIMOND. I am deeply grateful to the distinguished chairman of the subcommittee, the gentleman from Indiana [Mr. LUDLOW], for the suggestion he has just made, and especially for the careful thought and sympathetic consideration he has given to our problem, a consideration that is evidenced by the report on this bill, the relevant matter appearing on page 27, and by remarks made in the course of his exceedingly fine speech in Committee of the Whole yesterday, which appears on page 609 of the CONGRESSIONAL RECORD.

I only wish that the services and facilities of the Coast Guard could be utilized for our relief.

Mr. LUDLOW. Has the gentleman discussed with Admiral Waesche this particular problem, and whether or not some way may not be found to have Coast Guard vessels, which are all the time cruising up in that vicinity, organize a schedule so as to furnish a more regular service into that region?

Mr. DIMOND. Mr. Chairman, to answer the gentleman's question specifically, I have discussed the subject briefly with Admiral Waesche, and I have discussed it for hours at a time with representatives of the Coast Guard who were designated by Admiral Waesche to give attention to this particular matter. The Coast Guard officers, including Admiral Waesche, say that it is not practicable for them to give the service that is desired, because, in the first place, Coast Guard vessels are not fitted to regularly transport any considerable number of passengers. Of course, the Coast Guard vessels would and could haul passengers in case of a disaster at sea or any similar emergency. I suppose the newest and latest Coast Guard ships could carry two or three hundred people. But I am told by the officers of the Coast Guard themselves that it is just impracticable for them to undertake the service which we desire here. They state, moreover, that the Coast Guard vessels are designed by Congress for a different purpose; that is, not to give a regular transportation service on any particular route, but to give the service required by law whenever and wherever such service may be needed.

Mr. LUDLOW. That may be true, but it certainly would not be any more irregular for the Coast Guard to take on this service than it would for the Post Office Department.

Mr. DIMOND. Mr. Chairman, further referring to the gentleman's suggestion, it appeared after all of these conversations we had about the matter that it would be simpler and easier to have the service undertaken by a private individual rather than to have it undertaken by any official Government carrier, such as the Coast Guard vessels. Mr. Chairman, I admit that what we asked is not a part of the regular Postal Service. It is equivalent to a subsidy given to a vessel in order to furnish certain transportation. But the use of subsidies in the Post Office Department is not a new one. We are granting large subsidies through the Post Office Department for the extension and the operation of our foreign air mail, and, as the gentleman from Indiana pointed out yesterday, we also do it for the carriage of newspapers. These are straight-out subsidies from the Treasury of the United States.

In the case of newspapers and magazines, I suppose the subsidies serve the worthy purpose to which General Washington adverted—that of spreading intelligence. In the case of foreign air mail, there is another worthy and a highly desirable purpose—that of promoting trade and promoting good relations with the nations of South America and lately

with the nations of Asia and Europe. Both of these subsidies are for economic purposes, however. What we ask for here is a subsidy largely for humanitarian purposes. The purpose is partly economic, it is true, because the operation of a vessel along the Alaska Peninsula for the distance where the people can get no other service, approaching 800 miles, will serve a useful function in transacting business. Freight can be carried, and persons traveling on business will be able to go from one place to another. However, the principal purpose is to serve the people who must travel on account of illness.

Between Seward at the east and Unalaska on the west is a distance by air line of something more than 850 miles. By the way the boat travels it is 1,467 miles. In all that area, for more than 1,300 miles, there is no operating hospital. We have a hospital at Unalaska, and there is another one at Seward. Another hospital is now partly constructed at Kodiak. However, the only hospitals operated at the present time are at Seward at the east and Unalaska at the west. Consequently, when people in that region become ill enough to require hospitalization, it is necessary to go to one or the other of these hospitals. No physician resides at the present time between Kodiak and Unalaska, and that is a distance of approximately 800 miles by the usual sea route.

When the present mail carrier first started its service and for about a year thereafter it carried no passengers whatever. The boat was not licensed to carry passengers or freight, and the owner hesitated a long time before putting the vessel under license. Finally he did put the ship under license, so it is now eligible to carry 12 passengers and no more, being a freighter and not a passenger vessel; and it is little fitted for carrying any passengers on account of its limited capacity and facilities.

This is a serious situation for the people who live in that part of Alaska. A majority of them are natives of Alaska, either of whole or of part blood. They are a sturdy, self-supporting, resourceful, independent people; but they are poor people. They are not able to purchase or operate a steamship. Most of them are engaged in fishing or in trapping or in the raising of fur-bearing animals. Their income is meager at best, and so they are unable to undertake any such financial operation as would necessarily be involved in the purchase or charter or operation of a vessel sufficient to accommodate the people of that area.

But poor as they are, they are not objects of charity. Not a single dollar has been expended out of the Federal Treasury for relief of any of the inhabitants of the region mentioned, except that in the winter of 1938-39 approximately \$12,000 of W. P. A. money was used to aid in the construction of a still unfinished hospital at Kodiak. But west of Kodiak and between that place and Unalaska, a distance, as I have said, by steamship route, of about 800 miles, and containing, I believe, a population in excess of 3,000—and these are the people who are in principal need of the relief asked—there has not only never been an expenditure of relief funds but to the best of my knowledge and belief there has never been an application for relief funds from these particular citizens of Alaska. And so if the appropriation now requested should be made, and the Budget figures restored, no disproportionate benefit would be conferred upon these people over and above the benefits conferred by W. P. A. and other relief agencies upon many millions of other people of the United States. All they ask—and in my judgment their demands are modest and reasonable—is that the Government of the Nation aid them temporarily to maintain their homes which they have so laboriously built up by providing minimum needs for transportation, particularly for the aid of those diseased and ill. The transportation facilities required are modest enough, namely, the operation of a substantial, seagoing vessel making one round trip a month along that rugged coast.

This is no demand for any personal bonus from the Federal Treasury. Not a dollar of the money appropriated, if it is appropriated, will go directly to any of the inhabitants to be served. If the desired transportation facilities are provided, they will still be obliged to pay for the service rendered them

and the charges for that service will be well above any similar charge made for transportation an equal distance in the States. The charges for service will necessarily be high on account of the expense of operation of a vessel and by reason of the hazards involved. Even at best it will not be a lucrative operation, but as sensible men we know that the operator must at least break even or he cannot continue long to render the service.

The suggestion has been made, Mr. Chairman, that air-transportation facilities be established in order to afford the requested assistance. A careful consideration of all of the factors involved shows that such a service would be well beyond the means of the local residents to pay. The coast of Alaska Peninsula is a rugged and, at times in the winter, a stormy area. The Alaska air pilots are daring, but I know they would consider a scheduled operation along the Alaska Peninsula in the wintertime, with facilities almost entirely absent, an unduly risky venture. If we had the appropriate flying aids and facilities the problem would be a simple one, but no such aids or facilities exist at the present time. To attempt to give the service by air under present circumstances is simply out of the question.

We had hoped at first that the Maritime Commission would and could furnish us with a ship for the purpose. If Alaska were not a part of the United States, it is likely that a ship could be supplied and operated by the Commission. But the service in question is a coastwise service and, after careful study and consideration, the Chairman of the Commission, Admiral Land, has reported to the President that it is not practicable for the Commission to secure and operate a vessel over this route. My own judgment is that the decision of the Commission is the correct one under the law.

At one time it was thought that perhaps the Indian Service vessel, the *North Star*, could be operated over the route during the winter period when the vessel was not otherwise engaged, but soon it was found that could not be done. The appropriations made for the operation of the vessel are just sufficient to take care of its necessary work for the Indian Bureau, and under the Permanent Appropriations Repeal Act all of the money received by the Indian Bureau from private individuals for services rendered in the operation of a vessel go direct into the Federal Treasury and cannot be used as a revolving fund to pay expenses of operation; and so there is no money with which such expenses can be paid. Moreover, the services which could possibly be rendered by the *North Star* would, in any event, be comparatively limited and, therefore, inadequate. From March until November of each year the vessel is necessarily engaged in the ordinary work of the Bureau. At the end of that period an overhaul is always required. So under the best of circumstances it seems probable that the *North Star* would be available for the route for only about 2 or, at the most, 3 months of each year. Of course, all possibility of using the *North Star* during the present winter was ended when the vessel was assigned to the use of Admiral Byrd in his current South Polar expedition.

I have stressed, Mr. Chairman, the humanitarian aspects of the desired service which can only be given if the Budget figures are carried in the bill. But there is another feature of the subject that is deserving of consideration and that is the economic aspect of it. People who live between Kodiak and Unalaska and who number several thousand cannot long survive in their present places of residence unless they are supplied with some means of transportation.

While they are few in number, they are a valuable part of our population. It is obviously in the national interest to have this land peopled, particularly with such a sturdy, self-supporting, and enterprising citizenry. It would be a tragedy, indeed, not only for the people involved but for the United States, to omit to do anything in reason in aiding these citizens to maintain their homes where they are at present, this aside from any considerations of sickness or of health. The local industries are slowly but surely expanding and developing. The present condition has arisen not by any act of omission or commission of the people affected, but entirely by factors and circumstances beyond their control. And the

most important of those factors, as I have said, is the passage of an act of Congress commendably designed to make safe travel by sea, but in our case—the case of residents of the Alaska Peninsula—making any such travel all but impossible, since the vessels which might have furnished it are no longer usable.

At the far western end of the area to be served, on Umnak Island, a comparatively new industry has been developed, that of raising sheep. The present operator has built up his flocks until they now number about 13,000. It has been found that the region is admirably suited for the grazing of sheep. But in order to operate at all it is necessary that transportation be furnished for the convenience of the employees of the ranch, to bring in supplies, and to take out the product. The size of the business is not sufficiently large to justify the chartering of a vessel, and so it seems certain that unless the transportation aid which I am asking for is given, this particular industry will be obliged to liquidate and all similar undertakings will be impossible.

The suggestion has been made that if the appropriation requested is now given it will necessarily go on and on forever. I firmly believe that such a conclusion is not warranted by the facts. The steady increase in population during the past years indicates that within a comparatively short period there will be enough business in the area to be served to justify the operation of a privately owned vessel without any subsidy from the Government. This condition would be brought about at a much earlier date if adequate navigation facilities could be supplied to the area. Such facilities would result in a marked reduction of marine insurance, and marine insurance, as I observed a few minutes ago, is one of the bigger items involved in operating a ship in that region.

Moreover, our experience in Alaska has indicated that costs of carrying mail simply do not rise or remain stable forever. One illustration of that is to be found in the cost of providing star-route service in Alaska. The bill now before us carries \$150,000 for that purpose. Yet it is only a few years ago that the amount was much larger, \$208,000, and at one time \$220,000. Moreover, for the \$150,000 carried in the current bill we will obtain much more efficient service, to more people, and over a larger area than we ever obtained for the higher sums paid. Moreover, the present service will be given in only a fraction of the time required for the service of years gone by.

In the hearings on this item and other items of appropriation for carriage of mails in Alaska and between Alaska and the States, the question was asked as to whether the Alaska service was self-sustaining. Of course, Mr. Chairman, the receipts of the Post Office Department in Alaska do not nearly cover the expense of carrying mail to and from Alaska and within the Territory. By far the biggest item of cost, and approximately one-half of the total expenditure, is that of transporting mail between Alaska and the States. But in this connection it is only fair to say that the Alaska service, if not entirely self-supporting, is probably much more nearly so than most people may think. There is no possible way of finding out now how much postage is paid on mail carried into Alaska, and no attempt has ever been made to get that information. The only facts that we have are those which show the receipts of the Post Office Department in Alaska, which for 1939 amounted to \$277,337, and all of the disbursements of the Department connected with the Alaska service and the service between Alaska and the States which during the same year amounted to \$971,097. Those figures alone and without further inquiry would indicate that the Federal Treasury paid a substantial sum over and above its receipts to provide the citizens of Alaska with mail service. But that is not the whole story. The records of the Department show that the weight of the mail going out of Alaska and the weight of the mail coming into Alaska are startlingly disproportionate, in that, of the total volume carried, 80.41 percent enters Alaska and 19.59 percent leaves Alaska. It is that 19.59 percent of the total volume, plus the inconsiderable local mail, which provides the Government with \$277,337 in a year. It is not unreasonable to assume that the mail entering

Alaska, which is in weight more than four times as great as the mail going out of Alaska, also furnishes the Government at the several points of origin with a substantially proportionate sum. If this be correct, then the volume of mail going into Alaska and out of Alaska and being transported from one point to another in Alaska would bring into the Department approximately five times the Alaska receipts or a sum in excess of \$1,387,000. While it is undoubtedly true that the mail which is carried from the States to Alaska costs the Department something for transportation between the various points of origin and Seattle, that cost in the very nature of things, with the lower general expense of transportation in the States, cannot be very large. Therefore, it is no exaggeration to say that the mail service for Alaska is probably as nearly self-sustaining as that of any other part of the United States, with the exception of the more densely settled regions.

It is worthy of note here that in the hearings on the bill Mr. J. W. Cole, Deputy Second Assistant Postmaster General, as shown on page 215 of the printed record of the hearings, stated that the revenue from postage in one of the great States of the Union would not of itself pay for the service in that State. I venture the suggestion, Mr. Chairman, that the revenues from postage in more than one-half of the States in the Union would not pay for the mail service in those States. Alaska pays its way for mail service as for other things, when we consider that if there were no Alaska the Government would be deprived of the hundreds of thousands of dollars of postage which it now receives in the States for mail carried into Alaska.

My argument today is not advanced, Mr. Chairman, with any thought or to make any suggestion that the appropriations subcommittee or the full committee failed to give this particular matter careful consideration. When I appeared before the subcommittee to urge the granting in full of the amount set up in the Budget estimate, I was most courteously received, and no suggestion was made that I be limited in time in the presentation of my views. From what was said then, from that part of the report accompanying the bill to which I referred a little while ago, and from the most kindly and sympathetic expressions of the distinguished gentleman from Indiana [Mr. LUDLOW], the chairman of the subcommittee, I know that it was with regret that the subcommittee determined not to give the desired appropriation, for all members of the subcommittee realized the merit of the request for assistance aside from its connection with the Postal Service. Greatly as I respect the members of the committee and richly deserving as they are of respect, it is my duty to say to them that others equally intelligent, equally patriotic, and equally eager to support and maintain proper legislative processes, and after even more careful study of the entire subject, have arrived at a different conclusion. The House Committee on Post Office and Post Roads, which reported out the authorizing legislation unanimously, said in effect that the desired appropriation should be made. The Senate Committee on Post Offices and Post Roads unanimously agreed that the desired appropriation should be made. The Bureau of the Budget, after going into the subject thoroughly, has approved the requested appropriation. The Postmaster General, who is so eager to make the best possible financial showing for his Department and thus to avoid imposing upon the Postal Service anything not directly connected therewith, has realized that the human aspects of the problem call for the solution which I am now pressing upon this House through the appropriation of the necessary funds. And the President of the United States, who has a considerable knowledge of the subject despite the multitude of affairs of national importance pressing upon him daily for attention, has approved the requested appropriation.

Over and above all that is the fact that the authorizing legislation passed both Houses of Congress by unanimous consent. Surely if there were anything radically wrong or evil from a legislative view in this request and authorization for an appropriation, somewhere along the line someone

would have been found to veto the proposal or in any event to make public protest against it. The only objection now made is based upon the undesirability of carrying a particular nonpostal subsidy on the vehicle of a Post Office Department appropriation bill. May I suggest, Mr. Chairman, that with a request of the conceded merit of the one here made, to forbid the granting of the relief asked just because of the form which the request takes—a form approved by eminent committees of Congress, by the Budget, and by the President—is a sacrifice of essence and of substance to mere form, a sacrifice little in consonance with the higher spirit of reason and the more admirable aims of efficiency which should enlighten a democratic government.

While each man must be the guardian of his own conscience and the author and master of his own judgments, it is always consistent with the highest degree of independence in thought and action to take counsel with the reasons and to give studious thought to the decisions of others who are similarly well informed and similarly of unquestioned integrity. My people are deserving of the aid they ask, and this is the best way, the only practicable way, of giving it.

Mr. WIGGLESWORTH. Mr. Chairman, I yield 15 minutes to the gentleman from North Dakota [Mr. BURDICK].

IN WHAT DOES OUR NATIONAL DEFENSE CONSIST?—FARM APPROPRIATIONS SHOULD BE ANNEXED TO THE WAR AND NAVY DEPARTMENT APPROPRIATIONS

Mr. BURDICK. Mr. Chairman, there are too many men connected with the Government of the United States who speak publicly out of turn on the question of Government economy and a curtailment of Government expense. One official recently said: "We probably will have to cut out all appropriations for water conservation, roads, and bridges until the Budget is balanced." If that advice were to be followed, we would be in a worse situation than we are now. These enterprises create work and enable thousands of families to take care of themselves. In areas where irrigation is feasible and practical, and where the return warrants the expenditure, it enables families in those areas to get off of relief. If, on the other hand, we pay no attention to providing them with the means to work out their own living, we will be forced to continue relief and make our citizens dependent, and not independent as they ought to be and as they would like to be.

There is one fact which we can all agree on, and that is that every citizen has the right to live as long as he obeys the laws of the land. Fortunately, the people do not go off and die to favor the balancing of the Budget. What we do not expend for water conservation and irrigation in the West, we shall have to spend 10 times that amount on relief. In the North Central Western States the annual relief cost per family is over \$700 per year. If this Congress will provide the unemployed people—the hungry people, the ragged people, the homeless people—with the means by which they can work, the relief question will be solved.

When an irrigation matter is pending before this House that will release thousands of farmers from the dole system, many Congressmen work and vote against the proposition for fear that these hungry people might possibly raise something that will compete with the farmers of their own States. Wisconsin can be relied on to assist in killing any irrigation project in the West, because the Representatives in Congress fear someone out west will raise a pound of butter or learn the obnoxious habit of owning and milking a dairy cow. As the matter works out, there is no competition in fact. The people on relief have no buying power—none whatever. Unless they acquire it, they cannot buy Wisconsin products. If that buying power is reestablished, they will buy where they used to buy. Wisconsin was getting along all right when the people of the West had buying power. We bought their butter, cheese, and machinery products produced in Wisconsin. Now we are worthless as customers. When North Dakota loses its buying power, Wisconsin and all the other States producing products we normally buy feel the pinch. Finally, they will be in no better position financially than we are. If foreclosures have not already started in Wisconsin, you can take my word for it that they will start.

A Member of this House from New York stated to me that he would go along with the farm program of the West for the reason that he fully realized that unless we had buying power in North Dakota and the other Western States that New York would lose a good customer. That is the spirit that should prevail here, and not the spirit of looking no farther than your own back fence. New York is more friendly to the Western States than many States in close proximity. Mention irrigation, and Iowa, Illinois, Wisconsin, and Michigan, who ought to be friendly to us, rise up in their might and vote down the proposition.

The stock argument is about as follows: Why spend money for irrigation in the West when the farmers of the East are required to reduce their acreage under the agricultural program? Why put more land in cultivation when at the same time elsewhere we are taking it out of cultivation? Whatever merit there may be in this argument, the fact is that North Dakota, South Dakota, Montana, Colorado, Utah, and Idaho are not responsible for the program. We live where we are; many of us do not intend to give up the civilization of 60 years; we do not intend to leave our schools, our churches, our homes. It may not be the best place on earth to be, but to us it is. We live there; it is our home; and when science and engineering indicate we can provide for ourselves by the use of water by a loan from the Government, we should have the right to do it. We do not ask a gift; we ask for a loan and a loan which will be paid back from the project itself. Now if you want us to move, as thousands have moved when foreclosed upon and driven out, where will we go? None of the other States want us, because we have no money and no property; and if we go to your State, you will have to feed us. California is an example; people from all the drought States flock to California because it is warm. California and the Government of the United States have to feed these people.

It seems to me, from a selfish standpoint, every State would be willing to help the people of the West to work out their own salvation and not be mulched in debt by feeding those who cannot feed themselves. If Wisconsin, Iowa, Illinois, and Michigan will not vote for water conservation in the West, they will pay 10 times that amount, nevertheless. They will pay it in lost business; they will pay it in national Government relief appropriations; they will pay it in feeding those who move to those States. The matter reduces itself to this: Pay it our way or pay 10 times that amount your way. Which do you want? Take your choice. We are trying to talk sense, but we are answered by nonsense.

Answering further the argument against putting new land into cultivation will increase the surplus crops, I wish to state that if the people in North Dakota and elsewhere received enough to eat, enough clothes, and proper houses to live in, there would be no surplus of staple crops in the United States unless it was cotton. We are not burdened in the United States with overproduction, but we are victims of underconsumption. What we are seeking in water conservation is not to raise surpluses but raise enough to eat under a decent standard of living for ourselves and for every citizen in the United States. Do not be afraid of any surplus we can produce in the Western States. If there is any, it will be sold and the proceeds will go east to purchase what we need to maintain a decent standard of living. You to the east will benefit more by this increased purchasing power than you will by playing dog in the manger and destroying that power.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Is it not a fact that the so-called irrigation projects so largely proposed in the Western States or in the Great Plains States are those of a subsistence type, which contribute to the subsistence of the people who live there?

Mr. BURDICK. The gentleman is correct.

Water conservation, irrigation, grasshopper control, seed wheat, and crop loans should be under the control of the

War Department. If it were there would be no fight in this body about our western problems. As soon as the War Department shows up in this Congress it can get any appropriation it wants. It can get a billion, two billion, or any multiple of billions, even though at the present time they have unexpended millions on hand and apparently do not know what to do with them.

Those same States which vote against water conservation for the West vote in goose-step fashion for any war appropriation. There is where I would like to see the entire farmer's program—under the War Department—and if it were, Wisconsin, Iowa, Illinois, and Michigan would vote "yes" without a whimper. Just remember the password "War Department" and the farmer's program would go through.

While I am on the subject, why not put the farmer's program under the War Department? I mean it; I advocate it. The War Department should be concerned with our national defense. In what, I ask, does our national defense consist? Does it consist alone in guns and ships? Not at all. That is a small part of it. It consists in the spirit of the people, in men, and in food. Hungry people do not make good fighters. Napoleon said, "An army traveled on its stomach." He found that out when he marched into Russia. Idle, unemployed people, those without homes to fight for, do not make good soldiers. When everything else—patriotism, guns, men, and ships—is supplied, there is yet another element of national defense that must be considered and must be supplied. That is food. No major war was ever won in the history of the world unless the victor had more food than the vanquished. In the last World War we evidently recognized this fact. Lest you forget the concern of the War Department and every other department about this question of food, I want to present to you the posters used by the Food Administration, by the War Department, and by all other branches of the Government during that period.

This is No. 1:

Hunger: For 3 years America has fought starvation in Belgium.

They want food; they do not want guns and ships.

Here is another one, "Food is ammunition." That poster appealed to everybody. It was hung in churches, school-houses, and homes. "Make every egg count." You bet! "We are at war"; and they appealed to the farmers everywhere.

This is a significant one. See the truckloads of food coming to the front.

Keep it coming. We must not only feed our soldiers at the front but the millions of women and children behind the lines.

It is food that is powerful in time of war.

Corn.

Conserve the corn; make everything out of corn you can think of, because we want to conserve the food of the Nation.

Here the children are pictured raising vegetables to furnish food for the Army and the people behind the Army.

This is not just an idle fancy of my own. We all lived through those times. I have kept these posters ever since the World War, and there they are. That is the appeal they made to us. They came to our county and said:

Plow up that little corner and put it into wheat. Raise ammunition to win that war.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I want to congratulate the gentleman on keeping those posters, because they are a graphic refutation of a libel that has been made against the people of the West in connection with the plowing of the West. We have heard it said many times in the last few years that the farmers of the West were sinners because they plowed up the prairie, yet the gentleman knows and people who reflect know, and these posters are indisputable proof of it, that

the plowing of the West was a direct response to the patriotic appeals made by the Government, and the responsibility rests on the Government for the condition of the West rather than on the individuals concerned. The poster the gentleman is now showing on the board, Blood or Bread, is one of the posters that got a lot of land put into wheat.

Mr. BURDICK. I knew the gentleman from South Dakota would be interested in that, because he lived through it. He was right out there where it was done.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Michigan.

Mr. CRAWFORD. May I ask the gentleman if the film which has been shown throughout the United States so often during the last 3 or 4 years, and which portrays the plowing up of the West during the World War, in any way indicates to the one who sees the showing that this plowing-up program was a result of Government propaganda or education material such as is now being shown?

Mr. BURDICK. Yes; and I think—

Mr. CRAWFORD. The film indicates that the plowing came about as a result of this demand?

Mr. BURDICK. How is that?

Mr. CRAWFORD. Does the gentleman mean to say that the film which is being shown by the Department of Agriculture indicates that?

Mr. BURDICK. No; not at all. I misunderstood the gentleman.

Mr. CRAWFORD. Does that film indicate it came about through this kind of educational propaganda?

Mr. BURDICK. No; not at all.

I do not know whether you can see this poster or not. We were not asked to send ammunition over there, but "feed a fighter." Can any of you gentlemen think of any major war in the history of the world that was ever won except by those who had the last amount of food?—Not a single war.

Now, here is another final appeal. They did not want us to waste anything—"Don't stop saving food."

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. BURDICK (continuing to read):

We must confine our consumption of sugar to not more than 2 pounds per person per month in order to provide the restricted ration to England, France, and Italy.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. CRAWFORD. Two pounds per month or 24 pounds per year compares with a normal consumption of about 103 pounds, which is a reduction of about 75 percent.

Mr. LEWIS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Colorado.

Mr. LEWIS of Colorado. I call attention to this poster, which reads:

Hunger! For 3 years America has fought starvation in Belgium. Will you eat less wheat, meat, fats, and sugar that we may still send food in shiploads?

I may say that there seem to be some influences in this country that would seek to destroy our domestic sugar industry, which saved the situation during the World War, not only for the United States but for other nations.

Mr. BURDICK. The gentleman is correct.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield at that point?

Mr. BURDICK. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I would like to have the gentleman point out in the Record that that poster saying "Your sugar ration is 2 pounds a month" was issued under the sugar regulations of the United States Food Administration during the World War.

Mr. BURDICK. That is right.

This is a proclamation against having any sodas during the war:

Don't use the sugar by drinking soda, but put that sugar into food to win the war.

Mr. LEWIS of Colorado. Mr. Chairman, will the gentleman yield further?

Mr. BURDICK. I yield to the gentleman.

Mr. LEWIS of Colorado. I would like to call attention to the inscription on this poster:

Sugar means ships. The consumption of sugar-sweetened drinks must be reduced. For your beverages 400,000,000 pounds of sugar were imported in ships last year to the United States. Every ship is needed to carry soldiers and supplies now.

I think the gentleman will agree with me that the domestic sugar industry, including the beet-sugar industry, which has been the target for various and repeated attacks, was one of the things that helped win the war for the United States and its allies.

Mr. BURDICK. That is right.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. VOORHIS of California. I appreciate very much the gentleman's having mentioned the problem which California faces today as a result, very largely, of the general agricultural problems of America. There are now hundreds of thousands of people in our State who are simply seeking a place where they can make their homes, and their main or basic reason for having come there is on account of the fact they have not been able to stay on their land where they used to live. The problem faced by the State of California is of such magnitude that I am afraid few Members realize it. So I appreciate the gentleman's reference to that and I appreciate also the emphasis he puts on the general agricultural problem of the country as one of the things that we need to do to help meet this situation. I would also like to reemphasize something which he has said, namely, the importance of the development of other lands where some of these people might be able to find a home, because, after all, they are farm people, and unless that is done I do not know where they are going to go.

Mr. BURDICK. I thank the gentleman from California for his contribution.

Mr. CASE of South Dakota. If the gentleman will permit, the RECORD should show that while 25,000 people may have moved from the Dakotas 1,500,000 remain and it is far cheaper and more sensible to rehabilitate them where they have their homes. As a matter of fact only a small amount is needed to set up a complete program of water conservation that will put the area on its feet. Much is being done; that work should go forward.

Mr. GREEN. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Florida.

Mr. GREEN. I am very much interested in the explanation there about the importance of sugar and I join with the gentleman in the hope that we may have an increase in domestic-sugar quotas. In my State, for instance, we produce less than 1 percent of the sugar made in the United States, and we have about 4,000,000 acres of land in the Florida Everglades that all the sugar-growing experts officially claim is the finest sugar land in the world, and yet under existing laws we make but one-half of the sugar that is used in the State of Florida, because we are prohibited from doing so by law, and during this time of emergency or apparent war emergency, it seems to me would be the time for us to abolish the quota-plan law and extend this development. Permit unlimited sugar production in continental United States. I favor this.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. I presume the gentleman from Florida is complaining about the tremendous imports of sugar and its effect on domestic sugar.

Mr. GREEN. I was not necessarily complaining, except in this respect: I think in continental United States, where we have these areas peculiarly adapted to sugar production, there should be no limitation by law on the amount of sugar a man can make.

Mr. BATES of Massachusetts. In other words, the people can consume just so much sugar, and every pound of sugar coming in here from another country displaces that amount of sugar that you can produce here. Is not that right?

Mr. GREEN. Obviously so.

Mr. BATES of Massachusetts. Then, if that is so, the gentleman believes we ought to cut down the importation of sugar?

Mr. GREEN. From foreign countries.

Mr. BATES of Massachusetts. Does the gentleman believe we ought to cut down other kinds of imports affecting the industry of this country?

Mr. GREEN. I am afraid we are getting on to another matter.

Mr. BATES of Massachusetts. Do you believe in that? Let the gentleman answer that question.

Mr. GREEN. I regret to transgress further on the generosity of the gentleman from North Dakota, but my views are fairly liberal on tariff matters. I am for American industry and American agriculture above all others.

Mr. BATES of Massachusetts. Is the gentleman in favor of a continuation of the trade treaties as at present carried on?

Mr. GREEN. I have made no declaration on that as yet, but Florida is deeply interested in unlimited production of sugar in the United States; and unless we can get relief, the reciprocal-trade agreements will be more obnoxious to Florida.

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. BURDICK. If I am going to be chairman of this committee, you will have to speak in turn. [Laughter.]

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman.

Mr. AUGUST H. ANDRESEN. I do not know how the gentleman from California [Mr. Voorhis] stands on the question of protecting the American market, but I am quite in sympathy with what he has to say about providing places for these people to make productive homes for themselves. We are going to have a matter here in a few weeks to give away some more of our American markets to foreign producers, and I hope that we may count on the gentleman from California to join with us in providing homes and the means of livelihood for Americans in this country, who want homes in order to make a profitable living for themselves.

Mr. VOORHIS of California. I hope the gentleman will join with some of us in trying to push through some of the essential reclamation projects also.

Mr. BURDICK. Now, let me parenthetically insert a small paragraph. [Laughter and applause.]

I think the gentleman from California [Mr. Voorhis] has hit the nail squarely on the head, because when these people are driven off their farms in North Dakota, South Dakota, western Kansas, and Oklahoma, they drift out there with no buying power—no money and no property. They go where it is warm. The next turn of the wheel we find that California and the Government have to feed them. If you want to take care of us that way; if you want to feed your money in through relief, go ahead; but it seems to me, from a selfish standpoint, that you would be willing to help us help ourselves.

I now yield to the gentleman from Massachusetts.

Mr. GIFFORD. I did not hear the first part of the gentleman's statement. Are you pleading today for more money for parity payments? I do not want you to appeal to my emotions too much if that is what you are going to ask for.

Mr. BURDICK. That is what I proposed to do when I started in.

Mr. GIFFORD. More production and more parity payments?

Mr. BURDICK. No; I was not talking on that subject at all, but I am appealing to your emotions now.

Mr. GIFFORD. Oh, do not do that. [Laughter.]

Mr. LEWIS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. LEWIS of Colorado. I note this poster reads:

Sugar: 1. None on fruits; 2. None on desserts; 3. Less on cereals; 4. Less in coffee and tea; 5. Less in preserving; 6. Less cake and candy; 7. Use other sweetenings. Save. United States Food Administration.

Mr. BURDICK. That is right.

Mr. LEWIS of Colorado. Those were all posters during the World War?

Mr. BURDICK. Yes; they were. Now you see how desperate they were to support our Army across the sea. The administration even went so far as to appeal to little children. Here is what it says:

Little Americans, do your bit.

Now, look at that.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. SHEPPARD. Would you object to turning the page back a moment so that I can see that?

Mr. BURDICK. Certainly.

Mr. SHEPPARD. When was that published and under what administration?

Mr. BURDICK. Under the Food Administration during the World War.

Mr. AUGUST H. ANDRESEN. During the Wilson administration, a Democratic administration?

Mr. BURDICK. Yes.

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. BURDICK. I yield.

Mr. CASE of South Dakota. I hope the gentleman will continue to read that poster so as to get in the point about wheat.

Mr. BURDICK. Yes.

Eat oatmeal, cornmeal mush, hominy, and other corn cereals. Rice with milk. Save the wheat.

Do we have too much wheat? We did not have too much wheat. We never have too much wheat. We would not have too much wheat if we had a war tomorrow. We would be out coaxing every farmer to raise more wheat.

Save the wheat for the soldiers. Leave nothing on your plate.

I guess we are going some in appealing to the saving of food.

Now, which would you prefer? Suppose the farmers of the United States were not able to buy seed this spring—which would be the best business proposition? Remember, now, there are a lot of them who cannot buy seed. Which would be the better—to call out a million more men to the colors, or to build one battleship at a cost of \$75,000,000, or put \$75,000,000 into seed to raise that without which you cannot win any war?

Mr. VOORHIS of California. Will the gentleman yield further briefly?

Mr. BURDICK. I yield to the gentleman.

Mr. VOORHIS of California. If you are going to make these loans to farmers for seed, does the gentleman see any reason in the world why the lending agency that lends it should have to sell bonds first, to borrow some private bank credit to do it with, when we have the largest credit base in the world at the disposal of the United States Government?

Mr. GIFFORD. Let me answer that.

Mr. BURDICK. That is right.

Mr. VOORHIS of California. If that were not done, the rate of interest could be cut in half, could it not?

Mr. BURDICK. Yes. I will say to the gentleman that the gentleman from Massachusetts [Mr. Gifford] would be likely to want to answer that.

[Here the gavel fell.]

Mr. GIFFORD. Give the gentleman some additional time. I want to answer that.

Mr. TABER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. GIFFORD. I want to recommend a reading of the last Comptroller General's report, which tells you how much gold we have. We have two and one-half billion. That is all. That is all the Government has.

Mr. VOORHIS of California. Well, there is a question about that.

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. BURDICK. I have already yielded to the gentleman from Massachusetts.

Mr. GIFFORD. Do you recall a bill brought here called planning for abundance? Did you support that bill a couple of years ago, say, in 1937?

Mr. BURDICK. If I thought it would help the general condition of the people of the United States I surely did. I do not recall the particular bill just now.

Mr. GIFFORD. I wanted to read to the gentleman from California what the Comptroller General reports and ask him if he denies that the Government has more than \$2,500,000,000 in gold.

Mr. VOORHIS of California. The question, of course, is to whom title belongs to the \$17,000,000,000 of gold that is now covered roughly by gold certificates. The law says it belongs to the Government. Gold certificates have been used in large measure to purchase it. One school of thought claims that the gold certificates constitute a claim against the gold; but as I understand it this gold cannot be used for the redemption of the gold certificates. Certain it is that it would be a very simple matter to call those gold certificates which are at the present time nothing but Treasury notes in reality, in which case the gold would all be available.

Mr. GIFFORD. I simply want to say, calling attention to the Comptroller General's report, that the President in his message said we had only \$35,000,000,000 net debt. The Comptroller General says \$37,500,000,000. The President was \$2,500,000,000 out of the way. Where does he get these figures he comes here and gives to the House? I have tried to bring out this point before. I thank the gentleman.

Mr. BURDICK. In conclusion let me remind you that you cannot talk Budget balancing to people who are hungry, to people who are ragged, to people who have no houses to live in. It is much more important if we want to prepare for war—and I believe in being prepared to defend this country against any enemy—but while this House is voting billions for the Army and the Navy we are permitting the destruction of those factors that produce that without which we cannot win any war. [Applause.]

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Chairman, for the past 6 or 8 years, every time this appropriation bill has been under consideration, I have taken the floor to call the attention of the membership and the country to the work of a Division of the Bureau of Internal Revenue, the Intelligence Unit. I admit that at times my statements sounded like a detective story. It was because I was restricted in my remarks as the law prevented the Department from giving any information relative to the activities of this important unit. The only time its activities were brought to the attention of the public was when an indictment was returned in a Federal court.

I am pleased to note this subcommittee for the first time has called before it the head of this unit, Mr. Elmer Irey, a career man. I might add, every man under his control likewise has a civil-service status. He testified at length. I invite you to read the hearings.

This organization has no publicity agent, nor information service. It is not on the first page of the papers every day; but, as I have previously stated many times for every dollar it expended in recent years it has brought into the Treasury of the United States annually an average of \$30 in addition to expenditures in taxes and penalties.

When law enforcement broke down, especially in the large cities of the country, it was this unit that went in and by its investigations of income-tax evasions brought about indictments and sent some of the most notorious gangsters of the country to the penitentiary. Some of the cases are outlined in his testimony. Mr. Irey was required to tell the Committee on Appropriations what his unit was doing to justify his expenditures, and as a result for the first time an official statement in regard to the activities of his unit is available.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. I yield to my friend from Massachusetts.

Mr. McCORMACK. This unit has many other activities besides that. It makes many investigations of applicants for various appointments in the Federal service, as we all know; so that when the gentleman says it has brought in \$30 for every \$1 expended, in that expenditure is included a substantial amount for activities not related to detecting those who either avoid or evade the payment of taxes.

Mr. COCHRAN. The gentleman from Massachusetts is correct. It also investigates the application of every man who applies for a position in the Internal Revenue Bureau—in fact in the Treasury Department. It investigates the application of every lawyer and accountant in the United States who wants to practice before the Treasury Department. It investigates any case that is assigned to it by the Secretary of the Treasury, but it stays within the Treasury Department.

I understand that Mr. Irey testified off the record as well as on the record. If the true story of his activities could be put in book form it would be classed as one of the best sellers in the United States. There is not a section of the country they have not invaded.

It was this unit that demanded, as the hearings disclose, that before the Lindbergh money was paid they must take a record of the numerals on the bills. They did not want to do it, but Mr. Irey and his men insisted, and as a result they discovered at the time the gold certificate was passed at the oil-filling station that it was part of the ransom money by the number on the bill. They stepped into that case because the man who secured the ransom money was required to pay income tax to the Government. That was the only way the Government could get into the case at that time because the kidnapping act of which I was coauthor had not up to that time been enacted into law. Nor had the extortion law of which I am the author been enacted at that time.

As I told you in some of my other speeches, this unit broke up the Capone gang in Chicago and sent Al Capone and his associates to the penitentiary, as well as other big racketeers in New York and other cities.

They turn their evidence over to the Attorney General, and it is upon the evidence which they collect that the Department of Justice prosecutes. There is not only a criminal but also a civil liability against the tax evader. They not only send the man to the penitentiary but they likewise require him to pay that which he owes the Government. No matter what sort of income it may be, even the loot a bank robber might receive by robbing a bank, it is subject to the income-tax laws.

They have comparatively only a small unit, and I have continually urged that when a Government agency can bring into the Treasury of the United States \$30 for every dollar it expends, it is sound business practice to give them plenty of dollars so that they will bring in plenty of \$30. There is no increase for the unit provided in this bill, but I understand at a future date consideration will be given to the suggestion that additional agents be provided for. I sincerely hope when the matter comes up that the Subcommittee on Appropriations handling the bill will report favorably upon this recommendation, because it is a unit that deserves to be supported in view of its record of the past. [Applause.]

If permitted under the rules, I would include as part of my remarks the entire testimony of Mr. Irey.

Time will not permit me to go into the activities of the Bureau of Internal Revenue as I would like. Too much credit cannot be given to Commissioner Helvering and his assistants

for their efficient service. While I believe in economy for this Bureau, which brings in our main revenue, we should be liberal in our appropriations. By curtailing the activities of the Bureau as a whole, many a taxpayer who has evaded taxes escapes, as it is absolutely impossible under existing personnel to cover all the returns made annually.

In speaking today I confine myself to the Intelligence Unit. My attention is directed to one outstanding case settled a little over a year ago. This case has never been brought to the attention of the Congress or the public before. It shows you how far their activities go. Five of the leading distillers of Canada moved with full speed ahead during the prohibition period, shipping through agents along the border an unknown quantity of liquor into this country. Jointly with the Customs Service and the Alcohol Unit of the Bureau of Internal Revenue, a thorough investigation was made, as a result of which a very large assessment with additional penalties was levied against the distillers for violation of our prohibition laws. One would wonder how we could require them to pay. It was possible to refuse them permission to do business in this country if they did not meet the demands. After long discussions it was finally agreed to accept about \$3,000,000. This amount was paid. This one item was sufficient to cover the expenses of the Intelligence Unit for 3 years.

The Louisiana cases received considerable space in the hearings. In answer to the questions of the gentleman from New York [Mr. TABER], Mr. Irey explained his Bureau had nothing to do with the prosecution of the cases other than submit its evidence, which it did. It was shown that one man was tried and convicted, while in the second trial another defendant was acquitted. Following that acquittal over 20 cases were dropped. The record shows this was through no fault of the Bureau of Internal Revenue. Despite the fact that only one individual was convicted, Mr. Irey showed about \$2,000,000 was collected in additional taxes, penalties, and interest. Even if one escapes conviction on the criminal charge, the civil liability is still prosecuted by the Bureau of Internal Revenue.

The amount collected as a result of investigations, according to Mr. Irey, does not in any sense represent the sole value of the work of the agents of the Intelligence Unit and the Revenue agents associated with them. Invariably, he said, following a conviction there is a tendency on the part of taxpayers to discover a mistake in their returns and they voluntarily come in, make an amended return, and pay additional taxes, penalties, and interest, fearing they might be the next to be prosecuted. Mr. Irey pointed out that, following the Capone conviction, two Chicago individuals voluntarily filed amended returns, paying approximately \$200,000 and \$238,000. At the time the agents had no information concerning their evasions.

The story of Kanekichi Yamamoto, a Japanese of Seattle who had long been suspected of illegal narcotic and smuggling activities is interesting. In cooperation with narcotic and customs inspectors, as well as a representative of the Tokyo police, they interrogated Yamamoto, and he boldly stated he found the United States so lax in law enforcement, he said he had found it necessary to have several Japanese killed for the best interests of the Japanese people on the western coast. He admitted he had been in the illegal narcotic business. The man had extorted large sums of money from Japanese people in this country. He was sentenced to the penitentiary and later sent back to Japan. Yamamoto pleaded with the officials not to prosecute him, and promised, if any Japanese again became involved in the narcotic business, he would deliver the individuals to the proper authorities in a sack, and it would only be necessary to bury them.

Another case where the Intelligence Unit cooperated with other agents was in the case of a resident of Switzerland, who was found to have \$20,000 in gold eagles in a safe deposit box in the Chemical Safe Deposit Co., in New York City, which had not been reported to the United States as required. With the Secret Service it was disclosed the man had large bank deposits in New York and had made money on the stock market. He had failed to report an income of \$200,000. Liens

were placed against his money, and taxes and penalties, as well as interest, recovered.

Mr. Chairman, I include as part of my remarks the following part of Mr. Irey's testimony included in the hearings on the pending bill:

The Intelligence Unit was organized some 20 years ago by the then Commissioner of Internal Revenue, Daniel C. Roper, and the then Secretary of the Treasury, CARTER GLASS. It had a twofold purpose: First, to investigate the large-scale evasions of income taxes developing with the increased war rates; and, second, to keep the Bureau itself free of wrongdoing among its personnel. This Unit, now an organization of some 300 agents and clerks, who regularly return to the Treasury many millions more in revenue than they expend.

When I was originally requested to set up the Unit, the Post Office Inspection Service was generous enough to send along with me five of my colleagues whom I considered "tops" in investigational work. They are still in the service of the Treasury.

NATURE OF WORK AND ACCOMPLISHMENTS OF UNIT IN TAX-EVASION CASES

The principal work of the Unit has been the investigation, in cooperation with internal-revenue agents and deputy collectors, of tax-fraud cases.

During the fiscal year ended June 30, 1939, approximately \$39,000,000 in additional taxes were recommended in cases investigated by our special agents, in cooperation with revenue agents and deputy collectors, working on an allotment of a little more than a million dollars from the Bureau of Internal Revenue appropriation, and during the period since the organization of the Unit a grand total of \$476,573,129.62 in deficiencies has been recommended for assessment.

In addition, during that time 947 individuals have been convicted of income-tax evasion. Included in that number are many enemies of society, gangsters, and murderers, who have been sentenced to the penitentiaries as the result of income-tax charges, and thus, as an incidental result of cheating the Government, their illegal activities have been cut short. Many dishonest public officials have met a similar fate.

The major amount of fraud work, naturally enough, relates to income taxes. The income-tax cases investigated by special agents represent a group which by their nature would not have developed additional tax except by extensive inquiry and persistent investigation as income is usually concealed by many clever and devious schemes which would not be unearthed in the usual tax examination.

Case of Moses Parshelsky

One such case was that of Moses Parshelsky, of Brooklyn, who had derived enormous profits from the sale of real estate which he had not reported for income-tax purposes, and which had been concealed from the Government in the income-tax returns filed. After an exhaustive special investigation under the supervision of special agents covering a 2-year period, Parshelsky was brought into court on charges of income-tax evasion, entered a plea of guilty, and paid \$2,000,000 to the Government in settlement of his liability.

Case of E. M. Smith

Another interesting case was that of E. M. Smith, who prior to 1912 was an oil-field worker in California. In that year he entered business for himself in Los Angeles, and in about 1920 secured control of patents covering a machine for the perforating of oil-well casing and pipe. These machines proved valuable, and through the operation of them Smith was enabled, during the period from 1920 to 1930, to enjoy profits of several million dollars. These profits were in a large measure concealed for income-tax purposes through various schemes which were unearthed by special agents' investigation. Criminal proceedings were instituted, and, following a plea of guilty, Smith was sentenced to the penitentiary for a term of 18 months. He paid \$1,300,000 into the Treasury in settlement of the tax liability involved.

Cases of Capone, Gordon, Gleckman, and Torrio

Many other cases involving prominent and influential businessmen could be cited, but better known, perhaps, are those cases in which the Intelligence Unit has been successful in obtaining convictions of well-known racketeers, such as Alphonse Capone, of Chicago; Waxey Gordon, of New York; Leon Gleckman, of St. Paul; and John Torrio, of Chicago and New York.

The cases of Al Capone and Irving Wexler, alias Waxey Gordon, are too well known to require extensive comment. Each was a powerful racketeer in his respective community whose career of violence had gone unpunished until income-tax investigations were instituted by the Intelligence Unit. The special agents gathered sufficient evidence to send both to the penitentiary for long terms. The careful, painstaking work of the agents in the Gordon case was commended by Judge Coleman, who stated in open court as follows:

"It is my firm conviction that never in this court, or any other court, has there been such fine work done, either on behalf of the Government or of any private client, as has been done by the agents and the Government attorneys in this case. These agents, who unquestionably could have received fabulous sums had they been willing to deviate from the straight line of their duty, or even to relax their diligence, have gone ahead and have accomplished a collection of evidence such as is truly astounding."

John Torrio was prosecuted last April on charges of income-tax evasion and pleaded not guilty. This individual controlled rack-

eteering activities in Chicago prior to the rise of Al Capone and left that city in 1925 after he had narrowly escaped death from gangland bullets. He tried to conceal his connection therewith by having the stock held in the names of others. Special agents, previous to the trial, had obtained information that Torrio was connected with the Pendergast-Davies Co., of New York City, and had obtained the testimony of a bookkeeper of the company to this effect. During the trial this bookkeeper suffered a loss of memory and could not recall whether Torrio had been connected therewith. By the application of a chemical to the books of the concern, which was done before the jury in open court, a special agent was able to bring forth next to entries on the books of the concern the initials "J. T.," which stood for John Torrio, and which had been erased therefrom. In the face of this evidence Torrio changed his previous plea of not guilty to guilty and was sentenced to 2½ years in the penitentiary. He also paid \$104,000 to discharge his income-tax liability.

Leon Gleckman, prior to 1934, was a power in politics in St. Paul, and had been engaged in numerous illegal enterprises which had caused him to be characterized in the press as Public Enemy No. 1. It was exceedingly difficult to obtain any record of his transactions, due to the caution with which he handled them. This difficulty extended into the criminal proceedings when every legal device was tried in an effort to forestall his trial. He was first tried in April 1934, but the jury was discharged when it could not reach an agreement. In November 1934 Gleckman was again tried and this time a conviction was obtained, for which he was sentenced to serve 18 months in the penitentiary and to pay a fine of \$10,000.

In 1937 a special agent had occasion to examine the books of the Republic Finance Co., of St. Paul, owned by Gleckman, and he observed the name of Bernard A. Fuchs, a juror in the first trial and one of those who was holding out for acquittal, as having received unpaid loans of \$675. Fuchs was immediately interviewed concerning these loans and finally admitted that he had received these sums from Gleckman the day following the disagreement of the jury in May 1934. Fuchs and Leon Gleckman were tried for contempt of court for jury fixing, and found guilty, Gleckman being sentenced to an additional 6 months in the Minneapolis workhouse.

This case has received wide publicity, due to the prominence of the individual involved and the many legal points which were the source of controversy both in the Circuit Court of Appeals and the Supreme Court. The conviction of Leon Gleckman is one of the outstanding achievements of the Intelligence Unit in recent years.

Case of William H. Malone

In addition to the investigation of racketeers, this organization has been called upon to inquire into the tax liability of public officials suspected of accepting graft. One such case was that of William H. Malone, of Chicago, who for many years prior to 1937 was a member and chairman of the Illinois Tax Commission. Malone was found guilty of tax evasion and was sentenced to 2 years in the penitentiary and to pay a fine of \$5,000 for evasion of \$59,000 income taxes.

Case of Thomas J. Pendergast

More recently and far more outstanding of this type of case is that of Thomas J. Pendergast, so-called political boss of Kansas City, Mo., who was recently sentenced to jail for 15 months and a \$10,000 fine on charges of income-tax evasion, to which he pleaded guilty. The investigation developed that Pendergast had defrauded the United States of income taxes totaling \$420,983.13 for the years 1927 to 1937, inclusive. Of the unreported income, the largest item totaled \$315,000 which Pendergast had received in 1935 and 1936 in connection with the settlement of the Missouri 16½-percent insurance rate litigation.

In December 1929 the five insurance companies doing business in Missouri applied for a 16½-percent increase in rates, which increase was challenged by the superintendent of insurance for the State of Missouri. In the subsequent litigation the additional premiums were impounded and totaled approximately \$11,600,000, of which approximately \$9,900,000 was under control of the Federal court. In 1935 agreement was reached and approved by the Federal court for the distribution of the latter sum in the proportion of 50 percent to the five insurance companies, 20 percent to policyholders, and 30 percent to C. R. Street and J. Folonie, trustees for the insurance companies for expenses. It was discovered that in May 1935 Street received \$100,500 from the various insurance companies which he had not reported on in his tax return.

I might say, as a matter of information, that that amount was discovered by a revenue agent in the regular course of the examination of a firm of lawyers. This item of \$100,000 did not appear in their return. The agent questioned them about it, and their answer was that they were simply putting it through as an accommodation for another person, C. R. Street. That was what led to the development of the case.

When questioned, Street refused to state what disposition was made of it and filed an amended return including the additional sum. In 1936 Street received additional sums totaling \$345,582.64, which with the other sums made a total of \$460,000 paid him by the insurance companies. Street died while the investigation was in progress.

By intensive investigation the agents were able to determine that this money was distributed at the direction of T. J. Pendergast and that \$330,000 had been brought in cash from Chicago to Kansas City by an individual and delivered personally to Pendergast. Of this sum, \$250,000 was retained by Pendergast. Altogether Pendergast received \$315,000 in this deal and in addition derived considerable other income which he failed to report for income-tax purposes.

Tobacco tax racket

In addition to income-tax cases, special agents of the Intelligence Unit have devoted time to other tax evasions. In 1935 and 1936 a determined drive was made to stamp out a tobacco tax racket in Boston and New York City, in which the Government was being defrauded of thousands of dollars annually.

In Boston and New York a force of investigators, dressed to represent the low-income class, made many purchases of cigarettes which were uniformly found to have either no stamp thereon or washed or reused stamps in violation of law. These activities culminated in simultaneous raids on numerous manufacturers, and in Boston 21 individuals were taken into custody and several factories confiscated. In New York similar simultaneous raids resulted in 25 manufacturers being taken into custody and their property forfeited to the United States.

Cases of evasion of gasoline and oil taxes

Another type of case in which the Intelligence Unit has concentrated its efforts relates to evasion of the gasoline and oil tax of 1 cent a gallon, particularly by those who are producing oil in excess of the production quota and are handling what is known as "hot oil." To date criminal proceedings have been instituted against 25 individuals who have been charged with evading this tax.

Social security tax evasions

Many instances of evasion of the social security tax laws have been referred to the Intelligence Unit for investigation, and to date several criminal prosecutions have been instituted against persons who have failed to discharge their liability in this respect.

Violations of Firearms Act

A discussion of tax frauds should also include those cases involving violation of the National Firearms Act. Seventy-six individuals have been convicted and sentenced to prison for violation of the National Firearms Act since the Intelligence Unit has participated in its enforcement.

Fries & Son Steel Co. income-tax case

One of the odd income-tax cases investigated was that of the Fries & Son Steel Construction & Engineering Co., of Lexington, Ky., which was engaged in the business of construction and erection of jails and the construction of prison cells. This is an example of the old adage that "familiarity breeds contempt." The owners of this concern failed to show on the books of their corporation payments received for the construction of the jails and prison cells; and after an investigation disclosed that they owed approximately \$14,000 additional income taxes, criminal proceedings were instituted against them and a plea of guilty entered. Approximately \$20,000 was paid in satisfaction of the civil liabilities involved.

Motion-picture stars' tax-evasion cases

We had a situation in California several years ago in which a great many movie stars—I think about a hundred—were involved. Evasion of taxes was current through the State, due to the manipulations of certain accountants, and following our investigation we prosecuted and convicted five such accountants, one a woman, whom the court sentenced to 2½ years.

They were all accountants, and they were suggesting methods of evasion to the movie people. There were 22 movie people who, we believed, had a real intent to evade the payment of income taxes, and they were either convicted or pleaded guilty.

There was a recovery of a little over \$2,000,000 from the group.

Activities in the Lindbergh case

Within 2 or 3 days after the Lindbergh baby was kidnapped, Al Capone, who was then in jail awaiting the disposition of his appeal, sent word to Colonel Lindbergh that he could apprehend the kidnapers if he were released.

Colonel Lindbergh telephoned the Secretary of the Treasury and asked for a conference with me. I went to Hopewell, N. J., for that conference. Colonel Lindbergh agreed with me that Capone could not be of any help to him. On the request Colonel Lindbergh made to the Secretary, our organization was assigned to work with him in the development of evidence, which we did, for a period of 20 months.

At the time he paid over the ransom money it was our agents who insisted that the bills be listed as to numbers and that there be included in the package of currency a certain number of gold certificates.

It was the payment to a gasoline-station attendant of one of these numbered gold certificates, as you will probably recall, that led to the capture.

Colonel Lindbergh objected quite strenuously to the listing on the theory of wanting to keep faith. He had indicated in his newspaper advertisements that he would keep faith with the kidnapers, and he felt that keeping such a list might not be doing so.

But we insisted that this be done. It was our thought that unless this list was made we could not continue in the case, as failure to do so might be construed as compounding a felony. Upon our urging, he permitted us to list the numbers.

The night the money was paid over a note was delivered to Mr. Condon indicating that the baby was on a boat at Martha's Vineyard.

Early the following morning Colonel Lindbergh, Colonel Breckenridge, Condon, and I flew from New London, Conn., and down around that neighborhood, constantly looking for the boat; of course, without success.

Number of arrests, convictions, and taxes assessed during the fiscal years ended June 30, 1937, 1938, 1939

	June 30, 1937	June 30, 1938	June 30, 1939
Persons arrested.....	104	156	171
Persons convicted.....	116	116	103
Taxes and penalties recommended in cases investigated by special agents in cooperation with revenue agents and deputy collectors.....	\$26,702,728.32	\$26,106,013.83	\$39,259,805.47

¹ This figure is larger than the number arrested because some of the persons convicted were arrested in prior years.

*Number of cases on hand, received, and disposed of during the fiscal years ended June 30, 1937, 1938, and 1939**FISCAL YEAR ENDED JUNE 30, 1937*

Cases on hand June 30, 1936.....	1,402
Received fiscal year 1937.....	9,293
Closed fiscal year 1937.....	8,601
Balance on hand June 30, 1937.....	2,094

FISCAL YEAR ENDED JUNE 30, 1938

Cases on hand June 30, 1937.....	2,094
Received fiscal year 1938.....	8,321
Closed fiscal year 1938.....	8,492
Balance on hand June 30, 1938.....	1,923

FISCAL YEAR ENDED JUNE 30, 1939

Cases on hand June 30, 1938.....	1,923
Received fiscal year 1939.....	6,764
Closed fiscal year 1939.....	6,962
Balance on hand June 30, 1939.....	1,725

Mr. TABER. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. CRAWFORD].

IMPORTS OF GOLD AS RELATED TO EXPORTS OF GOODS AND SERVICES

Mr. CRAWFORD. Mr. Chairman, I wish to make a few observations with reference to some of the testimony which I find in the hearings on the Treasury Department appropriation bill. On page 30 of the hearings, the gentleman from Indiana [Mr. LUDLOW], seeking information on gold imports, propounded this question to Secretary Morgenthau:

I wondered what your philosophy was to the desirability of purchasing such enormous stocks.

The Secretary replied:

The only idea is that you have just two alternatives. If we want to sell goods abroad, it can be paid for in goods and services, in gold and silver, or we can loan them money.

The policy since I have been in the Treasury is that we will not loan them the money; that is, certainly not to the countries which are in default. As to the countries which are in default, not being able to borrow, we will use all of the goods and services they can furnish, and make up the balance with gold and silver, until somebody can do it in some better way than that.

Then the gentleman from West Virginia [Mr. JOHNSON] interrogated the Secretary and asked:

If you did not buy this gold, it would greatly interfere with our trade with other countries; it would stifle that trade, would it not?

Secretary Morgenthau replied:

It would fall off by that amount.

Mr. Chairman, this latter reply of the Secretary is extremely interesting to me, but I cannot believe the Secretary meant to make that statement. On the other hand, when you go through and review the additional pages of the testimony it appears that perhaps he did mean to make that statement.

Referring to the January, 1940, Federal Reserve Bulletin, page 11, we find these interesting comments by E. A. Goldenweiser, Director of Research Statistics for the Federal Reserve Board:

Monetary gold in this country today has mounted to the unprecedented total of 17.6 billions. It has increased by about 13.6 billions since the beginning of 1934. Of the increase 2.8 billions represent the result of the revaluation from \$20.67 to \$35 an ounce of the 4 billions in gold which we had at that time, and 0.2 billion was gold acquired under the gold buying program before revaluation. The remaining 10.6 billions have been added to the gold stock since January 1934. A little less than 9 billion of the increase represents production and return of coin and scrap gold in this country and 9.7 billions are the result of imports from abroad.

It is estimated that 3.1 billions came out of central bank reserves of other countries, mostly France and England, and 6.1

billions out of foreign mines, largely from South Africa. A half billion dollars more on balance has come from other sources, principally private holdings in India.

Mr. Goldenweiser further comments by saying:

To the extent of 2.2 billions our gold acquisitions represent an exchange of goods and services for gold. This is not, however, the way the matter looks to the people who sold the goods and services.

Going back and quoting the Secretary, he said in answer to the question asked by the gentleman from West Virginia in reference to our trade with other countries, that, "it would fall off by that amount." By what amount? By the amount of the total purchase of gold. Yet Mr. Goldenweiser shows that gold moved as an incident of trade during this whole period to the extent of only 2.2 billion. Deducting the latter sum from the total gold imports of 9.7 billion would leave a difference of 7.5 billion error in the Secretary's answer.

May I also state the Treasury statement shows that during this period up to January 18, 1940, our gold stock did move up to a total of \$17,807,000,000. If you will take the hearings and go to page 14 you will find where the Treasury Department shows the acquisition of gold step by step from January 29, 1934, up to November 30, 1939. You will also find that during the year 1939 we acquired in round figures \$3,000,000,000 worth of gold in that 1 year.

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. What would the gentleman say has been done with the difference between the \$2,200,000,000 of gold acquired by trade and the ten-billion-odd dollars which has been acquired during the period of which the gentleman speaks?

Mr. CRAWFORD. I think I will answer that question as I proceed, if the gentleman will permit.

The observation has been made to the effect that as the Nation's monetary gold stock nears the \$18,000,000,000 mark and with gold imports continuing at a rate in excess of current world production of the yellow metal, the surplus supply of gold remains perhaps the most fundamental of the financial problems confronting the United States. In this connection, it is very interesting to further observe a statement made by Secretary Morgenthau which appears near the top of page 35 of the hearings. The gentleman from Indiana [Mr. LUDLOW] interrogated the Secretary by asking, "The credit of the Government was never better than now?" Secretary Morgenthau replied, "It is at the top."

Personally, I am very much inclined to disagree with the Secretary in his reply. I seriously question the Secretary's approach not only when he says, "It is at the top," but as well when the Secretary says, in referring to the legal limit of obligations to be issued by the Government, and in answer to a question propounded by the gentleman from West Virginia [Mr. JOHNSON].

Do you care to express an opinion as to whether or not you think it advisable to go beyond the \$45,000,000,000 limit? I mean so far as the Appropriations Committee is concerned—

Secretary Morgenthau replied, "Yes; I think it should be raised to \$50,000,000,000."

The gentleman from Indiana [Mr. LUDLOW] continued the interrogation, and the Secretary observed that—

Anything might happen, and if it was up to me, I would recommend, and am willing to say, that the debt limit should be raised to \$50,000,000,000.

The Secretary also observed—

That there is no particular danger involved if Congress would raise the debt limit to \$50,000,000,000. Beyond that I would not venture an opinion.

But when you go back to page 17 of the hearings we find where the Secretary makes this interesting statement in reply to the gentleman from Indiana [Mr. LUDLOW]:

In coming before you at this time, and trying to make such a forecast, I think the conditions are such that I find it more difficult to look into the future and make an intelligent forecast than at almost any other time.

In the light of this statement made by the Treasurer pointing out the difficulty of looking into the future and making intelligent forecasts, I am at a loss to understand why Mr. Morgenthau speaks with such a degree of positiveness with reference to the \$5,000,000,000 increase in the debt limitation. Yet, based on those uncertain conditions, the Secretary takes the position that it is entirely feasible, practical, and in order for us to proceed to authorize \$50,000,000,000. He does say in the hearings, however, that when we reach \$49,000,000,000 he might want to take a look at the picture from that point.

Just what type of yardstick is Secretary Morgenthau using at the present time in his calculations with reference to the \$5,000,000,000 increase in the debt limit which he recommends?

In 1939 we had occasion to witness the erratic movement in the Government bond market, which, to say the least, was somewhat startling. The convulsions which occurred were greater than in any year since those of 1931 and 1932, and these convulsions were engendered, not by internal happenings but by circumstances beyond the control of the American people and directly connected with the economic and social affairs of people in other parts of the world. Had there been an internal dislocation on a scale comparable to what has occurred in western Europe, for instance, perhaps the Secretary would not feel that the credit of the Government was at the top or that we would be entirely safe in definitely moving on to the \$50,000,000,000 milestone.

Those engaged with the responsibility of managing the portfolios of our banks, which, I am now informed, hold more than \$18,000,000,000 of Government obligations, suffered from very serious headaches during the year 1939, when there was a drop of as much as 9 points on the 2¾-percent bonds outstanding of the Government. Of course, it became necessary for the Federal Reserve bank to enter the market and give very substantial support. Further, I understand the Treasury did not offer during the year 1939 any of its direct obligations other than a small issue of \$150,000,000 in Treasury bills in October and November for cash until the offerings for cash in November of \$500,000,000 of 2-percent Treasury bonds of 1948 to 1950 were put on the market. Had the situation been of such a nature that, while Government two and three-quarters were declining as much as 9 points, it had been necessary for the Treasury to make direct offerings in substantial volume, we might have discovered that the credit of the Government was not "at the top."

We must admit, however, that the timing exercised by the Treasury during 1939 on its refunding operations was very well done. But, at the same time, let me point out that during the year 1939 our purchases and imports of gold were in the neighborhood of \$3,000,000,000. As I say, referring to page 14 of the hearings, you will get more detailed information on that point.

Again, excess reserves of member banks exceed \$5,500,000,000 at the present time, and I believe last year they touched around \$5,530,000,000.

Let us be realistic about this whole matter. Discontinue imports of gold, for instance, and increase the reserve requirements of our member banks sufficiently to absorb present excess reserves down to a manageable proportion, which is being recommended and has been recommended by the Federal Reserve Board, and which is a matter monetary authorities are exceedingly concerned about, and at the same time increase substantially the demand for commercial loans, and then see what demand there would be for governments and see how much the Government credit would stand "at the top." That is the yardstick to apply on this proposition of the readiness and the eagerness of our people to acquire more Government bonds.

Let us consider this phase of it. In 1939, for instance, we, the people, went to the Treasury and absorbed into our possession, roughly, \$1,100,000,000 maturity value of baby bonds; but keep in mind that during the year 1939 there was a breathing spell, you might say, during which time the Treasury did not make any extraordinary amount of new offerings.

Students of the market tell me that during the next 12 to 18 months the Treasury will be forced to put onto the market new offerings of somewhere around \$2,700,000,000 as compared to the small amount that was offered last year. Suppose those new offerings come along with a discontinuance of imports of gold, which build up excess reserves and all upon a declaration of peace in Europe and on a declining bond market.

And may I say, responding to the inquiry of the gentleman from South Dakota [Mr. CASE] a few moments ago, that, as this gold has moved in, it has built up the excess reserves; and, as the excess reserves build up, the banks demand more and more and more earning power of some kind. In times of international distress there is no inclination on the part of our people to go to the banks and increase their commercial loans unless the price level is materially advancing as it did for a few days in early September. But look at what has happened to the commercial loans since the September spree disappeared. We are now back to a situation where last week, I am informed, the New York banks alone acquired \$123,000,000 of governments because of the scarcity of commercial loans, plus increasing excess reserves as a result of additional importations of gold. The program of gold imports will apparently go on for a considerable time unless peace is negotiated, and in that event there might be a reversal of the flow of gold bullion.

It has been pointed out in recent days by experts on the question that to discontinue the purchase of this gold at present prices would precipitate exchange chaos throughout the whole international exchange market, and I have no idea that our present administration will be a contributor to an unsettling of international exchange in the future any more than at present.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 5 additional minutes to the gentleman from Michigan.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Can the gentleman think of any reason, in view of the amount of gold we have on hand in the way of reserves, why gold should not be remonetized and the law repealed which makes it a crime for an individual to hold gold?

Mr. CRAWFORD. I was just going to comment on that point by quoting from an editorial in the New York Journal of Commerce, published under date of January 10, in which the editor points out that—

It may well be that the United States could help effect a stabilization of foreign exchange after the war through lending some of its vast surplus of gold to other nations. It is equally possible, of course, that such loans will not be wanted or that this country will be unwilling to make them. As long as the possibility exists, however, a very strong case can be made for maintaining the status quo.

The editor of the Journal makes another observation which I think is very much to the point when he says:

While thus opposing any limitation upon gold buying by the Treasury or a lowering of the price paid for the yellow metal, Mr. Aldrich does favor the removal of existing restrictions upon hoarding gold and the restoration of gold coin and certificates to circulation. In this way he feels a considerable amount of gold could be disposed of by the Treasury, to be drawn in again only in the event of some future emergency.

He further points out that it is too early even to guess at the nature or the type of settlement which will follow the war now going on in Europe, and that it might be well for the United States to continue the accumulation of gold, so that we would be in a position to exercise more influence in putting the international exchanges on a stabilized basis.

Now, Mr. Aldrich, head of one of the greater banks of New York, points out that it would perhaps be a very sound step for us to take, and sound in that it would relieve this enormous gold burden on the Treasury and now on the member banks of the Federal Reserve System through their excess reserve

accumulation, if the laws were changed so that our people could begin to accumulate gold as they did before our present laws prohibited that privilege.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield further?

Mr. CRAWFORD. I yield to the gentleman.

Mr. CASE of South Dakota. I introduced a bill during this Congress, I think in the first session, to provide that the purchases of new gold should be paid for with gold certificates. Of course, that would imply that it would be legal again for private citizens to hold gold. Can the gentleman think of any reason why we should borrow money to pay for gold when, if the Government wished, it might directly issue gold certificates at face value against the gold that is purchased?

Mr. CRAWFORD. I do not know why we should issue interest-bearing paper with which to obtain dollar exchange, with which in turn to pay for the gold imports and thereby furnish dollar exchange, to those who desire to acquire securities in our industries at present depressed prices—and I think they are greatly depressed at the present time—and have our people proceed to pay interest on the debt that is created as a result of making that purchase.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. GIFFORD. I want to answer the gentleman from South Dakota and say to him that I have urged lately upon the speaker, who knows so much about this subject, to offer a bill in this session of Congress to remonetize gold. Of all the men in this House who could support that argument I think he is the one, and I shall expect him to do it; and while I am on my feet may I ask the speaker if he mentioned before I came in Secretary Morgenthau's proposition to increase the debt limit?

Mr. CRAWFORD. I did.

Mr. GIFFORD. I wanted to suggest to him it would be very embarrassing for Secretary Morgenthau if we do not do that; because, if we should reach the limit, he has already made the statement that he would not honor any more checks. All of us know there are receipts coming into the Treasury every day and he will have some money to pay somebody. If he would have to play favorites, it would be very embarrassing, would it not?

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. CRAWFORD. Mr. Chairman, the gentleman from Massachusetts [Mr. GIFFORD] a few moments ago referred to the financial statement of the United States as of June 30, 1939, as published in the annual report of the Comptroller General of the United States for the last mentioned date. In referring to that balance sheet I find the gold holdings listed as "Gold unencumbered, \$2,358,547,588.83; silver unencumbered, \$615,085,905.30."

This, in a way, gives the interpretation of the Comptroller General as to who owns the gold which is not covered by the gold certificates and that portion which is covered by gold certificates and which is held by banks.

This balance sheet also shows as an asset "Foreign government obligations receivable, \$14,026,099,965.65." It shows a national deficit of \$23,703,518,035.46.

If we add to the national deficit here shown the \$14,000,000,000 which is set up as a claim against the foreign governments as an asset, it gives us a deficit of \$36,700,000,000, and I believe that is the figure which the gentleman from Massachusetts referred to as against the \$35,000,000,000 which had been mentioned, I believe, by the Chief Executive in one of his messages.

So in referring to this balance sheet, it seems to me that those who study it, from the standpoint of a going concern, should eliminate at least \$16,000,000,000 of the assets, because I do not believe that a professional accountant would certify such doubtful claims as an asset if he were preparing a financial statement for one of our large commercial organizations. Who really believes the fourteen billions will be collected from the European debtors?

The Comptroller General's report, to those who might be interested, gives the details of these claims against foreign governments and also shows the accrued interest chargeable against each receivable from the government in question, and I call your attention to that because I believe you will be interested in using it from time to time.

Now, going back to the question of disposition of some of this gold, Mr. Aldrich has pointed out that—

We must all look forward to the day, and prepare for it, when the world will again find itself at peace. It is too soon to attempt a forecast of the influences which will determine the nature of that peace. But one thing is certain, if peace, when it comes, is to have any real permanency, and that is that the multitudinous barriers which at the time of the outbreak of the war prohibited or unduly hampered trade between the nations of the world must be removed, and that a situation must be created in which goods may move freely and in volume over international borders.

He says further:

We are already the possessors of 60 percent of the world's monetary gold stock. Before peace can be achieved this share may have risen further. In a large sense we are and will be the conservators of the world's monetary system. It is for this reason, as well as for ample reason of our own, that we must take action now to preserve the monetary character of gold. As I see it, our immediate function is to reestablish a free gold market, permitting free movement of gold bars and gold currency both inward and outward, so that the price of gold as here established shall constitute a firm and certain base line from which the values of the diverse currencies of the world can be confidently figured.

It would appear that Mr. Aldrich has some premonitions as to what may happen to gold as a monetary base if the United States proceeds to accumulate from 75 to 100 percent of the monetary gold of the world, and if the central banks and governments of the foreign countries decide to demonetize gold and remove it from the monetary scheme of the world's central banking, currency, and credit systems.

Mr. SMITH of Ohio. Will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. SMITH of Ohio. Evidently you refer to Mr. Goldenweiser's paper?

Mr. CRAWFORD. Yes.

Mr. SMITH of Ohio. I notice that Mr. Winthrop Aldrich takes the opposite view. He answers Goldenweiser's statement that we must continue to buy gold, lest it might disturb international exchange, by showing that when we return to a gold-coin standard and an open gold- and silver-bullion market, these things will automatically take care of the question of international exchange, and instead of becoming more disordered it will become more ordered. This is my opinion also.

Mr. CRAWFORD. I think that conclusion is worthy of very serious consideration. This gold problem deserves our attention now.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, I simply desire to interject a few remarks after the able statement by the gentleman from Michigan [Mr. CRAWFORD], who has preceded me.

I do not fear, and I do not think many fear, that we will be left "holding the bag" because of our large supply of gold. Some do claim that it may be useless, because gold might be discontinued in the world as a monetary unit. Currencies today are still measured by gold. They are off the gold standard only as to weight. But the point I want to make is this: Our own people desire some hard money. People are getting worried about what some economists call fake money. Briefly, when we go to the bank with a thousand-dollar note, we get \$1,000 in money, newly created money. When we pay that note, that credit or created money is marked off the ledger. We have created some \$25,000,000,000 by the bond indebtedness of the Federal Government—new money, which when spent simply goes into other people's pockets and returns again to the bank. So that we have that so-called fake money out until the bonds are paid. But they are simply renewed and will not be paid for a long period of time. So that kind of money is piling up in the banks as credits. Many people fear this condition; many people would like to have

some of that \$18,000,000,000 of hard money for use or for hoarding. Something that we might feel was of a much safer and dependable form of money. That is created money, which is not canceled, is reaching a highly dangerous point. I appeal that we remonetize gold; that we may have something of intrinsic and commodity value, rather than paper promises in such dangerous quantities.

While I have a moment, I would remark that baby bonds have recently been purchased in large quantities. The post offices are selling them in competition with savings institutions. One party stated to me lately, "As everybody is buying them, I have taken my money out of our savings bank and invested in them." I replied, "You are investing money in my salary, in battleships, and Government expenses." The savings banks invested in homes and in business. "But everybody is buying baby bonds. Of course, they must be good." Somebody said, "I don't want to take your note." "Oh," was the reply, "my notes must be good. Everybody's got 'em!" [Applause and laughter.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, I believe there is a great deal of confusion in the minds of the Members of Congress on both sides in regard to the proposed Finnish loan. I suspect that every Member of Congress would like to help Finland if they could do so and be assured it would not be an unneutral act on our part, or involve us in any foreign entanglements and wars. The American people have been thrilled by the gallant and heroic defense of Finland against the red avalanche of communism. Today Finland is fighting in the front-line trenches against communism, on behalf of democracy and Christianity. Those are self-evident facts that every American knows, and there is no wonder that the American people—and this transcends all party lines—are almost united in their sympathy and desire to help Finland and the Finnish people in defense of their liberties and independence if we can do so without involving the United States of America into foreign wars.

I think I am known as an isolationist in this House. At least, I pride myself on being an isolationist from foreign wars. I know of nothing that I would not do to keep America out of foreign wars, except in case of attack by some foreign foe, or violation of the Monroe Doctrine, or invasion of some South American or Latin American country by a European or Asiatic nation. But that does not mean that I am an isolationist from peace, from limitation of armaments, or from promoting peaceful relations among nations and from trying to alleviate distress, suffering, destitution, and starvation in the world.

We all know the serious unemployment situation of our own country. We have 10,000,000 unemployed, and the Congress does not propose to let any of them starve. We face a deplorable economic condition; but in spite of that unfortunate condition we are the richest nation in the world, with the greatest natural resources.

If any nation is to lift even so much as its finger in a financial way to alleviate distress in the world, to help feed and clothe the hungry and destitute in Finland and in Poland who are now—to some extent at least in Finland—fighting our battles, and in Poland dying of undernourishment and starvation, it seems to me we cannot always hide behind the fact that we have some unemployed in America. We cannot evade the fact of our great resources and wealth, and plead poverty and stay aloof from our moral duty to alleviate starvation and distress in foreign lands and do something to lessen man's inhumanity to man as the result of man-made wars.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield, but I have only stated the preface to my remarks so I hope the gentleman will not come to any conclusion as to my recommendations.

Mr. CASE of South Dakota. I will not, but I was wondering if the gentleman knows of any law on our statute books today that would prevent a loan to Finland by the Export-

Import Bank without restrictions upon the use to which the funds are put?

Mr. FISH. The gentleman has practically taken the words out of my mouth because that is what I propose to speak on. I intend to speak on the President's letter to the Congress in which he advocates that the Congress allocate certain sums of money, unnamed, to the Export-Import Bank for the purpose of affording relief to Finland in their great national emergency. This question of loans to foreign nations is a very serious one and it is one that should be approached with the utmost caution, disassociated entirely from partisanship. I have made no poll on the Republican side of the House, but I have ascertained enough to know that there is a marked division not of sentiment or sympathy toward Finland but as to what should be done or what could be done at the present time. It is very proper that their views have not crystallized in order that they may decide after careful study just what should be done, having in view the best interests of our own country. I am speaking today in a generic sense on the whole proposition of lending money to foreign governments.

Let me preface my remarks by saying that fundamentally I am opposed to lending any money to foreign nations, but there is always an exception to every proposition of this kind. I think most of us find ourselves in agreement on the proposition that we have had a very sad experience in lending money to foreign nations in the past. Very few if any of these nations except Finland have paid back their debts to us. We lent most of the nations of Europe huge sums of money after the World War, not only during the World War, but \$2,000,000,000 after the World War for relief purposes, and very little of it has been repaid. We lent money to Latvia, to Lithuania, to Estonia, to Greece, to Rumania, to Finland, and to many other nations; and there is a very deplorable record in connection with all these loans except that with Finland. This is why the Finnish loan should stand on its own bottom. It should be separated from every other loan, first, because Finland paid its debts and stands alone by itself in all its glory, so that today it is known as little honest Finland.

Second, because, as I pointed out, they are actually fighting against the spread of communism and for democracy and Christianity.

I am not in favor of the proposal of the President that we should allocate a huge sum of money as a revolving fund, let us say \$100,000,000, to the Export-Import Bank and permit that governmental agency to make loans to any nation in the world, even to Soviet Russia, for there is no legal restriction. There is no restriction on the lending power of the Export-Import Bank as to nations nor as to the sale of arms, ammunition, and implements of war. The Congress should not turn over the control of the purse strings to the Export-Import Bank, and I have the highest regard for Mr. Pierson, the able President of the Bank; but he is an individual, and might die tomorrow, or resign, and we do not know who will succeed him; it might even be some fellow traveler who is friendly to Soviet Russia. The first thing, therefore, I wish to warn the Members of Congress against is not to surrender control of the purse strings and turn over \$100,000,000 to any agency of the Government, because when you do that you not only surrender your greatest power, control of the purse strings, but you put in the hands of a bureaucratic agency of the Government the shaping of our foreign policies. The man who controls the money makes the foreign policies, not the Congress of the United States, not the various committees of the Congress, but the single individual who has control of the expenditure of that money, and the lending of that money to foreign lands.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield.

Miss SUMNER of Illinois. Perhaps it should be said for the head of the lending agency, who is the administrator over the head of the Export-Import Bank, Mr. Jesse Jones, a gen-

tleman I think famous throughout the Nation for his horse sense, that he was quoted in the press the other day as saying that a \$10,000,000 loan to Finland would be all right, that he would lend that but he would not be willing to go beyond that without the authorization of Congress. Perhaps, therefore, it is unfair to say that he would be extravagant in this instance or go beyond his power which, I suppose, is that of a trustee; and I suppose ours is the same; we should consider ourselves as trustees without the right to be generous. Neither extravagance nor generosity is permitted to trustees.

Mr. FISH. I am very glad the gentlewoman from Illinois came to the defense of Jesse Jones. I have served for many years in the past as a member of the Committee on Banking and Currency, and I know Mr. Jones well and have the highest regard for him and complete confidence in his Americanism and his desire to do what is right. I am opposed, however, to the whole principle of delegating the control of the purse strings to some governmental agency, whether the head of the agency be Jesse Jones, Mr. Pearson, or to somebody else equally good, for when you do that you surrender at the same time the greatest power of Congress, control of the purse strings and the shaping of our foreign policy. If we continue to delegate power to these bureaucratic agencies we might just as well fold up as a deliberative and legislative body and go out of business. I, for one, would prefer to have the Congress take back some of the power we have already surrendered and restore representative government in the United States of America. [Applause.]

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield.

Miss SUMNER of Illinois. My point was that in this case we are not confronted with the proposition of delegating power because the gentleman to whom the power would be delegated, Mr. Jesse Jones, says he does not wish to be extravagant. If we wish to be extravagant with our trust that is our own responsibility.

Mr. FISH. I wish I might agree with the gentlewoman; first, because I like her, and second, because she is generally right.

In this instance I have to differ from her, because the proof of the pudding is always in the eating thereof. This is not a new proposition by any means. The Export-Import Bank has already lent China \$25,000,000 and we in the Congress have had nothing to say about that. We have never discussed it in the Congress of the United States that I know of. We have never considered lending money to any foreign nation. I do not remember any debate since the World War on whether it should be the policy of our Government to lend money to foreign nations or not, yet you will find that we deliberately lent China \$25,000,000 through the Export-Import Bank.

If we can lend money to China, certainly we can lend money to Finland. China has been at war for 2 or 3 years. That loan was not just to provide foodstuffs and agricultural supplies, but also for trucks, gasoline, copper, lead, and so forth. In fact, 500 or more commodities have been bought under that loan. Therefore I say that if we are to lend money to anyone, in view of the fact we made a loan to China we should lend a like sum of money to Finland to buy not merely foodstuffs and cotton but all commodities except arms, ammunition, and implements of war. I am convinced that if we actually put up money for the purpose of buying deadly and lethal weapons we will have committed an unneutral act and will have practically intervened in that war. Japan has never complained because we lent China \$25,000,000 to buy everything else, but if we had put up the money for China to buy arms, ammunition, and implements of war, then you would have had a protest from Japan overnight. There is a distinction recognized by all nations between deadly or lethal weapons and other commodities.

Miss SUMNER of Illinois. Will the gentleman yield further?

Mr. FISH. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. May I say to the gentleman it seems to me the question of neutrality revolves around whether one treats all nations alike that may be engaged in war, whether declared or not. In the case of China, Mr. Jesse Jones, testifying before the Banking and Currency Committee, stated that that was a good loan; that it was lent to certain private individuals which will be repaid regardless of the result of the war. But in this Finnish case he states that any loan over \$10,000,000 will not be a good loan. So if we make a loan that is not a good loan, or if Congress passes a law saying that we should make a loan notwithstanding the fact it may not be a good loan, we are going beyond the bounds of neutrality.

Mr. FISH. I think we are talking about different things. The gentleman is arguing about the amount of the loan and whether the loan is a good loan or not. I am not arguing at all about the amount, or even whether it is a good or bad loan. I am arguing about the principle involved.

Miss SUMNER of Illinois. So am I.

Mr. FISH. That is, whether we should make a loan to any country, and, second, if we make loans, each loan should stand on its own merits and it should be discussed and voted on by the Congress of the United States. I am sure the gentleman must agree with the premise I am trying to establish that we must not delegate control of these loans to any subordinate officers of the Government.

Miss SUMNER of Illinois. In other words, the gentleman does not believe in the policies of the Export-Import Bank?

Mr. FISH. I do not believe in making loans to any foreign nation without the consent of Congress. I might be willing to except Latin America. It is a dangerous policy to engage in to permit the Export-Import Bank to make loans to foreign nations all over the world without getting the approval of the Congress on each specific loan, because it will then become a habit to lend money to every nation, and if we lend to one nation why not to all? And, further, we in the Congress will have nothing to say about it and have no control of the purse strings or in shaping important foreign policies.

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. How does the gentleman think this Congress could by specific act authorize a direct loan to Finland under the circumstances the gentleman is describing and not be accused of intervening in that war?

Mr. FISH. Because no war has been declared and we have not officially recognized a state of war to exist. Let me say we are responsible for the acts of our agents. If loans are made through an agency of the Congress, the Congress responsible for creating that agency is therefore, responsible indirectly for the loan to China. There was no complaint from the Japanese on account of that loan and there will be no complaint as the war has not been officially recognized there. However, I want the Congress to control the purse-strings and the foreign policy of our Government and determine each important loan of that kind itself. Soviet Russia and Finland are in a state of war, but they have not acknowledged it themselves by any declaration of war and neither has the President or the Congress proclaimed it to exist officially.

Mr. CASE of South Dakota. The President has not declared it, consequently under the Neutrality Act there is no requirement of cash purchases, so credit can be extended.

Mr. FISH. That is so.

Mr. CASE of South Dakota. Finland is not in default on the general obligations of the country, so she does not run afoul of the Johnson Act. The Export-Import Bank does have an authorized capital of \$100,000,000 of loaning power which has not been entirely exhausted. Under these circumstances, since the bank has already made a \$25,000,000 loan to China and a \$10,000,000 loan to Finland, I am unable to see how the Export-Import Bank lacks authority to make a loan to Finland if it wants to. It seems to me the attempt to unload the responsibility on Congress at the present time is entirely unfair.

Mr. FISH. The Export-Import Bank has already made a loan to Finland of \$10,000,000. The President proposes that Congress increase the revolving credit fund of the bank, which I am unwilling to do. I want to limit the power of the bank to make loans to foreign nations outside of the American continent.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 5 additional minutes to the gentleman from New York.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Connecticut.

Mr. MILLER. In fairness to Mr. Jones, should not the record show that the loan to China was not a loan to the Government of China?

Mr. FISH. The loan to China is guaranteed by the Chinese Bank, but of course the Chinese Bank is backed by the Chinese Government.

Mr. MILLER. The testimony of Mr. Jones was that the loan was made to a private corporation in New York.

Mr. FISH. Yes; but on the guarantee of the Bank of China.

Mr. MILLER. I am just quoting the testimony of Mr. Jones before the Committee on Banking and Currency, and the record will bear me out that the loan was made to a private corporation backed by the Bank of China.

Mr. FISH. It is a private corporation in New York City set up for that purpose, and the only financial backing it has is the Bank of China, which is synonymous with the Chinese Government.

Mr. CASE of South Dakota. If the gentleman will permit at this point, the table of loans made by the Export-Import Bank as put in the hearings on the independent offices appropriation bill showed that the Finnish loan is a loan to the Finnish Trading Corporation and not directly to the Finnish Government.

Mr. FISH. Yes; but guaranteed by either Finnish banks or the Government. I want to get back to the Finnish loan and discuss for a few minutes the situation in Finland. Other nations not as rich as ours have already donated very large amounts of wheat, coffee, or other commodities to Finland. I have been reliably informed that Sweden has contributed \$18,000,000. We should either act now in this emergency or not at all. If we keep dilly-dallying about affording relief and wait 2 or 3 months, it may be too late; and yet these smaller nations have acted immediately.

I again emphasize this one fact: I am opposed to the suggestion of the President of the United States that the Congress increase its revolving fund by a huge sum of money, let us say \$100,000,000, which is the sum mentioned in the press, so that either the President or Mr. Jones or Mr. Pierson or some subordinate Government official may take that money and loan it to foreign nations. I want to go on record that I am in favor of the Congress making a loan or a direct gift to Finland immediately, within the next few weeks' time, but I am not in favor of turning over the powers of Congress to the President or some subordinate official to make loans to foreign nations.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Georgia.

Mr. COX. The gentleman has expressed the view about which I intended questioning him, but the gentleman has said that he wants to do nothing that would be unneutral. Would action on the part of the Congress in making a loan to Finland be an unneutral act, in the opinion of the gentleman; and if so, then how could this country or how could the Government come to the rescue of Finland at this time of her great stress without committing an unneutral act?

Mr. FISH. Let me say to the gentleman very emphatically that I do not believe it is an unneutral act at all for this Government or the Congress to make a loan or a direct gift to Finland as long as war has not been declared by either side or the fact that a war exists has not been recognized by this Government or by the Congress. If the Congress recognizes the war, which we have a right to do, or if the President by

proclamation recognizes the fact that war exists, the situation would be changed overnight. We loaned twenty-five millions to China and there has been no objection on the part of Japan; but if we sold arms and ammunition, I believe that would complicate the loan and bring forth an immediate protest that we were intervening by furnishing money to buy arms and I believe it would be an unneutral act.

Mr. COX. Of course, we know a state of war does exist.

Mr. FISH. Certainly we know it. There is no question about it. But the nations involved for their own reasons have not made any declaration of war.

Mr. COX. We come right back to the question the gentleman asked some time ago: Does not the whole question revolve around the question of our relationship with all other countries?

Mr. FISH. All I can say to the gentleman is that I do not believe it would be an unneutral act at all under the circumstances, as long as we do not sell arms, ammunition, and implements of war. I hope the Members of Congress will give due consideration to the proposition that the Finnish loan should stand on its own bottom and that we should consider it at once, and if we want to do it, in the wisdom of the Congress, let us make either a loan or an outright gift and thereby retain the control over the purse strings and our foreign policies and not surrender them to some loaning agency of the Government.

Back in 1923 or 1924 I introduced in this House an authorization of \$10,000,000 to buy foodstuffs and clothing for the starving women and children in Germany, a few years after the war ended. The bill was reported by the Committee on Foreign Affairs and after an all-day or longer debate in this House it was adopted by over a two-to-one vote. That measure provided for an outright grant of \$10,000,000 for foodstuffs and clothing to be given to the starving women and children of Germany. I submit that the condition in Poland now is far, far worse than it ever was in Germany in 1923 and 1924.

Literally, in Poland today one-third of the population are starving. They are in the midst of the greatest human agony Europe or our civilization has witnessed during our lifetime. Probably 1,000,000 Poles will die of destitution within the next 6 months or before the summertime comes, and if we are ever to do anything in the way of relief for them we should do it now. Certainly it would not be an unneutral act after all we did for the Belgians when they were under German control; and certainly America, if it has any humanity at all, cannot refuse to turn its surplus wheat and cotton over to feed and clothe the Poles in the midst of their misery and do everything we can, both through the Congress and the American people, to alleviate the distress and destitution that exists among the Polish people who have always been the friends of the United States.

Mr. MASSINGALE. Mr. Chairman, will the gentleman yield?

[Here the gavel fell.]

Mr. FISH. I am sorry my time has expired.

Mr. MASSINGALE. I will get the gentleman 5 minutes more if the gentleman will yield.

Mr. FISH. I will be pleased to yield.

Mr. LUDLOW. Mr. Chairman, I yield the gentleman 5 minutes additional.

Mr. MASSINGALE. I was very much interested in hearing the gentleman discuss the solution of the Finnish question as to finances and he has, I think, delivered a most interesting and important discussion of the question. Just briefly and summing it up, fearing that I may not have the ability to state just what the gentleman has said, I would like to know just what the gentleman's position is in regard to Finland. [Laughter.]

Mr. FISH. That is really a very fair question, because I am not trying to force my opinion on the Members of the House. I have been trying to discuss the policy that we should pursue, and if you ask me what I would do, it is simply this: I have put in a bill to give Finland twenty millions to buy supplies in America.

Mr. MASSINGALE. Just pardon me a moment, but the gentleman has stated he is unwilling to risk the Export-Import Bank on it and he is unwilling to risk the President of the United States on it—

Mr. FISH. That is right.

Mr. MASSINGALE. And he wants Congress to go ahead and do it. Now, what does the gentleman want Congress to do—go to war?

Mr. FISH. No; I do not think this has anything to do with war or I would not be for it. I think a loan or gift to Finland would be a completely neutral act. I do not care a bit whether it is a loan or a gift in this emergency. They either need it now or never.

I say the Finnish proposal stands by itself, but I am willing to change my opinion if any Member of the House proves to me it is better to have a loan than a gift. I am perfectly willing to change my views, but what I insist is that it ought to be discussed in this House and acted upon now in the emergency. I shall not quibble whether it is a loan or a gift, but it should be considered by the Congress and acted upon by the Congress and not by some subordinate agency of the Government. I do not believe the gentleman wants to delegate the control of loans to anybody—to the President, to Mr. Jones, or to Mr. Pierson, or to the finest Democrat in the land, or to any bureaucratic agency. It is not a question of individuals or of Republicans or Democrats. It is a question of the power of the House of Representatives and of Congress. Are we mice or are we men? I do not think the gentleman wants to go on record as being in favor of delegating the control of the purse strings to someone outside of Congress in making loans to foreign nations without the consent of Congress.

Mr. MASSINGALE. I want to go on record to this extent. My sympathies are just as thoroughly with Finland as is the sentiment of the gentleman from New York, but I am not going to take the chance of having the Congress of the United States making a war against the Soviets or Germany or anybody else because of my sympathy for Finland.

Mr. FISH. Although I do not always agree with the majority, I always submit that they have the right to control legislation in this House and it is their duty to do so under the Constitution and not to delegate any of the powers of the Congress to some outside agency, because when you on the Democratic side delegate away the powers of the House you delegate them away from the minority as well. I am opposed to continual surrender of congressional power to bureaucratic agencies, but I have confidence in the Congress, no matter whether it is Republican or otherwise, if it maintains the power over the purse strings granted by the Constitution. I have confidence that it will uphold its own rights and prerogatives and legislate wisely and in the interest of the people. I do not believe in abdicating our constitutional powers to governmental bureaus, agencies, or corporations.

Mr. COX. Mr. Chairman, will the gentleman yield there?

Mr. FISH. I yield.

Mr. COX. If a loan or a contribution is made by Mr. Jones or by the President and it was held that it would be an unneutral act, would it not be equally unneutral for this Congress to so legislate?

Mr. FISH. Certainly; and I do not want them to do an unneutral act and I do not want the Congress to do an unneutral act, and if I thought it was unneutral to make a loan to Finland I would be against it. I do not see how it could be unneutral under the conditions I have tried to explain.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. I understood the gentleman to say that the Export-Import Bank had already loaned \$10,000,000.

Mr. FISH. That is quite right.

Mr. BATES of Massachusetts. They have absolutely loaned that amount at the present time.

Mr. FISH. The loan has been agreed upon, but the money has not been spent. I think only \$1,000,000 of the \$10,000,000 has already been spent, but the loan has been made.

I hope the Members of the House, before they form their opinions and reach a definite conclusion, will give consideration to maintaining the control of the purse strings and the formation of our foreign policies in the Congress of the United States. Time is of the essence, and we should act now by loan or gift to help Finland in its hour of trial and national emergency. [Applause.]

Mr. LUDLOW. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. Hook].

Mr. HOOK. Mr. Chairman, on the subject of the Finnish loan, I may say that on October 16, last year, I made a speech with regard to the Russian-Finnish negotiations that were being carried on, at which time I stated:

I am wondering if Russia is completely aware of the strong attachment the people of America feel and have felt toward Finland. We cannot legislate feeling and emotion out of the hearts of Americans. Nor do I for a moment think that any Member of this House believes that we can. The strong feeling of friendship that exists between the United States and Finland should be well recognized throughout the world. This friendship should not be taken too lightly by imperialistic nations bent on extending their power over a smaller neighbor.

We know that Russia has now invaded Finland. We have not joined the League of Nations, but we have adopted the policy that has been expressed by the League of Nations, that is, take action short of war against the aggressor nation. Certainly Russia is the aggressor nation in this case.

Mr. PATRICK. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I would rather finish my statement. I will yield later.

Accordingly, shortly after the conflict began I conferred with some of the Government officials and whether or not it was because of that conference I do not know, but a \$10,000,000 loan was granted by the Export-Import Bank. I do not know whether it was because of that conference, but I do know that the loan was granted.

Mr. MASSINGALE. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I would rather yield at the end of my statement, and I will yield to the gentleman later.

Previous to the commencement of this Congress I drafted several bills. One provided for the suspension of their debt which arose out of and in connection with the World War and a refund of the interest paid thereon. After having drafted that bill I realized that there were two parties to the contract when the debt was entered into and that Finland was one of those parties. I therefore conferred with the officials of Finland as to what their opinion was with regard to the cancellation and suspension of the debt or a refund of the interest. I was informed that Finland was not interested either in suspension or cancellation of the debt or even the refunding of the interest. They certainly appreciated the kind offer of help, but said that Finland always paid their debts and would continue to pay them as long as possible. Finland was, however, interested in financial help, of course. The Finns must have help now if it is to do any good. I was informed that the Finnish Government borrowed in the United States in the post-war days, not \$9,000,000 but somewhere in the neighborhood of \$115,000,000. That was not altogether from the Government of the United States but from private interests and the Government, and all those loans are completely paid with the exception of about \$12,000,000. Every payment was made as it became due. I was also informed that negotiations were carried on with other nations of the world for loans to Finland which amounted to approximately \$325,000,000.

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. HOOK. Finland has paid and met those obligations. However, in meeting those obligations they built up a good credit but spent their cash. They did not do as other nations of the world—fail to meet their debts and pile up a fund for their protection in the event of war. No; Finland was a peace-loving nation. She did not want war. She did not prepare for war. She was free, she loved liberty, she loved freedom,

she believed in paying her debts so that she would be on friendly terms with all her neighbors. She did not build a war machine. The result is that now Finland has a fine credit standing, but that credit standing is not any good to her in this crisis unless she can put it into effect so she can make some use of it.

Now, with regard to the Russian-Finnish affair at this time may I say this: According to the opinion of some of the most able and outstanding international lawyers of our day, it would not be an unneutral act to loan to Finland at this time. Norway and Sweden have been strict adherents to international law and the laws of neutrality. Norway and Sweden are both aiding Finland, and it is not considered an unneutral act. As my colleague from New York [Mr. Fish] said, we have loaned to China. That was not considered an unneutral act. In my opinion, this is not an unneutral act and would not be an unneutral act, because of the fact that we would just be carrying on friendly commercial negotiations with a friendly neighbor.

Let me propound this question: Are we going to put a premium on aggression by refusing to loan to Finland while we are friendly to her, because the aggressor nation attacks her brutally and without reason? If we are going to put a premium on aggression, then, of course, it would be all right not to grant this loan. I personally am and I feel all Members are in accord with me when I say "We will never place a premium on aggression."

Another point that has been brought up and discussed many times, is that if we loan to Finland, will we be put in such a spot that if Norway and Sweden are attacked, we would then be called upon to loan to Norway and Sweden. Let me make an observation with regard to that.

If Norway and Sweden are attacked, the attackers would be threatening the supplies of iron in Europe, which would be a very serious situation. In that event the western frontier will be moved up to Norway and Sweden. Those two countries will automatically be joined with the Allies, and therefore, under our act, it would be unlawful under law to loan them. But Finland will not join the Allies. There is an independent fight between Russia and Finland. Finland is fighting to maintain her own independence and freedom. Now, if Russia should take over Finland, then, of course, Russia would be of some use to Hitler. But in the present situation, with Finland standing up valiantly and fighting against the "red" hordes of communism, and as long as she keeps Russia at bay, then Russia is of no use to Hitler.

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. HOOK. If Finland should be taken by Russia, and Hitler and Stalin, or Germany and Russia, should join together, with the northern part of Europe wiped out and in the hands of Russia joined with Hitler, the totalitarian forms of government would completely envelop Europe and endanger our own institutions.

My feeling is that if this loan is extended to Finland, it should be unrestricted, negotiated in the ordinary channels of commerce between nations. I believe that aid and help to Finland today is the best insurance policy we can have to stop the spread of communism in this Nation.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I yield.

Mr. FISH. I have just heard from reliable sources—and I think the gentleman would like to know—that Sweden, a comparatively small country, either has given or lent \$18,000,000 to Finland.

Mr. HOOK. I did not feel like discussing that on the floor at this time, but I may say that I was informed from a very reliable source at least 2 weeks ago that it is a gift amounting to about 90,000,000 kroner, which equals somewhere around \$24,000,000 in our money.

Mr. FISH. From Sweden?

Mr. HOOK. Yes; an actual, outright gift.

Mr. PATRICK. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I yield to the gentleman from Alabama.

Mr. PATRICK. I wish to ask the gentleman a question about a matter I have been trying to understand since I got here, and want to ascertain what is the opinion of the House, if it can be obtained from this discussion: What does the gentleman feel we should do about Finland and how should we do it?

Mr. HOOK. I think we should grant her a \$60,000,000 loan in the ordinary channels of commerce.

Mr. PATRICK. By what means?

Mr. HOOK. By authorizing the President and the Secretary of the Treasury to negotiate the loan. I have such a bill before this House introduced on the first day of this session—the first bill of its kind to be introduced. It is before the Ways and Means Committee and should be brought out by that committee and voted either up or down by the Congress.

Mr. MASSINGALE. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I yield.

Mr. MASSINGALE. I find myself largely in agreement with what the gentleman from Michigan has said. I take it that in the gentleman's esteem Finland's reputation for truth and veracity has not been seriously hurt by the Soviet charge that she has been feloniously taking, stealing, and carrying away tanks and other implements of war that they have brought into Finland in their invasion. [Laughter.]

Mr. HOOK. I thank the gentleman for his observation. Russia did not bring them there for exhibition. The Finns are only using them for the same purpose that the Russians brought them for. [Applause.]

The following is an editorial from the Chicago Daily News:

[From the Chicago Daily News of January 16, 1940]

GIVE THE FINNS THAT LOAN

The Finns' defense of their country against the brutal and indefensible attack by Stalin and his Russian hordes has thrilled the American people as nothing else has for many years. Admiration for a gallant people fighting for their liberty is mingled with hatred and scorn for their Bolshevik foes, to make a well-nigh universal sentiment favorable to extending substantial aid to the Finns. This goes beyond supplying relief for noncombatants. It includes such assistance as we can give to help them win their struggle for freedom.

It is clearly contrary to our own national interests to have Russia overrun and conquer the Scandinavian peoples, a certain consequence if Finland fails to hold the line. Such an outcome would contribute materially to the success of the Hitler-Stalin plan for European domination, a consummation that would immediately threaten our security.

What is proposed is that the United States extend a \$60,000,000 credit to Finland, presumably through the Export-Import Bank, and that this sum be made available to the Finns for the purchase of munitions and military supplies.

Since their greatest need is for fighting combat planes, with which to defend themselves against Russian bombers, it is further needful that we give priority to Finland in the delivery of these airplanes, even if we have to wait a little longer for combat planes for our own Army and Navy.

Thus a powerful public opinion has been created that demands that we do something more for the embattled Finns than express our admiration for their courage and our sympathy for their sufferings. By helping the Finns to make a successful fight against Stalin, and all that Stalin stands for, we help ourselves and directly contribute to our own future security.

Finland asks for no gift—what she wants is a loan. We gave her a loan 20 years ago to help finance her fight against Russia then, and among all those nations to which we made similar loans Finland alone has met every installment in repayment promptly. If she survives, Finland will pay.

There is no question of violating neutrality under our curious neutrality law, because Finland has not declared a state of war, nor has Russia. We are using this very pretext for our continued trade in war materials with Japan, which is using them to bomb and kill Chinese women and children. It would be a curious American who would invoke neutrality against Finland under such circumstances.

Finally, under the authority that the Federal Government already possesses, we can determine priority in the delivery of war supplies, including airplanes, to foreign nations.

Surely our need for the immediate delivery of a couple of hundred fighting planes is not so urgent that we cannot yield to that extent in order to give little Finland a chance to save her national existence and win a victory for human freedom everywhere.

There is an excellent chance that continued Finnish success will undermine and destroy the present Russian regime. That would be a world-wide benefaction, in which we would participate.

Under all of these circumstances, it is difficult for us to understand a disposition in some quarters in Congress to oppose a loan

to Finland with which purchases of war materials may be financed. Our advice to Congressmen so disposed is to come home for a few days and learn what their constituents are thinking.

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. Gross].

Mr. GROSS. Mr. Chairman, on Monday morning on my way to the Capitol from home I picked up a young man hitch-hiking along the highway who told me that he was 24 years old, a high-school graduate, and out of a job. He had the earmarks of a good young man. I asked him what he had been working at last. He said he was working in a steel mill in New Jersey. I asked him why he quit. He said: "I didn't quit; I never quit a job in my life. But the C. I. O. was in control of the plant and my boss told me that he wanted me to stay on the job, and I should go up to the C. I. O. headquarters, join the union, and come back."

He said when he got to the headquarters the man he had to deal with was a big brute, about four times his own size and weight, and he said such treatment as he received there he never saw a white man get. He was told that they already had more union men than they could find jobs for, and whether the boss wanted him or not made no difference. The boss would have to hire the man they would send down. Consequently, he said, he could not go to work even though the boss wanted to hire him.

He has tried several times in factories to become an apprentice to learn a trade. This was impossible because of the ruling of the National Labor Relations Board. He said that personal initiative means nothing and that he was seriously considering suicide. He said that under our present labor laws and rulings there is absolutely no future for a young man.

I know that the Curtis Publishing Co., recently needing apprentices, was compelled to take them on, starting at \$43 a week. I am informed that the only charges preferred against the Berkshire Co. at Reading, during that prolonged and expensive strike, was that they were taking on apprentices.

Members of the House, since the days of Horace Greeley, when he said to every young man, "Go west," we have been saying to the young men of America, "Young man, learn a trade." Now it is a fact that the Federal Government forbids the young men to learn a trade, and has been doing so for the last several years, and because of that we find flashed across the headlines of newspapers today the deplorable word that we are short of mechanics and tradesmen all over the country.

The Wagner Labor Act has consigned thousands and thousands of ambitious men and women who wanted to learn trades in the last few years to the ranks of common labor. There many of them found no employment and consequently, in their disgust, have become bums and leeches among society. How the administration is ever going to justify this is entirely beyond me. The Smith committee now investigating the National Labor Relations Board is uncovering irregularities that smell to high heaven. The National Labor Relations Board is well-nigh a national scandal.

Some of the trial examiners, acting in the capacity of judges, admitted that they had no legal training and were never admitted to the bar. One of the lawyers admitted that the only case he ever handled before was a divorce case. In another case, if I am rightly informed, a fellow who 10 years ago was a taxicab driver in New York became first assistant to the chief counsel on the Board. Another case, a young lady, acting in the capacity of a judge, only received her naturalization papers in this country 3 years ago.

With all the evidence at hand, with all the crimes pointed to by the Smith committee and by the Labor Committee of this House, still it seems we must go on hearing the old stories told over and over again, not willing to go ahead and remedy this festering sore. I think it is time for this House to demand that the Committee on Labor come forward with a definite program that will relieve both labor and industry and open the door of opportunity for the ambitious youth that will not make them travel the highways not knowing where

they are going to eat or sleep or whether they should rob a bank or shoot themselves.

Even John L. Lewis said this morning that the present Labor Board would defeat this administration in the coming campaign. [Applause.]

Mr. TABER. Mr. Chairman, I yield 15 minutes to the gentleman from Connecticut [Mr. MILLER].

Mr. MILLER. Mr. Chairman, after the interesting contributions we have had on the question of possible loans to Finland, I would like to bring attention back to a few items contained in the hearings on the Post Office and Treasury Department bill. For many of us this is the only opportunity we have to express ourselves on certain activities of the Post Office Department.

The Post Office Department in the United States has the most politically minded executives of any department of the Government, but at the same time has the most faithful group of employees of any department of the Government, a large and wonderfully trained group of letter carriers who, come what may by way of weather, deliver the mail regularly, both in cities and in rural towns and villages. This can hardly be termed a partisan statement in that both parties are equally guilty, and I express the hope that next year the new Postmaster General will not be the official patronage dispenser here in the United States. A new Member can get a great deal of information out of these two volumes of hearings. I suppose there is some reason that has not yet been pointed out to me why we cannot have these hearings about a week before the bill is reported. It is almost impossible to digest the two volumes in the one evening we have for that purpose. I was glad, however, to find in the hearings presented to us yesterday noon the report of W. S. Alexander, the Federal Alcohol Administrator, and to note that the gentleman from New York [Mr. TABER], the ranking minority member on the subcommittee, complimented Mr. Alexander for the way he cooperated in living within his appropriation. This Federal Alcohol Control Administration was set up in 1935 to control and regulate the liquor industry in the United States. We are receiving from the liquor industry at the present time a tax income amounting to over \$600,000,000. Mr. Alexander has certainly done a mighty fine job in setting up a loyal, efficient organization.

Let me also refer to a matter that is at least vaguely connected with the work of the Internal Revenue Department. I refer to the Executive order issued by the President on January 10 in which he authorized the Internal Revenue Bureau to turn over to the La Follette committee investigating violations of free speech, and so forth, a subcommittee of the Committee on Education and Labor in the Senate, the income-tax returns of citizens of the United States, not only the income-tax returns of private individuals but of manufacturers.

Congress in the last regular session enacted legislation to do away with the income-tax-list racket that some have carried on for the past several years. When we passed that legislation we felt we were expressing our desire that the information contained in a man's income-tax return should be kept in confidence by the Government. Certainly that was the promise made to our citizens when we adopted the income-tax law. For the President now to order this confidential information turned over to a Senate committee seems a definite violation of the promise to our taxpayers. I am afraid it will have another effect. Many of our citizens feel that there is far too much snooping at the present time by inspectors and investigators employed by the Federal Government. We have been going into the offices of manufacturers and business people of all kinds inspecting their books under the wage and hour law and similar laws, and now in addition to that we are turning their income-tax returns over to a committee of the Senate. These manufacturers, of course, do not at the present time dare come to Washington and testify before the standing committees of the House and Senate. Just this past week a manufacturer in my district told me that he did not dare come down here to

express his opinion before the Ways and Means Committee on the continuation of the reciprocal-trade treaties.

It is the fact of these investigators going over his books, supposedly looking for violations of the wage and hour law, or because his income-tax returns are going to be made public, that causes him to have a very real fear of expressing his opinion on any matter in which he knows the administration is interested.

Mr. Chairman, I want to make an observation about one or two activities of the Post Office Department. As most of the Members of this House know, the Post Office Department accepts Christmas cards unsealed, without a written message, for 1½-cent postage. I realize that is not first-class mail, but the Post Office Department, having accepted that mail under certain conditions, certainly owes it to our citizens to make every reasonable effort to deliver those Christmas cards.

In the city of Hartford during the week between Christmas and New Year's on orders of the Postmaster General the postmaster at that city destroyed 7,500 Christmas cards that were mailed in that post office. These cards were destroyed on the ground of insufficient address. Not one of those 7,500 post cards had ever been given the usual directory service accorded first-class mail. I have not seen the figures for every post office in the United States. Hartford, however, is a comparatively small city. Certainly throughout the United States it means that millions of Christmas cards turned over to the Post Office Department were not delivered and were later burned. I believe this situation should be corrected before another Christmas season rolls around. Either the Post Office Department should decline to accept Christmas cards with 1½-cent postage on them or else make a real effort to deliver the cards to their rightful owners. This one item means a loss of millions of dollars when we consider the value of the Christmas cards themselves.

Another activity of the Post Office Department that I think we might look into is the matter of issuing commemorative stamps. In the year 1940 the Post Office Department intends to issue 35 commemorative stamps honoring the memory of famous American citizens, authors, writers, and musicians. While we are glad to see that honor paid to the memory of these distinguished citizens of our country, we want to see that no political abuses or political activity comes into this effort.

One of the stamps to be issued is a stamp commemorating the memory of Samuel Clemens, better known to all of us as Mark Twain. It is the practice of the Post Office Department to turn the sale of the first-day stamps, largely for the benefit of stamp collectors, over to the city or place of birth of the man whose memory they are honoring, although in at least one case the Post Office Department has already ruled that it would not put the stamps on sale in the post office of the place of birth of the citizen, but rather in some other town on the ground that the particular man spent the major part of his life in another community.

Mr. Chairman, in the case of Mark Twain, the memorial stamp is to go on sale first in Hannibal, Mo. I was surprised when that information came from the Post Office Department. I obtained the biography of Mark Twain, published in three volumes and written by a well-known author, a man who spent at least 20 years of his life closely associated with Mark Twain. I found that Mark Twain was not even born in Hannibal, Mo. He was born in a town many miles from Hannibal, Mo., and went to Hannibal at the age of 4 and lived there until he was 9 years old. Mark Twain lived in the city of Hartford, in my district, for 43 years, going there at the time of his marriage and remaining there until the day of his death at the age of 74. Most of his well-known works were written and published in Hartford, including Huckleberry Finn, A Connecticut Yankee at King Arthur's Court, and Tom Sawyer.

I laid this information before the Post Office Department, pointing out and offering proof that Mark Twain was not born in Hannibal, but had lived there as a matter of fact only 5 years, between the ages of 4 and 9, that his whole work

and his adult life was spent in Hartford, Conn. I asked that we get at least half of the first day's stamps in Hartford, but I was told that I knew how those things came about and there was nothing they could do.

If commemorative stamps are put out, we want the whole program to be fine and aboveboard. If the Post Office Department is going to put them on sale in some one city first, the city where that particular man was either born or spent most of his adult life, let us have such regulations and not leave in the minds of our citizens a suspicion that there are other influences at work in the sale of these stamps than commemorating the memory of fine Americans.

In connection with issuing so many of these commemorative stamps, I wonder if we might not consider the fact that we are spoiling a mighty fine hobby for many young Americans. There are a lot of young men and women in this country and there are a lot of bedridden cripples, victims of infantile paralysis and victims of accidents, who get a great deal of comfort and a great deal of pleasure out of the building up of a stamp collection.

But if we are going to issue every year, as we will this year, 35 commemorative stamps and numerous other issues, we will simply be making the hobby of stamp collecting a rich man's sport instead of something the average citizen can enjoy, particularly those who have the misfortune to spend their lives confined in institutions or in beds at home. I hope something can be done along these lines and that this program can be cleaned up in the very near future.

In the few minutes remaining to me I wish to refer to one item in the Budget under the Treasury Department. This item was mentioned by the President in his Budget message when he pointed out that this year's Budget will call for \$1,100,000,000 for interest on the public debt. The President quite correctly pointed out that this was an item that could not be reduced, but he went on to point out that at the present time we are paying about one-third less interest on our public debt than we did in 1926. The average interest rate paid on the public debt for the fiscal year 1926 was 3.9 percent and the present rate is computed at 2.6 percent.

A hasty reading of this quotation from the President's message might indicate an accomplishment on the part of the administration, but I believe the Members of Congress might well recall that the taxpayers of the country are suffering from this reduction in the interest rate on Government obligations. At the present time 71 percent of the money of the American people on deposit in our savings banks is invested in Government bonds and 60 percent of the bank earnings in the United States comes from Government bonds. These figures support the statement recently made by the bank commissioner in my home State of Connecticut that this reduction in savings-bank interest is being felt by many of our elderly citizens who have retired, feeling that they were secure and had an ample income to provide for their declining years. Unusually low interest rates are not in themselves a blessing. It is also a fact that while this year we are spending \$1,100,000,000 as an interest payment on our national debt, that is \$50,000,000 more than we spent last year and \$264,000,000 more than we spent for interest on our public debt in 1926. [Applause.]

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, we have heard this afternoon a very interesting debate on a variety of subjects, including the matter of relief for Finland and other questions. I am sure all of us realize that human liberty and free institutions are in some danger today, and for various reasons, and I am sure that everyone of us wants to do everything he can to preserve those values of human liberty and freedom and constitutional government to which our country has made perhaps the greatest contribution of any nation in the world. I want to speak this afternoon to that very point.

There are many Members of the House, I know, who feel convinced that what we need today is a return to what might generally be termed a more natural economic situation.

Members who are deeply disturbed over various efforts on the part of the Government to relieve the needs of people along certain lines and to attempt to stimulate activity along other lines to help agriculture and industry. I myself should like nothing better than to be rid of all this effort. I wish I could believe with some of my more conservative colleagues that if the Government simply abandoned all these efforts our people would go back to work and prosperity would be restored. But I do not believe that. I believe that at least two basic problems would inevitably remain—one, the problem of monopoly, whereby free economic opportunity is blocked and whereby a disproportionate share of the consumers' expenditures of the country go into the hands of certain industries, depriving others, notably agriculture, of their just share; and the other, the problem of the medium of exchange of the Nation. For, after all, it makes no difference how efficiently you produce or how well the farmer tills his field, or how eager the people are to achieve a higher standard of living, if we have a monetary system where, by manipulation in the hands of a few people controlling the flow of that medium of exchange, it is possible to have great changes in the purchasing power of money over short periods of time, inevitably, then, the values of all property and the values of all services will be adversely affected, and money will tend to rule the economic order instead of being, as it should be, a neutral servant of production and consumption.

SUPPLY AND ACTIVE DEMAND MUST BALANCE

As I see it, the main problem we are up against is that agriculture and industry in our country or in any other country must always, in order to operate profitably and well, recover in any given year at least as much through the sales of their commodities as they have previously paid out for their production. Therefore, if through a distribution of income which weights that distribution largely in favor of a few groups of the people, you have a situation where a considerable proportion of what should be the current stream of purchasing power is sterilized into idle savings or hoards, you therefore do not have the active demand necessary to keep industry and agriculture operating at a profitable level.

INCOME FROM PUBLIC BONDS SHOULD BE TAXABLE

In this connection I would agree with all those persons who believe that we should not have tax-exempt securities. I believe that not to have tax-exempt securities would be one of the things that would help in preventing this situation. Indeed, I have each year attempted to secure an amendment to tax bills which would render the income from all future issues of public bonds taxable. But I think you have to go much deeper.

EFFORTS OF PAST FEW YEARS AND INCREASE IN PUBLIC DEBT

In essence, what the present administration has been trying to do in the last few years has been by means of expenditure for public works and in similar ways to compensate the industry and agriculture of America for the failure of the consuming power of America to provide a market for their production. The reason that has been necessary has been the sluggish flow of money and the fact that we have had large volumes, and will have still larger volumes under present circumstances, of such idle savings or idle hoards as I have described. The method that has been tried has been based on increasing public debt. One reason for that is that the present monetary system depends upon borrowing to bring additional money into circulation.

If banks and private borrowers do not get together to increase the volume of active-demand deposits or if those holding demand deposits do not actively use them, the only way under your present monetary arrangement that you can get an additional volume of consuming purchasing power into circulation is for the Government to increase its debt, which it has done in the last few years.

PENSION—TAX SYSTEM A BETTER ANSWER

Another thing that might be done, and in my opinion it would be preferable, would be to have a system of taxation coupled with a system of pensions to our older people whereby we would literally transfer a considerable portion of now stagnant savings into the stream of purchasing power by that

means, thus making it possible for the remaining savings to find profitable investment. For after all the only thing that ever makes investment profitable is if the new capital goods created thereby can be efficiently used and if the consumer goods turned out by those capital goods can find a ready market. So that in the end we always come back to the basic proposition that the prosperity of our industry and agriculture ultimately depends on the flow of the purchasing power of the people. And when I say that, I am not talking about the unemployed people alone, although they, perhaps, are affected first. I am talking also about the young people, and about the farming people of America. So a national pension system paying its own way by means of judiciously levied taxes would be one way of meeting this problem.

Another way you could do would be to devise some plan whereby your tax program would actually penalize the hoarding of money. I am not now going into that because it is a rather complicated question and one that almost everybody misunderstands, but I am convinced that a measure of that kind is sound economically and there has been some excellent writing done on this subject.

THE MONETARY APPROACH TO THE PROBLEM

The other thing you can do is to assert the basic, constitutional right of Congress, to be the source and origin of all newly created money or credit in the Nation. I believe that is a function of sovereignty; I believe it is a function of government; and I do not believe it should be exercised by any agency except the Congress of the United States. If Government, in compensating for the failure of consumer-purchasing power to keep up with production or in attempting to compensate for the failure of private-debt money to be created, which is necessary under the existing monetary system, would assume this function of maintaining in circulation a volume of the means of payment commensurate with the flow of production; if that were done so that everybody knew they could depend upon the maintenance of a dollar of stable buying power and a flow of money in the hands of consumers which would match production, under any circumstances, we then, in my judgment, would be very largely on the way to a solution of the worst of our problems.

THE PRESENT OUTLOOK

Now, it is proposed in this Congress not only that we have no Public Works Administration program but that we cut down rather drastically on work for our unemployed people through W. P. A. or the National Youth Administration, and other appropriations which mean jobs to jobless people or a fair income to our farmers. Certainly there will be opposition to an attempt to make parity payments to the farmers.

I am afraid nothing is going to be done in the way of getting a really dynamic system of pensions for our older people, such as I have mentioned. In other words, we are confronted with a situation where this Congress, perhaps, is going to be responsible for causing a greater degree of need on the part of many of the people of the United States.

Now, how are you going to meet it? I am in sympathy with many of the cuts that have been made in these appropriations bills. I think they are all right, but when it comes to this great economic problem, the problem of where the market is going to be found for the goods and services produced by American agriculture and industry, and when it comes to the basic proposition of whether the people of the United States are going to have an opportunity to work, to construct, to grow, especially the young people, that is a different matter, and it is a matter that has a great deal to do with the defense of this freedom and of these free institutions I was talking about.

You can appoint a congressional committee to investigate un-American activities. I think it is a salutary thing to do. I think we ought to know all about these organizations which are essentially against freedom, at least for other people, but unless you meet this need you may have to have more committees.

Mr. BENDER. Will the gentleman yield?

Mr. VOORHIS of California. I really have not got to what I wanted to say, but I will yield briefly.

Mr. BENDER. Does the gentleman agree with the President's proposed Budget on the National Youth Administration, the W. P. A., and all these other measures?

Mr. VOORHIS of California. No. I am frank to say that I believe that under present circumstances, unless some of the things are done which I am going to talk about right now, it is necessary to keep up employment of our people—on public works, if necessary—to at least the degree it was last year. I would keep every young person in America busy. Therefore, I do not agree with it. I think it is altogether possible that if we make these drastic cuts we will have another decline like we did in 1937, with the consequent necessity of spending more money in the end than if at this moment we seized unemployment by the scruff of the neck and said, "We are going to do the job that has to be done. We are going to actually put to work American people who are not at work."

But the real gist of what I wanted to say is this—

Mr. BENDER. With all due respect for the gentleman, and knowing his influence with the President of the United States, does not the gentleman feel it is desirable for him to have a session with the President and tell him about these things?

Mr. VOORHIS of California. Oh, I do not try to tell the President about things. I merely express my own opinion and do the best I can.

LOWER INTEREST RATES A WAY OUT

Now, everybody wants to balance the Budget. I am going to suggest certain measures that could be taken by this Congress that would not require the addition of a single additional dollar to the public debt, which might well mean that you would not have to have a big expenditure for the W. P. A. For example, if the Government lending agencies performed exactly the same operation as a private bank does when it lends money against security, you could reduce the rate of interest on farm indebtedness in this country to half what it is now. You could make money available for loans for housing construction, to individuals or builders, at 2-percent interest. What am I talking about? I will explain.

If a private lender loans money for the construction of a house, he expands on the fractional reserve in his bank and monetizes the property to be constructed, but when a Government agency does that, we say "No." They have no credit. They must go out and sell Government bonds to a private bank, which buys it with figures on its books before they have any credit to loan. Then the loan must be made at a rate of interest high enough to cover the interest on the bonds, as well as expenses of administration and losses. The Home Owners' Loan Corporation did that, and the consequence was that the rate of interest was twice what it needed to be if the agency of the Government had exercised the same right of creating credit as every private bank in America exercises today.

If we wanted to beat this depression without adding to public debt, we might make credit available to small businesses at rates so low as to make expansion of industrial activity almost certain. We could scale down the rate of interest on all farm indebtedness to not more than 3 percent. I have introduced House bill 6850 that would do this. That would help.

If you do not want to use credit in the way I have spoken of it, national credit, I would like to point out this: Surely 40 percent is sufficient gold reserve for any gold "standardite" there ever was in the world. I am not one. I am convinced that the value of money depends upon the relation between volume and velocity, on the one hand, and the flow of goods and services on the other, and that that is all there is to it. But if you want a metal base, look at what you have: \$282,000,000 of unobligated gold in the Treasury today. A stabilization fund of \$1,800,000,000, much larger than it needs to be. You have \$17,000,000,000 in gold bullion, which, according to the law, belongs to the United States Government, against which there are gold certificates outstanding, but those certificates amount to reserves largely.

[Here the gavel fell.]

Mr. VOORHIS of California. May I have 7 more minutes?

Mr. LUDLOW. I will say to the gentleman it is the desire that the committee rise in order to act on a veto message, and I feel reluctant to grant the gentleman further time.

Mr. VOORHIS of California. Could I have 1 minute, 2 minutes, 3, 4, 5, 6, or any amount of minutes?

Mr. LUDLOW. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. VOORHIS of California. I thank the gentleman. Those gold certificates are no more than Treasury notes, for the law says they cannot be redeemed in gold. Suppose we replace them with Government currency, Government notes, with a 40-percent gold reserve behind them; you would then have a credit based on gold so large that I do not want to name the figure—it might scare someone—but large enough certainly so that an increase in the public debt is unnecessary, in order for you to do this job of putting the American people back to work and stimulating business in this country by making available to the people who need this credit, a credit at such a low rate of interest that they cannot possibly help going ahead.

One more thought: Many people are interested in a restoration of the price level for basic farm commodities to what they call parity. All right. The Surplus Commodities Corporation has developed a universally popular scheme of enabling the American people to consume the so-called surplus produced by our farmers, and enabling the farmers to get paid for their work. Blue stamps are issued for this purpose. Why in the world would it not be logical to redeem these blue stamps in United States Government money until such time as the price level for basic farm commodities had been restored to parity? If you did this you would be doing nothing in the world but exercising the sovereign right of this Nation to control its own money to the extent necessary to restore economic balance. The principle is that of maintaining the relationship between money existing on the one hand and the flow of goods and services of this Nation on the other. It will be a scientific relationship that cannot be had under present circumstances. When you have learned to do that you will have found the answer to the unbalanced Budget and to unemployment at the same time; but these things cannot be successfully solved unless and until we have some such relationship established through monetary reform and some of these other measures that I have brought to your attention heretofore. So I appeal to you to justify yourselves in the eyes of the American people by your long-range wisdom, not by short-range calculations, and see to it that there is opportunity for the youth of America, opportunity for the unemployed people of America to do constructive work in the months and years that lie ahead, and not have to be maintained in idleness. The choice is not between a condition of unbalanced Budget on the one hand and great need for our people on the other. The choice is between taking several scientific measures largely in a monetary field, which will free agriculture and industry, not throttle it, or those other two choices I have just mentioned.

APPEAL FOR NATIONAL SPIRIT AND UNITY OF PURPOSE

Mr. Chairman, I confess that I do not know that I have all the answer to this problem, but I am convinced that if the Members of Congress really studied this question with an open mind much can be done. I am ready to say "I am wrong in this or that respect." Is everybody ready to say he may be wrong? Is everybody ready to take account of every single bit of knowledge he can get hold of? To deal with this thing not on a political basis, but on the basis of a true desire to solve the unemployment problem is to make perhaps the greatest contribution any nation can possibly make to the preservation of freedom and free government. We need, I believe, a greater tolerance. Certainly we need a deeper religious consecration. We need, I believe, to develop—and we can do it here in the House—a sense of national unity, a sense of being "all in the same boat," a sense of trying according to our lights, to solve this most difficult problem, but being under every circumstance unquestionably loyal to the prin-

ciple of majority rule, the principle that whoever happens to have the burden of conducting government shall have the basic, unquestioned, loyal support of the other people. If we can do our duty in this spirit I have no fear. [Applause.]

Mr. LUDLOW. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HOBBS, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 8068, the Treasury-Post Office appropriation bill, 1941, had come to no resolution thereon.

Mr. LUDLOW. Mr. Speaker, as there is important business to come before the House, I ask unanimous consent that the order previously entered for the closing of debate and the reading of the first paragraph of the bill this afternoon be vacated.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—RELIEF OF THE STATE OF OHIO (H. DOC. NO. 576)

The SPEAKER laid before the House the following message from the President of the United States:

To the House of Representatives:

I am returning herewith, without my approval, a bill (H. R. 5118) entitled "An act for the relief of the State of Ohio."

In October 1938 the Social Security Board withheld from the State of Ohio the payments that would have otherwise been made to the State under the old-age-assistance provisions of the Social Security Act. The Social Security Board is empowered by law to withhold the certification of any amount due to any State in the event that the Board finds, after notice and hearing, that such State has failed substantially to comply with any provision required by law to be included in the plan.

Investigations made by the Board prior to September 1938 indicated the existence of certain important defects in the administration of the old-age-assistance plan in the State of Ohio. A hearing on this subject was thereupon called by the Board and held on September 6, 1938. The proper State authorities received notice of the hearing, but failed to attend. As a result of testimony introduced in that proceeding, the Social Security Board made detailed findings showing that there had been in the operation of the Ohio State plan for old-age assistance a lack of efficient administration, wholesale violation of the State civil-service laws and rules, delays in the handling of applications for assistance, blanket increases in some awards while at the same time aid was denied to other needy applicants, discrimination in the handling of complaints, a faulty accounting system, and non-compliance with reporting provisions and with the requirement of fair hearings to aggrieved applicants.

In accordance with these findings the payment due to the State for October 1938 was withheld. The State then made October payments out of its own treasury to individual beneficiaries listed by the State authorities. The purpose of the bill under consideration is to reimburse the State for the amount of money thus withheld by the Federal Government.

The Social Security Act constitutes legislation of major importance. It has far-reaching permanent consequences in the interest of the welfare of the aged and the needy. Most of the phases of the Social Security Act involve cooperation between the Federal Government and the States. Efficiency of administration must, therefore, be present both in the Federal and the State agencies. The Congress, in order to secure adherence to proper standards on the part of the State governments, has clothed the Social Security Board with the definite duty of causing a withholding of payments from the States, in the event that they fail to comply.

It is not seriously questioned that the action of the Social Security Board in withholding payment in the present instance was well founded. The enactment of this legislation would in effect render nugatory in this instance the salutary provisions of the Social Security Act which accords the Federal Government the sole means of assuring an effective administration and disposition of funds granted by it to the States under the Social Security Act.

I am withholding my approval of the bill under consideration because of my belief that an expeditious, effective, and nonpolitical administration of the provisions of the Social Security Act is indispensable to the conduct of operations thereunder, and that approval of the measure would be inconsistent with this objective and create a precedent that would seriously endanger the success of the entire Social Security program.

If this bill were to become law it would at least make it possible for a State agency to violate civil-service laws, to give blanket increases to some and deny aid to other needy applicants, to discriminate in the handling of complaints, and to maintain a faulty accounting system, all with the belief that if the Social Security Board were to withhold Federal funds because of this, the State agency could later go to the Congress of the United States and receive a special appropriation in proportion to the amounts the State had put out.

The State authorities would have this bill as a precedent. It is needless for me to say that if I were to sign this bill the precedent of it could be extended to other forms of Federal aid—aid for highways, aid for widows, and aid for dependent or crippled children. It would mean that States no longer would be compelled to maintain the standards set up by the Congress, but could violate these standards with impunity and still get their money.

I do not think that the provision by which the Social Security Board would "ascertain the total of the sums disbursed by the State of Ohio * * * with respect to each aged needy individual eligible" is in any way a practical method of determining at this late date the individual merits of each particular case. Undoubtedly many of the individual payments were proper, but, on the other hand, a very large number were undoubtedly improper or discriminatory—and a still further number of needy persons who ought to have received compensation received none at all. To reopen thousands of individual cases a year and a half later, and to investigate each one separately, would be tremendously expensive.

It seems to me that the disapproval of this bill will serve notice on every State in the Union that all kinds of Federal aid must be conditioned on full compliance with the Federal law and wholly without discrimination or inefficiency.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 24, 1940.

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Mr. SUMNERS of Texas. Mr. Speaker, I move that the bill, together with the President's message and accompanying papers, be referred to the Committee on the Judiciary of the House and ordered printed.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman from Texas yield?

Mr. SUMNERS of Texas. I will yield to the gentleman in a moment.

Mr. Speaker, I did not happen to be active with the Committee on the Judiciary when this matter was considered. I was physically unable to be present last year when the matter was considered.

The statements of the President are very clear. With that observation and the matter having been read in the hearing of the Members, I shall be very glad to yield to the gentleman who asked me to yield.

Mr. JENKINS of Ohio. How much time will the gentleman yield me?

Mr. SUMNERS of Texas. Five minutes.

Mr. JENKINS of Ohio. Mr. Speaker, the usual and orderly procedure is for the Speaker to first recognize the chairman

of the Judiciary Committee, which in this case is the committee that considered this bill. I want the Members of the House to know that heretofore the usual result has been that when the bill is referred to the committee it is chloroformed. It means that the committee will not again give the same bill favorable consideration. Since I have been a Member of Congress I do not know of a single case where it has been otherwise. I want you to know this and vote down the motion so that we may have a chance to consider the possibility of passing this bill over the President's veto.

I do not want to take a lot of time and go into the merits of this case at the present time, but I do want to say to you that this bill was reported out of the Judiciary Committee of the House with a unanimous report. Not a single member opposed it. The Judiciary Committee is one of the strong committees of the House. The bill then passed the House by unanimous vote. Not a single vote against. It went to the Senate and was passed by the Senate of the United States by unanimous consent after an amendment was proposed and agreed to. That amendment is exactly in line with every exception and objection that the President makes in his veto message. Of course, far be it from me to volunteer the statement that the President probably has not been thoroughly advised with reference to this feature; however, that is only my own personal opinion. The Department that prepared and handled the amendment which I agreed to accept and incorporate in the bill recommended to the President that he sign this bill. I think there has been some oversight or misunderstanding, for the President was supposed to be in full accord.

I hope this bill will not be sent to the committee, so that we may have a chance to debate it further. I shall say no more at this time except that the claim is absolutely just and meritorious beyond any question. A failure to pass this bill will be a gross miscarriage of justice. It will be difficult for the old-age pensioners in Ohio to understand why the President refuses them what they know is their own.

Mr. SUMNERS of Texas. Mr. Speaker, if no other Member desires time to discuss the matter, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER. The question is on the motion to refer the bill and message of the President to the Committee on the Judiciary.

The motion was rejected.

CALL OF THE HOUSE

Mr. RAYBURN. Mr. Speaker, I make the point of order there is not a quorum present.

The SPEAKER. Obviously there is not a quorum present.

Mr. RAYBURN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 9]

Arnold	Drewry	Keogh	Schwert
Austin	Dworshak	Kerr	Scrugham
Barden	Fay	Kinzer	Sheridan
Barry	Fernandez	Kramer	Short
Bates, Ky.	Fitzpatrick	Lambertson	Smith, Va.
Beam	Folger	Landis	Smith, Wash.
Bell	Ford, Thomas F.	Lanham	Somers, N. Y.
Boehne	Fries	Larrabee	Steagall
Boykin	Hare	Lea	Sullivan
Brown, Ohio	Hart	Lemke	Taylor
Buckley, N. Y.	Hawks	Lesinski	Tenerowicz
Burgin	Hill	McArdle	Thill
Caldwell	Hoffman	Magnuson	Thomas, Tex.
Celler	Holmes	Mouton	Thorkelson
Chapman	Horton	Murdock, Utah	Walter
Cole, Md.	Houston	Nichols	Welch
Colmer	Hull	O'Connor	White, Idaho
Costello	Jarrett	O'Leary	Wolfenden, Pa.
Courtney	Johnson, Okla.	Pearson	Wolverton, N. J.
Crosser	Jones, Ohio	Pfeifer	Wood
Cummings	Kelly	Pierce	Zimmerman
Curtis	Kennedy, Martin	Ramspeck	
Darrow	Kennedy, Md.	Reece, Tenn.	
Dies	Kennedy, Michael	Rich	

The SPEAKER. Three hundred and twenty-nine Members have answered to their names, a quorum.

Further proceedings under the call were dispensed with.

PERMISSION TO ADDRESS THE HOUSE

Mr. FERGUSON. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day, and following any special orders heretofore entered, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

EXTENSION OF REMARKS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to insert in the remarks I made on the floor of the House today on the subject of Poland, a few excerpts from the New York Times, the New York Post, and the Jewish Telegraphic Agency.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to revise and extend in the RECORD the remarks I made today and to quote from the hearings on the Treasury Department appropriation bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. DIMOND. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in the Committee of the Whole today and include therein some excerpts from the report on the bill and from the hearings before the committee.

The SPEAKER. Is there objection to the request of the Delegate from Alaska?

There was no objection.

RELIEF OF THE STATE OF OHIO

The SPEAKER. The question now before the House is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent that the veto message of the President be again read, because many Members of the House were not in the Chamber at the time the message was first read.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk again read the veto message of the President.

The SPEAKER. The gentleman from Texas [Mr. SUMNERS] is recognized for 1 hour.

Mr. SUMNERS of Texas. Mr. Speaker, I yield 20 minutes to the gentleman from Ohio [Mr. JENKINS]. I understand the gentleman in turn will yield time.

Mr. JENKINS of Ohio. Mr. Speaker, may I be notified when I have consumed 8 minutes?

The SPEAKER. The Chair will be pleased to do that. The gentleman from Ohio is recognized for 20 minutes.

Mr. JENKINS of Ohio. Mr. Speaker, it is quite a compliment to any Congressman that it is his privilege to ask the Speaker to do that much for him, and it is not much of an effort on the part of our Speaker to do that because we all on both sides of the aisle know that we have a most beloved and a most gracious Speaker. [Applause.]

Mr. Speaker, it shall not be my purpose to say anything that will be provocative of undue argument. I shall try to stick to the facts and nothing but the facts.

The President in his message employed much language, but the real reason assigned by him for his veto was that this bill, if enacted into law, would be a bad precedent. In order for you to determine whether or not it will establish a dangerous precedent, you must know the facts. Let me give you the facts with reference to this matter.

The bill under consideration does not ask for any specified amount of money. The bill originally introduced did ask for a certain amount of money, but in negotiations with the Social Security Board we agreed on an amendment. As I said in my opening statement this afternoon, I believe that

if the President had had the time to go into this amendment he would not have sent up this veto, because the amendment does exactly what the President says should be done. It removes the only real objection that might be interposed.

Who prepared this amendment? Did I prepare it? No. But I had the approval of it and I approved it. This amendment was prepared by the Chief Counsel of the Social Security Board as it exists today. The Social Security Board is now, as you know, presided over by Governor McNutt. He has under him a corps of fine, high-class lawyers, who come before our Committee on Ways and Means year after year with reference to these social-security matters. They are brilliant, smart men, career men, I presume. They set out to do this one task—to put into this bill language that would give the Social Security Board the right to determine to the last penny just how much money is to be paid under the law and regulations.

Let me read you the amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That notwithstanding the provisions of title I of the Social Security Act, the Social Security Board is authorized and directed to ascertain the total of the sums disbursed by the State of Ohio as old-age assistance (money payments) for the month of October 1938, with respect to each aged needy individual eligible under the State old-age assistance plan, who at the time of such disbursement was 65 years of age or older, and was not an inmate of a public institution, not counting so much of such expenditure with respect to any individual for such money as exceeded \$30, and to certify an amount equal to one-half such total of such sums to the Secretary of the Treasury.

"The Secretary of the Treasury shall thereupon, out of any money in the Treasury not otherwise appropriated, pay the amount so certified to the State of Ohio.

"For purposes of estimates and other certifications with respect to the State of Ohio under title I of the Social Security Act, such amount so paid shall be considered as certification of exactly the correct amount payable with respect to such month, without any increase or reduction of amount with respect to any other periods except for recoveries from estates in or for such month.

"Notwithstanding the provisions of title I of the Social Security Act, such amount so paid may be used for purposes other than old-age assistance."

Note this specific language:

The Social Security Board is authorized and directed to ascertain the total of the sums disbursed by the State of Ohio as old-age assistance.

Under this bill, the Board is given that authority to find out for the one month of October 1938 what sums were disbursed by the State of Ohio as old-age assistance. They have that full authority. Their findings shall be conclusive. It was contemplated that the auditors of the Board would go over all the accounts, and when they had concluded their audit the amount that they found to be due the State should be paid. There is no precedent in one paying what he owes.

In the negotiations we had with the Social Security Board to remedy this proposition we came to an agreement that we in Ohio would forget the 5-percent distributing fee, which amounts to about \$65,000, and we would consider that as a penalty they were placing on the State of Ohio for having failed to do the things they claimed should have been done. We should not have been required to lose this amount, but since we had not in fact distributed this identical money it could be claimed that we should wait and ask for that amount later. Under this bill, the Social Security Board does not give up one single one of its powers. Since this bill is in effect the present law, there is no precedent involved. It is not consistent with the facts to claim it is a dangerous precedent.

I repeat that I do not want you to be misled in this matter. I have absolutely no charge to make against the President. I only wish I had had a chance to talk with him before he decided to veto this bill. Every person with whom I talked in Congress and in the Senate, who understood the facts, appreciated the equities and agreed that the case was one of merit. I should like to have gone down and explained the situation to him. I am afraid he took the advice of one man. I had the assurance of Governor McNutt's office force that Governor McNutt had taken this matter up with the administration and with the President himself and that the President had agreed that the original bill should be amended so

as to retain to the Board the authority to audit the accounts for October fully. The amendment was finally left with me and I did not cross a "t" or dot an "i" in the amendment, but accepted it absolutely. It passed the Senate in the same form as we agreed upon here.

Now, Mr. Speaker, speaking to the gentlemen on the majority side, I want them to know that we relied on that understanding and the amendments went through the Senate with the understanding that the language used would have the right-of-way and a green light to final passage and approval. Somewhere along the line something has happened. Mr. Altmeyer has gotten in his work. The President has listened to him in disregard of the real head of the Social Security Board, and in disregard of the facts and the law and of common honesty.

Do not be afraid that if you vote to override the President's veto that you are offering him a personal affront. He cannot deny you the right to follow your judgment and your conscience. It is more the duty of a Member of Congress to do right than it is to pay blind obeisance for the sake of being politically regular. I helped write the social-security bill in the Ways and Means Committee. We worked on it for weeks, and I stood here on my side of the House and helped pilot it through. I voted for it, and I have always been for it. Especially have I been for its provisions that bring relief to the needy.

Let me go briefly into the reasons why it was ever necessary to have this bill introduced. I do not want to get into the realm of politics at all, but just let me make this statement: There is not a man here who does not know that at the beginning of the second term of the President Mr. Hopkins had a verbal controversy and a severe one with Mr. Davey, our Governor in Ohio.

Mr. Davey was a Democrat. I shall not go into the details and tell you about all the correspondence between them. I have seen it all and I know all about it. I brought it out in the hearings before the Judiciary Committee that gave this bill a unanimous report, and if I could have gotten to the President of the United States, to give me a few minutes' time, I am sure there would not be any quarrel here today. If our good financier over there, the distinguished gentleman from Virginia [Mr. Woodrum], who handles our appropriation bills here so efficiently, had 1 minute's time with these quarreling officials he could have adjusted this matter to the entire satisfaction of these people who were quarreling. Now, what was the matter in Ohio? The Social Security Board claimed that the Governor was playing politics with the old-age-pension money, and the Governor claimed that the Board was playing politics with the same money, and there is no doubt that both were right in their claims. In September 1938 the Board paid the full amount in the regular way. It paid in November 1938, after the election, the full amount in the regular way, but they held up the October installment. They held up just 1 month; that is all. They claimed some irregularities, but they did not prove a single substantial irregularity. This is not a serious case of failure to meet the regulations.

This case does not compare in seriousness with the Oklahoma case. The Oklahoma case went along for months and months. It went on for several months and the Board adjusted it. If the Board could adjust the Oklahoma case after a long argument, it surely could have adjusted the Ohio case, which had only run 1 month.

What are the facts relating to this adjustment? Let me tell you just what they are. When the Board refused to pay what it should have paid to Ohio, and, being a member of the Ways and Means Committee, and there being no Democrat from Ohio on that committee, I took it upon myself to take this matter up with Mr. Altmeyer, of the Board. I said to him, "Mr. Altmeyer, this is a just claim and you have no right to do this under the law. You have no right in good conscience to do this and the people of Ohio, to a man, and every Congressman and every Senator and every man who knows about it, is up in arms about it because it is not right"; and I said to him further, "I have great respect for the Social

Security Board. I helped create it, I voted for it, and I am for it now, but here is what we have got to do. You go to work and do like you did in Oklahoma and you can find a way to pay Ohio what is justly due her."

If you know of anybody in Ohio that received money illegally, you have a remedy. If there has been any financial corruption, you have your remedy. If there is any substantial disregard of the law, you have your remedy. You know we have about 120,000 old-age pensions in Ohio. It is only natural that there will be many errors every month. You should straighten out these little matters and deduct what is deductible and pay the rest. Do not be scared about this matter. You know what the State has to do. Before every payment made by the Government, the State has to put up the full amount of money first. The State pays the money to the beneficiaries entitled to the same before it receives the Federal money. After the State has paid the full amount due a beneficiary, then the Federal Government's auditors come in and audit the books, and then the Federal Government pays one-half of the amount paid by the State to the beneficiaries. For instance, if Ohio pays an average of \$20 per month to 100,000 beneficiaries, it would pay \$2,000,000. After the Federal auditors had audited and approved the payments the Social Security Board would reimburse Ohio to the extent of \$1,000,000. There is generally about \$15,000 a month that has to be balanced off and carried to the next month for adjustment because beneficiaries to whom checks had been sent had died in the meantime. There is no chance for the Federal Government to lose, for it only pays one-half of what the State has already advanced.

Here is what I insisted upon, and if you can find a fairer formula we will take it. I said, "Mr. Altmeyer, just figure out October by the same criteria, or by the same formula, or by the same methods as you did in September and November, and we will be satisfied," but he would not do that. Then I said, "If you will not do that, I have only one recourse. I must go to the fountain of all authority in this Republic. I must go to the group that made you and your Board—I must go to the Congress—which I will do. Tell me how much is the figure. I will not go back to Ohio and ask them, but I will take your figures for it."

He gave me the figures. I put those in the bill. That bill passed the Committee on the Judiciary of this House unanimously, after extensive hearings. It passed the House unanimously. It passed the Senate in the same way.

Now, my friends, be not afraid. Remember you are going to vote this afternoon and you may do an injustice to the great State of Ohio, to the extent of over a million dollars. What did our Governor do when he could not get the money for October 1938? Just before election it was, and he reached over into the general fund of the State of Ohio and he took out this required money and put it in the envelopes of the aged and paid those poor old people off in full for the month. Uncle Sam owes Ohio that amount of money just as sure as you ever owed a dollar in your life. Uncle Sam is honest and he will pay this if given a chance. I say that in all due respect to everybody, because that is a fact. This Congress ought not do an injustice to the great State of Ohio, or to any other State.

It should meet its obligations in an honest way. You who talk about State's rights do not forget that the rights of a sovereign State have been invaded by a Federal bureau without authority. It is said this will be a precedent to some other Governor. Do not forget that our Governors are elected by the people and that there is not much difference man to man between the average Governor and the average President.

Many Presidents have been Governors. When this law was passed it was made to apply to two parties. It provides for a two-party contract. The State of Ohio has rights. Your State has rights. A State has just as much responsibility in this as the Government. When we passed the Social Security Act we said, "We are going to give to the States the right to distribute the money." If our Governor made a mistake in the distribution, who is there over here in this Government to say anything about it? He was elected by the votes of the

sovereign people of the State of Ohio. Under our system of government a bureau chief in Washington cannot punish the people of a State just because he cannot agree with their Governor. Because he is not of my political party is no reason why I should abuse or accuse Governor Davey of wrongdoing and, personally, I do not know that he did anything wrong.

When you have a chance to vote today and do the right thing, do not hide behind something that you are going to be fearful of on account of the President. Who is the head of the Social Security Board? Why, Governor McNutt is the head of it. What does he say about this? He has recommended the passage of this bill in line with his agreement. He has put it down in writing. His recommendation is down there in the White House today—right now.

Let us not quibble about this thing as a legal proposition. This Board has no right to punish any State to the extent of a million dollars or of one dollar. Are you going to give that right to any bureaucratic individual to punish the State of Ohio a million dollars—a sovereign State like your State—a great, magnificent State—punish it to the tune of a million dollars? You talk about bureaucracy! I tell you it will not do. We are standing up in our might in Ohio and demanding justice, and we want to ask you, the Congress, fountain of all authority and power, to do simple justice by us and let the Government agency figure out how much money is due, and compel it to pay what it owes like a man who pays an honest obligation that he honestly owes. [Applause.]

The SPEAKER. The gentleman has used 13½ minutes.

Mr. SUMNERS of Texas. Mr. Speaker, I yield 10 minutes to the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM of Virginia. Mr. Speaker, it sounds rather strange to hear the eloquent and persuasive intoning of my good friend from Ohio [Mr. JENKINS] in behalf of the cause that he is presenting today, and which he presented very fairly and persuasively. If memory serves me correctly, no Member of the House has so regularly and persistently called attention to the fact that the President of the United States and his party in power were wrecking and ruining the country by loose fiscal policies and by permitting waste of the funds of the Federal Treasury.

I appreciate the great personal interest of my friend and I deprecate the circumstances that compel the Congress not to be able to act favorably upon his appeal, because I do not believe the Congress will act favorably upon it.

I cannot conceive of a more severe blow that this Congress could aim at the idea of trying to protect social security, that was and is not a partisan matter, but a bipartisan matter, because no matter what party is in power, social security is going ahead. Our beloved friends on the Republican side have chided us regularly and often and have laid the lash to our shoulders because they claim that so many of the rules, regulations, and policies of the social security would ultimately lead the country to bankruptcy.

Now, what is the issue here today? It is not a question of how much money the State of Ohio paid in October 1938 on account of social security. That matter is res adjudicata, a term which we lawyers understand means "has been decided." It cannot logically be reopened again now. What have we done? In passing the great Social Security Act we have said the Federal Government will go down into its Public Treasury and contribute to old-age assistance and old-age pensions in the different States, provided—with a great big "provided," and underscored—that certain fundamental rules and regulations are complied with; that the States themselves do certain things, not the least of which—and, I think the most important of which—is to keep accounts and to have efficient administration; to carefully scrutinize their payments, and to see to it that the Public Treasury is not frittered away and its funds passed out without undue regard to the justice and merits of the case.

Now, what has happened here? In October 1938 the charge was made to the Social Security Board, whom we have charged under the law with the duty of seeing to it that these rules and regulations are carried out, that the State of Ohio

had not complied with the pattern which the Congress had laid down, and which our friends over here voted for, and which they have sustained with their votes. A day was set. The Social Security Board set the case for hearing, and the State of Ohio did not appear. They had their day in court. No claim is made today, even by our friends from Ohio, even by our friend from Ohio, Mr. JENKINS, that the State of Ohio was not guilty of the irregularities that had been charged against it. But our friend undertakes to counter by saying that the matter could be inquired into and their derelictions in that respect supplied if we had a careful audit of the situation.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. JENKINS of Ohio. I maintain that there has been no dereliction on the part of the State of Ohio; but that, on the other hand, there has been exactly what the law requires—substantial compliance.

Mr. WOODRUM of Virginia. The President in his veto message says—and nobody has denied it:

A hearing on this subject was thereupon called by the Board and held on September 6, 1938. The proper State authorities received notice of the hearing, but failed to attend.

What standing has a man in the Supreme Court of the United States, or the Supreme Court of New York, or Ohio, to come in to answer a judgment in the Supreme Court when he did not even appear when he got notice to appear in the lower court to defend his rights?

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. JENKINS of Ohio. The gentleman maintains that this is res adjudicata. If it be res adjudicata, it is res adjudicata from the day of the Board's decision, is it not?

Mr. WOODRUM of Virginia. Of course.

Mr. JENKINS of Ohio. All right. Now, if the Board came out to Ohio and wrote letter after letter after letter seeking to open this up after that, then it was not res adjudicata, was it?

Mr. WOODRUM of Virginia. I do not know what the Board did. I know only what the President states, and it is not denied, that a time was set for hearing and the State officials failed to attend. I must be persuaded to believe, I must believe in the nature of logical reasoning, that had there been any substantial defense of these charges against the State of Ohio, not only would the officials of the State but my distinguished and industrious friend and his colleagues in the House and in the other body would have been on the doorstep of the Social Security Board demanding a hearing, and in that hearing showing that the charges made against the State of Ohio were not proper. Whether they be true or not, once the Congress undertakes, by overriding the veto of the President, whether he be this President or any other President—and may I say here that in 17 years I have never voted to override any President's veto, and I am not going to start it today—but once this Congress sets the precedent of saying that States, in relation to the Social Security Act, the Federal Highway Act, or the various other acts through which contributions are made to States for activities, may be treated lightly and afterward, if they have enough influence in Washington, they can come up and overcome it, then God help the Treasury of the United States; that is all I have got to say about it.

Much as I deprecate the fact that the State of Ohio did not press its rights, sorry as I am that they had to go into their own treasury, they have nobody to blame but the great State of Ohio. If the State of Virginia does likewise, I will stand in the Well and make the same plea. I am for social security; I voted for it; but the least the States can do—and it is our duty to see that they do no less than that—is to comply with the pattern that Congress has set. The President did not set the pattern; it is the pattern that you and I voted into the Social Security Act, with which the State of Ohio has not complied; and the Board, proceeding under the

authority we gave them, and under the mandate we gave them, had their hearing. I cannot conceive how there is any merit whatever in saying today that this House should override the action of the Chief Executive. I believe we should sustain him, and I express the hope that my Republican brethren, who so frequently remind us of our derelictions, will now at least find a common ground on which we can meet and try to sustain the action of the Chief Executive, an action which is so plainly logical and so plainly right. [Applause.]

Mr. SUMNERS of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. SECREST].

Mr. SECREST. Mr. Speaker, if I thought for one moment that the State of Ohio had failed to comply with the regulations and the standards set up by the Congress of the United States in the administration of the old-age pensions I would not speak today for the passage of this bill.

The State of Ohio was one of the first States in this Union to adopt a system of old-age pensions, long before the Social Security Act had passed this Congress. After it passed we were one of the first to come to our legislature and comply with the terms of that act.

There happened in Ohio an unfortunate thing before the election of 1938. A dispute arose between the Governor of the State of Ohio and numerous public officials here in Washington, a dispute that worked injury upon citizens of Ohio, one of which we are attempting to correct here today. That dispute went to the extent that a warrant was sworn out for the arrest of Harry Hopkins, and he could not come into the State of Ohio in the month of October 1938. A similar dispute arose between the Governor and the Social Security Board here in Washington, not over the standards of the Ohio act but over mere quibblings between the Board and the Governor. The Board, to save its face, set their hearing, realizing that the law of Ohio had met every requirement of this Government; and our Governor refused to attend that hearing. It is said that he had his day in court, that Ohio had her day in court. Ohio did not. The 130,000 people in Ohio who were drawing old-age pensions would have come to the hearing if they could.

To say that Ohio had her day in court and to ask why we did not come over here with the kind of fight that was brewing between the officials of our State and the officials in Washington is as foolish as to ask: "Why did not Harry Hopkins go to Ohio?" There was a warrant out for him. Why did not our State officials come here? For the same reason that a Finn does not go to Moscow for a vacation. Mark you, they stopped paying these pensions on the 30th day of September before election and on the day after election they resumed payment. They paid Ohio for the next month and the months that followed. We only lost one month and that was during the election when they were trying to defeat the Governor of Ohio and when he was trying to uphold his fight with the Federal Government over relief and other matters. When that month was over and they entered into the next month they took no one off the pension rolls of Ohio. After several months the administrator in Ohio resigned due to other pressure, but Ohio was not at fault at any time.

It was purely a fight between officials and not a question of complying with the laws of the United States. In the matter of aid to Federal roads and other things in which the Government is interested; if it is a question of not meeting Federal standards, then certainly the right of this Congress should be upheld, but when it is purely a question of did they or did they not engage in a political fight to the detriment of a State, that is a question for this Congress to decide. The Social Security Board was set up by the Congress to administer this law, and if we adopt a policy today that we should never touch anything that one of our agencies may do, there is just as much danger that that agency will cram down the throats of the States and the people many unfair restrictions as there is for the States to defy a reasonable restriction of the Federal Government.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. SECREST. Mr. Speaker, I hope this matter will not be voted upon by my friends over here as a party matter. We have the right to decide whether the Social Security Board is asking unreasonable things of Ohio or whether Ohio failed to comply with reasonable regulations. Who else can judge that except ourselves? If there is no court of appeal higher than the Social Security Board itself, that agency could make any kind of a regulation and the State would be bound to lose its money. The decision in this dispute is your duty as well as your right here this afternoon.

The Committee on the Judiciary of the House considered this bill and considered voluminous testimony in reference to it. The committee decided unanimously that Ohio had a fair claim. I hope today that it will be considered that Ohio has a fair claim, because there is no evidence now before the House that was not presented at that hearing. That bill passed the House unanimously. It went to the Senate and was reported by the committee there unanimously. The Senate passed it unanimously. In the Senate report it is stated:

Whether the Social Security Board under the terms of law was free to remove its objection and resume payment in Ohio which it had withheld is the question now involved in the controversy.

And at the end of the month, when that election was over and the personal fight had no more merit, they removed their order and paid the money. That month was the only exception. I hope you will pass this bill over the President's veto. [Applause.]

[Here the gavel fell.]

Mr. JENKINS of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Speaker, I am a member of the Judiciary Committee of the House. Our committee went into this question with very great care. After hearing all of the evidence, our committee was of the unanimous opinion that the State of Ohio is right. She has a just claim against the United States for the \$1,000,000 or more that was not paid to Ohio on her old-age assistance claim for the month of October 1938. There was no justification for withholding this money or for penalizing the State of Ohio. In the brief time allotted me I desire to call attention to one or two matters in connection with the controversy.

This situation was brought about by a personal quarrel between Governor Davey, of Ohio, and the head of the Social Security Board here in Washington. Before 1938, Governor Davey, the Democratic Governor of Ohio, got into a controversy with the Roosevelt administration here in Washington, and it is generally understood that the New Deal crowd in Ohio backed Mr. Sawyer, Governor Davey's opponent, in the primary election. Governor Davey was defeated for the Democratic nomination. This intensified the feeling that existed between Governor Davey and the Roosevelt administration here.

It was charged by the Social Security Board here that Ohio was not complying with the Social Security Act, and the officials of Ohio were ordered to appear here before the Social Security Board and answer these charges. Those in charge of administering old-age assistance in the State of Ohio came to Washington in answer to that summons. After they arrived in Washington and before they could appear before the Social Security Board these Ohio officials were, by telegram or telephone ordered back to Ohio by Governor Davey and they did not appear before the Board. The Social Security Board then ordered the payment of old-age assistance to Ohio stopped. Of course, it is understood that the State in the first instance pays the old-age pension benefits and then the Federal Government refunds one-half of the amount and also 5 percent for administering the fund.

The October payment, amounting to \$1,338,160.92, was withheld from the State of Ohio, and the Social Security Board having refused to certify this amount to the Treasury caused the gentleman from Ohio, Representative JENKINS, to introduce H. R. 5118, which provided that the Federal Gov-

ernment should reimburse the State of Ohio for this sum of money.

The Social Security Board resumed payments to the State of Ohio beginning with the month of November 1938. The month of October is the only month in question.

Mr. Speaker, a careful investigation showed there was no fraud involved. There was no padding of the old-age pension rolls or the amount paid to the needy old people of Ohio. As I recall, there were 200 less people on the old-age pension rolls in Ohio in October—the month in question—than there were in September, and the needy old people of Ohio received less per person in the month of October than they did in the month of September. There were no irregularities about any needy old people getting money that did not belong to them or that the State of Ohio paid out one dollar that it should not have justly paid out.

The needy old people of Ohio have been penalized and the State of Ohio has been penalized simply because of a political quarrel between the Governor of Ohio and the Social Security Board.

Mr. Speaker, I call to the attention of the Members of the House a provision in the Social Security Act which I desire you to consider very carefully. There is no provision in the law about penalizing Ohio or any other State in any such manner as this. What does the law provide?

The Board shall notify each State agency that further payments will not be made to the State until the Board is satisfied that such prohibited requirement is no longer imposed and that there is no longer any such failure to comply.

That law merely means that the Social Security Board may hold up payments until the State does comply. There is not a word in the law indicating that it was the purpose of Congress to withhold any money belonging to a State only so long as that State did not comply.

The ruling of the Social Security Board in this matter inflicts a fine or penalty on the State of Ohio amounting to \$1,338,160.92. The Social Security Board had no right to take this sum of money from the State of Ohio and its needy aged.

This same question came up before this same Social Security Board in connection with the State of Oklahoma. There the charge was that the State of Oklahoma had padded the old-age pension rolls and political considerations had entered into the administration of the pension funds. Oklahoma failed to make sufficient response, according to the opinion of the Social Security Board, and the Board withheld payment to the State of Oklahoma until an investigation was made, as was made in the case of Ohio. These payments were denied for 45 days. After that, payments were resumed in Oklahoma under this same law, but the Social Security Board did more than that—they paid Oklahoma for the 1½ months that had been withheld.

This same Board, with no fraud or other wrongdoing shown, refused to pay the State of Ohio for the money which had been withheld for the month of October. If they paid Oklahoma, why did they not pay Ohio? The failure to pay to Ohio what was justly due to her and her needy aged people necessitated a special bill.

Ohio is one of the very big taxpaying States. She is one of the States which pays much more into the United States Treasury than she receives out of the Treasury. Now, why should Ohio be singled out and penalized in this way? If anyone was at fault, it was the Democratic Governor of Ohio in a quarrel with the Democratic administration here in Washington. The taxpayers were not at fault; neither were the needy aged people of Ohio.

Ohio and her needy aged people have a just claim to this money. This was the unanimous opinion of the Judiciary Committee of the House and the Judiciary Committee of the Senate. This bill passed the House and Senate without objection from any source, but the President vetoed the bill, and the question now before us is, Shall we sustain or override the President's veto?

As a matter of right and justice, it affords me pleasure to speak and vote to override this veto.

Mr. SUMNERS of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. SWEENEY].

Mr. SWEENEY. Mr. Speaker, I believe I am correct in making the statement that the Democratic Members from Ohio without exception are joining with the Republican Members from Ohio in the House to override this veto. It is no affront to the great President of the United States to override a veto. Vetoes have been overridden before. In my brief tenure in this House I have helped to override vetoes. I helped to override the veto on the bonus bill, and many of you Democrats joined in that action. So it is not fair even by implication to leave the impression that this may be an affront to the great President of the United States. It is not; it is purely a local question. When the merits of the case at issue outweigh the conclusion of the Executive, a veto overridden is proper, in my opinion, under our system of checks and balances.

Neither is the issue *res adjudicata*, as has been stated by the distinguished jurist from Virginia [Mr. WOODRUM]. The Committee on the Judiciary did not think it was *res adjudicata*. The House of Representatives did not think it was *res adjudicata*. The Committee on the Judiciary of the Senate did not think it was *res adjudicata*, nor did the Senate itself. They had before them all the evidence. I do not believe our friend is sincere, and I say this with all respect, when he says the issue is closed; it is *res adjudicata*. The Senate report sums up the entire situation in the language written by Senator BURKE, of Nebraska, the chairman of the Committee on the Judiciary, when it states:

Your committee finds the equities in this case with the State of Ohio.

Politics has played a part in this controversy.

I should like now to salute my distinguished friend from Ohio on this side of the aisle, who for 1 year has sought to get strength in this Congress to pass this bill to rectify the mistake. If my friend the gentleman from New York [Mr. CELLER] were here, he would join with us today, because he and I discussed with Administrator Altmeyer the issues involved many times, and also the gentleman from Ohio [Mr. CROSSER] and other Members from Ohio joined with us to point out the equities of the situation. I am sure these legal minds on the Committee on the Judiciary, who weighed the evidence, must be with us today.

Politics was the underlying factor behind this controversy. It had to do with a State administration that played fast and loose for political purposes, and I am sorry to say it was a Democratic administration. The newspapers of my State charged the Governor of Ohio in 1938, and I think with a great deal of truth, with playing politics with human misery, with the old-age pensioners, if you will, sending out literature with the checks sent to the old men and women who were waiting eagerly for their eighteen or nineteen dollars a month. That is a reprehensible crime, and I hope we will have no more of it in this country.

This money belongs not to Governor Davey, the former Governor of Ohio, and not to Governor Bricker, the present Republican Governor; it belongs to the taxpayers of Ohio. It belongs primarily to those almost 200,000 old men and women who are waiting anxiously to get an increase in their pensions, and I think they can get it if this money comes to the State of Ohio.

I believe you Democrats ought to see the equities in this situation and ought to be with us today, and not take the stand, as I said in my opening statement, that it may be construed as an affront to the President. He is leaning on the judgment of one man, Mr. Altmeyer, in this controversy, and is overlooking the judgment of the various committees to which I have referred, as well as overlooking the judgment of this House and of the Senate.

A similar situation may happen in your State tomorrow. It may happen in Missouri, it may happen in Massachusetts, or any other State, even though your State laws conform to the Social Security Board regulations. Some governor or some administrator may play politics and the Board may

withhold the grant of Federal aid for 1 month and cause you the same difficulty we are experiencing today in Ohio. [Applause.]

[Here the gavel fell.]

Mr. JENKINS of Ohio. Mr. Speaker, I yield myself the balance of my time. I am sorry that it is so short.

Mr. Speaker, there are one or two points I want to develop in the few minutes I have now.

I want the membership from New York to remember that in October 1938 you got from the Federal Government about \$3,000,000. Ohio got not one single cent in that month. You did not pay any more proportionately than Ohio did. You paid your taxes and we paid our taxes. You from Virginia, the State of the gentleman who would not vote to override a President's veto, regardless of how far wrong the President may be, got about \$750,000. Ohio did not get one single cent, although we paid our taxes. Somebody ought to give back to us our taxes or give us our share of the old-age money.

And, again, it ought not to be right for any one man to have the power to fine a State \$1,300,000. I see some Members from Pennsylvania, which got about \$1,600,000. Ohio did not get one single penny. I want the membership to think that over and let their consciences guide them that they may deal justly.

Let me go to another proposition I have in mind now—the argument of the gentleman from Virginia [Mr. WOODRUM]. He said that the decision of the Board made in September 1938 was res adjudicata. Nobody but a lawyer knows what res adjudicata means, and frequently they do not know when it applies. What does it mean? "Res" means "the thing," and "adjudicata" means "has been decided." It means the thing has been adjudicated. The gentleman from Virginia stressed that point; it was the meat of his argument. He claimed that the question had been adjudicated. If it had been adjudicated, it had been adjudicated on the last day of September; but it was not adjudicated on the last day of September. The Board did not make what in law is known as a final order. And, besides, the Board continues to negotiate with the Ohio officials after making this order. Whoever heard of a judge, after rendering an opinion, running around after the litigant and saying, "If you do a certain thing in the next 30 days I will change my opinion." Representatives of the Social Security Board in many ways indicated all through the months of September and October that if the State officials would do certain things that they would make the payments. My dear lawyer friend, there is no res adjudicata in this case.

Mr. MAY. Mr. Speaker, will the gentleman yield for a question?

Mr. JENKINS of Ohio. I yield to the gentleman from Kentucky.

Mr. MAY. Does the State of Ohio make a large or small social-security payment?

Mr. JENKINS of Ohio. Ohio ranks near the top in old-age payments. We pay an average of about \$24 a month now. We were paying \$15 or \$16 a month for years before the Federal Social Security bill was ever passed. Ohio never violated any Federal regulation in any substantial way. When we had our hearings before the Judiciary Committee of the House we had the deputy State auditor of Ohio before the committee. He is a Democrat and was aligned against the Democratic Governor, so he cannot be considered as being unfriendly to the Federal administration.

The first deputy testified that there was no change in the handling of the work in September and November as against October. The Federal Board paid for November when not one single charge of any consequence had been made. How the President or any other honest man can claim that the Board was right in its action in refusing to pay October I cannot see.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Speaker, I yield the gentleman 3 more minutes.

Mr. JENKINS of Ohio. I thank the gentleman from Texas. Let us now consider the law in this case and consider it seriously because this is the crux of the whole thing. We rise or fall on this issue. Any fair-minded judge would rule with us on the law. I wish there was a clear remedy at law in this case for we could make a case in court easily. It is terrible to contemplate that one little professorial bureaucrat can punish a sovereign State to the extent of denying that State her just dues to the extent of \$1,338,000 and the State denied adequate redress to the courts. The great State of Ohio will not submit to this injustice. As I have heretofore said Ohio was paying old-age pensions long before the Federal Government passed the social security law. What did the Federal Government provide in the social security law? The Federal Government said through this law that every State must set up a State old-age plan and meet seven different requirements. I am not going to enumerate all of them, but they are set out in section 2 (a) of the act. I shall enumerate some of them by way of illustration. They must not pay anybody who has not reached 65 years of age; they must not refuse to pay anybody because of citizenship; they must not pay anybody unless that person has been in the State 5 out of the 9 preceding years. There are other requirements of that sort. Did the State of Ohio adopt this plan and comply with the Federal requirements? It complied in every detail for months upon months and its work was approved.

The State of Ohio did everything in the world that was required. Any statement that Ohio failed to comply in any substantial way is not justified by the facts.

Now, what does the law say may happen when a State refuses? The language of the law is that if "the Board, after reasonable notice, and so forth, finds that in the administration of the plan there is a failure to comply substantially with any plan, and so forth, the Board shall notify such State agency that further payments will not be made to the State until the Board is satisfied that such prohibiting requirement is no longer so imposed, and so forth." Now, listen, my dear lawyer friends, do not go off on a tangent on the law in this case, for as I have read to you, the law is clear. The Board can take no action until the State fails to comply substantially. If the State should fail substantially, can the Board withhold the money forever? Can it confiscate the money? Can it in effect work a forfeiture of the money? I repeat, even if it does fail substantially, can the Board hold it forever? No; emphatically no; let me read the language to you: "The Board shall notify such agency that further payment will not be made to the State until—" Until what? This word "until" is very significant. You see, that means they cannot withhold it forever. They can just hold it until some contingency happens. Let me emphasize it by reading it again: "The Board shall notify such State agency that further payments will not be made to the State until the Board is satisfied that such prohibiting requirement is no longer so imposed and that there is no longer any such failure to comply." This clearly means that when the State complies the money cannot be withheld any longer.

Now, how long was it before they found out there was no failure to comply? The very next month it said, "You have complied." What had the State done to entitle it to the plaudit "well done"? They had the same Governor, the same old-age pension officials, the legislature had not met, and no law had been changed, and the auditor said he did not do anything different whatever.

Ladies and gentlemen, it is absolutely the honorable course for you to vote for this measure and wrong for you not to vote for this measure. Justice and equity cry out to you. Will you render justice? I hope you will resolve the law and the facts and do justice.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Speaker, I yield the gentleman one-half minute.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. PATMAN. The gentleman named the seven requirements on the State. If they are the only requirements, the question of need does not enter into it. There is no requirement of need in the seven the gentleman mentioned in the law.

Mr. JENKINS of Ohio. I can answer that in a way that will please the gentleman absolutely. He is from Texas, where they believe that a sovereign State has rights inherent to itself. It must not be forgotten that the social-security law contemplates two parties—a bilateral arrangement. The Federal Government in effect says to the State: "We will come forward with sufficient money to match your money up to \$20 per month as our part if you will do certain preliminary things; for instance, pay nobody under 65 years of age; and if you enter this agreement with us we will leave to you the full responsibility of determining who should be placed on the list. We will leave all questions of need and economic conditions to you. We will consider that so long as we require you to do certain things and match our payments we can depend on you to pass on the question of who shall be on the pay roll." My friends, the State is as much a party to this contract as is the Federal Government. It has its rights and responsibilities. The Board was trying to compel the State to do what it had no right to compel. The Board was petty and small. It invaded the prerogatives of the State. It was far more culpable than the State. It has come to a sorry pass when 1 little man here in Washington can thwart the rights and wishes of 8,000,000 free people. One little bureaucrat appointed to his office because he may have written a magazine article is more powerful than a Congress and a Senate elected by the people. Verily I say let us raise up in our right and in our might and recognize a sovereign State and do justice. [Applause.]

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. WHITE].

Mr. WHITE of Ohio. Mr. Speaker, I want to make it perfectly clear that when this bill is passed it still does not relieve Ohio of penalty. Overriding of the veto will still mean that a penalty applies because Ohio will suffer a 5-percent deduction under this bill, and, on top of that, the State has been deprived of the use of this money for a period of about 2 years. Figure that up on the basis of \$1,000,000. We will say it would cost the State 3 percent, and that would be \$30,000 a year. So there is a \$60,000 penalty imposed upon Ohio by not having the use of this money, and on top of that a 5-percent deduction. That is more than sufficient penalty, even if the most extreme claims of the Social Security Board were to be conceded. The people of Ohio are not responsible for this case. They furnished the money, which is now withheld from them. It is Ohio's own money, and it should be returned. For the Federal Government to keep the entire amount is nothing short of ruthless. If any penalty is to be imposed upon the citizens of our State, simply because of a personal and political dispute between Governor Davey and Hopkins, it should be tempered with justice in proportion to the misdeeds which were charged. The corrections demanded by the Social Security Board must have been made promptly because they put through the regular payment a month later. It seems that a 5-percent penalty would be plenty to cover such a condition. If you want to be fair to Ohio citizens, stop there. Do not deprive them of the full amount. Who ever heard of a penalty like that? Why make the pensioners of the State suffer because of the Davey-Hopkins argument? Vote to pass this bill over the President's veto.

Mr. SUMNERS of Texas. Mr. Speaker I yield 5 minutes to the gentleman from Ohio [Mr. HARTER].

Mr. HARTER of Ohio. Mr. Speaker, doubtless most of you are weary of this debate, but I do want to call a few things to your attention, and I want to talk particularly to those on my own side of the House.

Mr. Speaker, what gave rise to us being here today and to this veto was an unfortunate quarrel between an official of the State of Ohio and one of the Federal Government. Are

we going to penalize the sovereign State of Ohio and its people because of the views of the administrator of an agency which this body, the Congress of the United States, created?

They talk about res adjudicata—things judicially decided. Why was not that question raised before the two Judiciary Committees of the Congress of the United States? Why did not somebody raise that question when this bill was passed by the House and by the Senate of the United States? That question was not raised because the committees and the two Houses of Congress were imbued with the idea that the equities here lay with the people of the State of Ohio. You cannot, any of you, know when your State may find itself in a similar position. We are not pleading the case of the State of Ohio before the Supreme Court of the United States. We are here before a great body that is clothed in equity.

We are only asking you to do what is fair and just and equitable to the people of the great State of Ohio. There may have been some right on either side of this dispute. It happens that the man who was chief of the division for aid of the aged in Ohio is a constituent of mine, a man who is past worthy president of one of the great fraternal societies of this country, which sponsored old-age pensions before they were hardly known—the Fraternal Order of Eagles. I know how interested he was in the proper administration of aid to the aged in the State of Ohio. I know that Ohio had old-age pensions long before we had the Social Security Act, and that the Legislature of Ohio passed necessary enabling legislation so that we might take advantage of the Federal act.

We are here not asking that you make any partisan measure of this, not that you attempt to humiliate the President, because I do not think he had all the facts at his command when this veto message was written. We are only asking you to do justice to the people of the State of Ohio. [Applause.]

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from Alabama [Mr. HOBBS].

Mr. HOBBS. Mr. Speaker, I hesitate, and have hesitated long as to where my duty lay. I love the President of the United States personally. In this matter I think that while he is technically right, he is too severe. I recognize fully his duty to uphold the righteous enactments of the Executive agencies of this Government, yet we heard the evidence in our committee, and it seems to me that this is a fair statement of this case: To sustain this veto is the equivalent of enforcing a judgment by default in a court of law for the full amount sued for.

That does not seem to me to comport with justice tempered with mercy, especially in view of the fact that this is largely Ohio's money. I know it is a Federal contribution, but the taxes which are raised to pay it come in large part from the State of Ohio. We, in good faith, in every State have accepted our responsibility under the Social Security Act, and all of us, in proportion to our wealth and means, are paying our share of the money which the Federal Government distributes in matching, in aid of the States.

So it seems to me that, no matter what the shortcomings and mistakes of Ohio may have been in the administration of this act, since they lasted less than a month, and for 15 months since she has been accorded full participation, the extreme penalty possible under the law might be mitigated. There was no fraud nor defalcation. In fact, the errors were those of the administrator—not of all the people of Ohio. There was no State action except on the theory of agency. While this theory is perfectly valid in this case, of course, yet we should remember that if we sustain this veto we will be punishing the innocent as well as the guilty, and doing so largely because the defense went by default. Ohio's defense has since been presented to Congress and has, by our act, been held good in partial mitigation.

The question is, Shall we surrender our studied conclusion and impose the supreme penalty? Does it not seem that ample penalty will be imposed in the loss of the interest upon the principal of the sum which was withheld, plus forfeiture of the administrative money which will be upheld if the bill becomes law? That being the equivalent of a fine of more

than \$100,000, it seems to me, in good conscience, the equities of this case lie with the State of Ohio.

As much as I hate to disagree with the President and with the leadership of my party on this issue, I cannot bring myself into accord with their views. To do so I would have to reject my own best judgment and that of the Committee on the Judiciary, reached after mature deliberation. That reasoned conclusion is that a judgment by default for the full amount of the suit should not be allowed to stand in this case and that we should temper justice with mercy. Why should we not do in this case what, we are told, has been done in another?

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. HOBBS. I am glad to yield to the gentleman from North Carolina.

Mr. COOLEY. Will the gentleman tell us why the representatives of the State of Ohio did not appear when they were notified to appear?

Mr. HOBBS. I cannot, nor do I attempt to justify or palliate that conduct.

Mr. COOLEY. Did they make any effort to justify or attempt to explain their failure to do so?

Mr. ROBSION of Kentucky. Will the gentleman yield? I pointed out in my remarks that the representatives of the Old Age Pension Board of Ohio came here to Washington to answer, and while they were here the Governor of Ohio wired them and demanded them to leave Washington and return to Ohio. It was just this Governor who was standing in the way. [Applause.]

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. SUMNERS of Texas. Mr. Speaker, I have no more requests for time.

I move the previous question.

The previous question was ordered.

The SPEAKER. The question is, Shall the bill pass, the objections of the President to the contrary notwithstanding?

The question was taken; and there were—yeas 171, nays 152, not voting, 100, as follows:

[Roll No. 10]

YEAS—171

Alexander	Englebright	Kirwan	Rogers, Mass.
Allen, Ill.	Fenton	Knutson	Routzohn
Allen, Pa.	Fish	Kunkel	Rutherford
Andersen, H. Carl	Ford, Leland M.	LeCompte	Sandager
Anderson, Calif.	Fulmer	Lewis, Ohio	Schafer, Wis.
Andresen, A. H.	Gamble	Luce	Schiffler
Angell	Gearhart	Ludlow	Secombe
Arends	Gerlach	McCormack	Secret
Ball	Gibbs	McDowell	Seger
Barton	Gifford	McGehee	Shafer, Mich.
Bates, Mass.	Gilchrist	McLaughlin	Shannon
Bender	Gille	McLean	Smith, Maine
Blackney	Gossett	Maas	Smith, Ohio
Bolles	Graham	Marshall	South
Brewster	Gross	Martin, Iowa	Sparkman
Brown, Ga.	Guyer, Kans.	Martin, Mass.	Springer
Burdick	Gwynne	May	Stearns, N. H.
Camp	Hall, Edwin A.	Michener	Stefan
Carlson	Hall, Leonard W.	Miller	Sumner, Ill.
Carter	Halleck	Mills, La.	Sumners, Tex.
Case, S. Dak.	Hancock	Monkiewicz	Sweeney
Chapfield	Harness	Moser	Taber
Church	Harter, N. Y.	Mott	Talle
Clason	Harter, Ohio	Mundt	Tarver
Claypool	Hartley	Murray	Thomas, N. J.
Clevenger	Havenner	O'Brien	Tibbott
Cluett	Hess	Oliver	Tinkham
Coffee, Nebr.	Hinshaw	Osmer	Tolan
Cole, N. Y.	Hobbs	Patton	Treadway
Cooley	Hope	Peterson, Ga.	Van Zandt
Corbett	Hunter	Pittenger	Vorys, Ohio
Crawford	Jeffries	Plumley	Vreeland
Crowe	Jenkins, Ohio	Polk	Wadsworth
Crowthor	Jenks, N. H.	Powers	Weaver
Culkin	Jennings	Randolph	Wheat
Dirksen	Jensen	Rankin	White, Ohio
Ditter	Johns	Reed, Ill.	Wigglesworth
Dondero	Johnson, Ill.	Reed, N. Y.	Williams, Del.
Douglas	Johnson, Ind.	Rees, Kans.	Winter
Dowell	Kean	Risk	Wolcott
Eaton	Keefe	Robson, Ky.	Woodruff, Mich.
Elston	Kefauver	Rockefeller	Youngdahl
Engel	Kilday	Rodgers, Pa.	

NAYS—152

Allen, La.	Barden	Bates, Ky.	Bland
Anderson, Mo.	Barnes	Beckworth	Bloom

Boland	Dunn	Keller	Poage
Boren	Durham	Kitchens	Rabaut
Bradley, Pa.	Eberharter	Kleberg	Rayburn
Brooks	Edmiston	Kocialkowski	Richards
Bryson	Elliott	Leavy	Robertson
Buck	Ellis	Lesinski	Robinson, Utah
Buckler, Minn.	Evans	Lewis, Colo.	Rogers, Okla.
Bulwinkle	Faddis	McAndrews	Sabath
Burch	Ferguson	McGranery	Sacks
Burgin	Flaherty	McKeough	Sasscer
Byrne, N. Y.	Flannagan	McMillan, Clara G.	Satterfield
Byrns, Tenn.	Flannery	McMillan, John L.	Schaefer, Ill.
Byron	Ford, Miss.	Maclejewski	Schuetz
Cannon, Fla.	Fries	Mahon	Schulte
Cannon, Mo.	Garrett	Maloney	Shanley
Cartwright	Gathings	Mansfield	Sheppard
Casey, Mass.	Gavagan	Marcantonio	Smith, Conn.
Clark	Gore	Martin, Ill.	Smith, W. Va.
Cochran	Grant, Ala.	Massingale	Snyder
Coffee, Wash.	Green	Merritt	Spence
Collins	Gregory	Mills, Ark.	Starnes, Ala.
Connelly	Griffith	Mitchell	Sutphin
Cooper	Harrington	Monroney	Terry
Courtney	Hart	Murdock, Ariz.	Thomas, Tex.
Cravens	Healey	Myers	Thomason
Creal	Hendricks	Nelson	Vincent, Ky.
Cullen	Hennings	Norrell	Vinson, Ga.
D'Alesandro	Hook	Norton	Voorhis, Calif.
Darden	Izac	O'Day	Wallgren
Delaney	Jacobsen	O'Neal	Ward
Dempsey	Jarman	O'Toole	Warren
DeRouen	Johnson, Luther	Parsons	West
Dickstein	Johnson, Lyndon	Patman	Whelchel
Dingell	Johnson, W. Va.	Patrick	Whittington
Doughton	Jones, Tex.	Peterson, Fla.	Williams, Mo.
Duncan	Kee	Pierce	Woodrum, Va.

NOT VOTING—100

Andrews	Drewry	Kennedy, Michael	Rich
Arnold	Dworshak	Keogh	Romjue
Austin	Fay	Kerr	Ryan
Barry	Fernandez	Kinzer	Schwert
Beam	Fitzpatrick	Kramer	Scrugham
Bell	Folger	Lambertson	Sheridan
Boehne	Ford, Thomas F.	Landis	Short
Boykin	Gartner	Lanham	Simpson
Bradley, Mich.	Gehrmann	Larrabee	Smith, Ill.
Brown, Ohio	Geyer, Calif.	Lea	Smith, Va.
Buckley, N. Y.	Grant, Ind.	Lemke	Smith, Wash.
Caldwell	Hare	McArdle	Somers, N. Y.
Celler	Hawks	McLeod	Steagall
Chapman	Hill	Magnuson	Sullivan
Cole, Md.	Hoffman	Mason	Taylor
Colmer	Holmes	Mouton	Tenerowicz
Costello	Horton	Murdock, Utah	Thill
Cox	Houston	Nichols	Thorkelson
Crosser	Hull	O'Connor	Walter
Cummings	Jarrett	O'Leary	Welch
Curtis	Johnson, Okla.	Face	White, Idaho
Darrow	Jones, Ohio	Pearson	Wolfenden, Pa.
Dies	Kelly	Pfeifer	Wolverton, N. J.
Disney	Kennedy, Martin	Ramspeck	Wood
Doxey	Kennedy, Md.	Reece, Tenn.	Zimmerman

So, two-thirds not having voted in favor thereof, the veto of the President was sustained and the bill was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Landis and Mr. Jarrett (for) with Mr. Ryan (against).
 Mr. Darrow and Mr. Kinzer (for) with Mr. Mouton (against).
 Mr. Thill and Mr. Horton (for) with Mr. McArdle (against).
 Mr. Wolfenden of Pennsylvania and Mr. Gartner (for) with Mr. Colmer (against).
 Mr. Bradley of Michigan and Mr. Lemke (for) with Mr. Boykin (against).
 Mr. Brown of Ohio and Mr. Jones of Ohio (for) with Mr. Kerr (against).
 Mr. Holmes and Mr. Grant of Indiana (for) with Mr. Folger (against).
 Mr. Simpson and Mr. Short (for) with Mr. Boehne (against).
 Mr. Mason and Mr. McLeod (for) with Mr. Walters (against).
 Mr. Dworshak and Mr. Curtis (for) with Mr. Kramer (against).
 Mr. Hoffman and Mr. Hawks (for) with Mr. Hare (against).
 Mr. Austin and Mr. Lambertson (for) with Mr. Pearson (against).
 Mr. Thorkelson and Mr. Andrews (for) with Mr. Steagall (against).

Until further notice:

Mr. Drewry with Mr. Welch.
 Mr. Sullivan with Mr. Wolverton of New Jersey.
 Mr. Caldwell with Mr. Gehrmann.
 Mr. Crosser with Mr. Hull.
 Mr. Doxey with Mr. Reece of Tennessee.
 Mr. Dies with Mr. Fay.
 Mr. Murdock of Utah with Mr. Beam.
 Mr. Lea with Mr. Magnuson.
 Mr. Fitzpatrick with Mr. Ramspeck.
 Mr. White of Idaho with Mr. Keogh.
 Mr. Celler with Mr. Bell.
 Mr. Arnold with Mr. Smith of Virginia.
 Mr. Pfeifer with Mr. Zimmerman.
 Mr. Cole of Maryland with Mr. Larrabee.
 Mr. Barry with Mr. Johnson of Oklahoma.
 Mr. Chapman with Mr. Fernandez.

Mr. Lanham with Mr. Michael J. Kennedy.
 Mr. Martin J. Kennedy with Mr. Kelly.
 Mr. Disney with Mr. Buckley of New York.
 Mr. Pace with Mr. Costello.
 Mr. Cox with Mr. Wood.
 Mr. Somers of New York with Mr. Smith of Washington.
 Mr. Cummings with Mr. Taylor.
 Mr. Thomas F. Ford with Mr. Smith of Illinois.
 Mr. Hill with Mr. Schwert.
 Mr. Scrugham with Mr. Tenerowicz.
 Mr. Kennedy of Maryland with Mr. Nichols.
 Mr. O'Connor with Mr. Houston.
 Mr. Geyer of California with Mr. Romjue.

The SPEAKER. The message and bill, together with the accompanying papers, are referred to the Committee on the Judiciary and ordered to be printed. The Clerk will notify the Senate of the action of the House.

BOARD OF VISITORS TO NAVAL ACADEMY

The SPEAKER. Pursuant to the provisions of title 34, section 1081, United States Code, the Chair appoints as members of the Board of Visitors to the United States Naval Academy the following Members of the House: Mr. SUTPHIN, Mr. BOYKIN, Mr. SASSER, Mr. MAAS, and Mr. EATON.

EXTENSION OF REMARKS

Mr. HOOK. Mr. Speaker, I ask unanimous consent that I may be allowed to insert in the RECORD in connection with the remarks I made on the subject of the loan to Finland this afternoon an editorial from the Chicago Daily News.

The SPEAKER. Without objection, it is so ordered. There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a very brief patriotic article from one of my constituents.

The SPEAKER. Without objection, it is so ordered. There was no objection.

Mr. MARTIN of Iowa. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of agriculture and industrial stability and United States foreign trade in munitions and aircraft, and to include therein an article from the New York Times and some quotations from a speech made by me in the special session of Congress.

The SPEAKER. Without objection, it is so ordered. There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. HARTER of Ohio, for 2 days, on account of official business.

To Mr. MOUTON (at the request of Mr. DeROUEN), for 3 days, on account of illness.

ENROLLED JOINT RESOLUTION SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H. J. Res. 419. Joint resolution to extend for 3 additional months the time during which articles imported free of duty for exhibition at the Golden Gate International Exposition or the New York World's Fair may be sold or abandoned.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 57 minutes p. m.) the House adjourned until tomorrow, Thursday, January 25, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON NAVAL AFFAIRS

There will be a hearing Thursday, January 25, 1940, at 10 a. m., before the Committee on Naval Affairs on H. R. 8026, to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

COMMITTEE ON ROADS

The Committee on Roads will continue public hearings in the Roads Committee room, 1011 New House Office Building, at 10 a. m., Thursday, January 25, 1940, on H. R. 7891, a bill to assist the States in the improvement of highways.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matters named:

Tuesday, January 30, 1940:

The following hearing was at first scheduled for Friday, January 5, but was later postponed until Thursday, January 25, 1940. Now it has been postponed again, this time being Tuesday, January 30, 1940, at 10 a. m.

H. R. 7357, to amend section 4472 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 465) to provide for the safe carriage of explosives or other dangerous or semidangerous articles or substances on board vessels; to make more effective the provisions of the International Convention for Safety of Life at Sea, 1929, relating to the carriage of dangerous goods; and for other purposes.

Tuesday, February 6, 1940:

H. R. 7527, to make effective the provisions of the Minimum Age (sea) Convention (revised), 1936, and for other purposes.

Hearings will be continued Wednesday, February 7, 1940, at 10 a. m., on H. R. 6130, to provide for mandatory or compulsory inspection and permissive or voluntary grading of fish, fishery products, fishery byproducts, shellfish, crustacea, seaweeds, and all other aquatic forms of animal and vegetable life, and the products and byproducts thereof, and for other purposes.

Tuesday, February 13, 1940:

H. R. 1780, to amend section 7 of the act of June 19, 1886, as amended (U. S. C., 1934 ed., Supp. III, title 46, sec. 319), relative to penalties on certain undocumented vessels and cargoes engaging in the coastwise trade or the fisheries, and for other purposes.

H. R. 5837, to amend section 221 of the Shipping Act, barring certain aliens from participating in the benefits thereof.

H. R. 6770, to amend Revised Statutes 4311 (U. S. C. 251).

H. R. 7694, to amend section 4311 of the Revised Statutes of the United States.

Tuesday, February 20, 1940:

H. R. 4079, to amend sections 4353 and 4355 of the Revised Statutes of the United States.

H. R. 6751, to repeal certain laws with respect to manifests and vessel permits.

H. R. 5788, to amend the present law relating to the delivery of ships' manifests to collector of customs by excluding Sundays and holidays from the time within which such delivery may be made by the master.

H. R. 5789, to amend the present law relating to the delivery of ships' manifests to collectors of customs by excluding Sundays and holidays from the time within which such delivery may be made by the master.

Friday, February 23, 1940:

H. R. 7639, to provide for the examination of civilian nautical schools and for the inspection of vessels used in connection therewith, and for other purposes.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings in the committee room, 247 House Office Building, at 10 a. m., on the following dates on the matters named:

DEPENDENTS OF REGULAR ESTABLISHMENT VETERANS

Thursday, January 25, and Friday, January 26, 1940:

H. R. 7191. A bill to make more equitable provision for pensions for the dependents of deceased veterans of the Army, Navy, Marine Corps, and the Coast Guard.

H. R. 7522. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to dependents of veterans of the World War whose death is due to service.

H. R. 7652. A bill to grant pensions and increase of pensions to widows and dependents of certain deceased members or former members of the military or naval service.

H. R. 7734. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to the dependents of veterans of the World War whose death is due to service.

MEDAL OF HONOR PENSIONS

Thursday, February 1, 1940:

H. R. 3385. A bill to liberalize the provisions of the Medal of Honor Roll Act of April 27, 1916.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a hearing before a subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m., Thursday, January 25, 1940, on H. R. 6652, to aid consumers by setting up standards of quality based on performance as a guide in the purchase of consumer goods.

Hearings will begin Monday, February 5, 1940, at 10 a. m., before the Petroleum Subcommittee of the Committee on Interstate and Foreign Commerce. State regulatory bodies will be heard first.

COMMITTEE ON THE JUDICIARY

On Monday, January 29, 1940, at 10 a. m., there will be a hearing before the Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary on the bills (H. R. 7528 and S. 1935) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto (sec. 75). The hearing will be held in room 346, House Office Building.

On Wednesday, February 14, 1940, at 10 a. m., there will be a hearing before the Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary on the bill (H. R. 8016) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto (municipal compositions). The hearing will be held in room 346, House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1293. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 11, 1940, submitting a report, together with accompanying papers, on reexamination of Intracoastal Waterway from Cape Fear River, N. C., to St. Johns River, Fla., with a view to dredging a yacht basin opposite, and enlarging the Fort Moultrie Military Reservation, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted April 4, 1938; to the Committee on Rivers and Harbors.

1294. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 11, 1940, submitting a report, together with accompanying papers, on a preliminary examination of the channel from the Intracoastal Waterway to, and turning basin at, Cocoa, Fla., authorized by the River and Harbor Act approved June 20, 1938; to the Committee on Rivers and Harbors.

1295. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 11, 1940, submitting a report, together with accompanying papers, on a preliminary examination and survey of Niantic Harbor and River, Conn., authorized by the River and Harbor Act approved June 20, 1938; to the Committee on Rivers and Harbors.

1296. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the legislative establishment, United States House of Representatives, for the fiscal year 1940, in the amount of \$25,000 (H. Doc. No. 572); to the Committee on Appropriations and ordered to be printed.

1297. A communication from the President of the United States, transmitting supplemental estimates of appropriations

for the legislative establishment, United States House of Representatives, for the fiscal years 1939 and 1940, in the amount of \$16,200 (H. Doc. No. 573); to the Committee on Appropriations and ordered to be printed.

1298. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment, United States Senate, in an indeterminate amount for two telephone operators at \$1,560 each per annum, until June 30, 1940 (H. Doc. No. 574); to the Committee on Appropriations and ordered to be printed.

1299. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment, Architect of the Capitol, for the fiscal year 1940 in the amount of \$5,000 (H. Doc. No. 575); to the Committee on Appropriations and ordered to be printed.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 7714) granting a pension to Roy L. Garr; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 7786) granting an increase of pension to Joe Scrogum; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DIMOND:

H. R. 8115. A bill making provision for employment of residents of Alaska only in the salmon fishery of the Bristol Bay area, Alaska, during the year 1940; to the Committee on Merchant Marine and Fisheries.

By Mr. FADDIS:

H. R. 8116. A bill to amend an act known as the Tennessee Valley Authority Act of 1933 so as to provide for the common defense, reduce the public debt, strengthen the public credit, and provide funds from the power operations of the Tennessee Valley Authority to enable the Authority to reimburse the States, counties, and municipalities for taxes lost by reason of the operations of the Authority, and for other purposes; to the Committee on Military Affairs.

By Mr. IZAC:

H. R. 8117. A bill to provide for the reinstatement of certain United States Government life-insurance policies issued to World War veterans, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mrs. O'DAY:

H. R. 8118. A bill to amend an act entitled "An act to provide for the general welfare by establishing a system of old-age benefits, and by enabling the several States to make more adequate provision for aged persons, blind persons, dependent and crippled children, maternal and child welfare, public health, and the administration of their unemployment compensation laws, to establish a Social Security Board, to raise revenue, and for other purposes" (Public, No. 271, 74th Cong.), approved August 14, 1935, by including under its unemployment and old-age provisions employees in nonprofit organizations; to the Committee on Ways and Means.

By Mr. SUMNERS of Texas:

H. R. 8119. A bill to amend the Criminal Code so as to confer concurrent jurisdiction on courts of the United States over crimes committed on certain Federal reservations; to the Committee on the Judiciary.

By Mr. BURDICK:

H. R. 8120. A bill to provide for the construction of a Federal building on the campus of the North Dakota Agricultural College, Fargo, N. Dak.; to the Committee on Public Buildings and Grounds.

H. R. 8121. A bill to provide for the disposition of all claims of the Indians of the United States against the Government; for the abolition of the Indian Bureau and control of persons

and property of Indians by the Secretary of the Interior; for the transfer of title to Indian lands to the States; for the final and full citizenship of Indians; and for other purposes; to the Committee on Indian Affairs.

By Mr. REED of New York:

H. R. 8122. A bill to repeal the act providing for a national census of housing; to the Committee on the Census.

By Mr. TALLE:

H. R. 8123. A bill to amend the act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," approved June 22, 1936; to the Committee on Flood Control.

By Mr. BUCKLER of Minnesota:

H. R. 8124. A bill to provide funds for cooperation with public-school districts (organized and unorganized) in Mahanomen, Itasca, Pine, St. Louis, Clearwater, Koochiching, and Becker Counties, Minn., in the construction, improvement, and extension of school facilities to be available to both Indian and white children; to the Committee on Indian Affairs.

By Mr. MOTT:

H. R. 8125. A bill to provide for a national cemetery in the vicinity of Portland, Oreg.; to the Committee on Military Affairs.

H. R. 8126. A bill to establish a fish hatchery; to the Committee on Merchant Marine and Fisheries.

By Mr. MARCANTONIO:

H. R. 8127. A bill to compensate certain native Puerto Ricans for services rendered in the World War; to the Committee on Ways and Means.

By Mr. VOORHIS of California:

H. R. 8128. A bill to grant permanent and total disability ratings to veterans suffering from severe industrial inadaptability as a result of war service; to the Committee on World War Veterans' Legislation.

By Mr. FENTON:

H. J. Res. 439. Joint resolution proposing an amendment to Public Resolution No. 24 of the Seventy-sixth Congress making appropriations for work relief and relief for the fiscal year ending June 30, 1940, by providing a prevailing rate of wage; to the Committee on Appropriations.

By Mr. McKEOUGH:

H. J. Res. 440. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. KELLER:

H. Res. 367. Resolution to investigate the qualifications, compensation, and methods of preferment of all attorneys and other legal personnel employed by the Government; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GREEN:

H. R. 8129. A bill for the relief of the St. Nicholas Park Co.; to the Committee on Claims.

H. R. 8130. A bill for the relief of Henry M. Frazee; to the Committee on Military Affairs.

By Mr. JENKINS of Ohio:

H. R. 8131. A bill granting an increase of pension to Eiva Midkiff; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Illinois:

H. R. 8132. A bill for the relief of T. L. Roark; to the Committee on Claims.

By Mr. JOHNSON of West Virginia:

H. R. 8133. A bill for the relief of William A. Wheeler; to the Committee on Claims.

By Mr. O'BRIEN:

H. R. 8134. A bill granting an increase of pension to Sophia M. Webster; to the Committee on Invalid Pensions.

H. R. 8135. A bill granting an increase of pension to Mary E. Lewis; to the Committee on Invalid Pensions.

By Mr. OLIVER:

H. R. 8136. A bill for the relief of Nina M. Robinson; to the Committee on Claims.

H. R. 8137. A bill for the relief of Carl L. Jones; to the Committee on Claims.

By Mr. REECE of Tennessee:

H. R. 8138. A bill granting a pension to Eva H. Edwards; to the Committee on Invalid Pensions.

H. R. 8139. A bill granting a pension to Joe McMurry; to the Committee on Invalid Pensions.

H. R. 8140. A bill for the relief of Stanley McMahan; to the Committee on Military Affairs.

H. R. 8141. A bill for the relief of Ralph Y. Cox; to the Committee on Claims.

By Mr. SHANLEY:

H. R. 8142. A bill for the relief of Edwin Charles Bock; to the Committee on Military Affairs.

H. R. 8143. A bill for the relief of Kirel Doroszko; to the Committee on Military Affairs.

By Mr. SMITH of Maine:

H. R. 8144. A bill granting a pension to Howell P. Smith; to the Committee on Invalid Pensions.

By Mr. SPENCE:

H. R. 8145. A bill for the relief of A. M. Garmon; to the Committee on Claims.

H. R. 8146. A bill for the relief of John I. Twehues; to the Committee on Claims.

By Mr. THOMASON:

H. R. 8147. A bill for the relief of Emery C. Pickett; to the Committee on Military Affairs.

By Mr. LEAVY:

H. J. Res. 441. Joint resolution for the relief of North Pacific Grain Growers, Inc.; to the Committee on Claims.

SENATE

THURSDAY, JANUARY 25, 1940

(Legislative day of Tuesday, January 23, 1940)

The Senate met at 12 o'clock meridian on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Thou who hast taught us through the wisdom of life to rejoice in the breath of the morning, in the fresh radiance of flowers, in the dreaming mountains surplined now in their robes of white: Accept our heartfelt thanks for these unseen powers, whose presence we can feel, as they weave God's garments out of the loveliness of earth and sea and sky, causing us to exclaim, "Heaven and earth are full of the majesty of Thy glory."

Grant us by faith a vision of the Tree of Life, in whose branches the breath of all the centuries is but a little whisper of the winds, whose leaves are for the healing of the nations, and whose immortal fruit shall preserve our souls beyond the reach of time and chance and death. Help us to face our world fearless and undismayed because of hope which, even in the darkest night, looks up with confidence to the shining stars, and love, which constrains us to regard our fellow men with the invincible loyalty of Him whose great heart never faltered even though they crucified His love, Jesus Christ our Lord. Amen.

THE JOURNAL

Mr. ADAMS. In the absence of the Senator from Kentucky [Mr. BARKLEY], I ask unanimous consent that the reading of the Journal of the proceedings of the calendar day Tuesday, January 23, 1940, be dispensed with and that the Journal be approved.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House having proceeded to reconsider the bill (H. R. 5118) for the relief of the State of Ohio, returned by the President of the United States, with his objections, to the House of Representatives, in which it originated, it was

Resolved, That the said bill do not pass, two-thirds of the House of Representatives not agreeing to pass the same.

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled joint resolution (H. J. Res. 419) to extend, for 3 additional months, the time during which articles imported free of duty for exhibition at the Golden Gate International Exposition or the New York World's Fair, may be sold or abandoned, and it was signed by the Vice President.

CALL OF THE ROLL

Mr. McNARY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Donahay	Holt	Schwollenbach
Ashurst	Downey	Johnson, Calif.	Shipstead
Bailey	Ellender	Johnson, Colo.	Slattery
Bankhead	Frazier	King	Smathers
Barbour	George	Lucas	Smith
Bilbo	Gerry	Lundeen	Stewart
Bridges	Gibson	McKellar	Taft
Brown	Gillette	McNary	Thomas, Okla.
Bulow	Glass	Maloney	Tobey
Byrd	Green	Mead	Townsend
Byrnes	Guffey	Miller	Truman
Capper	Gurney	Neely	Tydings
Chandler	Hale	Norris	Van Nuys
Chavez	Harrison	Pepper	Wagner
Clark, Mo.	Hatch	Reed	Walsh
Connally	Hayden	Reynolds	Wheeler
Danaher	Herring	Russell	Wiley
Davis	Holman	Schwartz	

Mr. ADAMS. I announce that the Senator from Washington [Mr. BONE], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Alabama [Mr. HILL], the Senator from Oklahoma [Mr. LEE], and the Senator from Louisiana [Mr. OVERTON] are absent from the Senate because of illness.

The Senator from Kentucky [Mr. BARKLEY] is absent in attendance upon a conference at the White House.

The Senator from Idaho [Mr. CLARK], the Senator from Nevada [Mr. PITTMAN], the Senator from North Dakota [Mr. NYE], the Senator from Michigan [Mr. VANDENBERG], the Senator from Maine [Mr. WHITE], the Senator from Vermont [Mr. AUSTIN], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Nebraska [Mr. BURKE], the Senator from Indiana [Mr. MINTON], and the Senator from Massachusetts [Mr. LODGE] are members of the committee appointed to attend the funeral in Idaho of the late Senator Borah, and are, therefore, absent.

The Senator from Florida [Mr. ANDREWS], the Senator from Delaware [Mr. HUGHES], the Senator from Nevada [Mr. McCARRAN], the Senator from Montana [Mr. MURRAY], and the Senator from Maryland [Mr. RADCLIFFE] are detained on important public business.

The Senator from Utah [Mr. THOMAS] is detained on official business for the Special Committee on Civil Liberties.

Mr. CONNALLY. I announce the absence of my colleague the senior Senator from Texas [Mr. SHEPPARD] because of illness. I should like to have the announcement stand for the day.

The VICE PRESIDENT. Seventy-one Senators have answered to their names. A quorum is present.

THE LATE SENATOR BORAH

Mr. DAVIS. Mr. President, as the mortal remains of the late Senator BORAH are being laid to rest today I wish briefly to speak of the lasting values of his life that will never die.

Senator BORAH had a peace of mind which goes with a great liberty. Few have it. He had it because he cultivated it and thought more of his independence than of all else. When he spoke for America it was because he had in his

heart a deep, abiding love for this country. The threads of his diversified thought fit into a matchless pattern of devotion to duty in behalf of his native land. In his judgment, nothing was ever too good to be true in America; and he dedicated his life to keeping the Nation safe and secure within the moorings of the Constitution.

In this time of national thought on the superb leadership of Senator BORAH our eyes have filled with tears, and our hearts have glowed with tenderness; for he seemed very close to us. He seemed close to millions of people for whom he was a mighty voice and a fearless champion. We miss him. Our tears are not for him, but for ourselves. We have a sense of loneliness because he cannot be replaced. Yet we are comforted because there are so many of us who share the united thought that here was and is our friend—one whose stalwart spirit will continue to bless and defend us. He was indeed the tribune of the people.

Senator BORAH was free because he listened to the growing and changing trends of public opinion. His voice was elastic and his point of view flexible to accord with the rise and fall of popular needs. Never, however, did he depart from his fidelity to the fundamental precepts of American traditions and principles as he understood them; and no one understood them better than he.

Our friend loved the out-of-doors. Often he roamed through Rock Creek Park. To the Nation he has been as a mighty oak tree, or a lordly cedar, which, going down "with a great shout upon the hills, leaves a lonesome place against the sky." And yet his life reminds me of these words by Ella Higginson:

I know a place where the sun is like gold,
And the cherry blossoms burst with snow,
And down underneath is the loveliest nook,
Where the four-leaf clovers grow.

One leaf is for hope, and one is for faith,
And one is for love, you know;
And God put another in for luck,
If you search, you will find where they grow.

But you must have hope, and you must have faith,
You must love and be strong—and so,
If you work, if you wait, you will find the place
Where the four-leaf clovers grow.

NOTICE OF ADDRESS BY SENATOR ELLENDER ON THE LOUISIANA DEMOCRATIC PRIMARY

Mr. ELLENDER. Mr. President, I had intended to address the Senate today with respect to the Democratic primary held in my State on January 16, but because, due to the inclement weather we are having, I was unable to obtain certain data for which I asked, I give notice that I shall address the Senate after the morning hour on the next legislative day, which will probably be Monday.

BOARD OF VISITORS TO THE COAST GUARD ACADEMY

Mr. BAILEY. Mr. President, I desire to make an announcement. The statute imposes upon the chairman of the Committee on Commerce the duty of appointing each year two members of that committee to the Board of Visitors to the Coast Guard Academy at New London, Conn. I desire therefore to announce the appointment for the present year of the Senator from Louisiana [Mr. OVERTON] and the Senator from New Jersey [Mr. BARBOUR]. I wish the RECORD to show that appointment.

PRESENTATION OF BIRTHDAY CAKE TO THE PRESIDENT

Mr. LUCAS. Mr. President, I rise for the purpose of paying a brief tribute to three young ladies of my State. On yesterday Misses Elinor Myrup, Marilou Winter, and Elsie Schmidt, of Chicago, came to the city of Washington by airplane for the purpose of presenting to President Roosevelt a huge birthday cake in commemoration of the fifty-eighth anniversary of his birth. These three young ladies are daughters of the three leading officials of the Bakery and Confectionery Workers International Union.

The cake was donated to the labor division of the committee for the celebration of the President's birthday by the bakery union as a means of raising additional funds for the "fight infantile paralysis" campaign. American Federation

of Labor unions bought the 58 candles on the cake, which grossed more than \$5,800 for the paralysis fund.

The labor division, of which William Green is chairman, and Chester M. Wright, director of organization, distributed nearly three and one-half million President's birthday greeting cards to members of organized labor throughout the Nation and its territories, and asked each member receiving a card to return it to the White House loaded with dimes and dollars for the war on the dreaded scourge.

I commend the American Federation of Labor for their unusual interest in a humanitarian program that is valiantly fighting this dread disease.

REPORT OF THE GOVERNOR OF THE PANAMA CANAL

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on InterOceanic Canals:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the Annual Report of the Governor of the Panama Canal for the fiscal year ended June 30, 1939.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 25, 1940.

REPORT OF BOARD OF DIRECTORS OF THE PANAMA RAILROAD CO.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on InterOceanic Canals:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the Ninetieth Annual Report of the Board of Directors of the Panama Railroad Co. for the fiscal year ended June 30, 1939.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 25, 1940.

CIVIL SERVICE TENURE FOR ASSISTANT COMMISSIONER OF GENERAL LAND OFFICE

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting a draft of proposed legislation to amend section 3 of title 43 of the United States Code, which, with the accompanying paper, was referred to the Committee on Civil Service.

REPORT OF EMPLOYEES' COMPENSATION COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the United States Employees' Compensation Commission, transmitting, pursuant to law, the twenty-third annual report of the Commission for the fiscal year ended June 30, 1939, which, with the accompanying report, was referred to the Committee on Education and Labor.

PETITIONS

The VICE PRESIDENT laid before the Senate resolutions adopted by the National Farm Loan Associations of Alice, Brownwood, and George West, all in the State of Texas, favoring the enactment of legislation to restore the Farm Credit Administration to the status of an independent bureau, and placing the operations of the Federal land banks, national farm-loan associations, and other units of the Administration under the supervision of a bipartisan board appointed by the President for fixed terms, by and with the advice and consent of the Senate, which were referred to the Select Committee on Government Organization.

Mr. CAPPER presented a letter in the nature of a petition signed by the secretary and other members of the Junior Mothers' Club, of Chanute, Kans., praying for the enactment of Senate bill 517, to prohibit the advertising of alcoholic beverages over the radio, which was ordered to lie on the table.

PROHIBITION OF TRANSFER OF AMERICAN VESSELS TO FOREIGN REGISTRY OR PERSONS

Mr. CLARK of Missouri. Mr. President, I send to the desk a telegram addressed to me by the National Council of the National Maritime Union with regard to Senate bill 3075,

which I have introduced, providing for the repeal of the power of the Maritime Commission to grant transfers of ships to foreign registry.

I ask unanimous consent that the telegram, which is very brief, be inserted at this point in my remarks and appropriately referred.

There being no objection, the telegram was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

NEW YORK, N. Y., January 16, 1940.

Senator CLARK of Missouri,

Senate Office Building:

National Council, National Maritime Union, representing 65,000 organized seamen, at present in session in New York City, has gone on record unanimously to support your position against sale or transfer of American ships to foreign countries. Sale or transfer at this time is nothing more or less than a step toward involving the United States into war. National Maritime Union offers all its facilities to aid in passage of this bill in Congress.

JOSEPH CURRAN, President.

LOWER INTEREST RATES AND MORATORIA ON FARM MORTGAGES—RESOLUTIONS

Mr. CAPPER. Mr. President, I desire to call the attention of the Senate to the necessity of lower interest rates on farm mortgages; also to the fact that the continuance of droughts and low farm prices have made it impossible for many farmers to meet their mortgage payments as they come due.

I am not now speaking of the farmers who, through their own fault, have failed to make sufficient income to meet these payments. I refer to the great number of good, thrifty, intelligent, industrious farmers who, through no fault of their own, but because of weather and unfavorable economic conditions are delinquent.

I call the attention of the Senate to the fact, as reported by the Bureau of Agricultural Economics, that the purchasing power of the farmers at the close of 1939 was only 79 percent of what it was in 1910-14, when farm income and factory income were in fairly equitable balance. Secretary Wallace says that farm income nationally is approximately \$2,000,000,000 less than it should be if parity of agriculture and industry is to be attained.

Mr. President, the 7,000,000 farm families in the United States constitute one-fourth of the entire population. They receive from one-eleventh to one-tenth of the national income. On that income—admittedly about \$2,000,000,000 below parity income—they are expected to pay taxes, mortgage indebtedness, operating costs of their business, living costs of their families and, in addition, educate one-third of the boys and girls of school age in the entire country.

I am receiving many resolutions adopted by county farm-loan associations in Kansas at their annual meetings, which are held at this time of year. These are the local associations which handle farm mortgages taken through the Federal land-bank system under the Farm Credit Administration. They are stockholders as well as borrowers in that system. The burden of these resolutions is that interest rates should be lowered, and that more lenient foreclosure policies should be adopted through this farm financial crisis. Most of them urge that interest rates on Federal land-bank loans be reduced to 3 percent, and that on land bank commissioner loans, which are distress loans, the rate be not higher than 4 percent. There is now in effect an act which expires next June 30, fixing land-bank-loan interest rates at 3½ percent, and land bank commissioner loans at 4 percent.

I have pending in the Committee on Banking and Currency a bill which would fix these interest rates at 3 percent for 3 years after next June 30. It also would grant a moratorium on principal payments on these loans until July 1, 1943, if the borrower is not in default with respect to any other covenant or condition of his mortgage.

I say that under depressing conditions such as now exist, for which the farmers themselves are not responsible, the farmers are entitled to such a moratorium on principal payments and to 3 percent interest rates on their mortgages held by Government agencies. I earnestly request early action by the Committee on Banking and Currency on this matter.

I send to the desk copies of resolutions from the county farm loan associations of Doniphan, Osborne, Marshall

(Eldorado), Butler, and Barber Counties, and from the Kimeo National Farm Loan Association of Greenleaf, all in the State of Kansas, urging such action, and ask that they be referred to the Committee on Banking and Currency.

There being no objection, the resolutions presented by Mr. CAPPER which were adopted by the national farm loan associations at Eldorado, Greenleaf, Marysville, Medicine Lodge, Osborne, and Troy, in the State of Kansas, favoring the enactment of legislation to provide a reduced interest rate on farm loans made by the Federal land bank and land bank commissioner, were referred to the Committee on Banking and Currency.

CHARTERING OF FEDERAL SAVINGS AND LOAN ASSOCIATIONS

Mr. KING. Mr. President, I have received a letter from Hon. R. F. Starley, of Salt Lake City, Utah, who is banking commissioner of that State, transmitting copy of a resolution adopted at the Thirty-eighth Annual Convention of the National Association of Supervisors of State Banks, held at Salt Lake City, Utah, September 22, 1939. The resolution is in opposition to the further chartering of Federal savings and loan associations. I ask that the resolution itself be referred to the Committee on Banking and Currency and that it be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

Resolution adopted at the Thirty-eighth Annual Convention of the National Association of Supervisors of State Banks, Salt Lake City, Utah, September 22, 1939

Whereas this association recognizes that the existence of 30,000 or more banking institutions in this country was neither necessary to carry on the business of this country nor conducive to sound banking; and

Whereas the membership of this association, consisting of the commissioners of banking of the several States, in conjunction and in cooperation with the Comptroller's office, have worked diligently and faithfully to bring the number of banking institutions to such number as will meet the necessary needs and requirements for carrying on the business of the country; and

Whereas through such efforts and cooperation a system of banking has been established which we believe does meet all such necessary needs and requirements and gives to the country a much stronger and sounder system than heretofore existed; and

Whereas there is now established and being expanded a system of financial institutions under the name of Federal savings and loan associations that are doing, and propose to continue to do, business in active competition with banks; and

Whereas the chartering and supervision of these institutions is the responsibility of an agency other than those established to charter and supervise regularly chartered institutions constituted to carry on a banking business; and

Whereas such institutions are now seeking additional powers through acts of Congress which would expand the scope of such associations' activities; and

Whereas Federal savings and loan associations in some instances have been established without due regard to the already established banking facilities in communities throughout the country and without due regard to the necessity therefor; and

Whereas such practices are materially injurious to the already regularly established banking institutions in many, if not all, of the communities in which these Federal savings and loan associations are being placed; and

Whereas it is the sincere belief of this association that it is the ultimate intent and purpose in establishing these Federal savings and loan associations and increasing their powers that they shall in the end become mutual savings banks; and

Whereas, if this occurs, we will have the return of the same overbanked situation that existed in 1933 and prior thereto, with the resulting effects to the entire banking structure experienced in this country in recent years; and

Whereas it is the judgment of the membership of this association that the establishment of this system of Federal savings and loan associations should not only be curtailed but that their authority and activities should be reduced; and

Whereas it is the sense of this association that the word "savings" included in the name of these associations should never have been in the act authorizing their creation and should be stricken therefrom, because it is misleading, misinterpreted, and contrary to the very language of the act itself, wherein the act states "No deposits shall be accepted"; and

Whereas advertisements for such deposits are being made, in some instances at least, and unless restrictions are finally placed upon the activities of these Federal savings and loan associations, they will become a great hazard to the maintenance of a sound and safe banking system in this country: Now, therefore, be it

Resolved, That this association does hereby reiterate its opposition to the further chartering of Federal savings and loan associations and the granting of further power to the Federal Home Loan

Bank Board in the granting of charters and the establishment of these associations throughout the country; and be it further

Resolved, That we hereby register our protest and opposition to bills providing for such expansion as introduced in the last Congress, and to any similar bills that may be introduced into the coming Congress to accomplish the same purpose; and be it further

Resolved, That we earnestly ask the coming Congress not only to defeat such legislation, but to repeal the law authorizing the chartering of more of these institutions, or at least to modify the law so as to curtail their engaging in a banking business, and to place Federal savings and loan associations already established under the supervision and control of one of the recognized Federal bank supervising and examining authorities; and be it further

Resolved, That the contents of this resolution be by each member of this association brought to the attention of his State's delegation in Congress and that such information be given such delegation without delay.

AID TO FINLAND—REPORT OF COMMITTEE ON BANKING AND CURRENCY

Mr. BROWN. I report back favorably from the Committee on Banking and Currency, with amendments, the bill (S. 3069) to provide for certain loans to the Republic of Finland by the Reconstruction Finance Corporation, and I submit a report (No. 1166) thereon. The measure proposes to increase the authority of the Export-Import Bank to make loans and covers in general the Finnish loan question. Under the previous order and agreement entered into by the Senate, the bill will be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. Under an order heretofore entered, the report will be received and the bill and report will be referred to the Committee on Foreign Relations.

ENROLLED BILLS PRESENTED

Mr. TRUMAN (for Mrs. CARAWAY), from the Committee on Enrolled Bills, reported that that committee had presented to the President of the United States the following enrolled bills:

On January 19, 1940:

S. 1554. An act to provide that the district judge for the western district of Washington, authorized to be appointed under the act of May 31, 1938, shall be a district judge for the eastern and western districts of Washington.

On January 23, 1940:

S. 1335. An act relating to the filing of affidavits of prejudice in the District Court for the District of Alaska; and

S. 1919. An act to provide for the acquisition by the United States of the estate of Patrick Henry in Charlotte County, Va., known as Red Hill.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

S. 3184. A bill for the relief of the Shaver Forwarding Co.; to the Committee on Claims.

By Mr. MILLER:

S. 3185. A bill for the relief of Noland Blass; and
S. 3186. A bill for the relief of Robert S. Boyd; to the Committee on Claims.

By Mr. CHANDLER:

S. 3187. A bill for the relief of Lucille Sleet (with accompanying papers); to the Committee on Claims.

S. 3188. A bill for the relief of Homer H. Keffer; to the Committee on Military Affairs.

By Mr. THOMAS of Oklahoma:

S. 3189. A bill for the relief of Ola B. Auten and Harry Auten; to the Committee on Claims.

S. 3190. A bill for the relief of Mary Stella Six; to the Committee on Finance.

By Mr. JOHNSON of Colorado:

S. 3191. A bill to grant pensions to certain unmarried dependent widows of Civil War veterans who were married to the veteran subsequent to June 26, 1905; to the Committee on Pensions.

By Mr. GEORGE:

S. 3192. A bill for the relief of Mrs. Cliff Snider; to the Committee on Claims.

S. 3193. A bill authorizing the payment of an indemnity to the Spanish Government on account of the death of Juan Neira, a Spanish subject, killed at Savannah, Ga., by a United States truck; to the Committee on Foreign Relations.

By Mr. REYNOLDS:

S. 3194. A bill for the relief of Walter T. Blackwelder;

S. 3195. A bill for the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department (with accompanying papers); and

S. 3196. A bill to amend the act approved May 24, 1938, entitled "An act for the relief of The Comision Mixta Demarcadora de Limites Entre Colombia y Panama" and for the relief of Jose Antonio Sossa D (with accompanying papers); to the Committee on Claims.

S. 3197. A bill granting a pension to Anne Justice Greene; to the Committee on Pensions.

S. 3198. A bill to provide allowances for uniforms and equipment for certain officers of the Officers' Reserve Corps of the Army;

S. 3199. A bill to provide allowances for inactive-status training for certain officers of the Officers' Reserve Corps of the Army; and

S. 3200. A bill to provide for the rank and title of lieutenant general of the Regular Army in the military departments of Panama and Hawaii; to the Committee on Military Affairs.

(Mr. REYNOLDS also introduced Senate bill 3201, which was referred to the Committee on Immigration, and appears under a separate heading.)

By Mr. KING:

S. 3202. A bill to make it a crime to wreck or attempt to wreck a train engaged in interstate commerce; to the Committee on the Judiciary.

S. 3203. A bill to amend section 1262 of the Code of Laws for the District of Columbia; to the Committee on the District of Columbia.

S. 3204. A bill for the relief of Louise Hsien Djen Lee Lum; to the Committee on Immigration.

By Mr. CLARK of Missouri:

S. 3205. A bill prohibiting the use of appropriations for the payment of subsidies under the Merchant Marine Act of 1936 to certain persons; to the Committee on Commerce.

By Mr. MEAD:

S. 3206. A bill for the relief of the alien James Neohoritis; to the Committee on Immigration.

(Mr. PEPPER (for himself and Mr. ANDREWS) introduced Senate bill 3207, which was referred to the Committee on Agriculture and Forestry, and appears under a separate heading.)

By Mr. BULOW (for himself and Mr. GURNEY):

S. J. Res. 205. Joint resolution for the relief of South Dakota Wheat Growers Association, Inc.; to the Committee on Claims.

SUGAR QUOTA FOR MAINLAND CANE AREA

Mr. PEPPER. Mr. President, I ask consent to introduce a bill on behalf of my colleague [Mr. ANDREWS] and myself proposing a more equitable sugar quota. I ask that the bill may be referred to the Committee on Agriculture and Forestry, and also that a statement relative thereto be printed in the RECORD.

There being no objection, the bill (S. 3207) to provide for a more equitable sugar quota for the mainland cane area, was read twice by its title and referred to the Committee on Agriculture and Forestry; and the statement was ordered to be printed in the RECORD, as follows:

JOINT STATEMENT OF SENATORS PEPPER AND ANDREWS

The purpose of the bill introduced by Senator PEPPER and Senator ANDREWS is to amend the Sugar Act of 1937, to give to the mainland producer of sugar who has maintained the highest seasonal wage standard and the lowest cost of production, as determined by data made available to the secretary of such producers, the additional quota as produced by the deficit between that authorized under the Sugar Act of 1937 and the Philippine Independence Act.

This quota is provided for in the deficit arising from the difference of the 1940 quota of duty-free sugar from the Commonwealth of the Philippine Islands, which is 1,036,356 short tons, and under

the Philippine Independence Act the Philippine quota thus established is 981,912 tons, producing a deficit of 54,444 short tons.

Previously it has been the practice of the Department of Agriculture and the Department of State to allocate this quota to foreign countries in direct discrimination against domestic areas.

This amendment does not authorize the Secretary to pay benefit payments on sugar allotted from the so-called Philippine deficit. It does require the Secretary to increase the producers marketing allotment so he can sell the sugar so allotted, but he receives no benefit payments.

The only cost to the Government would be the loss of duty. This loss would be offset many times by the increased employment provided in the continental producing area and increase consumption of surplus agricultural products. For thus to produce this amount of sugar, 54,444 short tons, direct employment would be provided for 5,500 men (basis of 1 man for every 10 tons) at the highest wages paid on agricultural work in the United States. Experts estimate that for every man directly employed, two other persons are subsequently employed in servicing them with food, clothing, housing, transportation, and other facilities, which are a part of the American standard of living.

ESTABLISHMENT OF MARINE SCHOOLS, ETC.—AMENDMENTS

Mr. REYNOLDS submitted amendments intended to be proposed by him to the bill (S. 594) to amend the act entitled "An act for the establishment of Marine Schools, and for other purposes," approved March 11, 1911; to expand the public educational facilities of the several States and provide each with a State nautical academy; to create a new public-school system for education of masses of American youths in nautical, aviation, and technical fields relating thereto; to increase the national defense in the realm of radio; to improve navigation; to provide marine conservation and development; to create the United States Maritime Corps as a supplement to the Naval Reserves; to provide an abundant supply of native Americans, trained personnel to operate the new United States ships afloat and in the air; to provide the technical machinery for further maritime improvement; and for other purposes, which were referred to the Committee on Commerce and ordered to be printed.

TRIBUTE TO THE LATE SENATOR BORAH BY "THE STATE," OF COLUMBIA, S. C.

[Mr. BYRNES asked and obtained leave to have printed in the RECORD an editorial tribute to the late Senator Borah, published in The State, of Columbia, S. C., of the issue of January 22, 1940, which appears in the Appendix.]

TRIBUTE TO THE LATE SENATOR BORAH BY HORACE C. CARLISLE

[Mr. BANKHEAD asked and obtained leave to have printed in the RECORD a tribute to the late Senator Borah by Horace C. Carlisle, of Alabama, which appears in the Appendix.]

REGULATION OF THE OVER-THE-COUNTER SECURITY MARKETS—ADDRESS BY SENATOR MALONEY

[Mr. MALONEY asked and obtained leave to have printed in the RECORD an address on the subject Regulation of the Over-the-Counter Security Markets, delivered by him at San Francisco, Calif., August 22, 1939, at a meeting of the California Security Dealers Association, the Investment Bankers Association, and the National Association of Securities Dealers, which appears in the Appendix.]

ADDRESS BY SENATOR TAFT ON NONPARTISANSHIP IN FOREIGN AND DOMESTIC POLICY

[Mr. TOWNSEND asked and obtained leave to have printed in the RECORD the address delivered by Senator Taft at Milwaukee, Wis., on January 19, 1940, on the subject Nonpartisanship in Foreign and Domestic Policy, which appears in the Appendix.]

IRRIGATION OF GREAT PLAINS REGION

[Mr. NORRIS asked and obtained leave to have printed in the RECORD correspondence between Senator HAYDEN and the Secretary of the Interior with reference to the irrigation of part of the Great Plains region, and a memorandum on the same subject, which appear in the Appendix.]

ADDRESSES BY GOVERNOR STASSEN AND PERRY PIPKIN

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD addresses delivered at St. Paul, Minn., by Governor Stassen, of Minnesota, and Perry Pipkin, which appear in the Appendix.]

INVESTIGATION OF LIFE INSURANCE

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD a letter from Luke J. Cavanaugh, Commissioner of Insurance of Colorado, relating to the investigation of life insurance, which appears in the Appendix.]

CONDITIONS IN SPAIN

[Mr. WALSH asked and obtained leave to have printed in the RECORD an article published in the magazine Spain, written by Dr. Joseph F. Thorning, entitled "Victorious Spain," which appears in the Appendix.]

FIRST PLANE FLIGHT

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article entitled "The First Plane Flight," written by Hon. Carl Goerch and published in the State Magazine of Raleigh, N. C.]

SILVER PURCHASE PROGRAM, ETC.

[Mr. TOWNSEND asked and obtained leave to have printed in the RECORD an editorial from the New York Times of January 23, 1940, entitled "The Silver Folly," and an editorial from the Washington Post of January 22, 1940, entitled "The New Yellow Peril," which appear in the Appendix.]

COMMITTEE SERVICE

On motion of Mr. BARKLEY, and by unanimous consent, it was

Ordered, That the following Senators be assigned to committee service, as indicated: The Senator from Kentucky [Mr. CHANDLER] to the Committee on the Judiciary; the Senator from New York [Mr. MEAD] to the Committee on Civil Service; the Senator from Nevada [Mr. McCARRAN] to the Committee on Post Offices and Post Roads; the Senator from New Jersey [Mr. SMATHERS] to the Committee on Military Affairs; and the Senator from Nebraska [Mr. BURKE] to the chairmanship of the Committee on Claims.

DELEGATION OF CERTAIN REGULATORY FUNCTIONS IN DEPARTMENT OF AGRICULTURE

The PRESIDING OFFICER (Mr. TRUMAN in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 1955) to authorize the Secretary of Agriculture to delegate certain regulatory functions and to create the position of Second Assistant Secretary of Agriculture.

Mr. SCHWELLENBACH. I move that the Senate disagree to the amendments of the House of Representatives, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. WHEELER, Mr. THOMAS of Oklahoma, Mr. SCHWELLENBACH, Mr. NORRIS, and Mr. McNARY conferees on the part of the Senate.

THE RECOGNITION OF RUSSIA

Mr. KING. Mr. President, in Asia, as well as in Europe, tragic conditions exist. Japan is reviving the worst forms of oriental tyranny and of medieval barbarism. She is attacking defenseless cities and towns and spreading ruin and devastation over a vast area in China. No more brutal and barbarous course has been pursued in modern times under the guise of war. Japan is carrying on a plan of extermination. Millions of people have been driven from their homes, hundreds, if not thousands, of towns and cities have been destroyed, important commercial centers have been wrecked by bombs from the air, and millions of people, without shelter or food, have been forced to flee, without any possibility of succor or support.

Hitler carried on a war of devastation in Poland. He has vouchsafed no justification for the cruel and merciless course which he and the Nazis pursued. Important cities were destroyed, millions of people driven from their homes, and a flourishing and progressive nation brought under subjection to Nazi and Bolshevik rule. When the chapter is written of the merciless and barbarous policies pursued by Hitler and Stalin in Poland, those who peruse its pages will be compelled to regard Hitler and Stalin as among the most cruel and merciless despots who afflicted the world.

It is apparent that Hitler and Stalin seek the destruction of democratic nations. Democracy is alien to their philosophy, and they seek to impose upon peace-loving democratic peoples, not only an alien rule, but one which finds no parallel, except in dark ages or in periods when cruel Oriental monsters carried on wars of rapine and plunder. Not only are the rights of minorities being attacked by Japan, by the Bolsheviks and the Nazis, but liberal and progressive governments, in which peace and progress were enjoyed by millions of people, are being assailed by Hitler and Stalin. The pages of history are being blurred with records of oppression and cruelty and attempts to destroy not only minorities and the rights and dignity of human beings, but of independent and progressive democracies. Nineteen hundred and thirty-nine witnessed the dismemberment of nations and the destruction of important small peoples. If the sweep of brute force is not halted, this year may bring the complete disappearance of many small nations from the face of the earth. With each blow struck against small nations, such as Finland, Estonia, Lithuania, Latvia, and against larger nations, such as Poland, it becomes apparent that the rights of all peoples have been attacked, and the principles of liberty and justice assailed. A world that is not safe for minorities and for small nations is a world that is not safe for democracy. When Austria was destroyed, when Czechoslovakia was mutilated, when Poland was crucified by bolshevism and nazi-ism, the concepts of right and wrong, of liberty and justice, were shaken. In the midst of this confusion, the aggressor nations laid down a barrage of words, designed to cloak brutal conquest in the robes of liberation.

The inhuman and barbarous attack upon Finland is part of an organized attempt at the assassination of the character and integrity of all minorities and of all small nations. The whole concept of self-determination for small groups and small nations is being completely undermined. This is a process with profound implications for all countries and all peoples. The way to the destruction of the rights of majorities begins in the footpath of the annihilation of minorities. The rights of majorities are guaranteed only when the rights of minorities and small nations remain inviolate.

The democratic and liberty-loving peoples of Europe are being menaced by the Nazi and Bolshevik governments. The destruction of Finland may not appease the rapacity of the Bolshevik regime, and the Scandinavian states, which have made important contributions to the highest form of civilization, may be the next objects of assault by Hitler and Stalin. There are indications that the Soviet Government plans the destruction of some of the Balkan states, and in far-off Asia, millions of people are concerned as to their future in the face of Bolshevik activities. Switzerland, Belgium, Holland—countries in which liberty is enjoyed—may not escape the ambitions of the Nazi regime.

Mr. President, the Bolshevik Government has never concealed its purpose, to spread its authority throughout the world. It seeks the destruction of all democratic nations and the reign of communism throughout the world. I believed that it would be a mistake for our Government to recognize the Bolshevik regime. I believed, from statements made to me by Bolshevik leaders and by the conduct of the Bolshevik Government, that it would seize every opportunity to introduce the baneful philosophy of communism into the United States, and to undermine democratic institutions.

Accordingly, when it was suggested in 1933 that the Bolshevik regime be recognized, I indicated my opposition to that policy, and took the liberty of submitting a memorandum to the Executive Department, in which I expressed, in part at least, the ground of my opposition to the recognition of the Soviet Government. I had been in Russia a number of years before, and traveled many thousand miles, and had visited nearly all sections of European Russia. I met many of the Bolshevik leaders, and learned from them and from ardent Communists their purposes and the activities which they sought. They did not hesitate to declare that communism was a world cult, and must be superimposed upon the peoples of the world. While I had great sympathy for the mass of the Russian people, I deeply regretted their blind obedience to

Bolshevik leaders, and sympathized with them because of the oppressive and despotic rule to which they were subjected.

In view of all the facts brought to my attention, I believed it would be unwise for our Government to recognize the Bolshevik regime; and therefore, I prepared a memorandum and submitted it to the Executive Department on the 13th of November 1933, in which I set forth, in part at least, my views in regard to the proposed recognition of the Stalin Government.

The memorandum is as follows:

No circumstances have arisen to date that would alter my attitude, heretofore expressed in the Senate and elsewhere, on the question of recognition by the United States of the Soviet Government of Russia.

I have always felt the most profound sympathy for the Russian people and have entertained keen regret that they should be subjected to a regime of political and economic dictatorship represented by the present authority in Russia. I have believed that as an American I have no right to interfere with the internal or economic affairs established and maintained by another sovereign nation.

On the other hand, I have always contended that recognition of a foreign government by our Government is not a duty nor an obligation on our part but an act of policy dictated by considerations which appear to be in our best interest.

I supported the position of President Wilson in refusing to recognize the Bolshevik regime; and after having visited Russia, where I spent several months and traveled more than 8,000 miles, I was more firmly convinced that the best interests of our country would not be served by extending recognition to the Soviet Government until and unless that Government should change its policy with respect to internal affairs as well as external matters, and, moreover, that it should give ample and convincing proof of its intention to assume in its international relations a clear obligation to act in accordance with the generally recognized standards of friendly intercourse among nations. I am therefore opposed to extending recognition to the Soviet Government until such proof is forthcoming.

If it should become the policy of our Government to reconsider at this time our official attitude toward the Soviet Government, our first step should be the creation of a competent commission to ascertain, both independently and in consultation with the representatives of the Soviet Government, the necessary facts upon which a judgment can be based as to whether or not the Soviet Government is prepared, in fact, to assume international obligations common to all civilized nations. Specifically, before extending recognition to the Soviet Government, we should know:

(a) Whether or not that Government is prepared to undertake to conduct no subversive propaganda in our country or our territorial possessions, either directly through its accredited representatives or indirectly through such an agency as the Third International.

May I interpolate here that I emphasized that point in my memorandum because of conversations which I had with Bolshevik leaders when in Russia, in which they indicated that recognition would afford opportunities for the dissemination of the principles of the communist faith.

The second point I suggested was:

Whether or not that Government is prepared to and will disassociate itself from the Third International and will agree to no longer subsidize it or contribute to its maintenance or activities.

May I add in passing that when in Moscow I visited the Third International headquarters? There I saw Mr. Radek, who was, in the absence of Zinoviev, in control of the headquarters. Sitting with him was Bill Haywood, who, as Senators will recall, was prosecuted for transgressions of law during the World War, and convicted. He fled to Russia, forfeiting his bail of \$50,000. When I saw him in the Third International headquarters he greeted me and stated that the United States "didn't get" him. He was frank in indicating that, as a member of the Third International, he was using his best efforts to spread communism in the United States and in other countries. I might add in passing that he remained in Russia until the time of his death, which was several years after I saw him in 1924.

I might add, for the benefit of my colleagues from the South, that sitting with Mr. Radek was also a colored man from Alabama, who frankly stated that he was a Communist and was a member of the Third International, and was engaged in the spread of communism among his race in the United States.

The memorandum continues:

(c) Whether or not that Government is prepared to and will guarantee an open public and fair trial to any American citizen who may

be charged with the violation of any law, rule, or regulation of such Government;

(d) Whether or not that Government is prepared to and will recognize former subjects of Russia who are naturalized American citizens as American citizens and will accord to them all the rights of American citizens;

(e) Whether or not that Government is prepared, with respect to the war loans extended by our Treasury to fully accredited representatives of the Russian Government then in power, to place itself on the same footing as all the other governments which had borrowed from us during the war—that is, to acknowledge the obligation and to enter into proper negotiations for the discharging of such obligation; and

(f) Whether or not that Government is prepared to enter into negotiations for the satisfaction of the claims of our citizens who had suffered property damage because of acts initiated and carried out by authority of that Government.

The willingness of the Soviet Government to assume the undertakings herein enumerated should be embodied in formal declaration precedent to our act of recognition. The experience of other important nations, notably Great Britain and France, which had recognized the Soviet Government unconditionally, should serve as sufficient warning to us as to the difficulty of protecting and maintaining our national interests in the face of the international policies pursued by the Soviet Government in the absence of previous clearly defined undertakings on the part of that Government.

It is often asserted that recognition of the Soviet Government would result for our country in a large expansion of our export trade to Russia. This, it is held, would be of sufficient benefit to several important branches of agricultural and industrial production in the United States to render the act of recognition a step in the direction of promoting our best national interests.

The truth of this assertion should be another necessary field of inquiry for the American commission suggested above. From my personal investigation of this subject, I am convinced that no foundation whatever exists for the extravagant claims advanced in favor of outstanding trade benefits that would accrue to us as a result of our extending recognition to the Soviet Government. The possibility of our purchases from Russia, the proceeds of which could be used to pay for our exports to that country, is admittedly very limited. Our sales to Russia, over and above our purchases from her, would have to be governed by one of the following factors:

(1) A net balance in favor of Russia in her trade with her principal customers; that is, Germany, Great Britain, Italy, and France;

(2) Exports of gold by her; and

(3) New credits extended to her in this country.

I am credibly informed that for some time ahead any visible net balance in favor of Russia in her trade with the principal European nations is bound to be absorbed by her payments to these countries on account of credits already extended to her by their citizens. Similarly, her stocks and current production of gold are relatively small. Hence, there would appear to be but a slight businesslike basis for the extension to her of any substantial volume of new credits.

All these questions will have to be thoroughly and authoritatively investigated before adequate judgment can be formed as to whether or not the recognition of the Soviet Government would, in fact, be in our best economic interest. Surely, no officials of our Government would be so oblivious of the disastrous consequences of our huge loans to foreign countries during the post-war years as to lay the foundation for a resumption of substantial loans abroad without a most careful investigation as to the soundness of such investments. In short, an unconditional recognition of the Soviet Government, prior to an adequate and authoritative investigation, and unaccompanied by a definite assumption by the Soviet Government of trustworthy undertakings along the lines here suggested, would be a rash and precipitate action, likely to be profoundly deplored all too soon after it is taken.

Mr. President, though not a prophet, time has vindicated the position which I took.

The present difficulties with Russia should have been foreseen. Whatever one may think of the social and economic objectives of the Communists, and conceding that in the beginning their motives were idealistic, the fact is that also from the beginning they made no concealment of the doctrine that the end justifies the means. This belief is expounded in some of the writings of Lenin himself.

The immorality of any such doctrine need not be stressed. It should be pointed out, however, that men and movements admitting the validity of any such principle, in the end always confuse ends with means, especially in situations where there arises a struggle for power, personal and political. That is the meaning of the saying that revolutions devour their own children. In the French Revolution it was the guillotine for personal and political opponents. In the Russian Revolution it is something more sordid. In Russia opponents are not even accorded the honor of a glamorous death, but either disappear without trace or are shot like dogs in cellars. I may say that I saw evidences of that when I was in Russia.

Many individuals, and, for that matter, many publications, in their sympathies for those they believed to be builders of a new society, for years either concealed or deliberately overlooked the methods used by the masters of Russia. The wanton attack on Finland has forced even them—most of them at any rate—to cry out in horror. There are people much less radical than Communists who are ready to use any means if they believe the objective to be laudable and desirable. The moral and ethical collapse of the Russian experiment carries a lesson to all these.

The fact is that even on the moral side the Russian, as well as the German, experiment has always represented extreme reaction. Throughout the centuries mankind slowly, gropingly, had built up a code of ethics which alone makes possible a semblance of civilized life. Here especially belongs the sanctity of a plighted word, of treaties, and respect for certain fundamental rights, especially of other nations. The Bolsheviks and Nazis have thrown over all these without creating anything resembling a moral code of their own. They have gone back to cavemen methods. Not only economically and socially, but morally, as well, they are the supreme reactionaries of our generation.

It is only to be hoped that the lesson they have meted out to their own friends will be permanent, and the lesson fully appreciated by those who knowingly or unknowingly have supported communism in this or in other lands.

SUPPLEMENTAL MILITARY AND NAVAL APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 7805) making supplemental appropriations for the Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation for the fiscal year ending June 30, 1940, and for other purposes.

The PRESIDING OFFICER. The question is on the committee amendment on page 7, line 21, which will be stated.

The CHIEF CLERK. Under the subhead "Acquisition of land", on page 7, line 21, after the figures "\$150,000" and the semicolon, it is proposed to strike out "and for the acquisition of approximately 800 acres in Puerto Rico for the establishment of a general depot and cantonment area and the enlargement of Camp Buchanan, as authorized in the acts of July 2, 1917, and April 11, 1918 (50 U. S. C. 171), \$200,000", and on page 8, line 2, after the words "in all", to strike out "\$550,000" and insert "\$350,000", so as to read:

For the acquisition of approximately 200,000 acres as a bombing area for use in connection with McChord Field, Wash., \$200,000; for the acquisition of approximately 48,000 acres as a bombing area in connection with Hamilton Field, Calif., \$150,000; in all, \$350,000, to remain available until expended.

Mr. THOMAS of Oklahoma. Mr. President, the matter now before the Senate relates to the acquisition of land at San Juan, P. R.

Mr. CONNALLY. Mr. President, will the Senator yield to me so I may suggest the absence of a quorum?

Mr. THOMAS of Oklahoma. I yield to the Senator from Texas for that purpose.

Mr. CONNALLY. Mr. President, the matter under discussion is of considerable importance. The principle of it runs all through the bill. Before we begin the discussion of this subject I think we should have a quorum. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. Brown in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Clark, Mo.	Gurney	Maloney
Ashurst	Connally	Hale	Mead
Bailey	Danaher	Harrison	Miller
Bankhead	Davis	Hayden	Neely
Barbour	Donahey	Hayden	Norris
Barkley	Downey	Herring	Pepper
Bilbo	Elliander	Holman	Reed
Bridges	Frazier	Holt	Reynolds
Brown	George	Johnson, Calif.	Russell
Bulow	Gerry	Johnson, Colo.	Schwartz
Byrd	Gibson	King	Schwellenbach
Byrnes	Gillette	Lucas	Shipstead
Capper	Glass	Lundeen	Slattery
Chandler	Green	McKellar	Smathers
Chavez	Guffey	McNary	Smith

Stewart
Taft
Thomas, Okla.

Tobey
Townsend
Truman

Tydings
Van Nuys
Wagner

Walsh
Wheeler
Wiley

The PRESIDING OFFICER. Seventy-two Senators have answered to their names. A quorum is present.

Before the Senator from Oklahoma proceeds, the Chair feels that he ought to state the parliamentary situation. The question is on agreeing to the committee amendment beginning in line 21 on page 7 and extending into line 2 on page 8, striking out the matter relative to the acquisition of 800 acres of land in Puerto Rico.

Mr. THOMAS of Oklahoma. Mr. President, on a former date I occupied considerable time on the general question of expanding our national defense; and finally, at the close of my remarks, I touched upon the particular issue before us.

The issue before the Senate proposes to establish a policy for the acquisition of additional land for military purposes. On page 7, beginning in line 16, we find that the committee recommends the purchase of 200,000 acres of land to be used in conjunction with McChord Field, in Washington, to be used as a bombing area. As a part of our national defense we now have planes equipped for bombing purposes. The Government has constructed, or caused to be constructed, a large number of bombing planes. Those planes are for the particular purpose of carrying bombs and dropping them over strategic enemy points, such as forts, army camps, factories, railroads, canals, depots, and so forth. It seems to me that the bombing activity of the Army is now one of the major activities of the Army. That being true, it is entirely proper that we should buy land in Washington to enable the bombing planes in that area to drop bombs as a form of training practice.

Mr. President, bombs cannot be dropped in safety except over water or over land wholly uninhabited. So I am thoroughly in sympathy with and favor the acquisition of the land for the use of the bombing squadrons to test their ability in hitting targets from the air. So no question is raised about the 200,000 acres proposed to be acquired for McChord Field in Washington.

Next the committee recommends that we purchase 48,000 acres of land for use as a bombing area in connection with Hamilton Field, Calif., the 200,000 acres in Washington to cost \$200,000 and the 48,000 acres in California to cost \$150,000.

Mr. President, we have a large military establishment at Hamilton Field, located some 28 miles north of San Francisco. We have there many of the larger bombing planes. The whole area is an airplane establishment to train men to fly the planes and to drop the bombs accurately.

As I stated on a former occasion, we have now perfected a bombing sight which, when placed upon a bombing plane, enables the men who fly the plane to drop a bomb toward a target just as accurately as a cannon can be fired on the ground.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. CONNALLY. In what part of California is the proposed bombing area?

Mr. THOMAS of Oklahoma. Mr. President, the bill does not state.

Mr. CONNALLY. It seems to me there is sufficient desert land in California, where a jack rabbit cannot even live, where we might acquire a tract for nothing. I would be in favor of that, but I would not want to buy a great quantity of expensive land around Hollywood.

Mr. THOMAS of Oklahoma. Mr. President, the fact that the 48,000 acres will cost but \$150,000 is evidence that the land is not of great value for any other purpose. There is much land in California that is barren because it is arid and because it is too rocky for any other purpose; and while I do not know the exact location of this land, I take it that it is accessible to Hamilton Field.

A little later the distinguished Senator from Colorado [Mr. ADAMS] will sponsor an amendment to buy land to be used in conjunction with a big airplane base near Denver. When that time comes I shall favor that project, because the land is necessary, and there is no land immediately adjacent to

Denver which is susceptible to that use and desirable for that purpose. So it is proposed to go across into Utah and buy some land in the State of the Senator from Utah (Mr. KING) around great Salt Lake, where the land is practically worthless desert land. I shall favor that proposal when it comes before the Senate.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. CONNALLY. Are there not great areas of public lands in Colorado, California, and other States which the Government already has, and which might be used for bombing areas?

Mr. THOMAS of Oklahoma. Mr. President, I can answer that question in part. Wherever a desirable bombing site can be found on public land, such land will not cost us anything. The only cost for land will be for land held in private ownership; and I take it that the California tract and the Washington tract are largely of that character of land.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield to the Senator from Colorado.

Mr. ADAMS. I wish merely to answer part of the inquiry of the Senator from Texas (Mr. CONNALLY). In Colorado 100 square miles of land has been donated by the people of the First Congressional District for these purposes, all of which has been paid for by local funds. If bombs cannot be dropped with safety within an area of 100 square miles, of course, more land will have to be acquired.

Mr. THOMAS of Oklahoma. Some may wonder why it is necessary to acquire such large tracts for the use of our bombing planes. The bombing planes travel at a high rate of speed. They travel at speeds from 140 to 250 miles an hour. So it would be utterly useless to try to use a small tract of land as a bombing area. To have the best efficiency it is necessary to have a sufficiently large tract of ground so that the planes can maneuver and place their targets where they will be safe from doing damage to property or to human habitations.

However, Mr. President, when the third item of this character in the bill came before the committee, an item proposing to acquire some 800 acres of land to be added to the existing small fort at San Juan, P. R., the committee struck the item from the bill. If the committee amendment is agreed to, we shall have in San Juan a military reservation of about 286 acres, and on that little reservation, much of which is rough land which cannot be used for any purpose except as a background for a target range, we shall have a large amount of ammunition stored under tarpaulins and canvas. We now have there a large amount of stores that should be housed. Those stores are outdoors, unprotected, under sheds, under planks, under tarpaulins, and under canvas. We also have a large amount of machinery and other equipment there. I call it "machinery." It is armament, ordnance—unprotected, out of doors, standing there exposed to the wind, the rain, and the sun. So we have a large quantity of equipment in a congested area, with no place to put it. On this small tract of ground a large number of soldiers are now living in tents.

Puerto Rico is a rough country. The island is small. The center looks like a ridge of a mountain range. The top of the mountain, of course, is worthless. Lower down the people grow coffee. Still lower down, on the benchland, they grow tobacco. Then along the coast, where the ground is low, and in the river bottoms, they grow sugarcane. The whole island is small, and in the area of San Juan there is little level land.

At a former date a board of Army engineers located what is now known as Fort Buchanan. It is too small for any military purpose except as a base for the present contingent of soldiers and the military supplies already there awaiting permanent housing.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. TYDINGS. In the event the amendment should be adopted and we should acquire the extra land in Puerto Rico, has the Senator any figure to show how much it will cost to

put the land in shape to house the ammunition, matériel, and equipment which he has described?

Mr. THOMAS of Oklahoma. Mr. President, I am unprepared to answer that question fully; but I will make the statement that one of the first things to be done will be to build some suitable buildings for the storage of our ammunition, bombs, and shells. As to the extent of the necessary buildings, I am unable to say; but in my opinion that project is No. 1 in priority.

Second, at the same time we must build a form of shelter in which to house or store the supplies, such as groceries, provisions, and military equipment which must be used there later. In my opinion that project is No. 2 in priority.

Then No. 3: There must be developed at that point an airport. Such a field will not be expensive because there is a place for an airport which is practically level. The ground will have to be cleared of sugarcane, and there will be some ravines to be filled and some knolls to be leveled, but the work would not be expensive, nothing to compare with the expense incurred in other places where we are building airports throughout the United States. So that when we have that development completed, we will have at Fort Buchanan a modern military establishment.

Mr. TYDINGS. And with room to expand and to enlarge?

Mr. THOMAS of Oklahoma. That is correct. We will have a place to store ammunition, that can be used by both the Army and the Navy, and another place for planes to land, for in that area there are few roads and only one railroad.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. TYDINGS. I do not want to divert the Senator, but my question was prompted by the thought that in Puerto Rico today the economic conditions are very bad. The Government is appropriating millions of dollars every year, in one form or another, in work relief and what not. That being so, it occurred to me that it would be wise, inasmuch as we are going to spend money there, if some of the money diverted to work relief and expended for work relief proper could be utilized at the same time in building these worthwhile projects as a matter of national defense. I do not know whether or not there is such coordination, but I hope there will be, because in that way we would get more for our money than in any other way that it could be spent in Puerto Rico.

Mr. THOMAS of Oklahoma. I am glad to have that statement made, because I am prepared to say, from personal observation, that at every point in the United States, in Puerto Rico, and in Panama, where the War Department is making expansion, relief labor is being used. Many of the millions of dollars we have appropriated for relief purposes have been allocated to the War Department, and, in turn, the War Department is using those funds for relief purposes among the people of the respective areas who must have work. That is especially true in Puerto Rico.

At Borinquen, a point on the other end of Puerto Rico, literally thousands of men are building a large air base. So the very thing suggested by the Senator from Maryland is being done; and I approve of that policy.

Mr. President, before I return to the immediate question involved, there are one or two observations I desire to make to clear up some uncertainties that were left from the debate on a former day. I made the statement 2 days ago that production of our new modern rifle was at the rate of 100 per day. My statement was challenged. I did not at that time have my authority; I did not know that I would have occasion to use it. I now desire to place in the RECORD a few sentences from a letter received from the commandant of the United States armory located at Springfield, Mass., which is the only place where a single rifle of the kind referred to has been made and the only place where such rifles are being made, notwithstanding the fact that we have let a contract to the Winchester Arms Co. to make 65,000 of these rifles. The rifles to be manufactured by the Winchester Arms Co. will not be delivered for 2 years. That company has not made a single rifle and they cannot make a single rifle until they get the necessary tools. Orders have been

placed for the tools but all the tools have not been delivered; they will not be delivered for probably a year, and the company cannot make a single rifle until they have the proper tools. After a factory contracts to make a rifle of this character, it takes them from a year to 14 months to secure the tools. The Winchester Co. does not now have the tools, it has not built and assembled a single rifle, and does not have to deliver the rifles for 2 years. So the only place where the new rifles have been made, and the only place where they are being made, is in the armory owned by the United States and located at Springfield, Mass. Colonel Stewart, the commandant of that armory, is in full command there. I asked him to send me information about the production of these rifles, and I now read a few sentences from his letter. The letter is dated Springfield Armory, Springfield, Mass., January 8, 1940. On the first page this sentence is found:

The current assembly is at the rate of 100 rifles per day, and within a few weeks the assembly will be increased to 200 rifles per day.

I submit this quotation in corroboration of my statement on a former occasion that the assembly now is only 100 rifles a day. They work 5 days a week; so 500 rifles are produced each week. With 4 weeks to a month, 2,000 rifles are produced each month, and at that rate there will be produced 24,000 rifles a year. That would be less than 100,000 rifles in 4 years. So, on this basis, we would have to wait 40 years in order to get a sufficient number of the rifles to equip an army of a million men. We have now in the Military Establishment in various branches almost a million men. They are not all in the Army, and not all would use these rifles, but we have many hundreds of thousands of men who should have these rifles. The Regular soldiers should have them; the National Guard should have them; the marines should have them.

Mr. PEPPER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Florida?

Mr. THOMAS of Oklahoma. I am glad to yield.

Mr. PEPPER. I will ask the Senator whether he has information to advise us whether it is contemplated that the new rifles shall supplant the rifles with which the Army is now equipped?

Mr. THOMAS of Oklahoma. Yes. The old Enfield rifle was a good rifle in its day; it was used back in the Spanish-American War. Then we had the Krag-Jorgensen rifle, the finest in its day, used in the Filipino Insurrection. Then we had the Springfield rifle, which was used in the World War, the finest rifle up to that time. We still have those old rifles; we are not devoid of rifles; we still have a good rifle; but it is not so good a rifle as a possible enemy might confront us with. The new rifle is an automatic rifle. It weighs just a few ounces more than an ordinary Army rifle, the kind we have had all these years. The old rifle would shoot but once, then the soldier would have to open the block, put in a shell, close the block, fire the gun, open the block, put in another shell, close the block and shoot. The new rifle is an automatic rifle. The cartridges come in clips of eight. A soldier can slip a clip into this gun, pull the trigger eight times; the shells fly out, then the clip flies out, and then he can put in another clip, and so on, indefinitely. With the new rifle an expert can shoot more than 30 times a minute. With this rifle one competent rifleman is equivalent to four or five as good riflemen with the old rifle.

The question is, If we are going to have an army, if we are going to have a navy, why not equip the Army and Navy with the best ammunition and the best guns that the mind and hand of men can devise? This issue does not come before the Senate at this time, but later on I shall ask the Senate to consider the proposal to speed up the production of the new, modern, efficient semiautomatic rifle. That question, however, I repeat, is not involved in the matter now before the Senate.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. SCHWELLENBACH. For the purpose of securing information, I ask the Senator if it is contemplated that the new rifle will be universally used in regiments of infantry; that all infantry soldiers will use them, or is it contemplated that merely a group here and there in the Army shall use them?

Mr. THOMAS of Oklahoma. It is my understanding that our entire Army is to be equipped with this new rifle.

I think as fast as the new rifles can be produced all our soldiers, the Infantry, Cavalry, and the Marines, and all other members of the military and naval forces who need and use rifles, should be supplied with the new rifle. I say that it is the policy of the Government to produce these rifles as fast as the Congress will appropriate the money to make them. The money is necessary to pay the workers. Even though we make the rifles in our own plant on our own ground, the laboring men must be paid and the materials out of which the rifles are made must be paid for. The Government armory cannot make these rifles faster than the Congress will appropriate money to pay the men and to buy the materials.

Mr. PEPPER. Mr. President—

Mr. THOMAS of Oklahoma. I yield to the Senator from Florida.

Mr. PEPPER. I should like to ask the Senator whether it is not his opinion that the least we can do is to keep on hand and available the equipment that would be necessary and sufficient to put into the field immediately the minimum military force that our military authorities might expect us to mobilize and put in the field within a given time?

Let us suppose that there might be in the minds of the military authorities a schedule of having, we will say, 250,000 men who might be ready in 30 days, and another 250,000 men who might be ready in another 30 days. It seems to me it is consistent with the attitude that should characterize the action of a democracy not to call the men themselves actually into the service until they are imperatively required; but it seems to me the least we could do would be to have the equipment available, so that the only question would be, in time of war, how rapidly the men should be called in, and how rapidly they could be effectively mobilized.

Out of consciousness that it is a matter affecting our national defense, I hesitate to ask the Senator how many men the United States could immediately put into the field with all necessary modern equipment, according to the standards of a modern army; but I should like to have an intimation from the Senator as to whether it would be a large or a small force.

Mr. THOMAS of Oklahoma. Mr. President, so far as the infantry is concerned, we could not equip more men than we have made guns to date; and that is not in excess of 25,000, hence we could not put into the field today more than that number equipped with these modern guns.

I thank the Senator from Florida. I share his viewpoint. It is exactly the same as mine.

Mr. President, today we are enlisting men in the United States Army at a faster rate than we are making these new rifles.

Mr. McKELLAR. Mr. President—

Mr. THOMAS of Oklahoma. I yield to the Senator from Tennessee.

Mr. McKELLAR. While it is true that only a small number of the new rifles have been completed, the arsenal is at work on them now at the rate of about 100 a day, is it not?

Mr. THOMAS of Oklahoma. That is the present assembly.

Mr. McKELLAR. The present assembly. In addition, we have about 1,800,000 Springfield rifles, which are as good as any other rifles in the world, and we have some six or seven hundred thousand Enfield rifles, which are very excellent rifles.

We have 227,000 men in the standing Army today, and the number will be increased to 243,000 in a short time—within 30 days—I imagine. We also have about the same number of members of the National Guard, who could be put into service very readily. Under the present arrangement we certainly have enough rifles so that not more than 22,000 of the new rifles are required at present, in my judgment.

Mr. THOMAS of Oklahoma. I appreciate the statement made by the Senator from Tennessee. It is obvious that we are in better condition today than we were 20 years ago. Twenty years ago we called the boys to the colors; and when they came to the camps there were no guns for them and no ammunition, and they were forced to drill, so I am advised, with sticks for guns.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield to the Senator from New Hampshire.

Mr. BRIDGES. A moment ago the Senator spoke about his desire to clear up some uncertainties. I do not want to embarrass the Senator at all, or embarrass the War Department; but I should like at this time to call attention to the last military appropriation act, which was approved on April 3, 1939; and I should like to quote section 4 of that act.

It reads:

The Secretary of War is hereby authorized, in his discretion and under rules, regulations, and limitations to be prescribed by him, to lend to accredited civilian aviation schools, one or more of which shall be designated by the Civil Aeronautics Authority for the training of any Negro air pilot, at which personnel of the Military Establishment are pursuing a course of education and training pursuant to detail thereto under competent orders of the War Department, out of aircraft, aircraft parts, aeronautical equipment and accessories for the Air Corps, on hand and belonging to the Government, such articles as may appear to be required for instruction, training, and maintenance purposes.

The Senator recalls that I offered an amendment on the floor of the Senate to provide facilities for training Negro aviators; and under the able New Deal leadership on the other side, the Senator from Wyoming [Mr. SCHWARTZ] offered a substitute which was approximately my amendment, which was carried, and provided for training Negro aviators. From information which has come to my attention I find that that provision of law has not been carried out; and to complete my statement, and in view of the question, I should like to read a letter written to Mr. Frank S. Reed, Jr., 5933 Lafayette Avenue, Chicago, Ill., under date of September 23, 1939:

DEAR SIR: With reference to your application for appointment as a flying cadet, you are informed that the War Department has taken final action on your application and that your transcript of college credits and other supporting papers have been returned to this headquarters with the statement that inasmuch as there are no units composed of colored men in the Air Corps at the present time, no provision has been made for their flying training, and, therefore, the War Department can take no further action with a view to giving you flying training at this time.

Your transcript of college credits and other papers which accompanied your application are returned herewith.

It is regretted that the nonexistence of a colored Air Corps unit to which you could be assigned in the event of completion of flying training precludes your training to become a military pilot at this time.

Very truly yours,

J. G. BRACKINRIDGE,
Major, A. G. D.

I think that is rather a serious thing. I am in sympathy with these appropriations and the general purpose of this bill for national defense; but I should like to have it a matter of official record that that law was passed. It was passed, I assume, by Congress in good faith to provide training for the colored men of this country who desire to participate and secure training as aviators in the United States Army; and apparently the law today has been ignored. I should like to ask the Senator if he is aware of that fact, and, in going forward with this new military bill, what we shall have to do to secure action under the existing law; whether we shall have to reenact the present statute, or just what we shall have to do.

Mr. THOMAS of Oklahoma. Mr. President, many things go on of which the Senator from Oklahoma is not aware. I wish to reiterate what I said on a former occasion, that in the tour of our committee through the country we found one large fort devoted entirely to training colored soldiers. This group of colored soldiers passed in review before our committee. As stated on that former occasion, I have seen many reviews, and we saw many reviews throughout the United States; but the colored detachment at this fort located in southern Arizona put on the best review I have ever seen.

They were in perfect step. It seemed that they worked by machine. Every member of our delegation complimented upon the perfect marching of these colored soldiers.

As to the particular point raised by the Senator from New Hampshire, I am not advised. It is not within our purview. We are under no responsibility to administer these laws. That responsibility falls on another branch of the Government. If the other branch of the Government has been amiss in carrying out the instructions of Congress, of course the responsibility is upon that branch.

Mr. BRIDGES. Does the Senator believe we should go forward with new measures if previous laws which we have passed, which directly authorize the Government to provide the Negroes of this country facilities for aviation training, have been ignored? I mean, ought we not to get at the bottom of this thing before we proceed to enact new legislation, if existing legislation, now on the statute books, has been ignored?

Mr. THOMAS of Oklahoma. Mr. President, personally I do not presume to be speaking for the administrative branch of the Government. We have our responsibility to adopt policies and provide the money to carry out those policies. Then it is up to the executive branch of the Government to administer the policies with the money that is made available.

Mr. BRIDGES. Congress having passed a law to provide training for Negro aviators, has the Senator any suggestion as to just how Congress would go about seeing that the law is carried out?

Mr. THOMAS of Oklahoma. Mr. President, I will leave that to the Senator who asked the question. Personally, I will say to the Senator that I am sure we have in this country many colored youngsters who would make good aviators. They would do well at any point at which they might be permitted to serve. They would make good on the ground. They would make good mechanics. They would make good pilots. I may say still further, however, that the places for recruiting soldiers are flooded with all kinds of applicants; and I wish to compliment the personnel of our military establishments, because we had a chance to see them at work. We found, wherever we went, that the youngsters desiring to enlist in the Army as a rule were high-school graduates; many of them had been to college; some were college graduates; yet they are willing and anxious to enlist in the Army of the United States.

Mr. President, the Army is becoming a highly efficient organization. It is a highly scientific organization. If anyone had the time to spend and inspected the exhibit at Bolling Field the past few days, no doubt he was edified and gratified to see there the component parts which go into the making of an airplane. I had no idea that there were so many parts to an airplane. When we look at an airplane all we see is a slick outside surface, and we do not think that the inside of that plane contains so many parts; but I am advised that to make one of the larger airplanes it takes about 45,000 parts. These parts of course are of various kinds and characters. From the outside the parts are not discernible, but when we go and look at the inside of an airplane, look at the engine, look into the control room, and at the various parts of the plane, we find that it is a mass of intricate parts. I presume they are necessary. If they were not necessary they would be eliminated.

Mr. BRIDGES. Mr. President—

The PRESIDING OFFICER (Mr. LUCAS in the chair). Does the Senator from Oklahoma yield to the Senator from New Hampshire?

Mr. THOMAS of Oklahoma. I yield.

Mr. BRIDGES. I agree with everything the Senator has said about the efficiency of the War Department. I think it is one of the best departments of the Government, and I think it is well administered, and I am in general sympathy with the pending bill and in general sympathy with the defense program. But I do desire to point out, and I do want it very definitely understood, that for some reason or other the act of Congress relating to the training of colored aviators has been ignored, and I think the War Department

should have its attention called to that matter and that Congress should have some word as to why the administration here in Washington, headed by President Roosevelt, who claims to be so interested in these matters, has ignored the colored people of the country in that particular matter.

Mr. THOMAS of Oklahoma. Mr. President, I desire to read now one or two additional sentences from the letter from Colonel Stewart, in charge of the Springfield Armory. The question was asked as to whether or not the production of the rifles referred to could be speeded up, and this is the reply from the colonel:

It is possible and practicable to speed the production of rifles beyond the figure of 200 per day. This can be done by running the present layout on a 24-hour basis, in which case a production of four to five hundred per day could be reached in 5 to 6 months. This would require appropriations by the present Congress for about 125,000 rifles. Secondly, the plant production can be increased from 200 per 8-hour day to 400 per 8-hour day. To do this will require the following estimated amounts—

Then he gives an itemization of the necessary equipment which must be had in order to increase production to the figures mentioned. I think perhaps the Record should show this:

a. For a new factory building, 562 by 172 feet, for which space is available.....	\$500,000
b. For increased fire facilities.....	90,000
c. For new equipment and tooling.....	2,191,710
d. For a gage building and laboratory.....	91,000

I read further from the letter:

In addition to the foregoing, it would be very desirable to provide for the modernization of the equipment now installed in the present jobbing shop at an estimated cost of \$894,700. With these facilities provided for by appropriation of funds, the production could be increased to 400 per 8-hour day.

The time required to purchase and install the required building and equipment and to get into production on the basis of 400 rifles per 8-hour day would be about 1 year, provided that deliveries on essential equipment are not unduly delayed and are not slower than has been shown by our recent experience.

Another sentence:

This project will, of course, call for an increased appropriation for the manufacture of the rifles called for by the added production facilities. The cost of such rifles is estimated to be \$80 each.

Mr. President, even with all that outlay, these new rifles would cost an estimated amount of \$80 per rifle, but, as suggested on a former occasion, a contract has been let for 65,000 rifles at an estimated cost of \$120 a rifle. So, after all, if we are to make a million rifles, or some such number, it would be in the interest of efficiency and the saving of money to expand our own equipment at Springfield Armory so that we could make these rifles more rapidly and thus equip our soldiers more speedily.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. GURNEY. Is there anything in the letter which it would not be well to have printed in the CONGRESSIONAL RECORD? I ask the Senator whether he will not offer for printing in the RECORD the entire letter?

Mr. THOMAS of Oklahoma. Mr. President, the War Department does have military secrets, as I have discovered, but I cannot conceive of information of this kind being a military secret. It is current information that we have produced only about 22,000 or 23,000 of these rifles. It is current information that we are making only about a hundred a day, and anyone can figure how long it would take to supply the Army. If we are to speed up production, it is going to take money to get the equipment. I know of no reason why the entire letter should not be placed in the RECORD, and I ask it be printed at this point in my remarks, if there be no objection.

The PRESIDING OFFICER. Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SPRINGFIELD ARMORY,
Springfield, Mass., January 8, 1940.

HON. ELMER THOMAS,

United States Senate, Washington, D. C.

MY DEAR SENATOR THOMAS: With reference to your telegram of January 6, the following is the situation at the Springfield Armory in regard to the production of semiautomatic rifles:

A year ago the armory was assembling rifles at the rate of 40 per 8-hour day, using old machinery, mostly of World War vintage or older, with which it was then equipped. In the meantime, while still keeping up production, it was actively engaged in designing, purchasing, installing, and getting into production a new line of modern machine tools which would have the capacity of producing 200 rifles per 8-hour day. This work has now been almost completed, although there is still a number of gaps caused by our inability to get sufficiently prompt delivery on all of the numerous machines, tools, dies, jigs, fixtures, and gages involved.

The current assembly is at the rate of 100 rifles per day, and within a few weeks the assembly will be increased to 200 rifles per day.

It is possible and practicable to speed the production of rifle beyond the figure of 200 per day. This can be done by running the present lay-out on a 24-hour basis, in which case a production of 400 to 500 per day could be reached in 5 to 6 months. This would require appropriations by the present Congress for about 125,000 rifles. Secondly, the plant production can be increased from 200 per 8-hour day to 400 per 8-hour day. To do this will require the following estimated amounts:

a. For a new factory building, 562 feet by 172 feet, for which space is available.....	\$500,000
b. For increased power facilities.....	90,000
c. For new equipment and tooling.....	2,191,710
d. For a gage building and laboratory.....	91,000

In addition to the foregoing, it would be very desirable to provide for the modernization of the equipment now installed in the present jobbing shop at an estimated cost of \$894,700. With these facilities provided for by appropriation of funds, the production could be increased to 400 per 8-hour day.

The time required to purchase and install the required building and equipment and to get into production on the basis of 400 rifles per 8-hour day would be about 1 year, provided that deliveries on essential equipment are not unduly delayed and are not slower than has been shown by our recent experience.

This project will, of course, call for an increased appropriation for the manufacture of the rifles called for by the added production facilities. The cost of such rifles is estimated to be \$80 each.

Very truly yours,

G. H. STEWART,

Colonel, Ordnance Department, Commanding.

Mr. GURNEY. I thank the Senator.

Mr. THOMAS of Oklahoma. Mr. President, the particular amendment before the Senate of itself is of little consequence; it probably would not make any difference whether we bought this land now or later; but if the Army and the Government are to fortify San Juan as one of the places necessary for the protection of the Panama Canal, then this land must be had. The question is, first, as to the desirability of the purchase of the land. If it is not desirable that it be purchased, we should not purchase it, of course. If it is desirable, then the question is, What about the price? Is the price a fair one?

In view of this situation I desire at this point to exhibit to the Senate a map showing the Panama Canal and the West Indies. In my hurried preparation for the session this afternoon I could find only a very small map of Puerto Rico and the West Indies and the Panama Canal; but I exhibit this small map to the Senate.

I point out on the map, first, Florida to the north, extending down in a southerly direction almost to Cuba. Just south of Florida is the island of Cuba. To the east of Cuba there are Haiti and the Dominican Republic. To the east of that island is Puerto Rico, as I indicate on the map. Still east of that and south are the Virgin Islands. Puerto Rico and the Virgin Islands belong to the United States.

To the west of this chain of islands known as the West Indies, first, we find Central America to the north and South America to the south, and at the narrowest point of the isthmus is the Panama Canal.

The main channels of trade by shipping going through the Panama Canal must follow one of a few lines. From the north the shipping line runs around the coast of Florida, over to the Gulf of Mexico, between Cuba and Central America, then south to the Panama Canal, as is shown by the first black line on the map.

The second line of shipping, which means shipping for all purposes, transportation of soldiers, the running of battleships, and what not, comes between Cuba and Haiti. It is possible for a large ship to go through that passageway straight into the Panama Canal.

The third line comes between Haiti and the Dominican Republic and Puerto Rico. Ships may go through that channel. Another line comes in south of Puerto Rico and the

Virgin Islands and reaches Panama. Another line comes up from South America. But all the lines used by those who desire to pass through the Canal converge at the Panama Canal.

What places have we for defense of the Panama Canal outside of the Canal Zone? At the southern tip of Florida the Government is building a large airplane base at Tampa. It is for the special purpose of assembling there a large number of bombing planes, and to train the pilots to drop bombs from those planes to protect what might be called the strait, the water between Florida and Cuba. So we have at Tampa and Key West protective bases for the protection of the strait between Florida and Cuba.

Between Cuba and the Dominican Republic and Haiti we have a naval base, at the eastern end of Cuba. That is for the special purpose of protecting the passageway at that point. Then just across the channel between the Dominican Republic and Puerto Rico and on the northern end of Puerto Rico, at Point Borinquen, we are building a large airplane base which can serve the whole Caribbean area. That is for the protection of this passageway between Cuba and the Dominican Republic and Haiti, and likewise between that island and Puerto Rico.

At San Juan we are building a larger base for the general protection of the whole Caribbean area.

For the protection of the Pacific coast we have fortified the Hawaiian Islands, and not only as a protection to Alaska, not only as a protection to the western part of the United States, but also the Panama Canal.

On the Atlantic side the Government has decided to develop a naval and military base at San Juan for the protection of all these channels of trade, and likewise for the protection of the eastern approach to the Canal Zone.

The question is, Do we need to develop these bases for the protection of American interests, not only interests in America but in Puerto Rico and the Virgin Islands and Panama? I think it has been decided that we should develop these bases for our national defense. If that is not necessary, of course, we should not make this appropriation. If we should not develop these bases, then not only should we not make this appropriation but we should withdraw the Navy from San Juan, we should withdraw the Navy from the southern point of Cuba. Not only that, we should withdraw the Army from those points.

Mr. President, the question is as to whether or not this land can be had at a reasonable figure. Since last we met, I have made some investigation. I called the War Department and was referred to the Land Acquisition Division. I submit the following statements based upon information given me by the Land Acquisition Division of the War Department. I am advised that sugar land in Puerto Rico is worth from \$300 to \$500 an acre. I am advised that at Point Borinquen, which is the site for the aviation base at the north end of Puerto Rico, the Government paid over \$100 an acre for 1,883 acres of land located upon a bench or plateau as the base for the airfield development.

Mr. REYNOLDS. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. REYNOLDS. I am extremely interested in what the Senator has to say, particularly in view of the fact that he, as a member of the Military Affairs Committee of the United States, has but recently visited the West Indies. The point I am particularly interested in is the price of \$400 an acre for sugar land in Puerto Rico. I wonder if the Senator has made an investigation of the price of land in Haiti and in the Dominican Republic in order that we might make a comparison of prices between sugar land in Haiti, the Dominican Republic, the Virgin Islands, and Puerto Rico.

Mr. THOMAS of Oklahoma. I am sorry, Mr. President, that I have not sought to acquire information relative to sugar lands in those areas. It would be valuable if we had the information. Limited time has confined my inquiries to Puerto Rico and to the United States. If the Senator will permit I will give the information I have received, and then we can perhaps get further information from some other Member of the Senate.

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At the point where they are building the large aviation base in northern Puerto Rico it will be necessary to acquire 800 acres of additional land. I saw the site myself. The soil is very shallow at the point where they are building the runways. Underneath the soil is a sort of white coral formation. This white coral formation is not solid rock, but it is the next thing to being solid rock. They are scraping the dirt off the top and when they fill up the ravine they will have a perfect runway there. It is not thought that they will have to put in hard surfacing on the runway because it is believed to be almost like rock, and the surface will be in fine shape for a runway. We landed on it ourselves, and I saw it first hand.

On the additional land wanted, however, is a sugar plantation, and the Department will probably recommend that we acquire 800 acres of land adjacent to the land already owned for the purpose of a depot, and it is estimated that land will cost \$275 an acre. That is 90 miles from San Juan. There is no town anywhere close to this land. It is upon a bench or plateau, 50 or 75 feet above the ocean. It is comparatively level. There is no town in sight. The land is now growing sugarcane. The estimated cost of this land needed at Point Borinquen is \$275 per acre, or about \$220,000 in all.

In addition to that information I called the Delegate from Puerto Rico. Unfortunately he was ill and I could not reach him, but I reached two other gentlemen in the city of Washington who claimed to be familiar with land values in Puerto Rico, and I shall give the Senate their statements for what they are worth.

I have here the statement of Francisco A. Lopez Dominguez. He is a native of Puerto Rico, born there and lived there all his life. Most of the time he has lived near San Juan. He was professor in the university in San Juan. Then later he was director of the agricultural extension station close to San Juan. So with that background I felt free to ask him questions about the cost and the value of land in San Juan, and here are some of his statements. I will not give them all because some of them are qualifying statements.

Sugarcane land varies in price in accordance with the quality of the land and in accordance with the location of the land, but it may be stated that ordinarily this land, this sugarcane land, is worth from \$300 to \$600 an acre. Some sales have been made for as much as \$1,000 per acre. There may be some inferior sugarcane lands that may be had for \$200 or \$150, dependent on the location and the conditions, but this river-bottom land is worth from \$300 to \$600 per acre.

That is the statement of this native Puerto Rican, who was a teacher in the university, later on was in the cabinet, and was director of the agricultural experiment station, which should indicate that he had close contact with the agricultural interests and especially the soil of Puerto Rico.

Later on this same gentleman said:

But included in that area—

That means the area that we desire to acquire for addition to Fort Buchanan—

But included in that area is sugarcane land which is river-bottom land that would be worth \$500 an acre and maybe \$600. There may be another type of soil there that is good for sugarcane, but it would be of an inferior quality and would be worth probably \$300 per acre.

Still quoting:

Now, there is land there that is not used for sugarcane, land upon which there is a dairy establishment, and the land would be worth \$300 to \$500 an acre.

That to me, of course, seems very high, but nevertheless that is his statement. I think he did not state in this transcript, but he stated to me either before or after this testimony was taken, that the present sugarcane owners in Puerto Rico have quotas, and those quotas cannot be increased. The fact that a quota exists for the production of sugarcane makes the land that now has sugarcane growing on it more valuable. How much more so I cannot say. But at the present time the sugarcane crop is almost ready for cutting. In another month or 6 weeks they will be cutting the cane in Puerto Rico. So the land is worth more now than it will be worth 2 months from now, because if you

buy the land now and take possession of the land now you take possession of it with the sugarcane growing.

Mr. REYNOLDS. Mr. President, will the Senator again yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. REYNOLDS. I inquire of the Senator if it is his opinion that if the sugar quota of Puerto Rico were reduced it would automatically, in line with his argument, reduce the value of the land?

Mr. THOMAS of Oklahoma. If the sugar quotas were reduced in Puerto Rico it would reduce the value of much of the sugarcane land, but such action would increase the value of the particular land remaining with a valid quota for the production of sugar.

Mr. REYNOLDS. But why would the possessors of any particular section of land be advantaged over others who own sections of land engaged in the growing of sugar if the sugar quota were reduced?

Mr. THOMAS of Oklahoma. Mr. President, Puerto Rico is an American possession. At least we exercise some sort of rule over that territory. So long as we do we must be at least humane toward the people who live in Puerto Rico. Sugar is the main crop produced on the island, hence we must be fair and just to those people and afford them a chance to exist. If we are not willing to do this then we should give Puerto Rico its freedom exactly as we did Cuba and are now doing to the Philippines.

Mr. ADAMS. Mr. President, I simply wish to observe that the figures as to the price of sugar land in Puerto Rico indicate that the sugar industry in Puerto Rico is a profitable industry, and it does not quite correspond with the statement which some of the representatives of Puerto Rico make when sugar legislation is under consideration. I am glad to have these figures in the RECORD, because we will soon have sugar legislation under consideration, and when representatives of the sugar people come before us with statements of their distressed condition we may remind them of these figures.

Mr. THOMAS of Oklahoma. Mr. President, it is obvious to anyone who will visit Puerto Rico that these better lands are held by a relatively few people. They are not all American citizens, I will say. The natives as a rule are not able to own these sugar lands.

Mr. REYNOLDS. Mr. President, has the War Department made a recommendation, in addition to the actual physical acquisition of the land, with respect to the price?

Mr. THOMAS of Oklahoma. Mr. President, General Daley, in charge of the military establishments in Puerto Rico, who has all this under his control, sent in a telegram on the 5th of December last, and it is in the RECORD of our last session; and if I remember correctly, he reports that this land can be bought for \$320 an acre.

Mr. REYNOLDS. Three hundred and twenty dollars an acre?

Mr. THOMAS of Oklahoma. Yes. That was as of December 5 last. Since that time it has been decided by the War Department not to acquire this land until after the sugar has been removed. The present sugar crop will be removed from the land in the next 6 weeks or 2 months. Should funds be made available, it is not actually proposed to take possession of this land until after the present sugar crop has been cut and removed. Such a policy may enable the land to be purchased at a lesser figure.

Mr. REYNOLDS. Do I understand that we can acquire the land for a purchase price of \$320 an acre now?

Mr. THOMAS of Oklahoma. Yes; as of December 5 last.

Mr. REYNOLDS. And then when they have brought about the removal of the sugarcane from the acres of actual production the value of the cane would be taken off of the \$320.

Mr. THOMAS of Oklahoma. That is my understanding.

Mr. REYNOLDS. I should like to ask the Senator a question. I want the Senator to understand that I am not trying to pick a quarrel about this matter. As a member of the Military Affairs Committee, I did not have the opportunity to visit the island, as did the Senator. Knowing the Senator as I do, and knowing his great interest in national defense, I should like to ask the Senator, with his knowledge of real

estate and his knowledge of military affairs, he having actually been upon that land and seen the land, whether or not it is the Senator's personal opinion, as well as his official opinion, that we ought to acquire the land. I am dependent upon the Senator's recommendation. I happen to have had the honor of serving on the Military Affairs Committee with the Senator.

Mr. THOMAS of Oklahoma. I shall answer that question somewhat at length.

Heretofore the Government, acting through the War Department, has actually established a fort at San Juan. It is called Fort Buchanan. This particular fort embraces about 286 acres of land. The land desired to be acquired is immediately adjacent to Fort Buchanan. So if we acquire the land desired, it will all become one compact tract. It is the only land adjacent to Fort Buchanan which is suitable; and I am advised—and I think correctly—that there is no other land adjacent to San Juan that is nearly so suitable for this purpose as is the proposed land. If we should go somewhere else to acquire land for the proposed depot, cantonment, airport, magazine, or arsenal we should have to abandon Fort Buchanan, and I am advised that there is no other place available which could be bought for anything like the amount of money this land could be bought for; and there is no other land available that is so well adapted to the purpose as is the land under consideration, for three reasons:

First. A railroad runs to and through this land. So far as I know, there is only one railroad in Puerto Rico. That is the railroad which runs up and down the coast on the east side of the island. The railroad goes to Fort Buchanan, and either into or immediately adjacent to the land desired to be acquired. That is reason No. 1.

Reason No. 2. There is a good road to this land. There is a hard-surfaced road from San Juan to Fort Buchanan, and Fort Buchanan is immediately adjacent to this land. So we have not only a railroad already in operation to the land but also a good, hard-surfaced road from San Juan to the land.

Reason No. 3. Either on this land or immediately adjacent thereto is a limestone quarry affording rock in the first instance. Secondly, at this quarry is an existing, operating cement plant. In the construction of an Army post, depot, or magazine the Government must have not only rock but also cement. There are both limestone and cement either on the land or immediately adjacent to it. At some points we have found the Government hauling sand and gravel 50 or 75 miles to build military establishments.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. McNARY. I merely wish to ascertain whether or not my information is correct, as gathered from the statement heretofore made by the able Senator from Oklahoma, that the average price of sugar-producing land in Puerto Rico is between \$400 and \$500 an acre.

Mr. THOMAS of Oklahoma. The information I have is that the price varies according to location. At some points it runs as low as \$150 an acre, and in some places sugar-producing land sells for as much as \$1,000 an acre. So the average should be in the range from \$300 to \$500.

Mr. McNARY. Is it not true that the values are based somewhat upon the quotas permitted in the matter of importation of sugar into this country?

Mr. THOMAS of Oklahoma. That must be so.

Mr. McNARY. The sugar-beet producers in this country, the value of whose land is not at all comparable to the values mentioned, have complained about foreign quotas. I think they have a just complaint. If it is now said to us that sugar land in Puerto Rico is worth between \$400 and \$500 an acre I think we could well reduce the sugar quota, because it is away out of line with the value of lands in this country which produce the same food product.

I think the Senator has made a very great contribution. I appreciate the courtesy of the Senator in yielding.

Mr. THOMAS of Oklahoma. I thank the Senator from Oregon. In reply to his suggestion, I will say that earlier in the day I inquired of the Senator from Florida [Mr. PEPPER], the Senator from Louisiana [Mr. ELLENDER], and the

Senator from Utah [Mr. KING], as to the value of sugar-producing lands in the United States. The Senator from Utah is not present; but I will make the statement, subject to correction, that sugar-beet land adjacent to a sugar mill is worth approximately \$250 an acre. I refer to the better land.

The Senator from Florida is not present. I asked him about sugar land in Florida, and Florida has some of the finest sugar land I have ever seen. If I do not misquote him, he stated that the better land sold for approximately the same price; that is, \$250 per acre.

The Senator from Louisiana [Mr. ELLENDER] is now in the Chamber. I now ask him the same question. How much is the better sugar land in Louisiana worth? I refer to land close to the mills.

Mr. ELLENDER. From \$100 to \$150 an acre.

Mr. THOMAS of Oklahoma. So there is a wide range in the cost of sugar land, even in the United States.

Mr. ELLENDER. I will add that the average price of much so-called sugar land is as low as \$50, depending upon the proximity of the land to the mill.

I should like to ask the Senator a question, if he will yield. I understood the Senator to say, day before yesterday, that in the tract under consideration 200 or 300 acres are now planted in sugar cane. Am I correct?

Mr. THOMAS of Oklahoma. Something like that.

Mr. ELLENDER. And that the rest of it is pasture land.

Mr. THOMAS of Oklahoma. That is correct.

Mr. ELLENDER. And that the sugarcane land must be irrigated.

Mr. THOMAS of Oklahoma. That is not correct. The sugarcane land on one side of the island does have to be irrigated, because there is little rainfall. However, on the other side, on the San Juan side, there is ample rainfall to produce sugarcane without irrigation.

Mr. President, I shall occupy the time of the Senate for only a few moments longer. Quoting still further from the native Puerto Rican who was a professor in the college and director of an agricultural experiment station, I asked him the direct question:

Q. This tract is reported to be worth from \$320 to \$400 per acre. Do you regard that as an excessive cost?

A. I do not think so. That same type of land in another location would be less, but right there it is worth that money. If you were to assess it for its strictly agricultural value outside of San Juan, the price would be less, but where it is located that price is not excessive.

Mr. President, confirming the statement made by the director of the agricultural experiment station in Puerto Rico, I had occasion to interview another gentleman, and I shall read some statements from the information given me.

This statement is from Mr. J. A. Dickey. He states that he went to Puerto Rico in 1929 as an expert in agriculture, as a member of the staff of the Brookings Institution. The institution was conducting a survey of the economics of the island. I asked him how long he remained in Puerto Rico. He said he spent 6 months on the island in intensive study. I asked him if he had been back recently. His reply was:

Have been back in some capacity for the Government at least once a year, or in a private capacity at least once a year, all of which had to do with agriculture.

I desire to read one or two sentences from his statement:

Any land that will grow good sugarcane is valued from \$300 to \$1,000 per acre. We know of actual transactions of land in sugarcane that sold as high as \$1,000 per acre where there was no irrigation.

Then I asked him what irrigated sugar land was worth. He said:

About the same. It happens to be land where there is rain and it does not need irrigation. There is rain on the north side. That \$1,000 land was sold about 10 years ago or more.

Then I asked him:

Has cane land increased or decreased in value?

His answer was:

The island has become more dependent on sugarcane as time goes on, and as a result the land has become more valuable. Since

the island depends almost entirely for its livelihood on sugarcane, it is but natural that any land suitable for sugarcane would be high in value.

Quoting further from the statement of Mr. Dickey:

Q. Please state, if you will, the accessibility of this proposed tract of land to transportation, such as, first, railroads; second, wagon road; and, third, water transportation.

A. The property has a railroad running right by it. Right by the camp.

Q. You mean Fort Buchanan?

A. Yes.

Q. This land is adjacent?

A. Yes; and it has a hard-surfaced highway running to and through the land to Fort Buchanan.

Mr. President, I think the issue has been sufficiently drawn. So far as I am concerned, it is simply a question of whether or not the Senate desires to fortify San Juan as one of our main bases for the protection of the West Indies, the United States, and the Panama Canal. If we want to do that, it will be necessary to buy some land on which to keep our soldiers. If we do not want to do it, of course, we will not, and we can bring the soldiers out, because they are living there in tents. To date we have spent comparatively little money in San Juan; but we now have several hundred of our people down there, and I think probably about 2,000 soldiers.

So I submit the issue, that the committee amendment should not be agreed to, and that the Senate should cooperate with the House of Representatives and make available \$200,000 with which to buy land upon which to build the proposed airport, general depot, and cantonment for the soldiers at San Juan.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 7, beginning in line 21.

Mr. ADAMS. Mr. President, I gather from the remarks of the Senator from Oklahoma that the conclusion is that there is no money provided in the pending bill for Puerto Rico; that we have entirely stripped the bill of any benefits for Puerto Rico. In the paragraph preceding the one in which the provision sought to be stricken out appears there is an item of \$319,000 for Puerto Rico. From the statement of the House committee it appears that \$945,000 are estimated for the purpose of temporary construction in Puerto Rico. There is a very liberal appropriation in this bill for Puerto Rico. We are taking out an item for the purchase of land. The committee was impressed with the fact that the price for the land is extravagant. We have been told by the able Senator from Oklahoma that if we wait a little while the sugar crop will be harvested and we can buy the land for less. If the Senate will strike out this item from the bill, we will be sure of waiting for a little while. There is no emergency about it and I think the committee's effort to hold expenditures down a little should meet the approval of the Senate.

Mr. REYNOLDS. Mr. President, in the concluding remarks of my distinguished friend from the State of Oklahoma [Mr. THOMAS] he stated it was a question whether or not we were desirous of fortifying the West Indies, that is to say, strengthening our outpost at San Juan in Puerto Rico. Insofar as this particular argument is concerned, it is my feeling that it is not a question of whether or not we are desirous of strengthening our national defense at one of our outposts, that in Puerto Rico; but, as I believe all Senators will agree, the issue is one that relates exclusively to whether or not we shall acquire a certain tract of land at the price at which it has been offered, therefore evolving into the question whether or not we shall accept the committee amendment, which would bring about a reduction of the appropriation.

Mr. MCKELLAR. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Tennessee?

Mr. REYNOLDS. I yield.

Mr. MCKELLAR. I may say that no possible harm could be done by accepting the amendment of the committee for the reason that the general appropriation bill will come before the committee, I imagine, within 30 days, or 60 days at the outside. At that time, all the facts may be ascertained, and if it should develop that the land in question is

the only land in Puerto Rico which is suitable and available for the particular purpose and that we will have to buy it in order to carry out the plans of the Army, the purchase could then be made. The only trouble is that the Army officers have not as yet given us the information that is absolutely necessary. The idea of paying \$400 an acre for 800 acres of land—

Mr. REYNOLDS. My understanding is that the price is \$320 an acre.

Mr. McKELLAR. No; \$400 an acre. The record shows that to be unquestioned.

Mr. REYNOLDS. May I be pardoned for making an inquiry of the Senator from Oklahoma? Will he state what the figures are with reference to the proposed payment for the land an acre?

Mr. THOMAS of Oklahoma. I will state that a telegram from General Daley, in command of the Military Establishment at Puerto Rico, under date of December 5, gave the estimated cost, as I recall, of \$320 per acre.

Mr. McKELLAR. That is some help. It shows that the action of the committee has not been in vain to that extent. The testimony of the Army officers is that of the 800 acres of land some 40 percent is tillable, 35 percent is pasture land, and 20 percent is land which, because of its very rugged character, cannot be used for any purpose, and so it is called waste land in the testimony. The proposal to pay a price of \$400 an acre for three kinds of land in Puerto Rico when we have to buy all, apparently, in order to get what can be used, and when we know the conditions which exist there seems at least to be somewhat unusual, and our committee, in looking after the interests of the Government and the interests of the Army, would like to have a little more time to go into it. We can secure the time by adopting the amendment and letting the matter go over to the general appropriation bill, which will be taken up by the committee within the next 60 days at the outside and, I imagine, within the next 30 days.

Mr. REYNOLDS. I thank the Senator.

Mr. ADAMS. Mr. President, will the Senator from North Carolina yield for a suggestion?

Mr. REYNOLDS. Certainly.

Mr. ADAMS. I think the view of the Army as to what is proposed to be paid for this land was made very clear in the request which was made for the appropriation. They asked for \$320,000, or \$400 an acre. The House cut the amount to \$200,000. Now, if we put it on the basis of \$320 per acre instead of \$400 an acre, it would still take \$256,000. That is, \$200,000 would not buy the 800 acres at either of these figures.

It seems to me that we are drifting as to the value of the land, and that there is no haste about it, and no injury to the national defense would come by adopting the amendment. Such action would not close the matter, because the conference committee will meet, and there will still be an opportunity to discuss the matter with the House conferees, and perhaps in the light of further information—

Mr. REYNOLDS. Mr. President, in pursuance of what I was about to say, I wish to repeat that it is not a question of whether or not we are desirous of fortifying and refortifying or strengthening our outposts for the purpose of national defense in the Caribbean or elsewhere. We are all agreed that we are desirous of providing for ourselves an adequate national defense, whether it be by the upbuilding and development of our armed forces within the bounds of continental United States or in our possessions.

It is quite true, as evidenced, as we observe, and as we knew heretofore as the result of the very well prepared maps exhibited by my distinguished and able colleague from Oklahoma, that in order to protect our vital military interests in Panama, particularly in the zone which we occupy, we should have adequate fortifications in the Caribbean; that we should build up those fortifications and strengthen them in various spheres in the Caribbean where we have interests, particularly in the three main Virgin Islands, and at San Juan, and Fort Buchanan, in Puerto Rico.

I may add, in this connection, that, insofar as I am concerned, I want to see those fortifications strengthened, and

I would that we could perhaps acquire for fortifications some portion of land in the immediate proximity of the Dominican Republic, which is on one of the islands of the Caribbean, and whose capital is Trujillo. I mention that for the reason that former President Trujillo, of the Dominican Republic, during the last several years brought about the expenditure of several million dollars for dredging the port and making it available for ships drawing from 20 to 30 feet of water, according to the information I have.

Furthermore, in reference to our interests in the Caribbean, I wish we could go farther south, say, to Martinique, a French possession. As a matter of fact, I wish it were possible to go to Port of Spain, in Trinidad, because we need fortifications there, particularly because of the ships, perhaps enemy ships, coming up the South American coast between Port of Spain and smaller ports in the northern part of the Caribbean.

While I am provided the opportunity to speak about the outposts in the Caribbean, I wish to remind Members of this body who are interested as enthusiastically as I am in regard to the national defense that when we are talking about the fortification of our defenses in the Caribbean, all the time we are referring to the defenses in the southern Atlantic. I take this opportunity to remind the Senate of the fact that we have no outposts in the North Atlantic. The farthest north that we have friendly interests in the Atlantic is the Republic of Haiti, the capital of which is Port-au-Prince. I wish to repeat what I have stated upon the floor of this Chamber many times, that I would that it were possible for our friends across the sea, in liquidation of their obligations, to consent to convey to us some of their property in the Western Hemisphere, namely, Bermuda, which is only 500 miles directly east of the coast of North Carolina, the seaport and capital of which is Hamilton. Ninety-five percent of all the revenue that goes into the port of Hamilton comes out of the metropolitan section of the city of New York. If it should not be possible to make that acquisition, then I suggest that, possibly, by some form of barter or other equitable arrangement we could acquire in the North Atlantic the islands of Bimini and Nassau, which may be reached from Miami by the Pan American Airways within an hour's flight. They are almost in our backyard, and what we really need is some outpost in the North Atlantic.

In particular reference to the question before us, and the issue as to whether or not we shall agree to pay \$320 an acre for that land, less the value of the sugar that is taken off each acre within 2 months from the present time, I am in agreement with the chairman of the subcommittee, the able Senator from Colorado [Mr. ADAMS], and the senior Senator from Tennessee [Mr. McKELLAR]. I believe we have nothing to lose by letting this matter rest for a while, and accepting for the present the version of the Committee on Appropriations, which has this particular matter in hand. I think we will profit by so doing.

Mr. President, a moment ago I inquired of the junior Senator from Louisiana what was the price of fine sugar lands in Louisiana. As we know, Louisiana is the largest producer of cane, and of sugar made from sugarcane, of any State in the Union. He told me a moment ago, when he was here, that good, productive, fertile, black-soil sugar land could be bought in Louisiana for \$100 an acre. It strikes me that \$320 an acre is a high price to pay for an average run of land, as mentioned by the distinguished senior Senator from Tennessee [Mr. McKELLAR] a moment ago when he advised the Senate that according to his interpretation of the matter this is an aggregation of waste land, sugar land, and grazing land. By way of comparison, in order that we may ascertain for ourselves about that, I do not believe land in Puerto Rico is going to advance any more rapidly than land is going to advance in the immediate vicinity of the Capitol under the dome of which we sit and talk at the present time.

By way of comparison, I desire to say that within 18 miles of the place where I now stand in the Senate Chamber fine grazing land can be bought for \$25 an acre. I know of 1,200 acres that can be bought at \$25 an acre within 30 minutes' safe drive from here by automobile, over an improved highway. I know of a great deal of land in Virginia and Mary-

land and in all of our Southern States and in the Northern States, too, that can be bought for that price. I think we should accept the recommendation of the committee on this matter, and I am sure the Senator from Oklahoma probably will not object if the matter shall go over for a few months, after which we may be able to buy the land at a smaller figure.

So far as the question of national defense is concerned, there is no hurry. We are talking about land in the Caribbean which is close to the possessions of Europe. The people in Europe are going to be engaged for a long, long time in the bloody war which they started. I do not know who started it, but whoever started it should be allowed to finish it. It is none of our business. They are not going to attack us; and after the war is over it will be a quarter of a century before any of them will be able to get back to the position of strength which they occupied before the beginning of the war. So, as for time, we have 25 years in which to develop our fortifications in the Caribbean. Therefore I respectfully suggest that we accept the recommendations of the committee and let it go at that, because we have a great deal of time in which to acquire this land; and as time goes on the land may become of less value, particularly if we reduce the quota of sugar from Puerto Rico so that perhaps some of the sugar-cane producers of the South and the beet-sugar producers of Colorado may raise the price of their land here in the United States, instead of maintaining the price of land in Puerto Rico. The Senator from Colorado [Mr. ADAMS] salutes me. I accept his salute. [Laughter.]

Mr. THOMAS of Oklahoma. Mr. President, I shall occupy just 1 other moment. I desire to place in the RECORD three excerpts from an article published in the magazine *Current History* for January 1940. The article is entitled "Military Strategy and Tactics," and is by Maj. Leonard Nason. Inasmuch as these three paragraphs are very short, I shall read them:

Perhaps you begin to wonder why soldiers did not predict this present war. They did predict it, and not only that, it was as inevitable as the running of a river to the sea; they predicted in print and in conversation the year it would break out.

And why didn't anyone hear about it? Because they wouldn't listen.

On page 17 of the magazine we find an illustration giving the relative number of men of military age of the various nations of the world. The illustration in this magazine article, prepared by Maj. Leonard Nason—a famous military writer—illustrates and shows that the United States has men of military age—meaning from 15 to 49 years of age—of a total number of 33,000,000. Germany and Italy, according to this illustration, have men of war age of a total number of 33,800,000. If this illustration is correct, the two nations of Germany and Italy together have more men of military age than has the United States. From this illustration we find that Great Britain and France have men of military age of the number of 22,000,000. We find that Japan has men of military age of the number of 15,900,000.

Then, Mr. President, I desire to read into the RECORD the last paragraph of this article:

In the last war this country lived in a dream world in which the horrible reality of the war in Europe was kept from it. By the time returning soldiers could get home to tell about it in any numbers it was over, and public opinion hurriedly buried reference to it, lest it find something in the tale of which to be ashamed.

Now, in facing another war, let us face the truth—that this one is a result of blind refusal to recognize planned aggression, of hysterical hope that the nations of Europe would not go to war, and the childlike trust that when Hitler and Stalin threatened the world with attack they did not mean it. Let us not, in the name of the countless thousands who died as a result of our unpreparedness in the last war, again shriek that we will not be involved in this one, and, like so many ostriches, plunge our heads back into the sand.

Mr. President, I ask unanimous consent that the yeas and nays may be had upon this amendment.

Mr. ADAMS. Mr. President, unanimous consent is not required to obtain the yeas and nays. There is a regular way of securing the yeas and nays.

Mr. SMATHERS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	Hatch	Reed
Bailey	Davis	Hayden	Reynolds
Bankhead	Donahey	Herring	Schwartz
Barbour	Ellender	Holman	Schwellenbach
Barkley	Frazier	Holt	Shipstead
Brown	George	Johnson, Calif.	Smathers
Bulow	Gerry	Johnson, Colo.	Smith
Byrd	Gibson	King	Taft
Byrnes	Gillette	Lucas	Thomas, Okla.
Capper	Glass	Lundeen	Tobey
Chandler	Green	McKellar	Truman
Chavez	Guffey	McNary	Walsh
Clark, Mo.	Gurney	Maloney	Wheeler
Connally	Harrison	Mead	

The PRESIDING OFFICER (Mr. TRUMAN in the chair). Fifty-five Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment of the committee on page 7, line 21.

Mr. THOMAS of Oklahoma. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. CONNALLY. My colleague the senior Senator from Texas [Mr. SHEPPARD] is absent because of illness.

Mr. MCKELLAR (after having voted in the affirmative). I have a pair with the senior Senator from Delaware [Mr. TOWNSEND], which I transfer to the junior Senator from Arkansas [Mr. MILLER], and allow my vote to stand.

Mr. BYRNES (after having voted in the affirmative). I have a general pair with the senior Senator from Maine [Mr. HALE]. I am advised, however, that if present, the Senator from Maine would vote as I have voted, and I therefore permit my vote to stand.

Mr. BANKHEAD. I wish to announce that my colleague the junior Senator from Alabama [Mr. HILL] is absent because of illness.

Mr. MCKELLAR. I announce that my colleague the junior Senator from Tennessee [Mr. STEWART] is detained from the Senate attending a hearing before the Military Affairs Committee of the House of Representatives on the Norris-Sparkman tax replacement bill. He is paired on this question with the junior Senator from Wisconsin [Mr. WILEY]. If present, my colleague would vote "yea" on the pending committee amendment.

Mr. BARKLEY. I announce that the Senator from Washington [Mr. BONE], the Senator from Arkansas [Mr. CARAWAY], the Senator from Oklahoma [Mr. LEE], and the Senator from Louisiana [Mr. OVERTON] are absent from the Senate because of illness.

The Senator from Nebraska [Mr. BURKE], the Senator from Idaho [Mr. CLARK], the Senator from Indiana [Mr. MINTON], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Nevada [Mr. PITTMAN], the Senator from Maine [Mr. WHITE], the Senator from North Dakota [Mr. NYE], the Senator from Massachusetts [Mr. LODGE], the Senator from Vermont [Mr. AUSTIN], and the Senator from Michigan [Mr. VANDENBERG] are members of the committee appointed to attend the funeral in Idaho of the late Senator Borah, and are, therefore, absent.

The Senator from Florida [Mr. ANDREWS], the Senator from Arizona [Mr. ASHURST], the Senator from Delaware [Mr. HUGHES], the Senator from Nevada [Mr. MCCARRAN], the Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. NEELY], the Senator from Maryland [Mr. RADCLIFFE], and the Senator from Indiana [Mr. VAN NUYS] are detained on important public business.

The Senator from Mississippi [Mr. BILBO], the Senator from Arkansas [Mr. MILLER], the Senator from Florida [Mr. PEPPER], the Senator from California [Mr. DOWNEY], the Senator from Georgia [Mr. RUSSELL], the Senator from Illinois [Mr. SLATTERY], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER] are detained in various Government departments.

The Senator from Utah [Mr. THOMAS] is detained on official business for the Special Committee on Civil Liberties.

I announce the following general pairs: The Senator from New Hampshire [Mr. BRIDGES] with the Senator from Utah [Mr. THOMAS], and the Senator from Wisconsin [Mr. WILEY] with the Senator from Tennessee [Mr. STEWART].

Mr. McNARY. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Maine [Mr. HALE], the Senator from Delaware [Mr. TOWNSEND], and the Senator from Wisconsin [Mr. WILEY] are detained from the Senate on official business.

The result was announced—yeas 45, nays 10, as follows:

YEAS—45

Adams	Danaher	Hayden	Reed
Bailey	Davis	Herring	Reynolds
Bankhead	Donahay	Holman	Shipstead
Barkley	Ellender	Holt	Smathers
Brown	Frazier	Johnson, Calif.	Smith
Bulow	George	Johnson, Colo.	Taft
Byrd	Gerry	King	Tobey
Byrnes	Gibson	Lucas	Walsh
Capper	Gillette	McKellar	Wheeler
Chandler	Glass	McNary	
Clark, Mo.	Harrison	Maloney	
Connally	Hatch	Mead	

NAYS—10

Barbour	Guffey	Schwartz	Thomas, Okla.
Chavez	Gurney	Schwellenbach	Truman
Green	Lundeen		

NOT VOTING—40

Andrews	Hale	Neely	Slattery
Ashurst	Hill	Norris	Stewart
Austin	Hughes	Nye	Thomas, Utah
Bilbo	La Follette	O'Mahoney	Townsend
Bone	Lee	Overton	Tydings
Bridges	Lodge	Pepper	Vandenberg
Burke	McCarran	Pittman	Van Nuys
Caraway	Miller	Radcliffe	Wagner
Clark, Idaho	Minton	Russell	White
Downey	Murray	Sheppard	Wiley

So the amendment was agreed to.

The PRESIDING OFFICER. The next committee amendment will be stated.

The next amendment of the Committee on Appropriations was, under the heading, "Barracks and quarters and other buildings and utilities", on page 8, line 10, to strike out "\$10,000,000" and insert "\$9,500,000", so as to read:

For an additional amount for barracks and quarters and other buildings and utilities, comprising the same objects specified under this head in the Military Appropriation Act, 1940, including general overhead expenses of transportation, engineering, supplies, inspection, and supervision, \$9,500,000.

RESTRICTION AND REGULATION OF IMMIGRATION

Mr. REYNOLDS. Mr. President, my colleagues are aware that Senate bill 409, which bears my name, is listed on the current calendar of business as order No. 817. There are certain facts in regard to this bill which I desire to call to the attention of the Senate, before it is called up for consideration.

Senate bill 409 was reported to the Senate on July 11, 1939, with amendments, on behalf of the Committee on Immigration of the Senate. I may add that this bill is accompanied by a report, No. 757.

I am deeply appreciative of the fact that my colleagues on the Committee on Immigration of the Senate desired to show me the courtesy of attaching my name to Senate bill 409, although I am not a member of the committee, so that I might have what credit there may be, should this bill, as sponsored by the committee, be passed.

Unfortunately, Senate bill 409, as reported by the Committee on Immigration, is not merely a digest or compilation of the principles of legislation which I sponsored in Senate bills 407, 408, 409, 410, and 411, as a superficial examination might suggest, but embodies extraneous matter of a character which is repugnant to every view of the immigration and alien problem in the United States which I have expressed on this floor many times. For this reason, Mr. President, I wish at this time to avail myself of the opportunity to advise the Members of the Senate as to why I and some of my colleagues must oppose consideration of Senate bill 409, as it has been reported by the Committee on Immigration.

In the first place, regarding section 1 of Senate bill 409, instead of my proposal that all immigration into the United States be suspended for a period of 10 years, or until such time as the Department of Labor shall certify to Congress that unemployment in the United States does not exceed 3,000,000 persons, my colleagues on the Committee on Immigration have proposed an arbitrary suspension of 5 years, without regard to the extent of unemployment in the United States. This particular feature to which I refer, I may say to the Senate quite frankly, is not the really vital objection I have to the bill as reported by my colleagues.

In the second place, the provision of section 5 in Senate bill 409, as reported, involves other and very serious objections. Section 5 lifts to the status of nonquota immigrants a class of immigrants who are, under the existing quota act, only entitled to preference in consideration of their application for entry under the quota. In other words, this section raises or lifts a class of immigrants now entitled only to preference in their applications for quota visas to a position which exempts them from any numerical limitation on their entrance. It simply makes them nonquota immigrants. Let me emphasize the fact that section 5 abolishes all numerical limitation upon the entry of immigrants of this class. Under the present law—sections 4, 6, and 9 of the Immigration Act of 1924—a citizen of the United States is entitled to bring in his wife, or husband, as the case may be, or unmarried child under 21, as a nonquota immigrant; but section 5 of Senate bill 409 would grant these privileges to immigrants who have been lawfully admitted to the United States and who have not become citizens. In other words, the noncitizen is placed on the basis with the citizen—and that being the case, there are 3,628,103 aliens here who under this section would be entitled to bring in their relatives as nonquota immigrants, without any limitation whatsoever upon their number. This, Mr. President, is a very serious matter. If we take as correct—which I do not concede—the official estimate of the number of aliens in the United States at the present time, including all immigrants legally or illegally in the country, the very latest official estimate of approximately 3,628,103 is so huge that it suggests possibilities of an immigration of relatives of persons here which would make a mockery of our policy of restricting immigration into the United States. I know it will be urged that under existing conditions the number of applications for the entry of relatives does not reach totals which should cause alarm; but, Mr. President, with the lid completely off, no numerical limitation being provided for, I cannot allow my name to be associated with the creation of a loophole in our immigration barriers which may utterly destroy the structure which has been laboriously built up by our predecessors.

I will say, in connection with section 5 of Senate bill 409, that later on in the course of my remarks I shall suggest a modification of section 1 of Senate bill 409, as reported by the Committee on Immigration, which should meet every legitimate aspiration of immigrants who have been lawfully admitted to the United States in years gone by for the reunion in this country of their families, from which they voluntarily separated themselves abroad for the purpose of coming to the United States.

In the third place, let me now turn to section 7 of the bill S. 409 as reported by the Committee on Immigration of the Senate. This section provides for an amendment to the seventh proviso of section 3 of the Immigration Act of February 5, 1917 (35 Stat. 875, U. S. C.), now on the statute books, which in my opinion has been the subject of flagrant misinterpretation of the intent of Congress when the basic act of 1917 was enacted.

Let us see what the seventh proviso permits. First as to facts upon which to base an example: It was stated by a former Commissioner of Immigration of this administration that there are 20,000 habitual alien criminals who are not subject to deportation, due to defects in our existing law. In addition to those 20,000 there are in the United States an unknown number of aliens who came here illegally. The latter class of aliens are deportable.

Example A: An alien enters the United States illegally. He remains here illegally for 7 years. By reason of his illegal entry he cannot become an American citizen.

Example B: An alien enters this country legally, and remains here legally for 7 years. While here he commits a crime for which he can be deported only if that crime involves a sentence of 1 year or more in jail and he was committed to prison within 5 years after entrance. With that bad record as an undesirable alien, his chance of becoming an American citizen is practically nil.

Under the seventh proviso, aliens belonging to examples A and B have been permitted by the Secretary of Labor to go to Canada, and from there lawfully to reenter this country. With this lawful reentry as their background, they obtain a clean slate for application for American citizenship, and they cannot be deported by reason of any previous violation of the immigration law.

Mr. President, when Congress enacted the seventh proviso of 1917 it certainly never intended an interpretation such as would permit the evasion of immigration laws enacted by it, which evasion is being practiced by the present Secretary of Labor. If the Senate desires specific information upon this particular evasion of the law, I respectfully direct attention to the hearings on the Department of State appropriation bill for 1939 (p. 46) and the Department of Labor appropriation bill for 1939 (p. 250).

As the committee has redrafted the seventh proviso in Senate bill 409, it would actually legalize the practice pursued by the Department of Labor for the past 6 years. In other words, according to the redraft of the seventh proviso by the committee, it would be possible for an alien who had been a resident of this country for a period of 7 years or more to reenter, although he were of a character or class ineligible to pass the existing requirements of admission as a new immigrant. On previous occasions I have pointed out that the Secretary of Labor has permitted a large number of criminal aliens, who were protected under the existing statutes from deportation by reason of their long residence in the United States, to go into Canada and return with a clean bill of health, thereby becoming eligible for citizenship. As I have previously stated, this redraft of the seventh proviso would legalize this practice. As a matter of fact, Mr. President, this redraft of the seventh proviso accentuates the vice of our existing statutes, under which many habitual alien criminals cannot be eliminated from our population once and for all.

In the fourth place, I am emphatically opposed to the enactment of Senate bill 409 in its present form because section 8 would grant discretionary authority practically to nullify the provisions of the bill suspending immigration into this country, if the Secretary of Labor and the Secretary of State recommended that such a course be adopted. The wording of this section as drafted by the committee is not clear, but it is perfectly obvious that the Secretary of Labor, by reason of the fact that she is the agent for the transmission of petitions for entry, would hold a dominant position in determining the policy to be pursued. It will readily be appreciated that I must oppose the enactment of any legislation with any such delegation of authority to the executive branch of the Government.

In the fifth place, I am compelled to object to the passage of Senate bill 409 because the provision in section 11 relating to the registration of aliens would not apply to some of the very classes of entrants whose registration and definite identification is most vital. To explain my point: During the past few years we have had a large increase in so-called visitors who are given a visitor's permit or temporary visa. These are extendable. In this connection I need but state the fact that such visitors can change their names, take a few simple precautions, and they are forever lost to the authorities. This possibility should be prevented.

Another and significant shortcoming in this provision, as at present drafted in section 11 of S. 409, is that the lack of proof of identity effectively blocks deportation in many cases in which proof of origin is not otherwise obtainable. I suggest that my colleagues read what the Commissioner of Immigra-

tion has to say on page 98 of the report of the Secretary of Labor about the difficulties which have arisen in obtaining visas from the representatives of foreign nations in deportation cases. The Commissioner has only partially stated the case, because he fails to tell us that difficulties of identification, through the absence of any fingerprint registration system, facilitate the repudiation of aliens by the consuls of the nations from which the aliens obviously came.

In other words, foreign countries will not take back aliens whom we desire to deport because of lack of identification which cannot be challenged. If Mme. Perkins, our present Secretary of Labor, had not in 1933 revoked the order, then in force, that all aliens on entering the United States be fingerprinted, we should not today be confronted with this grave problem. I want to emphasize this fact because as the war situation becomes more acute more spies and saboteurs will be entering this country, and we cannot prove definite identification without fingerprints.

Finally, title 3 of Senate bill 409 provides for the admission of 20,000 refugee children from Germany or any territory under the de facto or de jure administration of Germany. The admission of 20,000 refugee children means the entrance of 20,000 potential job seekers, because they will eventually compete with our own boys and girls. Last year 750,000 boys and girls graduated from our high schools and colleges, and only one out of every three of these will be able to obtain work for the next several years; so why add to this burden by admitting more from foreign lands to compete with American youngsters who are vainly seeking employment? It simply is not fair to our own native-born and naturalized citizens. I have heretofore been against the admission of 20,000 refugee children from Germany outside the quota system, as proposed by the Wagner-Rogers resolution, and I shall continue to oppose such a proposal with my utmost vigor as long as I can possibly do so. This proposal has every vice which the Quota Act of 1924 was enacted to abolish.

It is a flagrant example of discriminatory legislation. It puts refugees from one nation in a status wholly different from that of refugees from any other country of the world. Congress passed the Quota Act of 1924 for the specific purpose of ending an extension of favors to any race or nation which had contributed to our population, and for the purpose of ending any discrimination against any nation which may have contributed to our population. I am going to fight this proposal to the very last ditch because I know that the great mass of the American people is emphatically opposed to the admission of any more immigrants into the United States, be they refugees or not refugees.

The Gallup poll on American public opinion is today generally regarded as authoritative. I suggest that Senators examine its figures on this question. Let me say, that definite and positive as it has been in indicating the opposition of the American people, I think its estimate of this opposition is conservative. My recollection is that this poll revealed that more than 87 percent opposed the admission of the 20,000 refugee children. So much for Senate bill 409, as reported.

Mr. President, with full appreciation of, and sympathy with, the humanitarian purposes of the members of the Committee on Immigration of this body, I will, as I have indicated, at the close of my remarks introduce a substitute measure for S. 409 which, in my opinion, will meet every legitimate aspiration of aliens who have heretofore been lawfully admitted; and, at the same time, will relieve the great mass of the American people, who believe in restriction upon immigration, of any anxiety that we will be flooded with foreigners at a time when some 23,000,000 or 24,000,000 people are either in receipt of salaries or relief from the Federal Government.

The measure which I propose involves merely a very minor amendment to section 1 of S. 409 as reported by the Committee on Immigration. The substitute reads as follows:

That upon the enactment of this act, except as hereinafter provided, no immigration visa shall be issued to any alien who is defined as a quota immigrant by the Immigration Act of 1924 and no quota immigrant shall be admitted to the United States for a period of 5 years, except an alien who is the husband, or wife, or the unmarried child of an immigrant who has been lawfully admitted to the United States for permanent residence: *Provided, however, That*

no visa shall be issued to such quota immigrant who has been married to an alien resident of the United States for the purpose of securing admission to the United States, and not for the purpose of continuous cohabitation in good faith as husband or wife: And provided further, That the admission of such quota alien into the United States shall be dependent upon full compliance with every other provision of the immigration laws of the United States.

Mr. GEORGE. Mr. President—

Mr. REYNOLDS. If the Senator from Georgia will pardon me, I will yield to him in a moment or two.

Mr. President, it will be noted from the substitute measure, which I propose to introduce, that I have stricken out all the controversial matter embodied in Senate bill 409, as reported by the committee. I have done this in order to get immediate action on the noncontroversial matter in S. 409 as reported by the committee; nevertheless, I hope the committee will restudy my bills:

S. 407. To further reduce immigration, to authorize the exclusion of any alien whose entry into the United States is inimical to the public interest, to prohibit the separation of families through the entry of aliens leaving dependents abroad, and for other purposes.

S. 408. To provide for the national defense by the registration and fingerprinting of aliens in the United States, and for other purposes.

S. 409. To protect American labor and stimulate the employment of American citizens on American jobs by restricting immigration for the next 10 years.

S. 410. To provide for the deportation of aliens subsisting on relief under certain circumstances.

S. 411. To provide for the deportation of aliens inimical to the public interest.

In conclusion, I earnestly and respectfully urge upon my colleagues who are members of the Committee on Immigration of the Senate to report promptly the substitute bill in regard to which we can have no difference of opinion, because it merely suspends new immigration of persons who have no claims upon any alien lawfully admitted to the United States. The substitute simply upholds the basic principle of numerical restriction upon immigration into the United States under the quotas, as provided for by the act of 1924, with broad humanitarian consideration for aliens of good standing now in this country.

I now introduce and send to the desk my proposed substitute bill for proper reference.

The PRESIDING OFFICER (Mr. McKELLAR in the chair). Without objection, the bill will be received and appropriately referred.

The bill (S. 3201) prohibiting the issuance of immigration visas to quota immigrants, restricting the admission of aliens, and for other purposes, was read twice by its title and referred to the Committee on Immigration.

Mr. GEORGE. Mr. President—

Mr. REYNOLDS. I am happy to yield to my distinguished colleague, the able senior Senator from my sister State of Georgia.

Mr. GEORGE. Mr. President, I desire to ask the Senator a question, because he has obviously made a very careful analysis of the bill reported by the committee to which, I believe, he refers as Senate bill 409.

Mr. REYNOLDS. That is correct.

Mr. GEORGE. I wish to ask the Senator from North Carolina if Senate bill 409 in any wise affects or destroys the quota system as established in the act of 1924?

Mr. REYNOLDS. It does, indeed. As a matter of fact, it weakens our immigration laws considerably.

Mr. GEORGE. Does it undertake after the period of 5 years or the limited period during which immigration is cut down to restore a basis other than the quota system?

Mr. REYNOLDS. As a matter of fact, as I have said, it weakens tremendously our present immigration laws in challenging of the seventh proviso. At the present time an alien in this country who has entered legally has the right to bring in under the quota a husband or a wife, as the case may be, or an unmarried child under 21 years of age. If Senate bill 409 were enacted, it would have the effect of putting aliens who arrive illegally in the same status as aliens

in this country who arrived legally, or in the same status as citizens of the country who are entitled to bring in their relatives from abroad.

Mr. GEORGE. I thank the Senator. Does the bill as reported in any wise affect the national origins theory carried in the act of 1924?

Mr. REYNOLDS. Not in any direct particular case. I will say to the Senator that I was extremely anxious to bring about at the last session of the Congress legislation that would provide for the registration and fingerprinting of aliens. I am more interested in doing that now, as are about 80 percent of the American people, for the reason that it has been revealed to us that today our country is honeycombed with saboteurs and spies. For years in this body I have been saying, as the Senator will recall, that we must put some restriction upon the activities of alien visitors, because if ever the time comes when we may be involved in war we will have thousands upon thousands of cases of sabotage and of espionage. No action has been taken; but my position has been vindicated 100 percent, I am happy to say, and my friends in North Carolina are happy to learn.

In that vindication I now desire to pay my respects to J. Edgar Hoover, Director of the Bureau of Investigation of the Department of Justice, who advised me officially that prior to 1938 his division of the Department of Justice received only 50 or 70 or perhaps 100 complaints of espionage and sabotage in the United States, but from the time the war was declared at 12 o'clock on September 3, 1939, by France, and at 5 o'clock on September 3, 1939, by Great Britain, up until January 10, 1940, his department received about 5,000 complaints of espionage and sabotage in this country. The appalling thing of interest to Members of the Senate, who are eager to protect American industries and citizens, is that within the past month it was revealed to me by Mr. Hoover that complaints are arriving in his bureau at the rate of 78,000 annually. In other words, prior to the declaration of war by France and Great Britain on September 3, 1939, there were received less than 200 complaints a year. Today, after the declaration of war by Great Britain and France, at a time when we are at peace with the world, there are being received in this country more than 217 complaints every day.

Mr. WALSH. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Massachusetts?

Mr. REYNOLDS. I yield.

Mr. WALSH. Does the Senator know how many of these complaints have been investigated by the Bureau to which he refers?

Mr. REYNOLDS. I have not been advised as to the number that have been investigated since September 3, but I know that quite a number of cases were investigated prior to that, perhaps 50 or 60.

Mr. WALSH. Does the Senator know whether any facts were discovered, as a result of whatever investigations were made, which would throw more light on the extent of actual sabotage?

Mr. REYNOLDS. I have not that information.

Mr. WALSH. It would be interesting to know if there is any real foundation behind a substantial number of the complaints. Does not the Senator from North Carolina think so?

Mr. REYNOLDS. I wish to say that I have addressed a letter to the Director of the Bureau of Investigation making inquiry concerning the point which the Senator raises, because it occurred to me that it would be well that Members of this body be informed as to that, in view of the fact that we have but recently learned that one of our great power dams in the West—I think it was Boulder Dam—is now surrounded by guards of the Department of Justice, and because of other cases of sabotage of which we have read through the columns of the daily press.

In reference to the matter which the Senator has brought to my attention, I desire to say that I was directly advised that as a result of the situation existing at the present time one of the great transportation systems in this country found it necessary to employ 1,000 additional patrolmen to

guard and patrol its lines, at the individual expense of the corporation itself.

Mr. WALSH. I assume, also, that the information presented by the Senator from North Carolina indicates that there is a need of additional investigators.

Mr. REYNOLDS. There is no question about that. As a matter of fact, the Bureau of Investigation of the Department of Justice recently put on, I understand, about 250 additional men; and, of course, if they are to investigate every one of the complaints that arrive there, taking into consideration the fact that 217 such complaints are being received daily, it is going to require a great many more investigators than they have at the present time.

Mr. WALSH. I hope the Senator will pursue his inquiry and find out, if he can, just how much substance or reality there is to these complaints. At a hysterical time like the present, persons are prone to write letters complaining about some neighbor, or somebody else with whom they have had trouble, that are not always reliable.

Mr. REYNOLDS. I will say to the Senator that that likewise, has been my experience.

Mr. WALSH. But I should like to find out if we really can determine, and if so, to what degree, upon the exercise of sabotage by citizens or noncitizens of this country.

Mr. REYNOLDS. I think it would be well to make inquiry as to whether there has been any actual activity of that kind on the part of any persons who reside within the confines of this country, whether they be citizens or noncitizens, whether they arrived legally or illegally, regardless of who they are.

Mr. WALSH. The Senator is quite right.

Mr. REYNOLDS. In that connection I desire to say to the Senator that I wish to make myself understood with regard to this matter. When I employ the word "alien" I am speaking of the foreigner who arrived here legally and remains here legally without having made application for citizenship after having been here a number of years, and who is not a citizen. I apply the word "alien" to those who arrived here illegally and remain here illegally, or those who arrived illegally and whose status has been changed, and yet who have not made application for citizenship.

Mr. WALSH. And who show no disposition to become Americanized.

Mr. REYNOLDS. Yes.

Mr. WALSH. Of course, as the Senator knows, there are some aliens who, by reason of inability to read or write the English language, are unable to be naturalized. I have had, and the Senator undoubtedly has had, some correspondence from such aliens requesting my aid and assistance to find out just what the law is. But the Senator means—and I think all of us are in accord with his view—that we have little sympathy for aliens who have shown no willingness or disposition to become Americanized, and enjoy the privileges of American citizenship, and subject themselves to its laws.

Mr. REYNOLDS. Exactly; and we have less sympathy for the 20,000 alien habitual criminals that the former Commissioner of Immigration said were in this country.

Mr. WALSH. So far as I am concerned, criminal aliens cannot be gotten out of the country quickly enough.

Mr. REYNOLDS. I feel that way about it.

I desire to say that there are in this country today many aliens who are really persons of fine character, and are good neighbors, and will be good citizens when they become citizens of the United States. I desire further to say that some of the best people we have in the United States, some of our best citizens, some of our most worthy characters, are those who have come here and become naturalized; and there is absolutely no distinction between a natural-born citizen and one who has come from foreign shores and become a naturalized American citizen.

Mr. WALSH. If the Senator will permit me to make a further statement, I think he will agree with me that we have been deeply impressed, and sometimes deeply thrilled, at the sentiments of appreciation for the enjoyment of American citizenship which many of these former aliens have manifested. I have seen many occasions when their pride in being

Americans, in their realization of what they possess that they never before possessed in their lives, has been most touching, and all this is a great tribute to our institutions and to our country and to the character of these good people.

Mr. REYNOLDS. It is a high tribute to the American form of government; and, as a matter of fact, it is an inspiration in itself.

Mr. WALSH. And for the very reason that we have these good former aliens, these good American citizens who appreciate American citizenship, we ought to be all the more alert to protect them against the contamination of those who would undermine our institutions.

Mr. REYNOLDS. Absolutely. As a matter of fact, we are just as thoroughly desirous of bringing about segregation for the protection of the foreign-born who come here and want to become a part of our American citizenship as we are enthusiastically interested in providing protection for our own American citizens.

In regard to fingerprinting, the truth about the matter is—and I have heard this opinion expressed by many of my colleagues and innumerable other American citizens—that it would not be a bad plan if every single individual in the United States were fingerprinted. It would be for the protection of the individual himself. Hundreds of thousands of American citizens, being aware of that fact, are annually voluntarily being fingerprinted, and their fingerprints are on file with the Bureau of Investigation of the Department of Justice. Down in my State of North Carolina, in the high school at Charlotte, a city of 100,000, I understand that virtually every boy and girl who is a student there has voluntarily submitted to fingerprinting; and I do not see why there should be any objection to it. During the World War every one of the 4,000,000 American soldiers under arms and in uniform was registered. All of our seamen and marines were registered. As a matter of fact, I believe that all the members of the Cabinet and of the present administration have been fingerprinted, and nobody has any objection to it. I think it rather worthy of favorable consideration, if only for the protection of the individual himself in carrying on his daily work. I have hundreds of letters from people suggesting that everybody really ought to be registered.

This is a time when I think we ought to be able to ascertain how many aliens there are in the United States. I do not know how many there are. We really cannot ascertain the number until we have some sort of registration act. Somebody said that we are going to register all the aliens in the United States by way of the instrumentalities provided by the present census force; but an alien illegally in this country certainly is not going to look up the census taker to provide the census taker with his name and information to the effect that he illegally arrived in the country.

I think the American people are entitled to know how many aliens there are in the country. The present Commissioner of Immigration and Naturalization says there are in the country, according to their estimate, 3,628,103. That is his estimate.

Mr. MARTIN DIES, chairman of the investigating committee in the House interesting itself in un-American activities, in an interview provided a newspaper questioner in Chicago, said there are 7,000,000 aliens in the United States. Mr. Houghteling, the present Commissioner of Immigration and Naturalization, says there are 3,628,103. I want to believe both of them. I wish I could believe Mr. Houghteling when he says there are only some 3,600,000. I should hate to think that we have 7,000,000 aliens in the United States, and most of them have jobs, when we have 10,000,000 American citizens out of work.

So we are all interested to know how many jobs are being held by aliens. By that I mean noncitizens, whether they came into the country legally or illegally. The only way ever to do it is to have a registration and fingerprinting act, or certainly a registration act. Then we shall know how many aliens there are in the country, and the question will be settled for all time.

Who knows how many aliens have slipped into the country? We all know that the division of the Labor Department interesting itself in border patrol certainly has not enough men

provided actually and physically to patrol the Canadian border, extending for more than 3,000 miles from the Atlantic across to the Pacific. We know that we have not enough patrolmen to cover the strip of land between the United States and the Republic of Mexico. We know that we have not sufficient patrolmen to guard and watch every little inlet down about Florida, Key West, and the British possessions of Nassau, Bimini, and Bermuda. We have not enough to guard the ports in the Caribbean, Haiti, the Dominican Republic, the French island possessions, and the British island possessions. It is a very difficult thing; and nobody knows—I would not undertake to say—how many aliens have illegally come into this country. I would not undertake to say how many aliens are illegally coming into this country every night, but I do say that the American people in the present conditions are entitled to know how many there are in this country. I think we ought to take action to bring about the enactment of a measure such as the one to which I have referred, for we are all interested in the present condition.

Mr. KING. Mr. President, before the Senator yields the floor, I suggest that there should be some modification of our present immigration law. As the Senator knows, I am the ranking member of the Committee on Immigration, and I have given some attention to the immigration problem; and it is a problem.

I rose to observe, however, that in periods of war—and we are now in such a period—considerable hysteria develops and oftentimes injustice is done to very good people in our midst. We are aroused by statements that there is sabotage or that there is subversive activity when there is really no justification for the statement.

I remember that when the World War broke out I was a member of the Committee on the Judiciary, as I am now, and many complaints came to the committee concerning activities which were alleged to be treasonable, or certainly inimical to the best interests of our country, on the part of persons of foreign birth. We made investigation and found that there was justification for some of the charges, but that many of them were without foundation.

It seems to me that in periods of world disturbance and confusion we should not become hysterical; we should not see substance where there are only shadows, and we should hesitate to brand persons as being guilty of subversive activities unless there is ample and sufficient reason for so doing. It is a serious thing to brand a man as being an enemy to our country when there is no foundation for the charge. I sometimes have felt, as I felt during the early period of the World War, that we were a little too prone to exaggerate conditions, to accentuate small evils, and make of them very serious manifestations of offense against the Government.

I wanted to make this observation in the light of the statement which the Senator from North Carolina has made.

Mr. REYNOLDS. Mr. President, I am very much obliged to the Senator, because his remark is in line with the suggestion made by the able Senator from Massachusetts, by way of inquiry, when he asked whether or not I had information from the Bureau of Investigation as to the truth or untruth of these statements. I think the Senator's remarks are very pertinent, because at a time like this there is apt to be hysteria, and I do not think anyone should be branded falsely; but it is the duty of our country to be careful and to guard our interests.

Mr. REYNOLDS subsequently said: Mr. President, during the course of my remarks a few moments ago the senior Senator from Georgia [Mr. GEORGE] directed an inquiry to me in reference to Senate bill 409, and I am ready to assume as a result of inquiries directed to me a moment ago in the cloak room by some of my colleagues that I evidently did not understand the question of the Senator from Georgia.

If he was referring to the basic quota law, I wish to say in conjunction therewith that I did not intend to convey an erroneous impression, to the effect that Senate bill 409 increases the present world quota; but I intended to convey the impression that in my opinion Senate bill 409 would give a certain class of aliens a preference which they do not have at the present time, and that, as a result of what

I claim to be a misinterpretation of the seventh proviso, of necessity additional aliens are permitted to enter this country with clean slates.

SUPPLEMENTAL MILITARY AND NAVAL APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 7805) making supplemental appropriations for the Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation for the fiscal year ending June 30, 1940, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee on page 8, line 10.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The next amendment was, under the heading "Organized Reserves", on page 13, line 24, after the word "headquarters", to insert a colon and the following additional proviso:

Provided further, That the mileage allowance to members of the Officers' Reserve Corps when called into active service for training for 30 days or less shall not exceed 4 cents per mile.

The amendment was agreed to.

The next amendment was, under the heading "Title II—Navy Department—Bureau of Engineering—Engineering", on page 17, line 18, after the numerals "1940" to strike out "\$18,818,000" and insert "\$18,363,000", so as to read:

For an additional amount for engineering, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$18,363,000, of which not to exceed \$100,000 shall be available for the pay of employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Construction and Repair—Construction and Repair", on page 18, line 6, after the numerals "1940", to strike out "\$15,514,000" and insert "\$14,969,000", so as to read:

For an additional amount for construction and repair, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$14,969,000, of which not to exceed \$145,000 shall be available for the pay of employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedules of Wages for Civil Employees in the Field Service of the Navy Department.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Ordnance—Ordnance and Ordnance Stores, Navy", on page 18, line 17, after the numerals "1940", to strike out "\$31,060,000" and insert "\$30,260,000", so as to read:

For an additional amount for ordnance and ordnance stores, Navy, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$30,260,000, and, in addition, the Secretary of the Navy may enter into contracts prior to July 1, 1940, for the purposes of this appropriation, to an amount not in excess of \$2,450,000.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Yards and Docks—maintenance, Bureau of Yards and Docks", on page 21, line 14, after the numerals "1940", to insert a comma and "and including the purchase of four motor-propelled passenger-carrying vehicles at a cost not to exceed \$600 each", so as to read:

For an additional amount for maintenance, Bureau of Yards and Docks, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, and including the purchase of four motor-propelled passenger-carrying vehicles at a cost not to exceed \$600 each, \$871,000.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Aeronautics—Aviation, Navy", on page 22, line 9, after the numerals "1940", to strike out "\$34,736,000" and insert "\$28,661,000", so as to read:

For an additional amount for aviation, Navy, comprising the same objects specified under this head in the Navy Department and Naval Service Appropriation Act, fiscal year 1940, \$28,661,000.

The amendment was agreed to.

The next amendment was, under the heading "Title IV—Treasury Department—Coast Guard", on page 28, line 7, after the word "employees", to strike out "\$45,990" and insert "\$43,701", so as to read:

Office of the Commandant: For personal services in the District of Columbia, for temporary employees, \$43,701.

The amendment was agreed to.

The next amendment was, on page 28, line 16, to strike out "\$2,288,000" and insert "\$2,263,000", so as to read:

Pay and allowances: For pay and allowances prescribed by law for commissioned officers, cadets, warrant officers, petty officers, and other enlisted men, active and retired, temporary cooks, surfmen, substitute surfmen, and three civilian instructors, retired pay for certain members of the former Life Saving Service authorized by the act approved April 14, 1930 (46 U. S. C. 178a), and so forth, \$2,263,000;

The amendment was agreed to.

The next amendment was, on page 28, line 20, to strike out "\$300,000" and insert "\$250,000", so as to read:

Fuel and water: For fuel, lubricating oil, kerosene, and water, and for the furnishing of heat, light, and power (service) for vessels, stations, and houses of refuge, \$250,000.

The amendment was agreed to.

The next amendment was, on page 29, line 2, to strike out "\$836,373" and insert "\$700,000", so as to read:

Outfits: For outfits, including necessary supplies and equipment, medals, newspapers and periodicals for statistical purposes, rental of mechanical accounting machinery, repairs to portable equipment at shore units, ship chandlery, engineers' stores, and draft animals and their maintenance, \$700,000.

The amendment was agreed to.

The next amendment was, on page 29, line 14, after the words "In all" to strike out "\$4,340,000" and insert "\$4,126,701", so as to read:

In all, \$4,126,701: *Provided*, That the limitation of \$2,200,000 which may be expended for aviation contained in said Treasury Department Appropriation Act under "Coast Guard" is hereby increased to \$2,435,000.

The amendment was agreed to.

The next amendment was, on page 30, after line 4, to strike out the following section:

SEC. 402. This act may be cited as the "Emergency Supplemental Appropriation Act, 1940."

The amendment was agreed to.

The next amendment was, on page 30, after line 6, to insert the following:

TITLE V—DEPARTMENT OF AGRICULTURE
PRICE ADJUSTMENT ACT OF 1938

SEC. 501. Not to exceed \$11,000,000 of the funds appropriated by the item entitled "Parity Payments" contained in the Department of Agriculture Appropriation Act, 1940, are hereby made available for the purpose of making payments under the Price Adjustment Act of 1938.

The amendment was agreed to.

The next amendment was, on page 30, after line 14, to insert the following section:

SEC. 502. This act may be cited as the "Emergency Supplemental Appropriation Act, 1940."

The amendment was agreed to.

The PRESIDING OFFICER. The bill is still before the Senate and open to amendment. If there be no further amendment to be offered, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 7805) was read the third time, and passed.

Mr. KING. Mr. President, the able Senator from Oklahoma [Mr. THOMAS], on the 23d instant, delivered an able and exhaustive address upon the pending bill. He referred to the extensive survey which he had made, and directed attention to the many activities of the War Department and to the very large number of Army posts and stations in continental United States, as well as in some of our territorial possessions. I did not have the privilege of hearing the Senator's address, but this morning I availed myself of the opportunity of reading it, and find myself in agreement with most

of what the Senator has stated, and I am glad that he has presented to the Senate the result of his observations.

I might add that it has been my view that for several years both the Army and the Navy were maintaining too many posts and stations, naval bases, and so forth. When I was a member of the Committee on Naval Affairs I made an investigation of our naval posts and stations, yards, bases, and so forth, and recommended the closing of a considerable number and the consolidation of others. I believed, with respect to the Army as well as the Navy, that the administrative expenses were entirely too great and that too many stations, posts, yards and docks, and bases were maintained. I believed that, in the interest of economy as well as efficiency, there should be a reduction in the number of agencies and organizations above referred to.

As stated, I did not have the privilege of hearing the Senator's address and have taken the floor, first, to compliment the Senator upon his exhaustive survey; and, secondly, to refer to a statement which he made with reference to the air base in my State.

The Senator, in his address, stated:

I may state that the distinguished senior Senator from Utah [Mr. KING] is not now present, although I think he knew I was to mention his State.

First, I confess that I was not present, because I was compelled to attend a meeting of the Temporary National Economic Committee, as the acting chairman. I knew that the Senator was expected to address the Senate, but I did not know that he would refer to the so-called arsenal or air base in my State.

In the course of the address delivered by the Senator, he stated, in substance, that—

There is in the deserts of Utah an arsenal where there are now being loaded shells and bombs for destructive purposes.

And further—

Adjacent to that arsenal on which the Government was spending multiplied millions of dollars in building an airport.

And he asked:

For what purpose?

He further stated:

It is not a commercial airport; there is no town near it; it is on the desert—

And so forth.

The Senator further, after asking what the airport was for, stated:

It embraces thousands of acres of land in the desert near Ogden; that desert land grows nothing save an occasional weed when rains infrequently come. That land, on an average, cost \$47 an acre, although it is worthless for any purpose on earth.

The Senator suggested that the Government could save money by moving—

That would-be arsenal from Ogden, Utah, to some other place and could save money by not spending money in developing that airfield close to Ogden, Utah, and the arsenal there.

I do not rise for the purpose of criticizing my dear friend but believe the able Senator is not fully advised concerning the matter to which he referred.

First, may I say that several years after the World War, when changes were being made in the Army and in Army posts and stations, and the technique of the military department was being modified, the experts and those in charge of our military operations made, as I was advised, an exhaustive survey of the military needs of our country, and after this survey was completed they announced that in the interest of national defense the Government should establish a munitions depot or arsenal in Utah. They contended that the munitions and military supplies to be stored in the munitions plant and arsenal should be remote from the seacoast, and in a region where the climate was dry. Their view was that powder and munitions should be stored in a dry climate and not near the seacoast where, because of dampness, they would deteriorate. I was advised at that time that after a thorough investigation and survey, the most suitable place for the arsenal and munitions plant was at a point a few

miles south of Ogden, Utah. The original plan, as I recall, called for the construction of several buildings and for underground vaults or rooms for the protection of the shells and various kinds of munitions; also for the construction of the necessary railway facilities in order to convey to the buildings, when completed, the necessary munitions and other material and military supplies. The completed structure was to cost several millions of dollars.

An examination of the place selected for the arsenal and the munitions plant will convince the most skeptical that no more suitable place could be found in the intermountain region.

After a considerable sum had been expended in the construction of the plant some changes were made in the general plan submitted by the War Department. The purpose, however, to erect the plant referred to was not abandoned, but because of economies that were incurred, or for other reasons which seemed valid, there was a temporary suspension in the development of the program.

I do not recall the price paid for the land acquired by the Government. As I have indicated, a few miles south of Ogden, on what was known as The Ridge, the necessary acreage was obtained. The land was dry and a considerable portion of that which was acquired by the Government was uncultivated.

It is a historic fact that the intermountain region was regarded as a desert. The rainfall was not great, but, forbidding as the territory was, thousands of patriotic and enterprising Americans entered the valleys of the intermountain region and, by thrift and energy, built great commonwealths and developed a high form of civilization. As many Senators know, Utah was a part of the territory which was ceded to the United States by the treaty of Guadalupe Hidalgo. It and surrounding lands were almost terra incognita. Many will recall the great speech of Daniel Webster in which he stated in substance that the lands of the West were valueless, the home of beasts, and unfit for human habitation.

Nevertheless, as I have indicated, brave men and women, who became the pioneers of the West, crossed the Mississippi and went beyond the pales of so-called civilization. The Utah pioneers entered the Salt Lake Valley in 1847. They found it a desert—a wilderness—inhabited only by jack rabbits and wolves and scattered bands of Indians. However, they were not deterred by reason of the forbidding conditions, and, with courage and sublime faith, addressed themselves to the building of an American Commonwealth. Their numbers were increased until today there are in Utah more than three-quarters of a million people, and from Utah there have gone forth into surrounding States—Colorado, Wyoming, Idaho, Nevada, Arizona, Washington, Oregon, and California—many thousands of fine American citizens, who have, in the respective States to which they went, made important contributions to the growth and development of the same.

The territory north of Salt Lake City and between it and Ogden was a desert; that is to say, the land was producing nothing but a little grass and sagebrush. But the entire valley between the two cities has been brought under cultivation, and the valley in which Ogden is situated has a population of perhaps 80,000 or more inhabitants. The desert lands have been irrigated. Great reservoirs have been constructed and the water from the same, by canals, has been carried to thousands of acres of land, which have become valuable and highly productive.

The pioneers of Utah developed the irrigation system which has been carried to other States, and the technique employed by the pioneers in their agricultural activities, has been adopted in surrounding States. Lands which were of but little value became valuable when water was applied thereon for irrigation purposes. In and about Ogden and near the arsenal and munitions plant and air base there are important manufacturing plants. Sugar factories, large canning establishments, and a packing plant of considerable magnitude have been erected. The lands which were of but little value have increased in value because of irrigation.

Ogden City, which, as stated, is but a few miles from the arsenal and munitions plant, is known to all persons who have traveled to any extent throughout the United States and in the West. It is a railroad center, into which lines from east and west and north and south converge. It is one of the most progressive and enterprising cities that can be found in the United States. What it lacks in size, it makes up in energy, enterprise, and industrial and business activities.

With the development of aviation, the Government decided that there should be an important air base established adjoining the arsenal and munitions plant. I have no reason to doubt the wisdom of our military leaders. They decided that there should be an air base in the intermountain section, and they determined that that base should be, as I have indicated, adjoining the munitions and arsenal structures. Upon land which was acquired, as I recall, several years ago, an air base is being constructed. I am repeating when I state that those in charge of our national defense and our military policies believed that there should be an important air base in the intermountain region, and, after a complete survey, they selected the present site, where the air base is being erected, as the most suitable point for its location.

I referred earlier in my remarks to the fact that several years ago the War Department had believed it imperative that a munitions depot and arsenal be constructed in one of the valleys in the intermountain region, where climatic conditions were most suitable, and, as stated, they selected the point south of Ogden for the munitions plant and arsenal. It was therefore logical and proper that the air base should be erected near the arsenal and munitions depot. The lands acquired years ago were ample to meet the requirements of the Government for the air base, and for the munitions depot and arsenal. I accept the views of those in charge of our military plans and operations, and believe that they have acted wisely in their selection of a site for the air base and for the munitions depot and arsenal.

CIVIL LIBERTIES AND RIGHTS OF LABOR

Mr. WALSH. Mr. President, I have a matter of some importance which I desire to bring to the attention of the Senate. I have a report signed by a subcommittee of the Committee on Education and Labor investigating violations of the rights of labor under Senate Resolution 266 of the Seventy-fourth Congress, second session, and successive resolutions authorizing additional appropriations. This is a report regarding the refusal of a witness to answer various questions in the hearings held by the subcommittee in San Francisco, Calif.

Mr. President, I ask unanimous consent to have the report printed in the Record.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it so ordered.

Mr. WALSH. Mr. President, there is presented herewith also an explanatory statement, addressed to the Vice President, and signed by the members of the subcommittee, in which they urge that on the presentation of the report he perform the duty incumbent on his office as set forth in section 104 of the Revised Statutes of the United States relating to congressional investigations, and to present the statement of facts aforesaid to the appropriate United States attorney.

Mr. JOHNSON of California. Mr. President, let me ask the Senator, Does this relate to a contempt in San Francisco?

Mr. WALSH. Yes.

Mr. JOHNSON of California. Did the committee take any proceeding against those who were accused of being guilty?

Mr. WALSH. A witness declined to answer questions propounded to him by the Senator from Wisconsin [Mr. LA FOLLETTE] and I believe by the Senator from Utah [Mr. THOMAS], at least by the Senator from Wisconsin, and these proceedings are a result of the refusal to answer questions.

Mr. JOHNSON of California. Is the action taken now to be Senate action?

Mr. WALSH. No; it is the procedure established by law for the committee to make a report and call the matter to

the attention of the Senate, and ask the Vice President to proceed under the statute dealing with cases of this kind. In other words, he will be expected to refer the matter to the United States attorney for investigation and grand-jury action.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. CONNALLY. Is it not true that whatever action is taken has to be taken by the Senate? I understood the Senator from Massachusetts merely presented this matter for printing in the RECORD. I would be opposed to taking any action of this kind without knowing further about it.

Mr. WALSH. I asked that the report of the committee be printed in the RECORD, and then I requested that the information in the report be given to the Vice President, for him to take the action which is provided by law in circumstances of this kind, namely, to refer the matter to the appropriate United States attorney for his attention and consideration.

Mr. CONNALLY. I have not looked at the law lately, but a witness cannot be in contempt of a subcommittee, or of a committee, until the committee reports that action to the Senate itself and it holds him in contempt, as I understand the procedure.

Mr. WALSH. I do not understand that to be the procedure. The committee must make a report to the Senate, and that is being done, and at the same time the report is being made and a request made to have it printed, the information contained in the report is called to the attention of the Vice President in order that he may proceed under the statute, which directs him to report the matter to the appropriate United States attorney.

Mr. CONNALLY. I have no objection to the Senator presenting the matter, but I certainly would not want the Senate with my concurrence to take any action to foreclose a case of this kind without further information.

The PRESIDING OFFICER. Under the law approved June 22, 1938, the parliamentarian advises the Chair, upon a report coming in the Vice President must furnish the information to the appropriate district attorney, without any action on the part of the Senate; and in order that it may be certain just what the law provides, the Chair directs the clerk to read section 104 of the Revised Statutes, as amended by the act to which the Chair has called attention.

The Chief Clerk read as follows:

[Public Resolution No. 123, 75th Cong.; ch. 594, 3d sess.; H. J. Res. 699]

Joint resolution to amend sections 101, 102, 103, 104, and 859 of the Revised Statutes of the United States relating to congressional investigations

SEC. 104. Whenever a witness summoned as mentioned in section 102 fails to appear to testify or fails to produce any books, papers, records, or documents, as required, or whenever any witness so summoned refuses to answer any question pertinent to the subject under inquiry before either House, or any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or any committee or subcommittee of either House of Congress, and the fact of such failure or failures is reported to either House while Congress is in session, or when Congress is not in session, a statement of fact constituting such failure is reported to and filed with the President of the Senate or the Speaker of the House, it shall be the duty of the said President of the Senate or Speaker of the House, as the case may be, to certify, and he shall so certify, the statement of facts aforesaid under the seal of the Senate or House, as the case may be, to the appropriate United States attorney, whose duty it shall be to bring the matter before the grand jury for its action.

Mr. WALSH. Mr. President, I am submitting this report at the request of the Senator from Wisconsin [Mr. LA FOLLETTE] and the Senator from Utah [Mr. THOMAS], both of whom have been conducting hearings at San Francisco and Los Angeles. The parliamentarian of the Senate and the legislative counsel of the Senate have been consulted, and I suggest that the procedure appears to be in conformity with the law.

Mr. JOHNSON of California. Mr. President, I am not interested in this matter, so far as I know, but the attorney general of the State of California called upon me just before I left San Francisco and asked me to keep him advised of any

actions that were taken in connection with certain cases in which he was asked for his opinion. I do not know whether those cases are involved or not, and I should like to have the matter rest on the presentation which has been made here, and that the request for action be withheld until I have had an opportunity to look at the matter and see whether or not it is embraced within what the attorney general of the State of California requested me to do.

Mr. WALSH. I shall be very glad to withdraw the request for the filing of the report, and let the Senator from California have an opportunity to inspect it and investigate it between now and Monday.

Mr. JOHNSON of California. I thank the Senator.

The PRESIDING OFFICER (Mr. McKELLAR in the chair). The Senator from Massachusetts withdraws his request.

Mr. WALSH. For the time being.

IMPORTATION OF INFESTED BULBS

Mr. SCHWELLENBACH. Mr. President, I ask for the immediate consideration of Senate Resolution 143, which now lies on the table. I have consulted with the Senator from Kentucky [Mr. BARKLEY] and the Senator from Oregon [Mr. McNARY] and they have no objection to the consideration of the resolution at this time. I ask unanimous consent for its present consideration.

There being no objection, the resolution (S. Res. 143) submitted by Mr. SCHWELLENBACH (for himself and Mr. McNARY) on June 7, 1939, was considered and agreed to as follows:

Resolved, That a subcommittee of the Senate Committee on Agriculture and Forestry, to be appointed by the chairman of the committee, is authorized and directed to examine the Secretary of Agriculture and Dr. Lee A. Strong, Chief of the Bureau of Entomology and Plant Quarantine, with respect to the following matters:

(1) Why the Department of Agriculture failed to keep the agreement made with the Senate Committee on Agriculture and Forestry, acting on behalf of the Senate, on March 17, 1938, providing for the necessary sterilization of the bulbs imported into the United States, which were described in Senate bill 2983, Seventy-fourth Congress, first session.

(2) Why the Department of Agriculture failed to keep the agreement with individual Members of the Senate, the basis of which is correspondence dated June 13, 1938, and July 5, 1938.

(3) Why, after the Department of Agriculture presented to individual Members of the Senate and the House of Representatives and caused to be introduced the bills S. 1364 and H. R. 4036, an adverse report on such legislation was later submitted by the Department of Agriculture.

The subcommittee shall report to the Committee on Agriculture and Forestry the results of its investigations, together with its recommendations.

AERIAL MOTION-PICTURE EXHIBIT

Mr. SHIPSTEAD. Mr. President, before the Senate adjourns I should like to make an announcement.

Immediately after adjournment there will be a motion-picture exhibit in the District of Columbia Committee room. Motion pictures in colors were made from an airplane, showing from the air all the cities from New Orleans to Minneapolis. Through the courtesy of the senior Senator from Utah [Mr. KING], his committee room has been placed at the disposal of the Senate for this purpose; and I think Senators who have the time, and who have never flown in an airplane from New Orleans to Minneapolis, will find the exhibit very interesting.

This invitation also applies to the gentlemen of the press.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. McKELLAR in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

The PRESIDING OFFICER (Mr. McKELLAR, as a member of the Committee on Appropriations) reported favorably from

that committee the nomination of Lt. Col. Benjamin Marvin Casteel, of Missouri, to be work projects administrator for Missouri.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTER—NOMINATION PASSED OVER

The legislative clerk read the nomination of Jessie B. Searle to be postmaster at Redrock, Okla., which nomination had previously been passed over.

Mr. THOMAS of Oklahoma. Mr. President, I withdraw any further objection to the nomination.

The PRESIDING OFFICER. Without objection, the nomination of Jessie B. Searle to be postmaster at Redrock, Okla., is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry other nominations of postmasters.

Mr. BARKLEY. I ask that the remaining nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the remaining nominations of postmasters are confirmed en bloc.

ADJOURNMENT TO MONDAY

Mr. BARKLEY. As in legislative session, I move that the Senate adjourn until Monday next.

The motion was agreed to; and (at 3 o'clock and 50 minutes p. m.) the Senate adjourned until Monday, January 29, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate on January 25 (legislative day of January 23), 1940

ASSISTANT SECRETARY OF THE NAVY

Lewis Compton, of New Jersey, to be The Assistant Secretary of the Navy.

INTERSTATE COMMERCE COMMISSION

Carroll Miller, of Pennsylvania, to be an Interstate Commerce Commissioner for a term expiring December 31, 1946. (Reappointment.)

UNITED STATES ATTORNEYS

Theron Lamar Caudle, of North Carolina, to be United States attorney for the western district of North Carolina, vice Marcus Erwin, deceased.

Cleon A. Summers, of Oklahoma, to be United States attorney for the eastern district of Oklahoma. Mr. Summers is now serving in this office under an appointment which expired August 2, 1939.

UNITED STATES MARSHALS

Julius J. Wichser, of Indiana, to be United States marshal for the southern district of Indiana. He is presently serving in this post under a court appointment.

William F. Burguson, of South Carolina, to be United States marshal for the eastern district of South Carolina. Mr. Burguson is now serving in this office under an appointment which expired June 14, 1938.

Reed Sharp, of Tennessee, to be United States marshal for the middle district of Tennessee. He is presently serving in this post under a court appointment.

Albert M. Rowe, of West Virginia, to be United States marshal for the northern district of West Virginia. Mr. Rowe is now serving in this office under an appointment which expired September 1, 1939.

Charles H. Cox, of Georgia, to be United States marshal for the northern district of Georgia. Mr. Cox is now serving in this office under an appointment which expired June 18, 1938.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 25 (legislative day of January 23), 1940

POSTMASTERS

GEORGIA

Arthur S. Boyett, Buena Vista.

INDIANA

Gordon E. Faupel, East Gary.

MINNESOTA

Barnard C. Heim, Forest Lake.

MISSOURI

Francis T. McClure, Alma.
Ethel Maurine Elliff, Anderson.
Sidney M. Cramer, Archie.
Claude M. Reid, Aurora.
Robert L. Ellis, Ava.
Nelson H. Mullen, Belton.
Paul C. Catlett, Birch Tree.
William H. Ward, Bonne Terre.
Joe C. Alexander, Branson.
Fred R. Morrow, Buffalo.
Mary R. Fewel, Calhoun.
Emmett O. Griffin, Cartersville.
Gladys I. Smith, Cassville.
George K. Spalding, Chesterfield.
John E. Moore, Clinton.
James E. Thomson, Craig.
Vernon D. Washington, Eldorado Springs.
George T. Barker, Everton.
Thomas A. McQuary, Galena.
Robert C. Smith, Garden City.
Fred G. Lane, Gerald.
William B. Nivert, Glasgow.
George L. Chancellor, Goodman.
Zadok C. Miller, Greentop.
William L. Klein, Harris.
Orion J. L. Brookhart, Harrisonville.
Melissa M. Wilson, Hartville.
Buren Napper, Holcomb.
Jessalee Nash, Hollister.
Eugene H. Randol, Kennett.
William R. Doss, Kimmswick.
Allie V. Neil, Leeton.
Mary G. Ramsey, Lexington.
Mary L. Castleberry, Libbourn.
Boyd F. Eversole, Lowry City.
Robert Irving Caldwell, Lutesville.
Myrtle Rauls, Marquand.
George T. Duggins, Marshall.
William T. McMahan, Marshfield.
Walter E. Evans, Meadville.
Maurice D. Cole, Montrose.
Emma Beardslee, Morley.
Tom C. Short, Mountain Grove.
Roy S. Kenney, Neosho.
James Boulton Settle, New Franklin.
Sadie E. Burnett, Norwood.
Elmer E. Gentemann, O'Fallon.
Joseph Wiley Stivers, Piedmont.
William H. Bust, Potosi.
Forest C. Muir, Raytown.
Herbert L. Weils, Republic.
Oren Simpson, Richland.
Helen J. Baysinger, Rolla.
Anna B. Wood, Rosendale.
Merl L. Gamble, Sheldon.
Clyde W. Greenwade, Springfield.
Azzo B. Grier, Strafford.
Walter E. Burris, Urbana.
Jessie B. Smith, Walnut Grove.
Joseph D. Hawkins, Webb City.
Earl E. Lamberson, Wheaton.

NEW JERSEY

Cecil R. McConnell, Annandale.
Joseph F. Dempsey, Paulsboro.

OHIO

May Ellen Maher, Berea.
Charles C. Reynolds, Blanchester.
Franklyn W. Thomas, Bowling Green.
Raymond C. Ritenour, Cedarville.

Harry M. Walden, Coolville.
 John Z. Lytle, Fredericksburg.
 Burl A. Lauderbaugh, Gambier.
 Frank A. Loomis, Garrettsville.
 Frederick Higham, Gates Mills.
 Herbert L. Gray, Gnadenhutten.
 Bert L. Peer, Groveport.
 Donovan T. Dickerson, Hopedale.
 Vanessa E. Campbell, Huron.
 Calvin S. Prater, Kenton.
 Charles Stanley Earnhart, Lebanon.
 Leon E. Gorham, Leroy.
 Frank G. Brown, Logan.
 Frank E. Noland, London.
 William A. Cowen, Loudonville.
 Hoyt Leiter, Lucas.
 Dell M. D. Waterman, Madison.
 Harry F. Mohr, Mechanicsburg.
 William Alexander, Miamisburg.
 Lewis Edgar Clawson, Middle Point.
 David Wilson Sroufe, Mount Orab.
 Louis J. Eberle, Nelsonville.
 Katherine H. Baxter, Newcomerstown.
 George A. Greenbaum, New Lexington.
 Oscar E. Herring, Oakharbor.
 Morton A. Houghton, Oberlin.
 Anna M. Wannemacher, Ottoville.
 George J. Munger, Perrysburg.
 Frank F. Wyman, Pioneer.
 James M. McCrone, Poland.
 E. Leroy Brown, St. Paris.
 Earl C. Windle, Sebring.
 George W. Conroy, Steubenville.
 Robert C. Boylan, Struthers.
 Walter J. Pinkstone, Swanton.
 Walter A. Strapp, Urbana.
 Charles A. Kempf, West Lafayette.
 Henry J. Grote, Yellow Springs.

OKLAHOMA

Jessie B. Searle, Redrock.

WEST VIRGINIA

Duncan M. Johnston, Alderson.
 Lillie R. Frazier, Buffalo.
 George C. Sowards, Hurricane.
 Clyde E. Knapp, Moundsville.
 William C. Carter, Mount Hope.
 Alma C. Smith, Omar.
 Okey K. Burdette, Point Pleasant.
 Paul Pickens, Ravenswood.
 Leroy C. Thrasher, Ronceverte.
 Lewellen A. Douglas, Spencer.
 Clitus D. Ashcraft, Wallace.
 Ann H. Wetherby, Welch.
 Oma Corder, West Union.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 25, 1940

The House met at 12 o'clock noon.

The Reverend Paul B. Kern, bishop of the Nashville Area, Methodist Church, Nashville, Tenn., offered the following prayer:

"O God, our help in ages past, our hope for years to come," be very near unto us and grant us Thy grace and guidance in this present hour. Many difficulties confront us; many problems perplex our minds and hearts. Grant unto us Thy servants a share of Thy wisdom and understanding, and may the deliberations of this body be guided this day by Thy judgments and may they advance the cause of Thy kingdom upon the earth.

We pause to ask Thy blessing upon the family and friends of the fallen comrade of this united body of legislators. And we pray that in that distant city where his tired body is being laid to rest the grace of the Lord Jesus Christ may be suffi-

cient for their every need and they may know that underneath them are the everlasting arms of love and strength.

Guide the nations of this earth toward the pathways of peace; restrain the cruel hand of violence; comfort the oppressed; bring victory to the cause of righteousness. Forgive us our sins and save us from the fallacy of believing that we can work out the good life for ourselves or for others except as Thou shalt govern our minds and direct our paths. This we pray in the name of Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following letter of resignation, which was read:

JANUARY 24, 1940.

The Honorable WILLIAM B. BANKHEAD,
Speaker of the House, Washington, D. C.

MY DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on Patents to take effect at once.

With kind regards, I am

Very sincerely,

JAMES E. VAN ZANDT.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

EXTENSION OF REMARKS

Mr. EATON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief statement by Raymond Gram Swing on the Finnish situation.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. EATON]?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered on the Forum of the Air on December 3 last.

The SPEAKER. Is there objection to the request of the gentleman from Vermont [Mr. PLUMLEY]?

There was no objection.

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement made by L. J. Taber, master of the Grange, on the subject of reciprocal-trade agreements.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. GEARHART]?

There was no objection.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the life and services of two former Members of the Rules Committee, Mr. MAPES, of Michigan, and Mr. TAYLOR, of Tennessee.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the services and the life of two gentlemen who entered the House with me in the Sixtieth Congress and who passed away a few days ago, Mr. MARTIN, of Colorado, and Mr. ASHBROOK, of Ohio.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the services and life of Dr. SIROVICH, of New York, who recently passed away.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

EXPENSES OF DIES COMMITTEE

Mr. WARREN. Mr. Speaker, I offer a privileged resolution from the Committee on Accounts and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 368

Resolved, That the expenses of conducting the investigation authorized by House Resolution 282 of the Seventy-fifth Congress and continued under House Resolution 26, Seventy-sixth Congress, and House Resolution 321, third session, Seventy-sixth Congress, incurred by the special committee appointed to investigate un-American propaganda in the United States and related questions, acting as a whole or by subcommittee, not to exceed \$75,000, including expenditures for the employment of experts, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman thereof, and approved by the Committee on Accounts, and the amount herein appropriated is to cover all expenditures of said committee of every nature in the final completion of its investigation and filing its report not later than January 3, 1941.

SEC. 2. That the official committee reporters may be used at all hearings held in the District of Columbia if not otherwise officially engaged.

SEC. 3. The head of each executive department is hereby requested to detail to said special committee such number of legal and expert assistants and investigators as said committee may from time to time deem necessary.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CALL OF PRIVATE CALENDAR

Mr. RAYBURN. Mr. Speaker, next Monday is the fifth Monday in the month, therefore it is neither unanimous-consent day nor District of Columbia day. I ask unanimous consent that it may be in order on Monday to call the omnibus claims bills on the Private Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

There was no objection.

EXTENSION OF REMARKS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by Judge Panken, of New York, on human rights.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SMITH of Connecticut. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief editorial from the Washington News on the subject of the Dies committee.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short letter on interlocking directorates, and in another extension of my remarks to include a speech on the Far East.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—ANNUAL REPORT OF THE GOVERNOR OF THE PANAMA CANAL FOR FISCAL YEAR 1939

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Merchant Marine and Fisheries:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the annual report of the Governor of the Panama Canal for the fiscal year ended June 30, 1939.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 25, 1940.

FURTHER MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—NINETIETH ANNUAL REPORT OF THE BOARD OF DIRECTORS OF THE PANAMA RAILROAD CO. FOR FISCAL YEAR 1939

The SPEAKER laid before the House the following further message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Merchant Marine and Fisheries:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the Ninetieth Annual Report of the Board of Directors of the Panama Railroad Co. for the fiscal year ended June 30, 1939.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 25, 1940.

EXTENSION OF REMARKS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a recent magazine article written by myself.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

URGENT DEFICIENCY APPROPRIATION BILL, 1940

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 8067) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1940, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 8067, with Mr. PATMAN in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. WOODRUM of Virginia. Mr. Chairman, the bill just presented is an urgency deficiency bill that contains two principal items which make it necessary to bring in this bill in advance of the regular first deficiency bill. One is an item of \$29,000,000 for the Ordnance Bureau of the Navy Department. The other is an item of \$29,300,000 for refunding internal-revenue collections.

The \$29,000,000 for the Ordnance Bureau is for the payments on armor, armament, ammunition, and guns for something over 100 naval vessels we have under construction. The method of handling this matter is that as this armor plate, guns, and equipment is fabricated and delivered to the Navy Department the Ordnance Bureau pays for it. The current rate of expenditure for this purpose is around \$5,000,000 or \$6,000,000 a month. On account of industry's getting under way and speeding up to some extent, these deliveries have been made a little faster than had been contemplated, and this accounts for the item of \$29,000,000.

The Budget estimate for it was \$31,000,000. After checking it over very carefully the committee felt that at the present rate of expenditure the \$29,000,000 would run the Bureau for the remainder of the current year.

The item for refund of internal-revenue collections is purely routine. There is nothing we can do about it. These refunds are the regularly adjudicated refunds of tax collections. A deficiency item is necessary for two reasons. One reason is that the Department has been making a greater effort to close up cases and to wind them up without so much delay. Also, as you know, we pay interest on these refunds whenever we pay them, and it is estimated now that it will run \$1,500,000 or \$2,000,000 a month on these refunds if we wait for the next deficiency bill.

In this bill also are items for the widows of deceased Members, with the exception of the late gentleman from New York, Mr. Sirovich. The committee had to get some information about his dependents before including that item, and it will come in the first deficiency bill.

There is an item of \$25,000 for the office of the Clerk of the House of Representatives. This is for the purpose of purchasing typewriters and typewriter desks for the Members due to the fact that an additional clerk was given each Member. The original estimate for this item was \$50,000, and this estimate was sent to the committee in the last session. The committee felt that an effort should be made to get along

without any expenditure for that purpose, if possible. The Clerk made that effort but was not able to do it. We were able, however, to cut the item in half, and we bring it in now as a \$25,000 item.

In the bill is also a small item changing the appropriation for the United States Constitutional Sesquicentennial Commission. This does not in any way affect the amount appropriated but merely allows a small additional amount to be used for clerical help.

In the bill also is an item which I hope will not be unduly offensive to the Members, as it provides them with stationery for this session of Congress.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Texas.

Mr. MAHON. I direct the attention of the gentleman to the last paragraph on page 2 of the report. I have not had an opportunity to read the hearings on this matter. I wish the gentleman would briefly explain that proposal regarding additional money for the subsidy for exportation of cotton. I wonder how much of the \$113,000,000 remains unexpended.

Mr. WOODRUM of Virginia. There is nothing in this bill for that.

Mr. MAHON. I know there is nothing in the bill for it, but how much of the \$113,000,000 remains?

Mr. WOODRUM of Virginia. On that point I shall have to yield to the gentleman from Missouri [Mr. CANNON], if he is here, or to someone who has the cotton figures. I do not know. I may say to the gentleman, however, that it was stated that they lack between \$9,000,000 and \$11,000,000 of having enough to pay the parity. The suggestion was made that the amount be taken out of the 1940 parity payments. Such a resolution was reported out of the committee. It is not in this bill, however. It has also been added to the defense bill in the Senate.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from New York.

Mr. TABER. I understand the cotton item that was allotted was \$14,000,000. I obtained this information from the gentleman from Georgia [Mr. TARVER]. They have currently spent \$3,000,000 or \$4,000,000 of that \$14,000,000. I think that is correct. That is only a recollection, however.

Mr. WOODRUM of Virginia. I thank the gentleman.

Mr. TABER. Mr. Chairman, I ask for recognition.

Mr. Chairman, this bill calls for \$29,000,000, approximately, for internal-revenue tax refunds, all of which will be required, according to the testimony of the Bureau of Internal Revenue, by the end of the current fiscal year.

It also calls for \$29,000,000 to cover payments that will be required to be made on ships that have already been laid down by the Navy pursuant to law.

The other items in the bill relating to the administration of the House are small and routine.

The item for arms, armament, and ammunition in the Navy is entirely in connection with the new ships, and there is nothing for laying down anything new. At the rate the money is being spent, this amount will be required by the end of the current fiscal year. They will be practically out of money by the 10th of February. The committee made a cut here of \$2,000,000, because it believed that, according to current rates of expenditure, they would be able to get along all right on that amount; but I do not believe a greater cut would be justified from the evidence.

Mr. PLUMLEY. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Vermont.

Mr. PLUMLEY. I would like to inquire whether the gentleman took into consideration the fact that the armament, armor, and ammunition makers are working to full capacity; and if that is true, there would be some question as to whether or not an additional Navy expansion program could be adopted.

Mr. TABER. Of course, we could not adopt a new expansion program. I think that all of these outfits are practically

working to capacity. However, the expenditures in the last couple of months have not been so great as they were in the earlier months of the fiscal year. They seem to be dropping off rather than rising.

Mr. LEWIS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Colorado.

Mr. LEWIS of Colorado. I notice an expression is used here, "replacement of naval vessels." Does that mean that this is work on the replacement of some of these ships?

Mr. TABER. It means ships that take the place of something else in the Navy that is already there. For instance, under the law, the way it stands now, a battleship is given a certain age, and when that age comes it is permissible to lay down, provided sufficient funds are available, a new battleship. A replacement program is that type of program rather than an increase in number of ships.

Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, I have been requested by Mr. Theodore H. Hoffmann, national chairman of the Steuben Society of America, composed of American citizens of German origin, all of whom are highly patriotic and believe in our representative and constitutional system of government, to place in the RECORD a certain resolution passed by that organization:

The following resolution was unanimously adopted by the national political committee of the Steuben Society of America:

"If it were at all possible to remove all of the Finns to America in a body this country would in all respects be the gainer. Like the Swedes, Norwegians, Danes, in short, all Scandinavians, who have come to these shores in the past, they would add their numbers to those of our best citizens.

"Dr. Paul Rohrbach, writing for the Staats-Herald, points out that there are no illiterates among the Finns. In Helsinki, a city of 300,000 inhabitants, there are more bookdealers than in any city of its size elsewhere. To purchase and read books is common with the Finn. Newspapers and books are found wherever the traveler goes, in the farthest village and hamlet in the Arctic regions.

"What stuff these people are made of is now being shown by their self-sacrificing fight in defense of their culture and homes.

"Americans divide on many problems, but think and feel as one in behalf of the gallant Finnish people.

"We express our sympathy with the Finnish people in their valiant struggle against Soviet imperialism, which, following in the footsteps of British and French imperialism, is applying the methods of the gangster to seize at the muzzle of the gun whatever it may desire to wrest from a weaker nation."

We would esteem it a favor if you can have this presented to the House of Representatives and inserted in the CONGRESSIONAL RECORD.

Thanking you in anticipation of this favor, we beg to remain,
Very sincerely yours,

THEODORE H. HOFFMANN.

I have another letter addressed to me, making somewhat the same request from the secretary of this organization. I have to confess I do not agree with that part of the letter which favors retaining our Ambassador at Moscow.

Our society wishes to go on record as favoring the retention of Lawrence A. Steinhardt, United States Ambassador to Russia, at his post rather than recall him in protest against the Soviet invasion of Finland, and we also favor the full resumption of diplomatic relations with Germany.

We agree with the statement issued by a number of peace organizations, among them being the Keep America Out of War Congress, World Peaceway, American Friends Service Committee, the Fellowship of Reconciliation, that such a course be taken and support the reasons underlying their recommendation that—

"A period of strained relations is precisely the time when the best possible representation is necessary in the respective capitals of nations between whom differences have arisen."

We would esteem it a favor if you would have this presented to the House of Representatives and recorded in the CONGRESSIONAL RECORD.

Thanking you in anticipation of this favor, we beg to remain,
Very sincerely yours,

F. W. MAYER, Secretary.

As I have stated previously, I am in favor of recalling our American Ambassador from Moscow and severing all diplomatic relations with Soviet Russia. This may seem somewhat inconsistent, but, on the other hand, I think one of the greatest mistakes and blunders made by this administration was not the recalling of our Ambassador from Germany a year ago last September—that, I agreed at the time, was a

moral protest against the persecution of certain groups of people in Germany—but I think our Ambassador should have been sent back when the French and British Ambassadors were returned to Germany last spring. It was a disastrous diplomatic blunder. Our Ambassador, Mr. Hugh Wilson, should have been there last August, when the peace of Europe hung in the balance, and our influence could have been used to maintain peace at that time. I am in favor of returning our Ambassador to Germany immediately, so that he can use his influence and represent our country in trying to bring back peaceful relations again in Europe.

Our chargé d'affaires, Mr. Alexander Kirk, an able and experienced diplomat, told me exactly the same thing last summer at Berlin, that we should have an American Ambassador there because he is unable to meet Von Ribbentrop, the German Foreign Minister, and consequently, we do not have the influence we are entitled to with the German foreign office and exert very little influence in helping to restore peaceful relations in Europe.

Mr. EATON. Mr. Chairman, will the gentleman yield?

Mr. FISH. I gladly yield to my distinguished colleague on the Foreign Affairs Committee, the gentleman from New Jersey.

Mr. EATON. I just wanted to ask the gentleman if he thought the presence of an American Ambassador in Germany in last August would have had the slightest effect on the course of events.

Mr. FISH. I will say to the gentleman I hope that an American Ambassador, representing the greatest and most powerful Nation in the world, will always have a great deal of influence in any capital in which he is located, in behalf of peace and the settlement of international dispute by arbitration, mediation, and peaceful methods.

Mr. EATON. How about Russia?

Mr. FISH. I do not claim our Ambassador could have positively prevented the war, but certainly it was our duty to try in every way we could to exercise our influence to prevent the European War before it broke out, and to stop it now.

I may seem inconsistent in saying I do not want an American Ambassador at Moscow, but I regard Soviet Russia as an unfriendly country and opposed recognition on that ground. I am still opposed to recognition which I believe had helped to open the floodgates of Communist propaganda in the United States, and I am against that type of foreign propaganda.

Mr. EATON. I cannot head the gentleman off in anything he has to say against Russia. I say "Amen" to that, but if the gentleman himself could not get peace while he was over there, how does he expect the Ambassador to do it? [Laughter and applause.]

Mr. FISH. I did my best to do it, and I promise the gentleman and the Congress that I will continue, as long as I am in Congress, to try to restore peaceful relations in Europe, and to end this war, because if it continues the only victor will be Communism and the spread of Communism throughout all of Europe. [Applause.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Chairman, I was very much interested in the colloquy between the gentleman from New York [Mr. FISH] and the gentleman from New Jersey [Mr. EATON]. The gentleman from New York is always consistent in his criticism of anything the present administration does. That is one thing upon which he can be accorded entire consistency. But when he says he endorses the withdrawing of our Ambassador to Germany for moral suasion or moral reason, and then thinks he ought to be sent back when conditions in that country have not changed, I doubt if I would debate with the gentleman upon that, except that I do not see that the conditions have changed. But in insisting that we return an Ambassador to Germany, a country whose government certainly I do not endorse, and severing diplomatic relations with Russia, it seems to me the gentleman reaches the point of highest inconsistency. Incidentally we still have our diplomatic relations with Germany, because our Embassy is open.

I think as little of the Russian Government and the people who are in control of it as anybody in the world. I doubt

if the Russian Government, as it is presently constituted, is enjoying having an American Ambassador in Moscow. I rather think we would play into their hands if we severed diplomatic relations. We have a listening post in Russia at least, and I am in favor of keeping it there. I cannot understand why it would help the United States one particle to sever diplomatic relations with Russia. We would have no way on earth of knowing about anything that went on in Russia. Let me repeat, being as much opposed to Communism as one could be, regretting the kind of government under which the Russian people must live, I do not think it is the part of diplomacy on the part of the United States to say, "We will not send an ambassador to a country, we will not retain an ambassador in a country, if we do not endorse the form of government they have."

Now, if we are going out to police the world in its policy and try to change the governments all over the earth that we do not endorse, then, of course, we can go into this kind of—well, I will not say "nonsense," but I can hardly think of a more fitting word to apply to it. We still have diplomatic relations with Germany.

Our Ambassador is not there, but the Embassy is still open. We still have diplomatic relations with Russia. We are informed of conditions in Russia, because we have an ambassador over there. As far as I am concerned, I cannot see how it would help the United States Government one iota to withdraw its Ambassador from Russia and sever diplomatic relations with Russia or anything of the sort, and as far as I am individually concerned—and I am speaking for myself alone—I am utterly opposed to any such procedure.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. RAYBURN. Yes; I yield if I have time.

Mr. WOODRUM of Virginia. I yield the gentleman 2 additional minutes.

Mr. FISH. Will the gentleman kindly explain to the House why we should have an Ambassador in Moscow and not one in Berlin?

Mr. RAYBURN. I cannot, but others in positions of responsibility in such matters may have good reasons.

Mr. BLOOM. Will the gentleman yield? I would like to answer that question, if I may.

Mr. RAYBURN. I yield to the gentleman from New York.

Mr. BLOOM. The reason we do not have an Ambassador in Berlin is that at one time they brought the Ambassador from Berlin over to this country and have kept him here ever since. Now, what has happened ever since in Berlin? There is a chargé d'affaires in Berlin, who today is taking care of the affairs of this Government which were formerly taken care of by two Ambassadors and two Ministers, namely, the Ambassador in Berlin, the Ambassador in Poland, the Minister in Austria, and the Minister in Czechoslovakia. But by not sending the Ambassador back to Berlin, this country is at a disadvantage, because the chargé d'affaires cannot deal with the chiefs of state. He must go to people of his rank. As the majority leader has stated, if you withdraw your Ambassador from Moscow today, that is different from sending an ambassador there or opening diplomatic relations, but if you withdraw your Ambassador from Moscow today, there is no way by which the United States can receive information which it is most necessary at this time for them to receive.

We had the same opportunity to withdraw our Ambassador from Japan when incidents occurred there, but we did not, and it would be a most serious matter at this time under conditions that exist in Europe for the United States Government to withdraw its Ambassador from any country in Europe.

Finland would in no way be strengthened if relations with the Soviet Government were to be broken off at this time, and the advocates of severance of relations with Soviet Russia who believe that such an act would help Finland are ill-advised. The President, as you know, during last December, in most forceful terms, gave expression of the attitude of the Government and the people of this country toward the invasion of

Finland by the Soviet Army. The President on that occasion issued the following statement:

The news of the Soviet naval and military bombings within Finnish territory has come as a profound shock to the Government and people of the United States. Despite efforts made to solve the dispute by peaceful methods, to which no reasonable objection could be offered, one power has chosen to resort to force of arms. It is tragic to see the policy of force spreading, and to realize that wanton disregard for law is still on the march. All peace-loving peoples in those nations that are still hoping for the continuance of relations throughout the world on the basis of law and order will unanimously condemn this new resort to military force as the arbiter of international differences.

It would be poor policy, indeed, to establish the principle that the maintenance of diplomatic relations with another government implies approval of the form of government of that country, or of the actions and policies of the government of that country. If that were the case, it would appear to be necessary to consider the advisability of discontinuing diplomatic relations with several other governments now pursuing policies and objectives which the Government and the people of the United States do not approve.

It is more necessary to have diplomatic relations with a foreign country during tense periods than it is in times of international harmony. This is particularly true under the conditions which exist today. In fact, the presence of ambassadors or ministers becomes more essential in these times for the protection of American citizens and property. It must be remembered, furthermore, that no other country has broken off diplomatic relations with Soviet Russia during this critical period. The British and the French Governments have not broken off diplomatic relations with Soviet Russia and have not withdrawn their ambassadors from Moscow.

It should be the policy of the United States to maintain peaceful relations with all countries throughout the world, and the breaking off of relations with Russia would not be in conformity with our policy to maintain such peaceful relations, because you must remember that when diplomatic relations are severed between other countries and the United States, we lose the opportunity to discuss and deal directly on questions that may arise. In this way the absence of official representatives in the capitals of other countries might lead to very unpleasant incidents. The President should always be in the position, should the occasion present itself, to be of assistance in furthering the aims of peace.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. BLOOM. I do not have control of the time.

Mr. RAYBURN. I yield.

Mr. FISH. After what the gentleman has said, I should think he would be very much in favor of sending an American Ambassador back to Berlin.

Mr. BLOOM. I do not say that I would agree to that, for the reason that a mistake was made by asking our Ambassador to come home and leaving a chargé d'affaires there. We have two very fine representatives there, Mr. Kirk and Mr. Patterson. If, however, we should send an ambassador back to Berlin and Berlin did not send an ambassador here, the United States would be placed in a most embarrassing position. We made a mistake there, but let us not repeat the mistake in Moscow or other countries.

[Here the gavel fell.]

The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1940, and for other purposes, namely:

LEGISLATIVE

HOUSE OF REPRESENTATIVES

To pay the widow of William A. Ashbrook, late a Representative from the State of Ohio, \$10,000.

To pay the widow of Chester C. Bolton, late a Representative from the State of Ohio, \$10,000.

To pay the widow of Edward W. Curley, late a Representative from the State of New York, \$10,000.

To pay the widow of George H. Heinke, late a Representative from the State of Nebraska, \$10,000.

To pay the widow of Santiago Iglesias, late a Resident Commissioner from Puerto Rico, \$10,000.

To pay the widow of Carl E. Mapes, late a Representative from the State of Michigan, \$10,000.

To pay the widow of John A. Martin, late a Representative from the State of Colorado, \$10,000.

To pay the daughter of Wallace E. Pierce, late a Representative from the State of New York, \$10,000.

To pay the widow of J. Will Taylor, late a Representative from the State of Tennessee, \$10,000.

The foregoing sums to be disbursed by the Sergeant at Arms of the House of Representatives.

Contingent expenses: For furniture and materials for repairs of same, exclusive of labor, tools, and machinery, for furniture and repair shops, fiscal year 1940, \$10,000.

For miscellaneous items, exclusive of salaries unless specifically ordered by the House of Representatives, including the same objects specified under this head in the Legislative Branch Appropriation Act, 1940, fiscal year 1940, \$15,000.

For stationery for Representatives, Delegates, and the Resident Commissioner from Puerto Rico, for the third session of the Seventy-sixth Congress, \$87,600.

EXECUTIVE

INDEPENDENT ESTABLISHMENTS

UNITED STATES CONSTITUTION SESQUICENTENNIAL COMMISSION

The portion of the appropriation for the Commission, contained in the Third Deficiency Appropriation Act, fiscal year 1939, which may be expended exclusively for personal services, is hereby increased from \$5,000 to \$7,500.

NAVY DEPARTMENT

REPLACEMENT OF NAVAL VESSELS

Armor, armament, and ammunition: For an additional amount toward the armor, armament, and ammunition for vessels heretofore authorized (and appropriated for in part), including the same objects and under the same conditions and limitations prescribed under this head in the Naval Appropriation Act for the fiscal year 1940, \$29,000,000, to continue available until expended.

TREASURY DEPARTMENT

BUREAU OF INTERNAL REVENUE

Refunding internal-revenue collections: For an additional amount for refunding internal-revenue collections, as provided by law, including the same objects and under the same conditions and limitations prescribed under this head in the Treasury Department Appropriation Act, 1940, fiscal year 1940, \$29,300,000.

Sec. 2. This act may be cited as the "Urgent Deficiency Appropriation Act, 1940".

Mr. WOODRUM of Virginia. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PATMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 8067, the first deficiency bill, 1940, had directed him to report the same back to the House with the recommendation that the bill do pass.

Mr. WOODRUM of Virginia. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time and passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein certain matter and a letter from the Secretary of State.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL, 1941

Mr. LUDLOW. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 8068) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1941, and for other purposes; and pending that I ask unanimous consent that general debate shall continue for 2 hours this afternoon, the time to be equally divided and controlled by the gentleman from New York and myself, at the end of which time the bill shall be read for amendment. Is this agreeable to the gentleman from New York?

Mr. TABER. I should think that would be all right.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8068, the Treasury-Post Office appropriation bill, 1941, with Mr. HOBBS in the chair.

Mr. LUDLOW. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. Chairman, I feel that the development of aviation in this Republic is one of the strongest indications of a progressive people. We are developing aviation from the standpoint of extending its benefits to the users of air mail, to the users of air express, to the individuals who patronize the air transports, and to the ever-growing private flying public. The Civil Aeronautics Authority is doing a splendid work to increase air travel and safety, coupled with needed supervision.

REAL SERVICE IS GIVEN

I congratulate the committee that brings this appropriation bill before us for continuing the program which is being carried forth by the Post Office Department in the experimental service which is now in effect in four States, namely, Delaware, Pennsylvania, West Virginia, and Ohio, in extending to the smaller or rural communities of this Nation the benefits of air-mail service. This has been brought about through the use of the automatic pick-up and delivery device which enables the plane carrying the mail to deposit that cargo and at the same time pick up another load of mail from any designated spot, the operation being performed by the plane while in flight and traveling at the rate of between 90 and 125 miles an hour. Ground equipment is simple in construction and operation. Two upright poles, each about 40 feet high, are set into concrete blocks 60 feet apart. A line connects the poles. The mail bag picked up is fastened to the center and held in a special plywood container.

At the present there are 58 communities in these 4 States, with a majority of the communities being in Pennsylvania and West Virginia, which are giving to the country a proving ground for what I believe will be one of the most noteworthy advancements in aviation that this country has seen. I feel that it might be interesting to the membership to know that the trunk lines serving the major cities in this country estimate that they stop their planes in cities approximately 150, 250, and sometimes 700 miles apart, whereas, through the service given by these experimental routes serving these smaller communities, 5, 10, 15, and 20 miles apart. There are 4,000 cities in this land with a population of over 5,000. Today only 210 cities, excluding the 58 pick-up towns, are served with air mail. There are 900 such cities that have airports constructed, but no air-mail service. I think it will be interesting and gratifying to watch in the coming months the further effectiveness of this device as a means of bringing the advantages of air mail not alone to these cities where the service is now being carried forward successfully, but I believe in the next few years it will be enlarged to serve 15, 20, or 25 States of the Union.

NO AIRPORT IS NEEDED

There are Members here who come from the mountainous districts where it is impossible to build airports, even if the communities in connection with the Federal Government had the funds; this automatic pick-up and delivery service can bring to those communities desired air-mail service, and soon perhaps a combination of passenger carrying with mail and express, using equipment suitable for smaller airports. The feeder service is surely coming.

I again congratulate the committee, working with the Post Office Department, in continuing this program, and I trust it will not be long until certificates of public convenience and necessity may be given by the Civil Aeronautics Authority so that this worth-while service may be considerably extended. I do not want to draw special attention of the Members to any material I have written. However, I have been intensely interested in this subject for many, many years and have today placed in the Appendix of the RECORD an article recently written by myself which fully explains the progress that has been made. Information contained therein may be of interest.

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield the gentleman 1 additional minute to make an observation.

Mr. Chairman, I think the country is indebted to the gentleman from West Virginia [Mr. RANDOLPH], one of the best friends of aviation in this country, for his very great interest in this subject and for the encouragement and stimulation which he has given to the experiment. I believe it is going to produce something worth while in our postal service in time to come. History will record that the gentleman from West Virginia [Mr. RANDOLPH] is the father of the pick-up and delivery service.

Mr. RANDOLPH. May I say in answer to the gentleman from Indiana [Mr. LUDLOW] that I deeply appreciate his gracious remarks. I have only cooperated with those who have believed in this service. Credit goes to the committee that handled the legislation and to the Members of this body who supported the necessary appropriations. In coming years no Member of this body will regret his support of the air-mail pick-up and delivery program, which I believe will extend its benefits to the people of America in a very short time. I again thank my friend from Indiana.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. DITTER].

Mr. DITTER. Mr. Chairman, the colloquy that we had earlier in the morning with reference to international affairs was a most interesting one. I was very happy that our distinguished majority leader took part in that colloquy.

I have great respect for the ability of our distinguished majority leader, and I am very fond of him. Usually his opinions and advice are sound. He struck a very forceful note this morning when he used the word "nonsense." I liked that word "nonsense." You will recall that he used that in connection with the reference which he made to policing the world. It is gratifying to have a distinguished majority leader such as we have, who has his feet on the ground, and I compliment him in the use of that word "nonsense," as some of us recall other phrases which have had authoritative background in connection with the position of the United States in world affairs.

Mr. Chairman, some of us cannot help but recall, for instance, that it has not been long since the word "quarantine" was a rather pertinent phrase and that the suggestion was made not only that we should police the world but that we should quarantine the world. It seems to me, if my memory serves me well, that the suggestion was made at another time that our frontier might be somewhere in France; in fact, I believe it was brought down to an exactness that it might be on the Rhine.

We are to be congratulated that the majority leader has his feet on the ground, that he does not endorse either the quarantining of nations or the frontiers in France, but that he refers so aptly, and, oh, with such forthrightness and forcefulness to the policy of policing the world as nonsense. We of the minority join with him in saying that we hope at all times his sound judgment, his deliberate thought, and his careful analysis may be a guiding force in these troublesome times in determining what America's position is to be in world affairs. [Applause.]

Mr. LUDLOW. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. PATMAN].

ENORMOUS GOLD SUPPLY

Mr. PATMAN. Mr. Chairman, I have the daily statement of the United States Treasury for January 22, 1940, which discloses that we have in gold—and I presume that all of it is buried in the mountain over at Fort Knox, Ky.—the enormous sum of \$17,842,210,073.36.

MONEY AND MONOPOLY

The question arises as to what we should do with that gold. To my mind, this administration has dealt with every major problem except two. I do not believe that we have in a satisfactory way dealt with two major fundamental problems: One is a national monetary system, which would involve this gold, and the other is monopoly.

In regard to this gold we are all familiar with the law that 40 cents in gold is sufficient as a reserve for the issuance of

\$1 in currency or credit—either credit money or actual money. We have always been told by the most conservative bankers and economists in America and in the world that a 40-percent gold reserve is always ample. In fact, England remained on the gold standard for 100 years with no more than a 10-percent gold reserve. So we are safe in assuming that 40-percent gold is certainly a sufficient amount.

If the administration had better control of this gold, our Nation could in a more satisfactory way deal not only with its Budget but with the national debt. We are paying this year \$1,100,000,000 interest on Government securities. I say to you it is absolutely foolish and wrong for the Government to pay interest on its own credit. It is not right. In fact, I will go further and say it is imbecilic for the Government to pay interest for the use of its own credit. Farmers and the unemployed are forced to take drastic cuts in appropriations, but no cuts for the bondholders.

GOVERNMENT SHOULD OWN THE 12 FEDERAL RESERVE BANKS

The way I have in mind to handle this gold is for the Government to take over the 12 Federal Reserve banks. Many people believe that the Federal Reserve banks belong to our Government now, but they do not. Our Government does not own one penny of stock in these banks. Originally it was contemplated that the Government would own some of this stock, but it has not so far acquired any. The stock in these banks only amounts to \$132,000,000, and it is owned by the private banks of the country. This forces us into the very odd situation of having the private banks of this country owning the bank of issue—the Federal Reserve banks—that use the Nation's credit absolutely without charge to promote their own interests. That is a situation we should not be in.

If the Government would pay the private banks the \$132,000,000 for this stock, the Government would own lock, stock, and barrel the entire Federal Reserve Banking System and this would remove the cloud from the title to this gold. There is more than enough money in the surplus of the 12 banks to pay the \$132,000,000 so the Government would not actually be out a penny.

GOVERNMENT CAN SAVE \$1,000,000,000 A YEAR IN INTEREST

There is no reason why anyone should have a cloud on the title of this gold, and that would remove it. This \$17,842,000,000 gold base is a sufficient amount to pay off the entire national debt of this country. I think it could be done, not quickly, not hurriedly, but eventually. If we will take over the 12 Federal Reserve banks and own them as the Government should, we can gradually acquire the entire national debt and save \$1,100,000,000 a year in interest. It is wrong for the Government to pay interest on its own credit, absolutely wrong, and it is not justified. I believe that is the best way to handle the gold situation.

GOOD PRICES AND GOOD WAGES

I think some people fail to consider the effect of money upon our entire economic life. I believe in order to have a prosperous country we must have good prices and good wages. There is only one way we can assure ourselves that we will have those two necessary things, and that is by having an ample supply of money and credit.

The demand deposits in the banks really represent the money of this country, not the actual bills or the silver. The bills and the silver represent only about 5 percent of the money in this Nation. The demand deposits in the banks represent our money. I know it is pencil-mark money, I know it does not actually exist, that it is a fiction, but nevertheless it is used just as well and just as effectively as actual money.

PER CAPITA MONEY BY STATES

If you will take the demand deposits in banks and divide them by States you will discover that the per capital deposits run all the way from \$500 plus in New York down to below \$30 in Mississippi and South Carolina; in other words, there are States in this Union that do not have more than \$25 per capita money in circulation in their States. If you will then consider the purchases made by people, food, apparel, general merchandise, and building materials, and other durable goods, also luxuries such as jewelry, you will discover that the

amount of these necessities and luxuries of life that are purchased by the people in these States has a direct relationship to the amount of money and credit that is available in these States. In a State where there is \$300 to \$400 per capita in circulation the people purchase more food, more clothing, more general merchandise, and more building materials, and even more jewelry than they do in a State having one-half of that amount.

Knowing this to be true, and knowing that our standard of living is determined largely by the amount of available credit, we should do something to give the people a necessary and sufficient circulating medium, and I believe the way to do it is through the ownership of the Federal Reserve Banks.

BLANKET MORTGAGES

It was never intended that the private banking institutions of this country should have the privilege of issuing blanket mortgages against the property of our citizens, a blanket mortgage against everything we own, and charging us interest for creating a mortgage upon our own property. It is not right, it is idiotic; and certainly the time will come one of these days in this country when this system will be changed.

I think the result of this change would be that we would have better prices for farmers. I believe it is necessary to bring back the farmer's purchasing power. I am sorry that more of the city Members do not realize more than they do the necessity for bringing back the buying power of the American farmer. Many of them realize it and they vote with the farmers all time time, not necessarily to help the farmers but to help themselves. Members who live in New York City and Boston and other places realize that we must help the farmer in order to have a market for the goods they manufacture. The last time we had under consideration in the House the question of parity payments, we won by a majority of eight, a very close vote. I want to appeal to the city Members to consider that question and consider the great weight it will have on the future prosperity of this country.

ORGANIZED CHARITIES IN CITIES

I know some question came up about relief and there was a difference of opinion among the Members about relief, but let me invite the attention of my good friends from the city to the fact that it will not help you to deprive the farmers of a decent standard of living, it will hurt you.

In this country today we have organized charities in the cities. The people are not going to starve in the cities, and the people of this Nation know it. When people who live in the country districts where they do not have organized charities get in distress and are turned off their farms they are eventually going to drift into the cities, and you will have that additional problem. You can provide for these people much better by keeping them on the land where they really want to live. It is in their interest; it is in the interest of the cities, and it is in the interest of this Nation that you do so. There is only one way you can keep them at home, and that is by giving them an opportunity to earn a livelihood for themselves and their families. It will take money, but not as much as it will take if they are forced to go on relief in the cities.

The saddest day the people of the cities will see in this country will be when all benefits are cut off from the farmers, because there is only one place for them to go, and that is to the nearest city where there is organized charity; and they will go from that city to a larger city, and then drift into Washington, New York, and Chicago, the largest cities of this country. So it is in the interest of the Members who reside in the cities to do something toward helping the farmers stay on the land, and helping them to make a living. All they are asking for is an opportunity to work and earn a sufficient amount to provide themselves with a decent standard of living.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. Mr. Chairman, I yield to the gentleman from Louisiana.

Mr. BROOKS. In my opinion, the gentleman is making a scholarly address. I hope every Member of the House reads it, and digests it very carefully. I believe the gentleman is absolutely correct with reference to the farmers. With 33,000,000 people in this country living on farms, we cannot hope

to have any semblance of prosperity unless the farm is prosperous.

Mr. PATMAN. I thank the gentleman for what he has said. He is exactly right about prosperity of the Nation depending upon the prosperity of the farmers.

MONOPOLY

Now, in regard to monopoly, the other problem, I think, is a serious one. The Federal Trade Commission has recently finished an inquiry into the motor-vehicle industry. This report, made by the Federal Trade Commission, is astounding; it is startling. It discloses that if one concern, General Motors, were to withdraw permission from competing manufacturers to use General Motors parts and patents, no automobile in America could be made—not one—not even by the Ford Motor Co., as they are made today. They are absolutely dependent upon that one concern for its parts and patents to make the cars that they are making and delivering at this time. You know that is too much of a monopolistic grip for one concern to have upon the automobile industry of this country, and it is not only in the automobile industry; it is in other lines of business, and it all comes back to the question of concentration of wealth in the hands of a few people.

SHARE PRIVILEGES AND OPPORTUNITIES

The people of this country are not asking for a division of wealth or to share the wealth. They are not asking for that, but they are asking for sharing the privileges and opportunities, giving them an opportunity to work and earn a livelihood for themselves and their families, and the people all over the Nation cannot do this if we permit a few people in one city to acquire all the privileges and opportunities and have all the money concentrated there.

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield the gentleman from Texas 5 additional minutes.

Mr. PATMAN. If we continue to allow a few people to drain the wealth of the country into one section, we are going to harm the country more. We thought when the Federal Reserve Act was passed in 1913 that that would cause a distribution of credit and money, but it has not caused a distribution of credit and money, and during the past 12 months there has been the greatest concentration of money into the hands of a few people, who own a few banks in one city, that has ever existed in the history of the entire Nation.

Did you know that 24 banks own one-third of the banking resources of the 15,000 banks in America? Well, that condition exists and a few men who are directors in those few banks have interlocking relationships with the large corporations which enable them to control 58 percent of the corporate wealth of the entire Nation.

Shall we permit this concentration to continue on as we have in the past and encourage and cause one State to have \$500 of per capita demand deposits, another \$400, and another \$300, while in other sections of the country where they actually produce the food and fiber to feed and clothe all the people of this country, they only have \$20 or \$25 per capita demand deposits, which represents the money or the circulating medium? That is an unequal situation; it is a situation that is not equitable and it is one that must be adjusted.

You take the book that was written by Dr. Webb, of Texas State University, *Divided We Stand*; that book discloses that a few concerns are draining the wealth from the South and from the West and other sections to northeastern centers, and by reason of that concentration these per capita demand deposits go up, but the per capita deposits in the towns and States where this wealth is drained from go down, which, of course, reduces the standard of living of the people in those sections in proportion. This situation will in the end harm the section of the country obtaining control of more than its part of such deposits.

I want to plead with the Members from the cities to give this question consideration. You cannot afford to fail to give the American farmer an opportunity to work for and earn a decent standard of living, and before this session is over I hope that we make adequate appropriations for the farmer,

not only to pay him, but to give him adequate purchasing power to help people in other classes and groups and in all sections of the country. [Applause.]

Mr. TABER. Mr. Chairman, I yield 8 minutes to the gentleman from Pennsylvania [Mr. GERLACH].

Mr. GERLACH. Mr. Chairman, on the subject of appropriations for the Post Office Department there is one postal item to which I wish to direct the attention of the Members of the House. This item is that paragraph reading:

Not more than three-fourths of the funds herein appropriated for the purchase of twine shall be expended in the purchase of twine manufactured from materials or commodities outside the United States.

This paragraph was inserted into the Post Office Department appropriation measure, passed by the first session of the Seventy-sixth Congress and is continued as a furtherance of the experiment in this present bill.

We have been told by the gentleman from Indiana that the use of cotton twine has proven itself equally serviceable with that of jute twine in this field. I say to you that this is a fallacy, for it has been brought to my attention by post-office employees in my home district that cotton twine stretches and, therefore, is not quite safe in tying up packages, and it also, in the course of stretching, cuts the hands of those using it. Thus, we may see that cotton twine is detrimental in two distinct ways.

It is true enough that we were shown on the floor of the House at the time this paragraph was first inserted into the post-offices' appropriations measure a new cotton twine guaranteed neither to stretch nor to cut the hands of the employees who used it. Yet each time the Post Office Department, in 1939, asked for bids on the new type of cotton twine on the basis of which this proviso was inserted, not a single bid was received. In fact, on each of the seven bids the postal authorities asked during the year 1939 for cotton twine on only three occasions were bids on cotton forthcoming. And all of these three were bids on the old-type cotton twine, which is the stretching, cutting kind.

Far more important than this, I say to you, is the fact that just such legislation as this is running the cost of our Government far above normal. This proviso caused the buying last year of 360,000,000 yards of cotton twine by the postal authorities, and this cotton twine cost the Government 159 percent more per million yards than did jute twine. This meant, in actual figures, an added expenditure of \$35,000 to the Post Office Department, a sum which was spent needlessly and might have been saved with the continued use of jute twine.

Some of you may say that the purpose of this purchase of cotton twine was to aid American industry. I say to you that I am sincere in my beliefs that our first thought is for American-grown and American-made products, and I will fight to see any wholly American product given preference over that of foreign competition. But such is not the case with cotton twine. The purchase of the 360,000,000 yards of cotton twine by the postal authorities at the added cost of \$35,000 showed no appreciable benefit to our cotton growers or cotton manufacturers. This amount of twine, figured in bales, would reach to about 720 bales net. Out of a 13,000,000-bale crop, this amounts to five one-thousandths of 1 percent. I fail to see where this small figure has done the cotton industry any great amount of good. At this figure the cost of using each bale was approximately \$48, or almost the equal of its value. This only serves to further illustrate that under these conditions it is an unsound economic policy to substitute cotton twine for the more serviceable jute twine used heretofore by the postal employees.

Mr. PACE. Mr. Chairman, will the gentleman yield?

Mr. GERLACH. I yield.

Mr. PACE. Is it not true that they did ask for two bids this year on jute?

Mr. GERLACH. That is correct. I called the Post Office Department Purchasing Agent and he told me that formerly they had always asked for one bid, but because of the proviso inserted at the last session of Congress, they were unable to receive bids on this new twine which the gentleman from

Georgia [Mr. PACE] presented on the floor of this House and for which there were no bids received. The proviso was that they should buy 25 percent cotton twine, and they were forced to ask for these additional bids. I questioned him with reference to the asking for these additional bids.

Mr. PACE. Will the gentleman yield further?

Mr. GERLACH. I yield.

Mr. PACE. I understood there had been two bids invited and accepted on cotton twine and two bids invited and accepted on jute twine during the fiscal year beginning last July 1.

Mr. GERLACH. The records that I have received show that they were unable to receive bids on this new twine that the gentleman from Georgia [Mr. PACE] showed Members of the House last year. That was the reason they gave for asking for these additional bids. That is why they have asked for these seven additional bids.

It has cost the American taxpayers not only \$35,000, but it has cost them another \$64,000 on account of asking for bids in June, September, October, and December.

Mr. PACE. Will the gentleman yield further?

Mr. GERLACH. I yield.

Mr. PACE. In order to make the RECORD complete, could the gentleman insert what it has cost on account of the "Buy American Act"? The law requires the use of American-made goods up to 25 percent. Can the gentleman tell the total that that has cost the Government? Certainly the gentleman favors that provision.

Mr. GERLACH. I favor the provision of buying American goods, certainly, but I do not favor a provision that is going to cost the taxpayers close to \$100,000 additional on a purchase of \$327,000. That is just what this amounts to. If you had just let me go ahead I would have explained that to you.

Mr. PACE. Pardon the interruption.

Mr. GERLACH. Another point in the inserting of this proviso which has cost our taxpayers an additional sum of money is the fact that, because of the need for purchasing cotton twine, the Post Office Department has been forced to depart from the business procedure of making one purchase of the amount of twine needed for the fiscal year, and last year had to ask for bids at seven different times. If the Post Office, as they had previously done, would have purchased their entire supply of jute twine in June of 1939, the price would have been 11.3 cents per pound for the total amount. Under this proviso, however, they had to divide the bids, and purchase jute again in September when the price per pound had risen to 15 cents, and for the third time in December when the price had risen to 18.3 cents per pound. Thus, by buying at these varied times rather than by one bid, the Post Office Department was forced to pay the additional 7 cents per pound in the cost of jute. This meant an additional cost of \$64,200 in the cost of jute borne by the postal authorities in the past year.

When you add this cost, which could have been saved except for the fact of the proviso which necessitates these varied bids, to the \$35,000 additional cost of the cotton twine, you will find that this legislation cost our Government, and so cost the taxpayer, the total of \$99,200, or almost \$100,000, just for the purpose of buying five one-thousandths of our 1939 total of 13,000,000 bales of cotton produced. I say to you that this is a horrible situation to find in a Government which is now preaching economy, and something should certainly be done to remedy it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TABER. I yield the gentleman 5 additional minutes, Mr. Chairman.

Mr. LUDLOW. Mr. Chairman, will the gentleman yield?

Mr. GERLACH. I yield.

Mr. LUDLOW. The gentleman referred to me a while ago and although I do not think he intended to do so, he left the impression that I had made an incorrect statement in saying that jute and cotton twine are equally serviceable. My authority for that statement is the Post Office Department which administers the law. I refer the gentleman to the

testimony on that subject and quote especially from the testimony of Fourth Assistant Postmaster General Purdum, at page 310 of the hearings. Mr. Purdum said:

I feel that we are getting a cotton twine that is entirely satisfactory for our particular use. In other words, I believe that cotton twine is as satisfactory as is jute twine for the Postal Service.

I do not know how there could be any more conclusive statement than that. I would like to say in behalf of our subcommittee, and certainly on behalf of myself, that we want to be entirely fair in this perennial controversy between jute and cotton, but we have here the very positive recommendation of the Post Office Department that for the time being this provision be not disturbed. They would like to go ahead with their experimentation. On page 311, Mr. Purdum says:

We are doing all right under the existing legislation recently enacted by the Congress in this connection.

And he advocates the continuance of it and points out that in the state of international relations existing at this time, there may come a time when the differential in cost will be wiped out, I believe he said in his testimony, because of the difficulty of getting jute into this country.

Now, with all these conditions prevailing as they are at present and with this experimentation only part way, we thought, without taking either side of the controversy, that certainly it was a reasonable course to allow this experimentation to go on for another year. By the end of that time we will no doubt know more definitely just what the situation is, and will be able to act in the light of the circumstances that may be developed at that time.

I thank the gentleman for allowing me to explain.

Mr. GERLACH. I want to say to the gentleman from Indiana, chairman of the subcommittee, that he has been very fair, and when he explained to the Members of the House that he believed that the experiment should be tried for another year, he was sincere. But I say to him on the records that I have before me, that on June 19, 1939, there were bids asked for 160,000 pounds of cotton twine. There was one bidder for the full amount. Again, in June 1939, there was a bid asked for 480,000 pounds of cotton or jute. There were no bids on the cotton. There was one bid on jute. There was a bid asked on September 18, 1939, on 200,000 pounds of new type cotton twine. No bids were received. Also on October 9, 1939, there was a bid asked for 40,000 pounds of the new type cotton twine, and again no bids were received.

Mr. PACE. Will the gentleman yield further?

Mr. GERLACH. Yes; I yield.

Mr. PACE. I know the gentleman wants to be fair.

Mr. GERLACH. Absolutely.

Mr. PACE. Is it not true that that was because the specifications at that time were not proper specifications for the cotton twine, but that in the meantime the Bureau of Standards and the Department of Agriculture at the request of the Post Office Department have worked out specifications for cotton twine which the Fourth Assistant Postmaster General says are just as good as jute, and now bids are being made and are available at any time they are invited.

Mr. GERLACH. I thank the gentleman for his contribution, but let me ask the gentleman, Is the cotton twine that has been furnished in the past year the same twine that the gentleman showed the Members of the House?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. DITTER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. PACE. I will be glad to reply to the gentleman. I cannot tell the gentleman, for this reason: In view of my interest on the floor, I have remained away from the Post Office Department to avoid any idea that somebody might think I was trying to sell twine to somebody. I do not know what twine they bought or whose it is or what it was.

Mr. GERLACH. My information is that it was the old style and not the style that the gentleman showed on the floor.

Let us remember that the manufacture of jute twine, along with other jute products, is an essentially American industry; and whereas the use of cotton twine by the postal authorities is so small an item to the cotton grower, the use of jute twine is a big item to the American jute manufacturer. It is true enough that the source of raw jute is in foreign lands, but I repeat that its manufacture is strictly and wholly American. Let us not, therefore, injure the industry and at the same time cause our Government an unnecessary additional expense of \$100,000, without benefit to anyone.

Let us remember also that in the use of the jute twine we are safeguarding that which must be tied in any manner, and safeguarding those who do the tying; for jute, unlike the cotton twine, does not stretch or cut. And at the same time we will not have to stretch our Budget, but we will be able to cut an unreasonable, undesirable expenditure of almost \$100,000.

In conclusion, in my judgment it will be well for this Congress to remember that more business in government and less government in business should be our watchword. [Applause.]

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. GERLACH. I yield.

Mr. DITTER. I think the gentleman has made a very splendid presentation of a matter of interest not only to his own constituency but to the country at large, and he is to be congratulated for the work he has done.

Mr. GERLACH. I thank the gentleman for his kind words. [Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield 20 minutes to the gentleman from Oklahoma [Mr. FERGUSON].

Mr. FERGUSON. Mr. Chairman, "the American market for the American farmer"; again that is becoming the battle cry of the Nation. It is the God-given right of the American farmer to sell every pound, every bushel, every quart, every ton of farm produce consumed in this country. [Applause.] I appreciate the applause because it proves that the chorus that is being sung and chanted over the entire Nation has a familiar ring; it has the same words and the same music that was played by the piper, Hoover, when he led the American farmers to believe in 1928 that a higher, and higher, and higher protective tariff on agricultural products would solve all the woes, all the financial distress, all the ills of the farmers of this country. The golden calf of 1928 leading the farmers out of the wilderness was the Hawley-Smoot tariff bill. By the time the glittering gold of the new idol was revealed to the Nation in 1930, the farmers realized that the promise to raise the rates on agricultural products alone had been broken—that rates on all the products that the farmers buy had been pushed to newer and dizzier heights.

Economists, too numerous to mention, have attributed to the Hawley-Smoot tariff and its prohibition of foreign trade the start of the downfall of world economies. The Democratic Party, pledged to a fair and equitable reduction of the tariff, put into operation a system of reciprocal-trade agreements granting trade concessions to those countries that agreed to take down barriers that had been erected in retaliation to the Hawley-Smoot tariff.

Mr. DITTER. Mr. Chairman, will the gentleman yield at that point?

Mr. FERGUSON. Mr. Chairman, I decline to yield.

In a world torn by war and bitterness, hatred, and armament exhaustion, reciprocal-trade agreements stand out as the only movement in the world—the only legal machinery—geared to bring peace, understanding, and prosperity between nations. I do not pretend to possess a knowledge of all the products, both agricultural and manufactured, that have been affected by the reciprocal-trade agreements. But, as a cattleman, I would like to discuss briefly the effect the agreements have had on that industry.

But let me pause here and take up the effect on other farm products. It is definite that the American farmer today has, and for the last 4 years under the reciprocal-trade agreements has had, 99 percent of the pork market; 99½ percent of the

market for all dairy products has been supplied by the American farmer, and 95 percent of the beef market has been supplied by the American beef producer, even when you consider canned corned beef and other canned-beef products. If you do not consider canned-beef products, which really should not be considered, the American farmers are supplying 97½ percent of the beef market for the Nation.

This week Mr. F. E. Mollin, secretary of the American National Livestock Association, appeared before the Ways and Means Committee armed with a resolution passed by the American National Livestock Association. This resolution reads:

Resolved, That we are definitely opposed to an extension of the Reciprocal Trade Act.

Mr. Mollin stated the American National Livestock Association has a membership of between 1,500 and 2,000 cattlemen. I will not question this statement but I seriously question that the cattlemen of the West wholeheartedly endorse the resolution opposing the continuation of the Trade Act and certainly I seriously contest the fact that Mr. Mollin represents the thoughts and convictions of a majority of the western cattle producers. Allow me to quote from Mr. Mollin in his statement before the committee:

But I do feel as far as all industry is concerned, the rates that we got under that tariff act

Referring to the Hawley-Smoot Act—

Were the most equitable we have ever had.

In other words, Mr. Mollin has put the American cattle raisers that he represents on record as, first, opposing the continuation of the reciprocal-trade treaties and, second, returning in toto to the rates of the old Hawley-Smoot tariff.

Let us see what has been done in regard to cattle under the trade treaties. Has the duty on live cattle been repealed? No. Has the duty on canned beef even been reduced? No. It still stands at 6 cents per pound. And right here let me digress a minute to talk about the President's famous statement when the Navy made a purchase of 45,000 pounds of canned corned beef from the Argentine Meat Producers Co-op. In the first place, 45,000 pounds of corned beef is about enough for two Sunday night suppers for the Navy. The purchase price for the Argentine beef was 9.73 cents per pound. The lowest domestic bid for a similar quantity was 23.61 cents per pound. This meant a net saving on two meals for the Navy of \$6,246. But regardless of the economy involved, many people held up their hands in horror because the President said Argentine canned corned beef is better. The truth of the matter is their canned corned beef is better.

It is better for the very good reason that because of the great surplus of beef raised in the Argentine they are able to take the choice cuts, the loins, and the ribs, the very finest pieces of beef and make it into corned beef, place it in cans, and send it to this country. I hope the day never comes when beef becomes so cheap in this country that we can afford to put those choice cuts into cans and sell them at the price Argentine corned beef sells for in this country, which is about 15 to 20 cents per pound. The choice cuts of beef in this country today sell for about 65 cents per pound, as you will find by going to the corner grocery. They cannot put beef of that quality into cans and sell it in competition with the Argentine product. Argentine corned beef is actually a noncompetitive product. People do not go on a corned beef diet. One has corned beef once or twice a month. It is more or less of a delicacy. The only beef that the American packer puts into cans is that cheap grade of canners' cows, which certainly does not make a very edible product. If there is such a thing as a noncompetitive agricultural product, certainly South American canned beef belongs in that category. To me the fanfare, the beating of breasts, the tearing of hair, the lamentations of all those who accused the President of selling the farmer down the river for South American friendship, is a smoke screen. A smoke screen to hide the real intent and purpose of those who oppose all reciprocal-trade treaties, all farm programs, and wish

to again bamboozle the farmer with the old shell game practiced for years by the Republican Party. The shell game that kept the farmer looking for the pea under the shell that would bring him actual farm relief. The label on every shell the farmer looked under was the high protective tariff.

I am sorry to have digressed and I want to return to what has happened to the cattleman under the reciprocal-trade treaty. First, let me explode a popular misconception. The importation of dressed and chilled beef is not under consideration in any trade treaty. The sanitary pact with the Argentine prohibits the importation of any fresh beef. This sanitary pact which prohibits the importation of dressed beef cannot be repealed in a reciprocal-trade treaty. It is subject to revision by the United States Senate only.

Regarding the importation of dressed beef about which you have heard so much, and to show what the situation is, I want to read a letter I received today from Secretary of State Cordell Hull, and I call attention particularly to the last paragraph of the letter. The letter reads as follows:

DEPARTMENT OF STATE,
Washington, January 25, 1940.

The Honorable PHIL FERGUSON,
House of Representatives.

MY DEAR MR. FERGUSON: I have received your letter of January 22, 1940, and I am pleased to confirm your impression that there is no relationship between the proposed Sanitary Convention with Argentina and trade agreements.

No trade agreement entered into with any foreign country has affected or in any way relaxed the laws governing sanitary regulations and inspection of food products imported into the United States. As a matter of fact, it is customary to include in trade agreements a provision making clear that sanitary measures are not affected. For example, article XII of the present trade agreement with Canada reads in part as follows:

"2. Subject to the requirement that, under like circumstances and conditions, there shall be no arbitrary discrimination by either country against articles the growth, produce or manufacture of the other country in favor of the like articles the growth, produce or manufacture of any other foreign country, the provisions of this agreement shall not extend to prohibitions or restrictions * * *
"(b) designed to protect human, animal or plant health or life * * *"

Substantially similar provisions are included in other trade agreements.

In response to your question concerning chilled and frozen beef, no concession has been granted on these products in any trade agreement so far concluded nor is any concession under consideration.

Sincerely yours,

CORDELL HULL.

So all the conversation dealing with the importation of chilled fresh beef depressing our market is out of the window, it is not under consideration, nor has any reduction in the duty or any privileges been extended to fresh or chilled beef.

We have taken chilled and dressed beef out of the picture. Canned beef is not competitive because we cannot commence to produce it as cheap as South America. It pays a 6-cent duty. Fresh beef is not now and cannot be considered in a trade treaty. This limits our consideration to the importation of live cattle.

Under the Canadian treaty, considering the lowest tariff of 1½ cents per pound on a limited quota of 225,000 cattle, we still have in effect a stiff duty. To show you how figures may be twisted to prove a point, to prove the old adage, "The devil can quote scripture for his purpose," I can tell you that the imports of cattle have increased from 392,000 in 1936 to 716,000 in 1939. If I stopped there you would reasonably assume that all this increase of cattle came into the United States because of the reduced tariff rate. The truth of the matter is that of the 716,000 that came into this country in 1939, 398,000 paid the full tariff rate of 1930, 2½ cents per pound. The balance paid the rate of from 1½ cents to 2 cents. I want to make this statement, that under the reduced tariff this country still has one of the highest tariffs on cattle in the world. Certainly the tariff on all grades would figure at least 25 percent on an ad valorem basis. Let us see what the tariff has been on the class that come in under the reduced rate of 1½ cents. In 1936, these cattle paid a tariff of \$19.21 per head; in 1937, \$19.68 per head; in 1938, \$18.96 per head; and in 1939, \$14.54 per head; between \$15 and \$20 per head duty paid at the reduced rate. Certainly only a very healthy domestic-cattle market would

make it profitable for these cattle to pay this duty and come into this country. The margin is very narrow and certainly a slight reduction in our domestic market would make it unprofitable to ship cattle into the United States. The quota which limits the importation at 1½ cents to 225,000 cattle adequately protects this Nation from an influx of cattle that would break our market. No more than 60,000 can come in in any 3-month period. Our market can always assimilate this number. In regard to the cattle that come in at the old 1930 rate of 2½ cents per pound, the class of cattle weighing between 200 and 700 pounds, none of these cattle come in for slaughter. They are hauled in on American railroads, grazed on American pastures, fed American grain. In reality they are the raw material from which beef is made. They pay American taxes and can come in under this heavy duty of 2½ cents per pound only when the American cattle industry is prosperous.

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. FERGUSON. I yield.

Mr. COFFEE of Nebraska. Is it not a fact that the American National Livestock Association resolution read that they were opposed to the extension of the reciprocal-trade agreement unless it contained a provision for Senate ratification?

Mr. FERGUSON. No; not at all.

The resolution reads:

Resolved, That we are definitely opposed to an extension of the Reciprocal Trade Agreements Act; and (b) that, if said act is extended, it be only on the condition that all new agreements thereunder and extensions of existing agreements be ratified by the Senate in the manner provided by the Constitution.

I refuse to yield further. I have to finish this.

Mr. DITTER. Mr. Chairman, the gentleman is making an excellent speech and I wish the gentleman would yield to me so that I might aid him. Will he yield for a question?

Mr. FERGUSON. I decline to yield.

These stock cattle in the class between 200 and 700 pounds pay an average duty of \$10 per head. In many cases, this represents a duty of 100 percent. Cattle imported into the United States since January 1, 1936, have paid an aggregate duty of \$23,600,000 on a total of 1,900,000 cattle, over \$10 per head considering all classes. Cattle are not exactly on the free list.

I wish to insert at this point in the RECORD a table showing the duty paid on various classes of cattle, as follows:

This table shows:

First. Imports of beef cattle, since the first trade agreement with Canada went into effect January 1, 1936, have paid tariffs averaging \$5,906,424 a year and totaling \$23,625,698 in that period.

Second. The reduced tariff rates applicable to the annual quota—225,000 head—of cattle weighing more than 700 pounds each, has resulted in a duty ranging from \$14.22 per head in 1938 to \$19.21 per head in 1936. The reduced tariff rates applicable to the annual quota—100,000 head—of calves has resulted in a duty that has ranged from \$2.21 per head in 1937 to \$2.52 per head in the first 11 months of 1939.

Third. In 1937, 1938, and 1939 more cattle paid the tariff rates fixed in the Tariff Act of 1930 than have been imported at tariff rates reduced under trade agreements.

Fourth. The class of cattle showing the greatest increase in imports—cattle weighing from 175 pounds—200 pounds in 1939 to 700 pounds—has not had its tariff rate reduced in any trade agreement.

Number and weight of beef cattle imported into the United States and duties collected thereon, in periods specified

	1936	1937	1938	Jan.-Nov. 1939
Beef-cattle imports of all classes:				
Number.....	392,424	488,221	416,885	716,960
Weight (1,000 pounds).....	229,337	278,182	223,453	388,506
Duty collected.....	\$4,949,001	\$6,295,561	\$4,914,154	\$7,466,982
Beef cattle imported at tariff rates reduced under trade agreements:				
Number.....	200,814	203,050	173,054	318,034
Weight (1,000 pounds).....	153,792	154,690	126,004	228,056
Duty collected.....	\$3,040,283	\$3,053,347	\$2,484,263	\$3,420,840
Beef cattle imported at 1930 Tariff Act rates:				
Number.....	191,610	285,171	243,831	398,925
Weight (1,000 pounds).....	75,545	123,522	97,449	160,450
Duty collected.....	\$1,908,718	\$3,242,214	\$2,429,891	\$4,046,142

Number and weight of beef cattle imported into the United States and duties collected thereon, in periods specified—Continued

	1936	1937	1938	Jan.-Nov. 1939
Cattle weighing less than 700 pounds and more than 175 pounds in 1936-38, 200 pounds in 1939 (no tariff rates on this class have been changed; 1939. Tariff Act rate, 2½ cents per pound):				
Number.....	176,237	223,837	243,831	377,938
Weight (1,000 pounds).....	68,419	86,751	97,449	151,320
Average duty per head.....	\$9.66	\$9.61	\$9.96	\$10.01
Duty collected.....	\$1,702,091	\$2,161,007	\$2,429,891	\$3,782,999
Calves (weighing 175 pounds or less in 1936-38 and 200 pounds or less in 1939):				
Imported at trade-agreement tariff rate, 1½ cents per pound:				
Number.....	48,081	53,987	47,708	100,000
Weight (1,000 pounds).....	7,110	7,969	7,166	16,775
Average duty per head.....	\$2.22	\$2.21	\$2.25	\$2.52
Duty collected.....	\$106,650	\$119,528	\$107,494	\$261,626
Imported at 1930 Tariff Act rate, 2½ cents per pound:				
Number.....	9,233	28,065	-----	13,989
Weight (1,000 pounds).....	1,430	4,388	-----	2,347
Average duty per head.....	\$3.87	\$3.91	-----	\$4.27
Duty collected.....	\$35,731	\$109,704	-----	\$59,667
Total calves:				
Number.....	57,314	82,052	47,708	113,989
Weight (1,000 pounds).....	8,540	12,357	7,166	19,122
Average duty per head.....	\$2.48	\$2.79	\$2.25	\$2.73
Duty collected.....	\$142,389	\$229,232	\$107,494	\$311,293
Cattle weighing 700 pounds or more:				
Total:				
Number.....	158,873	182,332	125,346	225,033
Weight.....	152,378	179,074	118,838	218,063
Average duty per head.....	\$19.54	\$21.42	\$18.96	\$15.00
Duty collected.....	\$3,104,521	\$3,905,332	\$2,376,769	3,372,690
Imported at trade-agreement tariff rates (2 cents per pound in 1936-38; 1½ cents in 1939):				
Number.....	152,729	149,063	126,346	218,034
Weight.....	146,681	146,091	118,838	211,281
Average duty per head.....	\$19.21	\$19.68	\$18.96	\$14.54
Duty collected.....	\$2,933,625	\$2,933,819	\$2,376,969	\$3,169,214
Imported at 1930 Tariff Act rate (3 cents per pound):				
Number.....	6,144	33,269	-----	6,999
Weight.....	5,697	32,383	-----	6,783
Average duty per head.....	\$27.81	\$26.19	-----	\$29.07
Duty collected.....	\$170,896	\$971,503	-----	\$203,476

I can say without fear of contradiction that the increased consumption of beef has more than taken care of the entire importations of beef. Since 1932 the per capita consumption in the United States on beef has increased from 42 to 54 pounds. Taking 10 pounds per person on 120,000,000 people would be 1,200,000,000 pounds increase in the consumption of beef since 1932. The greatest importation of beef has occurred this year and, considering dressed beef and canned beef this year, you have an importation of some 476,000,000 pounds of beef.

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. FERGUSON. Mr. Chairman, the cattlemen feel like they have already made their concessions. I am not advocating any new concessions, but I do feel we should now have the privilege of enjoying the increased consumption of beef caused by new industrial activities. I know a majority of the farmers, a majority of the cattlemen, are not ready to join Mr. Mollin in his Republican doctrine of defeating reciprocal-trade treaties and returning to the Hawley-Smoot tariff of 1930. The cattlemen have made their concessions. We are now in a position to benefit from increased trade, which means more wage earners, which means greater consumption of beef, which means continued good prices for our beef products.

Certainly no thinking man who has enjoyed the prosperity of the cattle business the last 4 years wants to trade cheap money, industrial activity, high beef consumption, sound banks, restored ranges, ponds, lakes, and water development, all the many blessings that the cattlemen have enjoyed, which is reflected in the bank balances of the man engaged in the cattle business, for that golden calf, that mess of pottage, the Hawley-Smoot tariff that Mr. Mollin would have us substitute, for all the efforts that have been made on behalf of the farmer and cattlemen by this administration.

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. SHANNON].

Mr. SHANNON. Mr. Chairman, on yesterday the gentleman from Connecticut [Mr. MILLER] made an address in this House in which he urged that at least half of the first-day Mark Twain commemorative stamps should go on sale in Hartford, Conn., instead of Hannibal, Mo. I got to thinking about Mark Twain—which took me a long way back—and the conclusion I came to was that Connecticut should have all the Mark Twain stamps.

Samuel Langhorne Clemens was born in the village of Florida, Monroe County, Mo. Monroe County adjoins Ralls and Marion Counties, and he later lived in Hannibal, in Marion County. In those three counties of Monroe, Ralls, and Marion, lived the most rugged and substantial citizens of Missouri in the period immediately preceding and during the Civil War. They were largely natives of Virginia, Kentucky, and Tennessee, who had come to Missouri to make their homes.

MISSOURI A BORDER STATE

Missouri was a border State during the War between the States. It produced great characters. General Grant was a resident of St. Louis prior to the commencement of the conflict. General Sherman likewise was a resident of St. Louis before the war, as well as after the war. The great Frank Blair, a Kentuckian by birth, also lived in St. Louis at that time. St. Louis was about 100 miles distant from the counties of Monroe, Ralls, and Marion. The feeling was very tense in Missouri in those days. The partisans on both sides treated the involvement most seriously, and their actions and words bespoke their candor and sincerity.

COL. LOUIS H. WATERS

I can best illustrate the type of Missourian who took part in the Civil War by recounting an anecdote concerning Col. Louis H. Waters, a great lawyer and a fine soldier, who served on the Union side. Colonel Waters never hesitated to speak his sentiments. Most of the men of his day are dead and gone, but he typified the group that Mark Twain associated with a little bit during the war. Whether they were Confederate or Union soldiers, they were sincere in their convictions, they were fearless, and they were plain-spoken.

Colonel Waters had been a soldier under General Harrison, who afterward became President of the United States. On a visit to Washington the Colonel called at the White House. A secretary who knew him ushered him into President Harrison's presence. When he went into the room the President was writing—and he continued to write. The secretary announced, "Mr. President, Colonel Waters, one of your old soldiers, is here to see you." The President, without looking up and still continuing to write, said, "Well, what do you want?"

Colonel Waters, mindful of the respect due the holder of the highest office of the land, very politely backed away from the President at this curt inquiry. As he backed he said, "I want nothing, sir. Nothing, sir. Not a thing, sir. Not a single thing." Then just as he got close to the door, true to being a real Missourian, he added, "Not a ——— thing at your hands."

Now, that was the type of man and soldier that came from Missouri on both sides of the War between the States. You will see in a moment why I am getting to Mark Twain in this roundabout way. I want to illustrate plainly that he was not of the same kidney as real Missourians.

HENRY NEWMAN

Just one other illustration. At Huntsville, a town in central Missouri, there lived a rugged noble soul by the name of Henry Newman. He served as a soldier in the Civil War on the southern side. At times he was a bit willful, especially if he had taken a drink. It once fell to him, in the later years of his life, to introduce the speaker of the evening at a Democratic rally. The speaker he was to introduce was a very eminent man who had held most of the high offices in the State of Missouri, and who had represented his congress-

sional district in the National House of Representatives. He was a high-class gentleman and a polished orator.

Henry took the platform, and he said this:

Ladies and gentlemen, it is my pleasure tonight to present the speaker of the evening. It is a double pleasure for me to introduce him to you. First, he is a member of my political party; and second, he served on the same side I did in the War between the States.

As you all know, I am a Tennessean by birth. You also know that I served 4 years with the Tennessee contingent of the Confederate Army. The gentleman I am going to present to you as tonight's speaker likewise served on the Confederate side. He belonged to what was known as the Home Guards in Missouri and served with a group in his home county, Sullivan, who pledged themselves not to leave the county unless the enemy came. He served 4 years in Sullivan County.

The distinguished citizen never again permitted a speaker to introduce him without first knowing what he was going to say about him.

If there was one thing that a fighting man disliked, it was the so-called Home Guard who did no active service. I asked Henry after the meeting why he had embarrassed our friend in that way. He said it was on impulse. "You know," he said, "we hate the fellows who gave lip service without taking active part." That was the feeling of all who were involved on both sides.

MARK TWAIN AS A SOLDIER

As I listened to the address yesterday by the gentleman from Connecticut I could not help but think of Mark Twain in connection with his service as a soldier during the Civil War.

Mark Twain ridiculed everything and everybody. One of the special objects of his derision was religion. As a young man he was a sort of a tramp printer, going about from place to place. When the call to arms came, he was living in Hannibal. Col. Jack Burbridge, of Pike County, organized the Confederate forces in that portion of Missouri. A meeting was held at Hannibal for the purpose of enlisting men to fight for the Confederacy. The colonel took charge of the meeting, which was well attended. Among those who were there on that night was Mark Twain. Mark joined the forces and became a lieutenant.

His company had no sooner organized, however, when a fighting Kentucky Democrat, Frank P. Blair, whose brother, Montgomery Blair, was the Postmaster General in Lincoln's Cabinet, organized four regiments in eastern Missouri, composed largely of the German population of St. Louis, and offered these regiments to the Union cause. These soldiers gave contest to Colonel Burbridge and his forces in northern Missouri. Colonel Burbridge met them, and so did Mark Twain—for a few moments only. Mark Twain met them; and, as someone said, a Minié ball came whizzing past his ears, and he started running. He ran; and, oh, how fast he did run. He never stopped until he got to Keokuk, Iowa. Colonel Burbridge fought 4 years in the Southern Army; Mark Twain about 4 minutes.

New London, Ralls County, Mo., was where Mark Twain took the oath of allegiance to the Confederacy. New London, Ralls County, Mo., was where he deserted. He was 26 years old when he took the oath. He was 26 years old when he deserted. It was all done in the year of our Lord 1861. "He walked right in, turned around, and he walked right out again."

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. SHANNON. I yield to the gentleman from Connecticut.

Mr. MILLER. I take it the gentleman from Missouri would be just as well satisfied if the Mark Twain commemorative stamp were put on sale elsewhere?

Mr. SHANNON. Yes.

Mr. MILLER. I hope the gentleman will make his sentiments known to the Postmaster General. It might help.

Mr. SHANNON. Mark Twain reached Keokuk; and when he reached there, as he said afterward, he met an old lady who was an abolitionist, and she convinced him that that was the right side. Notwithstanding that he was convinced, he did not enter the ranks of the other side, you understand; he

knew he might be shot on the other side just as well. So he continued on his marathon race until he got to Virginia City, Nev., where he was safe from any attack of any kind whatsoever. And there he stayed until the war ended—until a year and a half after the war ended. He was taking no chances. He wanted to be sure the war was over for good—no resumption.

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, the gentleman is making a most interesting address. I yield him 5 additional minutes.

Mr. SHANNON. These men I speak of—these contemporaries of Mark Twain—I knew. They were the salt of Missouri. They were the salt of the Democratic Party. They never flinched anywhere. Mark Twain not only flinched; he ran—fast and furious. When the test came he was a dismal failure as a belligerent. I am pleased at this opportunity to speak about Mark Twain's war record.

CONFEDERATES RE-FORM DEMOCRATIC PARTY

After the war was over those faithful Burbridge soldiers of the Confederacy came back home, and under the leadership of Frank P. Blair, a Union man—they were all Democrats—re-formed the Democratic Party and they continued as such.

Let me read from Edgar Lee Masters' Mark Twain:

He had no real political principles. If he had, he would never have joined the Confederate Army and deserted from it.

The Missouri boys who enlisted with him in the Confederate Army could in time overlook his becoming a deserter. They could overlook his becoming a Republican. Edgar Lee Masters records that after Twain moved to Hartford he became a Tory; even that they could overlook. His "desouthernizing" himself, that too they could overlook. But it was too much to ask that they forget or forgive that Mark Twain, Missouri-born of a Virginia father and a Kentucky mother, consorted with those who laid the heavy and brutal hand of the oppressor upon the southern people in the days of reconstruction. That, they could not forget. That, they could never forgive.

This is the man whom this Nation intends to honor by putting his likeness on a stamp.

In conclusion, let me cite what my good friend, Capt. Billy Ely, company commander of the Burbridge Brigade, and a close and intimate friend of the late Champ Clark—a man among men—said in reply to Mark Twain's bit of sarcasm:

When I withdrew from those Missouri "Bumpkins and Rustics," the Confederacy fell.

Captain Ely said in reply with all the dignity of a soldier:

We went to war. We remained at war for 4 years. We came back home. I can say to my fellow Missourians that we had but one coward in our whole group, and his name was Samuel L. Clemens.

[Here the gavel fell.]

[Applause.]

Mr. DITTER. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. SMITH].

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. BENDER. Mr. Chairman, I ask unanimous consent to extend my own remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SMITH of Ohio. Mr. Chairman, now that the American people are finally beginning to awaken to a realization of the serious part that our muddled money and finances are playing in this economic distress, I think it behooves every Member of Congress to do everything he can to aid and encourage the dissemination of information relating to this problem.

From the testimony given by Mr. Morgenthau, Secretary of the Treasury, before the subcommittee of the Committee on Appropriations, it is evident the administration wants the debt limit raised to \$50,000,000,000.

The gentleman from West Virginia [Mr. JOHNSON] asked this question of the Secretary of the Treasury:

Mr. JOHNSON of West Virginia. Do you care to express an opinion as to whether or not you think it advisable to go beyond the \$45,000,000,000 limit? I mean so far as the Appropriations Committee is concerned.

Secretary MORGENTHAU. Yes; I think it should be raised to \$50,000,000,000.

Mr. LUDLOW. Is that your idea of the ultimate debt limit?

Secretary MORGENTHAU. No.

Mr. LUDLOW. Do you think that the obligations might even go higher than that?

Secretary MORGENTHAU. Anything might happen, and if it was up to me I would recommend, and am willing to say so, that the debt limit should be raised to \$50,000,000,000.

Mr. McLEOD. Beyond \$50,000,000,000 would you say it would be a dangerous limit?

Secretary MORGENTHAU. I would consider that as we went along. Say, at \$49,000,000,000 I would take another look at it.

Mr. McLEOD. By danger, do you mean that it would naturally be followed by unlimited inflation? Would you be afraid that inflation would follow? Beyond \$50,000,000,000 would there be a danger of inflation?

Secretary MORGENTHAU. I am willing to say now, gentlemen, that there is no particular danger involved if Congress would raise the debt limit to \$50,000,000,000. Beyond that I would not venture an opinion.

Of course, the fact is that Secretary Morgenthau has no more idea where the danger point is than the man on the street. These things are entirely unknown and will only be comprehended when the fateful time comes and everybody realizes that confidence in our credit is gone.

From this it is clear that the administration wants another raise of the debt limit; this time of \$5,000,000,000.

Under the present bookkeeping policies of the Treasury, that amount would perhaps be sufficient to keep the people chloroformed for about another year.

Should there be any doubt in anyone's mind that our Federal expenditures are now out of control? After 10 years of unremitting extraordinarily heavy annual deficits such as no peacetime, free nation that I know of ever experienced, why should it not be sun-clear to everybody that these expenditures are now out of control?

The American people had better wake up, and that quickly, to a realization of this danger. Too long already we have permitted ourselves to be narcotized with the false hope that somehow and somewhere the Budget will be balanced and all will be well. That medicine will not relieve our pains much longer. The hard realities of our political follies and messing are now upon us. The limit of political tampering with the inexorable natural laws of economy, without doing mortal violence to it, has certainly been reached.

It is only by facing the hard reality of our situation that there is any hope whatever of checking the danger and averting something far worse than we have yet experienced.

All about us there is evidence of such a nature and in such volume that even the most blind should be able to see. The appropriation measure before us carries an item of \$500,000 for transportation of bullion and coin, which brings up the gold-buying program. Mark Sullivan, in his column in the Washington Post of January 25, calls it "the golden elephant"—"the Fort Knox folly." I do not know what he means by a "golden elephant" and by "folly." In themselves those terms hardly express the effects this gold-buying program is having upon our economy. No one, of course, can know all these effects, because, as Mr. Sullivan says, no nation ever did a thing of this kind before, so that we have no experience to judge from.

I should like to have the gentleman from Oklahoma [Mr. FERGUSON], who made an eloquent talk here on reciprocal-trade treaties, listen to this:

But a few things we can figure out. It is certain that the nine or ten billions of gold we received from foreigners in the last 6 years represents that amount of labor, services, and goods that the people of the United States have given away to foreigners, for which they have up to now received not a dime's worth of value. Only when and if this hoard is exported will our people receive any real pay for the things they have exported for this gold.

Considering the fact that we have paid an artificially high price for it and that we can never export it without harm to our own markets, the picture looks pretty dreary.

Is it really supposed that the American people can give away all these billions of dollars worth of goods and not harm our economy?

Take the interest the Government is losing on the \$2,000,000,000 stabilization fund alone. At 4¼ percent, the rate being paid on some of the Government bonds, we have lost over \$500,000,000 since the creation of this monstrosity.

Yet the gold-buying program goes merrily on. And the \$2,000,000,000 stabilization fund, which is used in utter violation of the purpose for which the law created it, is being continued. The law specifically provides that it is to be used to stabilize the exchange value of the dollar. It has never been used for that purpose, and could not be. It is being used to bolster the currency and economy of other nations, and for nothing else.

Perhaps one of the most fallacious beliefs that ever gripped the minds of any legislative body is that the Government can, by legislation, create purchasing power. This belief underlies the continual creation of heavy Federal deficits. There is not a scintilla of evidence that a dime's worth of purchasing power has been created by the Federal Government in the last 10 years. The word "create," according to the dictionary, means "to bring into being; to cause to exist." Where can it be shown that any purchasing power has actually been created?

This fallacy is identical with the one that the Government can create money by stamping something on bits of paper. Indeed, that is precisely, in the final analysis, what is taking place now. The Government is merely coining credit or debt, which is the same thing as the printing of money. In substance, the credit created by the heavy Government borrowing is the same as the continental bills of credit, the French assignats, and the John Law money.

The same thing is happening to us that happened to the French and our colonists in their use of irredeemable paper. No new purchasing power is created whatever, but only the savings and capital of the people are being consumed.

Nor do we need to depend on dialectics to prove this. Taking the figures of the National Industrial Conference Board, we find that the average annual realized national income, adjusted by the general price level, in 1930, 1931, 1932, and the first 3 months of 1933, was \$67,000,000,000. During that period about \$3,000,000,000 of credit money was created.

The average annual income on the same basis, beginning with April 1, 1933, through 1938, was \$67,930,000,000. This is about \$930,000,000 more per annum in the latter period of the depression than the former. During the latter period the credit money created was about \$15,000,000,000, or three times as much per annum as that of the former period.

On the basis of these figures alone, it is ridiculous to claim that the program of spending is creating any purchasing power whatever. Even if there had been an actual increase of purchasing power, it could not be attributed to the spending. Certainly the economic body must be given credit for still having some normal functions and life.

It is utter folly and short-sightedness to even suppose that the finances of the Government can be got under control with irredeemable paper money. Of course, if we should stop buying gold and do nothing else, it would cause trouble. But we should ask ourselves, What kind of trouble? The only important trouble it would bring would be that our exports would be decreased, which, when analyzed, means that the American people would stop giving away their goods, as they are now doing under the gold-buying program. It would mean that the politicians had stopped fooling the people into believing that they were selling their goods abroad, when, in reality, they are giving them away. This is the only serious effect I can see that would result from a discontinuance of the gold-buying program.

But if the gold-buying program is discontinued and an open gold-bullion market reestablished and the country put back on the gold-coin standard, with all paper fully redeem-

able, the effect will be the same as that which has always resulted from resumption of specie payment, namely, the revival of all enterprise. [Applause.]

Mr. DITTER. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. JOHNS].

Mr. JOHNS. Mr. Chairman, I was interested in the speech that was made a few moments ago by the distinguished gentleman from Oklahoma on the reciprocal-trade treaties. I was interested in that speech because of the things he said that the farmers in this country were getting. You know it makes a big difference if you happen to be on the receiving end and know something about it yourself and do not have to take somebody else's word for it.

For the six and a half or seven years of this administration I have been an operator of farms, and also since 1918. I have an accurate account of what I have been taking in and what has been done to the farmers of this country, and I do not need to take anybody's word as to what you get for the produce or animals that you sell on the farm or the cheese that is produced by the cows on the farm, because I have a complete record of it.

Now, with respect to these reciprocal-trade treaties we have in this country at the present time, I was interested in what the gentleman from Oklahoma had to say, because he stated that the Smoot-Hawley tariff, if I understood him correctly, was the cause of all the economic ills in the world today, and especially in the United States. If that were true, why has not the Democratic Party repealed the Smoot-Hawley tariff law? I do not know whether the people of this country or whether the Members of Congress realize that this "infamous" bill that he has talked about here today is still on the statute books, and 58 percent of its schedules are now in operation, and it is lucky for this country that such a large percentage of its schedules are in operation.

They talk about canned beef coming in here from South America and how good it is. These canned-beef stories remind us of the canned platform of the Democratic Party of 1932, which has been done away with entirely.

We have been handing out thousands and millions of dollars, and even billions of dollars, to the American farmer of this country, and last year the Secretary of Agriculture said that if we did not grant \$125,000,000 for the purchase of surplus commodities the prices would go as low as they did in 1932, and if it were not for the war in foreign nations today we would have that situation confronting us now and they would be as low as they were in 1932. The price of hogs today is 5 cents a pound. Do you know what the prices of dairy products are? Do you know that last August the price of butterfat from the cheese factories was down to 28 cents a pound, while in 1928 and 1929 it was as high as 60 cents a pound? This is the situation that confronts us today.

The trade treaties mentioned here are nothing more nor less than free trade. The tariff law is still in effect, but it is inoperative. In 1893 we had free trade, and I am old enough to remember what free trade is.

At that time an old German in my locality figured it out pretty well, I think, when he said, "Naught is naught and figure is a figure, but nothing is coming to Schuster." That is what we have under these reciprocal-trade treaties. They have been dressed up in nice new clothes and called reciprocal-trade treaties, while in reality they are nothing more nor less than the free trade of 1893.

We are gradually going to get away from the situation because the farmers of this country understand they are not getting any place with paying out these billions of dollars by the Government. A few years ago we only had a small number of employees in the Department of Agriculture. We only had small appropriations, less than \$100,000,000. Today we have over 100,000 employees in the Department of Agriculture alone and last year we appropriated \$1,300,000,000 for the farmers of this country. You can see where they are today. [Applause.]

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I yield the balance of the time on this side to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, at this time, after having spent 4 or 5 weeks working on this bill with the gentleman from Indiana [Mr. LUDLOW] and other members of the subcommittee, I want to say that I believe the bill represents as satisfactory a cut as we could get under the circumstances in the estimates that were presented to us for the Treasury and Post Office Departments. It is only \$11,000,000 in a total of \$1,100,000,000, but it is almost entirely a service appropriation and almost entirely one of activities that cannot be cut out. The only way you can really save large sums of money is on bills that are for activities that can be done away with or curtailed.

There were some problems in connection with the bill that still exist. For instance, on October 31, 1939, there were 7,423 so-called emergency employees, paid out of relief funds, doing work in the Treasury Department. They are mostly employed on activities that are created with reference to disbursement, auditing, and procurement work relating to the relief problem. But, nevertheless, there are a large number, probably ten or twelve hundred, who are not engaged at all in relief activities, but who are paid from that roll. That presents a situation where it is absolutely impossible for any committee of the House to supervise and scrutinize properly the rolls that are presented to us by the Treasury Department. I am in hopes that before long we can reach that stage where we will be able to cut from any activity not absolutely strictly relief, in the different departments, all funds that are appropriated for relief purposes. It is about time that we began to do business where we could tell something about it and where the Congress could have the checks that it should have upon relief activities and its appropriations.

Now, in the last year we have gone on buying silver and buying gold, and in the course of the 12 calendar months of 1939 we have added something like \$3,000,000,000 in gold to the stocks in the Treasury. This is a menace to our entire economic set-up. It is true that of the \$17,000,000,000 of gold in the Treasury only a small part of it, something like two and a half billion, or a little less, is really the property of the United States.

The rest of it is not available to issue certificates against. It is not available for any purpose that the Government has in mind, because certificates are outstanding against that fund to the tune of upward of \$12,600,000,000. So the statement that some have made to the effect that all that \$17,000,000,000 of gold was available to issue certificates against, or as a sinking fund to protect a large increase in currency, are not correct and they are not based upon the Treasury statement or gold in the Treasury.

We have another situation, the continued purchase of silver. I especially deprecate the continued purchases of foreign silver. As we get that silver into the Treasury at a market price of something like 35 cents an ounce, we are issuing silver certificates against it based on \$1.29 an ounce. The result of that is that these silver certificates are issued at nearly 4 for 1; that is, all the value there is back of them is about one-quarter of the face of the certificate. So that situation is growing more and more acute as we continue to buy large quantities of silver. The purchase of silver should at least be confined, regardless of whatever other position one might take, to domestic-mined silver.

There is an especially acute condition in the Procurement Division of the Treasury Department. They have 400 employees there who are paid from the relief rolls, who are devoting themselves entirely to other things—to the regular activities of that Procurement Division. Frankly, I have always thought, and I still think, that the Procurement Division is more of a menace than it is a help to the governmental organization. They enter into contracts with different people on competitive bids to supply any quantity that different departments of the Government may ask along certain lines of

commodities. Then the departments make a practice of going on and buying on those contracts. The result of that operation is that largely they pay more money for the commodities than they would if they were advertising for any substantial, definite quantity themselves. They avoid, in effect, the operation of that statute which requires that departments buy their commodities upon competitive bidding. I think that outfit requires a great deal more careful study and a great deal more reorganization than the Appropriations Committee, in the time it can give to such an organization, can allow. I think that the proper committees of this Congress should go into that question thoroughly and should revamp and revise that outfit, doing away with a very large portion of its operations. Cut it down. I think it would save the Government money.

I want to call attention to another thing that has not particularly to do with the bill but which to my mind is quite significant.

On page 229 of the Treasury Department hearings there appear the amounts of the exports and imports for the fiscal years beginning in 1923 and ending in 1939. Those figures indicate that in the period from 1925 to 1929, when we had a high protective tariff and the people of our country were employed and busy and had money in their pockets to spend, the imports of this country ranged from \$4,147,000,000 up to as high as \$4,400,000,000. Most of those imports were not competitive imports, but because people had money with which to buy they were buying noncompetitive foreign products; whereas, in the years from 1935 to 1939 the imports run from \$1,700,000,000 to \$2,900,000,000, and for the year 1939 they were \$2,094,000,000.

What does this mean? It means that a larger volume of competitive imports came in not as a result of the reciprocal-trade agreements in 1935-39. We have not so much imports in toto, and the reciprocal-trade agreements do not promote foreign trade, but stifle it, because they destroy the purchasing power of the American people.

I now want to call your attention to a matter that, to my mind, is very important, something that was developed in the hearings. I call attention to the testimony of Mr. Irey, for many, many years the head of the Secret Service Division of the Internal Revenue Bureau, with reference to the Louisiana cases. I am not going to read all of his testimony, but shall read a little of it:

Mr. TABER. Are you familiar with the investigations that we have been hearing about a good deal concerning the Long income-tax matter in Louisiana?

Mr. IREY. Yes. We conducted the investigation. Mr. Burford, who is present, was the agent in charge of that investigation.

Mr. TABER. What was the result of those operations?

Mr. IREY. Quite a number of individuals were indicted who were not tried after the first case. A Mr. Fisher was convicted and sentenced; and then there was a trial of another case, Shushan, which resulted in an acquittal. There were no further cases tried after that.

Mr. McLEOD. What about the head of the university?

Mr. IREY. I was talking about the older cases; they were prior to the case you mention.

Mr. McLEOD. I see.

Mr. IREY. That was back in 1935, and the others were in 1939.

Mr. TABER. Why were not those cases followed up and brought to a conclusion?

Mr. IREY. You are asking me a question, Mr. TABER, that I cannot answer. We made these investigations and made reports to the Department of Justice, which prosecutes these cases. The question as to determination of prosecution is entirely within the jurisdiction of the Department of Justice.

Mr. TABER. Did you complete your investigations?

Mr. IREY. We did complete the investigations of these cases and there had been indictments, I think, in 20 or 25 cases. We had completed our investigations and reported them to the Department of Justice.

Mr. TABER. And you had developed evidence that seemed to you sufficient to warrant convictions?

Mr. IREY. Yes.

Mr. TABER. In 20 or 25 cases?

Mr. IREY. Yes.

Mr. TABER. And what actuated the Department of Justice in easing off in that situation is beyond your ken?

Mr. IREY. It is not within our province.

Mr. TABER. But there was no slip-up so far as your organization was concerned?

Mr. IREY. None that I know of.

Subsequently the Bureau of Internal Revenue successfully disposed of the civil features of these cases before the Board of Tax Appeals.

Mr. McLEOD. That was in the same cases which were not brought to trial?

Mr. IREY. In the same cases.

Mr. McLEOD. And you recovered in the civil action?

Mr. IREY. Yes.

Mr. TABER. How much money was involved in those cases?

Mr. IREY. Mr. Burford can tell you that.

Mr. BURFORD. We have collected about \$2,000,000, which includes taxes, penalty, and interest.

I wonder if it would be out of place for me to ask: Where was the Department of Justice? And if we have a Department of Justice, and if it is on the job doing what it ought to do? To my mind, this situation discloses a picture where the Department of Justice has not been on the job. I have known many cases being heard before the Judiciary Committee of this House which were not nearly so bad as this picture which is painted here by Mr. Irey on page 392 of the hearings.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. GIFFORD. Is that under the caption "Louisiana Purchase"?

Mr. TABER. It is supposed to be the second Louisiana Purchase. [Laughter.] There has been no activity whatever with reference to upward of 20 of these cases, and the fact that in each of these cases the Bureau of Internal Revenue was able to make collections along the line that Mr. Burford suggested indicates they had a good case. I do not know what consideration moved the Government or anyone else to prevent the prosecution of those cases, but I do know that it presents a disgusting and appalling situation when we cannot have and do not have the prosecution of criminals by the Department of Justice where it is perfectly apparent that a good case exists upon which that prosecution might be had and might be carried to a successful conclusion. I do not know of any case within my service in the Congress that to me is more appalling and more disgusting. I think it calls for the most sincere and outspoken action on the part of those in charge of the Government to try and clear up that situation, and I cannot see why the Department of Justice has not been on the job. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired; all time has expired. The Clerk will read.

The Clerk read as follows:

Refunding internal-revenue collections: For refunding internal-revenue collections, as provided by law, including the payment of claims for the fiscal year 1941 and prior years and accounts arising under "Allowance or draw-back (Internal Revenue)," "Redemption of stamps (Internal Revenue)," "Refunding legacy taxes, act of March 30, 1928," and "Repayment of taxes on distilled spirits destroyed by casualty," \$42,000,000: *Provided*, That a report shall be made to Congress by internal-revenue districts and alphabetically arranged of all disbursements hereunder in excess of \$500 as required by section 3 of the act of May 29, 1928 (sec. 3776, I. R. C.), including the names of all persons and corporations to whom such payments are made, together with the amount paid to each.

Mr. COCHRAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to call the attention of the members of the subcommittee handling this bill to the proviso which begins at line 14 and ends on line 20. That report comes out every year and is referred to the Committee on Expenditures in the Executive Departments, of which I am chairman. It lies over there about 30 days, during which time the newspapermen are allowed to come in, look at it, and, if they want to copy anything off of it, they do so. The amounts involved are small. When large amounts are involved, where the Joint Committee on Taxation had to pass on the matter, they are published at the time. Likewise, when the Board of Tax Appeals renders a decision and orders a refund, the facts are published then. You see, there is a duplication to a certain extent.

Mr. Chairman, I believe it would be well for the committee to consider next year the advisability of striking out this proviso. I can see no useful purpose in printing this information, and it costs the taxpayers money to prepare this list. You have the totals of refunds in your hearings; and

then again you must remember that while the law provides that the refunds must be published, the law also prohibits any information disclosing the additional amounts that are collected. It so happens that every year the additional amount in taxes, penalties, and interest collected are about 25 or more times as much as the refunds; but when you announce to the public the amount of the refunds and give them no information in reference to the additional collection, they are bound to feel that all the money is going out and nothing coming in. I do not think that the preparation of this list, in view of the important refunds being made public during the year, serves a useful purpose that justifies the expense, and I therefore offer my suggestion to the committee that next year it consider the advisability of leaving out this proviso.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Additional airplanes: For additional airplanes and their equipment, including radio equipment, spare parts, and accessories, to be constructed or purchased in the discretion of the Secretary of the Treasury, \$500,000 ("B" item), to remain available until June 30, 1942.

Mr. CULKIN. Mr. Chairman, I move to strike out the last word to propound a couple of queries of the chairman of the subcommittee.

I understand the amount allowed for airplanes in the Budget was something over \$2,000,000.

Mr. LUDLOW. That is correct.

Mr. CULKIN. And the committee has cut this to \$500,000?

Mr. LUDLOW. We reduced the amount to \$500,000.

Mr. CULKIN. I am interested in this item by reason of being a member of the Committee on Merchant Marine and Fisheries. The bill authorizing this appropriation was given a full hearing before our committee, and it appears that these new planes were necessary for the protection of the lives of the traveling public.

Mr. LUDLOW. I may say to the gentleman that the planes to which he refers in the estimate submitted by the Coast Guard were not asked for that purpose at all. They were asked for enforcement of neutrality and not for the regular operation to which the gentleman refers. In connection with the enforcement of neutrality there is a co-operative arrangement between the Coast Guard and the Navy. The Navy has any number of planes for this service. With this in view and considering the accretions of new airplanes we have regularly been giving the Coast Guard Service, this addition, which would have consisted of eight long-range planes and seven intermediate planes, we felt was not necessary and not justified; so we reduced the amount to \$500,000 without any effort to apply the appropriation to any particular type of plane, leaving that to the discretion of the Commandant of the Coast Guard. We respect the gentleman's great interest in the Coast Guard and we assure you of our own interest in that splendid service.

Mr. CULKIN. I may say to the gentleman our committee was very much impressed with the necessity of having a stronger type of plane with a greater cruising radius. The gentleman will probably remember that not long ago one of the Coast Guard planes landed alongside of a tramp steamer to take off a sick man, and as the plane landed in a sea with moderate crest it broke in two. Several men lost their lives. Of course, the committee assumes full responsibility for this deduction. I am not going to offer an amendment at this time.

Mr. LUDLOW. We certainly were very conscientious in giving to the Coast Guard all the planes we thought were justified, and, while we recognize the force of what the gentleman is saying, still there is a bottom to the United States Treasury. We felt that we ought to cut down the expenses, when it can be done with sense and reason. We do not regard such a large number of additional airplanes as essential for the operation of the Coast Guard. That is the view we took of this matter.

Mr. CULKIN. May I say to the distinguished gentleman that the maintenance of an adequate Coast Guard properly equipped is one of the very essential functions of decent, civilized government. It cannot be cut out on any theory of economy. It performs the dual functions of police and fire departments over both oceans and is doing a magnificent job. No one would think of crippling the fire department in his own city. The Coast Guard is in the same category.

Mr. LUDLOW. We recognized that, and we did not deprive the Coast Guard of its necessary facilities. We feel we have been very generous with the Coast Guard.

[Here the gavel fell.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

When used herein under the heading "Coast Guard," the words in parentheses, "A" item and "B" item, shall mean, respectively, "amounts for or relating to regular activities" and "amounts for or relating to activities pursuant to Executive Order No. 8254, dated September 18, 1939."

Mr. RABAUT. Mr. Chairman, I rise at this time to express my gratitude to the committee for the consideration that has been given the Coast Guard station in my congressional district.

As early as June 15, 1936, there appears in the CONGRESSIONAL RECORD my interest in this necessary improvement. Detroit is the fourth largest city in the Nation. The nearest Coast Guard station, and a temporary one at that, is located at Trenton, some 25 miles away. Chicago has three lifesaving stations, Buffalo and Cleveland have one each.

The traffic through the Detroit River is recognized as the greatest water traffic in the world. The necessity for the improvement was apparent to the committee. Accordingly and rightfully so they saw fit to grant this much-needed improvement for which the people of a great city will be most appreciative. Roughly 15,000 pleasure and commercial craft are registered out of the district. These include speed, sail, and small craft. The lake is a winter as well as a summer playground and this, coupled with heavy tonnage and lake transportation, adds to the danger of the situation.

The record further reveals that 170 bodies have been recovered from the waters since 1936. Therefore, the committee is to be congratulated upon its recognition of the facts as they exist and in appropriating the funds to establish the ever-vigilant Coast Guard at the city of the straits.

The pro forma amendment was withdrawn.

The Clerk read as follows:

This title may be cited as the Treasury Department Appropriation Act of 1941.

Mr. ALEXANDER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I should like to ask the committee before we leave this title if they gave any consideration to cutting out the entire appropriation for the Federal Alcohol Administration. This item appears on page 21 and amounts to \$415,000.

Mr. LUDLOW. I can say to the gentleman that, of course, we were acting pursuant to law. This is an activity set up by law. It would have been a pretty drastic procedure for us to have stricken down an institution that has statutory authority back of it. I may say that I believe there is some thought that the Alcohol Tax Unit of the Internal Revenue Bureau might properly extend its jurisdiction and assume those activities, but that is just a desultory thought and it was not given any consideration by the committee so far as striking out altogether the appropriation for the institution was concerned.

Mr. ALEXANDER. I think it should have been. How much was the request reduced by the committee?

Mr. LUDLOW. Ten thousand dollars.

Mr. O'NEAL. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. I yield to the gentleman from Kentucky.

Mr. O'NEAL. Coming from Kentucky, I probably have somewhat the same viewpoint as has the gentleman about the Federal Alcohol Administration. However, under the law permits have to be issued, and the persons engaged in the

industry in the gentleman's district and in my district could not function if there were no funds appropriated to administer the law. Therefore, although the gentleman may have certain opinions about the Federal Alcohol Administration, it was necessary for the purpose of maintaining the industry, at least, to let them exist. The committee made the cut which they felt should be made, and a not excessive one.

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I ask unanimous consent that the gentleman from Minnesota may be permitted to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ALEXANDER. As I said the other day in my remarks in connection with the independent offices appropriation bill, I believe we could well consider cutting out a lot of these administrative commissions and agencies, and this is one of those I have in mind.

I have here a pamphlet which I received yesterday, I believe from Brewery Age. I do not know anything about Brewery Age, but this article is written by Mr. Joseph Dubin, who seems to be somewhat of an authority on this subject of the Federal Alcohol Administration. He evidently is an official or is employed in connection with the brewery business or the distillery business.

Mr. Dubin states that we should eliminate the Federal Alcohol Administration for the reason that its functions, with minor exceptions, are duplications of the functions of other and older departments of the Government, and that the F. A. A. has not demonstrated that it can perform these functions with any greater results than can be and have been produced by the older departments. We could thereby save over \$400,000.

He refers specifically to the Food and Drugs Department, a department that has demonstrated its ability to operate with outstanding efficiency. He refers specifically to the Federal Trade Commission as a commission which is duplicating the activities of the Federal Alcohol Administration, and he also refers specifically to the Internal Revenue Bureau and its Alcohol Tax Unit as doing exactly the same things the Federal Alcohol Administration is set up to do. Manifestly we should do away with either one or the other of these overlapping groups.

I shall later ask permission to place this entire article in the RECORD so that Members of the House can read the argument of this man, who is evidently an expert on this subject, probably much more so than any of us, that being his business. I assume he knows what he is talking about. It seems to me he is making a good suggestion, one which we should adopt and carries a good sound line of argument in his article.

Mr. O'NEAL. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. I yield to the gentleman from Kentucky.

Mr. O'NEAL. The gentleman may be making a good suggestion for legislative action, but it certainly would stop the industry entirely were no appropriation made for the activities of the F. A. A. for the year 1941. Until such legislative action is taken, such action as will set up the proper machinery for taking care of the work if the law relating to the F. A. A. is done away with, this object cannot be attained by denying the appropriation. Probably a great improvement could be made, however, by the proper sort of legislation, possibly handling the work as it was handled a few years ago.

Mr. ALEXANDER. May I say that Mr. Dubin in his article makes a very good argument on that subject, as he has covered every important function of the Federal Alcohol Administration.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. I yield to the gentleman from New York.

Mr. TABER. May I say to the gentleman that I believe this outfit is totally incompetent. I believe they do not have enough legitimate business to do, so that they are able to spend all their time figuring out how they can spend the last

dollar of their appropriation. Last year they had an appropriation of \$425,000, and they had it figured down so that they had left of the appropriation only \$11, a smaller percentage of balance than any other Bureau or Department of the Government. All they have to do is figure out how they can spend their money. I believe this is a situation which should have a little help from the Congress as far as getting incompetents off the payroll is concerned.

Mr. LUDLOW. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. I yield to the gentleman from Indiana.

Mr. LUDLOW. I believe the gentleman will observe by this time that he has developed a good deal of sympathy for his viewpoint. I may say, however, that what he seeks to have done would have to be done through legislative action. The statute states that the various liquor establishments must have permits to operate, and if this machinery is stricken down and there is no way to obtain permits, I can see no other outcome than the wiping out of the industry. Of course, the gentleman does not have in mind doing that.

Mr. ALEXANDER. As I understand from this article of Mr. Dubin's, the only permits involved are for interstate operation, and there is very little of that going on now. Most of the business is intrastate.

Mr. LUDLOW. The gentleman is entirely mistaken. Every establishment has to get a permit to operate.

Mr. ALEXANDER. I still think we should save this money and get along without this commission and many others. [Applause.] I ask permission to insert herewith the article by Mr. Dubin entitled "Save \$425,000, Eliminate the F. A. A."

The article is as follows:

[From Brewery Age for January 1940]

SAVE \$425,000; ELIMINATE THE F. A. A.

(By Joseph Dubin)

In these days of \$8,000,000,000 Federal Budgets and of a \$45,000,000,000 public debt, the sum of \$425,000 may appear to be relatively insignificant to the executive and legislative branches of our National Government. Nevertheless, at least the former branch, as evidenced by the President's Budget message submitted to Congress on January 4, has placed itself on record as favoring operating economies and consequent reductions in the operating expenditures of the Federal Government provided the reductions do not result in the impairment of vital governmental activities and functions. In his Budget message the President pointed out that reorganization of Government bureaus had resulted in a saving of \$11,000,000 in the current fiscal year and the reduction of a similar sum in the Budget for the 1941 fiscal year, adding: "With further readjustment in the machinery and business practices of the Government, additional savings will be realized."

Elsewhere in his Budget message the President, in commenting on that part of the proposed Budget covering the operating costs of the regular departments of the Government, said: "These are down to the bedrock of the activities and functions ordered by the Congress. If further savings are to be made in these operating costs, the Congress will have to direct by statute the elimination of many functions. And even if they should do so, the amount saved in this Budget could only be a small percentage of the total. Therefore, those who call for further cuts should have the courage and honesty to specify where they should be made."

We do not pretend to be familiar with all, or even many, of the phases of Government operation in which further economies are possible. Unquestionably, there must be several places where, as the President said, "readjustments in the machinery and business practices of the Government" will result in savings. However, we are familiar with one phase of Government operation where a saving, substantial in itself even though a small percentage of the total Budget, may be effected without any impairment of essential Government activities and functions. Hence, we offer what we believe to be the constructive recommendation that the Federal Alcohol Administration be eliminated and that the resultant saving of \$425,000 annually (the sum allotted to it for the current fiscal year and also recommended by the Budget Bureau for allotment to it during the 1941 fiscal year) be used to reduce the Budget or for national-defense purposes.

Why eliminate the Federal Alcohol Administration? For the reason that its functions with minor exceptions are duplications of the functions of other, and older, departments of the Government, and that the F. A. A. has not demonstrated that it can perform these functions with any greater results than can and have been produced by the older departments.

One function of the F. A. A. is to safeguard the public against false or misleading branding and labeling, a function that is a duplication of a function of the Food and Drugs Department, a Department that has demonstrated its ability to operate with outstanding efficiency.

Another function of the F. A. A. is to safeguard the public against false or misleading advertising, a function that is a duplication of a

function of the Federal Trade Commission, a commission that has demonstrated constantly increasing efficiency and activity in eliminating advertising that misleads or deceives the public.

Another function of the F. A. A. is to issue so-called basic permits to manufacturers, bottlers, importers, and wholesalers of alcoholic beverages, except to brewers, a function that is not a duplication of that of another agency. Issuance of permits is conditioned on the fitness of the applicant to become a potential legal member of the alcoholic beverage industries and retention of permits is conditioned upon compliance with the twenty-first amendment and with all Federal liquor laws. Through the threat of permit suspension or revocation the F. A. A. is afforded a weapon with which to assist in the enforcement of the twenty-first amendment, principally as it applies to the movement of liquor across State lines in violation of State laws. During the latest fiscal year, 16 permits were suspended, 1 was revoked, and 23 surrendered due to such violations. However, the Internal Revenue Bureau and its alcohol tax unit have far greater powers to enforce the twenty-first amendment, including the institution of criminal proceedings, whereas the most drastic penalty the F. A. A. may impose is revocation of permits. If the issuance of basic permits is essential to the enforcement of the law, which we doubt, that function could readily be transferred to the Internal Revenue Bureau and joined with the issuance of special tax stamps, a present function of that bureau.

Another function of the F. A. A. is to attempt enforcement of the trade-practice provisions of the F. A. A. Act, provisions which prohibit producers and wholesalers of alcoholic beverages from requiring or inducing a retailer to purchase their products to the exclusion in whole or in part of products of others, by agreement, by having an interest in the retailer's license or premises, by giving or lending things of value, by commercial bribery, etc. We use the term "attempt enforcement" advisedly and in keeping with the admission of the F. A. A. that "the results obtained have not been commensurate with the time and effort expended." The lack of results in enforcing this part of the law is attributed by the F. A. A. to the uncertain language of the section, the F. A. A. requesting the enactment of legislation that would make the prohibited practices "categorically unlawful." However, even if that recommended change were enacted, it would have little, if any, effect on enforcement. That is a fact that the F. A. A. cannot successfully dispute.

It must be remembered that the twenty-first amendment, as interpreted by the United States Supreme Court, gives to the States the supreme power to regulate and control liquor within their respective borders. Hence the jurisdiction of the F. A. A. is limited by the amendment to interstate transactions. Its jurisdiction is further limited to interstate transactions by the language of the F. A. A. Act, and even its jurisdiction in interstate matters is limited with respect to malt beverages unless the State into which the product is shipped has similar prohibitions or requirements on purely intrastate transactions.

Hence, it is clear that even if the trade practices mentioned in the F. A. A. Act were made "categorically unlawful" and the limitation of the F. A. A.'s jurisdiction over malt beverages were lifted, the F. A. A. would still have jurisdiction over only interstate transactions and the interstate shipper would be prohibited from doing things which the intrastate shipper might continue to do lawfully. The interstate shipper would then, in order to be in a position to meet competitive conditions, find it necessary to employ circuitous methods, and circuitous methods that comply with the letter of the law would not be too difficult to discover.

Under the existing interpretation of the twenty-first amendment, it is up to the States to enact and enforce whatever prohibitions they individually deem desirable. It is up to the States to prescribe the type of labeling and branding they will permit on liquors sold within their borders. It is up to the States to decide the extent and the wording of liquor advertising originating within their borders for distribution within their borders. Only on interstate advertising does the F. A. A. have control and then only jointly with another Federal agency. That is, as we have previously pointed out, likewise true in the case of other F. A. A. activities and functions.

Inasmuch as the jurisdiction of the F. A. A. is so limited on many phases of liquor regulation and control and its work on other phases is merely a duplication of work delegated by other laws to older and more experienced agencies of the Government, we sincerely recommend to the President, to his Budget makers, and to Congress the complete elimination of the F. A. A., with the saving of \$425,000 to be used for a reduction of the Budget or for more essential Government activities, such as national defense.

November beer sales, 1933 to 1939

[In terms of barrels of 31 gallons each]

	In bottles ¹	In barrels and kegs	Total	Percent of bottled beer
November 1933.....	286,159	1,405,554	1,691,713	16.91
November 1934.....	693,054	2,274,577	2,967,631	23.35
November 1935.....	1,009,651	2,356,190	3,365,841	30.00
November 1936.....	1,409,650	2,230,652	3,640,302	38.72
November 1937.....	1,704,824	2,212,339	3,917,163	43.52
November 1938.....	1,749,850	2,024,126	3,773,976	46.36
November 1939.....	1,882,579	1,943,758	3,826,337	49.20

¹ Includes all containers of 1 gallon or less.

The pro forma amendment was withdrawn.

The Clerk concluded the reading of the bill.

Mr. LUDLOW. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HOBBS, Chairman of the Committee of the Whole House on the state of the Union, reported that the Committee, having had under consideration the bill (H. R. 8068) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1941, and for other purposes, had directed him to report the same back to the House with the recommendation that the bill do pass.

Mr. LUDLOW. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a few extracts from a speech made by former Ambassador Gibson.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GORE. Mr. Speaker, I ask unanimous consent to extend my remarks by including an address by my distinguished colleague, the gentleman from Tennessee [Mr. KEFAUVER] on Maury, Jackson, and Lee, delivered at Confederate Memorial Hall.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

Mr. DITTER. Mr. Speaker, reserving the right to object, I wonder if the majority leader will tell us at this time what is the program for next week.

Mr. RAYBURN. On Monday, omnibus claims bills will be called. On Tuesday we expect to take up the agricultural appropriation bill. On Wednesday we will call a committee or two on the calendar following the Committee on Naval Affairs, which was called last Wednesday, and on Thursday we will continue the consideration of the agricultural appropriation bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. D'ALESSANDRO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. D'ALESSANDRO. Mr. Speaker, there is now pending before this body a bill entitled "A bill to prevent discrimination against graduates of certain schools and those acquiring their legal education in law offices in the making of appointments to Government positions the qualifications for which include legal training or legal experience." This bill has passed the Senate with but one dissenting vote. The debate just prior to its passage will be found on page 9674 of the CONGRESSIONAL RECORD, Senate, under date of Friday, July 21, 1939.

The most amazing aspect of this pending bill is the fact that a situation has arisen which makes it necessary. We are but recently emerged from an era of domestic unhappiness and confusion. Under the leadership of our great President, we have been and are now pushing forward on new frontiers. We have won many victories which are apparent to all men

regardless of their political affiliations or party loyalties. We have preserved intact the great fundamental liberties found in the Bill of Rights. That this is so, Mr. Speaker, is proof of the fact that democracy still works, at least in America.

To my mind, the heart of these guaranteed liberties is the offer of hope and of promise for the future. To my mind, the fact that any man, however humble his origin, may hope to gain the highest office of our land is an awesome and wonderful thing. That "all men are created equal" and that all shall have equal opportunity to share in the natural abundance of our great country is our American ideal. After a century and a half this ideal has become known throughout the world and is a symbol of America.

Now, Mr. Speaker, the "price of liberty is eternal vigilance," and, accordingly, I now invite your attention to the situation which has made necessary the bill which I have just read.

We all know that the several States of the Union have some means for determining who shall become members of the legal profession. We know that in most instances a board of examiners is set up which requires that certain examinations as to character and intelligence of the applicant must be taken. We have thought that any young man of industry, intelligence, and good character might aspire to become an attorney at law. We have been led to believe that after such a young man has passed his bar examinations and had been admitted to the bar he was then entitled to practice law. We have assumed that he might work to the top of his profession; that he might become a member of the legal staff of the United States Government; that he might become Attorney General of the United States. In short, we have been led to believe that after he was admitted to the bar he might seek employment as an attorney nearly anywhere he might choose.

We have been wrong, Mr. Speaker. We have slept on our liberties and are now awakened to find that while we slept they have been, and are now being jeopardized. At the hearing before the subcommittee of the Committee on Civil Service of the United States Senate held last April and ably presided over by Senator NEELY of West Virginia, evidence was adduced and is set forth in that subcommittee's report, that in the Department of Agriculture, and in the agency known shortly as "wage and hours", numerous instances occurred where candidates for legal positions within that agency and within that Department were denied the privilege of even filing an application as an attorney even though they were members of the bar in good standing. We learn that the solicitor of the Department of Agriculture has issued a rule that no attorneys will be considered for legal positions unless they went to a school approved by the two associations mentioned in the committee's report. On page 31 of the hearing before the subcommittee above referred to, the solicitor of the Department of Agriculture says that he did in fact promulgate such a ruling as to all applicants for legal positions in the Department of Agriculture. On that page and for several pages following, under the questioning of several members of the Senate's Committee on Civil Service he attempted with little or no success to explain his reasons for the discriminatory order.

This situation has actually come to pass and is continuing and will go on unless and until this body does something about it. And, if nothing is done about it, perhaps in a few more years the rules promulgated by that individual will be, that all applicants for legal positions, even though members of the bar of the highest court of their States or of the United States, must have all gone to a certain law school in order to be considered as applicants for a position in any legal department of the Government. And the rule might then well embrace a clause that the attorney should have been born into a well-to-do home, that his father earned the son's way through college and the father belonged to the best and most well-stocked clubs, and had an income of no small means.

Mr. Speaker, my quarrel is not with any law school. Fortunate perhaps is the man who was able to study law at certain law schools. My point is simply that all young men are not able to go to certain law schools. I am thinking of the young man, who, having been forced to work at an early age to help support others in his family, does not find the money nor the time to enter law school until he is perhaps

30 years of age. There are hundreds of thousands of these young men in America. Employed adults who pay their own way through law schools conducted after working hours. We all know dozens of them right on Capitol Hill. Secretaries to Members of Congress, clerks, elevator operators, and the like who are getting their law the hard way in an evening law school. These young men should at least not be hindered if we cannot help them. Their path should not be made more difficult.

These young men would doubtless have liked to have gone to a large full-time university; to have earned an A. B. degree and lived a life of secluded ease and luxury and then have gone on to a full-time law school. They might have been the better for having gone and then they might not. Woodrow Wilson, when he was president of Princeton University, told a graduating class composed of its rich young men:

Most of you fellows are doomed to obscurity. You will not do anything. You will never try to do anything, and with all the great tasks of the country waiting to be done, probably you are the very men who will decline to do them. Some man who has been "up against it," some man who has come out of the crowd, somebody who has had the whip of necessity laid on his back, will emerge out of the crowd, will show that he understands the crowd, understands the interests of the Nation, united and not separated, and will stand up and lead us.

Too often, Mr. Speaker, this happens and Woodrow Wilson spoke a great truth. Let us not, therefore, close the door of opportunity to these hard-working young men and women. Let us not say that we deny our great American ideal of equal opportunity and that it is a thing of the past.

SPECIAL ORDER

The SPEAKER. Under the special order of the House heretofore made, the gentleman from Illinois [Mr. SMITH] is recognized for 30 minutes.

Mr. ALEXANDER. Mr. Speaker, will the gentleman from Illinois yield?

Mr. SMITH of Illinois. I yield.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to insert in the remarks I made this afternoon an article by Joseph Dubin, which was carried in *Brewery Age*.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

CIVIL SERVICE—THE ALL-AMERICAN CAUSE

Mr. SMITH of Illinois. Mr. Speaker, I yield for a question. I seem to hear no question; I hear none and, therefore, I shall proceed for 30 minutes unyieldingly—though, I hope, not ungenially.

Mr. Speaker, I harbor the conviction that every politician has at least one speech in him, and I make of myself no exception. I am, however, extraordinarily choice about the subject on which I am willing to commit myself in public, and especially in a forum of such ancient dignity and present competence as the House of Representatives. I do not like to speak on unpopular causes. I am "agin" communism, I am "agin" sin, I am "agin" disunion in nation or party. I am for righteousness and I am overwhelmingly for national unity, for patriotism—and, I may add, for mother and home and heaven. [Applause.]

I am fortified to see that we are agreed upon these fundamentals.

A POLITICIAN IN QUEST OF AN ALL-POPULAR CAUSE

I have been looking for a cause more timely than these, however, upon which I might get the one speech out of me that I think is in me. It has to measure up to the specification that there is not going to be anybody "agin" it. I have been greatly surprised during my sojourn in the House of Representatives to find out how few causes there are that somebody is not opposed to. I thought at one time I would seek an opportunity to speak in behalf of the committee investigating un-American activities, and then I discovered there were 21 Members of this House against that. Certainly I am not going to be caught out on any limb like that, with 21 people against my cause, for I can recall one historic supper, according to ancient and sacred report, from which hardly more than half of that number of people went

forth to overturn an empire and themselves to become the seed-sowers of a new justice, both merciful and wise.

I was also afraid to speak upon that measure, though I was happy enough to vote for it, because as I observe the course of American public life, we are extraordinarily slow to honor prosecutors with subsequent opportunities for civic responsibilities. I hope we can save the members of that committee from the fate of later neglect by weaning the committee from prosecution to investigation. With these thoughts in mind, I passed up that fairly popular cause in the interest of finding one very much more popular on which I could exhibit myself.

THE CAUSE FOUND IN CIVIL SERVICE

Rejoice with me, Mr. Speaker; for I have at last—at long last—found such a cause. It is that of civil service in the Federal Government of the United States.

I propose, therefore, during my remaining time, without fear of getting in bad with anybody here or with my constituents back home, to celebrate, not so much the merit of the civil service as the extraordinary situation which I have discovered, that here is a matter on which there is no disagreement in the House of Representatives. Here is a cause in which we fearful ones, as well as we fearless ones, can unite, assured of the acclaim of all of the galleries in an election year.

Why do I say so? I say it, in the first place, because last week we witnessed numerous forms of the celebration of the fifty-seventh anniversary of the establishment of the civil service in the United States. I heard many voices raised in celebration, but I did not hear one voice, by radio or otherwise, in deprecation. I can recall that even such a popular matter last year as the celebration of debt week by my friends on the left developed a good deal of opposition. I, myself, raised then a dissident voice in favor of a more practical sincerity. But to this celebration of the first half century of civil service I heard no reproachful voice.

I say it, in the second place, because out of a heavy mail on the Ramspeck bill—H. R. 960—I have not had, so far as I recall, one single letter opposed to the extension of civil service.

These reasons for believing in its popularity partake of the personal, and might lead me astray. Imagine my relief, therefore, in finding that both our great political parties had unanimously revealed the popularity of civil service—with the Gallup polls—by declaring unequivocally for its integrity and expansion. Politicians do not put things into writing for light and transient causes. My mind was made up—I had found my cause—when I read these two planks of the platforms of 1936.

The Democratic platform says:

For the protection of government itself and the promotion of its efficiency we pledge the immediate extension of the merit system through the classified civil service, which was first established and fostered under Democratic auspices, to all non-policy-making positions in the Federal service. We shall subject to the civil-service law all continuing positions which, because of the emergency, have been exempt from its operation.

The Ramspeck bill, shortly to be before the House of Representatives, legislatively empowers the President to fulfill that promise.

But that promise is no more forthright and—given an exchange of power—I take it, no more sure of fulfillment than is the Republican promise of the same year in its platform. It reads:

Under the New Deal, official authority has been given to inexperienced and incompetent persons. The civil service has been sacrificed to create a national political machine. As a result, the Federal Government has never presented such a picture of confusion and inefficiency. We pledge ourselves to the merit system, virtually destroyed by New Deal spoilsmen. It should be restored, improved, and extended. We will provide such conditions as offer an attractive, permanent career in Government service to young men and women of ability, irrespective of party affiliations.

You will note here the final confirmation of my presumption of full popularity for the civil service. It is cold in print but warm in promise. The parties compete with each other, not as to its merit but as to the speed of its enactment. What Mr. Farley has assured us could be done—

With time, patience, and hard work, I could construct a major political party in the United States without holding out a single job to deserving partisans.

this very thing both parties have assured us in their platforms should be done and would be done. They spur each other, sideways, only in their haste each to be the first to do it. Proud as I am of the promises, grateful as I am for a cause, I am made to reflect, nevertheless, by the joint sideways spurring, to reflect, I say, upon the competition of merit between the proverbial rooster and the legendary crow:

I sometimes think I'd rather crow
And be a rooster than to roost
And be a crow. But I dunno.

A rooster he can roost also,
Which don't seem fair when crows can't crow.
Which may help some. Still I dunno.

Crows should be glad of one thing though;
Nobody thinks of eating crow,
While roosters they are good enough
For anyone unless they're tough.

There are lots of tough old roosters, though,
And, anyway, a crow can't crow,
So mebbe roosters stand more show;
It looks that way. But I dunno.

The dubiety of the poem, my colleagues, applies only to the manners of the political parties, not to their devotion to merit. Their devotion culminates a demonstration satisfactory to me—and I hope to each of you—of the unanimity of us Representatives upon this very popular cause.

THE IMPORTANCE OF THE CAUSE AS REASON FOR ITS POPULARITY

Now, I ask myself, and I ask you: Why has this cause become so popular in the course of 57 years, starting below scratch, as it did, and proceeding through many, many scratches, as you know, from both sides? It is a singular incident in our national history that an unpopular cause in a short half century could come to be almost unanimously approved by the American people, as the Gallup poll suggests, and approved unanimously today by all loyal party members in the House of Representatives. Why is this? It is to this question, primarily, that I address myself in my remaining moments.

I would like to argue the question, if you will allow me a little elbow room and some intellectual leeway, from two points of view: From the point of view of the importance of civil service and then more earnestly and more lengthily from the point of view of the "unimportance" of civil service, so to say. I have a hunch, you see, that the primary business of a legislative body is not to concern itself with the enactment of things of first magnitude but with things of lesser degree. I intend to develop a distinction between the "important" and the "significant," if you will be good enough to follow me.

If I argued merely the importance of civil service, I would point in fashion prosaic to the efficiency and the economy of a scientific system of maintaining the administrative personnel of government as contrasted with the method of political pull before a victory and of political push after a defeat. The one method is relevant and logical; the other is irrelevant and adventitious to the job at hand. There is unquestionably a case to be made out upon the ground of importance from the point of view of economy, which is another popular watchword of the hour, and, from the point of view of efficiency, which is even more important for personal happiness. I content myself with arguing the importance of civil service only in an indirect, an historical manner.

When one looks at the history of these efforts on the part of a great and continuously expanding government to deal effectively with the problem of the proper personnel to carry on that government's permanent work, one will see that we have passed through three stages. The first was the stage represented by Thomas Jefferson's philosophy for equal participation of the two great parties in the selection of the administrative personnel of the Government. The second was Jackson's emphasis upon party monopoly. The third and last was Cleveland's insistence upon party neutrality. I ask you now to attend to these three in order. And first Jefferson's proposal with his reasons therefor:

If a due participation of office is a matter of right, how are vacancies to be obtained? Those by death are few; those by resignation none. Can any other mode than that of removal be proposed?

This is a painful office, but it is made my duty, and I meet it as such. It would have been to me a circumstance of great relief had I found a moderate participation of office in the hands of the majority—

That is, the newly elected Democrats, victorious for the first time—

I would then gladly have left to time and accident—

A euphemism for death—

to raise them to their just share. But their total exclusion calls for prompter corrections. I shall correct the procedure; but, that done, return with joy to the state of things, where the only questions concerning a candidate shall be, Is he honest? Is he capable? Is he faithful to the Constitution?

That was the view which Jefferson had, that the parties could be allowed to select the permanent administrative personnel, but that it had to be done on the grounds of equal participation of the parties as they oscillated in and out of power. That theory did not prevail, as we well know. So by the time of Andrew Jackson, though not wholly to be credited or blamed on Old Hickory, we had come to another view of the best way to select the people who work for the Government; that view was that it ought to be a matter of party monopoly.

Though Andrew Jackson declared that "the most disagreeable duty I have to perform is the removal and appointment to office," he nevertheless presented his philosophy justifying the painful job. Though his words sound to us like a sleepwalker talking anachronisms, they were sincere enough in him and portentous enough for the Federal service.

There are—

said Old Hickory—

perhaps few men who can for any length of time enjoy office and power without being more or less under the influence of feelings unfavorable to the faithful discharge of their public duties. Their integrity may be proof against improper considerations immediately addressed to themselves, but they are apt to acquire a habit of looking with indifference upon the public interests and of tolerating conduct from which an unpracticed man would revolt. Office is considered as a species of property, and government rather as a means of promoting individual interests than as an instrument created solely for the service of the people. * * * The duties of all public offices are, or at least admit of being made, so plain and simple that men of intelligence may readily qualify themselves for their performance; and I cannot but believe that more is lost by the long continuance of men in office than is generally to be gained by their experience.

Thus, Mr. Speaker, the philosophy of party monopoly before the age of science and before the extension of the services of government to include every science and every art.

The third position is that illustrated by Grover Cleveland, who had found the job situation, cumulative from Jackson's day, so inimical to efficiency and economy in government that he enunciated the great principle of party neutrality with reference to the personnel problems of the Federal Government. "Public office is a public trust," this to our very day is our most moral public prescription. Fortunately for the Nation, it is Cleveland's policy, with some variation and some recession, which has been carried on down to our time. I take it that, in passing from Jefferson's plea for equal participation of the parties in choosing the personnel, through Jackson's view of party monopoly, to Cleveland's contention that parties ought to be neutral with reference to the administrative service of the Government, on down to our day when both great parties reaffirm their devotion to this principle in their published solemn pledge to the Nation, we have unanimously convinced ourselves that neither economy nor efficiency can be served save through party neutrality with reference to the permanent personnel of the Federal Government. That, my colleagues, is what the civil service is about. There may be some Rip van Winkles in the civil service asleep on the job, but they are not going to be awakened by political sleepwalkers who mumble against the principle of merit and keep walking in their sleep toward the Dark Ages of treating public jobs as private property for party or personal favorites.

Those who speak publicly and responsibly for the great parties speak in the light of our historic experience as to the utter importance and finality of merit in carrying on this vast

personnel enterprise in the Federal Government. So much for the importance of civil service for efficiency and economy.

Its overt importance, however, is not enough, I suspect, to explain the enormous popularity, which has drawn me to it as my cause.

A PHILOSOPHY OF THE UNIMPORTANT

From importance, then, let us turn now to unimportance, if you allow me this verbal leeway. I cannot but guess that the permanently significant does often transcend the pressingly important. If so, it pays us to keep clear a distinction between influence and power in reckoning up the tale of man's personal and collective life. I came to this view in a fashion so curious that I beg you to give me a moment to relate the story.

MY GRAND OLD MAN OF THE SEA

Worn out, like many other politicians, with my first campaign for public office over the entirety of a very great State, I was advised by my better nature to seek some recuperation in solitude and quietness, and that under a more beneficent sun than Illinois affords at every season. I found myself in the State of Arizona, far from civilization, and I compliment the distinguished gentleman from Arizona [Mr. MURDOCK] when I say that. I see that he would like to say a further word for his great State. I do not yield, for I can say for him that it is indeed a great State that can still offer to citizens and visitors the priceless boon of solitude. I went where there was but one other man—but what a man he proved to be! I bless the day I discovered Arizona—and him.

He was the most curious combination of human characteristics I have ever seen rolled together in one mortal shape. That man became my "ancient mariner" of land as well as sea. He was, on the one side, an old sea captain, rough from the pages of the past when sailing vessels made maritime life still adventurous; but he was, on the other side, a complete composite of glorified landlubbers that I had known in the Texas of my childhood and of my youth. He was the embodiment of a singular, almost feminine, grace and elegance, but was also possessed of a temper mercurial and terrible as a cyclone. He was, my colleagues of the House, a picturesque combination and rare, a veritable Sampson of the Southwest. I shall not soon meet his like again. I can see him now, with my mind's eye, gentlemen, ripe in years and radiant in wisdom, there in the desert of Arizona recuperating from tuberculosis and living over again for my benefit the great experiences he had had, not only on every sea but in every land. But I lose myself in reverie, while my story tarries.

Learning that I had been recently elected to Congress, he offered to give me some advice. He said, "You will smile at this no doubt to begin with, but if you live to be as rich in experience and years as I am, you will no longer smile at the curious ways in which human influence works its way to power." Then he told me the story of a legislative experience which he himself had had in earlier life, a story, as you will see, which started me upon this train of thought. As I remember, he said it was in a certain "Principality of Excelsioriana." I did not identify the place on the map, I forgot to ask him where it was, and I may be mistaken about the name. But the logic of his experience there and the extraordinary clairvoyance of his advice to me will remain, I think, the high day of my whole life.

Warming over the coals of his own memory, he said: "You have noticed in the modern world that where fanatics like Hitler, or like Stalin's predecessor, Lenin, come to power and undertake through executive fiat, or even through legislative activity, to enforce upon a group matters admitted to be of final importance—national unity, let us say, or correct beliefs about religion, or even about economics—the very effort to legislate upon these finally important things has turned their importance to the poison of power in social life. 'Ah,' he said, 'I could have warned them long ago about communism and nazi-ism, because I came to see, through the strange wisdom of my friends in 'Excelsioriana,' that it is not the business of politics to concern itself, save by abstention, with things of the very first moment, but only with things of second- or third-rate importance.'"

I am aware, Mr. Speaker, of the great injustice I do that rare man's elegance in reporting his advice so bumblingly; but I must seek in my own humble way to convey to you the depth of his insight.

After a quiet period of musing, which the Arizona ozone facilitates, my patron continued: "I therefore not only give you the advice to seek popular causes, but I will tell you how you can find them. On the great issues that men concern themselves with of utter and pressing importance and moment, do not stick your neck out, because somebody is going to step on it." He said: "Go behind the pressing, or sit it out, to inquire into the principles of things and ask yourself, not what is important to be done directly by legislation but what is likely to get done two or three removes from the pressing through a proper sense of strategy. Do that and find a way from the empty pomp of power into the path that leads to human influence. In this way Fate works with you, and its little finger is more to be regarded than your own clenched fist."

That said, he pointed the moral of all his saying: "You know as well as I do that to maintain the dignity of the law, the proper respect for constituted authorities, and inner reverence for the genius of cooperation—that is the important thing. It is not this law or that which counts. It is whether you have a people law-abiding in their hearts, a people who reverence their traditions and adhere with pride to the unspoken and unwritten spirit of the group. These things of the last importance you know, as well as I, cannot be legislated."

"Yes," I said, "I know that, but I thought such matters belong to philosophers and poets, not to politicians." "No," he said, "it is the business of politicians, and I will show you how I worked it out in this Principality of Excelsioriana, betwixting at last the instructions of my friends there." Reflectively he continued: "I looked around for a long time for a matter that seemed not important on which I could legislate. I seized upon the matter of nudity," he went on, "not that I give a damn whether people wear clothes or go nude." At that, he gave his own bare body a resounding whack, as I moved beyond the reach of his mighty arm.

"No," said he, "nudity is not important. That is the reason I got a law passed against it. I was able to get the death penalty assessed against it. 'That's going pretty far,' I ventured. 'I was out,' countered he, 'to establish the majesty of law, not to hurt nudists. And do you know that only one of them dared his way to the gallows?' 'Poor fellow,' I sighed. 'Yes,' agreed he, 'but a small price to pay for the fear of God implanted, and, yes, for the love of the good which irradiated from that simple act of legislation.'"

"But," he said, "that was not my main stroke. It was important only for emboldening me to go the limit of the logic. I looked around for another and more important emphasis upon the unimportant as subject for significant legislation, and what I discovered finally was the weather. You'd think that there I'd hit many, too many, people, to remain popular. I got a law passed that made it illegal, with the penalty death, for anybody to say that it was colder than 40 degrees or that it was hotter than 70 degrees. We had to execute seven people, only seven, mark you, before they saw we were in earnest. Thereafter you'd have been amazed at the difference in spirit and, I may say, happiness of the people. In the first place, it took all the jokes away from that ancient and outworn subject of sex, and built them about the weather. Everybody vied with everybody else to see how close he could come to saying it, without saying it. Their 'information, please,' had a whole program built around the weather. A new theater arose and a wholly different and better 'Plutophone,' as he called the radio. 'It gave us,' he concluded, 'a new understanding of the deep motives of men and furnished a harmless way out past the censor of the subconscious.'"

I remember now how the old war horse's eye glistened, with the trace of a tear, as he told me in the desert of Arizona of the magnificent appeal he made before the packed galleries with all Members present the night his weather bill

was passed. His speech closed with a peroration like this, as I recall the lines:

What is it molds the life of man?
The weather!
What makes some black and others tan?
The weather!
What makes the Zulu live in trees?
And Congo natives dress in leaves,
While others go in furs and freeze?
The weather! The weather!

UN-AMERICAN ACTIVITIES: A HINT TO THE SUFFICIENT MAY BE WISE

I confess, Mr. Speaker, though I can only suggest the rare character of this old man, that I take his wisdom as my personal watchword in politics. I mean presently to apply that wisdom, as best I may, to the popularity of the civil service, whose declared devotees both our great parties now are. But first, if I may hazard the application of an afterthought to—I do not say the Dies committee, but—the committee investigating un-American activities.

As I have confessed, I barely escaped risking my own precarious popularity on that cause. I still like, therefore, to linger over that danger escaped, and to consider how the danger might be mitigated for others. The committee's greatest danger lies, I suspect, in getting obsessed with the genuinely important things, with correct beliefs about religion or economics, and seeking legislatively to establish principles or to persecute persons. That, as my grand old man of the sea taught me, would prove fatal to the committee and possibly precarious to the Nation. If, however, the committee but continue the "unimportant" business of letting bray in public the asses who otherwise would not be heard beyond their own barnyards, it may serve at two or three removes the morale of our people. Already it has taught some silly citizens that thoughtful men and women require more reason for joining organizations than that they have no reason for not joining them. "Unimportant" as this result may appear, it seems to me a matter of the greatest "significance." It harbors in its womb the seeds of personal independence. The committee might indeed prove to be a homeopathic remedy for what the old captain and I agreed was the worst disease of our time, "Organizationitis." To start that cure a-working would be something, really.

APPLICATION OF MY ANCIENT MARINER'S WEIRD WISDOM TO CIVIL SERVICE

Returning now to civil service, let us connect its popularity with its "unimportance." And among the things in this sense "unimportant" I mention two. The first is sportsmanship. The second is skill.

SPORTSMANSHIP WITHOUT LEGISLATION

I want to indicate, first, that when we have put the whole of our Federal personnel under the civil service we shall have established a spirit of sportsmanship for the first time throughout American political life. I say sportsmanship, which we cannot legislate. I, for one, am aware, as a public officeholder, that I already have the advantage over any man that offers to run against me, because of the very office I do hold. I am ashamed as a sportsman, so far as I can control it, to have one vote influenced for me on the basis of patronage. It is not right, and it is not sportsmanship. [Applause.]

But, I repeat, we cannot legislate sportsmanship. We can, however, establish an example by forswearing any undue advantage which patronage gives us. Some creep toward this ideal down the criminal path marked by the Hatch bill, others take it the easy way of civic good manners. If we can approach this practice of sportsmanship by enacting civil service, under the guise of its being unimportant, we shall have passed from the mere preaching of fair play to the actual practice of sportsmanship in American political life. Upon this I should like to dilate at great length, but I may safely leave the rest I would say to your fertile imaginations.

SKILL WITHOUT LEGISLATION

The second of the unearned and indirect fruits that have great significance but concrete unimportance is reverence for skill. We politicians need to have our people understand that politics is in itself a work of extraordinary skill. I

want to do my part to remove from the mantle of the practicing politicians the aroma of skulduggery. Most of us know that most imputations against the politician are not true. We know that he is skilled, and we know that a nation's efficiency and its morale, and therefore its happiness, are always determined by the practice of skill and respect for that practice.

The SPEAKER. Will the gentleman suspend for a moment?

Without objection, the gentleman from Illinois will be allowed to complete his remarks.

There was no objection.

Mr. SMITH of Illinois. Thank you very much, Mr. Speaker, and thank you, gentlemen.

I have a fancy of my own that as over against the technological and industrial skills of mind and muscle in our day, the skill which constitutes a man a good politician is of such superior significance that if it were once understood that not just anybody can be a good politician, but that it takes an extraordinary person, with an unusual bent of mind, with an unusual soft heart and an unusual thick skin, to be a politician, then we would have established, not only our right to become what we are—the secular saints of this scientific society, spreading the cement of sociality in the thousands of crevices rent in our social fabric by the division of labor and the specialization of these technological skills—but if once we could establish that it is the business of the politician to be practitioner in general of the art of interpretation across all human cleavages, we should have established a fact of revolutionary reach and influence.

The art of conversation is everywhere admitted to be almost a dead art. The art of "radiatority" has hardly yet been born. The art of public address is confined to so small a section of the natural aristocracy of the human tongue that it is pathetic how few men and how few women in our society can really grace the use publicly of our noble language and can tie together in one seamless web the glistening insights of the majestic mind and the flowing motions of human sentiments.

Now, that is what we politicians are mostly good at, and it is a gift that is so near like that of the gods that if we could ever turn ourselves loose to learn how to practice that magnificent gift, instead of being distracted by the wretched business of patronage, at which we are not any good for the Nation, we might then come to develop once more a parliament of Websters and Calhouns and Douglasses and, in an age that despises the spirit of oratory, grace once more the noblest of the human arts, the art of oral and elegant expression. But what chance has a politician to learn to do this job superbly? To put it simply, what chance has a man to know enough about many subjects, even one subject, to be able to make magnificent and moving statements of inner meaning, of complex and interlaced problems, when nine-tenths of his time is given up to the practice of the civic turpitude of political partisanship in affairs administrative? What chance have we got to be more than mediocre in the practice of the great skill of moving eloquence? I do not, I may say, voice here a personal complaint, since my job as Congressman at Large carries no patronage.

There is not a man and there is not a woman here who does not know how pathetic we all feel in having to move through faux pas of ignorance to faux pas of ignorance because we have not any time here to master our problems. We have not any time here or at home to master the intricacies of even the bills, not to mention the achievement of clairvoyance with the inner genius of this great Republic. We have no time systematically to read its history. We must neglect its poets, gulp at its novelists, and overlook its philosophers. Yet in these artists, more even than in our scientists, is brewed the very spirit of our national life. Give ourselves the chance once to practice the skill which we profess, and we shall not only have redeemed our profession from the imputation of jobbing skulduggery but we shall have set in motion—and mark this, for this is the main point—we shall have set in motion, through our example, a restoration of pride in every

form of skill that goes to make this the great industrial Nation that it is.

The one complaint against my country which I allow myself, as a patriot, while I go up and down this land constantly, arises from the growing realization that this reputedly efficient Nation is losing its joy in the job, the humble jobs that men and women are doing. The ancient instinct of workmanship is on the decline throughout the whole of this industrial Republic, and the best we can do about it lies beyond the power of legislation. No more than we can legislate sportsmanship can we legislate skill; but if we would practice the consummate political skill of accommodation and compromise through the spoken word, we should have set in operation throughout this Republic, in the words of my old sea captain, "influences that would become tidal waves of civic restoration." A full and complete civil service would free not only us from job-brokerage but free also a thousand special skills from our blundering political interference. I cannot go further into this line of thought, thus imposing upon your graciousness in allowing me generous extension of time.

A LITTLE STATE LEGISLATOR MAY LEAD US

I am pleased to have here in my hand a document that makes it unnecessary for me to extend myself further upon that subject. It is a statement by a State legislator who has given me permission to use it, but who, modestly for a State politician, asks me not to reveal his name. It is taken from a speech which he himself, apparently, made.

Gentlemen, let me not close this sober defense of freedom of speech upon a somber note. It is in defense of the joy of life that I live and talk. Better an hour of freedom than a day of caution, than a year of fear, than a life of suppression. Talk is a form of freedom too cheap to make dear by prohibition. How dear, indeed, this freedom is to have which is so cheap to allow. Yet talk so telling in the tale to the teller is mostly nonsense to any outside listener. Consider now how few nuggets you carry with you from all the Pullman, poolroom, and parlor talk you have ever heard. Consider, too, how few violent deeds you can recall as flowing from all the bold, bad talk you have ever heard. The fruit in action of even the tallest talk is mostly but more talk.

This thought might warn us against taking talk too seriously and thus leave us free to commit it more joyously. The Communist may talk loud and long of his perfect order—of the classless society which he professes to see in the crystal ball of dialectical materialism—and even talk of the necessity of helping the crystal ball to bring to birth its blood and thunder. Let him talk! Let him talk! He's as little likely to perpetrate his secular perfection of Saturday night as we our sacred perfection of Sunday morning. The reason is the same in each case—perfection is to preach, not to practice.

Nevertheless, half the fun of life is in flowing freely at the mouth. It may be but a bubble at the tea table, rising to a bubble before the liquored bar, and striding to a bickering before the enrobed bench. It may be the whispered retinue of sweet nothings—all-important, it is said, in the high art of making love. It may rise to a nobler gushing from the rostrum and the stump. It may become an avalanche of foam and fury in the presence of hardly suffered wrong. In whatever form the flowing flows the heart is eased of fullness so that it may enjoy itself to fullness once again and back again.

Nobody knows the supreme worthfulness of this wordy pleasure more than we politicians. We get elected on the verbal easement of oratory. We swell the flood of wind and word during our terms of talk. And we pass, when we pass we must, upon the gentler receding flow of elegiac whisperings "too full for sound or foam." While we live and dignify the larynx, legislation is the heroic by-product of our profession. Half the rewards of all our silent days arise from talk projected or from talk remembered. In nothing are we more representative of our people than in the chronic taste for talk. Of our people? Not merely. It is written down in sacred sound that "in the beginning was the word." As in the beginning so in the ending and in the middle. The word remains and abides.

Newspapers are but talk still sticky with ink; magazines talk where the ink has dried; books talk canned in decorous code and preserved against hours of solitude and silence. Our meditative musing is but free-wheeling talk, and our most cogent thinking, talk rehearsed in private against the happy hour when the stage will once more be ours. Talk is full telltale of our simian ancestry, chattering among the trees; talk is full commemorative of our human heritage, sharing sense through sound; talk is faintly predictive of our fairest clairvoyance, in some romance grounded after gloaming of perfect understanding. Meantime they live fullest who talk best. And as for service we also serve who only stand and talk.

Off with the brakes! On with the fest! Let talk grow more and more refined!

After that paean of praise for our political art, I say no more. Only this I ask you to let me do, and it in reverence

for my mentor, the old sea captain, who awakened me to life and wisdom—let me close my first appeal to you as he closed his last and greatest appeal to his parliament, with a fitting poem. Allow me this conceit, and I will take off my hat in public to the day-by-day eloquence of this honorable body. For, colleagues in laryngeal liquidity—

I eat and drink your precious words,
My spirit grows robust.
I know no more that I am poor
Or that my frame is dust.
I dance along the glad days,
And my bequest of wings is but your talk,
What liberty a loosened tongue may bring!

[Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. TABER] may extend the remarks he made today and include certain quotations from the hearings on the Treasury and Post Office Department appropriation bill.

The SPEAKER. Without objection, it is so ordered.
There was no objection.

VERMONT

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to proceed for 3 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. PATRICK. Mr. Speaker, a few days ago I had a little word that I intended to say about the State of Vermont. I decided not to say it at all, but merely received permission to extend my remarks and inserted it in the Appendix of the CONGRESSIONAL RECORD. It was just a few words about the State of Vermont, which I thought were complimentary to that State, even if I did not entirely agree with the national policy of Vermont as was revealed in the few remarks.

I rise today—and, by the way, it is a good time to do it, since I am filled with the delight and charm of the speech of the gentleman from Illinois [Mr. SMITH] who just preceded me. I would have been a poor man, indeed, had I not heard that diverting and charming address, and it will always be a cherished hour that kept me here today.

But I want to say of Vermont that I am sure that delightful State, so rich in the history of this Nation, sending as it does to this body a man that I think is the composite of Vermonters—if there is a statesman, a kindly, pleasant, and delightful gentleman on this floor, it is he. He is not here just now, so I am not trying to merely compliment one who is immediately present. If there is anything there that makes an offending sound in the ears of any Vermonter, or certainly that may seem ill-natured to that statesman and charming gentleman, I am sorry indeed. But in those remarks I spoke of the people of Vermont as the kind of people we refer to as the salt of the earth. I was very seriously sincere when I made those remarks. All I want to say is that it was entirely in the spirit of good humor and good will. The only reference I made was concerning the national policy.

I have a number of letters and editorials revealing that they have compared Vermont with Alabama—Alabama is my home State, you know.

I was not discussing Alabama, however; neither was I discussing State matters; I was discussing national matters. So I have taken this time today to declare against any intent of offense.

While I am on my feet, Mr. Speaker, I am interested in one other important matter that has shown itself, and I hope we can work out some way in which to take action on it; if we can, we should.

The gentleman at the head of the C. I. O., Mr. John Lewis, is in the news again, as many of you have noticed. Since he first took the Vice President from the prospective Presidential list and doomed him, he has attacked the eminent administrator, the ex-Governor of Indiana and so forth, the Honorable Paul McNutt, and doomed him, and has now doomed the President of the United States. I wonder what we can do about

our comrade and friend, our esteemed colleague, the gentleman from Michigan [Mr. HOFFMAN]? He is in distress—and this other gentleman, Chief Big Thunder No Rain—he is in the same category, and there may be a few others also. They have been belaboring us Democrats constantly about Mr. Lewis, but I think in view of what has now happened to them, indeed a catastrophe, we, as a body, ought to get together and see if we can do something, especially for these two gentlemen; something to relieve the pain and suffering they are undergoing at this time; if we could have a caucus—something that has never been done in this body—a caucus of Democrats and Republicans; if we may all get together and have such a caucus to help these poor boys we should do so, because their only harp is broken and their one chord is lost; the cold winds are blowing right through their clothes today, and they are in sore and dire distress. They are desolate and marooned on the island of despair. If we can, for once, clasp hands and do something to save them we shall have done something that is sorely needed at this moment. For some time it has been the only string to their bow, and now, alas, it has broken. I thank you. [Applause and laughter.]

BIRTHDAY CAKE PRESENTED TO PRESIDENT BY THE BAKERY AND CONFECTIONERY WORKERS' UNION

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RAMSPECK. Mr. Speaker, in connection with the celebration of the President's birthday and the campaign in behalf of those suffering from infantile paralysis, the labor division of the committee for the celebration of the President's birthday, under the direction of Mr. William Green as chairman and Mr. Gilbert E. Hyde as executive secretary, brought to Washington three charming young ladies who are now sitting in the Gallery of this House, to present to the President a beautiful birthday cake made by the Bakery and Confectionery Workers' International Union, and also to present to the President for the use of this foundation money contributed by union officials.

In the extension of my remarks I shall put in a history of this cake and the part these young ladies played in presenting it to the President of the United States at the White House today.

The matter referred to follows:

The Misses Elnore Myrup, Marilou Winter, and Elsie Schmidt are three Chicago girls, the daughters of the three leading officials of the Bakery and Confectionery Workers' International Union, which made the huge birthday cake to be presented to President Roosevelt today in commemoration of his fifty-eighth birthday, January 30.

The cake was donated to the labor division of the committee for the celebration of the President's Birthday by the Bakery Union as a means of raising additional funds for the "Fight Infantile Paralysis" campaign. A. F. of L. unions bought the 58 candles on the cake, which grossed more than \$5,800 for the paralysis fund.

The labor division, of which William Green is chairman and Chester M. Wright director of organization, distributed close to three and one-half million President's birthday greeting cards to members of organized labor throughout the Nation and its Territories, and asked each member receiving a card to return it to the White House loaded with dimes and dollars for the war on the dreaded scourge.

Yesterday evening the cake itself was placed on exhibition at a large reception at the Mayflower in honor of the three young ladies who flew here to present President Roosevelt with the cake.

While in the city, the girls are the guests of the labor division and will be dinner guests of William Green as well as the Washington local of the Bakery Union, whose national affairs are directed by their fathers.

[Applause.]

PATRONAGE AND STATESMANSHIP

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MUNDT. Mr. Speaker, inspired by the intellectual and intriguing discussion by our colleague from Illinois [Mr. SMITH], and stimulated by the wit of the inimitable gentleman from Alabama [Mr. PATRICK], I am driven to make a public confession here this afternoon.

I must admit that up until today I did not know why it was that as a new Member I discovered that the statesmanship on the Republican side of the aisle was so much greater than I found it to be on the other side of the aisle. Today that has been driven home to me, and I see that it is because my Republican colleagues are not troubled by patronage problems of any kind but can dedicate themselves to the tasks of true statesmanship. I realize now that it is because of the complete freedom on our Republican side from all problems of patronage that we can and do proceed without partisanship, patronage, or pelf to the study of the facts at hand and to the summation of conclusions which are so logical that they frequently entice the support of the able and patriotic gentleman from Illinois. He is a man of great ability and persuasive eloquence. I therefore invite the cooperation of my Democratic colleague from Illinois [Mr. SMITH] in helping us Republicans in our efforts to unseat the New Deal in the coming election so that he and his political associates may share with us in having that freedom from problems of political patronage which he has so effectively shown to be the cause of so much suffering on the part of Members on his side of the aisle. It really does not seem fair to deny you Democrats any longer the blessings of ample opportunity to study the facts as they are presented and to engage in the great art of the spoken word in true statesmanlike style. Verily, you have earned the right to be freed for a time of all problems of patronage. I think the country, as a whole, is mindful of that fact.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. MUNDT. I yield.

Mr. VOORHIS of California. I would remind the gentleman that there is a much more direct way of accomplishing the same purpose, namely, by supporting the bill H. R. 960, which the gentleman from Georgia has introduced, and which I hope will be before us soon.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. MUNDT. I yield.

Mr. PATRICK. Does not the gentleman believe, in keeping with his desire and his sentiment, that it would be much easier to hold the present party in power until that is cleared up—until all that is taken care of—that matter which is such a problem in the life of the minority party? [Laughter and applause.]

Mr. MUNDT. I presume in that statement the gentleman from Alabama refers to the Democratic Party which has been traditionally, and now seems soon to again become, the minority party of America.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts [Mrs. ROGERS]?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I wish to ask a question of the gentleman from South Dakota [Mr. MUNDT]. Does not the gentleman realize that if H. R. 960 is passed a great many of these people would be blanketed in without benefit of a real civil-service examination? That it would be no test of merit or efficiency?

Mr. MUNDT. I think that is true. I am sure the gentleman from Illinois [Mr. SMITH] would object to having people blanketed in the civil service in that manner, because I know he is sincere in his desire to improve the public service, as are both you and I.

Mrs. ROGERS of Massachusetts. I am sure he is. I know he would like open competitive examinations. His altogether delightful speech proved that.

Mr. RAMSPECK. Will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Georgia.

Mr. RAMSPECK. The record of the Republican Party shows thousands of similar cases where employees appointed politically were blanketed in without even the benefit of a noncompetitive examination.

Mrs. ROGERS of Massachusetts. I know the gentleman will agree with me that a very small number, comparatively, was blanketed in under the Republican administration. In this case approximately 300,000, I believe, will be blanketed in. There is a great difference. However, that does not excuse the Republican Party, and I hold no brief in behalf of either the Republican or Democratic Party for blanketing in people into the civil service.

[Here the gavel fell.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HARE, indefinitely, on account of illness.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a joint resolution of the House of the following title:

H. J. Res. 419. Joint resolution to extend for 3 additional months the time during which articles imported free of duty for exhibition at the Golden Gate International Exposition or the New York World's Fair may be sold or abandoned.

ADJOURNMENT

Mr. MAHON. Mr. Speaker, I move the House do now adjourn.

The motion was agreed to.

Accordingly (at 4 o'clock and 13 minutes p. m.), under its previous order, the House adjourned until Monday, January 29, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON ROADS

The Committee on Roads will continue public hearings in the Roads Committee room, 1011, New House Office Building, at 10 a. m. Friday, January 26, 1940, on H. R. 7891, a bill to assist the States in the improvement of highways.

COMMITTEE ON NAVAL AFFAIRS

There will be a hearing Monday, January 29, 1940, at 10 a. m., before the Committee on Naval Affairs on H. R. 8026, to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matters named:

Tuesday, January 30, 1940:

The following hearing was at first scheduled for Friday, January 5, but was later postponed until Thursday, January 25, 1940. Now it has been postponed again, this time being Tuesday, January 30, 1940, at 10 a. m.

H. R. 7357, to amend section 4472 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 465), to provide for the safe carriage of explosives or other dangerous or semidangerous articles or substances on board vessels; to make more effective the provisions of the International Convention for Safety of Life at Sea, 1929, relating to the carriage of dangerous goods; and for other purposes.

Tuesday, February 6, 1940:

H. R. 7527, to make effective the provisions of the Minimum Age (sea) Convention (revised), 1936, and for other purposes.

Hearings will be continued Wednesday, February 7, 1940, at 10 a. m., on H. R. 6130, to provide for mandatory or compulsory inspection and permissive or voluntary grading of fish, fishery products, fishery byproducts, shellfish, crustacea, seaweeds, and all other aquatic forms of animal and vegetable life, and the products and byproducts thereof, and for other purposes.

Tuesday, February 13, 1940:

H. R. 1780, to amend section 7 of the act of June 19, 1886, as amended (U. S. C., 1934 ed., Supp. III, title 46, sec. 319), relative to penalties on certain undocumented vessels and cargoes engaging in the coastwise trade or the fisheries, and for other purposes.

H. R. 5837, to amend section 221 of the Shipping Act, barring certain aliens from participating in the benefits thereof.
 H. R. 6770, to amend Revised Statutes 4311 (U. S. C. 251).
 H. R. 7694, to amend section 4311 of the Revised Statutes of the United States.

Tuesday, February 20, 1940:

H. R. 4079, to amend sections 4353 and 4355 of the Revised Statutes of the United States.

H. R. 6751, to repeal certain laws with respect to manifests and vessel permits.

H. R. 5788, to amend the present law relating to the delivery of ships' manifests to collector of customs by excluding Sundays and holidays from the time within which such delivery may be made by the master.

H. R. 5789, to amend the present law relating to the delivery of ships' manifests to collectors of customs by excluding Sundays and holidays from the time within which such delivery may be made by the master.

Friday, February 23, 1940:

H. R. 7639, to provide for the examination of civilian nautical schools and for the inspection of vessels used in connection therewith, and for other purposes.

COMMITTEE ON FOREIGN AFFAIRS

There will be a hearing Tuesday, January 30, 1940, at 10:30 a. m., before the Committee on Foreign Affairs on House Joint Resolution 412, House Joint Resolution 430, and House Joint Resolution 436, for the relief of the distressed and starving women and children of Poland, and for other purposes.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization Wednesday, January 31, 1940, at 10:30 a. m. In re 7110 (LESINSKI), naturalization of certain natives of India.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings in the committee room, 247 House Office Building, at 10 a. m., on the following dates on the matters named:

DEPENDENTS OF REGULAR ESTABLISHMENT VETERANS

Friday, January 26, 1940:

H. R. 7191. A bill to make more equitable provision for pensions for the dependents of deceased veterans of the Army, Navy, Marine Corps, and the Coast Guard.

H. R. 7522. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to dependents of veterans of the World War whose death is due to service.

H. R. 7652. A bill to grant pensions and increase of pensions to widows and dependents of certain deceased members or former members of the military or naval service.

H. R. 7734. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to the dependents of veterans of the World War whose death is due to service.

MEDAL OF HONOR PENSIONS

Thursday, February 1, 1940:

H. R. 3385. A bill to liberalize the provisions of the Medal of Honor Roll Act of April 27, 1916.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a hearing before a subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m., Friday, January 26, 1940, on H. R. 6652, to aid consumers by setting up standards of quality based on performance as a guide in the purchase of consumer goods.

Hearings will begin Monday, February 5, 1940, at 10 a. m., before the Petroleum Subcommittee of the Committee on Interstate and Foreign Commerce. State regulatory bodies will be heard first.

COMMITTEE ON THE JUDICIARY

On Monday, January 29, 1940, at 10 a. m., there will be a hearing before the Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary on the bills (H. R. 7528 and S. 1935) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout

the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto (sec. 75). The hearing will be held in room 346, House Office Building.

On Wednesday, February 14, 1940, at 10 a. m., there will be a hearing before the Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary on the bill (H. R. 8016) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto (municipal compositions). The hearing will be held in room 346, House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1300. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 11, 1940, submitting a report, together with accompanying papers and an illustration, on reexamination with a view to determining what remedial action is necessary and justified to permit unobstructed discharge into the Missouri River of flood waters from the Indian Creek flood channel at Council Bluffs, Iowa, requested by resolution of the Committee on Flood Control, House of Representatives, adopted February 9, 1939 (H. Doc. No. 577); to the Committee on Flood Control and ordered to be printed, with an illustration.

1301. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 11, 1940, submitting a report, together with accompanying papers and an illustration, on reexamination of Port Alexander, Alaska, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted September 26, 1938 (H. Doc. No. 578); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

1302. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 11, 1940, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Elfin Cove, Alaska, authorized by the River and Harbor Act approved August 26, 1937 (H. Doc. No. 579); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

1303. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 11, 1940, submitting a report, together with accompanying papers and illustrations, on reexamination of Delaware River between Philadelphia and the sea, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted April 8, 1938 (H. Doc. No. 580); to the Committee on Rivers and Harbors and ordered to be printed, with two illustrations.

1304. A letter from the Secretary of the Interior, transmitting the draft of a bill to amend section 3 of title 43 of the United States Code; to the Committee on the Public Lands.

1305. A letter from the Secretary, United States Employees' Compensation Commission, transmitting the Annual Report of the United States Employees' Compensation Commission covering the fiscal year ended June 30, 1939; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. WARREN: Committee on Accounts. House Resolution 368. Resolution to authorize the payment of expenses of investigation authorized by House Resolution 321 (Rept. No. 1530). Ordered to be printed.

Mr. KENNEDY of Maryland: Committee on Merchant Marine and Fisheries. H. R. 7339. A bill to exempt sail vessels from the provisions of section 13 of the act of March 4, 1915, as amended, requiring the manning of certain merchant vessels by able seamen, and for other purposes; with amendment (Rept. No. 1531). Referred to the Committee of the Whole House on the state of the Union.

Mr. KENNEDY of Maryland: Committee on Merchant Marine and Fisheries. H. R. 7420. A bill to amend laws for preventing collisions of vessels; with amendment (Rept. No. 1532). Referred to the Committee of the Whole House on the state of the Union.

Mr. FADDIS: Committee on Military Affairs. H. R. 8083. A bill to authorize the Secretary of War to furnish certain markers for certain graves; without amendment (Rept. No. 1533). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BECKWORTH:

H. R. 8148. A bill to provide that Federal grants for old-age assistance shall match State contributions 4 for 1 as to payments up to \$30, and equal State contributions as to additional payments not in excess of \$40; to the Committee on Ways and Means.

By Mr. CANNON of Florida:

H. R. 8149. A bill to provide for a more equitable sugar quota for the mainland sugarcane area; to the Committee on Agriculture.

By Mr. COCHRAN:

H. R. 8150. A bill providing for the barring of claims against the United States; to the Committee on Expenditures in the Executive Departments.

H. R. 8151. A bill to provide travel expenses of civilian officers and employees upon official change of station; to the Committee on Expenditures in the Executive Departments.

H. R. 8152. A bill providing for procurements without advertising; to the Committee on Expenditures in the Executive Departments.

By Mr. COLMER:

H. R. 8153. A bill to amend the Social Security Act, as amended, with respect to grants to States for old-age assistance; to the Committee on Ways and Means.

By Mr. VAN ZANDT:

H. R. 8154. A bill authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. WOODRUM of Virginia:

H. R. 8155. A bill providing for the issuance of patents to town lots in Harding town site, Florida; to the Committee on the Public Lands.

By Mr. LESINSKI (by request):

H. R. 8156. A bill to equalize the pensions payable to the dependents of veterans of the Regular Establishment with those payable to the dependents of veterans of the World War whose deaths are due to service-connected disabilities or who, at time of death, were suffering with service-connected disabilities; to the Committee on Invalid Pensions.

By Mr. PETERSON of Georgia:

H. R. 8157. A bill to establish a national land policy and to provide homesteads for actual farm families; to the Committee on the Public Lands.

By Mr. JENNINGS:

H. R. 8158. A bill to authorize a preliminary examination and survey of the Emory River and tributaries, Tennessee, with a view to the control of floods, and for other purposes; to the Committee on Flood Control.

By Mr. DICKSTEIN:

H. J. Res. 442. Joint resolution authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANGELL:

H. R. 8159. A bill for the relief of the Shaver Forwarding Co.; to the Committee on Claims.

By Mr. DEMPSEY:

H. R. 8160. A bill for the relief of the Ringle Development Corporation; to the Committee on Claims.

By Mr. EBERHARTER:

H. R. 8161. A bill granting an increase of pension to Annie McClean; to the Committee on Invalid Pensions.

By Mr. EDMISTON:

H. R. 8162. A bill granting an increase of pension to Robert Blake; to the Committee on Invalid Pensions.

By Mr. O'BRIEN:

H. R. 8163. A bill for the relief of Antonio Sabatini; to the Committee on Immigration and Naturalization.

By Mr. RAYBURN:

H. R. 8164. A bill for the relief of Wilson N. Yost; to the Committee on Claims.

By Mr. ROBSION of Kentucky:

H. R. 8165. A bill granting a pension to Alfred Hacker and Belle Hacker; to the Committee on Invalid Pensions.

By Mr. SHANLEY:

H. R. 8166. A bill for the relief of Austin L. Tierney; to the Committee on Naval Affairs.

By Mr. SUTPHIN:

H. R. 8167. A bill granting a pension to Walter J. Mills; to the Committee on Invalid Pensions.

By Mr. SWEENEY:

H. R. 8168. A bill for the relief of Luther M. Kelley; to the Committee on Military Affairs.

By Mr. MUNDT:

H. J. Res. 443. Joint resolution for the relief of South Dakota Wheat Growers Association, Inc.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6258. By Mr. FLAHERTY: Petition of the International Brotherhood of Firemen, Oilers, Coal Passers, Helpers, and Operators, Boston, Mass., opposing the continuation of the reciprocal-trade pacts; to the Committee on Ways and Means.

6259. By Mr. HOPE: Petition of J. C. O'Donnell and 55 other citizens of Hutchinson, Kans., urging the enactment of the Patman chain store tax bill (H. R. 1); to the Committee on Ways and Means.

6260. By Mr. HOUSTON: Petition of E. Thayer Ward, of Wichita, Kans., and 11 others, urging enactment of the Patman chain store tax bill (H. R. 1); to the Committee on Ways and Means.

6261. By Mr. JACOBSEN: Resolution of the Eastern Iowa Veterinary Association, Inc., recommending that protective barriers be administered against the importation of infectious livestock diseases in the United States by the United States Bureau of Animal Industry; to the Committee on Agriculture.

6262. Also, resolution of the Quad-City Theatre Managers Association, petitioning their representatives in Congress to vote against the Neely antiblock booking bill and to do their utmost in defeating it; to the Committee on Interstate and Foreign Commerce.

6263. By Mr. JOHNSON of Illinois: Petition of 18 owners and managers of 18 theaters in Rock Island County, Ill., opposing the Neely bill (S. 280); to the Committee on Interstate and Foreign Commerce.

6264. By Mr. MARTIN J. KENNEDY: Petition of the Albany Port District Commission, Albany, N. Y., expressing commendation upon the submission to the House of Representatives of House Resolution 360, which provides for an investigation to determine the advisability of the St. Lawrence-Great Lakes Deep Waterway; to the Committee on Military Affairs.

6265. By Mr. KEOGH: Petition of the State of New York Banking Department, New York City, concerning further chartering of Federal savings and loan associations and power

to the Federal Home Loan Bank Board, etc.; to the Committee on Banking and Currency.

6266. Also, petition of the Social Democratic Federation of New York City, concerning the passage of the Wagner-Steagall housing bill; to the Committee on Banking and Currency.

6267. By Mr. KINZER: Petition of 25 residents of Chester County, Pa., to expand the Federal relief and employment program; to the Committee on Ways and Means.

6268. By Mr. LEAVY: Resolution of the Wenatchee Rotary Club, adopted at its regular session at Wenatchee on January 4, 1940, opposing the setting aside of any further area in the State of Washington for national-park purposes, pointing out that it would seriously handicap the further development of industry, mining, lumbering, and potential water-power resources of this region and would further increase unemployment and add greater burdens of relief and taxation on the people; to the Committee on the Public Lands.

6269. By Mr. LECOMPTE: Petition of sundry citizens of Garden Grove, Iowa, urging enactment of House bill 1; to the Committee on Interstate and Foreign Commerce.

6270. By Mr. PFEIFER: Petition of the Private Chauffeurs Union, Local 800, New York City, endorsing the program of the Central Trades and Labor Council of Greater New York and Vicinity to restore the prevailing wage on all Government projects; to the Committee on Labor.

6271. By Mr. REES of Kansas: Petition of W. A. Ensign and 22 other citizens of Clay Center and Manhattan, Kans., in behalf of House bill 1; to the Committee on Ways and Means.

6272. Also, petition of Milton Parks Belcher, of Eureka, Kans., and 180 other citizens of the Fourth District of Kansas, in behalf of House bill 1; to the Committee on Ways and Means.

6273. By Mr. SABATH: Petition of the City Council of Chicago, Ill., expressing its approval of the present reciprocal-trade policy of our Government and favoring the continuance thereof; to the Committee on Ways and Means.

6274. By Mr. SUTPHIN: Petition of the United Sugar Refinery Workers Local Industrial Union, No. 151, of Edgewater, N. J., requesting that Congress make a provision to exclude the importation of refined sugar; to the Committee on Foreign Affairs.

6275. Also, petition of the Women's State Republican Club of New Jersey, Inc., opposing the Wagner health bill (S. 1620); to the Committee on Labor.

SENATE

MONDAY, JANUARY 29, 1940

The Chaplain, Rev. ZēBarney T. Phillips, D. D., offered the following prayer:

O Thou, the ever living One, who alone abidest, in whom is all our life: Make us glad in the confidence that we are Thine, that in Thy loving care we may keep ourselves in all truth and purity, plastic to the touch of Thy gently shaping hand. As the laughter of evil or the song of victory leaves lingering echoes in the house of life, enable us to realize that in the little things, which we are so apt to overlook, we are preparing tears and shame or beauty and love in the lives of others, so great is the unforeseen might of our most trivial deed and thought. Help us, therefore, day by day to cultivate habits of goodness, established by the constant inspiration of Christlike thoughts in us, that we may never miss life's great things which do not strive or cry as they draw near, but move in gentleness and quiet calm, as they reveal in the soul's great moments the wondrous purpose of Thy will. In our dear Saviour's name we ask it. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, January 25, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Calloway, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 8067. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1940, and for other purposes; and

H. R. 8068. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1941, and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred to the Committee on Appropriations:

H. R. 8067. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1940, and for other purposes; and

H. R. 8068. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1941, and for other purposes; to the Committee on Appropriations.

CANCELATION OF CERTAIN CHARGES AGAINST INDIANS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting, pursuant to law, copy of an order for the cancellation of certain charges in connection with reimbursable charges of the Government existing as debts against individual Indians or tribes of Indians, which, with the accompanying paper, was referred to the Committee on Indian Affairs.

AMENDMENT OF RETIREMENT ACTS—CREDIT FOR MILITARY SERVICE

The VICE PRESIDENT laid before the Senate a letter from the Administrator of Veterans' Affairs, transmitting a copy of proposed legislation to amend the Civil Service Retirement Act and other retirement acts, which, with the accompanying paper, was referred to the Committee on Civil Service.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate petitions of the Maybury Alumni Association and sundry citizens, all in the State of Michigan, praying for the enactment of legislation to exempt handicapped persons, such as arrested tuberculosis workers, on W. P. A. projects from the operation of the lay-off provision after 18 months of such work, which were referred to the Committee on Appropriations.

He also laid before the Senate a letter in the nature of a petition from Local No. 114, Alkaline Salt Workers, of Trona, Calif., praying for the continuance of the so-called La Follette Civil Liberties Committee, investigating the question of civil rights and the rights of labor, and expressing appreciation for the work of the committee, which was referred to the Committee on Education and Labor.

He also laid before the Senate a resolution of the Social Democratic Federation of New York City, N. Y., favoring the enactment of the so-called Wagner-Steagall housing bill, providing for the issuance of additional U. S. H. A. bonds in the amount of \$800,000,000, etc., so as to provide better housing conditions, which was referred to the Committee on Education and Labor.

He also laid before the Senate a resolution of the Laymen's League of the Church of Our Father (Unitarian-Universalist), Detroit, Mich., favoring all possible material assistance, short of war, to the Republic of Finland, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a resolution of the Pennsylvania State Camp, Patriotic Order Sons of America, Philadelphia, Pa., remonstrating against the appointment of Myron C. Taylor as representative at the Vatican and requesting the recall of Mr. Taylor, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a resolution of Local No. 10 (C. I. O.), United Federal Workers of America (Social Security Board), Washington, D. C., favoring the prompt enactment of pending antilynching legislation, which was referred to the Committee on the Judiciary.

He also laid before the Senate a resolution of the Bogata National Farm Loan Association, of Clarksville, Tex., favoring the restoration of the Farm Credit Administration to the status of an independent bureau and the placing of the operations of the Federal land banks, National farm-loan associations, and other units of the Administration under the supervision of a bipartisan board appointed by the President for fixed terms, by and with the advice and consent of the Senate, which was referred to the Select Committee on Government Organization.

Mr. CAPPER presented a letter in the nature of a petition from Local No. 1, Citizens' Workers Union of America, of Kansas City, Kans., signed by Nellie M. Hubbard, secretary-treasurer, praying for the enactment of legislation to provide old-age pensions and relief for the unemployed, which was referred to the Committee on Finance.

He also presented petitions of members of the Woman's Christian Temperance Union of St. John and sundry citizens of Climax and Severy, all in the State of Kansas, praying for the enactment of the bill (S. 517) to amend the Communications Act of 1934 to prohibit the advertising of alcoholic beverages by radio, which were ordered to lie on the table.

Mr. TYDINGS presented a petition of sundry citizens of the State of Maryland, praying for the enactment of Senate bill 1766, providing a pension for sightless persons who have not sufficient income to be self-supporting, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of North East, Md., praying for the enactment of legislation to grant a loan to the Republic of Finland, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of the State of Maryland, praying for the prompt enactment of legislation to impose an embargo on the sale of all war supplies and materials to Japan, which was referred to the Committee on Foreign Relations.

Mr. HOLT presented resolutions of Eph Boggs Post, No. 49, American Legion, Department of West Virginia, of Williamson, and Huntington Post, No. 16, American Legion, of Huntington, both in the State of West Virginia, favoring continuance of the so-called Dies committee investigating un-American activities and appropriation of the necessary funds therefor, which were referred to the Committee on the Judiciary.

He also presented a resolution of the twenty-first annual convention of the American Legion, Department of West Virginia, at Bluefield, W. Va., favoring the enactment of a general pension law for World War veterans, which was referred to the Committee on Finance.

He also presented a resolution of the Twenty-first Annual Convention of the American Legion, Department of West Virginia, at Bluefield, W. Va., protesting against the enactment of legislation providing for the forced retirement of Army officers who have reached a certain age in grade, regardless of their capacity, which was referred to the Committee on Military Affairs.

He also presented letters in the nature of petitions from sundry citizens of Middlebourne, Buchanan, Webster Springs, and Jane Lew, all in the State of West Virginia, praying for the enactment of the bill (S. 517) to amend the Communications Act of 1934 to prohibit the advertising of alcoholic beverages by radio, which were ordered to lie on the table.

SHIPMENT OF WAR MATERIALS TO JAPAN—RESOLUTION

Mr. BARBOUR. Mr. President, I present and ask to have incorporated in the RECORD at this point a resolution adopted by the congregation of the Second United Presbyterian Church of Jersey City, N. J., with reference to our trade relations with Japan. I ask that the resolution be referred to the Committee on Foreign Relations for their most serious consideration.

The resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

We, the congregation of the Second United Presbyterian Church, hereby petition the United States Senate that in the new treaty to be entered into with Japan all materials that could be used to create weapons of war be excluded from said treaty and rigid legislation to carry out this provision be enacted by the Senate.

Submitted by Rev. James Parker, pastor, Second United Presbyterian Church, 110 Hancock Avenue, Jersey City, N. J.

REPORTS OF COMMITTEES

Mr. ADAMS, from the Committee on Appropriations, to which was referred the bill (H. R. 8067) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1940, and for other purposes, reported it with amendments and submitted a report (No. 1167) thereon.

Mr. REYNOLDS, from the Committee on Military Affairs, to which was referred the bill (S. 3130) relating to the citizenship and compensation of certain employees on military construction work in the Panama Canal Zone, reported it without amendment and submitted a report (No. 1168) thereon.

Mr. HAYDEN, from the Committee on Printing, to which was referred the joint resolution (S. J. Res. 71) relating to pay to certain employees of the Government Printing Office for uncompensated leave earned during the fiscal year 1932, reported it with an amendment and submitted a report (No. 1169) thereon.

Mr. BYRNES, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 221) to pay a gratuity to Mattie N. Cole (submitted by Mr. NEELY on the 23d instant), reported it without amendment.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

Mr. VAN NUYS, from the Committee on the Judiciary, reported favorably the following nominations:

Julius J. Wichser, of Indiana, to be United States marshal for the southern district of Indiana; and

Edwin D. Bolger, of Michigan, to be United States marshal for the western district of Michigan.

Mr. MILLER, from the Committee on the Judiciary, reported favorably the nomination of William J. Barker, to be United States district judge for the southern district of Florida, vice Alexander Akerman, retired.

Mr. HATCH, from the Committee on the Judiciary, reported favorably the nomination of John Patrick Hartigan, of Rhode Island, to be United States district judge for the district of Rhode Island, vice John C. Mahoney.

Mr. NEELY, from the Committee on the Judiciary, reported favorably the nomination of Armistead M. Dobie, of Virginia, to be judge of the United States Circuit Court of Appeals for the Fourth Circuit.

Mr. CHANDLER, from the Committee on the Judiciary, reported favorably the nomination of Theron Lamar Caudle, of North Carolina, to be United States attorney for the western district of North Carolina, vice Marcus Erwin, deceased.

Mr. PITTMAN, from the Committee on the Judiciary, reported favorably the nomination of Alfred D. Barksdale, of Virginia, to be United States district judge for the western district of Virginia.

Mr. WHEELER, from the Committee on Interstate Commerce, reported favorably the nomination of David J. Lewis, of Maryland, to be a member of the National Mediation Board for the term expiring February 1, 1943 (reappointment).

Mr. TYDINGS, from the Committee on Territories and Insular Affairs, reported favorably the nomination of Ernest Gruening, of New York, to be Governor of the Territory of Alaska (now serving under recess appointment) vice John W. Troy, resigned.

Mr. KING, from the Committee on the District of Columbia, reported favorably the nomination of Melvin C. Hazen, of the District of Columbia, to be a Commissioner of the District of Columbia for a term of 3 years and until his successor is appointed and qualified (reappointment).

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of several postmasters.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GILLETTE:

S. 3208. A bill to amend the act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," approved June 22, 1936; to the Committee on Commerce.

By Mr. BILBO:

S. 3209. A bill granting the consent of Congress to the Mississippi Highway Commission to construct, maintain, and operate a free highway bridge across Pearl River in the State of Mississippi; to the Committee on Commerce.

(Mr. DANAHER introduced Senate bill 3210, which was referred to the Committee on Appropriations and appears under a separate heading.)

By Mr. SMATHERS:

S. 3211. A bill for the relief of the Passaic Valley Sewerage Commissioners; to the Committee on Claims.

By Mr. McKELLAR:

S. 3212. A bill granting an increase of pension to Claude Hathorn; and

S. 3213. A bill granting a pension to Chanley Freeman (with accompanying papers); to the Committee on Pensions.

S. 3214. A bill to amend the act entitled "An act for the relief of Dr. R. N. Harwood," approved June 10, 1935; to the Committee on Claims.

By Mr. LUCAS:

S. 3215. A bill granting a pension to Clara May Shaffer; and
S. 3216. A bill granting a pension to Sarah Elizabeth Shaffer; to the Committee on Pensions.

By Mr. JOHNSON of Colorado:

S. 3217. A bill to provide for boards of local stockmen to advise and make recommendations to the Secretary of Agriculture with respect to the administration of grazing lands within the national forests; to the Committee on Agriculture and Forestry.

By Mr. WILEY:

S. 3218. A bill for the relief of Schroeder Employees' Thrift Club; to the Committee on Claims.

By Mr. GIBSON:

S. 3219. A bill for the relief of Capt. Mariano S. Sulit, his wife, Estela R. Sulit, and two children, Mariano R. and Rodolfo A. Sulit; to the Committee on Immigration.

By Mr. KING:

S. 3220. A bill to amend the District of Columbia Revenue Act of 1939; and

S. 3221. A bill to regulate, in the District of Columbia, the disposal of certain refuse, and for other purposes; to the Committee on the District of Columbia.

By Mr. VAN NUYS:

S. 3222. A bill granting a pension to Clara Bascom Hamilton Mathews; to the Committee on Pensions.

By Mr. MALONEY:

S. 3223. A bill for the relief of Arthur A. Schipke; to the Committee on Claims.

By Mr. BAILEY:

S. 3224. A bill to make effective the provisions of the Minimum Age (Sea) Convention (Revised), 1936, and for other purposes; to the Committee on Commerce.

By Mr. BYRD:

S. 3225. A bill for the relief of C. W. Smith, B. F. Couk, and J. H. Hobbs; to the Committee on Civil Service.

By Mr. CLARK of Idaho (for Mr. BONE):

S. J. Res. 206. Joint resolution creating a joint committee to arrange for the celebration of the sesquicentennial anniversary of the signing of the first United States patent law; to the Committee on the Library.

REPEAL OF SECTION 16 (B) OF EMERGENCY RELIEF APPROPRIATION ACT

Mr. DANAHER. Mr. President, I introduce a bill to repeal section 16 (b) of the joint resolution entitled "Emergency Relief Appropriation Act of 1939." I ask unanimous consent at this time for the present consideration of the bill.

The VICE PRESIDENT. The Senator from Connecticut introduces a bill and asks unanimous consent for its present consideration.

Mr. BARKLEY. Let the bill be read.

The VICE PRESIDENT. The bill will be read.

The bill (S. 3210) to repeal section 16 (b) of the joint resolution entitled "Emergency Relief Appropriation Act of 1939" was read the first time by its title and the second time at length, as follows:

Be it enacted, etc.—

Section 16 (b) of the joint resolution entitled "Emergency Relief Appropriation Act of 1939," approved June 30, 1939, is hereby repealed.

Mr. DANAHER. Mr. President, let me, before I ask the consideration of the bill by the Senate, point out exactly what I have in mind by this particular bill.

When we adopted the appropriation for work relief in 1939 we wrote into it section 16 (b), which reads:

(b) There shall be removed from employment on Work Projects Administration projects all relief workers, excepting veterans, who have been continuously employed on such projects for more than 18 months, and any relief worker so removed shall be ineligible to be restored to employment on such projects until after (a) the expiration of 30 days after the date of his removal, and (b) recertification of his eligibility for restoration to employment on such projects.

That is sufficient to indicate the purpose in mind. The Administrator has recently conducted an extensive survey. The reports of his survey are available. He points out that of the hundreds of thousands of relief workers who were discharged pursuant to that provision less than 13 percent have been able to find reemployment; that a very considerable percentage of them are destitute and without means of any kind whatever; and the remaining percentage are on direct relief in the cities and States of which they are residents. It seems to me that, with all the talk about relief for Finland and other nations, we can very properly take care of the hundreds of thousands of Americans who find themselves in that position. It seems to me further that Congress ought immediately undertake, through the Senate, to set the wheels in motion to correct that inequity. I, therefore, speak as I do in asking unanimous consent for the present consideration of the proposed repealer.

Mr. McKELLAR. Mr. President, I suggest that the bill be referred to the Committee on Appropriations in the usual way. I object to its immediate consideration, since it should be referred to the committee.

The VICE PRESIDENT. The Senator from Tennessee objects, and the bill will be referred to the Committee on Appropriations.

ADVERTISEMENT OF ALCOHOLIC BEVERAGES BY RADIO—AMENDMENT

Mr. JOHNSON of Colorado submitted an amendment in the nature of a substitute intended to be proposed by him to the bill (S. 517) to amend the Communications Act of 1934 to prohibit the advertising of alcoholic beverages by radio, which was ordered to lie on the table and to be printed.

REPORT ON THE NATCHEZ TRACE

Mr. BILBO. Mr. President, the Seventy-third Congress, second session, appropriated \$50,000 for a survey of the Natchez Trace. I submit at this time a resolution requiring that the report prepared pursuant to the expenditure of the \$50,000 be transmitted to the Senate. I ask that the resolution may lie over under the rule, so that I may speak about it at the next meeting of the Senate.

There being no objection, the resolution (S. Res. 222) was ordered to lie over under the rule, as follows:

Resolved, That the Secretary of the Interior be, and he is hereby, directed to transmit to the Senate the Report of a Survey of the

Old Indian Trail, known as the Natchez Trace, which was made pursuant to an act approved May 21, 1934, with a view of constructing a national road on this route to be known as the Natchez Trace Parkway.

THE FEDERAL JUDICIARY—ADDRESS BY SENATOR M'KELLAR

[Mr. McKellar asked and obtained leave to have printed in the RECORD an address recently delivered by him at Nashville, Tenn., which appears in the Appendix.]

ADDRESS BY SENATOR TOWNSEND ON THE GOLD AND SILVER PROBLEM

[Mr. Taft asked and obtained leave to have printed in the RECORD an address on the gold and silver problem, delivered by Senator TOWNSEND before the Del-Mar-Va Press Association at Wilmington, Del., on January 27, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR GUFFEY AT PHILADELPHIA, PA.

[Mr. NEELY asked and obtained leave to have printed in the RECORD an address delivered by Senator GUFFEY at Philadelphia, Pa., on January 27, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR BRIDGES AT MANKATO, MINN.

[Mr. CAPPER asked and obtained leave to have printed in the RECORD the address delivered by Senator BRIDGES on January 27, 1940, at Mankato, Minn., which appears in the Appendix.]

JACKSON DAY ADDRESS BY SENATOR CHANDLER

[Mr. BYRD asked and obtained leave to have printed in the RECORD a Jackson Day address delivered by Senator CHANDLER at Richmond, Va., on January 15, 1940, which appears in the Appendix.]

ADDRESS BY JUDGE ALBERT W. JOHNSON ON RELATIONS OF UNITED STATES TO PRESENT WORLD CONFLICT

[Mr. DAVIS asked and obtained leave to have printed in the RECORD an address on the duties and responsibilities of the United States in the present world conflict, delivered by Hon. Albert W. Johnson, United States district judge, middle district of Pennsylvania, to the Lions Club, Scranton, Pa., on January 23, 1940, which appears in the Appendix.]

OPINION OF SUPREME COURT ON FORECLOSURES UNDER FARM BANKRUPTCY ACT

[Mr. FRAZIER asked and obtained leave to have printed in the RECORD the opinion of the Supreme Court of the United States rendered January 2, 1940, on the Farm Bankruptcy Act, which appears in the Appendix.]

ADDRESS BY CAPT. ERNEST SCHECHINGER AT WILMINGTON, DEL.

[Mr. TOWNSEND asked and obtained leave to have printed in the RECORD an address delivered by Capt. Ernest Schechinger, before the Reserve Officers' Association at Wilmington, Del., on January 17, 1940, which appears in the Appendix.]

ELECTRIC RATES OF MUNICIPALITIES IN TENNESSEE VALLEY

[Mr. McKellar asked and obtained leave to have printed in the RECORD a letter and accompanying papers, written by L. J. Wilhoite, chairman of the Electric Power Board of Chattanooga, Tenn., relative to electric rates paid by municipalities of the Tennessee Valley, which appear in the Appendix.]

ARTICLE BY RAYMOND CLAPPER ON NEBRASKA DROUGHT

[Mr. NORRIS asked and obtained leave to have printed in the RECORD an article on the Nebraska drought, written by Raymond Clapper and published in the Washington Daily News of January 26, 1940, which appears in the Appendix.]

ARTICLE BY JOHN T. FLYNN ON PROPAGANDA AND THE WAR DEBTS
[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article by John T. Flynn relative to propaganda and the war debts, which appears in the Appendix.]

SILVER—ARTICLE FROM THE ECONOMIST

[Mr. TOWNSEND asked and obtained leave to have printed in the RECORD an article with reference to silver, published in the Economist for December 9, 1939, which appears in the Appendix.]

ARTICLES BY JAY FRANKLIN ON THE LA MONT BOILER

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD several articles by Jay Franklin with reference to the La Mont boiler, which appear in the Appendix.]

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Downey	King	Russell
Andrews	Ellender	Lee	Schwartz
Ashurst	Frazier	Lodge	Schwellenbach
Austin	George	Lucas	Shipstead
Bailey	Gibson	Lundeen	Slattery
Bankhead	Gillette	McKellar	Smathers
Barbour	Glass	McNary	Smith
Barkley	Green	Maloney	Taft
Bilbo	Guffey	Mead	Thomas, Okla.
Brown	Gurney	Miller	Townsend
Bulow	Hale	Minton	Tydings
Byrd	Harrison	Murray	Vandenberg
Byrnes	Hatch	Neely	Van Nuys
Capper	Hayden	Norris	Wagner
Chandler	Herring	Nye	Walsh
Chavez	Hill	O'Mahoney	Wheeler
Clark, Idaho	Holman	Overton	White
Connally	Holt	Pepper	Wiley
Danaher	Hughes	Pittman	
Davis	Johnson, Calif.	Radcliffe	
Donahey	Johnson, Colo.	Reynolds	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Missouri [Mr. CLARK], and the Senator from Texas [Mr. SHEPPARD] are absent from the Senate because of illness.

The Senator from Nebraska [Mr. BURKE], the Senator from Nevada [Mr. McCARRAN], the Senator from Tennessee [Mr. STEWART], and the Senator from Missouri [Mr. TRUMAN] are detained on important public business.

The Senator from Utah [Mr. THOMAS] is detained on official business for the Special Committee on Civil Liberties.

Mr. McNARY. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Kansas [Mr. REED] are necessarily detained from the Senate.

The VICE PRESIDENT. Eighty-one Senators have answered to their names. A quorum is present.

CELEBRATION OF THE PRESIDENT'S BIRTHDAY

Mr. BARKLEY. Mr. President, on tomorrow all over the Nation the President's birthday will be celebrated, as it has been celebrated for a number of years, in a very unique and commendable fashion. The President's birthday will be celebrated by balls and festivities throughout the Nation for the purpose of raising funds to contribute to the elimination of that dread disease, infantile paralysis. On tomorrow 17, or about that number, outstanding movie stars and other actors and actresses will journey to Washington at their own expense in order to honor the President's birthday, and make their contribution to this great humanitarian cause.

One of those stars of the cinema, famous and well known to every household in America, who will be here tomorrow, and is here now to join and participate in the celebration of the President's birthday, is Miss Olivia de Havilland, who plays the important part of Melanie in *Gone With the Wind*. She is not only an accomplished actress, but is a charming personality on and off the stage. Miss de Havilland is honoring us today by her presence in the family gallery, and I am proud to call the attention of the Senate to the fact that she is here, and among those who are to assist in the celebration of the President's birthday.

ORDER OF BUSINESS

Mr. ELLENDER obtained the floor.

Mr. NEELY and other Senators addressed the Chair.

The VICE PRESIDENT. Some days ago the Senator from Louisiana gave notice that he desired to address the Senate today. Therefore, the Chair thinks it is his duty today to recognize the Senator from Louisiana.

Mr. McNARY. Mr. President, just a moment, please. Has a request been made for recognition at this time?

The VICE PRESIDENT. Yes; the Senator from Louisiana has requested recognition and has been recognized by the Chair.

Mr. McNARY. We are all very anxious to hear the able Senator; but, in view of the rule, it can be done only by unanimous consent.

The VICE PRESIDENT. The Senator is correct.

Mr. McNARY. We are to have a short session. I should like the Senator to yield for a few minutes in order to enable the Senate to dispose of the routine morning business. It will not take long.

Mr. ELLENDER. I thought that had been done.

Mr. McNARY. No; I do not think it has been done.

The VICE PRESIDENT. We have reached the point of the consideration of bills on the calendar.

Mr. BARKLEY. I ask unanimous consent that the call of the calendar be dispensed with.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. BARKLEY. Mr. President, if the Senator from Louisiana will yield, I understand that the Senator from Colorado [Mr. ADAMS] has a report from the Committee on Appropriations of an urgent deficiency bill which can be taken up today only by unanimous consent. I had spoken to the Senator from Oregon [Mr. McNARY] about the bill, and I understood that there would be no objection to its consideration today. It will take only a very few moments, I think, to dispose of the bill; and if the Senator from Louisiana is willing to wait until that bill can be disposed of, I think there will be no further cause for delay.

Mr. ELLENDER. I yield for that purpose.

Mr. McNARY. Mr. President, it is true that the able Senator from Kentucky spoke to me informally about the bill as I came into the Senate Chamber a moment late. Subsequently I discussed the matter with the able Senator from Colorado [Mr. ADAMS], in charge of the bill.

The practice of waiving the rules under unanimous-consent agreements is one which I deplore. It always leads to some dissatisfaction and misunderstanding or disappointment. The able Senator in charge of the bill is very fair about such matters. I think it best to let the bill go over and defer action on it until tomorrow, so that Senators may read the bill and the report. Then there can be no complaint from anyone.

For that reason I must state to the Senator from Kentucky that I think it best that the bill go over.

LOUISIANA DEMOCRATIC PRIMARY

Mr. ELLENDER. Mr. President—

The VICE PRESIDENT. Does the Senator from Louisiana ask unanimous consent that he may address the Senate?

Mr. ELLENDER. I do.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Louisiana will proceed.

Mr. ELLENDER. Mr. President, I ask the indulgence of the Senate so that I may discuss a few phases of the Democratic primary election that was held in Louisiana on January 16, which may excite the interest and attention of Senators.

At the outset, I desire to state that it has been my privilege to participate actively in the gubernatorial campaigns of my State since 1920. Never have I witnessed one that has been so bitter, so vitriolic, and wherein there was more slander, libel, and vilification resorted to by some of the candidates seeking the high office of Governor, than in the present campaign. Certain organs of the press of the State have been most vile and abusive in their attempt to further the cause of their choice, candidate Jones, and they resorted to a most disgraceful abuse of the privilege guaranteed to them by our Federal Constitution—freedom of the press.

There were five candidates for Governor. Hon. Earl K. Long headed the ticket sponsored by the Huey Long organization. The remaining four—Sam Jones, James A. Noe, James H. Morrison, and Vincent Mosely—ran as independents. The four independent candidates and all of the newspapers published in our State, except a few weeklies, centered their fire

against Governor Long. No candidate for public office has ever been subjected to more vile, vicious, and unjust criticism than Governor Long. The independent candidates likewise criticized each other in no uncertain terms, with the result that the electorate of our State was thrown into a panic of confusion, indecision, and mistrust, and, in short, was subjected to a harrowing ordeal.

This deplorable condition was fanned into flame by the newspapers of the State and the independent candidates, who found the comfort they needed by using the Federal grand jury investigations as the basis for their attack against all candidates supported by the Long administration. As I shall hereafter point out, on several occasions I commended the press, as well as the Federal prosecutors, for their splendid work in exposing certain conditions that existed in our State, and for prosecuting persons who had violated their trust. My statements were ridiculed, twisted around, and grossly misrepresented by the press of the State, because I dared to defend and support the administration ticket headed by Governor Long.

Mr. President, the candidates on the Long administration ticket are able and capable executives. Their honor and integrity have been found to be beyond reproach. The finger of scorn was often pointed in their direction by malicious scandal mongers, but they always weathered the charges. With scores of Federal investigators scouring Louisiana since June 1939, these candidates have been thoroughly investigated, and no evidence of wrongdoing has been found to warrant prosecution, and yet they have been continuously abused and vilified by the opposition.

Today there are two Federal grand juries in session in the eastern district of Louisiana; one has been in almost continuous session since June, and the other since November 1939. I will not discuss the nature of the indictments presented to the court by these grand juries. I have no criticism to make of their work in bringing wrongdoers to justice, but I do believe that their work has been unnecessarily delayed and prolonged.

On several occasions I publicly complimented Mr. O. John Rogge, special prosecutor for the Justice Department, for the splendid service that he had performed in my State. However, on January 4, my attention was called to the following news item which appeared in every daily newspaper in my State. I am now reading from the New Orleans States of that date. In bold type, written across the entire page, appear these words: "Warns vote thieves here."

This appeared on January 4, 1940, 12 days before our election. I read from the article:

VOTE THIEVES WARNED BY ROGGE ON PRIMARY—PROBE CHIEF SAYS VIOLATIONS IN JANUARY 16 ELECTION TO BE PROSECUTED

Assistant Attorney General O. John Rogge, before leaving New Orleans at 1:30 p. m. today for Washington, D. C., issued a warning against fraud in the approaching Democratic primary when he invited any persons who may know of any fraud which may be thought to have been committed in any election in Louisiana now or in the future to report the facts to the Department of Justice or to the Attorney General's office.

In the New Orleans Item, an afternoon paper published in the city of New Orleans, under date of January 4, 1940, is another headline:

Warns on vote fraud.

And again appeared this statement:

ROGGE ASKS EVIDENCE BE REPORTED

A warning against the commission of any fraud in the forthcoming January 16 primary election was issued by Assistant United States Attorney General O. John Rogge today, a few hours before he departed for a conference with his chief in Washington, and as the new Federal grand jury took up its investigation of alleged frauds committed in previous Louisiana elections.

Mr. Rogge invited anyone with knowledge of fraud in the coming election, to report the facts to the Department of Justice or the United States attorney, to determine whether such frauds would fall within Federal jurisdiction.

The New Orleans Times-Picayune, another newspaper published in the city of New Orleans, carried this headline:

Rogge invites citizens to offer evidence of frauds in elections.

This appeared 12 days before the primary election held in Louisiana. It goes on in sum and substance with about the same story I have just read from the other newspapers.

I hold in my hand the Morning Advocate, a newspaper published in the city of Baton Rouge, La., on January 5, 1940:

United States ready to investigate any reports of fraud in Democratic primary here.

Rogge issues warning on eve of leaving for capital.

This is under an Associated Press byline:

The Federal Government today gave warning it was ready to investigate any reports of fraud in the January 16 Democratic primary, in which Gov. Earl K. Long is seeking reelection over the opposition of four other candidates.

Assistant Attorney General O. John Rogge issued the warning shortly before a Federal grand jury began an investigation of reported frauds in previous Louisiana elections.

The following headline appeared in the New Orleans States on January 3:

Launch vote probe. Murphy for court.

Here was an investigation which evidently was timed with our election, which was to take place on January 16. Those in authority were attempting to investigate an election which was held 2 or 3 years ago, and in which the candidate had no opposition. I charge that all of this was timed in order to have the grand jury in session during the primary election. As a matter of fact, grand jurors were in session on the day we held our election, and commissioners and other men high in office in Louisiana were summoned before the grand jury a few days before the election, on the day of the election, and after the election was held.

Mr. KING. Mr. President, would it interrupt the Senator for me to make an inquiry?

Mr. ELLENDER. Not at all. I yield.

Mr. KING. By what authority is the Federal Government interfering with an election which is purely and exclusively a State election? Are we to go back to the day of the reconstruction period and have the Federal Government inject itself into elections local in character within the various States?

Mr. ELLENDER. I am coming to that, I may say to the Senator from Utah, and it is that consideration which leads me to bring this matter to the attention of the Senate. I propose to point out how the newspapers of our State used these statements by Mr. Rogge, and used the Federal grand jury to further the cause of their own candidate. I do not say it was done with the knowledge and consent of the Department of Justice in Washington, but the newspapers of my State have been using the grand jury in the State of Louisiana, and have been using statements made by the Federal prosecutors in order to help their candidate, and I propose to demonstrate that.

I hold in my hand a newspaper, the Sunday Item-Tribune, published in New Orleans on December 24, 1939, from which I read a headline:

United States to probe elections.

This appeared nearly a month before the time of the election. Although the grand jury had been sitting in my State since June, they saw fit to wait until a few weeks before our State primary election to ventilate these matters.

I read again from the New Orleans Tribune under date of January 5:

HE WARNS ON FRAUDS AT POLLS

O. John Rogge, assistant United States attorney general in charge of the Federal probe of Louisiana's public life, left for Washington yesterday on the noon train, issuing a last warning against the commission of any fraud in the forthcoming January 16 gubernatorial primary in Louisiana.

I became incensed; I felt that Mr. Rogge was exceeding his authority in assuming that an election, to be held 12 days hence, might be crooked. I considered his act an encroachment on States' rights. I felt that all candidates were amply protected under our State laws in that they were represented at the polls by commissioners and watchers. On the other hand, why should the Federal Government interfere in a State election to select State officials? The exercise of such a right would interfere with purely domestic affairs of the

State and infringe upon liberties reserved to the people. I was convinced that the newspapers of the State would seize upon Mr. Rogge's announcement and use it as a means of intimidating the voters of a sovereign State. I immediately contacted a friend in New Orleans and suggested that he send copies of the newspapers printed in New Orleans to Attorney General Murphy, and that I would wire Mr. Murphy.

On January 8, after my return to Louisiana, I wired Mr. Murphy as follows:

HOUMA, LA., January 8, 1940.

HON. FRANK MURPHY,

The Attorney General, Washington, D. C.:

Hope you have received newspaper clippings sent to you my request, particularly one appearing Times-Picayune, January 5, with headline written across entire page as follows "Rogge invites vote fraud evidence." As I stated to you on many occasions, I do not mind a fair and just investigation, but I believe it unfair for a Federal prosecutor of Mr. Rogge's prominence to issue such statements in advance of the election. Our people cannot be intimidated. I feel confident you do not countenance such tactics, but I am calling them to your attention for your scrutiny. A telegram from you indicating your position in this matter which I may use would be very much appreciated. In the meantime I am making a newspaper file for probable presentation to the Senate at an early date. In view of the fact that our election will take place on the 16th this month, and in further view of the fact that our State has been under constant investigation since last June, is it not apropos to ask that the grand jury investigations be postponed until after election? I believe this is a fair request, and I am in hopes that you will accede to it.

ALLEN J. ELLENDER,
United States Senator.

On the same day I wired the junior Senator from Nebraska [Mr. BURKE] as follows:

HOUMA, LA., January 8, 1940.

HON. EDWARD R. BURKE,

United States Senator, Washington, D. C.:

Am air mailing clippings reference Louisiana situation and Justice Department which may be of interest to you. Would like opportunity of presenting more. I do not want to believe that head of Justice Department is aware of how his assistants are misusing their sacred trust. These tactics are nothing short of persecution and are intended to intimidate the citizens of a sovereign State. Regards.

ALLEN J. ELLENDER,
United States Senator.

In a few minutes I will read a prepared statement that I submitted to the press, which will explain why I wired the Senator from Nebraska.

Before I proceed further, I desire to exhibit a few newspaper headlines and advertisements to show that the newspapers did use Mr. Rogge's statement, did use the Justice Department, in order to further the cause of Sam Jones, the press-supported candidate.

I hold in my hand an advertisement which appeared in every daily newspaper in the State of Louisiana, under date of January 11. The advertisement covers a whole page. It shows a United States soldier standing guard next to a letter box, and at the top of the page is written in bold type:

Uncle Sam protects your vote.

And in that advertisement is quoted the warning of Mr. Rogge as to what he intended to do in this election, and at the bottom of the page are these words:

Vote with confidence for Sam Jones.

All of this was done notwithstanding the law of the United States which provides—

That Army and Navy officers will be punished if they bring troops to a place where a general or special election is being held, unless needed to repel armed enemies of the United States.

I have before me another advertisement which, I am informed, appeared in all the daily newspapers of the State, under date of January 14, headed:

Your civil liberties and your vote * * * the safeguard of democracy * * * are protected by State and Federal laws.

The Statue of Liberty with glowing torch is very prominent. And in that advertisement appears the statement of Mr. Rogge, which is headed:

UNITED STATES GOVERNMENT TO PROBE ELECTION IRREGULARITIES

Assistant United States Attorney General O. John Rogge says that the Government will seek to apply the mail-fraud statute as a result of the case of *United States v. Aczel*, reported in 219 Federal 917, in

which Alexander Aczel and others were indicted for conspiracy and for using the mails to carry out a scheme to defraud in Indiana by threatening the liberty of voters in the election of certain officials.

And then the advertisement goes on to cite the case itself.

Here is another full-page advertisement which appeared in the newspapers of my State. This particular advertisement appeared in the Times-Picayune under date of the 9th of January 1940, and it shows Candidate Jones standing with a great big American eagle hovering over his head. He must be ashamed of the good old "pelican" which happens to be the emblem of our State.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. THOMAS of Oklahoma. I have had some little experience in connection with elections. I should like to ask a question based upon the Senator's statement. He just stated that all the newspapers in Louisiana carried these advertisements. The advertisements appear to cover an entire page. To me that would indicate that a considerable sum had been expended to defray the expenses of these advertisements.

Mr. ELLENDER. I will say to the Senator from Oklahoma that there is no telling how much money was spent in this election, because these advertisements were paid for by those sponsoring Sam Jones, the man who is backed by the corporate interests as well as the newspapers of our State. He was accused during the campaign of having received large sums from corporate interests to further his campaign, and he never denied the charge.

Mr. THOMAS of Oklahoma. My question was, or would have been, Who is defraying the expense of this enormous advertising bill, if the Senator knows?

Mr. ELLENDER. Why the Sam Jones' headquarters, I will say to the Senator. The money is expended by the managers of Mr. Sam Jones, who is being backed by the corporate interests of the State, and not only by the corporate interests of the State of Louisiana, but of adjoining States and of other States of the United States. There is no telling the size of the slush fund that was expended and that will be spent from now until February 20, the date of the second primary.

In another newspaper, the New Orleans Item, appears the following:

United States gets Jones' appeal.

Now, what was that appeal?

Twenty affidavits given to Rogge; attempted bribery is charged.

I was informed that a few days before the election the campaign managers of Mr. Jones made an appointment with Mr. Rogge, and had photographers and newspaper reporters on hand, and the managers had asked Mr. Rogge to pose with them. This was evidently done in order to further their campaign advertisement in behalf of candidate Jones. Mr. Rogge refused. But the next best thing was done, which was to have a picture taken of the two managers entering the office of the United States Attorney. On the door of the office leading into the United States Attorney's room are the words "United States Attorney." These pictures which I hold in my hand were published all over the State, with the view, as I said a while ago, of using the Federal grand jury and the Federal prosecutor in order to aid Sam Jones, the corporate-interest candidate.

As Senators will note, the picture on the front page of the newspaper shows two men entering the door and upon the door appears the following: United States Attorney.

Then appears the following:

CANDIDATE'S MANAGER SAYS COMMISSIONERS WERE APPROACHED—CLAIMS BIG OFFER—GOVERNMENT AIDE TOLD OF ALLEGED TRIES FOR SWITCH

Charles C. Zatarain, city campaign manager for Sam Jones, candidate for Governor, today laid about 20 affidavits before Assistant United States Attorney General O. John Rogge, alleging attempts at intimidation and bribery of Jones' election commissioners by campaign workers for Governor Long.

Shortly afterward, Mr. Rogge announced that he had referred the complaints, like others, to members of the staffs of the United States Attorney's office—

And so forth.

Here is another picture that appeared in the New Orleans Times-Picayune under date of January 23, after the election.

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The picture shows Mr. Sam Jones, the candidate for Governor against Long, entering the United States attorney's office, and on the door he is about to open appears "United States Attorney." At the top of the picture appears the following:

Candidate Jones sees Federal men.

And below the picture are these words:

Sam Jones, who meets Earl K. Long in the second Democratic primary February 20, Monday, turned in to Federal authorities between 250 and 300 complaints of election irregularities alleged to have occurred at Orleans parish polls last Tuesday.

Another headline appearing in the Times-Picayune, New Orleans, Friday, January 12, 1940, reads:

Rogge pushes vote probe before "new" Federal jury.

He summoned to this probe some of the commissioners who had been selected to serve at various precincts at the election held on January 16. Many of them were brought there, were made to sit in the ante room for hours, and were never called upon, and then told that they could go home. All of this, Senators, was to my way of thinking done simply and solely in order to intimidate the people of my State.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. ELLENDER. I will yield for a question.

Mr. SMATHERS. Was it pointed out to Mr. Rogge that his name and the Federal Department of Justice were being used and their influence was being used in a party primary, and was he asked to correct the situation?

Mr. ELLENDER. He would have to be blind not to see it from these newspaper articles, I will say to the Senator. I personally called them to his attention, and stated to him that we did not need him or any other Federal official to conduct elections in Louisiana; that we had handled our own elections in the past, and, as far as I was concerned, we did not need his services. As I said, I pointed out all of these newspaper headlines and everything else to him, but it did not seem to have any effect. He took the position that he was acting in line of duty. In justice to Mr. Rogge, he always contended that he would not let the investigations interfere with our election.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. CHAVEZ. Does the Senator from Louisiana consider that particular assistant United States attorney to be one of the governmental officials who are exempt from the Hatch law as a policy-making official?

Mr. HATCH. He would be exempt?

Mr. ELLENDER. No; he is not exempt; of course not. I would not say that he is exempt, if that is what the Senator from New Mexico has in mind. How could it be said that a prosecutor is exempt if he should use the power of his office to influence votes?

Mr. CHAVEZ. That is what I had in mind, because if I recall the provisions of the law sponsored by my colleague the senior Senator from New Mexico [Mr. HATCH], the idea was to prevent governmental officials from interfering in any way with or intimidating voters in elections.

Mr. ELLENDER. Mr. President, I have a score more of these advertisements that have appeared in all the newspapers of the State. I have one here that might answer the question propounded to me a while ago by the Senator from Utah [Mr. KING] with reference to carpetbagging days in the South. I have before me an advertisement which appeared in all the newspapers of the State under date of January 10. It shows candidate Jones reading an inscription appearing at the base of a monument that was built at the head of Canal Street, New Orleans, over 65 years ago. On the base of that monument appears the following inscription:

We therefore call upon the people to assemble at Clay's statue, Canal Street, and declare that they mean to be free.

CITIZENS' COMMITTEE.

What caused the building of that statue was that 65 or 70 years ago the Federal Government was in charge of affairs in the South. The Federal Government permitted liberated Negroes, who had been slaves just a few years before, to vote, and these colored people were placed in charge of the affairs of Louisiana, and of many other States in the South.

And how? By interference on the part of the Federal Government. Sixty-five years ago a band of white citizens of my State met at the head of Canal Street in the city of New Orleans, and there followed a battle which liberated our State from further Federal control in the elections, and made Louisiana a white man's State. Evidently candidate Jones did not know what this inscription was all about.

Let me point out how far some of the Negro newspapers in the South have gone, and the advantage they have taken of this situation. I have before me several issues of the *Sepia Socialite*, a Negro newspaper published weekly in New Orleans. The issue of Saturday, January 6, 1940, carries the headline:

G-Men may see Negroes vote in January primaries. Editor writes Rogge. Louisiana Negroes eye election fraud investigation with hope.

This is the letter to which I referred a moment ago:

NEW ORLEANS, LA., January 4, 1940.

MR. O. JOHN ROGGE,

United States Attorney General, Washington, D. C.

DEAR SIR: Hundreds of Negroes in the State of Louisiana, particularly in the city of New Orleans, who have qualified to vote in the January 16 State Democratic primaries, viewed with interest your declaration—according to the New Orleans States of January 3—to uphold the civil liberties statute which provides heavy penalties against infringement of any privileges accorded by the Federal Constitution.

Attempts heretofore on the part of qualified Negro voters to vote in Democratic primaries have met not only with oppression and intimidation but with repeated threats of violence.

The National Association for the Advancement of Colored People, the National Urban League, through their local branches, and the local Interdenominational Ministerial Alliance, representing thousands of qualified voters in the State of Louisiana, join the *Sepia Socialite* in making this definite inquiry as to whether or not your declaration to investigate the violation of civil liberties statute would insure their proper franchise in the January 16 primary election and subsequent primary elections.

Yours very truly,

THE *SEPIA SOCIALITE*,
ALONZO B. WILLIS, Editor.

P. S.—This letter is being published in the National Negro Press, and we sincerely hope to publish a reassuring answer.

A. B. W.

I have not seen the reply. I am very curious to find out what it is going to be.

In another issue of the *Sepia Socialite* is this headline:

ELLENDER VERSUS ROGGE. In challenge over Negroes' right to vote Senator ELLENDER dares United States to uphold the law in Louisiana; Negro Democrats "scratched."

Then follows an article on the subject and an editorial which is not worth reading.

In order to show further that the Department of Justice has innocently or otherwise helped the opposition, I have before me a printed envelope addressed to—

Hon. O. John Rogge, Assistant United States Attorney General, Post Office Building, New Orleans, La.

In the upper left-hand corner appears:

Sam Jones City Headquarters, 123 Carondelet Street, New Orleans, La.

In order to demonstrate the extent to which the headquarters of Sam Jones went in order to obtain aid from the Federal prosecutor, affidavits in blank were sent to many citizens throughout the State and in the city of New Orleans telling them to look out, that the Government was after crooks, and that the Government would prosecute all crooks in these elections; and citizens were furnished with blank affidavits for use in this election. All of these blank affidavits were enclosed in self-addressed envelopes as above indicated.

Mr. President, the way the Jones headquarters used the Attorney General's office is absolutely wrong. They went beyond the pale of reason in this matter, and in no uncertain manner used the United States attorney's office and the Federal grand jury in order to further their cause. I do not mean to infer that the members of the grand juries were parties, nor the district attorney, to these schemes that were fostered by the Jones managers. Such an exhibition resulted in intimidating and terrorizing timid voters all over the State, because the opposition made it known that those supporting the Long administration had better be on their guard, since their votes

would probably be questioned and they would be subject to a Federal investigation. At many voting precincts in our State strange men appeared who pretended to represent the Federal Government, and with the aid of a few confederates sought to harass and terrify voters.

I read a letter from the president of the Board of Supervisors of Elections, Parish of Orleans:

NEW ORLEANS, LA., January 21, 1940.

Senator ALLEN J. ELLENDER,

Senate Office Building, Washington, D. C.

DEAR SENATOR: In the course of the investigation into alleged election frauds in the State of Louisiana the Federal Bureau of Investigation has been guilty of some very high-handed tactics. After Mr. Rogge made it known through the newspapers that he was interested in receiving complaints concerning past elections, followers of the Jones and Noe organizations naturally presented such complaints to Mr. Rogge and his assistants, Harold Rosenwald and Alfred Teton. As a result of these complaints agents of the Federal Bureau of Investigation picked up at their homes and elsewhere persons who were accused by these Jones and Noe people. In some instances they were brought to the office of the F. B. I. in the Masonic Temple Building, New Orleans, and questioned by agents for hours, and some of these people, particularly a man named O'Connor, who is a clerk in the office of the clerk of the criminal district court for the Parish of Orleans, were fingerprinted. No reason was given by the agents to the persons fingerprinted as to why this was done, nor could there have been any reason, as the persons who were so fingerprinted had never been in any trouble in their lives.

After this was done the people who had been questioned by the agents, and many other members of the Long organization, were subpoenaed before the Federal grand jury. In many instances it developed that they had been commissioners in an election held in 1936, and even if they had been guilty of perpetrating irregularities at the polls, and even if those irregularities had violated Federal statutes, such violations had long been prescribed.

It is obvious that the sole purpose in questioning these witnesses by the agents and before the grand jury was to intimidate them, and to give the public the impression that the Federal Government was actively supervising the primary election. It was a common occurrence during this investigation to subpoena large numbers of persons, in excess of the number which could reasonably be expected to be heard on a particular day, with the result that the people were forced to sit around the hall waiting to be called before the grand jury, and then after sitting there for hours they would be told to come back the next day. While some of our commissioners were serving in the polls on election day they were served with subpoenas to appear before the grand jury the following morning; this in spite of the fact that such commissioners had been on duty at the polls continuously from 5:30 on the morning of the election until the next morning when they had to leave the polls and go before the grand jury. After sitting in the hall outside the grand jury room until about noon, they were told that they were excused.

The effect of this so-called investigation and the publicity given to it has been to keep many people away from the polls, for the reason that many people believed that if they made some innocent mistake in casting their ballot, they might be subject to arrest by the Federal authorities. Taking advantage of this situation, the Noe organization filed a list of some 7,000 people whom it claimed were not legally registered. It can be shown that not more than 500 of these persons were illegally registered and the balance were people who had every legal right to vote. No doubt many of these people refrained from voting for fear of some complication.

On the day of the election the New Orleans police arrested a man who threw or assisted in throwing a bottle of ink into one of the ballot boxes in the fifth precinct of the ninth ward. Investigation disclosed that this man was a member of a gang of thugs which Candidate James A. Noe recruited from a seamen's hall and saloons. At least a dozen of these thugs were apprehended by the police and admitted their complicity. These men admitted that they were employed by Noe and that a man in Noe headquarters furnished them with the bottles of ink. All of the men admitted that they had been to various polls during the day and that their instructions were to break up the polling places. The procedure was that two of the gang would pretend to engage in a fight and when the police would take off the combatants the rest of the gang would do their work. This was the procedure followed in the ink-throwing episode.

Although these men were subpoenaed before the Federal grand jury, it was necessary to drop the matter because there was no Federal jurisdiction. Despite this fact, witnesses have been subpoenaed to investigate an incident involving a fight at one of the polls in which a photographer is alleged to have been struck by a Long supporter. Apparently any incident involving a Long supporter may give rise to Federal jurisdiction, at least to the extent of compelling the man to appear before the grand jury, while on the other hand incidents involving followers of Jones and Noe are not matters of Federal jurisdiction. There can be no question but that the purpose of the alleged investigation into vote frauds has as its object the influencing of the election in favor of Sam Jones.

The Jones campaign managers have been in constant touch with Mr. Rogge and his assistants, in person and by telephone. It has gone so far that Mr. Charles Zatarain, one of the Jones campaign

managers, and another man active in the Jones ranks called at the office of the Federal district attorney for the purpose of having their picture taken with Mr. Rogge. The whole thing was arranged, even to the presence of newspaper photographers and reporters at the time of the arrival of Mr. Zatarain and his companion. This occurred the day after you made your attack on the tactics of Mr. Rogge, and Mr. Rogge refused to have his picture taken. However, Zatarain and his companion had their picture taken entering the door of the district attorney's office in such a manner that the name on the door was visible in the photograph. This photograph appeared on the front pages of the New Orleans newspapers in connection with a story that Zatarain had given Mr. Rogge 20 election complaints in connection with the then coming primary.

Mr. Rosenwald has stated that the investigations in Louisiana were political, and since the first primary Mr. Rosenwald has stated that he intended to do everything he can within reason to elect Sam Jones in the second primary. As stated above, Rosenwald has been in constant communication with various Jones leaders. His particular friends are J. Raburn Monroe, Richard Montgomery, Jr., and E. A. Stephens, who are official Jones leaders. Montgomery in particular has practically made the United States attorney's office his headquarters. He has been in daily telephonic and personal communication with Rosenwald and with Mr. Rogge when he is in New Orleans. Rosenwald has stated that in his opinion the primary held on January 16 was absolutely fair and honest and that the police had performed splendid work and that in every instance where a complaint was made it was satisfactorily adjusted by the police, and that the few complaints made against the policemen had been satisfactorily explained. He stated further that he intended to issue a public statement to that effect. In spite of this statement, the Times-Picayune and Item quote him as having said that on Tuesday coming the grand jury will proceed with its investigations of election frauds. (See clippings enclosed.) This would indicate that he intends to proceed with the investigation of last Tuesday's primary.

A few days ago Mr. Rogge announced in Washington that his department is investigating the possibility of civil-rights cases in connection with the Louisiana election. Mr. Teton has stated that they are investigating the possibility that election commissioners and officials may be considered State officers in view of the fact that the Legislature of Louisiana has passed laws regulating party primaries. It is their theory that, if such commissioners are State officers, the interference by such commissioners with the right of any person to vote would constitute a Federal offense and would subject the commissioner to a suit in damages in the Federal courts. It was brought to Mr. Teton's attention that this would mean that any Negro who was deprived of the right of voting would have a right of action against the commissioners, and he stated that this was quite true. When it was pointed out to Mr. Teton that this would be a very dangerous procedure in the South, he stated that as far as he was concerned it was simply a matter of a right given by the Constitution of the United States. Of course, in this connection it must be said that Mr. Teton is simply carrying out instructions which he has received from Mr. Rogge to try to find some way in which primary elections may be brought under Federal jurisdiction.

It is obvious that these people are not only meddling in State affairs but they are attempting to influence the coming primary by trying to sell the people of this State the idea that this administration is corrupt and crooked and would have stolen the first primary if it had not been for their presence in the State. In the words of Mr. Rosenwald himself, they have been doing and intend to do everything possible to put over the election of Sam Jones. Of course, Mr. Rosenwald added "within reason," but his idea of reason seems to be very unreasonable.

I hope that the above information will be of some benefit to you.

Yours very truly,

CLEM H. SEHRT.

On January 11, to my complete surprise, I made headlines in the New Orleans newspapers. While walking on Canal Street in New Orleans, I heard the newsboys shouting, "Murphy gets quick O. K. ELLENDER hit." I did not know what had happened. I began to sympathize with the Ellender who had been hit—one of my relatives, no doubt. I thought perhaps a car had run over him, or some bandit had slugged him. [Laughter.] I immediately purchased a newspaper, and the first thing that met my eye was the following editorial appearing on the front page of the New Orleans States.

I shall read a portion of this editorial:

The quality of statesmanship displayed by ALLEN J. ELLENDER, junior Senator from Louisiana, yesterday, when he protested against Federal officials interesting themselves in an honest election in Louisiana, shows that he is still running true to form.

Mr. ELLENDER's protest, telegraphed to Washington, against the activities of O. John Rogge and his aids was really directed at Attorney General Frank Murphy, who has been nominated by President Roosevelt to the Supreme Bench.

In a statement which I shall read in a few moments, I propose to show how wrong the newspapers were.

Instead of forwarding his complaints directly to the chief legal officer of the United States, Senator ELLENDER wired his strictures to Senator BURKE, Democrat, of Nebraska, chairman of the committee which is investigating Mr. Murphy's fitness to sit on the Bench of the highest court in the land.

Mr. ELLENDER has again succeeded in making a laughingstock of himself, and again brought this State notoriety which it can ill afford.

Just how any honest citizen can complain against honest elections is amazing. If the United States Government hasn't a right to see that public officials are elected according to the will of the people, then who has?

In his wire to Senator BURKE, Mr. ELLENDER said: "I do not want to believe that the head of the Justice Department is aware of how his assistants are misusing their sacred trust."

"These tactics are nothing short of persecution, and are intended to intimidate citizens of a sovereign State."

Mr. ELLENDER knows, and everybody else in Louisiana knows, that the political machine of which he is a cog and to which he owes all that he has, politically, has been stuffing ballot boxes and crooking elections in Louisiana for years.

I ask that the entire editorial be printed in the RECORD in connection with my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The editorial is as follows:

[From New Orleans States of January 11, 1940]

MR. ELLENDER'S SLAP AT HONEST ELECTIONS AND MR. FRANK MURPHY
The quality of statesmanship displayed by ALLEN J. ELLENDER, junior Senator from Louisiana, yesterday when he protested against Federal officials interesting themselves in an honest election in Louisiana, shows that he is still running true to form.

Mr. ELLENDER's protest, telegraphed to Washington against the activities of O. John Rogge and his aids, was really directed at Attorney General Frank Murphy, who has been nominated by President Roosevelt to the Supreme Bench. Instead of forwarding his complaints directly to the chief legal officer of the United States, Senator ELLENDER wired his strictures to Senator BURKE, Democrat, of Nebraska, chairman of the committee which is investigating Mr. Murphy's fitness to sit on the bench of the highest court in the land.

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Mr. ELLENDER knows, and everybody else in Louisiana knows, that the political machine of which he is a cog and to which he owes all that he has, politically, has been stuffing ballot boxes and crooking elections in Louisiana for years.

Mr. ELLENDER should know that, even now, thousands of illegal names have been registered from vacant lots, vacant houses, tumbledown shacks, and in some cases as many as 15 or 20 alleged voters are registered from one room. And yet Mr. ELLENDER has the unmitigated gall, the colossal nerve, to complain because the United States Government, standing on its rights, has raised a voice in protest at the contemplated stealing of the election by the Maestri-Leche-Long machine, of which Earl K. Long and ALLEN J. ELLENDER are parts.

Mr. ELLENDER should know, as everybody else knows, that his political machine has forced unfortunate women to register in droves, has compelled down-and-out and despondent men to lend themselves to fraudulent registration.

As a United States Senator, Mr. ELLENDER should know that the Constitution of the United States, bought in blood, guarantees to each and every citizen the right to cast his ballot and the right to have it honestly counted.

Mr. ELLENDER should know that his political machine has profited and ridden to power by crooking elections and intimidating voters.

Mr. ELLENDER should take some interest in the city of New Orleans occasionally. He should go to the foot of Canal Street and there bow his head in shame before a monument erected to heroes who gave their blood that Louisiana might be free of carpet-baggery and crookery. But Mr. ELLENDER does nothing like this. While the Senate is in session, while legislation vitally affecting Louisiana is being considered, while New Orleans is losing the Algiers Navy Yard, while the State is seeing its sugar interests legislated against, Mr. ELLENDER is on the stump for a political machine, some of whose members are on their way to the Federal penitentiary, and scores of others are under indictment because they stole money belonging to the poor people of this State.

Instead of aiding Louisiana, Mr. ELLENDER blazons its shame to the world, a shame fastened on its fair brow by a machine which in the past has stuffed ballot boxes and browbeaten voters.

We quote again from Mr. ELLENDER's telegram: "These tactics are nothing short of persecution and are intended to intimidate the citizens of a sovereign State."

Who is intimidating the citizens of a sovereign State? Is it intimidation for the Federal Government to place its arms around the weak and unfortunate and assure them that their ballots will be counted? Is it intimidation for the Federal Government to assure the Nation that Louisiana, with its help, may have an honest election?

Or, Mr. ELLENDER, is it intimidation for the political machine now in power to pad registration rolls, to go out on the highways and byways and tell in many instances poorly paid employees that if they don't vote for the machine they will lose their jobs?

Is it intimidation, Mr. ELLENDER, for the Maestri-Leche-Long machine to take a part of the salaries of State employees, paid them out of taxpayers' money, and tell them, "If you don't come through, we'll kick you out?"

Is this the same Mr. ELLENDER who has seen elections brazenly stolen, defiantly stolen, in New Orleans without one protest by the machine to which he belongs?

Is this the same Mr. ELLENDER who was speaker of the house when hundreds of New Orleans election crooks received legislative pardons after Eugene Stanley, the district attorney, had convicted three of them in the first cases brought to trial?

Is this the same Mr. ELLENDER who insisted to the very last that he was for Richard W. Leche for Federal judge of the eastern district of Louisiana?

Is this the same Mr. ELLENDER who never has withdrawn publicly that endorsement, and so far as the people know is still for Richard W. Leche for the Federal bench?

Is this the same Mr. ELLENDER who when speaker of the house saw administration bills railroaded through that body without the least consideration?

Is this the same Mr. ELLENDER who was quoted as having declared against a free press in this country, but when the going got hot, denied he had taken such a stand?

Is this the same Mr. ELLENDER who never received the support of Huey P. Long for any major office while that political leader was alive?

We are led to believe that this is the same Mr. ELLENDER, that this is the same distinguished United States Senator who has broadcast to the world that because the representatives of the Federal Government here have interested themselves in an honest election, "these tactics are nothing short of persecution and are intended to intimidate the citizens of a sovereign State."

The outbreak of Mr. ELLENDER is an admission of a desperate man who knows that the people of Louisiana wish to see the rule of dictators broken, wish to see democracy restored.

Mr. ELLENDER knows that with an honest election, the Earl K. Long ticket, put in the field by Robert S. Maestri and now backed by all of the gang which has been in power in this State for the past few years, is headed for the scrap pile.

Even if Mr. ELLENDER could be successful in his efforts to curb the activities of the Federal Government in its election investigation, there is not a particle of doubt that Eugene Stanley will be the next attorney general of Louisiana. If the Federal Government fails to put election crooks behind the bars, through some inconceivable twist of fate, Eugene Stanley will put them in Angola.

He has done it before and he'll do it again.

So weep and wail, Mr. ELLENDER.

Your protest, your asinine and ignorant display of statesmanship as conceived by you will avail you nothing.

Mr. ELLENDER. Here [exhibiting] are some glaring headlines over articles which, as I shall show the Senate after a while in my written statement, were not justified. The press simply misrepresented the facts in order to put me and others of the administration in bad favor with the people. The articles appeared in the New Orleans States under such headlines as—

Appointment of Murphy protested by ELLENDER. Rogge is defended against ELLENDER. Applaud Rogge; hit ELLENDER's attack.

I will indicate what that attack was. As I said a while ago, all the candidates on the opposition ticket scored me and others for the position in which we found ourselves because of such unjust and unwarranted newspaper notoriety. They took statements attributed to me, twisted them around, and said that I was opposing the nomination of Mr. Murphy because he had sent some prosecutors into Louisiana to arrest and prosecute crooks. That is the interpretation they put on my statement. At no time was it shown that I opposed Mr. Murphy and as a matter of fact I never opposed him. I am going to take occasion now to read that statement, show the Senate what I said, and then Senators can determine for themselves whether the newspapers were justified in their attacks upon me for what I said about Mr. Rogge.

On January 11, 1940, I issued the following statement, which I caused to be delivered by special messenger to all the

daily newspapers and press agencies in New Orleans, including the Associated Press:

STATEMENT BY SENATOR ALLEN J. ELLENDER, NEW ORLEANS, LA., JANUARY 11, 1940

Candidate Jones is quoted as saying, among other things, that, "Senator ELLENDER * * * objected to the nomination of Frank Murphy to the Supreme Court on grounds that Murphy's associates had 'persecuted' this gang in the Federal investigations of the scandals in Louisiana."

The New Orleans States takes a pot shot at me in its issue of January 11, and writes, among other things, that my protest, telegraphed to Washington, against the activities of Rogge and his aides was really directed at Attorney General Murphy; and instead of forwarding the complaints directly to Murphy, I wired Senator BURKE, chairman of the committee which is investigating Mr. Murphy's fitness to sit on the Supreme Court bench; that I again brought this State notoriety which it can ill afford.

The rest of the daily papers published in this State, and which have endorsed Candidate Jones, were quick to publish their version of the affair in their own way, and based their stories on the much-abused term "it is reported" or "it is rumored."

Candidate Jones and the daily press of our State, running true to form, have maliciously distorted and misstated the facts, with the view of again attempting to mislead the public. I seldom answer the newspapers, especially those published in New Orleans, but they have been so unfair in this instance that I am desirous of giving the facts in documentary form so that the public can judge for itself.

A good many of my colleagues in the Senate are very much interested in the affairs of Louisiana, especially my good friend Senator BURKE, of Nebraska. When I attended the opening of Congress on January 3, he inquired about the recent developments in Louisiana, and I proceeded to give him the story.

I am sorry the Senator from Nebraska is not present today. I thought he would be.

I told him of how unfair the press of the State was to our cause, and he suggested that I keep him posted. Attorney General Murphy's name had not been sent to the Senate at the time, nor had Senator BURKE been selected chairman of the subcommittee that later was named to pass on Mr. Murphy's qualifications.

On Friday, January 5, I was advised of a statement given to the press by Mr. Rogge, inviting persons to contact the Department of Justice and report all frauds in the forthcoming election so that proper action could be taken against the offenders. I became incensed and thought it unfair for a prosecutor to prejudge an election and assume that it would be stolen. I am still of that opinion. I suggested to my informer that he immediately air mail copies of the newspapers containing the statement to the Attorney General, and on my return to Louisiana I dispatched the following telegram:

That telegram is the one I read a few moments ago but, as it is a part of the statement, I shall let it go into the RECORD again:

"HOUMA, LA., January 8, 1940.

"Hon. FRANK MURPHY,

"The Attorney General, Washington, D. C.:

"Hope you have received newspaper clippings sent to you my request, particularly one appearing Times Picayune, January 5, with headline written across entire page, as follows: 'Rogge invites vote-fraud evidence.' As I stated to you on many occasions, I do not mind a fair and just investigation, but I believe it unfair for a Federal prosecutor of Mr. Rogge's prominence to issue such statements in advance of the election. Our people cannot be intimidated. I feel confident you do not countenance such tactics, but I am calling them to your attention for your scrutiny. A telegram from you indicating your position in this matter which I may use would be very much appreciated. In the meantime I am making a newspaper file for probable presentation to the Senate at an early date. In view of the fact that our election will take place on the 16th this month, and in further view of the fact that our State has been under constant investigation since last June, is it not apropos to ask that the grand jury investigations be postponed until after election? I believe this is a fair request and I am in hopes that you will accede to it."

The New Orleans States recommended to its readers, in no uncertain terms, that I should have notified Mr. Murphy instead of Senator BURKE. Well, I did notify Mr. Murphy.

After dictating the foregoing telegram, I sent the following message to Senator BURKE, which was in accord with my promise to him:

I read this telegram a few moments ago, but will let it go in the RECORD again as a part of the statement:

"HOUMA, LA., January 8, 1940.

"Hon. EDWARD R. BURKE,

"United States Senator, Washington, D. C.:

"Am air mailing clippings reference Louisiana situation and Justice Department, which may be of interest to you. Would like opportunity of presenting more. I do not want to believe that head of Justice Department is aware of how his assistants are misusing their sacred trust. These tactics are nothing short of persecution and are intended to intimidate the citizens of a sovereign State. Regards."

I am informed that when the clippings and the foregoing telegram reached Senator BURKE's office, he was not in the city of Washington.

In response to my wire, Mr. Murphy sent me the following message:

WASHINGTON, D. C., January 9, 1940.

HON. ALLEN J. ELLENDER,
Houma, La.:

Department of Justice has no desire or intention to interfere in pending election campaign. Statement of Assistant Attorney General Rogge was issued in response to numerous complaints and in course of regular duty. Grand jury investigations have been completed. Rogge will discuss situation with you on return to Louisiana tomorrow.

FRANK MURPHY,
Attorney General.

Today, January 11, I received the following telegram from Senator BURKE:

WASHINGTON, D. C., January 11, 1940.

HON. ALLEN J. ELLENDER:

My attention called Louisiana newspaper reports your opposition to confirmation Attorney General Murphy as Justice Supreme Court. Stop. This report entirely erroneous. Stop. From the first mention of the Attorney General name you have expressed to me your strong approval. Stop. Before nomination was made we discussed Louisiana approaching election, and the danger of unwarranted Federal interference in State elections. Stop. Because of my interest in preserving States rights I asked you to keep me informed. Stop. It is my hope that you will continue to do so. Stop. I favor Federal action where States prove impotent but strongly oppose such action otherwise. Stop. This has nothing to do with pending confirmation of Mr. Murphy, which I feel sure will be granted by overwhelming vote including your own.

EDWARD R. BURKE,
United States Senator.

These are the facts, and I have no apologies to make. Louisiana has been subjected to much unjust criticism. I commended Mr. Murphy, as well as Mr. Rogge, on many occasions for their splendid work in helping to rid our State of wrongdoers. I believe that the same results could have been obtained without the enormous amount of filthy and uncalled-for publicity that has scourged Louisiana for the past 6 months. I am aware of the part played by the press in helping to uncover the frauds committed, and I commend it for its work, but I believe that any fair-minded citizen will agree with me that it has gone too far, and in many cases has grossly abused its constitutional privilege—freedom of the press. I believe it is harmful rather than helpful for a prosecutor to try his cases in the newspapers. The finger of scorn should not be pointed in the direction of any citizen, unless the evidence warrants a conviction.

I have faith in my people. I have always served them conscientiously and to the best of my ability. I know that my record is clean and will stand the test, and I cannot be intimidated by such mean, filthy, and uncalled-for editorials as were written about me in recent months, particularly the one appearing in the New Orleans States of January 11.

I believe the above statement is clear and to the point, and one would imagine that no further attempt would have been made by the press and opposing candidates to distort the facts; but let me read from an Associated Press headline, which appeared in the State Times, published in Baton Rouge, La., under date of January 12, 1940. The Associated Press is considered one of the leading news-distributing agencies of the Nation, and why its representative should deliberately misquote me I cannot understand. It may be due to the fact that the reporters who write for the Associated Press are also employed by Louisiana newspapers. Listen to this:

ELLENDER IN NEW ATTACK ON O. J. ROGGE—ASSISTANT ATTORNEY GENERAL GETS AFFIDAVITS CHARGING ATTEMPTS OF BRIBERY OF JONES COMMISSIONERS IN NEW ORLEANS

NEW ORLEANS, January 12 (AP).—

The dispatch is under an Associated Press date line, as I have said—

Senator ALLEN J. ELLENDER (Democrat, Louisiana) declared today that he had "no apologies to make" for his charge that Attorney General Murphy's assistants were "misusing their sacred trust" in prosecuting the Louisiana scandals investigation, under which 10 men are under prison terms and scores have been indicted by Federal and State grand juries.

In other words, the same interpretation that was placed on a statement previously attributed to me was again placed by the Associated Press upon my written statement. I ask if anyone reading my statement, which I have just read, can legitimately conclude that I had "no apologies to make for the charge that Attorney General Murphy's assistants 'were misusing their sacred trust' in prosecuting the Louisiana

scandals investigation under which 10 men were under prison terms and scores of others have been indicted." At no time nor place did I even insinuate that I was against Mr. Murphy for the Supreme Court, nor did I charge Mr. Murphy or his assistants of "misusing their sacred trust" in prosecuting scandals in Louisiana. On the contrary, my statement commends them for their work.

The Associated Press reporter continued to make other comments about my statement and concluded his article by quoting my statement verbatim. It is possible that the full text of my statement was not printed in newspapers published outside of the State, but only the distorted version of the Associated Press reporter which I have just quoted. Seven days later one Westbrook Pegler, who I understand was tanning his hide on a Florida beach at the time, uncorked his bottle of vitriol and scribbled the following article under his copyrighted heading "Fair Enough." I read from the Washington Post under date of January 19, 1940, 7 days after I had issued my written statement; but evidently, as I said, this man used the distorted article from the Associated Press and probably others that I did not see. He wrote:

FAIR ENOUGH
(By Westbrook Pegler)
ELLENDER'S PROTEST

For raw effrontery and sneering defiance of the bedraggled American ideal of popular government the protest of Senator ALLEN ELLENDER, of Louisiana, against confirmation of Frank Murphy's appointment to the Supreme Court has had no equal since the last days of the Senator's late foe, Huey P. Long, himself. The question of Murphy's fitness for the Court need not be considered at all in this connection. He has been confirmed, anyway, and ELLENDER's protest, far from reflecting on the appointee, amounted to a tribute.

ELLENDER opposed Murphy's confirmation because the Department of Justice, under Murphy, had repudiated the disgraceful political bargaining between the New Deal and the incorrigible thieves of Louisiana government and politics with whom ELLENDER had closely associated and collaborated for years. Murphy created a Federal receivership of a State which had drifted into civic and political bankruptcy. The Attorney General himself had not been a party to the second Louisiana purchase and refused to be bound by its terms.

Therefore, when a New Orleans newspaper dug up evidence of new rottenness in the State government, Murphy moved in along the same lines of attack that have been followed in Kansas City and Atlantic City.

STATE'S SITUATION CLOSE TO ANARCHY

The gang which ELLENDER himself served as speaker of the lower house of the Louisiana Legislature and as United States Senator in Washington has been thrown into confusion and many of its members have been thrown into prison, where they, and others still at large, belong.

"I do not want to believe that the head of the Department of Justice is aware of how his assistants are misusing their sacred trust," he said in a telegram to the Senate Judiciary Committee. "These tactics are nothing short of persecution, and are intended to intimidate the citizens of a sovereign State."

Now, unfortunately, there may be something to what ELLENDER says about sovereignty, but, more unfortunately, his gang has created a situation so close to anarchy in Louisiana that the national authority had to move in. A State has certain responsibilities attending the privilege of statehood.

If a State simply collapses, as Louisiana was on the point of doing, the other States are endangered. It has been held and by now conceded that if a State is unable to care for its poverty and unemployment the Federal Government has a right and, as Senator ELLENDER has said, a duty to intervene.

STATE INSTITUTIONS WERE GRAFT SOURCE

The same theory would justify the intervention of the Department of Justice to do work which crooked judges and prosecutors of the State court could not be trusted to do. And Louisiana, under the mob of which ELLENDER was a member and to which he had given important service, was not really a State at all. The gang had stolen from every public treasury, from the township up to the Federal; they had robbed the State University, corrupted the education of the students with their foul contempt for the American form of government, and had even chiseled money from the lunatics and the sick poor for "testimonial" contributions to grafters in office and out.

The mental picture of ELLENDER sitting on his puppet throne as speaker of the State house of representatives in the sessions when Huey was abolishing popular government and the right of citizens to inspect the State's financial records, will not be forgotten by anyone who saw him there. He said nothing against persecution and intimidation of the citizens of a sovereign State then, and he owes his job in the United States Senate to the very thieves whom he has the gall to depict as victims of oppression after they have robbed the State into destitution and made junk of the liberties of the people.

RESIGNATION ASKED AS EFFECTIVE REBUKE

Murphy's speech in New York last Sunday is a good reply to ELLENDER and a reminder to the people of Chicago as well as those of Louisiana.

"We need, somehow, to erect safeguards that will protect the public service from corruption," he said. "Don't be so cynical as to believe that there must be corruption or a measure of it in municipal and State and Federal Governments. It doesn't need to be at all."

If ELLENDER really wished to serve the cause of good and decent government he could find no more effective rebuke to its enemies than to resign from the United States Senate as a repudiation of the kind of politics and the type of public enemies who sent him there.

Surely, if this disciple of "fair enough" had taken "enough" time from diving and splashing and dancing with the mermaids on the Florida coast, he could have easily obtained the true facts. But what is the use? He probably would not have considered the true facts, preferring to pad his vicious column with his own interpretations, born of his evil, warped, narrow, malicious, bigoted, and prejudiced mind.

Oh, but how newspapers find comfort in headlining the misdeeds of public officials of any prominence. Although Mr. Pegler violates every rule of the game in his attempt to rob men of their most cherished possession, nothing is said, but he receives commendation rather than criticism. A poor man who steals a loaf of bread to save his family from starvation goes to the pen, but one who deliberately "filches from me my good name" gets by, and receives bountiful remuneration for shattering the truth.

Years ago Shakespeare wrote these lines:

Good name in man and woman, dear my lord,
Is the immediate jewel of their souls:
Who steals my purse steals trash; 'tis something, nothing;
'Twas mine, 'tis his, and has been slave to thousands;
But he that filches from me my good name
Robs me of that which neither enriches him,
And makes me poor indeed.

If the immortal Shakespeare were alive today he would not be apt to receive the inspiration that prompted the foregoing quotation, because some of our modern columnists—some people call them "calumnists"—are handsomely paid for deliberately robbing one of his most cherished possession.

So much for that incident. Let me quote a few published statements of Mr. Jones, the candidate who is championed by the press of my State. Here is one appearing in the Times-Picayune of Monday, January 15, 1940, under a Lafayette, La., headline:

Jones told the people of this sugar-producing section of the State that "they were sold out by the State-administration gang and their Representatives in Congress."

"The sugar bowl of Louisiana," Jones said, "has a \$40,000,000 crop while it ought to have an \$80,000,000 crop. The sugar growers were sold out by Louisiana's national representatives for a mess of pottage. Your representatives in Washington sold out for a few jobs for their political henchmen."

"If Louisiana's representatives in Washington had not sold out, the sugar industry of Louisiana should have been at least doubled, which would have meant thousands and thousands of jobs to men who are on relief."

Again, in the Times-Picayune of January 9, 1940, under a headline from Des Allemands, La., Mr. Jones is quoted as follows:

Moving down to Luling during the afternoon, Jones denounced the State administration and its two senatorial adherents, Senators JOHN H. OVERTON and ALLEN J. ELLENDER, for failure to obtain better quotas for the Louisiana sugar growers.

"Instead of being in Washington trying to help the Louisiana farmers," Mr. Jones said, "the State's national representatives are down here campaigning in an effort to keep the State gang in power."

"Louisiana sugarcane planters last year were compelled to plow up 38,000 acres. If OVERTON and ELLENDER were on the job in Washington, Louisiana's sugar crop should be \$80,000,000 instead of \$40,000,000."

I know that the newspapers of my State are acquainted with the true facts, and that the quoted statements are not well founded, but they print such false statements in the hope that it will help their candidate.

I do not have to apologize to any one for my efforts in behalf of my people. Let me present a few telegrams from

some of them, with particular reference to my work for the sugarcane farmers of Louisiana. I am not going to burden the Senate with reading numerous telegrams, but I ask unanimous consent to have a few of them printed in the RECORD at this point in my remarks.

The PRESIDING OFFICER (Mr. BULOW in the chair). Without objection, it is so ordered.

The telegrams are as follows:

JEANERETTE, LA., March 25, 1939.

Senator ALLEN J. ELLENDER:

Accept our thanks for your efficient, ardent work on your bill 69 which will save our great industry. Regards.

D. MORESIS SONS.
A. MORESI CO., LTD.

JEANERETTE, LA., March 24, 1939.

Senator ALLEN J. ELLENDER,

Washington, D. C.:

We wish to congratulate you on getting your sugar bill passed in the Senate. We appreciate the splendid fight you are making for sugar and hope that you will succeed in getting bill passed in the House.

DUHE BOURGEOIS SUGAR CO.,
J. P. DUHE, President and General Manager.

NEW IBERIA, LA., March 24, 1939.

Senator ALLEN J. ELLENDER:

We congratulate you on the splendid work you have done and are doing toward alleviating the present sugar situation. Thousands of sugar farmers of southwest Louisiana are deeply appreciative of your splendid efforts.

W. D. REYNOLDS,
President, New Iberia Chamber of Commerce.

FRANKLIN, LA., March 25, 1939.

Senator ALLEN J. ELLENDER,

United States Senate:

Passage of your bill gives us hope again. Passage by House will mean prosperity for this country. We congratulate you on your great work.

MARYLAND PLANTATION,
By MURPHY J. FOSTER,
By HARRY L. TROWBRIDGE.

EDGARD, LA., March 25, 1939.

HON. ALLEN J. ELLENDER,

Senate Building:

We extend to you our sincere thanks and congratulations on your splendid work. It has revived our spirit and given fresh hope. May you succeed in securing favorable support in the House.

CAIRE & GRAUGNARD.

FRANKLIN, LA., March 27, 1939.

Senator ALLEN J. ELLENDER:

Your successful efforts to prevent serious damage to the Louisiana sugar industry and secure justice for it has aroused our admiration as an able and efficient Senator.

JOHN M. CAFFERY.

JEANERETTE, LA., March 24, 1939.

Senator ALLEN J. ELLENDER,

Senate Office Building:

Congratulations three times for fine work. Now we're getting some place.

STEVE C. MUNSON.

FRANKLIN, LA., March 25, 1939.

Senator ALLEN J. ELLENDER,

United States Senate, Washington, D. C.:

Congratulate you on your victory in Senate, all interests are greatly encouraged and count on your leadership to help secure passage in House.

W. PRESCOTT FOSTER.

NEW IBERIA, LA., March 24, 1939.

HON. ALLEN J. ELLENDER,

United States Senate, Washington, D. C.:

Everyone jubilant over good work you have done. Now praying for final passage of bill No. 69. Congratulations.

LEON J. LANDRY.
GEO. M. GERMANY.
P. A. LANDRY.

NEW ORLEANS, LA., March 23, 1939.

Senator ALLEN J. ELLENDER,

United States Senate, Washington, D. C.:

Your victory is a boon to industry and all big and small planters. Thank you. Hope you will see it through until it becomes a law. Thanks. Regards.

JULES AND CHARLES GODCHAUX.

NEW ORLEANS, LA., March 25, 1939.

Senator ALLEN J. ELLENDER,

United States Senate, Washington, D. C.:

Services you are rendering to the sugar industry of Louisiana are most commendable and appreciated. Passage of the bill manifests true statesmanship as representative of our great State.

E. N. KEARNY REALTY OPERATORS, INC.

NEW YORK, N. Y., March 24, 1939.

Hon. ALLEN J. ELLENDER,

United States Senate, Washington, D. C.:

In view of the difficulties in present situation, I feel you have won not only a victory but a triumph for which you can confidently look forward to the lasting appreciation of all those who are looking to you for relief. Please accept my personal thanks and warmest regards.

C. F. DAHLBERG.

ADELIN, LA., March 24, 1939.

Hon. ALLEN J. ELLENDER,

United States Senator:

Congratulations on wonderful piece of work. Cane growers very grateful.

W. F. GILES.

NEW ORLEANS, LA., March 24, 1939.

United States Senator ALLEN J. ELLENDER,

Senate Office Building, Washington, D. C.

Congratulations on a fine job well done.

CHARLES A. FARWELL.

FRANKLIN, LA., March 24, 1939.

Senator ALLEN J. ELLENDER,

Senate Office Building:

You are due highest praise for your able handling of sugar bill. Louisiana should be proud that the leading sugar Senator is from its State. Congratulations.

C. D. AND WALLACE KEMPER.

NEW ORLEANS, LA., May 23, 1939.

Senator ALLEN J. ELLENDER,

United States Senate, Washington, D. C.:

We have just been in conference with Mayor Maestri, and at this conference were advised of the passage of your bill S. 69. We wish to congratulate you and to express to you our sincere appreciation of the very able manner in which you handled your bill, securing its passage in spite of an adverse report from the Secretary of Agriculture. Our sincere thanks.

J. W. Jay, Vernon Caldwell, E. J. Calre, A. E. St. Martin, L. A. Borne, Murphy J. Foster, Clarence J. Savoie, S. J. Savoie, W. Prescott Foster, Stephen C. Munson, Frank L. Barker, E. P. Moresi, Ed. Garland, W. F. Giles, Rodney Woods, Jr., J. O. Montegut, Jules Godchaux, Harvey Peltier, Charles Farwell, E. J. Gay, Reginald Dykers.

Mr. ELLENDER. As I stated a few minutes ago, the press of my State, as well as the opposing candidates, stopped at nothing in their vilification, slander, and libel of the supporters of the Long administration. Permit me to refer briefly to their attack on Hon. Robert S. Maestri, mayor of New Orleans. Every effort has been made to indict this good man. He has been depicted and caricatured as a despoiler of public office. He has paid no attention to these accusations but has kept on working for the benefit of the people of New Orleans. Slander and libel have been heaped upon him because he chose to support Hon. Earl K. Long for the Governorship.

In order to expose these scandalmongers and to show their utter insincerity, let me read a few excerpts from articles and editorials appearing in the New Orleans newspapers—Mr. Maestri's present critics—in order to show what they thought of his honor the mayor only a short time before he declared his support of Governor Long.

I read from an editorial appearing in the Times-Picayune under date of August 17, 1938:

RECORD PERFORMANCE

Closing the second year of his administration, Mayor Maestri is receiving deserved praise for his surprisingly efficient conduct of our municipal business. When he took over the mayoralty 2 years ago, New Orleans was floundering in a financial morass created partly by the depression and in part by systematic political oppression which included raids upon its normal revenues and its credit.

It was then in the hands of the opposition.

It owed the banks millions; its bills for purchases of supplies were long overdue; its streets and other physical equipment, lacking money for their maintenance and repair, were in lamentable condition.

With Mr. Maestri's induction as mayor, the political persecution ceased; the city's normal revenues were restored to control of its own government. Because of the accumulated floating debt, growing relief needs, and other conditions, added taxes were provided.

So the Maestri administration was armed with exceptional advantages to meet exceptionally bad conditions. Restoration of the city's finances to what might be termed their normal status—which was not very good—was by way of being assured. Skeptical Orleanians expected that much, but no more. To their astonishment, Mayor Maestri has accomplished in the past 24 months more than they dreamed or his supporters dared hope.

Since he took office, 2 years ago, fifteen and a half million dollars of city debts have been paid, including three and a half millions of its bonded indebtedness, all its borrowings from the banks, and other millions of its outstanding paving certificates. For the first time in modern history, New Orleans is on a cash basis and is taking all discounts on its current purchases.

The physical improvements wrought are no less astonishing. Many miles of city streets have been paved or repaved. City buildings have been restored to first-class condition; our parks have been immensely bettered both in appearance and equipment; playgrounds and the neutral grounds of our boulevards have shared those betterments. Millions of W. P. A. money have aided greatly in the physical transformation of New Orleans. The mayor has enjoyed the cooperation of both State and Federal Government agencies. But the record features of his administration are owed chiefly to Mr. Maestri's leadership and personal qualities—to his efficiency as businessman, to his ability to get things done by teamwork, to his driving energy and personal supervision of the vital details. The city's material achievements under his leadership have not been matched locally within the memory of living men; no other American city, we believe, has equalled them during the same period.

One other high credit goes to the second year of the Maestri administration: By his order and insistence, the slot-machine racket—that formerly filched thousands of dollars monthly from the pockets of people least able to afford the drain—has been driven from New Orleans. The racket is still bent upon the city's recapture; its return is still predicted and feared. But Mayor Maestri has kept it in exile for a period long enough to prove that this mechanical banditry can be driven out and kept out.

Ancient political abuses survive and flourish here. But Mayor Maestri's outstanding services to and for the city in other fields fully entitle him to the sincere praise and hearty congratulations, in which this newspaper joins, that are pouring in upon him this week.

Here is another one from the New Orleans States under date of August 17, 1938:

OUR CHIEF KNOCKER

Meaningless, honeyed platitudes, bombastic exaggerations, sweet-scented words have no place in the vocabulary of Robert Sidney Maestri. He is a blunt, plain man, who speaks your language and our language. He makes no promises. He simply goes ahead about his business giving the city a day's work in return for the privilege of being its mayor.

Mr. Maestri is today observing the second anniversary of his occupancy of the mayoralty office of the city of New Orleans. In these 730 days he has been the biggest knocker that New Orleans ever knew or had. He has knocked vociferously and continuously.

"If you can't boast, don't knock," a pet phrase of civic organizations and complacent citizens, means nothing to Mr. Maestri. He ignores such a platitude.

When he took office, he told the citizens of New Orleans that they had the worst streets in America, and he immediately set about giving the city better streets. Today, miles of paving, miles of sidewalks, great boulevards placed with an eye to traffic, comfort and beauty, have taken the place of mud thoroughfares; of crooked and rough streets. Robert Maestri knocked the old order of things and is still knocking—knocking for better and more arteries for the convenience of New Orleans.

Seven hundred and thirty days ago Robert Maestri knocked the financial set-up of the city; plainly and bluntly he told us that the city's funds were being dissipated in interest; that debts were being piled up, and that money was being spent extravagantly. How he wailed, and how he knocked! As the result of his knocking, the city's government debt has been reduced nearly \$15,000,000, the last loan obtained from the banks has been paid, and the city has not borrowed a dollar from the banks since December, 1936. Notes have been paid to the value of more than \$6,000,000, and accounts long past due have been paid. The city's bonded indebtedness has been reduced, and New Orleans today has a financial set-up regarded as better than that of any other city in the country. But Mr. Maestri is still knocking. He is never satisfied.

Tax dodgers have been made to pay their taxes, and how he did knock the shirkers in this direction!

Mr. Maestri got as mad as a wet hen when he inspected some of the public buildings in New Orleans. What he said about them cannot be printed in a family newspaper.

He had them repaired, he had them cleaned, some he had demolished. New fire houses, repaired fire houses, and many other new and cleaned city buildings marked the progress of his trail.

And this knocker, regardless of how much he tried to hide it, has poetry in his soul and music in his heart. Ugliness ruffles him. When he took office he immediately commenced knocking the condition of our parks and neutral grounds. Today flowers bloom where

weeds grew. Today fountains musically splash where spots, repugnant to the eyes, once dotted the city's grounds.

Mr. Maestri, like all of us common people, knows the problem of the boys and girls in the streets. His heart is with them. He knocked their treatment by the city. So he has enlarged and extended playgrounds.

He knew the trials of the poor and the needy. He said it was a shame the way the city treated its dependents. Today, he is remedying these conditions, and making the lot of the underprivileged easier, permitting them to walk in more pleasant paths.

We fail to recall any department of the city that Mr. Maestri hasn't knocked; and we fail to recall a single department that he has failed to improve. When he took office, the "old regulars" and the Louisiana Democratic Association were at each other's throats, snarling and growling as only political wolves can snarl and growl. Mr. Maestri told them they were a bunch of soreheads, ruining the city, and now they commune together as brethren.

When Mr. Maestri took office, city employees, as they do in every other community, neglected their work. Now the city gets a fair day's work for a day's pay. Contractors were accustomed to slip things over on the city. Today Mr. Maestri demands a dollar's worth of value for every dollar spent. All up and down the line he knocked everybody and everything. Out of this chaos he is bringing a smoothly working city organization that will give the best results to the greatest number of people.

Mr. Maestri's success is due to common horse sense, common business sense applied to the operation of a city. He is recognized as a great businessman, and he has applied the same rules of operation toward a city as he has to his private enterprises.

Mr. Maestri has shown the people of New Orleans that truth is greater than fiction. We have a wonderful city, we have a great city, we have a city where it's pleasant to live and peaceful to die, we have a city with tremendous advantages, we have a city to love, but we will never get the greatest good from all of these qualities until we also recognize our faults and admit them. Mr. Chief Knocker Maestri, we salute you.

May you knock long and loudly.

Who knows but that your knocking may extend to other and wider fields after you have finished with us.

I ask unanimous consent to have printed in the RECORD at this point another article commending the mayor for the fine work he did. The article was published in the Houston Post for May 21, 1939.

The PRESIDING OFFICER. Without objection, it is so ordered.

The article is as follows:

RECONSTRUCTION OF NEW ORLEANS PUTS SPOTLIGHT ON MAYOR MAESTRI—NO. 1 POLITICIAN LEADS BANKRUPT CITY INTO BLACK

(By Charles P. Nutter)

NEW ORLEANS, May 20.—Many residents here grow lyrical when they begin to tell you about "Bob," whom they claim will outshine the fame of the charming old French quarter as the city's trademark as soon as the United States hears more of him.

"Bob" is what nearly everyone, high as well as low, now calls Robert Sidney Maestri, dour, blunt-spoken mayor who in less than 3 years has accomplished a civic reconstruction job the city challenges any other in America to equal.

The city calls a holiday every time the anniversary of his inaugural rolls around. "Ahead with Bob" placards appear all over town. Firms and individuals far and wide pay for advertisements in the newspapers to thank the mayor for his work.

NO. 1 POLITICIAN

Today he is the No. 1 politician in the State, dominant leader of the still intact Huey Long political machine, and the man whom many say will name the next Governor if he doesn't want the job himself, which he says he doesn't.

"I got too much to do here in New Orleans," he says when anyone asks him about the governorship. His present term has 3 years to run.

New Orleans was in technical bankruptcy when Maestri took over on August 17, 1936; the city owed more than \$15,000,000 in current unpaid bills, credit bad, and taxes long in arrears. Today the city is on a strictly cash basis, well over \$15,000,000 in debt has been wiped out at an average rate of half a million dollars monthly.

PUBLIC IMPROVEMENTS

During that time the city has financed out of current revenues public improvements which have changed the appearance of the city. Municipal economies have saved millions and put the city on a cash basis.

In 30 months, Maestri, with the aid of the Works Progress Administration, built or rebuilt 231.44 miles of streets, 20 percent of all the streets in New Orleans, more than doubled the facilities of the city park, put in 65 miles of new drainage canals, laid out 55 miles of floral trails through scenic New Orleans, established or renovated 62 public playgrounds, drained and prepared for residences thousands of acres of swamp on nearby Lake Pontchartrain shores, put in 25 miles of new sewers, remodeled and painted most of the city's fire and police stations, and aided scores of public and private schools to remodel and improve their buildings.

W. P. A. WORK PRAISED

Disregarding instructions from Washington, Mayor Maestri took the shovels away from W. P. A. workers here and gave them steam-

shovels, trucks, cranes, and draglines to work with. According to Harry Hopkins, New Orleans did the finest work with W. P. A. of any city in the United States.

He accomplished all this with less than 10,000 relief workers and only a third as much funds as allotted to New Orleans prior to his administration. He borrowed equipment from great utilities and private firms and wore it out building streets, and drew the owners' thanks and more equipment to use up.

On April 1, the city administration reported that 66 percent of the real-estate taxes already had been paid for the year, and 59 percent of the personal property taxes.

The mayor's manner is unique.

VISITS PROJECTS

Each morning at 8 o'clock he climbs into his car and in the next 4 or 5 hours personally inspects every major construction project in the city. He averages more than 80 miles daily, and never misses a day; even Sunday, for some of the projects work day and night and Sunday in order to give fullest use of the city's mechanical equipment.

Mayor Maestri, though born here 49 years ago of Italian parentage, has adopted the methods of a Scotchman in remaking New Orleans. He wastes nothing, and no gift of waste or refuse is too small or apparently useless for him to utilize.

In a city where stone lies 10,000 feet down, Maestri and his engineers hit upon tearing up the cobblestones of miles of nearly ruined streets, to form curbstones for other streets, flagstones for parks, park benches, and other beautification work. He replaced the cobblestones with new concrete paving.

WASTE ELIMINATED

An air reduction plant gave him acres of carbide refuse, apparently useless. Maestri discovered a formula to turn it into paint, and has made thousands of gallons of white paint from it, not only for the city's use, but for many schools, churches, hospitals, refuges, orphanages, and others, who get it for the asking.

Maestri found most of New Orleans' police and fire stations broken down, unpainted, in bad repair. He put the police and firemen themselves to work on them, rebuilding 31 at practically no cost to the city. The carbide paint came in handy.

Maestri offered all able-bodied prisoners not charged with major crimes an opportunity to work off their time at the rate of 2 days to 1 if they wanted to help on such projects. He has been using up to 100 such daily, all of whom volunteered.

GIFT FROM MAYOR

When they finish their time Maestri gives them \$5, a suit of clothes, and orders to leave town. Scores have written him from all over the country telling of their rehabilitation.

The mayor last year staged a \$10,000 open golf championship to advertise the newly improved city park; he put up the funds himself. He got behind the drive to raise \$550,000 to improve the Sugar Bowl stadium to compete with the Rose Bowl game, and it went over in jig time.

He recently said he wanted 21,000 people out for the opening baseball game in order to win the attendance cup. More than 23,000 turned out. Other cities' attendance ran under 10,000. He named a city athletic director to promote and organize children's athletics.

OUTFITS POOR SCHOOLS

He keeps boxes of baseball gloves stacked up in his office, and frequently outfits a couple of teams at some school in the poor section, where he already has opened a playground.

His particular interest is children, inmates of institutions. He draws no line, religious, class, or race. He knows thousands of the derelict, the lower third. They all call him Bob.

To utilize fully his limited time, Maestri has worked out a unique method of seeing people at city hall after his morning rounds. Instead of calling them into his office he has them assemble in a waiting room, and in he stalks with a secretary to make notes.

He questions each and all where they wait. His decisions are staccato, either yes or no, with very few told to wait until he can consider their case further.

REAL-ESTATE OWNER

Maestri's fortune, variously estimated by friends at between \$1,000,000 and \$3,000,000, was made in New Orleans real estate and south Louisiana oil fields, which have been booming in recent years.

He returned from World War service to enter the real-estate business, accumulating large holdings of rental property which increased in value rapidly in the boom period following the war.

Today he is known as the largest individual taxpayer in the city. Married, but childless, Maestri lives frugally. He has no social activities; his sole recreation is to go fishing on Sunday with friends.

MONEY NOT SOUGHT

He has frequently told friends he has more money than he wants and has no ambition for power, but is anxious to leave a monument to himself in an improved New Orleans that will not be forgotten.

His swift-moving program has not gone on without criticism from some quarters, not the least of which were ward politicians whose activities the mayor curtailed. They currently are credited with beating the drum for Maestri for Governor in order to get him out of New Orleans.

Seeking building funds, Maestri passed a 2-cent city gasoline tax which has been roundly criticized by gasoline stations, which

complain that frugal folk drive out to nearby parishes to fill up their cars. Maestri contends they've lost no appreciable business and that the money obtained is multiplied many times by Federal funds released through additional city funds.

GAMBLING CHARGE

Other critics claim Maestri has done little to curtail gambling, which flourishes. Maestri doesn't deny this charge; but claims he is mainly interested in building and development of the city and rehabilitation of its finances.

Some reports say there is still some minor graft below the mayor's office, although these same critics often tell how Maestri has waded through much of this with a sharp knife.

Socially Maestri is no success and doesn't want to be. He mixes with very few people; his language is salty, direct, outspoken. He has shocked ministerial delegations thereby, but the delegations usually went away with more than they asked, if it contributed to general civic improvement.

Mr. ELLENDER. Here are some letters from a few bankers and businessmen and civic leaders of our State:

MARCH 4, 1938.

HON. ROBERT S. MAESTRI,
Mayor, City of New Orleans,
City Hall, New Orleans, La.

DEAR MR. MAYOR: We wish to acknowledge receipt of check of the city of New Orleans drawn on us in the sum of \$508,008.37, in full payment of the demand notes of the city of New Orleans held by us.

We wish to commend you for the very businesslike manner in which this obligation has been cared for by you, and to extend our compliments and congratulations for the high efficiency of your successful administration.

In retrospect, your services to the people of New Orleans as mayor of this great city, have won the admiration of our people and the businessmen of our community, and if we should take your past performances as a criterion of what is to happen, may we predict that over a period of the next few years, through your genius, New Orleans will be placed in the foremost rank of modern cities. Your efforts as mayor of a great city are praiseworthy and without parallel, since you have accomplished so much in so little time.

With all good wishes for your good health,

Very truly yours,

AMERICAN BANK & TRUST CO.
JOHN LEGIER, President.

MARCH 4, 1938.

HON. ROBERT S. MAESTRI,
Mayor, New Orleans, La.

MY DEAR MR. MAYOR: The fact that you have today paid the last note of the city due to any of the banks does indeed make this a "red letter day" in the financial history of the city of New Orleans. Only those of us who know the difficult financial position in which the city found itself during the depression years, and particularly at the time you assumed office, can appreciate what a remarkable accomplishment it is to have once more brought the city's affairs back to a cash basis. You have indeed done a splendid job, and such financial results could only have been accomplished by the strictest economy and excellent management.

We congratulate you on your fine work. More power to you.

Cordially yours,

THE HIBERNIA NATIONAL BANK.
R. S. HECHT,
Chairman of the Board.

MARCH 4, 1938.

The Honorable ROBERT S. MAESTRI,
Mayor of the City of New Orleans,
City Hall, New Orleans, La.

DEAR MR. MAYOR: I have just been informed that the city has paid out in full all of its current notes and that there remains outstanding only its bonded indebtedness. May I take this opportunity to commend most highly the businesslike way in which the finances of the city of New Orleans have been handled during your administration. I feel entirely sure that when the public becomes fully aware of the capable and efficient manner in which the business and financial affairs of New Orleans are being handled by you, the credit of the city, which is already extremely good, will be materially advanced.

With hearty congratulations upon your successful efforts, I am,
Very cordially yours,

WHITNEY NATIONAL BANK,
J. D. O'KEEFE, President.

MARCH 4, 1938.

HON. ROBERT S. MAESTRI,
Mayor, City of New Orleans,
New Orleans, La.

DEAR MR. MAYOR: We are advised that you today paid the last outstanding note obligation of the city of New Orleans. In addition to liquidating all the city's indebtedness, it is my understanding that you have placed current operations on a cash basis. Since you become mayor it is most pleasing to note the consistent and successful results you have achieved in the conduct of the city's fiscal affairs.

We wish for you and your administration every possible success.
With kind regards,

Very truly yours,

THE NATIONAL BANK OF COMMERCE,
CLAY W. BECKNER,
Executive Vice President.

THE TULANE UNIVERSITY OF LOUISIANA,
SCHOOL OF SOCIAL WORK,
New Orleans, June 19, 1939.

The Honorable ROBERT MAESTRI,
Mayor of the City of New Orleans,
City Hall, New Orleans.

MY DEAR MAYOR MAESTRI: This is a letter of appreciation for your efforts on behalf of the summer play program for New Orleans children and your recent generous provision of \$1,500 to carry on this program.

This playground program is of largest value to the children and youth of New Orleans. As one who has worked for larger recreation services in this city for a number of years, I know that it is a wise expenditure not only for much-needed and pleasurable recreation but the soundest sort of investment in training for good citizenship.

This summer play program is an auspicious beginning. I feel sure it will form the basis for a sound and permanent city-wide recreation program. Such a development will be a splendid contribution to the welfare of New Orleans.

Appreciatively yours,

STUART K. JAFFARY,
Assistant Professor of Social Economics.

HOLLAND'S,
THE MAGAZINE OF THE SOUTH,
Dallas, Tex., July 14, 1939.

MAYOR, CITY OF NEW ORLEANS,
New Orleans, La.

DEAR SIR: Holland's Southern Institute for Town Service has been established to promote town building. In addition to the civic-achievement articles appearing each month in Holland's magazine, we are giving awards of merit to towns that have achieved the unusual. Your town is included with a few others in the South that are receiving such recognition during this next month, and notice to this effect will be made in the August issue of the magazine.

The award in your case is made for the fine work you have done in lake-front development. We are asking you to see that the proper political subdivision or group responsible for such accomplishment is given this award of merit, which goes to you under separate cover.

The program of town building will, we hope, do much to encourage people in all sections of the South to organize their towns and to adopt definite programs of improvements. Under our plan any town that has reached a point of 75 percent of its development, according to our town score card, is eligible for our seal of honor, which is a beautiful bronze plaque. We hope that you may continue in building New Orleans until you are eligible for this recognition.

If you should desire one of our score cards, and if we can be of service to you, please know we shall be glad to hear from you.

Yours most cordially,

R. C. MORRISON,
Director, Holland's Southern Institute for Town Service.

TRINITY CHURCH,
New Orleans, May 26, 1939.

The Honorable ROBERT S. MAESTRI,
City Hall, New Orleans, La.

MY DEAR SIR: At the regular monthly meeting of the Board of the Children's Home of the Episcopal Church there were many expressions of deep appreciation of all that you have done for the home. By unanimous vote I, as chairman of the board, was requested to express to you by letter our sincere gratitude for all that you have done. Especially are we thankful for your personal interest in the matter. The improvements have made the home not only far more attractive but safer and more comfortable.

May I take this opportunity of congratulating you on and thanking you for the splendid work you have done for New Orleans since you have been mayor.

With best wishes for you and your work, I am,

Yours very sincerely,

(REV.) ROBERT S. COUPLAND,
Rector of Trinity Church.

NEW ORLEANS MID-WINTER SPORTS ASSOCIATION,
New Orleans, La.

HON. ROBERT S. MAESTRI,
Mayor, City of New Orleans,
City Hall, New Orleans, La.

DEAR MR. MAESTRI: Now that the drive for stadium funds has been concluded, please accept the warmest possible and most sincere appreciation for the grand part that you played in the work.

You were ever willing to give of your time and good counsel, and the final results surely reflect toward your interest, assistance, confidence, and friendship, all of which I sincerely hope we will ever be able to continually merit.

I believe, too, that you have all the more endeared yourself into the hearts of the populace of our State and city, for surely the undertaking was one of the most civic spirited in many past decades.

You shall always command of us an undying debt of gratitude, which I fear we will never be able to repay.

With assurances of appreciation, thanks, regards, esteem, and wishing you Godspeed, believe me,
Most sincerely,

H. A. BENSON, President.

PORT ARTHUR, TEX., December 26, 1939.

HON. ROBERT S. MAESTRI,
Mayor, New Orleans, La.

DEAR MAYOR MAESTRI: I have been a frequent visitor to New Orleans for 30 years. May I express my thoughts and thanks to you for the many improvements made under your administration. To a visitor, it looks as though New Orleans has improved more under your administration than any other in its history.

I was very much impressed with the beauty of the Canal Street decorations—the row of gigantic candles expressing so well the Christmas spirit and a welcome to the stranger.

Mayor Maestri, I am sure the people of your city and State appreciate your many accomplishments in their behalf, and when I consider all that you have done, that you are reducing the city debt \$6,000,000 per annum, I wish that we had men like you in Texas.

May I wish you a happy New Year and that your success will continue, I am,

Yours,

ED. LINN.

Permit me to recite conditions when Mr. Maestri became mayor of New Orleans in August 1936 and some of his accomplishments since that period:

When Mr. Maestri became mayor of New Orleans, August 17, 1936, the city government—

Owed over \$6,000,000 to the banks, which it could not pay;

Owed nearly \$1,500,000 of outstanding bills for materials and supplies, some of which had been overdue for several years;

It had been unable to meet its pay rolls promptly or in full;

It was paying 5½ percent on outstanding bank loans and could not borrow additional money either from local banks or banks abroad;

It had defaulted its paying certificates;

It was in bankruptcy in the Federal court;

Even vital service of government were restricted;

Garbage collections, for instance, were being made only on part-time basis;

Its streets were run down to a point where many of its major thoroughfares were actually dangerous to travel on;

Its public buildings were a disgrace;

Its playground system had been shamefully neglected;

Its morale was shattered.

As soon as he took office, Mayor Maestri set to work. He pledged his own credit to buy trucks and equipment vitally needed by the city.

He arranged for a reduction in the interest on outstanding bank loans from 5½ to 2½ percent.

By the end of 1936, just a little over 4 months after he became chief executive, the city was out of bankruptcy; its bank loans and outstanding bills were being paid off; its paying certificates had been refunded; and the municipal government was operating on a cash basis for the first time in its history.

By March 4, 1938, the last of the city's bank loans had been paid off. The city was continuing—and is still continuing—to operate on a strictly cash basis.

On the whole, since he has been in office, Mayor Maestri has reduced the debt of the city of New Orleans more than \$16,000,000 and at no time since January 1, 1937, has he found it necessary to borrow from the banks.

Every detail of operating cost has been paid out of current revenues, and all of the millions which the city itself contributed toward public improvement work in connection with W. P. A. and other Federal agencies have likewise been paid out of current revenues.

This program of public improvements has been a sweeping one, bringing benefits to every individual section of New Orleans, and all has been carefully planned and coordinated through the city planning and development board.

The city's street system has been completely rebuilt. Over 200 miles of streets have been paved, repaved, or otherwise improved. Traffic arteries, for which New Orleans had clamored for years, are now a reality.

Every public building, including the entire public market system, has been rehabilitated and modernized.

The playground system has been virtually made over and is being rapidly extended, arrangements for eight additional major recreation centers having been made within the past year.

Parks and parkways in every section have been beautified to the extent that New Orleans today stands out among all other American cities in this respect.

The city's sewerage, drainage, and water facilities have been completely overhauled. Over 200 miles of extensions and improvements have been made and an auxiliary water purification plant, which will take care of the city's needs for many years to come, has been constructed.

All of these improvements, including street paving, have been carried on without a cent of additional cost to abutting property holders—a far cry from the past when the cost of paving to the individual property owner often was so great as to amount to virtual confiscation of his property.

Mr. President, I desire to present another glaring example of how unfair is the press of my State, and how it will distort facts and attempt to crush those who differ with it.

On August 10, 1939, when I returned to my home in Louisiana after the adjournment of the first session of the Seventy-sixth Congress, I was asked for an interview by two young reporters of my home town, one representing the New Orleans Times-Picayune and States and the other the New Orleans Item and Tribune and a local daily. I began by giving these two boys fatherly advice, especially to young Belanger, who happened to be a schoolmate of my young son, and who stated to me that he was desirous of becoming a journalist. I complimented him on his choice, and stated that he could perform a great service to his country. I said to him, in substance: "Never libel any citizen, write the truth at all times, and your writings are bound to command respect."

I related to these boys how certain writers and columnists had a knack of distorting facts; how good men were libeled; that they had little or no chance to defend themselves. I cited specific instances of how propaganda writers misled people, how some of my colleagues in the Senate were unjustly criticized; and how I was lambasted by certain vicious newspapers and periodicals for my stand on the antilynching bill. I concluded by saying that unwarranted attacks by unscrupulous writers, the publication of filthy and slurring articles attacking the characters and good names of honest and decent people, and the continuous abuse of the freedom of the press guaranteed by the Federal Constitution would sooner or later lead to efforts to curb the activities of such scoundrelmongers. All of the above, mind you, was in the nature of fatherly advice, and given to these boys for their own information and not for publication.

The boys then began their interview. They asked me about the then current scandals in Louisiana, and I said that I would prepare a written statement, which I did, and it is as follows:

I am shocked. I am disappointed, and I do not blame the people for being aroused. I suggest, however, that they remain calm and do all they can to assist Federal, State, and local authorities to unravel this unfortunate situation. I ask that they refuse to listen to the rabble-rousers who preach, in effect, that because some officeholders in our State have violated their trust that all others are crooks and grafters also.

I have faith in our Federal officials and others who are conducting this investigation, and I believe they will leave nothing undone to the end that the accused will be tried, and, if proven guilty, punished. I have confidence in Gov. Earl K. Long and his sincerity of purpose. He is endowed with common rugged honesty, and I have every reason to believe that if given a chance he will weed out any crooked officeholder and make sure that he and others of like character are punished.

It is certain that the Governor is receiving much advice from well-meaning citizens as to how he should handle this situation. Some are finding fault because their suggestions are not being followed. If the Governor is furnished with facts and not rumors

I am certain that he will prove his courage and have the accused prosecuted.

What Governor Long needs most just now is the confidence and help of the law-abiding citizenry of the State.

The lad who represented the New Orleans Item and Tribune and the local newspaper rendered a correct version of our interview, and the newspapers that printed his story were accurate. The boy who represented the New Orleans States and Times-Picayune added a little color to his story, and the newspapers he represented added more distortion. In the Times-Picayune of August 10 I was quoted as saying, without explanation, that "the press of the Nation is losing the confidence of the public by its underhand tactics," and that "I would not be a bit surprised if in a few years Congress took measures to curb it." My colleagues would hardly believe me if I recounted all the distortions which followed. I was accused of everything under the sun—of protecting thieves and crooks and of being one of them. I was ridiculed by the press of the Nation because, it was written, I wanted to curb the press of the Nation—wanted to curb the press because, forsooth, the press had been instrumental in exposing thievery and graft in my State. Surely no honest editor could come to such a conclusion after reading my written statement.

Now, the best of it all is that the two newspapers in New Orleans which printed a correct version of the interview grasped at the unwarranted and uncalled-for interpretations placed on my interview by their two competitors, and themselves wrote vicious editorials condemning me for statements attributed to but never made by me.

Telegrams and letters of condemnation began to pour in. There I was—helpless. I happened to be in New Orleans the next day, and ran across a reporter of the Times-Picayune and Daily States. I complained about the unwarranted attack, and gave him the true version of my interview. A slight correction appeared in the Times-Picayune, but in the same issue there was published another vicious editorial of condemnation.

A few days thereafter I summoned the two young men who had interviewed me, and I laid before them the news articles and editorials. Both agreed that a grave injustice had been done to me. Whereupon I suggested to the boy who misquoted me that he write a correct version of our interview. He refused to do so, saying that if he did he would lose his job. I took the matter up with the managing editor of the Times-Picayune, who said he would look into it, and up to the present time I have not heard a word from him, and, as far as the public is concerned, it has not been made the wiser.

I sincerely believe that such an abuse of the freedom of the press is unwarranted and un-American. In a democracy of the type of that under which we live I realize that a free press is indispensable, but I believe that it is of utmost importance that the press be inspired by a sense of truth, justice, and fair play.

It might be of interest to Senators to briefly summarize the position of the candidates in the past Louisiana Democratic primary election with respect to their views on "Longism." Irrespective of what others might think, I still maintain that the real issue in the campaign was and is, not graft and corruption, but "Longism."

Mr. Mosely was the only candidate who publicly criticized the late Senator Long and his policies, and for his efforts he received less than 1½ percent of a total vote of over 553,000. Mr. Jones pussyfooted around the issue. He represents the corporate and newspaper interests of the State. He had the support of the organized anti-Long group in our State. With the help of the newspapers and a big corporation slush fund, which he never denied having received, he obtained only 28 percent of the votes of the State. The newspapers got a first-class licking. Four years ago the candidate of the Long opposition, with newspaper backing, received about 33 percent of the votes cast.

The two remaining so-called independent candidates were not opposed to "Longism," but on the contrary advo-

cated it to the "nth" degree. Both argued that the candidates on the Long administration ticket were responsible for all of the corruption and graft that was uncovered, and that they, as opponents, should be elected so as to clean the State of thieves and grafters. Mr. Morrison, the youngest of the five candidates, made very extravagant promises to the voters, and received 8½ percent of the votes cast.

Mr. Noe masqueraded as the only real, genuine Huey Long candidate in the field. He was born in Indiana, and knew the late Senator Long for a period of only 3½ years before his assassination. Noe argued to the voters that he not only preached "Longism," but practiced it—that he was the real disciple of the late Senator Long. Mr. Noe was one of the candidates who made much of the indictments that resulted from the current Federal investigations in Louisiana. He endeavored to slur the entire Long administration ticket because of these indictments. He charged that because a few persons in Louisiana had violated their trust, every official and State employee who was active in the affairs of the State administration was involved in crooked deals.

What Mr. Noe failed to tell the people of Louisiana was about his own record. Documentary proof was produced showing that he was indicted by a Federal grand jury in the District Court of the United States for the Western District of Louisiana, Monroe Division, in the case of United States of America against James A. Noe, Y. E. Hildreth, No. 4243, under date of April 8, 1926, where the defendants were charged with using the United States mail to defraud. He was accused of selling worthless oil stock to widows, in fact, to the public in general.

Noe was charged by one of his opponents in the campaign with having interested an oil promoter from Fort Worth, Tex., to help him promote. He guaranteed 300 percent within 90 days. Also in one scheme he guaranteed "a gusher or your money back." He collected \$200,000 in those schemes.

Mr. President, I ask unanimous consent to place in the RECORD at this point of my remarks, first, two certificates of stock of the Noe Oil Co.; second, one certificate of stock of the Noe Oil & Gas Co., and third, a telegram dated May 2, 1923, to Mrs. M. F. Holloman, Jr., and signed by James A. Noe.

The PRESIDING OFFICER (Mr. GURNEY in the chair). Is there objection to the request of the Senator from Louisiana?

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

No. 301, 12 units.

Operating under a declaration of trust.

The Noe Oil Co., Farmersville, La.

This certifies that Mrs. P. P. Price is the owner of 12 units of the Noe Oil Co., fully paid and nonassessable, transferable only on the books of the company in person or by attorney upon surrender of this certificate properly endorsed.

In witness whereof the said company has caused this certificate to be signed by its duly authorized trustee and its seal to be hereunto affixed at Farmersville, La., this 6th day of October, A. D. 1923.

[SEAL]

JAMES A. NOE, Trustee.

No. 48, 30 units.

Operating under a declaration of trust.

The Noe Oil Co., Farmersville, La.

This certifies that Mrs. Mittie Price is the owner of 30 units of the Noe Oil Co., fully paid and nonassessable, transferable only on the books of the company in person or by attorney upon surrender of this certificate properly endorsed.

In witness whereof the said company has caused this certificate to be signed by its duly authorized trustee and its seal to be hereunto affixed at Farmersville, La., this 16th day of July, A. D. 1923.

[SEAL]

JAMES A. NOE, Trustee.

No. 106, 100 units.

Operating under a declaration of trust.

The Noe Oil & Gas Co., Farmersville, La.

This certifies that M. F. Holloman, Jr., is the owner of 100 units of the Noe Oil & Gas Co., fully paid and nonassessable, transferable only on the books of this company in person or by attorney upon surrender of this certificate properly endorsed.

In witness whereof the said company has caused this certificate to be signed by its duly authorized trustee and its seal to be hereunto affixed at Farmersville, La., this 20th day of July, A. D. 1922.

JAMES A. NOE, Trustee.

ELDORADO, ARK., May 2, 1923.

M. F. HOLLOMAN, JR.,
Alexandria, La.:

Our well in 27 blew in this afternoon and is estimated at 20,000 barrels. It sure is a fine well. We will have to build more storage at once, and I have to have more money. I am going to give my stockholders a chance to take enough stock to do this. You can get \$50 by wiring it at once to Farmersville. You will have the same 300 percent guarantee you had on your first stock. Don't write. Wire it today if you want it. I hope you will take advantage of this great opportunity I am offering you.

I am, most sincerely,

JAMES A. NOE.

Mr. ELLENDER. Mr. President, Mr. Noe never denied the charges made against him. Although his record is black, he had announced for Governor 4 years ago. His chief claim to the governorship was based on the fact that Huey Long had died with some of his blood in his veins. It is a fact that Mr. Noe gave of his blood to the late Senator in an effort to save his life a few hours before he died. Because of this, and because he preached Long-ism, he received 21 percent of the votes cast.

I want to take a few minutes of the Senate's time to illustrate how faithful Mr. Noe has been to the memory of Huey Long. After parading around the State for over 3 months; after charging Candidate Jones with being a corporation candidate, operating with a slush fund contributed by the corporations and newspapers; after expressing his undying distrust and hatred of corporation lawyers and corporation-backed candidates, this same Mr. Noe has now gone over into the camp of corporation-backed Sam Jones, and he is going around the State today urging his good followers to vote for Sam Jones.

I have kept a newspaper file of the various speeches made during the past campaign, and I shall read to the Senate now a few extracts from Mr. Noe's speeches before election day and a few extracts from his speeches after he shifted to Candidate Jones. How any man could have the nerve, the unmitigated gall, so brazenly to double-cross his good, faithful, and honest followers in this manner is beyond me. Listen to these quotations from speeches made by Mr. Noe. They illustrate far better than I can describe his utter hypocrisy and lack of conscience and scruples.

Here is a quotation from a speech he made in north Louisiana. It appears in the New Orleans Times-Picayune of December 28, 1939:

WISNER, LA., December 27.—The big-money boys don't want Noe for Governor because they can't control him—they want their boy, Sam Jones, in there representing them just like he has for the past years.

Here is another statement which Mr. Noe made, as it appears in the New Orleans Times-Picayune of December 30:

CHENEYVILLE, LA., December 29.—Sam's real program that was designed by his corporation backers to protect and retrieve their "private interests" will never be publicly announced.

It is Sam Jones about whom Mr. Noe is talking, the same Sam Jones he is now asking his followers to support.

Here is still another statement made by Mr. Noe. This one appears in the New Orleans Times-Picayune of December 31:

JACKSON, LA., December 30.—Sam Jones is a corporation man. I told him that I dared him to deny that corporation heads got together in Shreveport and put up the big money for his campaign.

Senators will notice that Mr. Noe did not "think" that Sam Jones was a corporation candidate—he did not "suspect." Oh, no; he was positive in his statement. These are his words: "Sam Jones is a corporation man."

Here is another news item from the New Orleans Times-Picayune of January 8, reporting a speech made by Mr. Noe:

LAFAYETTE, LA., January 7.—The candidate [Noe] also attacked Sam Jones as "the puppet candidate of the big corporations who have been trying for years to get their hands on the State of Louisiana."

Senators would never guess from those words of Mr. Noe that deep down in his heart he really thinks that Sam Jones is a fine, wonderful man, would they?—that Sam Jones is the great savior of his State? No; and neither would I. And neither did Mr. Noe's good followers in Louisiana—his

faithful Huey Long followers. They believed Mr. Noe was sincere in his fight against Sam Jones and the corporate and newspaper interests Jones represents. That is why a good many of the ardent Huey Long admirers voted for Mr. Noe.

I shall read another quotation from a speech made by Mr. Noe before the election—before he associated himself with the Sam Jones crowd. This one is reported in the Baton Rouge Morning Advocate of December 31:

CLINTON, LA., December 30.—Sam Jones is a corporation man. He can't go in for homestead exemption because the funds to take care of these exemptions is made out of taxes on corporations. I told him that I dared him deny that corporation heads got together in Shreveport and put up the big money for his campaign. A man from Texas whom he had never met before came in and put up \$25,000. Now you know a man don't put up that kind of money just because you have light or dark eyebrows.

Now it seems that at one time during his campaign Mr. Noe grew facetious. He drew a word picture for his audience of what their State would be like if Mr. Sam Jones and the corporations he represents ever got into control of the State government. The New Orleans States of December 29 reports it. I shall read it. Now remember, this is Mr. Noe speaking, 3 weeks before the election:

TOGA, LA., December 29.—One thing I will say for the corporation set-up is it would probably provide Sam (Jones) with a lot of modern conveniences such as mechanical hand shakers and cabinets with lighted slots where country people that had traveled down to Baton Rouge to ask the Governor how come they hadn't got an increase in the homestead exemption, could drop written questions—and come by in the morning and get a printed answer by pressing a button, and almost immediately the "buttonaire" would replace the gray stain as the mark of a State official. It would probably be a little confusing to a couple of hundred thousand people for a while, but who can say? Maybe a majority vote of 22 corporation boards would save the people from such follies as paved roads, free lunches for school children, old-age pensions of \$30 a month, \$3 auto-license tags, and the like.

That may sound like a joke to you, my friends, but in effect it is the type of government that Sam Jones offers you.

And again, in a story published in the New Orleans States of January 1—New Year's Day—probably just after Mr. Noe had adopted his New Year's resolutions to speak only the truth—this is what he had to say about Mr. Sam Jones:

LAPLACE, LA., January 1.—If you elected Jones, Louisiana would have a puppet with not 1 but 42 strings controlling his every action.

There never was any doubt in Mr. Noe's mind before election as to the type of men who were backing Mr. Jones in this campaign. None whatsoever. Listen to what Mr. Noe had to say to his audience, as reported in the Baton Rouge Morning Advocate of January 10:

NEW ORLEANS, LA., January 9.—Noe renewed his dare to Sam Jones to deny that he had met with corporation heads in Washington-Yoursee Hotel at Shreveport and that they had raised \$250,000 for him in one afternoon. The gubernatorial candidate attacked John Ewing, publisher of the Shreveport Times, claiming he had praised the action of the Leche administration and adding: "He comes out here for Sam Jones now. Why? Because Sam Jones represents the big boys. And they think they can fleece the public, like they did up in Monroe, when I brought suit to keep them from getting money they had no right in getting."

Here is another statement published in the Times-Picayune of January 5:

If by any remote chance Sam Jones was to get into a second primary with Earl Long I want to tell you this: Seventy-five percent of my votes will come from the people who believe in Huey Long and loved him. The other 25 percent is from the regular anti-Long vote. And that 75 percent will never vote for J. Y. Sanders, Sam Jones, and that crowd, no matter what anybody tells them.

That was before Noe went into his so-called conference with Sam Jones. The following is a report of that conference as carried in the New Orleans States of January 19:

The conference at which the alliance was cemented was held in the St. Charles Hotel, where Jimmy Noe has made his headquarters during the campaign and where his radio station WNOE has its broadcasting studios.

Corridors were filled with Jimmy Noe leaders and workers, waiting impatiently for the news of the outcome of the conference. When the official statements had been typed and signed, the doors of the rooms were thrown open.

"Meet Sam Jones, boys and girls," greeted Jimmy Noe. "I'm starting on the stump for him right now."

And here is also a report that appeared in the New Orleans Item of January 19:

James A. Noe announced at noon today that he would definitely support Sam Jones in the second primary against Earl K. Long.

Noe made his announcement after a lengthy conference with Sam Jones and a group of Jones and Noe advisers, after Jones and his group called on Noe in Noe's quarters at the St. Charles Hotel.

"I will give out a formal statement on the question within the next 2 hours or so," Noe told reporters. But he said, flatly, that he had made up his mind and that his choice was Jones.

Jones remained inside the conference room when Noe stuck his head out to give the news.

Noe was grave, his face slightly flushed, when he made his statement. It came at the end of about 2 full hours of huddling between the two sides.

I shall now read the contents of the signed statement which Mr. Noe gave to the press, as a result of that conference:

I am wholeheartedly joining Sam Jones, throwing the full force of my personal efforts, and that of my organization, into the final stage of the fight to rid Louisiana of graft and corruption, and return to our State honesty and decency in government through a business administration, looking to the welfare of the people.

Sam's assurances that he will carry out the platform, principles, and pledges that I have advocated for the people in this campaign, have been given me, and this is my only consideration in making the decision.

I should like to believe that.

The attainment of this understanding makes my personal fight a success. It is now my duty, as a citizen, and my responsibility to the people who have supported me, to carry on this fight until our mutual goal has been attained.

I am confident that the people of Louisiana will rally to the cause for which we have been fighting and therefore call upon the thousands of my friends who have supported me in this fight to join me behind Sam Jones in a fight that will not be ended until graft and corruption has been driven from the State of Louisiana.

JAMES A. NOE.

And so Mr. Noe suddenly finds Candidate Jones has the same aims and ideals in the campaign as his own.

That is not all of the about-facing, pussyfooting, and boot scraping that has been going on in Louisiana during the past week. I should like to read a few statements that have been made by Candidate Jones, who, according to the words of one of his most ardent supporters and admirers of the moment—I refer to Mr. Noe—is an avowed, dyed-in-the-wool representative of the corporate interests, a puppet of the old J. Y. Sanders-Times-Picayune-New Orleans States crowd of anti-Long agitators. Listen to what Mr. Sam Jones has to say about Mr. Noe, his new-found friend, his long-lost buddy of World War days. Says Mr. Jones, according to a statement appearing in the New Orleans States of January 19:

I welcome the support of Jimmie Noe, which assures the defeat of the present corrupt State machine.

Jimmie Noe's action in continuing this fight in the face of his own elimination, proves his absolute sincerity in fighting for the elimination of corruption in this State. It demonstrates his fine patriotism and proves that he can fight for his country in time of peace as well as in time of war.

I am convinced that Jimmie Noe and I have been fighting for the same cause. I am in favor of the platform, principles, and pledges made by him, and now that the people opposed to the present administration have united, there is no doubt of a victory for the people, and defeat of Earl K. Long, and all he represents, which was overwhelmingly repudiated at the polls last Tuesday.

SAM JONES.

Those are Mr. Jones' own words as reported by one of his backers, the New Orleans States. And in the New Orleans Times-Picayune of January 20, Mr. Jones is credited with making a remarkable contribution to an already topsy-turvy campaign. I read from a news item appearing in the Times-Picayune:

Mr. Jones paid tribute to Mr. Noe as "the greatest man in Louisiana today."

"He is the man who enlisted himself in the fight against this machine at a great personal sacrifice to himself. The only promise he exacted from me for his support was that I fight for his platform pledges to you."

"I want to say to Jimmy Noe that his people are my people, and that I have joined the Noe Legion of Honor."

Mr. Jones thinks Mr. Noe is a great man—a wonderful man—the greatest man in Louisiana. The Times-

Picayune of January 23 quotes Mr. Jones as describing Mr. Noe as "the greatest living patriot in the State of Louisiana." That is what Mr. Jones is saying about Mr. Noe today. But do Senators know what he was saying about Mr. Noe during the days before the election? Let me quote a few of his prize utterances of that period. Here is a statement of his which appeared in the New Orleans Item of December 15:

The administration has Jimmie Noe in this race the same as they've got Earl Long in it. If you want the same kind of government that you've been getting—if you want to keep on with all this crime and corruption and thievery—then vote for Jimmy Noe; he's your man. Who is his candidate for Lieutenant Governor? None other than Dr. J. C. Menendez, the house doctor for Seymour Weiss' Hotel.

And still another by Mr. Jones as it appeared in the New Orleans Times-Picayune of December 14:

VILLE PLATTE, LA., December 13.—"Jimmy Noe was elected to the State senate with the support of the administration. He went to the legislature and pushed the green button for Dick Leche and that crowd. He is simply a stooge for the administration. They've got two candidates in this race, Earl K. Long and Jimmy Noe. Well, I'm glad they have, because I'm going to expose both of them."

"I made the statement at the start of this campaign that the administration had saddled you people with 27 new taxes. Now Jimmy Noe has taken that up and is going around the State crying about those 27 new taxes. Why, he voted for 26 of those 27 taxes himself. The only one he voted against was the sales tax."

"Jimmy Noe voted for all the dictatorial laws; he voted to take your rights away. He was part and parcel with the administration crowd, and yet he comes out here and asks you people to elect him Governor so he can put an end to that sort of thing."

His opponents are asking where Sam Jones was when "they were fighting this administration." Jones said, "Well, while Jimmy Noe was making money for himself up in Kentucky, I was fighting for those rights which were taken away from the people."

I think it useless to quote any more about what these two men thought and think about each other.

Oh, yes; on December 14 Mr. Jones thought Mr. Noe was just a "stooge" for the administration and was part and parcel of the administration forces. Today, according to Mr. Jones, Mr. Noe is "the greatest man in the State of Louisiana." What a transformation. Here we have witnessed one of the glories of Nature—first the worm, then the chrysalis, now the iridescent and resplendent butterfly.

Mr. President, Governor Long, a brother of Huey, was the target for all candidates, as well as the newspapers. He was accused of every crime in the books. Such blackguarding and skulduggery one never witnessed. Every accusation made against him was sifted by Federal and State grand juries, and nothing came of it; his record was clean. He based his campaign on "Longism," pure and simple, and notwithstanding the accusations made, he received 41 percent of the votes. He carried 51 out of the 64 parishes in our State over his nearest opponent, and led in 6 of our 8 congressional districts. He carried 9 parishes over all of his combined opponents.

Permit me to point out briefly what "Longism" means and has meant to our State of Louisiana. Prior to the advent of Huey Long, Louisiana was in the absolute control of the corporate interests of our State. Our natural resources, especially our timber, were being dissipated, and the corporations were escaping their just proportion of taxation. The only crime Huey Long committed, and which led to his impeachment before the lower house of the Louisiana Legislature in 1929, was that he had the courage and leadership to transfer the burden of taxation in Louisiana from the backs of those who could not pay and place it on the backs of those who could and should pay. To be frank, Senators, that is the reason for this newspaper opposition. Our newspapers are pleading the cause of their masters—big business. With the proceeds of those taxes Huey Long provided free school books, pencils, and paper for every child who attends any school in our State; new schoolhouses were built and old ones modernized; more and better teachers were employed at higher pay; free transportation is available to all school children, and no matter where a child lives, be it in a poor or rich community, the same educational advantages are provided for all. More and better colleges were afforded for the higher education of the youth of our State. In addition to Louisiana State University, the State maintains five other modern and up-to-date

colleges. Numerous trade schools, maintained by the State, dot our countryside.

Schools for the blind, the deaf, and dumb were enlarged and modernized; a comfortable establishment was built to take care of epileptics; the two hospitals for the insane, located at Jackson and Pineville, La., were enlarged and made more comfortable, and up-to-date treatment is provided for the unfortunates who inhabit them. We have provided hospitals and convalescent homes for the tubercular.

Without exception, Louisiana has the finest free hospital system of any State in the Union. We have six modern hospitals, located in strategic cities of our State, so that any poor person who might need medical care is within less than a 2-hour drive from a hospital. Ambulance service is provided free of charge; in fact, all the expenses for operating these hospitals are borne entirely by the State. In addition to these facilities the State maintains several hundred beds in private hospitals for emergency cases.

The State maintains 10 dental clinics, located in various parts of the State, for the care of the poor.

When Huey Long became Governor in 1928, Louisiana had less than 5,000 miles of improved roads, only 60 miles of which were paved. Real estate in each locality that desired roads was taxed. Today all parish seats are connected by paved roads. We have built more than 14,000 miles of roads, 4,600 of which are paved. This was accomplished by the imposition of a State-wide 4-cent gas tax. Louisiana is criss-crossed by rivers, creeks, and bayous. Toll ferries and bridges were in evidence on all sides prior to 1928. Today, modern free bridges span all of our streams, and we have done away with toll ferries and bridges. Two of these bridges span the mighty Mississippi—at New Orleans and Baton Rouge. They were built at a cost of \$25,000,000.

Huey Long raised \$5,000,000 to build a magnificent new capitol building which graces our State at Baton Rouge—a building which has achieved world-wide publicity because of its great beauty and magnificence, and which could not be built today for twice what it cost the State. It serves as a mecca for tourists.

Huey eliminated poll taxes. In order for a citizen to exercise his right to vote in Louisiana, he does not have to dig down in his pocket for a dollar or two each year in order to pay his poll taxes. They have been abolished.

All taxes on livestock, such as cattle, hogs, chickens, mules, horses, and so forth, have been removed. Ad valorem taxes on automobiles, boats, and other vehicles have been taken off.

These are some of the advantages afforded the poor people of Louisiana under Longism. We are now providing free hot lunches for poor school children. Dependent children, the aged and blind people of our State, are receiving attention. We plan to better their condition.

In addition to all of these blessings that Longism has provided for the masses of our people in Louisiana, no home owner whose assessment is \$2,000 or less pays one cent of State or parish taxes. That means that 82 percent of the farmers and home owners of our State do not pay one cent of taxes on their homes and farms. In some parishes as much as 92 percent of the farmers and home owners do not pay one cent of State or parish taxes.

Mr. President, it is my firm belief that the press of my State has been unfair to our own people and to those of the country at large. To read what is written, one would think that a dictatorship has been established in Louisiana, that anarchy reigns supreme, and that our public treasury has been plundered. Such is not the case. We have a well operated State government. We have a contented people. It is unfortunate that a few of our elected officials and some of our citizens have violated their trust. All of us who cherish good government abhor such conditions. The Justice Department has been relentless in its efforts, and I am of the opinion that just and adequate punishment will be meted out to those who are found guilty of wrongdoing.

I feel confident that a fair and impartial press would convey a different story about Louisiana under the Long regime than what has been written about it since 1928. Visitors are amazed at the steady progress that Louisiana has made since

that time. We have forged ahead, and intend to continue advancing, in spite of the adverse and unjust criticism of the press of our State.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MINTON. The Senator enumerated various taxes which Senator Long, when he was Governor, took off the backs of the people of the State. The Senator from Illinois [Mr. LUCAS] and I are very much interested in knowing what taxes were then levied to take the place of the taxes which were taken off.

Mr. ELLENDER. Prior to the time of Senator Long, a tax was placed on natural resources on a value basis. When oil, for example, sold for a good price the amount received per barrel was very good; but in most cases the value of oil was as low as 30 or 40 cents a barrel, and 2 percent on oil selling at 40 cents a barrel could not bring much revenue. So what we did was to change the tax to a quantity basis. We placed it on a per barrel basis, so that, no matter what oil sold for, whether it sold for 5 cents or \$1.50, the State treasury collected from 5 to 11 cents per barrel, depending on the specific gravity of the oil. That was one of the taxes.

Prior to 1928, the oil interests paid \$1,200,000 in such taxes. Today they pay in excess of \$12,000,000 on these natural resources.

Then we enacted the income-tax law. Today that tax brings into the State treasury between \$5,500,000 and \$6,000,000 yearly. We have placed a tax of 2 percent on public utilities. We have a corporation franchise tax. All of those taxes, plus a few others that I cannot think of at the moment, added together have given us enough money to accomplish the benefits I have just mentioned.

Mr. President, I ask unanimous consent to place in the RECORD, following my remarks, excerpts from a radio address delivered by me, giving the very information asked for by the Senator from Indiana [Mr. MINTON] and the Senator from Illinois [Mr. LUCAS].

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. LUCAS. Are the taxes collected from the various corporations in Louisiana sufficient to take care of all the expenditures on the pay-as-you-go basis?

Mr. ELLENDER. Yes; for the maintenance and upkeep. We borrowed money to build our roads.

Mr. LUCAS. In other words, aside from the roads, Louisiana collects a sufficient amount of taxes to maintain all the various constructive improvements which the Senator has discussed in his statement today?

Mr. ELLENDER. That is correct.

Mr. LUCAS. As I understand, the indebtedness of the State, other than the obligations for roads, has not increased since the Long administration.

Mr. ELLENDER. I will make just a few exceptions to that statement. Prior to Governor Long coming into power the State had a bonded indebtedness of almost \$60,000,000. The indebtedness represented some bonds, amounting to \$14,000,000, imposed back in 1914 in order to pay deficits of prior governors. The rest of the indebtedness represented a bond issue to build the industrial canal in the city of New Orleans, the bonds for which, by the way, are now being partly retired by some of the taxes imposed by the Long administration and now being collected. The entire amount of bonded indebtedness incurred under Governor Long and his successors is \$167,000,000. Of said sum \$28,000,000 have been retired, thereby leaving \$139,000,000 still due and unpaid. With that amount of money the road system and all the bridges which I have described were built. In addition to building the roads, a part of the money raised through bonds was used to build our State capitol and the executive mansion, and to improve some of the hospitals and other public buildings in our State. However, the retirement of most of these bonds is provided for through taxes imposed, principally the corporation-franchise

tax. In Louisiana we collect a corporation-franchise tax equal to \$2 for each \$1,000 of capital. A substantial amount of the money collected from that source is pledged to retire the bonds which were issued to build the hospitals which I have described and other public buildings.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MINTON. What is the present bonded indebtedness of Louisiana?

Mr. ELLENDER. The entire bonded indebtedness today, as I recall offhand, including the balance due on the bonds issued prior to 1928, when Governor Long was elected to office, is approximately \$182,000,000. As I have just stated, I have inserted in the RECORD excerpts from a radio address by myself, in which the figures are set forth accurately.

EXHIBIT A

[Excerpts from radio address delivered by Senator ALLEN J. ELLENDER (Louisiana) at New Orleans, La., on January 12, 1940, over radio Station WDSU and State-wide hook-up]

The good people of this State won't be misled by these tactics; they know that Candidate Jones and his crowd and Candidate Noe and his crowd are attempting to gain control of our State government for the benefit of the corporations and oil interests in order that they may restore to Louisiana the old regime which existed before Huey Long became Governor of this great State. They want to undo the great works of Huey Long, who shifted the burden of taxation from the backs of those who couldn't pay and placed it on the backs of those who could pay. It is easy to understand why the corporate interests and the rich interests don't want any more of the Long form of government. They've had enough. They tell you so. They want to get rid of the 26 various taxes which they say our administration has placed on the statute books. And well they might wish to get rid of those taxes, because they are being paid not by the poor people of this State, not by the working people, not by the citizen of average circumstances, but they are being paid out of the treasury of the big corporations and out of the pockets of the rich interests. Oh, yes; Candidate Jones raises a big howl about the many, many taxes that are being paid in Louisiana. He says he is going to do away with them. He is going to abolish them. Well, let us see about some of those taxes that Candidate Jones wants to abolish.

First of all there's the severance tax. That is a tax which is collected from the oil interests, from the gas interests, from the sulfur interests—from persons or corporations who exploit our natural resources. Do you know how much severance taxes were collected from those interests prior to the time Huey Long became Governor of Louisiana in 1928? A paltry \$1,200,000, that is all, in spite of the fact that Louisiana is one of the richest States in the Union in natural resources. And compare that figure with the amount of severance taxes that we collected in the year 1938—over \$12,000,000. So well might the corporate interests and the rich oil interests want to do something about the severance tax being removed. It hurts them; it hurts their pocketbooks. But it doesn't hurt the workingman, the farmer, the poor, and the underprivileged. It helps them. Because that tax money is used to operate your schools. With it your State government has been able to increase the State contribution to the support of the parish schools and decrease the parish contribution. For instance, in 1928 the State contributed approximately \$5,000,000 to the school fund. Today the State contribution amounts to approximately \$16,000,000—over three times as large. That severance tax money is being used to improve our schools, to provide better pay for teachers, and raise the standards for teachers; to provide free schoolbooks, paper, and pencils; provide free libraries to all schools in the State; free transportation for all country students; and Gov. Earl Long has just been successful in getting started, with the aid of the Federal Government, a program to provide free hot lunches to the school children.

There is a splendid tenure law in force to protect our teachers. Our colleges and universities have been remodeled and revitalized, and today they rank with the best in the country. We have started to build trade schools throughout the State; in 1928 there was only one trade school in Louisiana, and that was located in New Orleans. Today there are trade schools, all operated at State expense, at Bogalusa, Shreveport, Natchitoches, Winnfield, Opelousas, Crowley, and Lake Charles, and Governor Long has pledged himself to construct trade schools throughout the State until one is within each reach of every boy and girl. We have in effect a State-wide school equalization fund, so that parishes that are poor may receive from those that are richer; and the result is that our schools in the poorer parishes are about as good as those in the richer parishes.

All of those benefits to our school system are made possible mainly through the revenues that accrue to the State from the severance tax, and from another tax that I want to tell you about right now—the State income tax. That is another tax which is paid by those who are able to pay, and not a dime of it comes out of the pockets of the poor and underprivileged. The money collected from that tax is used to take care of your homestead exemptions, and the remainder goes to the State school fund, along with taxes collected from public utilities, sale of alcoholic beverages, and sale of cotton futures—and I again want to point out to you that the person of average circumstances, the farmer,

the storekeeper, the laborer, does not pay a dime of those taxes. I don't believe there is a working man in Louisiana, or a farmer, or a small-business man, or a widow or struggling business woman, who wants to do away with the homestead exemption. That is a direct benefit which our administration has given to the people of this State, in order to relieve them of the burden of unjust taxation. I know that it was with a feeling of genuine relief that every man and woman tonight listening to my voice, who owns a home in this State, walked up to the tax collector's office and had him stamp "Paid" on his notice of State and parish taxes on assessed valuation up to \$2,000 without having to fork up a thin dime for that privilege.

And then there is the corporation franchise tax—that is another tax which the big boys do not like. And they don't like it because they are the ones who have to pay it. With the money that the State collects from the corporation franchise tax, we were able to improve the Charity Hospital in New Orleans, and the Louisiana State University in Baton Rouge, our other educational and charitable institutions, and furnish other much-needed benefits for the people of our State.

I could tell further of all the benefits that you good people are receiving from the taxes that are now collected, not from the poor people, but from the rich and corporate interests of our State. But time will not permit me to go further into detail.

But let me warn you of this—that when Candidate Jones and Candidate Noe and Candidate Morrison and Candidate Mosely come around yelling to high heaven about the taxes that our administration put on the statute books, and how they are going to take them off if they become Governor—just remember that those taxes are not on your backs, and if perchance they were to be taken off, then some other means of taxation would have to be found to replace the revenues that are thus shut off. And that is when you good people would be taxed, and taxed heavily, just as you were in the days before 1928, before Huey saved the State from the corporate interests, the Times Picayune, the New Orleans States, Shreveport Times, and their like.

Now Candidate Jones also goes around the State telling you good people that we collect \$78,000,000 of taxes per year. That is just another one of Candidate Jones' misstatements of facts. I have before me the report of the Census Bureau for 1937, and it does show that the State of Louisiana took into its treasury, from all sources, \$78,000,000 during the year 1937. But what Candidate Jones did not tell you is that \$16,000,000 of that amount represents money put up by the Federal Government as grants-in-aid for relief, public roads, unemployment insurance, and other similar items. It can in no sense be construed as taxes collected by our State government from our people, but Candidate Jones would have you think that it is.

I went to considerable trouble when I returned to Louisiana last November, in order to analyze the expenditures of our State government. I took the 1938 appropriation bill and totaled the expenditures of our State governmental departments for the fiscal year 1938-39. The expenditures authorized in that bill aggregated \$66,900,000 for our entire State functions, for the fiscal year 1938-39. And of that amount 33½ percent went for purposes of education. In other words, out of every \$100 appropriated by the State, education got \$33.50. Highways got \$28 out of every \$100; public welfare received \$10.50; eleemosynary institutions, \$7.50; homestead exemptions, \$5; and veterans, \$1.50. In other words, those six branches of our State government received \$86 out of every \$100 authorized to be spent in 1938.

Two and one-half dollars out of every \$100 went toward running the legislative and judiciary branches of the government, and the department of agriculture, \$2 was expended to retire interest and principal on the old State debt which was saddled on us before the time of Huey P. Long, and \$1.50 was used to retire the debts of the ports of New Orleans and Lake Charles, another indebtedness which Huey inherited from his predecessors.

That now accounts for \$92 out of every \$100 appropriated, and it leaves \$8 out of every \$100 with which to run all the executive branches of the government—just think of that, only \$8 out of every \$100, or a total amount of only \$5,600,000 to run the Governor and Lieutenant Governor's office, the secretary of state's office, the adjutant general's office, the labor department, registrars of voters and assessors throughout the State, conservation department, auditing department, collector of revenue, supervisor of public funds—in other words, each and every branch of the executive department is taken care of with that \$5,600,000 appropriation.

And yet Candidate Jones and Candidate Noe and Candidate Morrison and Candidate Mosely have the temerity to go before the people of this State and tell them that they are going to save enough from graft alone to cut out various taxes altogether, reduce licenses on autos and trucks, and at the same time, without imposing additional taxes, increase old-age pensions to \$30 per month. Now I ask you, can't you see for yourself how absurd and ridiculous are those statements. Why, even if these would-be Governors abolished the entire executive branch of the government, abolished all of its functions, even their own office and salary as Governor that saving would amount to only \$5,600,000. And we spent out of the State treasury in 1938 for welfare purposes alone—that includes old-age pensions and aid to the blind and crippled and dependent children—we spent for those purposes alone approximately \$6,900,000 in 1938. So if they are going to double and triple old-age pensions and grants to the needy, then they've got to get the money somewhere, and they can't do it by reducing taxation. Because common sense tells you, whether you are a bookkeeper or not—any farmer, or housewife, or laborer can tell you that you can't keep

taking money out of your pocket to pay for the necessities and luxuries of life without putting some more money back in that pocket to replace what you spend. So I say to you that if these opposing candidates carry out their pledges to the corporate interests and the oil interests and the big-business interests by reducing the taxes they have to pay, then the poor people of this State will suffer, and they will suffer heavily. Because we can't afford to take money away from our schools—they need all the money they can lay their hands on—we don't want to lose the homestead exemptions; we don't want to lose the free schoolbooks; and hot lunches; we don't want to lose our free hospitals, free dental clinics; we want our old-age pensions, and Governor Long has promised a material increase in the present payments; we want to continue our good roads and free bridges program; in short, my good friends, we want all the wonderful benefits we are now sharing under the Long administration, and I know that the great majority of our people are aware of the issues that are facing them in this election, and in gratitude for benefits received they will vote the Earl Long ticket from top to bottom, just as they voted the Huey Long ticket in days gone by.

And now I would like to say a word about our bonded indebtedness. Candidate Jones has gone all over the State charging that when Huey Long became Governor the per capita bonded indebtedness was only \$6 per person; well, since we have approximately 2,000,000 persons in Louisiana, this would indicate a bond issue of only \$12,000,000. I have made a complete study and analysis of our bonded indebtedness, both as of 1928 and as of today, and the records show that the total bonded indebtedness of the State in 1928, when Huey became Governor, was \$58,000,000. Of course, a difference of \$46,000,000 in his figures is a mere nothing to Candidate Jones, for he also told the good people of this State that the present bonded indebtedness of our State government amounts to \$200 per person, indicating a total bonded indebtedness of \$400,000,000; well, the actual figure as of November 1939 is \$182,000,000—so Candidate Jones only exaggerated to the tune of \$218,000,000 in that instance.

There has been so much misrepresentation and falsification spread throughout the State regarding our bonded indebtedness that I want to spend just a few minutes analyzing the expenditures that have been made since 1928. The State of Louisiana has issued, since Huey Long took office, a total of \$129,000,000 of highway bonds, and of that amount \$24,000,000 have been paid, leaving a balance of \$105,000,000 due and outstanding. With the proceeds of those bonds, we have constructed in Louisiana one of the finest road systems in any State of the Union. Consider this: That when Huey Long became Governor in 1928 we had less than 5,000 miles of improved roads in this State, only 60 miles of which were of high-type pavement. Today we have over 19,000 miles of improved roads in Louisiana, and 15,000 miles are of concrete and gravel. That is how we spent \$95,000,000 of the road-bond issues. With the other \$34,000,000 of bond money, we built the fine system of free bridges that span the rivers and bayous and creeks of our State, including the magnificent bridge across the Mississippi River at New Orleans, another under construction at Baton Rouge, the beautiful bridges spanning the Red River at Shreveport and Alexandria—I could name dozens and dozens of outstanding bridges that have been built with that money; and remember this, ladies and gentlemen—that those road bonds are retired out of the gasoline tax, which is paid for by those who use our highways and in proportion to the amount of benefit that the users get out of those highways. It is a fair tax—paid equally by Louisianians and outsiders who use our highways.

In addition to the highway bonds that I have just spoken of, we issued approximately \$5,000,000 of bonds to pay pensions to Confederate veterans and their widows and dependents—and over \$1,000,000 of those issues have since been paid up. We issued \$4,950,000 of bonds to liquidate old State debts, which represented the cost of the first building program at Louisiana State University; we issued \$5,000,000 of bonds to build a magnificent new capitol, which graces our State at Baton Rouge—a building which has achieved world-wide publicity because of its great beauty and magnificence, and which could not be built today for twice what it cost us—and \$1,750,000 of that issue has already been retired.

We issued approximately \$2,000,000 of bonds to refinance the operations of the port of New Orleans, and refunding of those bonds is paid for out of port of New Orleans revenues. Then we issued back in 1938, \$6,000,000 of bonds to match \$4,000,000 in Federal funds, with which to construct new and modern buildings and facilities at our charitable and educational institutions, such as Southwestern Louisiana Institute, Southeastern Louisiana Polytech, School for Deaf and Dumb at Baton Rouge, Southern University for the colored, at Scotlandville. Those bonds are payable out of corporation franchise revenues. We issued \$5,300,000 of bonds to construct new buildings at Louisiana State University; those bonds are payable out of corporation franchise tax revenues. And we also issued \$8,900,000 of bonds to build the new Charity Hospital at New Orleans, which bonds likewise will be liquidated out of proceeds of the corporation franchise tax.

So that gives us a total of \$167,000,000 of bonds which were issued since Huey Long took office, and of that amount, \$28,000,000 have been retired, leaving a net balance of \$139,000,000 outstanding. And I challenge our opponents to find where any of those funds were spent without the State receiving in return good, substantial, and much-needed improvements, that redound to the benefit of the masses of our people.

Time will not permit me to discuss some of the other issues of this campaign, but I ask the good people of this State to exercise

their right of the ballot, unhampered and without fear or intimidation. Pay no attention to the malicious charges of opposing candidates and to the misrepresentations of the newspapers. Go to the polls on January 16 and vote for Earl K. Long for Governor, and for the rest of the candidates on his ticket. Remember, the people have been in charge of their government since 1928, under the present administration, and should you fail to maintain your government where it is, and return it to the privileged classes, years may elapse before you will be able to restore it and operate it for your benefit. Remember, that there will never be another Huey Long to shed his blood to save you from the strangle hold of corporate interests.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the bill (S. 1820) to provide for the transfer of certain land owned by the United States to the State of Texas; and certain other land to the county of Galveston, Tex.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2001) for the equalization of letter carriers.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7805) making supplemental appropriations for the Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation for the fiscal year ending June 30, 1940, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. TAYLOR, Mr. WOODRUM of Virginia, Mr. CANNON of Missouri, Mr. LUDLOW, Mr. SNYDER, Mr. O'NEAL, Mr. JOHNSON of West Virginia, Mr. TABER, Mr. WIGGLESWORTH, Mr. LAMBERTSON, and Mr. DITTER were appointed managers on the part of the House at the conference.

LANDS ADJACENT TO TURTLE MOUNTAIN INDIAN AGENCY, N. DAK.

The PRESIDING OFFICER (Mr. GURNEY in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1036) to authorize the purchase of certain lands adjacent to the Turtle Mountain Indian Agency in the State of North Dakota.

Mr. FRAZIER. I move that the Senate disagree to the amendment of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. THOMAS of Oklahoma, Mr. WHEELER, and Mr. FRAZIER conferees on the part of the Senate.

SUPPLEMENTAL MILITARY AND NAVAL APPROPRIATIONS

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 7805) making supplemental appropriations for the Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation for the fiscal year ending June 30, 1940, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ADAMS. I move that the Senate insist upon its amendments and agree to the request of the House for a conference and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ADAMS, Mr. GLASS, Mr. MCKELLAR, Mr. HAYDEN, Mr. BYRNES, Mr. HALE, and Mr. TOWNSEND conferees on the part of the Senate.

AUTHORIZATION FOR COMMITTEE REPORTS DURING ADJOURNMENT

Mr. BARKLEY. I ask unanimous consent that during the adjournment of the Senate following today's session the Appropriations Committee and any other committee of the Senate may be authorized to submit reports on any measures they may be ready to report.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER, as in executive session, laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on Military Affairs.

(For nominations this day received, see the end of Senate proceedings.)

ADJOURNMENT TO THURSDAY

Mr. BARKLEY. I move that the Senate adjourn until Thursday next.

The motion was agreed to; and (at 2 o'clock and 2 minutes p. m.) the Senate adjourned until Thursday, February 1, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 29, 1940

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY
TO QUARTERMASTER CORPS

Maj. Marion Irwin Voorhes, Cavalry, with rank from August 1, 1935.

APPOINTMENTS IN THE NATIONAL GUARD OF THE UNITED STATES
GENERAL OFFICERS

Maj. Gen. Roger Weed Eckfeldt, Massachusetts National Guard, to be major general, National Guard of the United States.

Brig. Gen. William Francis Howe, Massachusetts National Guard, to be brigadier general, National Guard of the United States.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 29, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Heavenly Father, teach us to be still and know that Thou art God; cleanse us, keep us, and hold us safe. O let our souls wait for the Lord even more than they that wait for the morning. In this fear-haunted world lead us to the shadow of the cross and there inspire us to make our choice. We pray that we may be keepers of Thy commandments, defenders of Thy law, and towers of strength in all Thy righteous ways. Do Thou give us light in our blindness and open wide unto us the gates of knowledge and understanding. Let Thy glory be declared among all nations and Thy wonders among all peoples. Thou who art the Ancient of Days, hasten the hour when they shall come from the east and from the west, from the north and from the south, and shall sit down in the kingdom of God. In the Redeemer's name. Amen.

The Journal of the proceedings of Thursday, January 25, 1940, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. St. Claire, one of its clerks, announced that the Senate had passed with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7805. An act making supplemental appropriations for the Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation, for the fiscal year ending June 30, 1940, and for other purposes.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 1955) entitled "An act to authorize the Secretary of Agriculture to delegate certain regulatory functions and to create the position of Second Assistant Secretary of Agriculture," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WHEELER, Mr. THOMAS of Oklahoma, Mr. SCHWELLENBACH, Mr. NORRIS, and Mr. McNARY to be the conferees on the part of the Senate.

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SUPPLEMENTAL APPROPRIATIONS FOR THE MILITARY AND NAVAL ESTABLISHMENTS, COAST GUARD, AND FEDERAL BUREAU OF INVESTIGATION

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7805) making supplemental appropriations for the Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation, for the fiscal year ending June 30, 1940, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. Is there objection to the request of the gentleman from Virginia? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. TAYLOR, WOODRUM of Virginia, CANNON of Missouri, LUDLOW, SNYDER, O'NEAL, JOHNSON of West Virginia, TABER, WIGGLESWORTH, LAMBERTSON, and DITTER.

INTERNAL-REVENUE TAXES

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

[Mr. COCHRAN addressed the House. His remarks appear in the Appendix of the Record.]

EXTENSION OF REMARKS

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short editorial on the subject of neutrality.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. BOREN asked and was given permission to extend his own remarks in the RECORD.

Mr. ALLEN of Pennsylvania. Mr. Speaker I ask unanimous consent to extend my own remarks in the RECORD and include therein an address on bituminous coal delivered by Mr. Carroll B. Huntress.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent that on tomorrow, after the reading of the Journal and the disposition of business on the Speaker's table, and following the legislative program of the day, I may be permitted to address the House for 6 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

WILLIAM M'KINLEY

Mr. SECCOMBE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SECCOMBE. Mr. Speaker, this is the anniversary of the birth of one of the greatest Americans. On January 29, 1843, William McKinley was born at Niles, Ohio. I am proud of the fact that I now have the honor to represent in this House the same district that this great American represented. When we consider who was the greatest American, there can be no definite decision, for many were great. Some were great in one respect, and some were great in other respects. Probably none of our great Presidents was more circumspect in his private life than Mr. McKinley. His tender regard for his aged mother and his invalid wife won for him the respect of the manhood of the Nation and the devotion of the womanhood of the Nation. So splendid was his private relationship with the people who came in contact with him that the mothers of the Nation held him up to their sons as a model. So generally beloved was he, that when the news flashed over the wires that he had been assassinated and had died it was

said of him, as it was said of another great character, "the children cried in the streets."

Although McKinley was a great Governor of the great State of Ohio, and although he was a highly honored and respected President, because he was recognized as a man of able purposes and of great ability; and although as the Chief Executive of our country, his was the lot of guiding us through a major war, which he did in such a manner as to win the admiration and the respect of the world, still the public service that he rendered that contributed most to the welfare of our country and to his name and memory were the services rendered by him as a Congressman, and in this very room. There may have been greater Presidents than McKinley. This will depend upon the judgment and feelings of the person making the appraisal. But, to my mind, by any fair appraisal it must be conceded that in McKinley was the greatest Congressman ever to serve in this the greatest and most deliberative legislative body in the world. As a member and as chairman of the mighty Ways and Means Committee, he took an active part in writing and passing tariff legislation. In any list of the great Americans who formulated our tariff policies, the name of William McKinley will lead all the rest. In the years between 1893 and 1896 the country suffered terribly by reason of a stubborn depression which had come because of the economic policies of the Cleveland administrations. The campaign of 1896 was waged upon the tariff and the economic problems of the Nation, with the result that William McKinley was overwhelmingly elected. Immediately upon the election of McKinley, as if by magic, business began to improve, unemployment began to disappear, and an era of prosperity was ushered in that gained such momentum as to carry itself for several years. That was the beginning of an intensive industrial age which carried our country to world power and influence as a producer of goods. The Spanish-American War made the United States a world power in the politics of the world, likewise in this age our country reached a position of great financial importance in the parleys of the other great nations of the world.

McKinley was a statesman of the highest order. His statesmanship was constructive. Although gentle and well mannered, almost to timidity, still he was courageous. His ability, his tact, and his courage carried him to high places. Again I say it is a great honor for anybody to represent in Congress the people of the district which he represented. It shall always be my aim to do what I think he might do if he were in my place. The people of my district hold Mr. McKinley up as their most exalted citizen. They would quite generally approve of what I do if they thought it would have met the approval of Mr. McKinley.

Today we hear much about reciprocity in trade agreements with other nations. It was William McKinley that fathered this policy and made it a part of our methods of dealing with foreign trade. There are some who claim that the present system of entering into reciprocal-trade agreements is in line with the McKinley policy. This is not true. The difference between the two policies is exactly what makes one system constitutional and the other unconstitutional. McKinley advocated trading only in commodities that would not be in competition with American-made commodities and in commodities the importation of which would not displace American labor. His theory would not admit Argentine beef in competition with American beef or Japanese pottery in competition with American pottery.

Next to his clean, shining, personal life, McKinley's life as a soldier most completely portrays his real character. He was just 18 years of age when the Civil War broke. He was teaching school. He volunteered among the first, proving his love for his country. When he enlisted at Columbus, Ohio, he met Rutherford B. Hayes, who was several years older than young McKinley. They formed a friendship then that, through numerous baptisms of fire and blood, ripened into a friendship and devotion like that of David and Jonathan. Each served through the entire war. Hayes came out as general and with a badly wounded arm. McKinley came

out as a major, having won all his promotions for gallantry on the firing line. Phil Sheridan in his story of the Civil War gives William McKinley very special mention for personal heroism at Cedar Creek when Sheridan made his famous ride from Winchester 20 miles away. He made the reference long before McKinley was even a Congressman, much less a Governor and a President.

And again, at Antietam, McKinley saved the day. The State of Ohio, by legislative appropriation, has erected on the battlefield at Antietam a very large and imposing granite shaft on the spot under the brow of the hill where McKinley brought relief to the Union Army that saved the day and enabled them to gain a great victory. It was this victory that moved Abraham Lincoln to sign and promulgate the Emancipation Proclamation.

In my home city of Canton, Ohio, is erected a beautiful memorial to McKinley. It was erected at the expense of many thousands of dollars, made up by small contributions from the school children of the Nation. This is a shrine before which millions of loyal Americans have bowed their heads and lifted their hats. Truly, William McKinley was a noble man, a genuine patriot, and a great statesman. I am proud to bring to this Congress the greetings of a splendid people in my district who join me in thanking you for this opportunity to tell you again a brief story of our great and beloved fellow citizen, William McKinley. [Applause.]

Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and to include therein a letter written by Mr. McKinley to a personal friend of his; a report on the funeral obsequies of President William McKinley at Canton, Ohio, September 17 to 19, 1901; and a letter addressed to me from Mr. William T. Kuhns, of Canton, Ohio, together with enclosures, concerning the former President.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The matter referred to follows:

HOUSE OF REPRESENTATIVES,
Washington, D. C., March 25, 1878.

JOHN POLLOCK, Esq.,

North Lawrence, Ohio.

DEAR SIR: Yours of the 23d is received and contents noted. In reply to your several inquiries, I reply that the tariff question is assuming great prominence and very nearly divides the two great parties and may be fairly said to be a leading issue. It is certainly a highly important one, closely connected with the business interests of the country, and is creating more attention in Congress than any other.

The Republicans, as you know, favor a system of tariffs not only for revenue but for protection also, while the Democratic Party is opposed to protection.

The manufacturing, mining, and agricultural classes are all and equally interested in home protection. If the Democratic Party had its own way, it would flood the country with foreign products, free of duty, to the great detriment and injury of our own productions—our own manufacturers—and I need not tell you that when the manufactures of this country are broken down, labor, now so much depressed, goes down with them. Therefore its importance.

The money question is substantially settled, possibly not in all its details, but silver is made a legal tender for all purposes, the greenback dollar is within 1 cent of the value of gold. So that we have gold, silver, and greenbacks as the circulating medium of the country, varying but little on their purchasing power, respectively.

The Republican Party is now and always has been committed to a good, sound currency, which is always the best for all classes, rich or poor. It is out of the power of any political party to make money plenty. That must come from thrift and economy on the part of the individual and the Nation, and by fostering and protecting our industries at home. I don't know what to say of the National Party. Indeed, I know little about it, except what I see in the public press. I do think, however, that whatever good is to be wrought for this country must come from one of the two leading parties, Democratic and Republican. New parties are apt to injure the party least worthy of injury. Needed reforms, either in principle or administration, must come through one of the two parties, and the question for us as good citizens, loving our country and desiring its prosperity and permanency, is to cast about and see which of the two parties are the best instruments for the accomplishment of reforms. I need not tell you that I believe the Republican Party has in it the virtue, the wisdom, and the courage to achieve for this country and its people of all classes the highest and greatest good.

The record and aspiration of the two parties are known to the country, and we must judge each for oneself between them. The Nationals may have the best and highest purposes in view, and I do

not doubt but that this is so among its rank and file, but the question still comes back, What can it hope to accomplish against the two great parties so firmly fixed and long established in this country?

If it be true, as I see by the newspapers, that General Coxe is the leader of the new party, this fact, I am sure, would furnish another reason why good men should pause before espousing it.

I hope our good friends in your locality, who have always stood with the Republican Party, will continue its fealty to that party, whose record is so full of achievements for the good of the country and mankind, and whose future promises still greater good. I am sure it should commend itself to their hearty respect and support. I have written you hastily and frankly, and shall hope to hear from you soon. When I come home we will have a full talk going over the whole ground.

Believe me, sincerely yours,

WILLIAM MCKINLEY, Jr.

REPORT OF LT. COL. HARRY FREASE AS CHIEF OF STAFF OF THE CHIEF MARSHAL FOR THE FUNERAL OBSEQUIES OF PRESIDENT WILLIAM MCKINLEY AT CANTON, OHIO, SEPTEMBER 17-19, 1901

HEADQUARTERS OF DIVISION, OHIO NATIONAL GUARD,
CHIEF COMMISSARY'S OFFICE,
Canton, Ohio, September 30, 1901.

THE ASSISTANT ADJUTANT GENERAL,
Division Ohio National Guard, Akron, Ohio.

SIR: I have the honor to report as follows, in connection with my detail as chief of staff of the chief marshal, as per telegraphic orders received early in the morning of the 17th instant, from Assistant Adjutant General George M. Wright, in response to a request from Chief Marshal Hiram Doll, by the executive committee through its chairman, the mayor of Canton.

Anticipating the needs of the occasion, for the disposition of the troops and the organizations coming to participate in the funeral procession, on Monday afternoon, the 16th instant, through the courtesy of City Civil Engineer Phil. H. Weber, I secured the services of one of his draftsmen, being First Lt. Jesse A. Starret, Company M, Eighth Infantry, Ohio National Guard, who traced an outline of Canton from the camp to the cemetery, from which tracing I secured a zinc etching, and by Tuesday evening had 500 copies of the plate printed for the use of the chief marshal and in the division headquarters. A copy of the outline is attached hereto, and the plate has been forwarded to the Adjutant General's Office at Columbus. On Monday evening I applied to the city council for permission to use the mayor's court room in the city building for the headquarters of the chief marshal and the assembly room in the same building for an emergency division hospital, which permission was granted; and on Wednesday morning the chief marshal's headquarters were established in said court room, which was shared with Major General Dick for division headquarters.

The street arrangements for the reception of the remains and the funeral obsequies of the late President of the United States, which were directed by the chief marshal, were planned primarily by the executive committee and were promulgated in a mayor's proclamation, in several announcements prepared by the committee and issued by it or in the name of the chief marshal, and in four general orders prepared and issued by the chief marshal; which several forms of orders were published in regular and extra editions of the Evening Repository, as follows:

MAYOR'S PROCLAMATION

CANTON, OHIO, September 17, 1901.

To the citizens of the city of Canton:

In compliance with a request of the executive committee having in charge the arrangements for the funeral of the late President, and in conformity with a resolution passed by the honorable city council, it is hereby ordered as follows: That all places of business and manufactories be closed from 10 o'clock a. m. September 18 until 6 o'clock p. m. September 19, excepting, however, hotels, restaurants, eating houses, lunch counters, refreshment parlors, and news depots.

It is further ordered that on September 18, between the hours of 10 o'clock a. m. and 9 o'clock p. m., no vehicles, including delivery wagons, automobiles, and bicycles, shall use or occupy the following streets: East Tenth Street from Pennsylvania Depot to Cherry Street; Cherry Street to Tuscarawas Street; Tuscarawas Street to Cleveland Avenue; and Market Street from Seventh Street to Erie Street.

It is further ordered that on September 18, between the hours of 8 o'clock a. m. and 9 o'clock p. m., no vehicles of any kind and description, automobiles and bicycles, use or occupy the following streets: Market Street, from Lake Street to South Street; Tuscarawas, from Cherry to Harrison Avenue; Cleveland Avenue, from Lake to South Street; Hazlett Avenue to Harrison Avenue; and Deuber Avenue to Market Street.

It is further ordered that no lunch counters or refreshment stands be erected on any of the public grounds of the city, except by special permit of the city council or the committee on public comfort.

By order of

JAMES H. ROBERTSON,
Mayor of the City of Canton.

WEDNESDAY'S PROGRAM

Funeral train to arrive at 11 o'clock—Body to lie in state at the courthouse until 9 p. m.—Canton Post to act as escort when remains are taken to McKinley home

When the remains lie in the courthouse, the people gathered shall form in line, four abreast, at the south door of the courthouse,

extending westwardly on West Tuscarawas Street. All persons shall fall in at the end of the line and shall refrain from getting into line at any other point.

HIRAM DOLL, Chief Marshal.

HARRY FREASE, Chief of Staff.

The executive committee announces the following order of exercises for Wednesday, September 18:

The funeral train will be met at the station upon its arrival at 11 o'clock a. m. by the following honorary pallbearers, selected by the family: John C. Dueber, George B. Frease, R. A. Cassidy, William R. Day, Joseph Biechele, Henry W. Harter, William A. Lynch, and Thomas T. McCarty; and also Troop A, of Cleveland, Ohio, as an escort, with the Grand Army Band.

The reception committee will be present upon the arrival of the train.

The remains will be borne to the rotunda of the courthouse, where they will lie in state until 9 o'clock p. m. Wednesday. Under the escort of Canton Post, G. A. R., of which the late President was a member, the remains will be borne to the President's late residence, there to lie during Wednesday night.

HEADQUARTERS CHIEF MARSHAL.

General Order No. 1.

Having been appointed to be chief marshal by the executive committee, I hereby assume command and appoint Lt. Col. Harry Frease to be chief of staff.

HIRAM DOLL, Chief Marshal.

General Order No. 2.

I hereby appoint the following to be marshals: Col. J. J. Clark, Col. Nathan Holloway, Col. A. E. Hodgdon, Col. Theo. Voges, Maj. A. Vignos, Maj. W. S. Williams, Maj. H. S. Moses; and the following to be aides: Maj. Geo. W. Perrine, Capt. John J. Zaiser, Capt. Ed. Haymaker, Capt. George F. Miller, Capt. N. J. Trodo, Capt. A. P. Owen, Capt. A. V. Smith, Capt. David Fletcher, Capt. Uriah Henry, Aaron F. Bressler, Homer F. Cooper, Dr. Charles Elson, A. Fournace, Alfred Garner, Harry A. Haymaker, John Higgins, W. E. Homer, George O. McKeivey, Fred. Phillipson, Harry J. Planton, Howard Reed, George H. Robinson, Dr. S. Robinson, D. W. Skinner, Dr. Ralph O. Shoup, Robert Sheppard, Samuel W. Smith, Thomas H. St. John, Samuel Thompson, Adam Ullman, Joseph E. Van Nostran, Charles N. Vicary, Harvey W. Zaiser, Capt. Philip Yost, Capt. George Weldman, Capt. Ralph Spotts, Capt. William T. Kuhns, Capt. John W. Winkleman. The marshals and aides will parade mounted; will wear G. A. R. Canton Troop or military uniforms, respectively, and will report for duty at the headquarters at 7 o'clock a. m. on Wednesday. The headquarters of the chief marshal are established in the mayor's room in the city hall.

By command of

HIRAM DOLL, Chief Marshal.

HARRY FREASE, Chief of Staff.

HEADQUARTERS CHIEF MARSHAL,
Canton, Ohio, September 18, 1901.

General Order No. 3.

The various divisions will form for the parade at 1:30 p. m., as follows:

The First Division will form in West North Street, right resting on Market Street.

The Ohio National Guard section of the Second Division will form in East North Street, right resting on Market Street.

The carriage section of the Second Division will form in South Market Street, right resting on Tuscarawas Street.

The Third Division will form in Second Street, west of Cleveland Avenue, right resting on Cleveland Avenue.

The Fourth Division will form in Cleveland Avenue, north of North Street, right resting on North Street.

The Knights of Pythias section of the Fifth Division will form in Third Street, west of Cleveland Avenue, right resting on Cleveland Avenue.

The second section of the Fifth Division will form in Fourth Street, west of Cleveland Avenue, right resting on Cleveland Avenue.

The Sixth Division will form in Fifth Street, west of Cleveland Avenue, right resting on Cleveland Avenue.

The Seventh Division will form in Walnut Street, south of North Street, right resting on North Street.

By command of

HIRAM DOLL, Chief Marshal.

HARRY FREASE, Chief of Staff.

THE DAY'S PROGRAM

Line of march over which the entire procession will pass—salutes to be fired by Battery A—formation of the funeral cortege

HEADQUARTERS CHIEF MARSHAL,
Canton, Ohio, September 19, 1901.

General Order No. 4.

The entire funeral procession will pass over the following line of march: North Market Street, from North Street to Tuscarawas Street; thence west on Tuscarawas Street to Lincoln Avenue; thence north to Third Street and west to the cemetery; thence returning through Kentucky Avenue to Tuscarawas Street; east to Dueber Avenue; south to South Street; east to Market Street and north to the public square, where the column will be dismissed.

By command of

HIRAM DOLL, Chief Marshal.

HARRY FREASE, Chief of Staff.

The salutes

The salutes will be fired by Battery A, of Cleveland, Captain Blais, as follows: Twenty 1-minute guns as the procession moves to the cemetery; the President's salute of 21 guns after the body is placed in the vault, followed by 3 salvos. The salute will be fired from an elevation in the cemetery.

The following official announcement was made by the executive committee Wednesday evening:

Order for Thursday

Assemble at the house at 12:30 m.
Military escort.
The President and Cabinet.
Special honorary bearers.
Local honorary bearers.
The remains to be taken from house to the church in the following order.
Military band.
Military escort.
President and Cabinet; Henry W. McFarland, President Board of Commissioners, District of Columbia; Judge Williams, Ohio Supreme Court; Governor Nash and Lieutenant Governor Caldwell, as honorary bearers.
Local honorary bearers.
Funeral car.
Family party.
Special committee, D. A. R.
By order of committee.

Mayor J. H. ROBERTSON, *Chairman*.

H. C. KNOBLOCH, *Secretary*.

The chief marshal, Wednesday evening, issued this order, changing a former order:
The marshal in chief announces the following as the order of obsequies for Thursday, the 19th instant:
Squad of police.
Chief marshal and aides.

First division

Gen. Eli Torrance, national commander, Grand Army of the Republic, commanding staff.
Grand Army of the Republic Band.
E. F. Taggart, department commander, Grand Army of the Republic of Ohio, and staff.
Canton Post, No. 25, Canton Ohio.
Buckley Post, No. 12, Akron, Ohio.
Bell-Harmon Post, No. 36, Warren Ohio.
C. G. Chamberlain Post, No. 86, East Palestine, Ohio.
Given Post, No. 133, Wooster, Ohio.
Other Grand Army posts.
Union Veteran Legion, Canton Encampment, No. 94.

Second division

Maj. Gen. Charles Dick commanding.
Eighth Regiment Military Band.
Detachment of Ohio National Guard.
Troop A, Ohio National Guard, guard of honor.
President's Regiment.
President and Cabinet.
Honorary bearers.
Officiating clergymen.
Funeral car.
Admirals.
Generals.
Family.
Loyal Legion.
President of Senate and United States Senators.
Speaker of House of Representatives.
Governors of States, with staffs.
Gen. Leonard Wood, Governor of Cuba.
Louisiana delegation, representing State and United Confederate Veterans.
Ohio State officials.
Circuit court judges, State of Ohio.
Governor McKinley's former staff officers.
Federal officials of Cleveland.
Federal officials of Chicago.
Federal officials of Canton.
Federal officials of Massillon.
Board of directors of Pan-American Exposition.
Board of Cook County officials, Chicago.

Third division

Capt. H. S. Moses commanding.
Gate City Guards, of Atlanta, Ga.
Cleveland Greys.
Cleveland Scotts Guards.
William McKinley Command, Spanish-American War Veterans.
Sons of Veterans.

Fourth division

A. B. Foster, grand commander of Ohio, commanding.
Thayer Military Band.
Knights Templars.
Canton Commandery, No. 38.
DeMolay Commandery, Louisville, Ky.
Massillon Commandery, No. 4.
Toledo Commandery, No. 7.
Cyrene Commandery, No. 10, Zanesville.

Steubenville Commandery, No. 11.
Oriental Commandery, No. 12, Cleveland, Ohio.
Holyrood Commandery, No. 32.
Forest City Commandery, No. 40.
Eagle Commandery, No. 29, Painesville, Ohio.
Shawnee Commandery, No. 14, Lima.
Hanselman Commandery, No. 16, Cincinnati, Ohio.
St. John's Commandery, No. 20, Youngstown, Ohio.
Mansfield Commandery, No. 21.
Ohio Valley Commandery, No. 24, Pomeroy, Ohio.
Akron Commandery, No. 25, Akron, Ohio.
Scioto Commandery, No. 35, Circleville, Ohio.
Marion Commandery, No. 36, Marion, Ohio.
Warren Commandery, No. 39, Warren, Ohio.
Hamilton Commandery, No. 41, Hamilton, Ohio.
Salem Commandery, No. 42, Salem, Ohio.
Wooster Commandery, No. 48, Wooster, Ohio.
Marietta Commandery, No. 50, Marietta, Ohio.
St. Bernard Commandery, No. 51, Uhrichsville, Ohio.
Pilgrim Commandery, No. 55, East Liverpool, Ohio.
Grand Lodge, State of Ohio.
Eagle Lodge, of Canton.
Canton Lodge, of Canton, and other masonic lodges.

Fifth division

Brig. Gen. Thomas W. Minchule commanding.
Eighth Regiment Uniformed Rank, Knights of Pythias Band.
First Battalion, Eighth Regiment, Knights of Pythias:
1. Ashland.
2. Mansfield.
3. Wooster.
4. Massillon.
Second Battalion, Eighth Regiment:
1. Canton.
2. Mineral City.
3. Alliance.
4. East Liverpool.
5. Steubenville.
Third Battalion, Eighth Regiment:
1. Niles.
2. Warren.
3. Youngstown.
4. Salem.
Fifth Regiment.
Ohio City Company, No. 48, Martins Ferry, Ohio.
Second Regiment, Lima Ohio.
Champion Lodge, Knights of Pythias, Columbus, Ohio.
Lily Lodge, K. of P.
Buckeye Lodge, K. of P.
Canton Lodge, K. of P.
Independent Order of Odd Fellows.
Junior Order United American Mechanics.
Knights of St. John.
Frankenthal Lodge, No. 1509, K. and L. of H.
National Croatian Society of the United States.
Representatives of Sigma, Alpha, and Epsilon Fraternities.

Sixth division

Theodore Voges commanding.
Cleveland Chamber of Commerce.
Representatives of Americus Club, Pittsburgh.
Representatives of Union League Club, Chicago.
Representatives of Lincoln Club, Chicago.
Representatives of Hamilton Club, Chicago.
Lincoln Club of New Brighton, Pa.

Seventh division

Col. Nathan Holloway commanding.
Officials and citizens of Niles, Ohio.
Officials and citizens of Cleveland, Ohio.
Officials and citizens of Pittsburgh, Pa.
Officials and citizens of Nashville, Tenn.
Officials and citizens of Toledo, Ohio.
Officials and citizens of Massillon, Ohio.
Officials and citizens of Alliance, Ohio.
Officials and citizens of Akron, Ohio.
Officials and citizens of Canton, Ohio.
County officials of Stark County, Ohio.
Members of bar, Summit County, Ohio.
Members of bar, Stark County, Ohio.

In view of the solemn character of the day's proceedings and the large number of people who will be present in joining in paying respect to the memory of our beloved president, the marshal expresses the hope that all the people along the line of march, and others, will cheerfully accord the procession, while moving, the uninterrupted right of travel, and that while the remains are passing the people will remain with uncovered heads, as a token of love and respect to the memory of the illustrious deceased.

By order of

HIRAM DOLL, *Chief Marshal*.

HARRY FREASE, *Chief of Staff*.

The proclamation, the respective announcements, and the general orders, together with a few special orders given verbally or by memorandum to the major general commanding, by the committee, the mayor, or by the chief marshal, constituted the instructions to the division, Ohio National Guard, in the performance of its

special duties while in the city; and the same instructions, with a few minor exceptions, sufficed to properly inform the various organizations which came to participate in the funeral procession.

The marshals appointed in General Orders No. 2 were all members of the Grand Army of the Republic, and were designed to take charge of the divisions not otherwise commanded; and the aides were members of the Canton troop, who served in receiving and escorting the delegations and in organizing and directing the various parades during the political campaign of 1896; together with several former volunteer and National Guard officers.

The Canton troop, under command of Maj. George W. Perrine, covered all incoming trains on Thursday, the 19th inst., by special details, there meeting the visiting organizations and then conducting them to their respective places of rest for the formation of the funeral procession; each division commander and other proper officer being furnished with copies of the general orders attached on the back of the outline of Canton; and to the collective and individual work of these troopers is largely due the success which attended the proper disposition of the numerous organizations participating in the procession.

Capt. Philip Yost, formerly captain, Company I, Eighth O. V. I., and more recently first lieutenant, Forty-seventh U. S. V. I.; Capt. Ralph Spotts, formerly first sergeant, Company I, Eighth O. V. I., and more recently captain and assistant adjutant general, U. S. V.; and Mr. William T. Kuhns, formerly second lieutenant, Company I, Eighth O. N. G., and more recently first lieutenant and adjutant in the same regiment, were specially detailed to assist the chief marshal in the work of organization in the headquarters, and in the formation and conduct of the procession; and to the untiring and efficient services of these officers is largely due the success which attended the movements.

And more than anything else contributing to the success of the entire series of ceremonies was the thoroughly efficient service of the Ohio National Guard, in keeping the necessary spaces and streets absolutely open and free for all the various movements.

On Wednesday, the 18th inst., at 10:30 a. m., the chief marshal and aides, being joined for the occasion by Maj. Gen. Charles Dick and Brig. Gen. William V. McMaken and Brig. Gen. John C. Speaks, with their respective staffs, O. N. G.; the Grand Army Band; Troop A. O. N. G.; and the local honorary pallbearers, in carriages, assembled at the government building, in South Cleveland Avenue, and in the order mentioned proceeded via Tenth Street to the Fort Wayne railroad station to meet the funeral train. At the station the column was counter-marched to the left and halted with Troop A in line, opposite and facing the station, which formation was completed by 11 a. m. A little later the First Infantry, O. N. G., having just arrived in the city, reported at the station to escort the President of the United States, and were assigned to a temporary position on the left of Troop A.

Upon the arrival of the funeral train the intended program was varied, by direction of Col. Theodore A. Bingham, United States Army, who had charge of the funeral party, so that Mrs. McKinley, escorted by a corporal and four troopers, hurriedly detailed upon request by Captain Bunts, and the other members of the family, proceeded at once in carriages to the McKinley residence.

The casket having been placed in the funeral car at about 12:30 p. m., the escort was formed and marched to the courthouse via Tenth, Cherry, and Tuscarawas Streets, in the following order:

Chief marshal and aides; Major General Dick, O. N. G., and staff; Grand Army Band; Troop A; President of the United States, Cabinet and local honorary pallbearers, in carriages; funeral car, with soldier and sailor body bearers, and guard of honor of Army and Navy walking on either side; soldier, sailor, and marine bodyguard walking in rear, and O. N. G. sergeants leading the horses; Senators, Congressman, and other distinguished members of the funeral party, in carriages; and First Regiment, Infantry, O. N. G.

Arriving at the county courthouse, the chief marshal and aides turned north in Market Street, the Grand Army Band and Troop A formed line facing the south front, the funeral party alighted at the southeast corner, and the casket was borne into the central corridor of the building.

At the same time, the First Infantry followed the chief marshal in Market Street, where the column was halted, left resting at the courthouse. The President of the United States, upon reentering his carriage, was then escorted through Market Street to the residence of Mrs. Elizabeth Harter, the rear of the column being covered by four mounted officers of the troops on guard, directed by Lt. Col. C. C. Weybrecht, Eighth Infantry, at which residence the receiving parade was dismissed.

The remains of the late President rested in the courthouse and were there viewed by the citizens, in accordance with the previous announcement, until 6 p. m., when they were removed to the McKinley residence, under escort of Canton Post, No. 25, G. A. R.

On Thursday, the 19th instant, at 12:30 p. m., the chief marshal and aides, Thayer Military Band, and Troop A assembled at the McKinley residence, in North Market Street, and the President of the United States was then escorted there from the Harter residence by the chief marshal and Troop A. The casket having been borne to the funeral car, the procession was formed and proceeded without halting, via Market and Tuscarawas Streets, to the First Methodist Church, in accordance with the previous announcement, arriving there at 1:30 p. m. The escort was there halted, with Troop A in line, opposite and facing the north front of the church, and the band proceeded to its division post. The casket was borne into the church, where the funeral services were held, and the empty carriages moved south in Cleveland Avenue, thence across to

Market Street, where they were formed in column and again approached the church from the east.

The chief marshal and aides proceeded from the church, through Tuscarawas, Market, and Fifth Streets, Cleveland Avenue and North Street, to the right of the First Division at North and Market Streets, receiving en route reports from the commanders of the divisions that the same were respectively formed in accordance with the general orders.

At 2:10 p. m. the funeral procession, headed by a squad of police, the chief marshal and aides, followed by the several divisions, as specified in the previous announcements, started from the corner of North and Market Streets and proceeded over the line of march in accordance with the general orders. The commanding officer of each division was directed when to move by Captain Spotts, the aide detailed for that purpose. The First Division and the military section of the Second Division were halted with the left west of the church, and the part of the Second Division to the rear of the carriage section, and the other divisions were halted with the right east of the church.

At the conclusion of the services in the church, about 2:45 p. m., the casket was borne to the funeral car, and the formation of the middle section of the Second Division was completed. Information to that effect was conveyed to the chief marshal, at the head of the procession, by Maj. Daniel C. Stearns, assistant inspector general, Second Brigade, O. N. G., who, having a specially good mount, kindly volunteered the service, and the march of the procession was resumed to and through the cemetery without further halt.

The funeral car having arrived at the receiving vault in West Lawn Cemetery, the First Division and the military section of the Second Division were halted in line on the right side of South Street and Dueber Avenue, respectively, and Troop A counter-marched and halted in line south of and facing the vault.

At the conclusion of the burial services, about 4 p. m., the President of the United States, escorted by Troop A, and the family and the remainder of the carriage section of the Second Division, proceeded at once over the return line of march, the President returning to the Harter residence, which movement was guided by Captain Yost, the aide detailed for that purpose.

The march of the funeral procession was then resumed, and the same was dismissed at the corner of Market and Tuscarawas Streets, where it was reviewed by the chief marshal and aides. The left of the procession had just cleared this point, going out when the right arrived, coming in at about 5 p. m. By reason of the lateness of the hour and the departure of outgoing trains, some sections of the procession which did not have a military type of organization did not cover the entire line of march, which was probably unavoidable under the circumstances. The movement of the procession around the loop at the cemetery and at the common point at Lincoln and Dueber Avenues and Tuscarawas Street was directed by First Lieutenant Kuhns, the aide detailed for that purpose.

At my request, afterward confirmed by the approval of Major General Dick, Troop A continued in attendance on the President of the United States at the Harter residence, and at 6:30 p. m. escorted him through Market, Tenth, and Cherry Streets to his car on the Fort Wayne Railroad.

After reviewing the procession, the chief marshal dismissed his aides, with his thanks for their efficient services, and, being thus relieved, I reported to the major general commanding at division headquarters at 6 p. m.

I have the honor to be, very respectfully, your obedient servant,
(Signed) HARRY FREASE,
Lieutenant Colonel and Chief Commissary of Division,
Ohio National Guard.

CANTON, OHIO, January 24, 1940.

HON. JAMES SECCOMBE,

House of Representatives, Washington, D. C.

MY DEAR JIM: I was away from home for a few days, hence just received your letter of the 19th.

You pay me quite a compliment in asking me to contribute some sentiment in connection with your remarks to be made on President McKinley's birthday.

I fear I have not the ability to send anything that would be worthy of the occasion, especially as I am not clear as to just what you have in mind. All my talks and writing on McKinley have been personal recollections of incidents and anecdotes, hardly suitable for a birthday sentiment. However, I am sending two suggestions. I am not at all proud of either of them and it will not offend me or hurt my feelings if you decide that neither is suitable.

Thanks for the compliment anyway, and with kindest remembrances, I am,

Sincerely,

WILLIAM T. KUHN.

[Enclosure]

Whether or not the policies upon which William McKinley build his political life would in the complex economy of the world of today be the best policies, there can be no doubt but that in his day and age they were the only policies upon which this country could have reached that high state of industrial and agricultural development which resulted in universal employment of labor and higher standards of living in our country than had ever before been attained in the world. During the years of his political life prosperity was continuous except when there was a departure from his policies, then always with the assurance of the reestablishment of these policies prosperity quickly returned.

When the birthday anniversary of William McKinley approaches there come to those of us who knew him and loved him personal recollections of perhaps unrecorded little incidents. Yet frequently these little, almost forgotten incidents shed much light on some of his outstanding characteristics. As I sit tonight, thinking of this great man, memory carries me back over many years to a time when I was a little boy of 10 or 11 years, and Major McKinley, the name by which we of the then thriving village of Canton, Ohio, knew him, was serving his first term in Congress. I was taken by my father and mother on a camping trip arranged by perhaps a dozen friendly families. The camp was set up on the shore of a beautiful stream near the small village of Waynesburg, Ohio. Each family had one of the tents which were arranged around a hollow square, with a dining tent at one end. Major and Mrs. McKinley were in the party. One evening the band from the nearby village came over to serenade the camp, or, more particularly, no doubt, to serenade Major McKinley. This was a big occasion for the five or six small boys in the party, and it gave us an idea. The next day we had organized a band. One boy with a tin fish horn, another perhaps a whistle, one a dishpan drum, while I remember I played the cymbals, consisting of two pot lids. We started around the tents, stopping to serenade each. When we reached the tent of Major and Mrs. McKinley and before we started our serenade the major stepped out of his tent and greeted us with all the courtesy he could have displayed had he been greeting an important delegation. He explained that he greatly appreciated the serenade we intended to give, but, as Mrs. McKinley had a bad headache and was sleeping, he thought we would perhaps like to go over to the village and buy some candy, for which purpose he gave each of us a nickel.

I was too young then and too much interested in the candy to think much about it, but as I grew up I often thought of this little incident. Could anything have more beautifully demonstrated two of his outstanding characteristics? One his inability to offend anyone, even a troublesome boy; the other, his ever-watchful care of and devotion to his wife, who even then was in failing health.

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Speaker, I did not know that my colleague the gentleman from Ohio [Mr. SECCOMBE] was going to discuss today the birthday of former President McKinley, but he has reminded me that another Governor of Ohio since McKinley is here today, the present Governor, Hon. John W. Bricker. [Applause.] He will be here for lunch in the dining room downstairs. I hope every Member of the House will avail himself of the opportunity of meeting Governor Bricker. I hope the gentleman from Missouri [Mr. COCHRAN] will do it, as well. Governor Bricker is a fine-looking man, and he is just as good as he looks. [Applause.]

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS of Ohio. Mr. Speaker, nearly every year since I have been a Member of this House I have embraced the opportunity to say a few words on the anniversary of the birth of William McKinley, but today, out of deference to the fact that my colleague the gentleman from Ohio [Mr. SECCOMBE] represents the district formerly represented by William McKinley, I yielded to him. However, I feel that I should take 1 minute to say that while there were many high lights in the life of McKinley, he laid the foundation of all his greatness right here in this Chamber, as a Member of Congress. I have repeatedly stated that he was the greatest of all Congressmen. [Applause.]

THE LATE IRVING P. WANGER

Mr. DITTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DITTER. Mr. Speaker, it is with a sense of profound sadness that I rise at this time to announce the passing of a distinguished Pennsylvanian who during the years gone by represented one of the best districts of Pennsylvania in the House of Representatives. I refer to the late Hon. Irving P. Wanger, who was a Member of the House during

eight consecutive sessions, and who during that time brought honor and credit not only to himself but to the district which he represented.

Irving P. Wanger was born in North Coventry, Chester County, Pa., on March 5, 1852. He attended the public schools and the Hill School in Pottstown. Mr. Wanger was admitted to the bar of Montgomery County December 18, 1875, where he won recognition by his ability and energy.

In 1880 Mr. Wanger was elected district attorney of Montgomery County, in which office he distinguished himself by his painstaking and aggressive conduct of the prosecutor's office.

Mr. Wanger was elected to the Fifty-third Congress and continued to serve as a Member of the House from March 4, 1893, to March 3, 1911. His professional training, his indefatigable energy, and his conscientious regard of public duty won for him the respect and admiration of those who were privileged to serve with him here in the House.

On January 15 of this year Mr. Wanger passed on to his eternal reward. In his passing the State of Pennsylvania has lost one of her distinguished sons, whose record of public service is a challenge and an inspiration.

TENNESSEE VALLEY AUTHORITY

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks in the RECORD and include therein a letter from Mr. L. J. Wilhoite, of Chattanooga, Tenn.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I have asked for this time to bring to the attention of the House and the country the fact that the Gallup Institute of Public Opinion has taken another poll on the constitutional amendment I have proposed, which would allow the people of the United States the right to vote on participation in wars overseas. In announcing the result of this latest poll in yesterday's Sunday newspapers the institute says:

Rank and file sentiment for a people's vote has increased in a marked manner since the outbreak of the European war 5 months ago.

The poll just announced is the fifth the institute of public opinion has taken on this subject. All five polls agree that a majority of the people of our country favor the proposal and desire to see it adopted by Congress and ratified by the States so that this principle of democracy may become a part of our fundamental law and the fathers and mothers, wives and sweethearts of our young men of military age, and our young men themselves may decide whether the flower of American manhood shall be drafted and sent overseas to die on foreign battlefields. This latest poll shows 60 percent of the people favoring the proposition, with a rapidly rising tide of sentiment supporting it.

With national interest in the proposal so strongly indicated, and growing all the while, certainly the time is propitious to bring it up for debate and a vote in the House. In keeping with the marked change of sentiment which the Gallup poll has found in favor of the proposal, some of those who have heretofore opposed it have made known their willingness that the resolution be brought up for careful consideration and full debate, and I think that course would be pleasing to the country at large at this time. I have filed at the Clerk's desk discharge petition No. 4, which is intended to accomplish that purpose. From my wide knowledge of the national interest in the proposal, as evidenced by an enormous correspondence in which every State in the Union is represented, I believe the majority sentiment in every congressional district in the country, without any exception, is for my resolution and in many districts it is over-

whelmily favorable. So far 49 Members of the House, representing some 12,000,000 American people, have signed discharge petition No. 4. I plead with all of the other Members of the House to go to the Clerk's desk and sign it. Common fairness would dictate that a proposal in which there is such genuine and widespread interest and so much demonstrated merit should not be suppressed in committee but should be allowed its day in the House. It is not American and it is not right to deny consideration of this bill any longer. Let us bring it before the House with the widest latitude of debate and amendment and then let the representatives of the people decide whether they desire that this grand democratic principle shall take its place in the Constitution to complete and round out the Bill of Rights. [Applause.]

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COCHRAN. Mr. Speaker, the gentleman from Ohio [Mr. BENDER] has just stated that this is the birthday of President McKinley. It so happens that I have on my desk at the present time the last address delivered by President McKinley. It was made in Buffalo shortly before he was assassinated.

As you all know, President McKinley was a Member of this body and was at one time chairman of the Committee on Ways and Means. That committee is now considering reciprocal trade agreement legislation.

In this address, President McKinley, one of the great Republicans of this country, without reservations, endorsed reciprocal-trade agreements, and I ask unanimous consent, Mr. Speaker, to include in my remarks the address of President McKinley.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The address follows:

PRESIDENT MCKINLEY'S LAST PUBLIC UTTERANCE TO THE PEOPLE, BUFFALO, N. Y., SEPTEMBER 5, 1901

President Milburn, Director General Buchanan, commissioners, ladies and gentlemen, I am glad to be again in the city of Buffalo and exchange greetings with her people—to whose generous hospitality I am not a stranger and with whose good will I have been repeatedly and signally honored. Today I have additional satisfaction in meeting and giving welcome to the foreign representatives assembled here, whose presence and participation in this exposition have contributed in so marked a degree to its interest and success. To the commissioners of the Dominion of Canada and the British colonies, the French colonies, the republics of Mexico and Central and South America, and the commissioners of Cuba and Puerto Rico, who share with us in this undertaking, we give the hand of fellowship and felicitate with them upon the triumphs of art, science, education, and manufacture which the old has bequeathed to the new century. Expositions are the timekeepers of progress. They record the world's advancement. They stimulate the energy, enterprise, and intellect of the people and quicken human genius. They go into the home. They broaden and brighten the daily life of the people. They open mighty storehouses of information to the student. Every exposition, great or small, has helped to some onward step. Comparison of ideas is always educational and as such instructs the brain and hand of man. Friendly rivalry follows, which is the spur to industrial improvement—the inspiration to useful invention and high endeavor in all departments of human activity. It exacts a study of the wants, comforts, and even the whims of the people and recognizes the efficiency of high quality and new pieces to win their favor. The quest for trade is an incentive to men of business to devise, invent, improve, and economize in the cost of production.

Business life, whether among ourselves or with other people, is ever a sharp struggle for success. It will be nonetheless so in the future. Without competition, we would be clinging to the clumsy antiquated processes of farming and manufacture and the methods of business of long ago, and the twentieth would be no further advanced than the eighteenth century. But, though commercial competitors we are, commercial enemies we must not be.

The Pan-American Exposition has done its work thoroughly, presenting in its exhibits evidences of the highest skill and illustrating the progress of the human family in the Western Hemisphere. This portion of the earth has no cause for humiliation for the part it has performed in the march of civilization. It has not accomplished everything from it. It has simply done its best, and without vanity or boastfulness, and recognizing the manifold achievements of others, it invites the friendly rivalry of all the

powers in the peaceful pursuits of trade and commerce, and will cooperate with all in advancing the highest and best interests of humanity.

The wisdom and energy of all the nations are none too great for the world's work. The success of art, science, industry, and invention is an international asset and a common glory.

After all, how near one to the other is every part of the world. Modern inventions have brought into close relation widely separated peoples and made them better acquainted. Geographic and political divisions will continue to exist, but distances have been effaced. Swift ships and swift trains are becoming cosmopolitan. They invade fields which a few years ago were impenetrable. The world's products are exchanged as never before, and with increasing transportation facilities come increasing knowledge and larger trade. Prices are fixed with mathematical precision by supply and demand. The world's selling prices are regulated by market and crop reports.

We travel greater distances in a shorter space of time and with more ease than was ever dreamed of by the fathers. Isolation is no longer possible or desirable. The same important news is read, though in different languages, the same day in all Christendom. The telegraph keeps us advised of what is occurring everywhere, and the press foreshadows, with more or less accuracy, the plans and purposes of the nations.

Market prices of products and of securities are hourly known in every commercial mart, and the investments of the people extend beyond their own national boundaries into the remotest parts of the earth. Vast transactions are conducted and international exchanges are made by the tick of the cable. Every event of interest is immediately bulletined. The quick gathering and transmission of news, like rapid transit, are of recent origin and are only made possible by the genius of the inventor and the courage of the investor. It took a special messenger of the Government, with every facility known at the time for rapid travel, 19 days to go from the city of Washington to New Orleans with a message to General Jackson that the war with England had ceased and a treaty of peace had been signed. How different now.

We reached General Miles in Puerto Rico by cable, and he was able, through the military telegraph, to stop his army on the firing line with the message that the United States and Spain had signed a protocol suspending hostilities. We knew almost instantly of the first shots fired at Santiago, and the subsequent surrender of the Spanish forces was known at Washington within less than an hour of its consummation. The first ship of Cervera's fleet had hardly emerged from that historic harbor when the fact was flashed to our capital, and the swift destruction that followed was announced immediately through the wonderful medium of telegraphy.

So accustomed are we to safe and easy communication with distant lands that its temporary interruption, even in ordinary times, results in loss and inconvenience. We shall never forget the days of anxious waiting and awful suspense when no information was permitted to be sent from Peking, and the diplomatic representatives of the nations in China, cut off from all communication, inside and outside of the walled capital, were surrounded by an angry and misguided mob that threatened their lives; nor the joy that filled the world when a single message from the Government of the United States brought through our minister the first news of the safety of the besieged diplomats.

At the beginning of the nineteenth century there was not a mile of steam railroad on the globe. Now there are enough miles to make its circuit many times. Then there was not a line of electric telegraph; now we have a vast mileage traversing all lands and seas. God and man have linked the nations together. No nation can longer be indifferent to any other. And as we are brought more and more in touch with each other the less occasion there is for misunderstandings and the stronger the disposition, when we have differences, to adjust them in the court of arbitration, which is the noblest forum for the settlement of international disputes.

My fellow citizens, trade statistics indicate that this country is in a state of unexampled prosperity. The figures are almost appalling. They show that we are utilizing our fields and forests and mines and that we are furnishing profitable employment to the millions of workmen throughout the United States, bringing comfort and happiness to their homes and making it possible to lay by savings for old age and disability. That all the people are participating in this great prosperity is seen in every American community, and shown by the enormous and unprecedented deposits in our savings banks. Our duty is the care and security of these deposits, and their safe investment demands the highest integrity and the best business capacity of those in charge of these depositories of the people's earnings.

We have a vast and intricate business, built up through years of toil and struggle, in which every part of the country has its stake, and will not permit of either neglect or of undue selfishness. No narrow, sordid policy will subvert it. The greatest skill and wisdom on the part of the manufacturers and producers will be required to hold and increase it. Our industrial enterprises which have grown to such great proportions affect the homes and occupations of the people and the welfare of the country. Our capacity to produce has developed so enormously and our products have so multiplied that the problem of more markets requires our urgent and immediate attention. Only a broad and enlightened policy will keep what we have. No other policy will get more. In these times of marvelous business energy and gain we ought to be looking to the future, strengthening the weak places in our industrial and commercial system, that we may be ready for any storm or strain.

By sensible trade arrangements which will not interrupt our home production we shall extend the outlets for our increasing surplus. A system which provides a mutual exchange of commodities, a mutual exchange is manifestly essential to the continued and healthful growth of our export trade. We must not repose in fancied security that we can forever sell everything and buy little or nothing. If such a thing were possible, it would not be best for us or for those with whom we deal. We should take from our customers such of their products as we can use without harm to our industries and labor. Reciprocity is the natural outgrowth of our wonderful industrial development under the domestic policy now firmly established. What we produce beyond our domestic consumption must have a vent abroad. The excess must be relieved through a foreign outlet and we should sell everywhere we can, and buy wherever the buying will enlarge our sales and productions, and thereby make a greater demand for home labor.

The period of exclusiveness is past. The expansion of our trade and commerce is the pressing problem. Commercial wars are unprofitable. A policy of good will and friendly trade relations will prevent reprisals. Reciprocity treaties are in harmony with the spirit of the times; measures of retaliation are not. If perchance some of our tariffs are no longer needed, for revenue or to encourage and protect our industries at home, why should they not be employed to extend and promote our markets abroad? Then, too, we have inadequate steamship service. New lines of steamers have already been put in commission between the Pacific coast ports of the United States and those on the western coasts of Mexico and Central and South America. These should be followed up with direct steamship lines between the eastern coast of the United States and South American ports. One of the needs of the times is to direct commercial lines from our vast fields of production to the fields of consumption that we have but barely touched. Next in advantage to having the thing to sell is to have the convenience to carry it to the buyer. We must encourage our merchant marine. We must have more ships. They must be under the American flag, built and manned and owned by Americans. These will not only be profitable in a commercial sense; they will be messengers of peace and amity wherever they go. We must build the Isthmian Canal, which will unite the two oceans and give a straight line of water communication with the western coasts of Central and South America and Mexico. The construction of a Pacific cable cannot be longer postponed.

In the furthering of these objects of national interest and concern you are performing an important part. This exposition would have touched the heart of that American statesman whose mind was ever alert and thought ever constant for a larger commerce and a truer fraternity of the republics of the New World. His broad American spirit is felt and manifested here. He needs no identification to an assemblage of Americans anywhere, for the name of Blaine is inseparably associated with the pan-American movement which finds this practical and substantial expression, and which we all hope will be firmly advanced by the Pan American Congress that assembles this autumn in the capital of Mexico. The good work will go on. It cannot be stopped. These buildings will disappear; this creation of art and beauty and industry will perish from sight, but their influence will remain to—

"Make it live beyond its too short living
With praises and thanksgiving."

Who can tell the new thoughts that have been awakened, the ambitions fired and the high achievements that will be wrought through this exposition? Gentlemen, let us ever remember that our interest is in concord not conflict and that our real eminence rests in the victories of peace not those of war. We hope that all who are represented here may be moved to higher and nobler effort for their own and the world's good, and that out of this city may come not only greater commerce and trade but, more essential than these, relations of mutual respect, confidence, and friendship which will deepen and endure.

Our earnest prayer is that God will graciously vouchsafe prosperity, happiness, and peace to all our neighbors, and like blessings to all the peoples and powers of earth.

EXTENSION OF REMARKS

Mr. VREELAND. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and to include therein a speech by Judge Matthews.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and to include a letter by the Honorable Lloyd Thurston, who served in this House 14 years, which was published in the Des Moines Register of January 25, and also the editorial comment thereon.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. GUYER of Kansas. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, and to revise and extend

my remarks and include an editorial by Mr. White upon the life and character of Senator BORAH.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

[Mr. GUYER of Kansas addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. GROSS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GROSS. Mr. Speaker, in line with my fight in the Labor Committee to have the fair Wages and Hours Act amended, may I read the following letter received this morning from a cigar maker:

STEWARTSTOWN, PA., January 27, 1940.

HON. CHESTER H. GROSS,
Washington, D. C.

MY DEAR MR. GROSS: We have a peculiar situation in our small community of which I hope you can help alleviate or advise the best course to follow.

Our local cigar factory employs about 107 persons, making hand-made cigars, almost all of whom are piece workers and under the Wage and Hour Act only about 10 percent are able to make the code rate. The representatives of the N. L. R. B. have been investigating this situation, and I understand have set a dead line of 15 days hence for the employer to either comply with the code or to stop operations. As you are familiar with cigar-making operations in hand-made varieties, I am sure you can easily appreciate this employer's position. If the act is to be strictly enforced, then there is only one thing for him to do and that is to close his shop.

The weekly pay roll averages about \$1,000, which at present is supporting these 107 persons and their dependents. Now, if that pay roll is shut off then their support must come from elsewhere and there are no positions open to this class of labor in the community, so that the only answer is Government support, which will entail that additional expense on the Government.

So far as I can learn the employees are satisfied with their present status and am sure that it is the consensus of opinion in the community that it is far better for the factory to continue at its present wage scale than to be closed entirely.

May I enlist your support in continuing this factory in operation or advise as to proper contact to be made so that the same result will follow, as it is really a serious situation so far as our small community is concerned.

Thanking you for your attention, I am,

Yours respectfully,

ADDIE SHAW,
Republican Committeewoman.

Mr. LEWIS of Ohio. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LEWIS of Ohio. Mr. Speaker, I cannot let the statement made by the gentleman from Missouri [Mr. COCHRAN] to the effect that William McKinley, in the last speech he made in his life, at Buffalo, N. Y., endorsed reciprocity, go by without some further explanation of that speech.

The reciprocity that William McKinley endorsed was not the reciprocity of the so-called Reciprocal Trade Agreements Act. It was true reciprocity for which I think you will find every Member on this side of the aisle standing today, just as the Republican Party has always stood for a reciprocity that allows imports from foreign nations to come into this country where they do not destroy jobs and where they consist of such materials or products as are not produced in America or are produced in insufficient quantities for our needs. That is the basis of true reciprocity.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, it is difficult in 1 minute to discuss the views of President McKinley on reciprocal-trade relations. Certainly, President McKinley never said anything or never did anything in his whole life that would

justify anyone now saying that he would support the reciprocal-trade treaties of this administration, based upon the unconditional, most-favored-nation clause that gives to all nations the same advantages and the same benefits that are given to one nation, so that American labor through our agreement to enter into a treaty with Great Britain comes into direct competition with the underpaid labor of Japan where they pay 20 cents a day to skilled labor. The reciprocal-trade agreements suggested by President McKinley were between two nations on a reciprocal basis so they would not bring free American labor into competition with the rest of the world. That is what is ruining the American market today and causing widespread unemployment in the United States. [Applause.]

CITIZENSHIP AND COMPENSATION OF CERTAIN EMPLOYEES IN PANAMA CANAL ZONE

Mr. MAY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7941) relating to the citizenship and compensation of certain employees on military construction work in the Panama Canal Zone.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DITTER. Mr. Speaker, reserving the right to object, I wonder whether the gentleman from Kentucky [Mr. MAY] will explain just briefly the bill in question and then tell us whether the minority members of the committee have approved the bill.

Mr. MAY. I will be delighted to make this explanation of the bill. It is a bill which will provide that in the letting of contracts by the Chief of Ordnance in the Panama Canal Zone the employment of native labor, American citizens, shall be preferable, and that the Secretary of War may be permitted to require contractors who take contracts for construction work to write into their agreements the prevailing wage scale applicable to expert mechanics and others employed in like work.

The SPEAKER. Is there objection?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That every contract entered into by the Quartermaster Corps of the Army for construction and installation of buildings, flying fields, and appurtenances thereto in the Panama Canal Zone, pursuant to the provisions of the act of June 11, 1938 (Public, No. 590, 75th Cong.), the act of April 26, 1939 (Public, No. 44, 76th Cong.), the act of July 1, 1939 (Public, No. 164, 76th Cong.), and the act of August 9, 1939 (Public, No. 361, 76th Cong.), shall provide (a) that all personnel employed in such work and occupying skilled, technical, clerical, administrative, and supervisory positions shall be citizens of the United States; and (b) that the compensation of such persons shall not be lower than the compensation paid for the same or similar services to employees of the Panama Canal, as shall be predetermined by the Secretary of War.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFER OF CERTAIN LAND IN STATE OF TEXAS

Mr. MAY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1820) to provide for the transfer of certain land owned by the United States to the State of Texas, and certain other land to the county of Galveston, Tex.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DITTER. Reserving the right to object, Mr. Speaker, may I ask the gentleman from Kentucky to deal the same with this measure as he did the last one?

Mr. MAY. Mr. Speaker, the bill merely provides for the exchange of 2.1 acres of land with the War Department for a like area in another place near the end of the approaches to the Galveston causeway bridge. There is no money involved. The bill has been approved by the Secretary of War, by the Bureau of the Budget, and there was a unanimous report by the House Military Affairs Committee after consideration.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield.

Mr. DITTER. Does the proposed transfer involve any contingent liability in the future? In other words, have there been improvements made on the land heretofore held by the Government that are not in existence on the land that it is contemplated to take over which will involve additional expense?

Mr. MAY. I understand there are no improvements involved on either tract of land, and that the War Department is merely conveying an easement on a vacant tract of land in lieu of another tract, and that the easement is subject to forfeiture and use by the War Department in case of a national emergency.

Mr. DITTER. Do I understand that the minority Members knew of the request that the gentleman has made and approve of his act?

Mr. MAY. It was brought up in the entire committee, and there is no objection, as far as I know.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to convey to the State of Texas, all right, title, and interest of the United States in and to all of that certain tract or parcel of land out of lot 525, section 1, Trimble and Lindsey Survey, Galveston Island, Tex., described as follows:

Beginning at the southwest corner of said lot 525 as established by United States Engineers for the southwest corner of a two and one-tenth acre tract owned by the United States of America and described in book 329, page 628, deed records, Galveston County, Tex.; thence north twenty-five degrees eleven minutes west along the westerly line of said two and one-tenth acre tract one hundred and sixty-five feet to the northwest corner of said two and one-tenth acre tract two hundred and forty-one and nine-tenths minutes east along the northerly line of said two and one-tenth acre tract two hundred and forty-one and nine-tenths feet to a point in a right angle jog in the northerly right-of-way line of the State highway leading to the new causeway across Galveston Bay, as said State highway is shown on plat of record in the office of the county clerk, Galveston County, Tex., to which plat reference is hereby made; thence south twenty-nine degrees two minutes west perpendicular to said center line of proposed State highway thirty-two and six-tenths feet to a point two hundred feet perpendicularly distant northerly from said center line of proposed State highway; thence south sixty degrees fifty-eight minutes east parallel to said center line one hundred and eighty feet to the southerly line of said two and one-tenth acre tract; thence south sixty-four degrees forty-nine minutes west along the southerly line of said two and one-tenth acre tract three hundred and twenty feet to the place of beginning, contains nine hundred and ninety-six one-thousandths acre.

It is the intention in the above description to include all of that portion of said two and one-tenth acre tract owned by the United States of America that is within the limits of the right-of-way of said State highway.

SEC. 2. The Secretary of War is authorized and directed to convey to the county of Galveston, Tex., all the right, title, and interest of the United States in and to all of that certain tract or parcel of land out of lot 525, section 1, Trimble and Lindsey Survey, Galveston Island, Tex., described as follows:

Beginning at the intersection of the northerly right-of-way line of the State highway leading to the new causeway across Galveston Bay, as said State highway is shown on map of record in the office of the county clerk, Galveston County, Tex., with the southerly line of the United States of America two and one-tenth acre tract of land on Galveston Island, Tex., and described in book 329, pages 628 and 629, deed records, Galveston County, Tex.; thence from said beginning point north sixty degrees fifty-eight minutes west along said State highway northerly right-of-way line one hundred and eighty feet to a right angle jog to the right in said right-of-way line; thence north twenty-nine degrees two minutes east thirty-two and six-tenths feet to the northerly line of said United States of America two and one-tenth acre tract; thence north sixty-four degrees forty-nine minutes east two hundred and fifty-three and eight-tenths feet, more or less, to the southerly right-of-way line of the old State Highway No. 6, formerly a county road; thence south sixty degrees fifty-eight minutes east two hundred and three and four-tenths feet along said southerly right-of-way of the old State Highway No. 6 to the said southerly line of the United States of America two and one-tenth acre tract; and thence south sixty-four degrees forty-nine minutes west along said southerly line of two and one-tenth acre tract two hundred and eighty-two and two-tenths feet, more or less, to the place of beginning. Contains one and one hundred and four one-thousandths acres.

SEC. 3. The grantee in each case shall bear any expense (other than for the preparation of the deeds) necessary to carry out the provisions of this act, but shall not be required to pay any consideration for the right, title, and interest conveyed: *Provided*, That the Secretary of War is authorized to make such deviations in the description of the lands above described as may be necessary to carry out the purpose and intent of this act.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

EQUALIZATION OF SALARIES OF LETTER CARRIERS

Mr. BURCH. Mr. Speaker, I call up the conference report on the bill (H. R. 2001) for the equalization of letter carriers. The Clerk read the conference report.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2001) for the equalization of salaries of letter carriers, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment, as follows: In lieu of the sums proposed to be inserted by said amendment insert the following: "\$1,200 to \$1,440"; and the Senate agree to the same.

T. G. BURCH,
ALBERT E. AUSTIN,
WM. W. BLACKNEY,
B. F. WHELCHER,
Managers on the part of the House.
KENNETH MCKELLAR,
CARL HAYDEN,
LYNN J. FRAZIER,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2001) for the equalization of salaries of letter carriers submit the following statement in explanation of the effect on the action agreed upon by the conferees and recommended in the accompanying conference report:

The bill H. R. 2001, as passed by the House, provided that the pay of carriers in the village-delivery service beginning the first day of the month following approval of the act would be from \$1,300 to \$1,500 per annum. The Senate amendment struck out the figures and inserted in lieu thereof the figures \$1,200 to \$1,400. The House conferees agree to recede from the House provision with an amendment which provides that in lieu of the sums proposed in the Senate amendment there be inserted the figures \$1,200 to \$1,440.

T. G. BURCH,
ALBERT E. AUSTIN,
WM. W. BLACKNEY,
B. F. WHELCHER,
Managers on the part of the House.

Mr. BURCH. Mr. Speaker, I move the adoption of the conference report.

The conference report was agreed to.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that on Wednesday, February 7, after the disposition of matters on the Speaker's table and the conclusion of the legislative program, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

OMNIBUS PRIVATE CLAIMS

The SPEAKER. Under the special order of the House heretofore made, the pending order of business is consideration of omnibus claims bills.

The Chair thinks it is proper to state that this bill was taken up in the regular session of the Congress and the bill had been read on May 25 down to title XIV. The Clerk will therefore report title XIV of the bill H. R. 6261.

J. D. WARLICK

The Clerk read as follows:

Title XIV—(H. R. 3784. For the relief of the estate of J. D. Warlick.)
By Mr. PATRICK

That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to J. H. Warlick, of Birmingham, Ala., as administrator of the estate of J. D. Warlick, late of Ocala, Fla., the sum of \$5,000 in full satisfaction of all claims of such estate against the United States for the death of said J. D. Warlick, who was struck and killed by a Civilian Conservation Corps ambulance about 6 miles from Ocala, Fla., on June 11, 1934: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or

delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 17, beginning in line 17, after the word "Treasury", strike the remainder of line 17, all of line 18, and the words "Conservation Corps" in line 19, and insert "not otherwise appropriated."

The committee amendment was agreed to.

Mr. COSTELLO. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Page 17, line 14, at the beginning of the title, strike out all of title XIV.

Mr. COSTELLO. Mr. Speaker, my purpose in offering this amendment is to strike out all of title XIV which appears in this omnibus bill.

The facts that give rise to this claim are that in the State of Florida an accident occurred between an ambulance belonging to the Civilian Conservation Corps and a truck driven by the late J. H. Warlick. Mr. Warlick was killed in the accident, and as a result this bill provides for the payment of \$5,000 to his estate.

It appears that just prior to the accident Mr. Warlick had his truck parked on the right-hand side of the highway. He proceeded down the highway a few feet and apparently backed into a driveway with the idea of making a turn onto the highway to proceed in the opposite direction. While he was backed into the driveway the C. C. C. ambulance appeared at the top of a grade, coming around a curve. Observing this truck parked to one side, with the front end jutting over the highway about 2 feet, the C. C. C. ambulance proceeded somewhat to the left in an effort to get around the truck.

At that time Mr. Warlick drove his truck further on to the highway. The driver of the C. C. C. ambulance sounded the horn and he proceeded further to the left. The statements of various witnesses are very much in conflict regarding the details and the facts concerning this particular case, but those appear to be the circumstances that led up to the accident. The ambulance apparently was going at a fairly fast rate of speed. The highway was otherwise clear, and in spite of the fact that the driver of the ambulance sounded the horn, Mr. Warlick, nevertheless, proceeded further into the highway. As a result of that the ambulance drove as far to the left as it was possible. The accident was unavoidable then. As a result of the injury sustained in the accident Mr. Warlick died.

It appears to me, in view of all the circumstances as they appear, that the driver of the ambulance was in no way at fault unless it be possibly the rate of speed at which he was traveling. Mr. Warlick had a clear view of the highway, and the driver of the ambulance having sounded his horn, Mr. Warlick should not have made an effort to enter into the highway, particularly to make a turn, unless he had a very clear, unobstructed view all the way along the highway and knew that he could do so with absolute safety. Apparently this was not the fact. Having entered the highway at a time when it was not safe to do so, it seems to me that the blame for causing this accident rests entirely upon his shoulders.

The War Department has submitted a very full report in opposition to the bill.

The statements of the various witnesses are quite in conflict. It is very difficult to ascertain the exact details regarding the accident, but in view of the fact that the C. C. C. driver was not held on any charge of manslaughter, it seems that the civil authorities in Florida felt that he was not responsible for the accident. I feel, therefore, the views of the War Department should be sustained and this title stricken from the bill.

Mr. PATRICK. Mr. Speaker, it is impossible to cover this case in 5 minutes. The gentleman from California [Mr. COSTELLO] unfortunately has followed but one witness.

There were a number of witnesses, and only that one witness is in any degree seriously in conflict with the others.

This man Warlick was among strangers in Florida. Now I can briefly run over the measurements. He had turned his vehicle around and the truck was practically standing still. Some of the evidence is that at the time it was struck it was standing still. From the place where it was struck there was a clear view in front of this ambulance of 540 feet; in other words, the ambulance driver at the time he first ought to have seen the truck had a clear view straight down the highway of 540 feet, and the hard-surfaced road was 19 feet 1 inch wide. These are actual measurements than cannot be disputed. From shoulder to shoulder the road was 36 feet wide. The truck was hurled a distance of 70 feet by the impact, and after striking the truck the ambulance traveled 70 feet. The wheel of the truck struck the truck of deceased 6 inches from the right-hand side of the road, just 6 inches from the right-hand side of the road. There was no excuse in the world for his being over there. These measurements were made on the 14th of June, only a few days after the accident. The accident occurred on June 11. There is no dispute as to that.

There was nobody there to pursue the manslaughter charge. There was a relationship between those who saw it and the man to be prosecuted. The case was brought up in court but there was nobody to properly appear, no way in the world for Warlick's people to effectively prosecute the case. They perhaps had no intention of doing so, it may be they did not want to pursue a manslaughter charge, yet it was brought; but there was nobody there to adequately prosecute it, and the driver was acquitted.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. I yield.

Mr. EBERHARTER. Do I understand the gentleman to say that the Government ambulance was on the wrong side of the road when the accident occurred?

Mr. PATRICK. Yes; and not only that, but was 6 inches from the edge of the side of the road on which side he ought not to have been on at all.

Mr. EBERHARTER. How fast was the ambulance going?

Mr. PATRICK. There is a conflict of testimony as to the speed of the ambulance, but all agreed that it was going very fast. It was going at a tremendous rate of speed, such a great rate of speed that the impact knocked the truck 70 feet and the ambulance ran 70 feet after striking the truck. It seems, therefore, that there is nothing here showing any negligence on the part of the truck driver. I do not see a thing in the summing up of the entire testimony, a thing in the world, that does not justify the payment of this claim.

Mr. KENNEDY of Maryland. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. I yield.

Mr. KENNEDY of Maryland. The evidence also shows that the ambulance was not on any official business at the time of the accident.

Mr. PATRICK. That is right. I did not get to that. The ambulance had no business out, and the driver was not on any official business at the time of the accident at all.

Mr. KENNEDY of Maryland. The point I wanted to bring to the gentleman's attention is that the ambulance was not on official emergency duty in its capacity as an ambulance and there was no necessity at all for the excessive speed at which it was traveling. If on official duty as an ambulance, there probably would have been an emergency existing, which might have justified the speed.

Mr. PATRICK. That is right.

Mr. COSTELLO. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. I yield.

Mr. COSTELLO. And they state that the ambulance was not on official business. If that be the case, I believe that still further removes the Government from any liability in the accident. If there is liability, it rests only on the truck driver.

Mr. PATRICK. We cannot get off on that argument, the argument that because the ambulance was not going after a case therefore the Government was not responsible. Of

course, it was being properly used at the time and place by the Government as a Government ambulance, but it was not at that moment going after anyone who had been hurt.

Mr. KENNEDY of Maryland. In other words, there was no emergency existing?

Mr. PATRICK. There was no emergency existing there.

Mr. HANCOCK. Will the gentleman yield?

Mr. PATRICK. I yield to the gentleman from New York.

Mr. HANCOCK. Does not the evidence show that Mr. Warlick was endeavoring to turn around immediately in the path of the oncoming ambulance, and in an effort to avoid hitting Mr. Warlick the ambulance got over on the wrong side of the road?

Mr. PATRICK. No; there is no evidence of that, and that is the reason I mentioned it. The driver of the ambulance had all the room he needed.

Mr. COSTELLO. If the gentleman will look at the committee report on page 5, he will find the testimony of Mr. Ted Taylor, who stated that he had just left Mr. Warlick at Highway and had come back and sat on front porch:

Mr. Warlick's truck was parked on right side of road going east and upon starting drove down road to our driveway and turned across road to turn around. He backed out and had faced west and straightened out on the right-hand side of road when Civilian Conservation Corps ambulance came down road at high rate of speed and ran in front of Mr. Warlick's truck on left side of road to ambulance—right side to truck.

Mr. PATRICK. Yes.

Mr. COSTELLO. In other words, he was turning around at the time the accident took place and in doing so he pulled out into the highway, which caused the C. C. C. ambulance to go on the wrong side of the road. The accident was due to the fact that Mr. Warlick was making a turn and in doing so he turned in front of the C. C. C. ambulance.

Mr. PATRICK. The evidence shows he had already turned around and was on his side of the road, a road 36 feet wide. That is the reason I stated, Mr. Speaker, the ambulance driver had a clear view of 540 feet ahead of him, yet he drove right onto the old man and killed him.

[Here the gavel fell.]

The SPEAKER. The question is on the amendment offered by the gentleman from California [Mr. COSTELLO].

The question was taken; and on a division (demanded by Mr. COSTELLO) there were—yeas 22, nays 46.

Mr. HOFFMAN. Mr. Speaker, I object to the vote on the ground a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and seven Members are present; not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify the absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 94, nays 208, not voting 121, as follows:

[Roll No. 11]

YEAS—94

Allen, Ill.	Elston	Keefe	Schiffler
Andersen, H. Carl	Engel	Kinzer	Seecombe
Andrews	Paddis	Lewis, Colo.	Shafer, Mich.
Arends	Ford, Miss.	Lewis, Ohio	Simpson
Austin	Gamble	Luce	Smith, Ohio
Bates, Mass.	Gerlach	McDowell	Springer
Bender	Gifford	McLeod	Sumner, Ill.
Blackney	Gillie	Marshall	Taber
Brewster	Graham	Martin, Iowa	Talle
Carter	Gross	Mason	Terry
Chiperfield	Gwynne	May	Tibbott
Clason	Hall, Edwin A.	Michener	Tinkham
Cochran	Halleck	Mitchell	Treadway
Coffee, Nebr.	Hancock	Monkiewicz	Vorys, Ohio
Cole, N. Y.	Harness	Moser	Wadsworth
Collins	Hawks	Murray	Wheat
Costello	Hess	Norrell	White, Ohio
Crawford	Hoffman	Pearson	Whittington
Crowther	Jenkins, Ohio	Polk	Wigglesworth
Dirksen	Johnson, Ill.	Powers	Wolcott
Ditter	Johnson, Ind.	Reed, N. Y.	Wolfenden, Pa.
Dondero	Johnson, W. Va.	Rich	Woodrum, Va.
Doxey	Jones, Tex.	Rodgers, Pa.	
Dworshak	Kean	Sandager	

NAYS—208

Allen, Pa.	Ball	Bland	Burch
Anderson, Calif.	Barnes	Bolles	Burdick
Andresen, A. H.	Barry	Brooks	Burgin
Angell	Bates, Ky.	Brown, Ga.	Byrne, N. Y.
Arnold	Beckworth	Bryson	Byrns, Tenn.

Caldwell	Gehrmann	Leavy	Routzohn
Camp	Gibbs	LeCompte	Rutherford
Cannon, Mo.	Gore	Lesinski	Ryan
Case, S. Dak.	Gossett	Ludlow	Sacks
Church	Grant, Ala.	McAndrews	Sasser
Claypool	Gregory	McCormack	Schaefer, Ill.
Coffee, Wash.	Guyer, Kans.	McGehee	Schaefer, Wis.
Cole, Md.	Hall, Leonard W.	McKeough	Schuetz
Connery	Harrington	McMillan, Clara G.	Scrugham
Cooley	Hart	McMillan, John L.	Secrest
Cooper	Harter, N. Y.	Maas	Shannon
Courtney	Harter, Ohio	Mahon	Sheppard
Cox	Havenner	Maloney	Smith, Conn.
Cravens	Healey	Martin, Ill.	Smith, Ill.
Creal	Hendricks	Massingale	Smith, Wash.
Crosser	Hennings	Miller	Smith, W. Va.
Crowe	Hill	Mills, Ark.	Snyder
Culkin	Hinslaw	Mills, La.	South
Cullen	Hobbs	Monroney	Sparkman
Curtis	Holmes	Mott	Starnes, Ala.
D'Alesandro	Hook	Mundt	Stefan
Darden	Hope	Murdock, Ariz.	Summers, Tex.
Delaney	Horton	Nelson	Sumphin
Dempsey	Houston	Nichols	Sweeney
Dingell	Hull	Norton	Tarver
Disney	Hunter	O'Brien	Tenerowicz
Doughton	Izac	O'Connor	Thill
Duncan	Jarman	O'Day	Thomas, Tex.
Dunn	Jenks, N. H.	O'Leary	Thomason
Durham	Jennings	O'Neal	Thorkelson
Eaton	Jensen	Patrick	Tolan
Eberharter	Johns	Patton	Van Zandt
Edmiston	Johnson, Luther	Peterson, Ga.	Vincent, Ky.
Ellis	Johnson, Okla.	Pierce	Vinson, Ga.
Evans	Kee	Plumley	Voorhis, Calif.
Fenton	Kefauver	Poage	Vreeland
Ferguson	Kennedy, Md.	Rabaut	Wallgren
Fish	Keogh	Ramspeck	Walter
Fitzpatrick	Kerr	Rankin	Warren
Flaherty	Kilday	Reed, Ill.	Weaver
Flannagan	Kirwan	Richards	Welch
Ford, Thomas F.	Kitchens	Risk	West
Fries	Kieberg	Robertson	Whelchel
Garrett	Knutson	Robison, Ky.	Williams, Mo.
Gartner	Kocalkowski	Rockefeller	Winter
Gathings	Kunkel	Rogers, Mass.	Wood
Gearhart	Larrabee	Rogers, Okla.	Woodruff, Mich.

NOT VOTING—121

Alexander	Cummings	Kennedy, Martin	Rayburn
Allen, La.	Darrow	Kennedy, Michael	Reece, Tenn.
Anderson, Mo.	DeRouen	Kramer	Rees, Kans.
Barden	Dickstein	Lambertson	Robinson, Utah
Barton	Dies	Landis	Romjue
Beam	Douglas	Lanham	Sabath
Bell	Dowell	Lea	Satterfield
Bloom	Drewry	Lemke	Schulte
Boehne	Elliott	McArdle	Schwert
Boland	Englebright	McGranery	Seger
Boren	Fay	McLaughlin	Shanley
Boykin	Fernandez	McLean	Sheridan
Bradley, Mich.	Flannery	Maclejewski	Short
Bradley, Pa.	Folger	Magnuson	Smith, Maine
Brown, Ohio	Ford, Leland M.	Mansfield	Smith, Va.
Buck	Fulmer	Marcantonio	Somers, N. Y.
Buckler, Minn.	Gavagan	Martin, Mass.	Spence
Buckley, N. Y.	Geyer, Calif.	Merritt	Steagall
Bulwinkle	Gilchrist	Mouton	Stearns, N. H.
Byron	Grant, Ind.	Murdock, Utah	Sullivan
Cannon, Fla.	Green	Myers	Taylor
Carlson	Griffith	Oliver	Thomas, N. J.
Cartwright	Hare	Osmers	White, Idaho
Casey, Mass.	Hartley	O'Toole	Williams, Del.
Celler	Jacobsen	Pace	Wolverton, N. J.
Chapman	Jarrett	Parsons	Youngdahl
Clark	Jeffries	Patman	Zimmerman
Clevenger	Johnson, Lyndon	Peterson, Fla.	
Cluett	Jones, Ohio	Pfeifer	
Colmer	Keller	Pittenger	
Corbett	Kelly	Randolph	

So the motion was rejected.

The Clerk announced the following pairs:
General pairs:

Mr. Rayburn with Mr. Martin of Massachusetts.
Mr. Boland with Mr. Alexander.
Mr. Green with Mr. Youngdahl.
Mr. Patman with Mr. Smith of Maine.
Mr. Lanham with Mr. Carlson.
Mr. Bulwinkle with Mr. Barton.
Mr. Peterson of Florida with Mr. Leland M. Ford.
Mr. Fulmer with Mr. Englebright.
Mr. Mansfield with Mr. Pittenger.
Mr. Mouton with Mr. Seger.
Mr. Drewry with Mr. Corbett.
Mr. Colmer with Mr. Wolverton of New Jersey.
Mr. Sullivan with Mr. Bradley of Michigan.
Mr. Fernandez with Mr. Short.
Mr. Satterfield with Mr. Douglas.
Mr. DeRouen with Mr. Williams of Delaware.
Mr. Smith of Virginia with Mr. Darrow.
Mr. Clark with Mr. Stearns of New Hampshire.
Mr. Parsons with Mr. Hartley.

Mr. Allen of Louisiana with Mr. Lambertson.
Mr. Beam with Mr. Dowell.
Mr. Gavagan with Mr. Lemke.
Mr. Lyndon B. Johnson with Mr. Osmers.
Mr. Dies with Mr. Jones of Ohio.
Mr. Cartwright with Mr. Grant of Indiana.
Mr. Kelly with Mr. Gilchrist.
Mr. Hare with Mr. Cluett.
Mr. Pfeifer with Mr. Maciejewski.
Mr. Pace with Mr. Reece of Tennessee.
Mr. Steagall with Mr. Jarrett.
Mr. Lea with Mr. Clevenger.
Mr. Boykin with Mr. Brown of Ohio.
Mr. Griffith with Mr. Buckler of Minnesota.
Mr. Flannery with Mr. McLaughlin.
Mr. Keller with Mr. Bradley of Pennsylvania.
Mr. McArdle with Mr. Geyer of California.
Mr. McGranery with Mr. Romjue.
Mr. Chapman with Mr. Sheridan.
Mr. Sabath with Mr. Celler.
Mr. Robinson of Utah with Mr. Schwert.
Mr. Dickstein with Mr. Magnuson.
Mr. Schulte with Mr. Byron.
Mr. O'Toole with Mr. Jacobsen.
Mr. Bloom with Mr. Ward.
Mr. Murdock of Utah with Mr. Michael J. Kennedy.
Mr. Somers of New York with Mr. Shanley.
Mr. Boehne with Mr. Casey of Massachusetts.
Mr. Fay with Mr. Folger.
Mr. Boren with Mr. Kramer.
Mr. Buckley of New York with Mr. Spence.
Mr. Taylor with Mr. Anderson of Missouri.
Mr. Martin J. Kennedy with Mr. Elliott.
Mr. Zimmerman with Mr. Merritt.
Mr. Myers with Mr. White of Idaho.
Mr. Buck with Mr. Bell.

The result of the vote was announced as above recorded.
The doors were opened.

EXTENSION OF REMARKS

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by inserting an address delivered by Hon. MELVIN J. MAAS at a town hall meeting in New York City.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

OMNIBUS CLAIMS BILLS

The Clerk read as follows:

Title XV—(H. R. 3887. For the relief of Capt. Walter L. Shearman.)
By Mr. GARTNER

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Capt. Walter L. Shearman, United States Army, retired, the sum of \$890.49, in full settlement of all claims against the Government of the United States for a shortage in public funds due to irregularities in the accounts of a noncommissioned officer, now deceased, which officer was in charge of the commissary, Fort Schuyler, N. Y., February 1 to October 13, 1931, and for which shortage Captain Shearman has accounted to the United States Government: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 18, line 22, after "Provided", strike out the remainder of the paragraph and insert the following: "That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

Mr. HANCOCK. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HANCOCK: On page 18, beginning in line 10, strike out all of title XV.

Mr. HANCOCK. Mr. Speaker, this bill was introduced to reimburse Captain Shearman, retired Army officer, in the sum of \$890.49, which was charged against him because of

shortages in his accounts when he was in charge of the commissary at Fort Schuyler, N. Y., in 1931.

Careful investigation was made by a board of officers, and the shortages were found to be due to carelessness and neglect on the part of Captain Shearman. Apparently he was given his option of paying the shortages or submitting to court martial. He chose to pay the shortage, and so \$25 a month was deducted from his salary until the full amount had been paid back to the Government.

I find in the report an official letter addressed to Captain Shearman by Major General Nolan, commanding the Second Corps Area, reading as follows:

Recent investigation has convinced the corps area commander that while commissary and accountable officer at Fort Schuyler, N. Y., you neglected to supervise carefully the administration of the commissary, and that you signed numerous certificates on the receiving reports without verifying the statements contained in such certificates.

It is proposed to impose punishment under the one hundred and fourth article of war unless trial by court martial is demanded.

Apparently trial by court martial was not demanded, and the officer chose to make good the default or the fraud, or whatever the cause of the loss was.

The facts, after a careful and thorough investigation by the inspector general's department, are summarized in the report by the Secretary of War in these few paragraphs, which I believe tell the whole story adequately. Secretary of War Dern reports as follows:

A thorough survey of this case reveals that repeatedly Captain Shearman was made aware that conditions in the commissary were not satisfactory. Errors were revealed to him, shortages were brought to light, and the question of the reliability of his chief assistant, Sergeant Graff, was officially brought to his attention. Improper, unbusinesslike, and unsafe methods and practices not in accord with the regulations, which should have been detected by proper supervision, were revealed by the investigation. When given timely warning of irregularities Captain Shearman did not take definite steps to determine their cause or to prevent recurrence. Finally, it was determined that relatively large losses to the Government occurred when the finance officer made payments for supplies presumably received by the commissary from local dealers, on approved receiving reports signed by Captain Shearman, which supplies have never been accounted for or located.

For your information a copy of the report of this case, prepared by the Inspector General of the Army, is enclosed herewith.

Prior to taking final action in this case the War Department gave careful consideration to all phases of it. As a result of this consideration the recommendation of the Inspector General, to assess the entire loss to Captain Shearman, was approved. Accordingly, up to June 1935, \$525 of the total of \$890.49 has been repaid to the United States by a stoppage of \$25 per month against the pay of Captain Shearman.

In view of the final opinion arrived at in this case, that the unbusinesslike administration of the commissary by Captain Shearman contributed directly to the loss in question, the War Department does not recommend the enactment of the bill.

The defense of Captain Shearman is that he had too many duties to perform and that therefore he could not perform properly his duty as officer in charge of the commissary. I notice the favorable report of the committee is based pretty largely on the fact that Captain Shearman acted as post quartermaster, subsistence officer, police and prison officer, salvage officer, utilities officer, fire marshal, summary court officer, transportation officer, and agent finance officer.

This sounds like a very formidable list of duties, but we who have served in the Army know that actually, many of these duties do not involve much time. I, myself, have been a summary court officer, and I believe my duties did not consume an hour a month. The post of transportation officer when a military outfit is in camp involves no duties and takes no time. I should think the duty of fire marshal would involve practically no expenditure of time or effort after the officer once perfected his organization.

The only question is whether this Congress wishes to sustain the Army in its effort to safeguard the accounts of the United States. There is no attempt to punish this man. He has been found guilty of neglect of duty. He failed to correct defects after they were called to his attention, and he was rightfully assessed the amount of the shortage, \$890.49.

[Here the gavel fell.]

Mr. RUTHERFORD. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, this matter came before the Committee on Claims and after careful consideration received its approval. I shall read from the report of the committee, which gives sufficient reasons, to my mind, why the position of the Committee on Claims should be sustained. The report states:

The War Department, having made Captain Shearman account for the shortage involved, is naturally against his being reimbursed. After careful consideration, however, your committee feels that the claimant has been held accountable for something beyond his control, and should be reimbursed.

The commissary was in charge of Technical Sgt. Harry W. Graff, and in view of the fact that Captain Shearman was assigned the following duties—post quartermaster, subsistence officer, police and prison officer, salvage officer, utilities officer, fire marshal, summary court officer, transportation officer (rail and motor), agent finance officer—it seems that there is no doubt that he was overtaxed and could not possibly personally check each man's activities.

The captain did not take any of this money. He was overseer of the whole operation. The sergeant who took the money or misappropriated the funds, had been a sergeant for a number of years and had held responsible positions under the Government and was working under the captain. If the Government's position is to be sustained, then it would have been necessary for Captain Shearman to be in the supply department every day checking every account and receipting for every account that came before that operation. He had a sergeant to do that, a man who had stood the test of time and of whom he had received excellent reports and who had had an excellent character record up until this time. Naturally, having a man of that type he relied upon him. After having relied upon him, he found out, after the sergeant died, that these discrepancies had taken place. In view of the fact that the Government was going to charge them to his account or cashier him, naturally, the man would pay up rather than be cashiered.

As I have stated, the Committee on Claims has given this matter careful consideration, and after hearing all the witnesses, believes that the captain should be reimbursed, and I submit that the Congress should sustain the committee in its findings.

Mr. KENNEDY of Maryland. Mr. Speaker, will the gentleman yield?

Mr. RUTHERFORD. I yield.

Mr. KENNEDY of Maryland. I call attention to the fact that on page 117 of the report it is shown that in March 1931, recommendations were made that the captain be relieved of some of the various duties that he had to perform.

Mr. RUTHERFORD. That is correct.

Mr. HANCOCK. Mr. Speaker, will the gentleman yield?

Mr. RUTHERFORD. I yield.

Mr. HANCOCK. Is it not true that Captain Shearman had been warned of the irregularities of Sergeant Graff and that he failed to take any action toward removing him?

Mr. RUTHERFORD. I do not think the evidence sustains that position at all.

Mr. HANCOCK. That is in the report of the inspector made to Captain Shearman along in February of the year that the defalcations took place, and Captain Shearman took no action.

Mr. RUTHERFORD. Would the gentleman expect that the captain should stay there in the supply department every day and check over all the meat lists and other orders, and so forth, coming in?

Mr. HANCOCK. No; but when he was warned that he had an incompetent sergeant in charge, he should have done something about it.

Mr. COFFEE of Washington. Mr. Speaker, will the gentleman yield?

Mr. RUTHERFORD. I yield to the gentleman from Washington.

Mr. COFFEE of Washington. As a matter of fact, the report shows that the captain was advised of the excellent reputation of the technical sergeant in a report submitted to him. Is not that correct?

Mr. RUTHERFORD. That is correct, and that is why he kept him in that position.

[Here the gavel fell.]

The SPEAKER pro tempore (Mr. COOPER). The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was rejected. The Clerk read as follows:

Title XVI—(H. R. 4031. To confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim or claims of the Recording and Computing Machines Co., of Dayton, Ohio.) By Mr. RUTZORN

That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment upon the claim or claims of the Recording and Computing Machines Co., of Dayton, Ohio, arising out of a series of transactions, contracts, and provisional adjustments between said Recording and Computing Machines Co., of Dayton, Ohio, and the War Department for the manufacture of ordnance materials, equipment, instruments, and so forth, between the years 1916 and 1920, inclusive.

Sec. 2. Suit upon such claim may be instituted at any time within 1 year after the date of enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claim, and appeals from and payment of any judgment thereon shall be in the same manner as in the case of claims over which said court has jurisdiction under section 145 of the Judicial Code, as amended.

With the following committee amendment:

On page 20, line 6, after the word "inclusive", insert "and suit on such claims shall be instituted within 1 year from the date of approval of this act"; and strike out all of section 2 from lines 9 to 16, inclusive.

The committee amendment was agreed to.

Mr. COSTELLO. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Beginning on page 19, line 18, strike out all of title XVI.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. COSTELLO. Mr. Speaker, this amendment would strike out this title, which provides that the Recording and Computing Machines Co., of Dayton, Ohio, may be entitled to go to the Court of Claims and press an action which they contend they have against the War Department.

During the World War the Army entered into approximately 20 contracts with claimant company for the manufacture of various munitions on a fixed-price basis. In August of 1918, due to lack of capital, it became apparent that the claimant company could not perform, and so because of the big need for munitions, the Government entered into new contracts with the claimant, which provided, among other things, that all then uncompleted articles were to be paid for on a cost-plus 10 percent basis, and that there would be no amortization or depreciation charged against the Government. Subsequent to November 11, 1918, the Government entered into a final settlement contract, whereby the claimant company was awarded \$3,751,682.75 in full settlement of all contracts. This agreement was formally accepted by the claimant company. However, against this allowance the War Department deducted \$3,747,203.12, which made the net payment to claimant \$4,479.63, in full settlement of all claims between this company and the Government.

A reaudit by the War Department was made in 1923 and 1924, which disclosed that in the final settlement the depreciation provision of the original contract had been disregarded, and the claimant company had actually been overpaid approximately \$300,000. However, the Attorney General did not press this claim, in view of the fact that the claimant company was in receivership and apparently had assets of only approximately \$13. Altogether the War Department did business with this concern to the extent of \$9,000,000 during the war. The Government, under the contract, was entitled to have supervision of the plant and its operations. Claimant is now contending that the Government took over the entire plant and that the claimant did not have any right to control the operations of the business. They also contend that since the audit of the Government it

was finally developed that the Government owed to the claimant some \$800,000.

I want to call the attention of the Members to some of the items that go to make up that claim of \$800,000. One item is \$500,000 for the goodwill of the business of the company. Another item of \$67,500 is as a bonus to the manager of the works, and \$20,000 is for attorneys' fees and various other items of a similar character.

I call attention to the fact that the claimant accepted final settlement without protest and in full satisfaction of the claims, and therefore constructively ratified the signing of the settlement contract by the secretary of the company. However, they are attempting to assert that the agreement was entered into without their knowledge or without their real consent. The secretary of this company, who was the direct agent of the claimant and not of the Government, did accept this final agreement.

As a result, I feel that claimant is estopped from going beyond that agreement in attempting to assert further rights. I call attention to the fact that the last order was completed in the factory on June 26, 1919, and that the Government removed its officers and other personnel who had been acting in a supervisory capacity from the factory in October 1919. So that subsequent to October 1919 up to 1924 this company had control of the factory, and at the time the Government made its audit of 1923-24 the books and affairs of the company were under the direct management of the claimant.

I do not believe the claimant is therefore entitled to go to the Court of Claims in order to press this action.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. COSTELLO. I yield.

Mr. SCHAFER of Wisconsin. I notice on page 122 of the committee report that the Government had already made a settlement of \$3,751,682.75. Now, what is the approximate amount of the claim which is embodied in this pending bill?

Mr. COSTELLO. I understand the amount of the claim is approximately \$800,000.

Mr. SCHAFER of Wisconsin. This report seems to indicate that the company which has the claim has gone through bankruptcy proceedings, and if this claim is allowed, who is going to get the money?

Mr. COSTELLO. I presume that any benefit that might come out of this action that would be pursued in the Court of Claims would redound to the benefit of the old recording and computing machines company. I believe Mr. Ohmer, who was the owner at the time, is the sole owner of the concern, and any benefit out of this bill would go directly to him.

Mr. SCHAFER of Wisconsin. I notice in large claims the committee has not carried the limitation insofar as attorneys' fees is concerned.

Mr. COSTELLO. Apparently that has not been inserted in this bill.

Mr. HANCOCK. Mr. Speaker, will the gentleman yield?

Mr. COSTELLO. I yield.

Mr. HANCOCK. If this claim is successfully prosecuted, will not the beneficiaries be the creditors on this claimant?

Mr. COSTELLO. I do not know whether the creditors would be able to come in or not.

Mr. HANCOCK. The award, if any, will have to go to the receiver and trustee of this bankrupt company; is that not true?

Mr. COSTELLO. I do not know what the actual legal situation is with regard to this particular company. The assets of the company were sold and the company which purchased them finally went into bankruptcy likewise. So who the legal beneficiaries actually would be in this particular instance I am not in a position to say.

Mr. LEWIS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. COSTELLO. I yield.

Mr. LEWIS of Colorado. For how much was this settlement made?

Mr. COSTELLO. The original agreement was that the Government owed to the company over three and three-

quarter million dollars, but had offsets of approximately the same amount, so that the final settlement in actual cash was \$4,479.63. Altogether, during the World War, over \$9,000,000 was paid to this company for business that was done with the company.

Mr. LEWIS of Colorado. And this amount was accepted and paid?

Mr. COSTELLO. This amount was accepted and paid.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. KEOGH. Mr. Speaker, I rise in opposition to this amendment to strike out title 16 for the reason that I was a member of the subcommittee of the Committee on Claims which considered this bill, and upon the basis of the subcommittee's recommendation, the favorable report of the committee was made.

The bill simply confers upon the Court of Claims jurisdiction to hear, determine, and render judgment upon this claim. I call particular attention to the fact that there is no waiver in the bill of any defense that may be available to the Government. The facts that have led up to this claim, as I understand them, and as they were adduced at the committee hearing, are these:

The claimant was a large manufacturer of precision instruments, holding contracts for the Allied forces during the World War in excess of \$20,000,000. Upon the date of the entrance of this country into that war, by virtue of the emergency powers granted to the War Department, the War Department entered into various contracts with the claimant, all of which were consolidated into one contract under date of September 1, 1918. Under the terms of the consolidated contract the War Department reserved absolute supervision and control over the internal affairs of the company. The War Department placed its own general manager in the plant, and on the cessation of hostilities the War Department sought to exercise its right, under the consolidated contract, to cancel the then existing orders. They did so, and the question of any right or claim on the part of the company arose. The then general manager, who was the employee of the Ordnance Division of the War Department, selected an accountant who, some time in 1919, prepared what purported to be a settlement of the rights of the respective parties. He allowed certain amounts to the company and certain amounts to the Government. The net difference was somewhere in the neighborhood of \$4,000, notwithstanding the fact that during the period of that audit an interim payment of \$500,000 was made by the War Department to the company.

I mention these figures not to becloud your mind at the moment, because in this bill there is no question of amount. All that is sought by the terms of the bill is to give to the owners of the equity in that company a day in court. They have been denied that, notwithstanding the fact that the War Department 6 years after it made its alleged settlement, of its own volition, made a readjust. They have been denied their day in court further by the fact that under the terms of that consolidated agreement they had no recourse to a court of law unless and until the Secretary of War made a final determination. The Secretary of War made no such final determination.

We have the War Department acting in the capacity of trial judge, jury, and prosecutor. In this case the stockholders of the company have never had an opportunity to gain access to their own records to make an independent audit.

All this bill seeks to do is to refer this claim to an independent, impartial, duly constituted tribunal of this Government to the end that both parties may establish such claims, if any they have, and that justice be done.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. KEOGH. I yield.

Mr. O'CONNOR. Is it not a fact that the Court of Claims is simply an agency established by the Congress for the purpose of passing upon the legality of just such matters as these?

Mr. KEOGH. Exactly.

Mr. O'CONNOR. And is it not further a fact that the percentage of recoveries before the Court of Claims is very, very low? As a matter of fact, I think it is 2 or 3 percent of the amount of the claims that have been submitted to this agency created by Congress for this very purpose.

Mr. KEOGH. I have no knowledge of that, but I may say to the gentleman that I am confident this matter will receive the careful, impartial, fair deliberation of the Court of Claims, and I am certain that right will prevail. Up to this moment this claimant has never had the opportunity of presenting its case in such a forum.

[Here the gavel fell.]

Mr. SCHAFER of Wisconsin. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore (Mr. COOPER in the chair). The Chair regrets that the Chair cannot under the rules recognize the gentleman for that purpose.

The question is on the amendment offered by the gentleman from California.

The question was taken; and on a division (demanded by Mr. SCHAFER of Wisconsin) there were—ayes 23, noes 28.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object to the vote on the ground that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and twenty-three Members are present, not a quorum. The call is automatic. The Doorkeeper will close the door, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 48, nays 254, not voting 121, as follows:

[Roll No. 12]

YEAS—48

Allen, La.	Cox	Hancock	Pace
Beckworth	Crowther	Hoffman	Pierce
Brown, Ga.	Dirksen	Johns	Schafer, Wis.
Bryson	Doxey	Johnson, Ind.	Shafer, Mich.
Buck	Faddis	Johnson, Luther	Sumner, Ill.
Burgin	Folger	Kean	Taber
Cannon, Mo.	Ford, Miss.	Lewis, Colo.	Tarver
Carter	Gamble	Luce	Treadway
Clason	Gifford	Mahon	Vinson, Ga.
Cochran	Gore	Miller	Warren
Cole, N. Y.	Grant, Ala.	Monroney	Wheelchel
Costello	Halleck	Murray	Whittington

NAYS—254

Allen, Ill.	Cravens	Gross	Lambertson
Allen, Pa.	Crawford	Guyer, Kans.	Larrabee
Andersen, H. Carl	Creal	Gwynne	Leavy
Anderson, Calif.	Crosser	Hall, Edwin A.	LeCompte
Andersen, A. H.	Crowe	Hall, Leonard W.	Lesinski
Andrews	Culkin	Harness	Lewis, Ohio
Angell	Cullen	Harrington	Ludlow
Arends	Curtis	Harter, N. Y.	McAndrews
Arnold	D'Alesandro	Harter, Ohio	McCormack
Austin	Darden	Havener	McDowell
Ball	Delaney	Hawks	McGehee
Barden	Dempsey	Healey	McKeough
Barnes	Dingell	Hendricks	McLaughlin
Barry	Disney	Hess	McLeod
Bates, Ky.	Ditter	Hill	McMillan, Clara G.
Bates, Mass.	Dondero	Hobbs	McMillan, John L.
Bender	Doughton	Holmes	Maas
Blackney	Duncan	Hook	Maloney
Bland	Dunn	Horton	Marshall
Bloom	Durham	Houston	Martin, Ill.
Bolles	Dworshak	Hull	Martin, Iowa
Boren	Eaton	Hunter	Mason
Brewster	Eberharter	Izac	Massingale
Brooks	Edmiston	Jacobsen	Michener
Bulwinkle	Ellis	Jarman	Mills, Ark.
Burch	Elston	Jenkins, Ohio	Mills, La.
Burdick	Engel	Jenks, N. H.	Monkiewicz
Byrne, N. Y.	Fenton	Jennings	Moser
Byrns, Tenn.	Ferguson	Jensen	Mott
Camp	Flah	Johnson, Ill.	Mundt
Cannon, Fla.	Fitzpatrick	Johnson, Lyndon	Murdoch, Ariz.
Carlson	Flaherty	Johnson, Okla.	Nichols
Casey, Mass.	Flannagan	Johnson, W. Va.	Norrell
Chapman	Fries	Kee	Norton
Chiperfield	Fulmer	Keefe	O'Brien
Church	Garrett	Kennedy, Md.	O'Connor
Claypool	Gartner	Keogh	O'Day
Coffee, Nebr.	Gavagan	Kerr	O'Leary
Coffee, Wash.	Gehrmann	Kilday	O'Neal
Cole, Md.	Gerlach	Kinzer	Patman
Collins	Gibbs	Kirwan	Patrick
Connery	Gillie	Kitchens	Patton
Cooley	Gossett	Kleberg	Pearson
Cooper	Graham	Knutson	Peterson, Ga.
Corbett	Gregory	Kocalkowski	Plumley
Courtney	Griffith	Kunkel	Poage

Polk	Sacks	Springer	Vorys, Ohio
Powers	Sandager	Starnes, Ala.	Vreeland
Rabaut	Sasser	Stefan	Wadsworth
Ramspeck	Schaefer, Ill.	Sutphin	Wallgren
Rankin	Schiffler	Sweeney	Walter
Reed, Ill.	Schuetz	Talle	Weaver
Reed, N. Y.	Secombe	Tenerowicz	Welch
Rich	Secrest	Terry	West
Richards	Shannon	Thill	Wheat
Risk	Sheppard	Thomas, Tex.	White, Ohio
Robertson	Simpson	Thomason	Wigglesworth
Robison, Ky.	Smith, Maine	Thorkelson	Williams, Mo.
Rodgers, Pa.	Smith, Ohio	Tibbott	Wolfcott
Rogers, Mass.	Smith, W. Va.	Tinkham	Wolfenden, Pa.
Rogers, Okla.	Snyder	Tolan	Wood
Routzohn	South	Van Zandt	Woodrum, Va.
Rutherford	Sparkman	Vincent, Ky.	
Ryan	Spence	Voorhis, Calif.	

NOT VOTING—121

Alexander	Englebright	Lea	Sabath
Anderson, Mo.	Evans	Lemke	Satterfield
Barton	Fay	McArdle	Schulte
Beam	Fernandez	McGranery	Schwert
Bell	Flannery	McLean	Scrugham
Boehne	Ford, Leland M.	Maclejewski	Seger
Boland	Ford, Thomas F.	Magnuson	Shanley
Boykin	Gathings	Mansfield	Sheridan
Bradley, Mich.	Gearhart	Marcantonio	Short
Bradley, Pa.	Geyer, Calif.	Martin, Mass.	Smith, Conn.
Brown, Ohio	Gilchrist	May	Smith, Ill.
Buckler, Minn.	Grant, Ind.	Merritt	Smith, Va.
Buckley, N. Y.	Green	Mitchell	Smith, Wash.
Byron	Hare	Mouton	Somers, N. Y.
Caldwell	Hart	Murdock, Utah	Steagall
Cartwright	Hartley	Myers	Stearns, N. H.
Case, S. Dak.	Hennings	Nelson	Sullivan
Celler	Hinshaw	Oliver	Sumners, Tex.
Clark	Hope	Osmers	Taylor
Clevenger	Jarrett	O'Toole	Thomas, N. J.
Cluett	Jeffries	Parsons	Ward
Colmer	Jones, Ohio	Peterson, Fla.	White, Idaho
Cummings	Jones, Tex.	Pfeifer	Williams, Del.
Darrow	Kefauver	Pittenger	Winter
DeRouen	Keller	Randolph	Wolverton, N. J.
Dickstein	Kelly	Rayburn	Woodruff, Mich.
Dies	Kennedy, Martin	Reece, Tenn.	Youngdahl
Douglas	Kennedy, Michael	Rees, Kans.	Zimmerman
Dowell	Kramer	Robinson, Utah	
Drewry	Landis	Rockefeller	
Elliott	Lanham	Romjue	

So the amendment was rejected.

The Clerk announced the following pairs:
General pairs:

Mr. Rayburn with Mr. Martin of Massachusetts.
Mr. Boland with Mr. Alexander.
Mr. Green with Mr. Youngdahl.
Mr. Lanham with Mr. Barton.
Mr. Fulmer with Mr. Englebright.
Mr. Mansfield with Mr. Pittenger.
Mr. Mouton with Mr. Seger.
Mr. Colmer with Mr. Wolverton of New Jersey.
Mr. Sullivan with Mr. Bradley of Michigan.
Mr. Fernandez with Mr. Short.
Mr. Satterfield with Mr. Douglas.
Mr. DeRouen with Mr. Williams of Delaware.
Mr. Smith of Virginia with Mr. Darrow.
Mr. Clark with Mr. Stearns of New Hampshire.
Mr. Parsons with Mr. Hartley.
Mr. Beam with Mr. Dowell.
Mr. Dies with Mr. Jones of Ohio.
Mr. Cartwright with Mr. Grant of Indiana.
Mr. Kelly with Mr. Gilchrist.
Mr. Hare with Mr. Cluett.
Mr. Steagall with Mr. Jarrett.
Mr. Lea with Mr. Clevenger.
Mr. Boykin with Mr. Brown of Ohio.
Mr. Caldwell with Mr. Leland N. Ford.
Mr. Jones of Texas with Mr. Lemke.
Mr. May with Mr. Osmers.
Mr. Nelson with Mr. Reece of Tennessee.
Mr. Cummings with Mr. Rees of Kansas.
Mr. Hart with Mr. Buckler of Minnesota.
Mr. Flannery with Mr. Gathings.
Mr. Keller with Mr. Bradley of Pennsylvania.
Mr. McArdle with Mr. Geyer of California.
Mr. McGranery with Mr. Romjue.
Mr. Hennings with Mr. Sheridan.
Mr. Sabath with Mr. Celler.
Mr. Robinson of Utah with Mr. Schwert.
Mr. Dickstein with Mr. Magnuson.
Mr. Schulte with Mr. Byron.
Mr. O'Toole with Mr. Ward.
Mr. Murdock of Utah with Mr. Michael J. Kennedy.
Mr. Somers of New York with Mr. Shanley.
Mr. Fay with Mr. Folger.
Mr. Boehne with Mr. Kramer.
Mr. Buckley of New York with Mr. Case of South Dakota.
Mr. Taylor with Mr. Anderson of Missouri.
Mr. Martin J. Kennedy with Mr. Elliott.
Mr. Zimmerman with Mr. Merritt.
Mr. Myers with Mr. White of Idaho.

Mr. Bell with Mr. Maciejewski.
Mr. Pfeifer with Mr. Smith of Connecticut.
Mr. Smith of Washington with Mr. Jeffries.
Mr. Thomas F. Ford with Mr. McLean.
Mr. Scrugham with Mr. Gearhart.
Mr. Evans with Mr. Oliver.
Mr. Kefauver with Mr. Hinshaw.
Mr. Mitchell with Mr. Rockefeller.
Mr. Smith of Illinois with Mr. Hope.
Mr. Marcantonio with Mr. Winter.
Mr. Drewry with Mr. Landis.

The doors were opened.

The result of the vote was announced as above recorded.

The Clerk read as follows:

Title XVII—(H. R. 4256. For the relief of the estate of George B. Spearin, deceased.) By Mr. Eaton of New Jersey

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the estate of George B. Spearin, deceased, the sum of \$5,616.29, which sum, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, said sum to be in full settlement of all claims against the United States for all loss sustained by said Spearin by reason of failure, until April 11, 1917, of his attorney to file with the Treasury Department, in compliance with the provisions of the act of September 30, 1890 (26 Stat. L. 537), transcript of judgment of the Court of Claims in the case of Spearin against the United States: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Strike out, beginning after the word "Provided," in line 5, down to and including line 17, and insert: "That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

Mr. COSTELLO. Mr. Speaker, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Beginning on page 20, line 17, strike out all of title XVII.

Mr. COSTELLO. Mr. Speaker, the present bill provides for payment of \$5,616.29 to the estate of George B. Spearin. The purpose of this bill is to pay an amount which he would otherwise have received had his attorney been a little more diligent in looking after his interests in an action against the United States Government.

It appears that in the case of George B. Spearin against the United States, the Court of Claims awarded judgment in favor of said Spearin the sum of \$141,180.86 on April 13, 1916. The United States Government filed application for appeal to the Supreme Court of the United States of June 10, 1916. The appeal was allowed on September 12, 1916. A transcript of judgment of the Court of Claims was not filed with the Treasury Department until April 11, 1917, practically 1 year after the date on which it might have been filed; hence when the Supreme Court of the United States affirmed the judgment of the Court of Claims on December 9, 1918, the mandate of affirmance issuing January 4, 1919, the amount of interest allowed on the judgment was \$9,948.42, which was 4 percent upon the award from April 11, 1917, until June 14, 1919.

Had the transcript of judgment of the Court of Claims been filed in the Treasury Department 1 year earlier, namely, on April 13, 1916, the interest would have been included in the judgment, and as a result the claimant would have received an additional \$5,616.29.

This particular claim has been before Congress for a long time. The only reason the claimant was not given additional interest was because of a failure on the part of his own

attorney. It appears to me that the Government should not be liable for the payment of this additional interest in view of the fact that the failure to receive it was due entirely to the attorney for the claimant. I do not think the Federal Government can be held responsible for the failure on the part of attorneys to perform their duty. We have had any number of similar cases where an attorney may have fallen down on some particular item and as a result the claimant has been unsuccessful in obtaining either the full amount of the judgment or any judgment at all. If we are going to assume the attitude that the Federal Government is responsible where an attorney is at fault and as a result the claimant suffers some loss, then we are going to put the Federal Government in a position where it will be responsible for any number of claims of this character. It is very hard to attempt to forecast what the final cost to the Government will be in these cases.

In view of this fact and since it was purely the attorney's fault, I do not believe this claim has merit and the House should strike it from the bill.

[Here the gavel fell.]

Mr. EATON. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, this bill has been passed by the Senate six times and it has been favorably reported an equal number of times by able committees of this House, including the present committee.

The gentleman who has just spoken has stated the external facts of the case practically as they are, except with reference to the attorney. The whole trouble arises from the fact that we are confronted by a most unusual phenomenon—the unfortunate and unexpected intellectual incapacity of a lawyer.

This case was decided in favor of Mr. Spearin by the Court of Claims in 1916 and was then appealed by the United States Government to the Supreme Court of the United States. Two years and nine months later the Supreme Court sustained the judgment of the Court of Claims. Under the law it was necessary for the lawyer in the case to deposit with the Treasury Department a transcript of the judgment of the Court of Claims immediately if he was to draw interest on the sum during the period between the judgment of the lower court and the decision of the Supreme Court. This was not done for 1 year. It was then done and the plaintiff drew interest at the rate of 4 percent.

The reason this transcript was not deposited was because a very distinguished attorney who had this case in charge became afflicted with senile decay. I have here an affidavit by Dr. Sterling Ruffin, one of the leading surgeons of this city, in which he states:

In the spring of 1921 I examined Mr. Frank W. Hackett and found that he was in a condition of senile dementia which profoundly affected his memory and his faculties in regard to all current and recent events. Mr. Hackett is said to be and appears to be 80 years old. In the year 1916 I attended Mr. Hackett on several occasions, and to the best of my knowledge and belief, based upon medical examination of Mr. Hackett and the history of his case, Mr. Frank W. Hackett's mental failure had begun several years prior to the year 1916, and had slowly but surely progressed up to the time of my examination in the spring of 1921.

Mr. Speaker, the claimant in this case did not live here. He trusted his attorney, as litigants have to do, and he did not know that this distinguished lawyer was afflicted with the infirmities of age. When he found this out he immediately secured competent legal advice, carried his case to the Supreme Court, and won it. The heirs of Mr. Spearin are asking for this relief, and I feel, under the circumstances, they are entitled to it. My opinion is supported by the wisdom of the Senate and by the wisdom of our committee.

I sincerely hope the Members of this House will defeat the pending amendment and grant this relief to these people.

The SPEAKER. The question is on the amendment offered by the gentleman from California [Mr. COSTELLO].

The amendment was rejected.

The Clerk read as follows:

LXXXVI—48

Title XVIII—(H. R. 4456. For the relief of William O'Connell.)
By Mr. HEALEY

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William O'Connell, Somerville, Mass., the sum of \$750, in full settlement of all claims against the United States for damages sustained by him as a result of being struck and injured by a United States mail truck in Somerville, Mass., on January 13, 1934: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. HALLECK. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HALLECK: On page 22, strike out all of title XVIII.

Mr. HALLECK. Mr. Speaker, this is a bill to provide for the payment of \$750 to a Mr. William O'Connell, 55 years of age, of Somerville, Mass. It is contended that the claimant was injured by being struck by a mail truck of the Post Office Department on Somerville Avenue in Somerville, Mass., on January 13, 1934. The time of the accident was something after 6 o'clock in the evening. The evidence is that it was a dark and stormy night and the visibility was very poor. There were no witnesses to the accident other than the driver of the mail truck and the claimant himself.

According to what seems to me to be the preponderance of the evidence, the claimant started across Somerville Avenue in the middle of the block—that is, he started across the street at a point some 100 feet from the crosswalk. The driver of the mail truck was proceeding in a careful manner and at a slow rate of speed in keeping with the poor visibility and the condition of the traffic at the time. The driver of the mail truck states that he noticed three vehicles approaching him, the first one driving at a rather fast rate of speed. He slowed his truck to give that vehicle a chance to turn in front of him, and then, as he started to pick up speed again, he noticed a man, who later turned out to be the claimant, on the right front fender of his truck. He immediately put on his brakes and stopped within about the length of the truck, got out of the truck, walked around, and discovered the claimant lying on the ground beside the rear wheel of the truck. He quoted the claimant as saying, "I had just dodged the other fellow." The driver of the truck states that he did not see the man crossing in the middle of the street.

The claimant says that he noticed some other vehicles coming at a distance of 300 feet, and he moved into the center of the street, then noticed that a vehicle was coming at a distance of about 100 feet, and then started across and was struck by the truck. That is the story, as far as I can get it, as to what happened. The claimant was crossing in the middle of the street, not at a crosswalk. As far as I can discover, the driver of the truck was operating the truck in a very careful manner.

I believe the best deduction from the evidence is that the claimant carelessly and negligently walked into the side of the truck and thereby either caused the injury which he sustained or at least was guilty of contributory negligence in causing that injury.

There is another point or two to which I wish to call your attention. I have discovered in the papers on this case a letter addressed to the Attorney General asking whether or not a civil action for damages filed by the claimant against the driver of the truck had ever been disposed of. The Attorney General recites in his letter of March 3, 1937, that such an action was filed in 1934, but that nothing had been done with it. Can the chairman of the committee tell me whether or not anything further has been done with that case?

Mr. KENNEDY of Maryland. No; I do not believe any disposition has been made of that matter at all.

Mr. HALLECK. I think that point is worthy of consideration. I do not know whether or not the driver of the

truck is financially responsible, but, certainly, at some time the claimant thought he had some collectible claim against the driver of the truck. That he has not pursued that claim may indicate a lack of confidence in the proof of negligence.

It also appears from the records in this case that the claimant was employed by the Civil Works Administration at the time of the injury. He filed a claim with the United States Employees' Compensation Commission. It was found that he was acting in line of duty at the time of the accident and his claim was allowed. I read from the report of Mr. C. M. Nelson, inspector, with regard to the amount of money that was allowed by the Employees' Compensation Commission, in these words:

As a result of the accident, Mr. O'Connell actually lost wages amounting to a total of \$135 for the period from January 15 to March 31, 1934. If he receives compensation in the amount of \$46, in addition to the compensation of \$20.70 already paid to him, the net loss of wages would amount to \$68.30.

The Commission also paid the doctor bill.

The evidence shows that Mr. O'Connell was found able to go back to work as a watchman, which had been his job previously, on April 2, but there was no work for him until May 2, when he did go back to work with the Civil Works Administration. He pursued that line of recovery against the Government. Should he also be permitted to pursue this one?

[Here the gavel fell.]

Mr. HEALEY. Mr. Speaker, it seems to me the argument made by the gentleman who just preceded me centers on the proposition that this man should not be allowed to recover in this case, because he failed to exercise due care in not using a cross walk to cross the street on which this accident occurred.

In answer to this proposition, let me say that if this case ever came to trial before a tribunal in the jurisdiction where the accident took place, no such rigid degree of care would be required of the plaintiff in order for him to make out a case. The law of Massachusetts regarding the use of the highways prescribes that a pedestrian and a person traveling by vehicle have an equal right to the use of the portion of the highway concerned, the degree of care required being that degree of care which an ordinarily prudent person would exercise for the rights of the other.

The evidence in this case, which is undisputed, is that the claimant attempted to cross the highway 100 feet away from a cross walk. I certainly do not believe this body any more than a court would require that man in order to cross the street go a hundred feet along on the sidewalk and there cross on the cross walk. The fact that he did not use a cross walk would not bar his recovery in a court of law, and in the exercise of due care he was not necessarily required by the laws of the State of Massachusetts to use the cross walk.

Let us see from this man's statement—and his statement is undisputed; there being no other witnesses to the accident—what degree of care he exercised that night:

The claimant contends that on January 13, 1934, he was attempting to cross Somerville Avenue, at Union Square, Somerville, Mass., at about 6:35 p. m., there being no cross walk, and he apparently being about 100 feet west of the intersection.

And there is no evidence in the case that there was a cross walk at the intersection.

He states that there was traffic going both east and west on Somerville Avenue, with no officer or traffic light to regulate same. He waited until there was a lull in the traffic and looked both ways, the nearest automobile being approximately 300 feet away.

Now, at that juncture I submit to you, as reasonable men, would you expect this man to wait for a vehicle that was 300 feet away?

Upon starting across the street he again looked to his right and left, and states that he saw an automobile 100 to 150 feet away. Judging that he could then cross in safety he proceeded across the street, and when about halfway across he was struck by a United States mail truck approaching from his left.

Now, I ask you, on all the facts, whether that is not pretty potent evidence that this man did exercise a high degree of care for himself in looking up and down the street and taking another look to make sure when he was out on the street, and then walking halfway across the street before he was struck?

Now, as to the defendant's care on this particular night, let me just read this language to you. The driver of the automobile said that he was proceeding along Somerville Avenue, in the city of Boston—

That he was traveling to the right of the streetcar rails; that when adjacent to a parking area located between Washington Street and Somerville Avenue, he saw three automobiles approaching the intersection in a westerly direction, and reduced the speed of the truck to allow one of these vehicles to pass in front of the truck, the other two having turned into an intersecting street; that as soon as the automobile had passed in front of the truck, he placed his foot on the accelerator to increase his speed, when he suddenly saw the claimant lying on the right front fender of the truck.

There is evidence there that at some time after this claimant looked to assure his safety and, relying on that look, started across the street, the speed of the mail truck was increased, and I say to you that a jury would be justified in inferring that this accident was caused by the increase in the speed of the truck after the claimant had started to cross the street in a reliance on a reasonable judgment that he could do so safely.

[Here the gavel fell.]

The SPEAKER pro tempore (Mr. Brown of Georgia). The question is on the amendment offered by the gentleman from Indiana.

The question was taken.

Mr. HOFFMAN. Mr. Speaker, I challenge the vote on the ground a quorum is not present.

The SPEAKER pro tempore. Evidently there is not a quorum present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 86, nays 197, not voting 140, as follows:

[Roll No. 13]

YEAS—86

Anderson, Calif.	Doxey	Jenkins, Ohio	Murray
Andrews	Durham	Jenks, N. H.	Pierce
Arends	Dworshak	Jensen	Polk
Bates, Mass.	Elston	Johns	Rich
Bender	Engel	Johnson, Ill.	Rodgers, Pa.
Blackney	Flsh	Johnson, Ind.	Rogers, Mass.
Brewster	Ford, Miss.	Johnson, W. Va.	Secombe
Burgin	Gamble	Kean	Shafer, Mich.
Cannon, Mo.	Gillie	Kilday	Springer
Carter	Graham	Kinzer	Stefan
Chilperfield	Gregory	Kitchens	Taber
Church	Gross	Kleberg	Tinkham
Claypool	Gwynne	LeCompte	Treadway
Cole, N. Y.	Hall, Edwin A.	Lewis, Ohio	Vorys, Ohio
Corbett	Halleck	McLeod	Vreeland
Costello	Hancock	Mahon	Weaver
Crawford	Harness	Marshall	West
Culkin	Harter, N. Y.	Martin, Iowa	Wheat
DeRouen	Hawks	Mason	White, Ohio
Dirksen	Hess	May	Whittington
Ditter	Hoffman	Michener	
Dondoro	Horton	Mundt	

NAYS—197

Allen, La.	Cole, Md.	Gartner	Kefauver
Allen, Pa.	Collins	Gathings	Kennedy, Martin
Andresen, H. Carl	Connery	Gehrmann	Kennedy, Md.
Andresen, A. H.	Cooley	Gerlach	Keogh
Angell	Cooper	Gibbs	Kerr
Arnold	Courtney	Gore	Kirwan
Austin	Cox	Gossett	Kocalkowski
Ball	Cravens	Grant, Ala.	Kunkel
Barnes	Creal	Griffith	Larrabee
Bates, Ky.	Crosser	Guyer, Kans.	Leavy
Beckworth	Crowe	Hall, Leonard W.	Lemke
Bloom	Cullen	Havener	Lesinski
Bolles	Curtis	Healey	Lewis, Colo.
Boren	D'Alesandro	Hendricks	Luce
Boykin	Darden	Hennings	Ludlow
Brooks	Delaney	Hill	McAndrews
Brown, Ga.	Dempsey	Hobbs	McCormack
Bryson	Dickstein	Holmes	McDowell
Burdick	Dingell	Hook	McGehee
Byrne, N. Y.	Dunn	Houston	McKeough
Byrns, Tenn.	Eaton	Hull	McLaughlin
Caldwell	Eberharter	Hunter	McMillan, Clara G.
Camp	Edmiston	Izac	McMillan, John L.
Cannon, Fla.	Fenton	Jacobsen	McMone
Carlson	Ferguson	Jarman	Martin, Ill.
Casey, Mass.	Fitzpatrick	Jennings	Massingale
Chapman	Flaherty	Johnson, Luther A.	Miller
Clason	Flannagan	Johnson, Lyndon	Mills, Ark.
Cochran	Fries	Johnson, Okla.	Mills, La.
Coffee, Nebr.	Fulmer	Kee	Monkiewicz
Coffee, Wash.	Garrett	Keefe	Monroney

Moser	Rabaut	Shannon	Tibbott
Mott	Ramspeck	Sheppard	Tolan
Murdock, Ariz.	Rankin	Smith, Ill.	Van Zandt
Nichols	Reed, Ill.	Smith, Maine	Vincent, Ky.
Norrell	Richards	Smith, W. Va.	Voorhis, Calif.
Norton	Risk	Snyder	Wallgren
O'Brien	Robison, Ky.	South	Walter
O'Connor	Rogers, Okla.	Spence	Warren
O'Day	Rutherford	Sumner, Ill.	Welch
O'Leary	Ryan	Sumners, Tex.	Whelchel
Parsons	Sacks	Sutphin	Wigglesworth
Patman	Sandager	Taille	Williams, Del.
Patrick	Sasscer	Tarver	Williams, Mo.
Fearson	Schaefer, Ill.	Tenerowicz	Wolcott
Peterson, Ga.	Schafer, Wis.	Terry	Wolfenden, Pa.
Pfeiffer	Schuetz	Thill	Wood
Plumley	Schulte	Thomas, Tex.	
Poage	Scrugham	Thomason	
Powers	Secrest	Thorkelson	

NOT VOTING—140

Alexander	Drewry	Kramer	Rockefeller
Allen, Ill.	Duncan	Lambertson	Romjue
Anderson, Mo.	Elliott	Landis	Routzohn
Barden	Ellis	Lanham	Sabath
Barry	Englebright	Lea	Satterfield
Barton	Evans	McArdle	Schiffler
Beam	Faddis	McGranery	Schwert
Bell	Fay	McLean	Seger
Bland	Fernandez	Maas	Shanley
Boehne	Flannery	Maclejewski	Sheridan
Boland	Folger	Magnuson	Short
Bradley, Mich.	Ford, Leland M.	Mansfield	Simpson
Bradley, Pa.	Ford, Thomas F.	Smith, Conn.	Smith, Ohio
Brown, Ohio	Gavagan	Smith, Va.	Smith, Wash.
Buck	Gearhart	Somers, N. Y.	Sparman
Buckler, Minn.	Geyer, Calif.	Starnes, Ala.	Stearns, N. H.
Buckley, N. Y.	Gifford	Steagall	Sullivan
Bulwinkle	Gilchrist	Sweeney	Taylor
Burch	Grant, Ind.	Thomas, N. J.	Vinson, Ga.
Byron	Green	Wadsworth	Ward
Cartwright	Hare	White, Idaho	Winter
Case, S. Dak.	Harrington	Wolverton, N. J.	Woodruff, Mich.
Celler	Hart	Woodrum, Va.	Youngdahl
Clark	Harter, Ohio	Zimmerman	
Clevenger	Hartley		
Cuett	Hinshaw		
Colmer	Hope		
Crowther	Jarrett		
Cummings	Jeffries		
Darrow	Jones, Ohio		
Dies	Jones, Tex.		
Disney	Keller		
Doughton	Kelly		
Douglas	Kennedy, Michael		
Dowell	Knutson		

So the amendment was rejected.

The Clerk announced the following additional pairs:
General pairs:

Mr. Rayburn with Mr. Martin of Massachusetts.
Mr. Lanham with Mr. Hartley.
Mr. Robertson with Mr. Hope.
Mr. Boland with Mr. Douglas.
Mr. Doughton with Mr. Clevenger.
Mr. Drewry with Mr. Oliver.
Mr. Fernandez with Mr. Pittenger.
Mr. O'Neal with Mr. Rockefeller.
Mr. Bulwinkle with Mr. Seger.
Mr. Patton with Miss Sumner of Illinois.
Mr. Green with Mr. Grant of Indiana.
Mr. Hare with Mr. Gearhart.
Mr. Burch with Mr. Darrow.
Mr. Peterson of Florida with Mr. Reed of New York.
Mr. Jones of Texas with Mr. Maas.
Mr. Kelly with Mr. McLean.
Mr. Kramer with Mr. Leland M. Ford.
Mr. Satterfield with Mr. Englebright.
Mr. Sparkman with Mr. Gifford.
Mr. Mansfield with Mr. Barton.
Mr. Starnes of Alabama with Mr. Crowther.
Mr. Ellis with Mr. Jarrett.
Mr. Mouton with Mr. Jeffries.
Mr. Boehne with Mr. Knutson.
Mr. Pace with Mr. Thomas of New Jersey.
Mr. Woodrum of Virginia with Mr. Simpson.
Mr. Vinson of Georgia with Mr. Short.
Mr. Bland with Mr. Alexander.
Mr. Folger with Mr. Osmer.
Mr. Beam with Mr. Reece of Tennessee.
Mr. Nelson with Mr. Allen of Illinois.
Mr. Randolph with Mr. Smith of Ohio.
Mr. Zimmerman with Mr. Wadsworth.
Mr. White of Idaho with Mr. Woodruff of Michigan.
Mr. Barry with Mr. Jones of Ohio.
Mr. Anderson of Missouri with Mr. Landis.
Mr. Fay with Mr. Lambertson.
Mr. Buck with Mr. Hinshaw.
Mr. Cartwright with Mr. Gilchrist.
Mr. Clark with Mr. Case of South Dakota.
Mr. Disney with Mr. Brown of Ohio.
Mr. Colmer with Mr. Bradley of Michigan.
Mr. Dies with Mr. Rees of Kansas.

Mr. Steagall with Mr. Schiffler.
Mr. Sullivan with Mr. Stearns of New Hampshire.
Mr. Sumners of Texas with Mr. Winter.
Mr. Gavagan with Mr. Wolverton of New Jersey.
Mr. Taylor with Mr. Buckler of Minnesota.
Mr. Sabath with Mr. Marcantonio.
Mr. Romjue with Mr. Youngdahl.
Mr. Sheridan with Mr. Shanley.
Mr. Merritt with Mr. Mitchell.
Mr. Cummings with Mr. Lea.
Mr. McArdle with Mr. Smith of Connecticut.
Mr. Smith of Virginia with Mr. Somers of New York.
Mr. McGranery with Mr. Duncan.
Mr. Maciejewski with Mr. Smith of Washington.
Mr. Celler with Mr. Byron.
Mr. Harrington with Mr. Buckley of New York.
Mr. Bradley of Pennsylvania with Mr. Geyer of California.
Mr. Bell with Mr. Thomas F. Ford.
Mr. Flannery with Mr. Ward.
Mr. O'Toole with Mr. Robinson of Utah.
Mr. Keller with Mr. Michael J. Kennedy.
Mr. Elliott with Mr. Evans.
Mr. Faddis with Mr. Murdock of Utah.
Mr. Harter of Ohio with Mr. Sweeney.
Mr. Myers with Mr. Schwert.

Mr. WIGGLESWORTH changed his vote from "aye" to "no."
Mr. CANNON of Missouri changed his vote from "no" to "aye."

The result of the vote was announced, as above recorded.

The doors were opened.

The Clerk read as follows:

Title XIX—(H. R. 4843. To confer jurisdiction on the Court of Claims of the United States to hear, determine, and render judgment upon the claim of John L. Alcock.) By Mr. KENNEDY of Maryland

That (1) jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment on the claim of John L. Alcock, of Baltimore, Md., for loss and/or damage, if any, sustained by him by reason of the action of officers of the Signal Corps and/or the Spruce Production Division of the War Department in promulgating the order refusing to permit further shipments under his contract and foreign orders for the shipment and delivery from February to December 1918 of 6,000,000 feet of spruce and fir lumber for the use of the British Army in the prosecution of the World War, and by reason of their action in directing the canceling of his contracts with the American mills for the production and shipment of said 6,000,000 feet of lumber. The Court of Claims shall hear, determine, and render judgment on the claim notwithstanding the executory character of such contracts and that there had been no delivery of title to claimant under his contracts with the American mills, and shall measure the losses and/or damages, if any, by the difference between what claimant would have received from the foreign purchasers on delivery of the lumber, free on board cars at the mills, and the amount he had agreed to pay the American mills free on board cars at mills.

(2) The Court of Claims in the adjudication of the said claim is authorized in its discretion to use, in addition to any evidence that may be offered in any suit which may be brought under this act, the pleadings and evidence in the case of *John L. Alcock & Co. v. The United States* (61 Ct. Cls. 312), and in the case of *John L. Alcock & Co. v. The United States* (No. J-567), decided April 4, 1932.

(3) Suit hereunder may be instituted at any time within 4 months after the approval of this act, notwithstanding lapse of time or any statute of limitations, and proceedings therein shall be had as in the case of claims over which such court has jurisdiction under section 145 of the Judicial Code, as amended.

Mr. COCHRAN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COCHRAN: Beginning on page 22, line 19, strike out all of title XIX.

Mr. COCHRAN. Mr. Speaker, I have followed this claim for a number of years and I know something about it. During the World War the Government was required, in order to protect itself and to protect its Allies, to take over the production of certain kinds of lumber in the Northwest. The claimant, Mr. Alcock, was a lumber broker in Baltimore. Time will not permit me to go into the case in detail which I would like to do. Suit was filed in the Court of Claims in 1923 and judgment was rendered in favor of the Government. Then the Congress, May 28, 1928, passed a resolution certifying the case to the Court of Claims. In the second case the plaintiff also made claim for \$195,230.62, based on anticipated profits, in addition to his original claim which was \$163,247.17. The Court of Claims rendered a decision in favor of the plaintiff for the \$163,247.17 claim with interest from 1918 to 1932, and Mr. Alcock collected that money. On the \$195,230.62 claim, which is involved in this resolution, the Court of Claims

denied his right to that amount. Mr. Alcock won one claim and lost the other.

Mr. KENNEDY of Maryland. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. In just a minute if I have time.

Now, mind you, this claim is based on anticipated profits; what he might have made had the Government not taken over the control of lumber which was absolutely necessary for the construction of airplanes. Without this lumber we could not have manufactured airplanes, nor could Great Britain and France.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. COCHRAN. I regret I cannot. I only have 5 minutes and I have something more to say.

The War Department has gone into this matter very, very fully. Let me read what the War Department says would happen if this resolution passed and judgment were given against the Government:

If the relief proposed in H. R. 7568 be granted, it is believed such action would constitute a precedent too dangerous to even contemplate, as it would open up untold tens of thousands of claims of a like nature, for the reason that during the war the Government not only requisitioned ships which were under contract and charter at the time of their requisition but undertook the control of wheat, sugar, coal, and other commodities of almost every nature, thereby rendering impossible the execution of previous contracts respecting these commodities, and took over steel mills, railroads, shipyards, telephone and telegraph lines, the capacity output of factories and other producing activities. If this bill should be enacted into law it is the opinion of this Department that it will inevitably result in a stampede and gold rush in the nature of claims upon the Government in comparison with which the Klondike gold rush would appear as a solo affair. If this bill should be passed it is difficult to understand why, in principle, every soldier who was drafted into the military service would not have an equally meritorious claim against the Government for a special act of Congress for relief to compensate him for the difference between his meager Army pay and the pay, salary, or earnings he was receiving in civil life. The consequences of such claims as that embodied in H. R. 7568 were stressed by the Supreme Court of the United States in the case of *Omnia Commercial Co., Inc., v. United States, supra*. On page 513 of the opinion the language is as follows:

"The Government took over during the war, railroads, steel mills, shipyards, telephone and telegraph lines, the capacity output of factories and other producing activities. If appellant's contention is sound the Government thereby took and became liable to pay for an appalling number of existing contracts for future service or delivery, the performance of which its action made impossible. This is inadmissible. Frustration and appropriation are essentially different things."

The War Department does not believe that Congress intends such legislation and therefore because of its unusual character, far-reaching effect, and inevitable consequences, it is recommended that the bill be not reported favorably.

Anticipated profits. Think of it. How about the enlisted man who had a good going business and was forced to go to France and while he was in France his business did not function because there was no one to operate it? How about his right to go before the Court of Claims on anticipated profits for what he might have made if he had not been required to go to France? In my opinion the soldier should have the prior right.

I say that this is a claim that does not deserve the consideration of this body because the court has already passed on it. The claimant has received over \$163,000 with interest on that amount from 1918 to 1932.

Mr. KENNEDY of Maryland. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. This is the gentleman's bill. He will get 5 minutes and he can answer my argument then. I need what little time I have remaining. If you will look at the report from the War Department you will see this resolution is so worded the Government will practically be divested of the right to properly present its case. Why should you tie the Government's hands as this resolution provides?

I appeal to this House to vote "aye" on my amendment. I know there are a number of Members in this House who think they have been supporting amendments by voting "nay," when the vote should have been "aye." If you want to defeat this claim, the vote is "aye." [Applause.]

[Here the gavel fell.]

Mr. KENNEDY of Maryland. Mr. Speaker, I rise in opposition to the amendment.

Of course, if the facts were as stated by my friend from Missouri, I would not have been the author of this bill, but the true facts are that while Alcock went into court, he went in for the sum of \$358,477.79. The court awarded him the sum of \$163,247.17. However, the court did not deny him the sum of \$195,230.62 on the basis of any facts or evidence produced in court. It was simply the ruling of the court that the court had no jurisdiction over that part of the claim which the \$195,230.62 represented, and for that reason they ruled that he was not entitled to relief under that bill. It is an entirely different case than stated by the gentleman from Missouri [Mr. COCHRAN]. It is not "anticipated profits" as such, notwithstanding the fact that the language in the court's findings says "anticipated profits." This man was engaged in the sale and exporting of spruce, fir, and other hardwoods from the United States to the United Kingdom and continental Europe. He secured a permit from the proper Government officials to enter into contracts and he did execute part of them. Before he could finish, however, the Government stepped in and commandeered this lumber that he had contracted sales for; so, instead of their being anticipated profits, they are actual profits, on contracts entered into with these people with whom he had dealt for many years in London and Europe, although he has never realized same. I contend, therefore, that this is purely a jurisdictional bill, only authorizing this plaintiff to go into court and establish his claim, if any, by evidence produced before the court.

Reference to war profits, or to our boys' being sacrificed overseas, or being denied their rights to earn, has no bearing whatever in this case. In my judgment, we should permit this man to go into court and there present the evidence he has to establish his case. It may be that he does not have a case; I am not prepared to say, I am not in position to render judgment, nor do I believe any other Member in this House is.

The decision of the Supreme Court cited by the gentleman from Missouri [Mr. COCHRAN] is one that would appear to work against this claim, but the existing law as established by the Supreme Court in the case of the International Paper Co., Inc., is just as strongly in favor of this claimant. I say, therefore, that it is unfair to permit someone in the War Department to write an opinion and to render a decision that the courts of the land should render. This is a matter that ought to be brought before the court and there thrashed out on its merits. We have sufficient confidence in the court to believe that if there is no merit in the case, no judgment will be awarded.

All that is being asked in this bill is to give this claimant his day in court. It is on all fours with a bill passed a short while ago this very day, to permit a claimant to go into court and have his case there heard on its merits in a fair and just manner.

Mr. HANCOCK. Mr. Speaker, will the gentleman yield?

Mr. KENNEDY of Maryland. I yield.

Mr. HANCOCK. I call the gentleman's attention to the fact that there is a very great difference, a distinct difference, between this jurisdictional bill and the one just passed. In the former case the court was directed to hear and determine the issues. In this bill the Government is stripped of every possible defense. In this case the Court of Claims, in effect, is directed to bring in a judgment against the United States for \$163,247 with interest for 22 years on a contract which the Court of Claims has found to be entirely invalid and nonexistent.

Mr. KENNEDY of Maryland. May I interrupt the gentleman to ask him to point out to me where the bill strips the Government of all defense?

Mr. HANCOCK. Page 23, line 11:

The Court of Claims shall hear, determine, and render judgment on the claim notwithstanding the executory character of such contracts and that there had been no delivery of title to claimant under his contracts with the American Mills, and shall measure the losses and/or damages, if any, by the difference between what claimant would have received from the foreign purchasers on delivery of the lumber.

The foreign purchasers had paid him nothing; he had paid the American Mills nothing. The lumber had not been cut; it was not in being. This amount is not an out-of-pocket amount. We are being asked now to direct the Court of Claims to pay an amount that he possibly could have made had everything gone well.

Mr. KENNEDY of Maryland. I disagree with the gentleman, of course, and I say that the language of the bill reads: "Loss, if any." From this we must infer that he would have to prove his loss first, if he had any loss at all. I may say to the gentleman that the evidence shows conclusively that the lumber was in being and would have been sawed and delivered to claimant except for the cancellation of his contracts by the War Department and the appropriation of such lumber to use of the Government. This merely goes to prove that we cannot here in 5 minutes determine these questions; that they ought to be sent to a court for consideration and examination.

[Here the gavel fell.]

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Missouri.

The question was taken; and on a division (demanded by Mr. COCHRAN) there were—ayes 70, noes 45.

Mr. KENNEDY of Maryland. Mr. Speaker, I object to the vote on the ground that a quorum is not present.

The SPEAKER pro tempore. Evidently there is not a quorum present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 184, nays 87, not voting 152, as follows:

[Roll No. 14]
YEAS—184

Alexander	Eaton	Jones, Tex.	Robison, Ky.
Allen, La.	Elston	Kean	Rockefeller
Allen, Pa.	Engel	Kee	Rodgers, Pa.
Andersen, H. Carl	Fenton	Keefe	Rogers, Mass.
Anderson, Calif.	Fish	Kilday	Rutherford
Andrews	Flannagan	Klinzer	Schaefer, Ill.
Arends	Ford, Miss.	Kitchens	Schaefer, Wis.
Arnold	Fulmer	Kleberg	Schiffler
Austin	Gamble	Kocalkowski	Schuetz
Ball	Garrett	Kunkel	Secombe
Barden	Gehrmann	LeCompte	Secrest
Barnes	Gerlach	Lesinski	Shafer, Mich.
Bates, Mass.	Gifford	Lewis, Colo.	Sheppard
Beckworth	Gillie	Lewis, Ohio	Simpson
Bender	Gore	Luce	Smith, Maine
Blackney	Graham	McAndrews	Smith, W. Va.
Boren	Grant, Ala.	McDowell	South
Brewster	Gross	McLeod	Sparkman
Brooks	Gwynne	McMillan, John L.	Springer
Bryson	Hall, Edwin A.	Mahon	Stefan
Bulwinkle	Hall, Leonard W.	Marshall	Sumner, Ill.
Burgin	Halleck	Martin, Ill.	Sutphin
Cannon, Mo.	Hancock	Martin, Iowa	Taber
Carlson	Harness	Mason	Talle
Carter	Harter, N. Y.	Massingale	Tarver
Case, S. Dak.	Harter, Ohio	May	Tenerowicz
Chaperfield	Hawks	Michener	Terry
Church	Hennings	Miller	Thill
Clason	Hess	Mills, La.	Thomas, Tex.
Cochran	Hoffman	Monkiewicz	Thomason
Coffee, Nebr.	Holmes	Monroney	Thorkelson
Cole, N. Y.	Hook	Moser	Tibbott
Collins	Horton	Mundt	Tinkham
Cooper	Houston	Murray	Vorvys, Ohio
Corbett	Hull	Norrell	Vreeland
Costello	Jenkins, Ohio	O'Brien	Wadsworth
Courtney	Jenks, N. H.	Osmer	Warren
Crawford	Jennings	Parsons	Weaver
Creal	Jensen	Pearson	West
Crosser	Johns	Poage	Wheat
Curtis	Johnson, Ill.	Polk	Whittington
Ditter	Johnson, Ind.	Powers	Wigglesworth
Dondero	Johnson, Luther	Rankin	Williams, Del.
Doxey	Johnson, Lyndon	Reed, Ill.	Williams, Mo.
Durham	Johnson, Okla.	Rich	Wolcott
Dworshak	Johnson, W. Va.	Robertson	Wolfenden, Pa.

NAYS—87

Angell	Claypool	Edmiston	Havener
Bates, Ky.	Coffee, Wash.	Ferguson	Healey
Bloom	Cole, Md.	Flaherty	Hendricks
Brown, Ga.	Cooley	Fries	Hill
Burdick	Cravens	Gathings	Hobbs
Byrne, N. Y.	Cullen	Gibbs	Hunter
Byrns, Tenn.	D'Alesandro	Gossett	Izac
Caldwell	Delaney	Gregory	Jacobsen
Camp	Dingell	Griffith	Jarman
Cannon, Fla.	Dunn	Guyer, Kans.	Jones, Ohio
Casey, Mass.	Eberharter	Harrington	Kefauver

Keller	Mills, Ark.	Ramspeck	Spence
Kennedy, Martin	Nichols	Richards	Tolan
Kennedy, Md.	Norton	Risk	Van Zandt
Keogh	O'Connor	Rogers, Okla.	Vincent, Ky.
Kerr	O'Leary	Ryan	Voorhis, Calif.
Lemke	O'Neal	Sacks	Wallgren
McKeough	Pace	Sandager	Walter
McLaughlin	Patrick	Sasscer	Welch
McMillan, Clara G.	Patton	Scruggam	Wheelchel
Maloney	Peterson, Ga.	Shannon	Wolverton, N. J.
Mansfield	Rabaut	Snyder	

NOT VOTING—152

Allen, Ill.	Dies	Kramer	Reed, N. Y.
Anderson, Mo.	Dirksen	Lambertson	Rees, Kans.
Andresen, A. H.	Disney	Landis	Robinson, Utah
Barry	Doughton	Lanham	Romjue
Barton	Douglas	Larrabee	Routzohn
Beam	Dowell	Lea	Sabath
Bell	Drewry	Leavy	Satterfield
Bland	Duncan	Ludlow	Schulte
Boehne	Elliott	McArdle	Schwert
Boland	Ellis	McCormack	Seger
Bolles	Englebright	McGehee	Shanley
Boykin	Evans	McGranery	Sheridan
Bradley, Mich.	Faddis	McLean	Short
Bradley, Pa.	Fay	Maas	Smith, Conn.
Brown, Ohio	Fernandez	Maciejewski	Smith, Ill.
Buck	Fitzpatrick	Magnuson	Smith, Ohio
Buckler, Minn.	Flannery	Marcantonio	Smith, Va.
Buckley, N. Y.	Folger	Martin, Mass.	Smith, Wash.
Burch	Ford, Leland M.	Merritt	Somers, N. Y.
Byron	Ford, Thomas F.	Mitchell	Starnes, Ala.
Cartwright	Gartner	Mott	Steagall
Celler	Gavagan	Mouton	Stearns, N. H.
Chapman	Gearhart	Murdock, Ariz.	Sullivan
Clark	Geyer, Calif.	Murdock, Utah	Summers, Tex.
Clevenger	Gilchrist	Myers	Sweeney
Cluett	Grant, Ind.	Nelson	Taylor
Colmer	Green	O'Day	Thomas, N. J.
Connery	Hare	Oliver	Treadway
Cox	Hart	O'Toole	Vinson, Ga.
Crowe	Hartley	Patman	Ward
Crowther	Hinshaw	Peterson, Fla.	White, Idaho
Culkin	Hope	Pfeifer	White, Ohio
Cummings	Jarrett	Pierce	Winter
Darden	Jeffries	Pittenger	Wood
Darrow	Kelly	Plumley	Woodruff, Mich.
Dempsey	Kennedy, Michael	Randolph	Woodrum, Va.
DeRouen	Kirwan	Rayburn	Youngdahl
Dickstein	Knutson	Reece, Tenn.	Zimmerman

So the amendment was agreed to.

The Clerk announced the following pairs:

Additional general pairs:

Mr. Dempsey with Mr. Treadway.
Mr. Boykin with Mr. Plumley.
Mr. Darden with Mr. Dirksen.
Mr. McCormack with Mr. Culkin.
Mr. McGehee with Mr. August H. Andresen.
Mrs. O'Day with Mr. Bolles.
Mr. Patman with Mr. Mott.
Mr. Pfeiffer with Mr. Cluett.
Mr. Wood with Mr. Gartner.
Mr. Cox with Mr. White of Ohio.
Mr. Chapman with Mr. Angell.
Mr. DeRouen with Mr. Crowe.
Mr. Dickstein with Mr. Connery.
Mr. Larrabee with Mr. Murdock of Arizona.
Mr. Schulte with Mr. Smith of Illinois.
Mr. Snyder with Mr. Ludlow.
Mr. Hart with Mr. Kirwan.
Mr. Leavy with Mr. Pierce.

Mr. MAY changed his vote from "nay" to "yea."

Mr. BATES of Kentucky changed his vote from "yea" to "nay."

The doors were opened.

The result of the vote was announced as above recorded.

The Clerk read as follows:

Title XX—(H. R. 5089. Conferring jurisdiction upon the Court of Claims of the United States to hear, examine, adjudicate, and render judgment on the claim of the legal representative of the estate of Rexford M. Smith.) By Mr. SASSCER

That jurisdiction is hereby conferred upon the Court of Claims of the United States, notwithstanding the lapse of time or the statute of limitations, to hear, examine, adjudicate, and render judgment under the act of June 25, 1910 (36 Stat. L., ch. 423, p. 851), as amended July 1, 1918, or any other enabling statute of the United States, on the claim of Charles A. M. Wells, as executor cum testamento annexo, under the last will and testament of Rexford M. Smith, deceased, or his successor, as the legal representative of the estate of said decedent, for the use of or the manufacture by or for the United States within the period of 6 years immediately preceding January 4, 1933, without license of the owner thereof or the lawful right to use or manufacture the same, of a certain invention of said Rexford M. Smith, deceased, described in or covered by Letters Patent No. 1,166,488, for aeroplane, issued by the Patent Office of the United States on January 4, 1916.

SEC. 2. That from any decision in any suit prosecuted under the authority of this act an appeal may be taken by either party as is provided for by law in other cases.

Mr. COSTELLO. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Beginning on page 24, line 10, strike out all of title XX.

Mr. COSTELLO. Mr. Speaker, the present bill is based upon the question of a patent right. The inventor of this patent has died and whatever benefit might accrue goes to his estate. The purpose of the section is to waive the statute of limitations for the benefit of this claimant. Under the law a person is entitled to recover under a patent for a period of 6 years prior to the date of filing suit. The action on this particular patent was filed on July 27, 1937; however, the patent expired on January 4, 1933, and under existing law the claimant would be entitled to recover on his patent for infringement during a period of 18 months from July 27, 1931, 6 years before the filing of the suit, up to January 4, 1933. The purpose of this bill is to waive the statute of limitations for the benefit of this one claimant and to allow the claimant to recover for a period of 6 years prior to the expiration of the patent.

No particular reason is offered to explain why this one claimant should be singled out and given preferential treatment. If the law is at fault, then the bill ought to provide for a change in the patent law, but as long as the patent laws provide for the period during which one can recover in connection with an infringement, then this claimant, like all others, should be treated in the same manner and we should not be called upon to change existing law.

The claimant alleges that she did not know of the infringement of the patent until this late date, but her failure to know about it is not the fault of the Government. If the Government was infringing on the patent it was the duty of the owner of that patent to be watchful and see whether the patent was being infringed, which the Navy Department disputes. We should not effect a waiver of the existing statute of limitations dealing with patent law unless there is some real justification. By so doing we will break down the laws that the Congress has established and for this reason I believe the title should be stricken from the bill.

[Here the gavel fell.]

Mr. SASSCER. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, the undisputed facts in reference to this claim are as follows: Mr. Rexford Smith, who formerly lived at College Park, in Prince Georges County, Md., was a pioneer in the aviation field and invented what is known as an invisible chassis or undercarriage, the purpose of which is to draw up the wheels during the flight of an airplane, thereby making for greater speed and less air resistance.

He patented this device, and shortly after it was patented he entered into negotiations with the Government of the United States for the purchase of his patent rights. These negotiations went on for several years. Mr. Smith died and his wife, the claimant here, after taking out letters of administration, again started negotiations with the Government. All of this is uncontroverted. The Government advised her that the matter had been referred to some appropriate commission, the name of which I do not now recall, for further investigation. While these negotiations were going on and while she was of the opinion that an instrumentality of the Government was investigating these patent rights for the purpose of determining whether or not the Government would purchase them, some years went on. While this was pending, the Government did use the patent rights, which is borne out by the report filed by the Senate committee which investigated this matter some years ago. I think the exact words used by that committee were that "This patent was of great value and importance to the Government," both in connection with its armed forces and also in connection with its postal service.

Mrs. Smith more or less dispelled the matter from her mind while the Government was keeping her patent in a suspended state of animation and time went on. The next thing she knew the patent had been infringed upon. A suit was filed and under her claim the Court of Claims, if it finds the facts justify it, can adjudicate the claim for a period of 18 months, as stated by the gentleman from California. The usual period is 6 years. This section, without in any way directing the Court of Claims in the matter, without in any way tying its hands, merely permits that court, if it finds that Mrs. Smith is entitled to relief, to adjudicate the matter for 6 years, as permitted by the statute, rather than for 18 months as permitted under the present circumstances.

The gentleman from California said that there is no particular reason for the passage of this legislation, and that seems to be the only objection made in all of the reports, in which it is stated there is no reason to make an exception. The justification is that Mrs. Smith, a widow, did not sleep on her rights but was unintentionally misled by the Government telling her that the use of the patent would be investigated and that she would be advised later. While she was waiting, the Government started using the patent, and I respectfully urge under this state of facts the bill should be passed.

Mr. COSTELLO. Will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from California.

Mr. COSTELLO. Is it not a fact that the Navy Department denies it ever infringed on the patent and that actually there will have to be proof offered that there was infringement? The Navy Department states that it did not infringe on the patent and that in itself would be one of the questions to be determined by the Court of Claims.

Mr. SASSCER. I think that is correct to a certain degree. The Navy, as I recall the report, admits that it was using a device somewhat similar to this, but does not admit it infringed this particular patent. The Court of Claims would be called upon to determine whether or not it did infringe.

[Here the gavel fell.]

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from California [Mr. COSTELLO].

The amendment was rejected.

The Clerk read as follows:

Title XXI—(S. 323. For the relief of E. C. Beaver, who suffered loss on account of the Lawton, Okla., fire, 1917)

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,502 to E. C. Beaver, as compensation in full for loss of property destroyed by the fire on September 24, 1917, in the city of Lawton, Okla., such loss having been the result of the inability of the fire department of the city of Lawton to control said fire because of lack of water, all available water for fire-fighting purposes having been appropriated and being used by the War Department in connection with the training of soldiers at Fort Sill and Camp Doniphan: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 25, line 16, after "C.", strike out "Beaver, as compensation in full" and insert "Beaver, of Tulsa, Okla., in full satisfaction of his claim against the United States."

Amend the title.

The committee amendment was agreed to.

Mr. HANCOCK. Mr. Speaker, I offer an amendment.

The amendment was read as follows:

Amendment offered by Mr. HANCOCK: On page 25, beginning in line 10, strike out all of title XXI.

Mr. HANCOCK. Mr. Speaker, the claimant under this title, E. C. Beaver, of Lawton, Okla., was the owner of a meat market or a grocery store in that city in 1918 that was destroyed by fire. He now asks the Congress to reimburse him for his loss.

His claim is that the city of Lawton was unable to obtain enough water to fight the fire when it broke out because of

the fact that a large part of the water supply of that city had been diverted to Camp Doniphan, which was located a few miles outside the city. The claimant contends that the Government was guilty of negligence in not having a water guard at that point to turn back promptly the camp supply into the city mains when fire broke out in the city of Lawton.

I have read this report very carefully, and the only evidence I can find as to the agreement between the city and the War Department is in the report of the Judge Advocate General, and in a letter from General Wright, in command of Camp Doniphan, to the City Council of the City of Lawton. The agreement under which they were working is summarized in the letter of General Wright. It is very brief, and I wish you would pay attention to it, because this is the heart of the whole controversy:

CITY COUNCIL,
City of Lawton, Okla.

GENTLEMEN: The following arrangements with respect to the water supply at Camp Doniphan and the city of Lawton has this day been agreed upon by the committee of the city council and the commanding general, Camp Doniphan:

The entire water supply of the present 16-inch pipe line is to be used for Camp Doniphan supply between the hours of 4 a. m. and 11 p. m.

The 16-inch pipe line is to be used by the city of Lawton between the hours of 11 p. m. and 4 a. m.

This arrangement is temporary and contingent upon the above water supply for Camp Doniphan being sufficient. Otherwise the entire capacity of the pipe line is to be at the service of Camp Doniphan exclusively.

This is the point I wish to emphasize:

In case of a fire in the city of Lawton the city water guard is to have authority to divert the entire capacity to the city during the emergency. In case of a fire in Camp Doniphan the water guard of the camp will have authority to divert the entire supply to the camp. This without reference to the hours at which the fire occurs.

W. M. WRIGHT,
Major General Commanding.

The letter states the understanding under which the people of the city of Lawton and the War Department were working. The original contract made no reference to the possibility of a fire or the establishment of water guards or anything of the sort. It merely provided that the city of Lawton should supply water to Camp Doniphan in adequate quantities, for certain compensation. General Wright's letter supplements and clarifies the original agreement.

I cannot see that the Federal Government is guilty of any misconduct or any neglect of duty whatever. The city of Lawton, under the agreement, had the authority to establish a water guard at the point where the city main and the main to Camp Doniphan came together, and to divert that entire supply to the city of Lawton in case of an emergency. The responsibility rested with the city and not with the Army.

It is claimed that three-quarters of an hour elapsed from the time the fire broke out until the fire chief of the city of Lawton could make contact with an officer at Camp Doniphan with authority to order the camp supply of water diverted to the city mains, but my contention is that the city was at fault, in the first place, for not having a water guard at that junction point, and, in the second place, in not sending the guard there immediately to turn that water back to the city when the fire broke out.

The Government did nothing whatever that was in the least bit lacking in its full duty toward the city of Lawton. The entire responsibility for the lack of water seems to me to be on the officials of the city of Lawton.

There is not very much involved in this case. I believe \$1,500. The man had a \$1,000 fire-insurance policy, on which he has recovered, and the balance of his loss he claims is \$1,500.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. HANCOCK. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. I notice on page 161 of the report that the bill was originally introduced in the amount of \$75,000 and many beneficiaries other than Mr. Beaver were involved.

Mr. HANCOCK. I ought to add that Congress a number of years ago passed a bill awarding similar claims to other claimants. This man was not included among the beneficiaries of that bill. I believe it was a mistake to pass that bill originally, and I would have opposed it had I been here performing this very unpleasant duty at that time. However, I do not believe that because we made a mistake at one time we have to repeat it, and I think Congress made a mistake when that bill was passed.

[Here the gavel fell.]

Mr. DISNEY. Mr. Speaker, I rise in opposition to the amendment.

As the gentleman from New York [Mr. HANCOCK] said a moment ago, this bill relates to the one man who was damaged who has not been paid. Many years ago \$75,000 was appropriated by this Congress to pay the other claimants.

If you will turn to page 65 of the report, you will find that the committee report makes reference to the matter of insurance. It states:

Because such buildings were of frame construction the insurance rates were exceptionally high, which explains the absence of insurance and also the damage done in so short a time.

Mr. Speaker, this is just another case of bureaucratic refusal to take responsibility, and this time it occurred in the War Department. The city did make this contract. The water came down from the mountains by gravity. No other serious fire ever happened at Lawton, because the amount of water and the gravity pressure was sufficient to take care of the situation.

Between the city and the mountains where the lake was located was a cut-off to the camp. On page 64 the committee report states:

The city of Lawton was to keep a water guard at a cut-off on said pipe line at the edge of said city to control the water in case of fire at Fort Sill, and the military authorities were to keep a water guard at the junction point where the water was diverted from the main pipe line to said Camp Doniphan to control the water supply in case of fire at Lawton, and as in such agreement provided.

Mr. HANCOCK. Mr. Speaker, will the gentleman yield?

Mr. DISNEY. I yield.

Mr. HANCOCK. Where can I find that agreement in the Record?

Mr. DISNEY. It is in the committee report, and that has always been my understanding; but let me now proceed. I did not interrupt the gentleman. I do not want to be discourteous, but my time is limited.

There was a cut-off between the city and the lake where the water supply came from, and that cut-off went to the camp. As I understand it, there was a cut-off at the city, and there was to be a guard at each place. Where the authority for that is I cannot turn to immediately, but that was the practical situation.

When the fire broke out, as you will see if you will turn to page 72 of the report, the people of the city put in three-quarters of an hour trying to get somebody out at the camp to assume authority for turning the cut-off to let all the water go to the city of Lawton. It was one of those circumstances where nobody at Camp Doniphan would assume the authority to do the thing that was necessary, and it seems undisputed about the amount of time that was put in on that effort. The committee concluded that in the event that much time had not been consumed in that way, the full pressure of that 16-inch main would have averted the damage done by the fire, and the fire could have been put out. Somebody out at Camp Doniphan headquarters simply refused to accept the responsibility for going out there and turning on the cut-off to give all the water to the city.

This is all that is involved here, and every honest effort was made by the people in Lawton by telephone and otherwise. They even dispatched a messenger to go out to the camp to try to get something done, but, still, the Army moving slowly, in the case of this fire, after its own written contract had been entered into with the city, took 45 minutes to turn the water into the regular main.

I do not know of anything more that I can say. I do not see any reason for punishing this particular man by having

him sustain a loss of \$1,500, just because nobody at Camp Doniphan would assume the responsibility of turning this cut-off. The city did all it could while the Army did not do all it properly should have done.

Mr. JOHNSON of Oklahoma. Mr. Speaker, will the gentleman yield to me?

Mr. DISNEY. I yield.

Mr. JOHNSON of Oklahoma. I may say that I am familiar with this entire situation. I introduced the first bill with respect to the Lawton fire. I do not know this particular claimant, and I do not know whether there was any delay in the matter or not—

Mr. DISNEY. Let me interrupt there to say that this man was away for 10 or 12 years and did not know what had been done. He filed his claim originally, but it was left out because they could not locate him at the time.

Mr. JOHNSON of Oklahoma. That answers that part of the inquiry. I do know that it is a very just claim. I have never seen a worthier claim than the Lawton fire claim. I am thoroughly familiar with the entire history of the matter and this House passed a bill a few years ago, without a dissenting vote, to give the other claimants their just relief.

Mr. DISNEY. This bill has passed the Senate twice.

[Here the gavel fell.]

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

The Clerk read as follows:

Title XXII—(S. 766. For the relief of the Missoula Brewing Co.)

That the Secretary of the Treasury is authorized and directed to pay to the Missoula Brewing Co., of Missoula, Mont., out of any money in the Treasury not otherwise appropriated, the sum of \$1,250, representing the amount paid for 10 fermented malt liquor stamps of the 25-barrel denomination which were lost in the mail prior to their receipt by the said company: *Provided*, That the Missoula Brewing Co. shall first file in the Treasury Department a bond in a penal sum of double the amount paid for such stamps, in such form and with such surety or sureties as may be acceptable to the Secretary of the Treasury, to indemnify and save harmless the United States from any loss on account of the stamps herein described: *Provided further*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 26, line 11, after the word "Treasury", strike out the word "is" and insert "be, and he is hereby"; and in line 14, after "\$1,250", strike out the words "representing the amount paid" and insert "in full settlement of all claims against the United States because of payments of said amount."

The committee amendments were agreed to.

Mr. COSTELLO. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Costello: Beginning on page 26, line 9, strike out all of title XXII.

Mr. COSTELLO. Mr. Speaker, this bill provides for the payment of \$1,250 to the Missoula Brewing Co. The company alleges a loss of 10 malt-liquor stamps through the mails.

The Members will observe that the committee report sets forth the postal regulations regarding the purchase of stamps through the mails, and it reads as follows:

Orders for stamps must be accompanied by cash, post-office money order, or certified check, and such stamps will be transmitted by ordinary mail, unless otherwise directed. If ordered to be forwarded by registered mail, money or postage stamps to pay the registry fee must also accompany the order. Stamps may also be forwarded by express at the expense of the taxpayer, but when transmitted by express, or by mail in any manner, it will be at the risk of the party ordering them. Government officers shall not be permitted to carry stamps from the collector's office to the brewer, nor shall Government officers at any other time have custody of uncanceled stamps.

The report states:

It appears, therefore, that the Missoula Brewing Co. had two direct and clear warnings that if the stamps were sent by ordinary mail it would be at its own risk. Notwithstanding those warnings, the company allowed the stamps to be sent to it by ordinary mail, with the result that stamps valued at \$1,250 have been lost.

The company sent in their request for the stamps. They failed to enclose any money to cover the cost of registration for the return of those stamps to the brewing company. It appears that the claimant company had two direct and clear warnings that if the stamps were sent by ordinary mail it would be at its own risk.

These stamps have no identifying mark and the fact that these stamps are used by someone else can never be determined, and therefore it would be of no value for the brewing company to put up a bond to indemnify the Government in the event the stamps should make their appearance. The stamps could not be identified if they did appear.

I also wish to call the attention of the Members of the House to the fact that less than 2 weeks ago we received a veto message, on a very similar bill, providing for reimbursement for stamps in the sum of \$2,500, and the President made this statement:

Unused documentary stamps in circulation, even though temporarily lost or misplaced, may, if found, be used to satisfy a stamp-tax liability; therefore, to refund money paid to collectors for temporarily lost or misplaced stamps would open the door to frauds upon the revenue. A knowledge of the denomination and serial number of such stamp would in itself afford no guaranty that they would not be later used by the finder or by some innocent purchaser.

In this case the stamps had the serial numbers on them. In the bill before us there were no identifying marks of any kind.

[Here the gavel fell.]

Mr. O'CONNOR. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, as I understand the facts delineated by the gentleman from California [Mr. COSTELLO] with reference to the veto message of the President, it had to do with stamps that were lost or misplaced in the office. I do not understand it had to do with stamps that had been placed in the United States mail by the Government to transport them to the place of intended use.

The gentleman from Montana, Congressman THORKELOSON, has given me a very clear statement of the facts. This bill has passed the Senate and received very careful consideration from the Committee on Claims, and that committee has reported the bill to the House with the recommendation that it do pass, with the committee amendments which have already been adopted.

The bill, as has been suggested, is for an amount to recompense the Missoula Brewing Co., which is engaged in the brewing business, in the sum of \$1,250. The company ordered the stamps from the Helena revenue office at Helena, Mont., in the sum of \$1,250, 10 stamps of \$125 each. They sent their check in payment thereof. There is not any question, there is not a scintilla of evidence to the contrary but what the United States Government received \$1,250 from the Missoula Brewing Co.

Then it is claimed by the United States Treasury Department these stamps were placed in the mail to be sent to Missoula to be used for the purpose of purchase. En route somehow these stamps were lost. In other words, the Missoula Brewing Co. never received the stamps, and as the revenue laws do not provide any method by which the company may be reimbursed, this bill is the only remedy that the brewing company has to recover the \$1,250 that it paid for the stamps.

There is not a scintilla of evidence in the record to show that these stamps were ever found or that they will ever be found or ever have been used. In addition to that, the United States Government is protected by a surety bond in the penal sum of double the amount claimed, namely, \$2,500, in the event the stamps are ever found and used to the Government's disadvantage.

Mr. ROBSON of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. ROBSON of Kentucky. How would the Government know whether or not those stamps had been found and used?

Mr. O'CONNOR. I am glad the gentleman brought that point out. There is a check-up in the manner in which the

business is conducted by the Missoula Brewing Co., and, in fact, all breweries.

First, the stamps are ordered from the deputy internal-revenue collector at Helena, Mont. The law requires that all Montana brewers, for instance, purchase tax-paid stamps from that office.

When the stamps are received by the breweries, entry must be immediately made on the books, describing the number and denomination of each stamp received, and those book entries must at all times correspond with a similar sales record kept by the deputy collector regarding sales to the breweries.

Third, monthly reports on all beer brewed, as well as all beer sold, are made.

Fourth, the beer run off from tanks to bottles passes through a Government meter, which is locked and sealed by the Government inspector, and the barrelage must correspond with the book entries of stamps purchased and with the deputy collector's record of stamp sales to us.

In other words, it would be utterly impossible for that brewery or any other brewery to receive those stamps and use them without the United States Government being apprised.

Mr. ROBSION of Kentucky. But my point is, if they got out and somebody else got them in some other State, could they be used?

Mr. O'CONNOR. They have a record of the sale of these stamps. They have serial numbers. If those stamps were used by any other brewery, to the detriment of the United States Government, the Government is protected in this bond that I spoke of in the penal sum of \$2,500, which was filed pursuant to the terms of the bill.

Fifth, Form 139, Internal Revenue Service, revised June 1935, must be made and filed on transfer of beer from brewery to bottling rooms, and actual stamps canceled, attached thereto, are taken up by Government inspectors at frequent intervals, usually once or twice a month, and these reports must likewise correspond with our records of stamps purchased and the collector's record of stamp sales to us.

I hope the amendment will be rejected.

[Here the gavel fell.]

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from California [Mr. COSTELLO].

The amendment was rejected.

Mr. COSTELLO. Mr. Speaker, I offer another amendment. The Clerk read, as follows:

Amendment offered by Mr. COSTELLO: On page 26, line 18, after the words "denomination which", strike out the word "were" and insert in lieu thereof "are alleged to have been."

Mr. COSTELLO. Mr. Speaker, my purpose in offering this amendment is simply to clarify some language. The bill states that the stamps were lost in the mail. I am simply making it an allegation that they are alleged to have been lost in the mail, in view of the fact that they might not have been lost in the mail.

Mr. O'CONNOR. Mr. Speaker, I rise in opposition to the amendment. I suggest, in opposition to the amendment—and it is really not important—that these stamps were lost in the mail, and there is no evidence to the contrary. I think that the language of the bill is sufficiently explicit.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from California.

The amendment was rejected.

For the relief of the legal guardian of Roy D. Cook, a minor. The Clerk read as follows:

Title XXIII—(S. 1157. For the relief of the legal guardian of Roy D. Cook, a minor)

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Roy D. Cook, a minor, the sum of \$2,500, in full settlement of all claims against the United States for injuries suffered in an accident caused by the falling of a large United States mail box at Thirty-ninth and Hazelfern Place, in Portland, Oreg., on or about January 12, 1935: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding.

Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 27, line 20, strike out "the sum of \$2,500" and insert in lieu thereof "of Portland, Oreg., the sum of \$1,000."

Page 28, beginning in line 5, after the word "*Provided*", strike out all down to and including the figure "\$1,000", in line 17, and insert in lieu thereof the following: "That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

Mr. HANCOCK. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HANCOCK: Page 25, line 15, strike out all of title XXIII.

Mr. HANCOCK. Mr. Speaker, I think the House is weary of the Private Calendar; I know I am. This is the last item, and I will be very brief in explaining why I object to it. I think I can best do this by reading a paragraph from the report of the Postmaster General on this case:

The evidence disclosed in the investigation of this case showed that the injured boy was roller skating down an incline and going at a rapid speed as he approached a corner. As the boy got to the corner he noticed a car coming, and he deliberately steered into a storage mail box in order to break his speed. As he grasped hold of the box his feet shot out from under him and he pulled the box over on top of him. The investigation further disclosed that roller skating on the sidewalks of Portland is prohibited by local law. Mr. Floyd D. Cook, father of the injured boy, presented a claim against the Department under the provisions of 5 United States Code 392, as amended, which, after careful consideration, it was found necessary to disallow on the ground that the evidence did not establish that responsibility rested with the Government.

That is the whole story. This 8-year-old boy was roller skating on a sidewalk down hill when he saw an automobile coming into the intersecting street. He had either to fall down, crash into a tree, hit the automobile, or grab this mail box. He chose to run into the mail box. It fell over, and he was injured. The poor little fellow was in a tight spot, and he was bound to get hurt; but I cannot see that the Government is at fault in any way.

The only alleged neglect or failure is that the Government should have anchored that mail box to the ground or bolted it to the sidewalk and failed to do so. If that had been done the little boy would have been even more grievously injured than he was, he might have had his skull cracked. As it was, the impact of his little body knocked the box over and he was injured, but there was no way of escaping an injury in his predicament.

I am not going to take any more time on this—you are the jury. The question is, Was the Government negligent in having the mail box at that point, at the intersection of two streets, and failing to anchor it to the sidewalk?

Mr. COSTELLO. Mr. Speaker, will the gentleman yield?

Mr. HANCOCK. I yield.

Mr. COSTELLO. I merely wish to call the gentleman's attention to the fact that while the amount of this particular individual claim amounts to only \$1,000, actually the total amount involved in this one omnibus bill is \$2,417,311.25. Two bills, however, have been stricken from this omnibus bill and as a result the amount of \$1,395,230.62 has been stricken from the bill. There still remains, however, a minimum of \$1,022,080.63. I mention these figures merely to bring to the attention of the House how these bills climb up to sizable figures when a few of them are added together, even though some of the individual bills may be as small as \$1,000.

Mr. HANCOCK. Many small items added together make a substantial total. The gentleman from California and those of us who watch this Private Calendar do our utmost to hold the totals down. We are usually defeated, but we accept that with good grace. We are merely trying to call attention to what we think are the weaknesses of these private bills. We leave the decision, of course, entirely to your good judgment.

Mr. ANGELL. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, this boy was 8 years old, and of course this heavy mail box in a tilting position ready to fall was an attractive nuisance. It was a large mail box, not one of these small mail boxes, but one of the type that weighs between 120 and 300 pounds. It was provided with four legs and provision was made in the bottom of the legs for bolting it down so it could be made stationary and not slide or tip over. It was placed in a residential district of the city of Portland. This little lad 8 years old was playing on the sidewalk, not in the street. Accidentally he bumped into this mail box and it tipped over on top of him. Because it was resting on sloping ground, not level, it did not take very much to tip it over. It was so unstable that when his little body was pushed against it it fell over, fell on top of him, and very nearly killed him. Here is what the committee found his injuries were:

1. Broke out four upper teeth.
2. Remainder of teeth in upper jaw loosened.
3. Fractured right upper jaw.
4. Dislocated right jaw.
5. Fractured chin.
6. Cut in chin requiring five stitches.
7. Cut in lower lip on right side, requiring five additional stitches.
8. Fractured lower jaw on left side.
9. Many other bruises about head, face, and body.

The committee also found that the doctors' and hospital bills amounted to practically \$1,000, which is the amount our committee is recommending, although the bill passed the Senate twice for \$2,500.

Unquestionably a lawyer will recognize that the Government was liable in placing a large, heavy box of that sort in such an unstable position in a residential district, where children played on the sidewalk. It was placed in a leaning position with two legs on the cement sidewalk and two legs in soft ground in the parking strip, so that it took very little to tip it over.

Mr. EBERHARTER. Will the gentleman yield?

Mr. ANGELL. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. In the State of Oregon, where this accident occurred, this boy would not be guilty of contributory negligence, would he?

Mr. ANGELL. No; not in the least. He would be allowed to recover if this were a private individual and not the Government, who was negligent, in my judgment.

Mr. HANCOCK. Will the gentleman yield?

Mr. ANGELL. I yield to the gentleman from New York.

Mr. HANCOCK. The gentleman stated the box was tilted in a dangerous position. I would like to call attention to the extent it was tilted. The top of the box was 1½ inches farther toward the curbstone than the base of the box, which is not a very severe angle.

Mr. ANGELL. In answer to the gentleman's statement, may I say that the Post Office Department itself acknowledged the fact that the box was in a tilting position. Here is what the only eyewitness to the accident testified:

That said storage mail box was so placed that it was standing in a tilting and sloping position toward Thirty-ninth Avenue and was imminently dangerous in itself. That said storage mail box was not fastened, notwithstanding the fact that screw holes are provided in each of the four legs. * * * That said Roy D. Cook was not "going at a rapid speed as he approached the corner," but was going at an ordinary and/or slow rate of speed. That said Roy D. Cook did not deliberately steer into the storage mail box in order to avoid a car. That said Roy D. Cook did not grasp hold of the storage mail box deliberately but accidentally. That the said mail box was placed in a place imminently dangerous and on uneven terrain. That said storage mail box is exceedingly heavy and weighs from 120 to 300 pounds. That said Roy D. Cook was 8 years of age and was not old enough to appreciate the danger of said attractive nuisance.

If the Federal Government wants to take the position that notwithstanding through its negligence this boy all but lost his life and is permanently disfigured, it can escape responsibility, good and well. I hope my Government is more just than that.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. ANGELL. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. I notice on page 178 the Acting Postmaster General states that when the boy grasped hold of the box his feet shot out from under him and he pulled the

box over on top of him. That is absolutely contrary to the statement of the opposition, because if the box had been anchored as it should have been, when the boy grabbed hold of it, instead of the box going over on top of him, the boy would not have been injured at all.

Mr. ANGELL. There was only one adult eyewitness to the accident and he has stated the facts as I have already stated them. The Post Office Department admits the heavy box was in a tilting position and ready to tip over, which it did when the boy bumped against it.

[Here the gavel fell.]

The SPEAKER. The question is on the amendment offered by the gentleman from New York [Mr. HANCOCK].

The amendment was rejected.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill. The bill was passed.

A motion to reconsider was laid on the table.

The SPEAKER. Without objection, the various titles to the bill, as amended, will be amended.

There was no objection.

EXTENSION OF REMARKS

Mr. FULMER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to insert an address delivered by ex-Congressman Leiber.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina [Mr. FULMER]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Maryland [Mr. KENNEDY]?

There was no objection.

Mr. KENNEDY of Maryland. Mr. Speaker, I want to thank the membership of the House for their consideration of the various items in the omnibus claims bill just passed. I call the attention of the Members to the fact that these bills are carefully scrutinized by the Committee on Claims. We go into these matters very carefully and every Member of that Committee has the interest of the Government at heart just as well as any other Member of the House. It is unfortunate indeed that after the committee labors many, many hours on these bills, reading through voluminous files and written evidence, and then brings them in for consideration, some Member who goes over the report very casually, picks out some specific sentence and makes that the basis of an objection. To show how misleading these statements can be, the gentleman from California [Mr. COSTELLO] just called attention to the fact that this bill originally carried some \$2,000,000, and that a little over a million dollars was stricken from the bill. This bill as actually passed carries an appropriation of less than \$50,000. Of course, if you include in the bill the contemplated amounts involved in jurisdictional matters, it will result in a different amount. One of these bills has in it an amount of approximately \$800,000. However, that is a matter for the Court of Claims to determine. It has to find whether that is the correct amount to which the claimant is entitled, if anything. It is misleading to point out to the Members that the House has just passed a bill providing for appropriations of over a million dollars when, as a matter of fact, the actual amount of money appropriated in the 20 items favorably acted upon totals \$47,796.05. [Applause.]

EXTENSION OF REMARKS

Mr. COLLINS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to insert in connection therewith a letter from Vilhjalmur Stefansson on the superiority of the clothing worn by the Finns over that worn by the Russians.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. COLLINS]?

There was no objection.

Mr. WALTER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from a Philadelphia paper.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. WALTER]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent that on tomorrow at the close of the legislative program in order for the day I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

EXTENSION OF REMARKS

Mr. HILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein speeches made by Messrs. Warden and Hagie with reference to the sugar problem.

The SPEAKER. Is there objection to the request of the gentleman from Washington [Mr. HILL]?

There was no objection.

COMMITTEE ON MILITARY AFFAIRS

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the Committee on Military Affairs or any subcommittee thereof may be permitted to sit during sessions of the House throughout the balance of the week.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

MEETING OF WAR VETERANS IN CONGRESS

Mr. MAAS. Mr. Speaker, I ask unanimous consent to address the House for 30 seconds in order to make an announcement.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MAAS. Mr. Speaker, on Wednesday morning at 11 o'clock in the room of the Committee on World War Veterans' Legislation will be held a meeting of all veterans in Congress of any war. It is quite important that all of you be there for the election of officers.

EXTENSION OF REMARKS

Mr. SECCOMBE. Mr. Speaker, in my remarks this morning commemorating the birth of William McKinley, I obtained permission to insert certain material. I find this matter may consume a little more than the permissible space in the CONGRESSIONAL RECORD. I ask unanimous consent that notwithstanding this fact I may be permitted to include this material in my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SCHIFFLER asked and was given permission to extend his own remarks in the RECORD.

Mr. JACOBSEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and include therein some information received from the Public Works Administration pertaining to hospitals.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. EDMISTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and include therein an address delivered by my constituent, The Assistant Secretary of War, Hon. Louis Johnson, on Lessons From Finland.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. McLEOD. Mr. Speaker, last Thursday evening I spoke at the Olympia before the Detroit Committee for Law and Order, and had the pleasure of introducing my colleague, the gentleman from Illinois, NOAH M. MASON. I ask unani-

mous consent to extend my own remarks in the RECORD, and include therein the address of the gentleman from Illinois.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

STEAMSHIP "CITY OF FLINT"

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD by including a statement by Captain Gainard, of the *City of Flint*, appearing in yesterday's Washington Evening Star.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, for more than 300 years the Commonwealth of Massachusetts has had reason to be proud of her seafaring men and of the masters who have commanded vessels in the merchant marine and Navy.

Today the old Bay State can point with pride again to the accomplishments of her sailors. On Saturday, at Baltimore, the *City of Flint* ended a voyage which may well be termed a "saga of the seas." The events experienced by the master and the crew of this freighter read like a best-selling adventure story worthy the pen of a Joseph Conrad.

I am especially proud of the fine record made by the ship because two of its officers are residents of my congressional district. Capt. Joseph A. Gainard, the master of the ship, lives in the city of Melrose, Mass., while Assistant Engineer Harry Thistle is a resident of Lowell.

We all owe these men a tremendous debt of gratitude for the manner in which they conducted themselves during dramatic and trying days, thousands of miles away from home, when decisions had to be made upon one's own responsibility—and they were decisions upon which depended to a greater extent than most of us realize the national safety of our Government.

To Captain Gainard should go especial thanks for the manner in which he conducted himself, for the control he exercised over his crew, and for the good old Yankee common sense he used in dealing with situations fraught with danger not only to himself and his crew but to the diplomatic safety of his country, danger which many perhaps cannot imagine.

No master of recent years has had to face such trying difficulties as he; none has been called upon to make such tremendous decisions without outside aid or advice, and I think you will agree with me that no one could have done it better.

I shall not attempt to recite the adventures of the master and the crew of the *City of Flint*. The story is known to most of you. However, Captain Gainard has told me some of the trying details, and in telling of them he is loud in praise of his officers and crew for the manner in which they performed their duties and for their courage in the face of adversity and danger. There were times when it was exceedingly difficult for them to restrain themselves, to keep from retaking the ship from the Germans. As Captain Gainard said:

There would have been real trouble at any time I wanted it. My crew was ready to go or to stop, as I gave the word.

He knew that resistance would give the Germans the right to keep the ship and the crew, and that such an act would peril every other American ship the Germans might encounter in the future. He impressed upon his men the necessity of conducting themselves so as to stay within the rules and let the United States Government take care of things later.

In speaking of his experiences in Norway, after the ship had been released from its German captors, Captain Gainard gave high praise to the United States Minister, Florence Jaffray Harriman, saying that she had demonstrated fully her ability in a diplomatic post.

Through all of his dangerous and trying experiences Captain Gainard had the full support and encouragement of his wife, who at the moment hears my words of appreciation of her husband. She came from their Melrose home to Baltimore on Saturday to greet him. She is justly proud of the Captain's fine record. She is a charming, unassuming gentlewoman and teacher who must be very proud of her husband's splendid accomplishment. We all join her in gratitude and thanksgiving that her gallant husband is back on American soil and spared to the United States we hope for many years of distinguished service for his country.

What a wonderful, fine example of service Captain Gainard has set for the youth of the country. He is especially fond of boys and is a tremendous inspiration to them. I thank God for men of the caliber of Captain Gainard. [Applause.]

[Here the gavel fell.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. PITTENGER (at the request of Mr. KUNKEL), for today and tomorrow, on account of illness.

To Mr. LANHAM (at the request of Mr. LUTHER A. JOHNSON), for today, on account of illness.

To Mr. SATTERFIELD (at the request of Mr. BLAND), on account of illness in his family.

ADJOURNMENT

Mr. COSTELLO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 33 minutes, p. m.) the House adjourned until tomorrow, Tuesday, January 30, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON NAVAL AFFAIRS

There will be a hearing Tuesday, January 30, 1940, at 10 a. m., before the Committee on Naval Affairs on H. R. 8026, to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matters named:

Tuesday, January 30, 1940:

The following hearing was at first scheduled for Friday, January 5, but was later postponed until Thursday, January 25, 1940. Now it has been postponed again, this time being Tuesday, January 30, 1940, at 10 a. m.

H. R. 7357, to amend section 4472 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 465), to provide for the safe carriage of explosives or other dangerous or semidangerous articles or substances on board vessels; to make more effective the provisions of the International Convention for Safety of Life at Sea, 1929, relating to the carriage of dangerous goods; and for other purposes.

Tuesday, February 6, 1940:

H. R. 7527, to make effective the provisions of the Minimum Age (sea) Convention (revised), 1936, and for other purposes.

Wednesday, February 7, 1940:

Hearings will be continued Wednesday, February 7, 1940, at 10 a. m., on H. R. 6130, to provide for mandatory or compulsory inspection and permissive or voluntary grading of fish, fishery products, fishery byproducts, shellfish, crustacea, seaweeds, and all other aquatic forms of animal and vegetable life, and the products and byproducts thereof, and for other purposes.

Tuesday, February 13, 1940:

H. R. 1780, to amend section 7 of the act of June 19, 1886, as amended (U. S. C., 1934 ed., Supp. III, title 46, sec. 319), relative to penalties on certain undocumented vessels and cargoes engaging in the coastwise trade or the fisheries, and for other purposes.

H. R. 5837, to amend section 221 of the Shipping Act, barring certain aliens from participating in the benefits thereof.

H. R. 6770, to amend Revised Statutes 4311 (U. S. C. 251).

H. R. 7694, to amend section 4311 of the Revised Statutes of the United States.

Tuesday, February 20, 1940:

H. R. 4079, to amend sections 4353 and 4355 of the Revised Statutes of the United States.

H. R. 6751, to repeal certain laws with respect to manifests and vessel permits.

H. R. 5788, to amend the present law relating to the delivery of ships' manifests to collector of customs by excluding Sundays and holidays from the time within which such delivery may be made by the master.

H. R. 5789, to amend the present law relating to the delivery of ships' manifests to collectors of customs by excluding Sundays and holidays from the time within which such delivery may be made by the master.

Friday, February 23, 1940:

H. R. 7639, to provide for the examination of civilian nautical schools and for the inspection of vessels used in connection therewith, and for other purposes.

COMMITTEE ON FOREIGN AFFAIRS

There will be a hearing Tuesday, January 30, 1940, at 10:30 a. m., before the Committee on Foreign Affairs on House Joint Resolution 412, House Joint Resolution 430, and House Joint Resolution 436, for the relief of the distressed and starving women and children of Poland, and for other purposes.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization Wednesday, January 31, 1940, at 10:30 a. m. In re H. R. 7110 (LESINSKI), naturalization of certain natives of India.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings in the committee room, 247 House Office Building, at 10 a. m., on the following dates on the matters named:

MEDAL OF HONOR PENSIONS

Thursday, February 1, 1940:

H. R. 3385. A bill to liberalize the provisions of the Medal of Honor Roll Act of April 27, 1916.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Hearings will begin Monday, February 5, 1940, at 10 a. m., before the Petroleum Subcommittee of the Committee on Interstate and Foreign Commerce. State regulatory bodies will be heard first.

COMMITTEE ON THE JUDICIARY

On Wednesday, February 14, 1940, at 10 a. m., there will be a hearing before the Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary on the bill (H. R. 8016) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto (municipal compositions). The hearing will be held in room 346, House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1306. A letter from the Secretary of the Navy, transmitting the draft of a proposed bill to authorize the Secretary of the Navy to sell equipment and supplies to and perform work for the Commonwealth of the Philippine Islands; to the Committee on Naval Affairs.

1307. A letter from the Administrator, Veterans' Administration, transmitting the draft of a proposed bill to amend the Civil Service Retirement Act and other retirement acts; to the Committee on the Civil Service.

1308. A letter from the Acting Secretary of the Interior, transmitting an order canceling certain charges pursuant to the act of July 1, 1932 (47 Stat. 564); to the Committee on Indian Affairs.

1309. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 11, 1940, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Whittings Creek, Middlesex County, Va.,

authorized by the River and Harbor Act approved August 26, 1937 (H. Doc. No. 582); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

1310. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Commerce, Bureau of the Census, for the fiscal year 1940, amounting to \$5,125,000, to remain available until June 30, 1941 (H. Doc. No. 583); to the Committee on Appropriations and ordered to be printed.

1311. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to the appropriation for the Work Projects Administration, Federal Works Agency, for the fiscal year 1940 (H. Doc. No. 584); to the Committee on Appropriations and ordered to be printed.

1312. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the District of Columbia for the fiscal year 1940, in the amount of \$169,420 (H. Doc. No. 585); to the Committee on Appropriations and ordered to be printed.

1313. A communication from the President of the United States, transmitting a deficiency estimate of appropriation for the fiscal year 1939 in the sum of \$86,154, and supplemental estimates of appropriations for the fiscal year 1940 in the sum of \$139,375, amounting in all to \$225,529, together with two drafts of proposed provisions affecting existing appropriations for the Department of Justice (H. Doc. No. 586); to the Committee on Appropriations and ordered to be printed.

1314. A communication from the President of the United States, transmitting an estimate of appropriation of \$400,000 for the Post Office Department, supplementary to the amount of the estimate of \$15,674,149 for foreign air mail transportation contained in the Budget for 1941 (H. Doc. No. 588); to the Committee on Appropriations and ordered to be printed.

1315. A communication from the President of the United States, transmitting a supplemental estimate of appropriation of \$2,550 for salaries, Bureau of Accounts, Post Office Department, for the fiscal year 1940 (H. Doc. No. 589); to the Committee on Appropriations and ordered to be printed.

1316. A communication from the President of the United States, transmitting a deficiency estimate of appropriation for the Department of Labor for the fiscal year 1939 amounting to \$5,192 (H. Doc. No. 590); to the Committee on Appropriations and ordered to be printed.

1317. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Department of the Interior for the fiscal year 1940 amounting to \$16,017,000, together with draft of a proposed provision pertaining to the appropriations for the Alaska Railroad, 1939 (H. Doc. No. 591); to the Committee on Appropriations and ordered to be printed.

1318. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to an existing appropriation for the National Labor Relations Board for the fiscal year 1940 (H. Doc. No. 592); to the Committee on Appropriations and ordered to be printed.

1319. A communication from the President of the United States, transmitting two drafts of proposed provisions pertaining to existing appropriations for the National Mediation Board for the fiscal year 1940 (H. Doc. No. 593); to the Committee on Appropriations and ordered to be printed.

1320. A communication from the President of the United States, transmitting three supplemental estimates of appropriation for the fiscal year 1940, for the Department of Agriculture, totaling \$6,565,000 (H. Doc. No. 594); to the Committee on Appropriations and ordered to be printed.

1321. A communication from the President of the United States transmitting a supplemental estimate of appropriation for salaries and administrative expenses of the Export-Import Bank of Washington, fiscal year 1940, amounting to \$10,000 (H. Doc. No. 595); to the Committee on Appropriations and ordered to be printed.

1322. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Treasury Department for the fiscal year 1940, amounting to \$886,500, together with the draft of proposed provision pertaining to the appropriation "General expenses, Light-

house Service, Coast Guard" (H. Doc. No. 596); to the Committee on Appropriations and ordered to be printed.

1323. A communication from the President of the United States, transmitting a draft of a proposed provision to amend an existing appropriation for the Employees' Compensation Commission, amounting to \$1,500,000, for the fiscal year 1940 (H. Doc. No. 597); to the Committee on Appropriations and ordered to be printed.

1324. A communication from the President of the United States, transmitting an estimate of appropriation for the Galipolis Sesquicentennial Commission, amounting to \$10,000, for the fiscal year 1940, to remain available until December 31, 1940 (H. Doc. No. 598); to the Committee on Appropriations and ordered to be printed.

1325. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the War Department for the fiscal year 1940, amounting to \$2,000,000, for the maintenance and improvement of river and harbor works, required in connection with the improvement of San Diego Harbor, Calif. (H. Doc. No. 599); to the Committee on Appropriations and ordered to be printed.

1326. A communication from the President of the United States, transmitting two supplemental estimates of appropriation for the Panama Canal, for the fiscal year 1940, to remain available until expended, amounting to \$233,500, as supplemental and in addition to the amounts contained under the same heads in the Budget for the fiscal year ending June 30, 1940 (H. Doc. No. 587); to the Committee on Appropriations and ordered to be printed.

1327. A communication from the President of the United States, transmitting five supplemental estimates of appropriations for the Department of State, for the fiscal year 1940, amounting to \$617,690, and a draft of a proposed provision pertaining to the appropriation "Salaries, Ambassadors, and Ministers," of that Department (H. Doc. No. 600); to the Committee on Appropriations and ordered to be printed.

1328. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of State, for the fiscal year 1940, amounting to \$500,000 (H. Doc. No. 601); to the Committee on Appropriations and ordered to be printed.

1329. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 11, 1940, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of Beresford Creek, S. C., from Cooper River to Bridge Farm wharves, authorized by the River and Harbor Act approved August 26, 1937 (H. Doc. No. 602); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

1330. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 11, 1940, submitting a report, together with accompanying papers and illustrations, on reexamination of St. Johns River, Fla., from Jacksonville to Lake Harney, requested by resolutions of the Committee on Rivers and Harbors, House of Representatives, adopted March 6, 1939, and the Committee on Commerce, United States Senate, adopted March 20, 1926 (H. Doc. No. 603); to the Committee on Rivers and Harbors and ordered to be printed, with three illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII.

Mr. COCHRAN: Committee on Expenditures in the Executive Departments. H. R. 8151. A bill to provide travel expenses of civilian officers and employees upon official change of station; without amendment (Rept. No. 1534). Referred to the Committee of the Whole House on the state of the Union.

Mr. COCHRAN: Committee on Expenditures in the Executive Departments. H. R. 8152. A bill providing for procurements without advertising; without amendment (Rept. No. 1535). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on Merchant Marine and Fisheries. H. R. 7863. A bill to amend section 602 (e) of the

Communications Act of 1934, as amended, relating to a study of radio requirements for ships navigating the Great Lakes and inland waters of the United States; without amendment (Rept. No. 1536). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on Merchant Marine and Fisheries. House Joint Resolution 424. Joint resolution to authorize the United States Maritime Commission to acquire certain lands at St. Petersburg, Fla.; without amendment (Rept. No. 1537). Referred to the Committee of the Whole House on the state of the Union.

Mr. JONES of Texas: Committee on Agriculture. H. R. 7878. A bill to amend the crop-loan law relating to the lien imposed thereunder, and for other purposes; without amendment (Rept. No. 1538). Referred to the Committee of the Whole House on the state of the Union.

Mr. KELLER: Committee on the Library. House Joint Resolution 385. Joint resolution establishing a Greenville Memorial Commission to formulate plans for the construction of a memorial building to commemorate the Treaty of Greenville at Greenville, Ohio; with amendment (Rept. No. 1539). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 8169. A bill to provide for an examination and survey of Farnham Creek, Richmond County, Va.; to the Committee on Rivers and Harbors.

H. R. 8170. A bill to amend the Canal Zone Code; to the Committee on Merchant Marine and Fisheries.

By Mr. BURCH:

H. R. 8171. A bill to require the filling of all vacancies in the position of assistant postmaster in first- and second-class post offices; to the Committee on the Post Office and Post Roads.

By Mr. DIMOND:

H. R. 8172. A bill to amend section 5 of the act of Congress approved June 26, 1906, relative to the Alaska salmon fishery; to the Committee on Merchant Marine and Fisheries.

H. R. 8173. A bill to increase the pay of certain post-office employees in the Territory of Alaska; to the Committee on the Post Office and Post Roads.

By Mr. HENDRICKS:

H. R. 8174. A bill granting to employees in the Postal Service employed on a 40-hour 5-day-week basis additional time off in cases where a holiday falls on Saturday; to the Committee on the Post Office and Post Roads.

By Mr. KERR:

H. R. 8175. A bill to prohibit the exportation of tobacco seed and plants, except for experimental purposes; to the Committee on Agriculture.

By Mr. PEARSON:

H. R. 8176. A bill relating to sales and contracts to sell in interstate and foreign commerce, and to be cited as Federal Sales Act; to the Committee on Interstate and Foreign Commerce.

By Mr. PETERSON of Florida:

H. R. 8177. A bill to provide that a veteran's compensation, pension, or retirement pay shall not be reduced during his hospitalization or domiciliary care; to the Committee on World War Veterans' Legislation.

By Mr. SACKS:

H. R. 8178. A bill to promote opportunities for employment by assisting the States in the construction of self-liquidating public works; to the Committee on Appropriations.

By Mr. SCRUGHAM:

H. R. 8179. A bill relating to mining, and providing for small loans by the Reconstruction Finance Corporation to facilitate the development and production of metals and minerals; to the Committee on Banking and Currency.

By Mr. SHEPPARD:

H. R. 8180. A bill to require that not less than 75 percent of the crew of any fishing vessel of the United States be citizens of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. HAVENNER:

H. R. 8181. A bill to grant retirement benefits to Chinese, Japanese, and Hindu interpreters in the United States Immigration and Naturalization Service; to the Committee on the Civil Service.

By Mr. HOPE:

H. R. 8182. A bill to extend for 2 additional years the 3½ percent interest rate on certain Federal land-bank loans, and to provide for a 4 percent interest rate on land-bank-commissioner's loans until July 1, 1942; to the Committee on Agriculture.

By Mr. O'TOOLE:

H. R. 8183. A bill to protect borrowers and mortgagors under loans or mortgages insured pursuant to the National Housing Act against faulty workmanship or defective materials in the construction or alteration of homes; to the Committee on Banking and Currency.

By Mr. KRAMER:

H. J. Res. 444. Joint resolution creating a joint committee to arrange for the celebration of the sesquicentennial anniversary of the signing of the first United States patent law; to the Committee on the Library.

By Mr. SMITH of Virginia:

H. J. Res. 445. Joint resolution to establish a commission for the celebration of the two hundredth anniversary of the birth of Thomas Jefferson; to the Committee on the Library.

By Mr. BLAND:

H. Con Res. 42. Concurrent Resolution establishing a commission to be known as the First American Legislative Assembly Commission; to the Committee on the Library.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM:

H. R. 8184. A bill for the relief of Gussie Hart and Louis Hart; to the Committee on Claims.

By Mr. BUCKLEY of New York:

H. R. 8185. A bill for the relief of Theresa Rubano, mother, and Hilda Rubano, widow, of Peter Rubano, operative in the Secret Service Division, Department of the Treasury, who died on March 10, 1939, after honorable and meritorious service in behalf of the United States Government; to the Committee on Claims.

H. R. 8186. A bill for the relief of Toby Lena Rosenberg, alias Maria Louisa Nasco, alias Alejandrino Nasco Echegaray; to the Committee on Immigration and Naturalization.

By Mr. CRAVENS:

H. R. 8187. A bill for the relief of Lena B. Crouch; to the Committee on Claims.

By Mr. CURTIS:

H. R. 8188. A bill granting a pension to Blanche Burton; to the Committee on Invalid Pensions.

By Mr. DARDEN:

H. R. 8189. A bill for the relief of Alice W. Farnell, widow of Daniel N. Farnell, deceased; to the Committee on Invalid Pensions.

H. R. 8190. A bill for the relief of Mansbach Bro., Inc.; to the Committee on Claims.

By Mr. HENDRICKS:

H. R. 8191. A bill for the relief of the Leesburg Welding & Garage Co.; to the Committee on Claims.

By Mr. JENNINGS:

H. R. 8192. A bill granting an increase of pension to Clinton A. Short; to the Committee on Pensions.

By Mr. JOHNSON of Oklahoma:

H. R. 8193. A bill granting a pension to Arellie E. Ferguson; to the Committee on Invalid Pensions.

By Mr. MACIEJEWSKI:

H. R. 8194. A bill for the relief of Robert J. Tita; to the Committee on Claims.

By Mr. JOHN L. McMILLAN:

H. R. 8195. A bill for the relief of Ellis Duke, also known as Elias Duke; to the Committee on Claims.

By Mr. O'TOOLE:

H. R. 8196. A bill for the relief of Barney Gross; to the Committee on Immigration and Naturalization.

H. R. 8197. A bill for the relief of Knut Andersen; to the Committee on Immigration and Naturalization.

By Mr. SCHIFFLER:

H. R. 8198. A bill for the relief of Ellis A. Duncan; to the Committee on Claims.

By Mr. TENEROWICZ:

H. R. 8199. A bill for the relief of Alfonso Ciolino; to the Committee on Immigration and Naturalization.

By Mr. THILL:

H. R. 8200. A bill for the relief of Arnold H. Sommer; to the Committee on Claims.

By Mr. WELCH:

H. R. 8201. A bill for the relief of Abram L. Gerson (Abe A. Gerson); to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6276. By Mr. McANDREWS: Petition of the Chicago All-American Committee for the Defense of Human Rights, protesting against the Nazi and Communist outrages and atrocities; to the Committee on Foreign Affairs.

6277. By Mr. MACIEJEWSKI: Petition of the Chicago All-American Committee for the Defense of Human Rights, protesting against the Nazi and Communist outrages and atrocities; to the Committee on Foreign Affairs.

6278. By Mr. CARLSON: Petition of J. N. Marty and 23 others of the Sixth District of Kansas, favoring the Patman chain-store tax bill; to the Committee on Ways and Means.

6279. Also, petition of C. B. Keeley and 23 others of the Sixth District of Kansas, favoring the Patman chain-store tax bill; to the Committee on Ways and Means.

6280. Also, petition of John Nemecek and 21 others of the Sixth District of Kansas, favoring the Patman chain-store tax bill; to the Committee on Ways and Means.

6281. By Mr. CURTIS: Resolution of the Nebraska Chapter of the Associated General Contractors of America, concerning House bill 7695; to the Committee on Roads.

6282. By Mr. ENGEL: Petition of Edward Clouse, of Traverse City; Leon Wilson, of Manton; and others of the State of Michigan; to the Committee on Ways and Means.

6283. By Mr. HOPE: Petition of Floyd Blakeley, of Ashland, Kans., and 22 others, urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6284. By Mr. LUTHER A. JOHNSON: Petition of Don A. Lewis, president of the Ellis Blackland Conservation Association, Midlothian, Tex., favoring a liberal appropriation for soil conservation; to the Committee on Appropriations.

6285. Also, petition of Alfred L. Bailey, first vice president, Texas State Federation of Labor, Fort Worth, Tex., and I. A. T. S. E. and M. P. M. O., Local No. 393, of Corsicana, Tex., opposing Senate bill 280; to the Committee on Interstate and Foreign Commerce.

6286. By Mr. MARTIN J. KENNEDY: Petition of the American Legion Auxiliary, Canarsie Unit, No. 573, Brooklyn, N. Y., urging support of House bill 7593; to the Committee on World War Veterans' Legislation.

6287. Also, petition of the Mine Inspectors' Institute of America, Pittsburgh, Pa., expressing opposition to Senate bill No. 2420; to the Committee on Mines and Mining.

6288. Also, petition of the State of New York Banking Department, New York City, concerning further chartering of Federal savings and loan associations, and power to the Federal Home Loan Bank Board; to the Committee on Banking and Currency.

6289. By Mr. KEOGH: Petition of Outdoorsman, Columbus, Ohio, concerning the passage of the revised Mundt bill (H. R. 7971); to the Committee on Rivers and Harbors.

6290. Also, petition of New York State Waterways Association, headquarters, Albany, N. Y., concerning Senate bill 2009, now pending before the House and Senate conference committee; to the Committee on Interstate and Foreign Commerce.

6291. Also, petition of Grand Street Board of Trade, Brooklyn, N. Y., concerning legislation that will prohibit the further expansion, and if possible curtail the importation of refined sugar made in tropical islands; to the Committee on Foreign Affairs.

6292. Also, petition of the Consolidated Coal Co., New York City, concerning the mine inspection bill (S. 2420); to the Committee on Mines and Mining.

6293. Also, petition of the Protestant Big Sister Council, of Brooklyn, N. Y., concerning the present limitation on importation of tropical refined sugar; to the Committee on Foreign Affairs.

6294. Also, petition of the Mine Inspectors' Institute of America, concerning the passage of Senate bill 2420; to the Committee on Mines and Mining.

6295. By Mr. LEAVY: Resolution of the Loomis Cattle and Horse Raisers' Association, passed at its regular December meeting, opposing the formation of the proposed Cascade National Park, pointing out that the livestock industry particularly in Okanogan County is dependent upon the State and national forest lands for grazing; that the creation of this proposed park would greatly increase the predatory animals which prey on domestic stock; that the closing of the area to hunting would increase game animals to such an extent as to jeopardize agricultural activities; and further pointing out that practically the entire area in the proposed park is at the present time under the jurisdiction of the Forest Service, which is efficiently and adequately developing said area; to the Committee on the Public Lands.

6296. By Mr. MONKIEWICZ: Petition of 41 citizens of Lakeville, Conn., urging quick and substantial aid for Finland; to the Committee on Foreign Affairs.

6297. Also, petition of 55 citizens of Manchester, Conn., protesting against the levying of excise or any other form of processing taxes on bread and other necessities; to the Committee on Agriculture.

6298. By Mr. PFEIFER: Petition of the Protestant Big Sister Council of the Brooklyn Church and Mission Federation, Brooklyn, N. Y., concerning new sugar legislation; to the Committee on Agriculture.

6299. By Mr. REED of Illinois: Petition of Paul E. Wallace, of Villa Park, Ill., and 61 others, protesting against the levying of any excise or processing taxes on primary food products; to the Committee on Ways and Means.

6300. Also, petition of Joe Morreale, of Harvard; A. Chamberlan, of Elgin, and others of the State of Illinois, requesting the enactment of House bill 1; to the Committee on Ways and Means.

6301. By Mr. SCHIFFLER: Petition of G. Stanley Hamric, adjutant, the American Legion, Charleston, W. Va., urging the passage of legislation for the betterment of World War veterans and their dependents; to the Committee on World War Veterans' Legislation.

6302. Also, petition of G. Stanley Hamric, adjutant, the American Legion, Charleston, W. Va., urging the continuation of the Dies committee; to the Committee on Rules.

6303. Also, petition of G. Stanley Hamric, adjutant, the American Legion, Charleston, W. Va., opposing the passage of the bill providing for the forced retirement of Army officers who have reached a certain age in grade, regardless of their physical capacity, etc.; to the Committee on Military Affairs.

6304. By the SPEAKER: Petition of the State camp of Pennsylvania, Patriotic Order Sons of America, Philadelphia, Pa., petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

6305. Also, petition of the Laymen's League of the Church of Our Father, Unitarian-Universalist, Detroit, Mich., petitioning consideration of their resolution with reference to material assistance to Finland; to the Committee on Foreign Affairs.

6306. Also, petition of the State camp of Pennsylvania, Patriotic Order Sons of America, Philadelphia, Pa., petitioning consideration of their resolution with reference to the appointment of Mr. Taylor to the Vatican; to the Committee on Foreign Affairs.

6307. Also, petition of Lee R. Rist, of Jacksonville, Ill., petitioning consideration of his resolution with reference to the Dies committee; to the Committee on Rules.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 30, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord God, our Heavenly Father, we entreat Thee to meet with us, transforming and ennobling our aspirations, our thoughts, and our endeavors. We thank Thee for our spiritual privileges and pray that we may have a fuller appreciation of our indebtedness to Thee. Grant us in the utmost simplicity and childlike confidence to consecrate our time to Thee and our homeland. Thou art our hiding place; Thou shalt preserve us from trouble; Thou shalt compass us about with songs of deliverance. Do Thou hear our prayer for all those in sorrow; for those who have been forsaken of the best and the dearest; for those who have been evilly treated; for the poor who are struggling with poverty and the winter's blast; and for those whose hearts have been invaded by tragedy and cannot tell the world their thoughts. O Thou who art sufficient for all things, be pleased to hear us. In our Saviour's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On January 25, 1940:

H. R. 7171. An act to amend section 22 of the Agricultural Adjustment Act.

On January 26, 1940:

H. R. 2953. An act authorizing States owning lands or interests therein acquired from the United States to include the same in certain agreements for the conservation of oil and gas resources; and

H. R. 3931. An act for the relief of Charles H. LeGay.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. St. Claire, one of its clerks, announced that the Senate insists upon its amendments to the bill (H. R. 7805) entitled "An act making supplemental appropriations for the Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation, for the fiscal year ending June 30, 1940, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ADAMS, Mr. GLASS, Mr. McKELLAR, Mr. HAYDEN, Mr. BYRNES, Mr. HALE, and Mr. TOWNSEND to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1036) entitled "An act to authorize the purchase of certain lands adjacent to the Turtle Mountain Indian Agency in the State of North Dakota," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. THOMAS of Oklahoma, Mr. WHEELER, and Mr. FRAZIER to be the conferees on the part of the Senate.

EXTENSION OF REMARKS

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include a very able and splendid statement of Hon. Edward O'Neal, president of the American Farm Bureau Federation, at a hearing before the Ways and Means Committee on January 25, 1940.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DUNN asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in four instances: (1) A tribute to the late Representative William I. Sirovich; (2) the foreign-trade zone at New York; (3) on the subject Recovery, Not Higher Taxes; and (4) on loan to Finland.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that I may address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I had the honor to address this body last Wednesday, January 24, on the subject of the destruction of human life in Poland. You will find that address on page 621. Today, I have introduced a resolution, House Resolution 369, which has been referred to the Foreign Affairs Committee, and I hope that the committee will give it an early hearing and favorable consideration. I also trust that Congress will adopt this resolution since I feel that as a Government which was instrumental in the creation of the Polish state in the year 1918 it is our duty to express our sympathy with the suffering and unfortunate people of that state. Without burdening this House with any further statements I want to call the Members' attention to a press release of the New York Times of January 29, 1940, which gives a very clear picture of the happenings in Poland.

[From the New York Times of January 29, 1940]

MASS SHOOTINGS IN POLAND LAID TO NAZIS BY CARDINAL—MEMORANDUM, PRESENTED TO POPE, ACCUSES GERMANS OF BREAKING UP FAMILIES AND JAILING "SCORES OF THOUSANDS"

(By Camille M. Clafarra)

ROME, January 28.—Details of mass shootings, man hunts by German Gestapo (secret police) agents, plundering and persecutions conducted with cold-blooded brutality and ferocity are contained in a memorandum published today describing what is held to be the situation of the Catholic Church and of the Polish people in the archdioceses of Gniezno and Poznan.

The memorandum, which is authorized by August Cardinal Hlond, Primate of Poland, was presented to the Pope last week. On it the Vatican based several of its recent broadcasts of Polish atrocities in German-occupied Poland. The 11,000-word document contains seven reports covering conditions up to the 30th of December 1939.

It charges Germany with deliberately wanting to destroy the Catholic religion and depopulating of all Polish nationals in the territories of Pomerania, Poznan, and Silesia, which she has annexed. To carry out this policy, the memorandum says, the Germans have closed the churches in several districts and are deporting Poles from every walk of life, be they of the nobility or of the lower classes, to concentration camps in Germany.

They are sending young Polish boys and girls still in their teens to Germany, it is asserted, in order to imbue them with Nazi ideals. Older persons are herded into railroad cars and dumped after several days' journey in towns within the area called "Government General Poland," where they are kept in unsanitary overcrowded barracks and where they sleep on vermin-ridden straw mats.

Families are broken up, it is charged, the father usually being deported to a concentration camp, the mother abandoned to her fate with no money or belongings, and the children, if they have survived the hardships, sent to Germany.

The memorandum makes clear that inasmuch as the forced Polish emigration from the German-annexed districts must end by April 1, millions of Poles are expected to be packed into the Gouvernement General territory in a few weeks. They will be completely destitute and therefore, the document says, famine and decimation by epidemics are expected.

"It will be a true extermination, conceived with diabolical cunning and carried out with unequalled cruelty," says the memorandum, which then appeals for Red Cross aid and foreign relief commissions in Gouvernement Poland, where it stresses "the last act of the unbelievable tragedy is about to take place." Many of those sent there, it adds, will die of hunger in the spring.

The number of Poles shot up to December 30 runs into several thousands and those jailed into scores of thousands, according to one of the reports.

"The Polish population is barbarously persecuted," it says. "The number of people shot runs into several thousands, those in jail number scores of thousands. In the jails appalling things take place. At Bydgoszcz, for instance, prisoners were forced to lie full

length with their faces on the ice-cold stone floor, beaten till they were unconscious, and threatened continuously with death.

YOUTHS SENT TO REICH

"Raids are being carried out to get hold of the youth, which is exported to Germany.

"There are at present mass deportations of Poles to the Gouvernement General Poland, and in this case the victims lose all they own—land, houses, furniture, shops, clothes, lingerie, and money. People are suddenly turned into beggars. Thus deprived of every possession, they are sent to the central areas, where there is already a dearth of every commodity. In the spring many of them will die of hunger."

The Germans, says another report, are "trampling on every liberty of conscience and religious right of the population.

"They are suppressing the faith in these lands which have defended it since the days of Bismarck," it goes on. "After having incorporated the dioceses of Poznan and Gniezno, the Germans began the extermination of the Polish element foreshadowed by Hitler in Mein Kampf, which formed the basis of the aggression against Poland. Without taking into account public and secret shootings, without describing the horrors which are being committed in the prisons and concentration camps, we must describe one of the greatest iniquities of all history, namely, the violent expulsions of people from these dioceses."

After explaining that the victims are left destitute and that "even their money is stolen," the memorandum describes how the Gestapo agents raid houses during the night and seize between 500 and 1,500 people at a time.

"In Poznan," says the report describing one of these raids, "the expulsion of the Poles from their homes takes place under heart-breaking conditions. At 9:30 p. m. the lights in the houses and in the streets are turned off and then the hunt for the Poles begins, with the result that 500 or more are seized. These poor people cannot sleep and remain in darkened rooms near the window, waiting their turn.

DRESS IN WARM CLOTHES

"They dress themselves in their warmest clothes, so as not to die from cold in a concentration camp, because they generally are not allowed to take anything except what they have on. Sometimes a more humane agent allows them to take some few extra woolen clothes. But they must leave their home with what they are wearing; if they are not ready they are taken away in their night clothes. No one is allowed to visit those who are in the concentration camps; no one can bring food to them."

The victims, explains the memorandum, are grouped in the streets, where, covered by the rifles of the Gestapo agents, they wait for a bus which sometimes is delayed for hours.

"This winter," says the document, "with 15 degrees below zero and sometimes more, it happened that these poor people—women, children, the aged, and infirm—were obliged to stand on a public street for 4 hours, the stillness of the gelid night broken by lamentations and sobs. All those seized are taken from Poznan to the concentration camp in the Glowna suburbs. This camp is unheated, has a cement floor and not a single mattress.

"People sleep for weeks on the same stinking, vermin-ridden straw. There are no sanitary facilities or hot water. Attention is paid to no one, not even to those who are dying from illness or to the aged, the children, and to mothers in the pangs of childbirth.

"The babies born in these large barns are, for lack of warm water, washed with tepid coffee contributed by some generous souls. Illness and mortality have reached a high percentage, but doctors and priests are not allowed unless they happen to be among the victims."

In describing the condition of the Catholic clergy, the memorandum says that the Gestapo is "especially persecuting the clergy." The Germans, it adds, shot 15 priests in the archdiocese of Gniezno, whose names are listed in the report.

Several of the churches have been taken over by the Germans, who are turning them to various uses. The church at Bydgoszcz, says the memorandum, was occupied by the police, who held in it "indecent orgies." Scores of priests, it adds, are in jail, while almost all Catholic institutions in the archdioceses of Poznan and Gniezno have been seized.

FIFTEEN PRIESTS REPORTED KILLED

ROME, January 28.—Sensational allegations of the widespread murder and persecution of Catholic priests in Poland by the German Gestapo (secret police) and soldiers are contained in documents prepared for Pope Pius XII, it was revealed today by Polish sources at the Vatican.

The detailed documents were said to bear the authorization of August Cardinal Hlond, primate of Poland, and list with names and dates at least 15 priests alleged to have been killed by shooting, beating, and ill-treatment at the hands of the Germans.

Not only priests but nuns have been subjected to this persecution and humiliation, the report alleges, and children have been turned out of Catholic orphanages.

"Dozens of priests have been imprisoned and are being humiliated, beaten, and maltreated," the report says. "Certain numbers have been deported to Germany and no news of them has been received. Others are kept in concentration camps.

"It is not rare to see priests among workmen in the country fixing roads, repairing bridges, pulling coal carts, working in factories, and even demolishing synagogues.

"Some priests were closed in a pigsty at night, beaten barbarously, and subjected to tortures."

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At Gniezno, it was said, a Catholic convent has been seized by the Germans to hold imprisoned Jews and the convent fathers turned out.

"The principal church in the parish of the Holy Trinity has been profaned, the parish house invaded, and its funds stolen," it was said.

"In the archdiocese of Gniezno the German authorities, especially the Gestapo, persecute the Catholic clergy, which is terrorized and continually threatened with more such treatment without the possibility of defending itself."

German soldiers were alleged to have killed Father Mariano Skazpeczak, vicar of Plonkowo, by beating him on the head with rifle butts. While doing forced labor, Father Guiseppe Domeracki, parish priest of Gromadno, died and Father Leone Brezczewski, parish priest of Sosnicka, was killed by a German bomb, the report added.

Father Boleslaw Jasknowski, parish priest of Inowroclaw, and Father Romaldo Soltysinski, parish priest of Rzaikwin, were said to have died as result of ill-treatment.

SOME GERMANS AID POLES—MONEY FOUND IN DAMAGED WARSAW CHURCHES—GIVEN BY CATHOLICS

PARIS, January 28.—Many Germans in occupied Poland appear to be conscience-stricken by the country's devastation and the sufferings inflicted on the Polish people. In collection boxes in several damaged churches in Warsaw German coins and banknotes are found frequently—obviously conscience money of devout German Catholic soldiers and officials.

Fugitives from Nazi war camps relate that German officers and privates sometimes helped prisoners escape across the frontier into neighboring neutral countries. In some cases these Germans ask for a little "certificate" of their decency and sympathy—a statement signed by the fugitive Pole that he was assisted by the German.

One soldier, an Austrian, explained that he was asking for this insurance policy "testifying to services rendered the Polish people" because "I may need this note to save my life if we lose the war."

When Gestapo agents are not about, German soldiers assure the Poles that they did not want war with Poland and that they bombed Warsaw under compulsion. They express regrets that so much damage was inflicted on the Polish capital. Officers anxiously inquire how the Germans were treated at the end of the last war when they evacuated Poland.

Mr. Speaker, it is not my intention to criticize the German Government or the people who seem to be satisfied to live under that form of government. That is their own affair. However, when the German Government is responsible for the wholesale slaughter of another people, as is now taking place in Poland, I deem it my duty as a Member of the legislative body of a great democracy to cry out against such a crime and to focus the attention of the American people and the world as a whole upon the wanton destruction of an innocent people. To substantiate my statements I want to insert here some releases taken from the Jewish Telegraphic Agency:

NAZIS DEFER LODZ EXPULSION ON PAYMENT OF 9,000,000 ZLOTYS

GENEVA, January 26.—The Jews of Lodz, Nazi Poland, have been forced to pay a ransom of 9,000,000 zlotys (\$1,800,000 at pre-war rates) to secure postponement to the spring of an expulsion order it was reliably learned here today.

The expulsion order affected 50,000 Jews concentrated in a number of streets. It was intended by the Nazi authorities as the first step toward realization of a program completely to "de-Judaize" the largest Polish city annexed by the Reich.

Monday the Vatican radio broadcast the first of a series of three descriptions of excesses in Poland. Apparently with papal approval, the announcer declared the Nazi atrocities affronted the "moral conscience of mankind" and cited the "unimpeachable testimony of eyewitnesses to the horrors and inexcusable excesses committed upon a helpless and homeless people." (J. T. A. News, January 24.)

These events were indicative of mounting reaction to German brutality in occupied Poland. But the brutality continued, evidenced in such occurrences as:

Expulsion: Some 1,900 Jews were slain in a 4-day enforced march of several thousands to the border of Soviet Poland. Jews were rounded up in Chelm and Hrubieszow and driven toward the border. According to details reaching Geneva, "Those falling from exhaustion were shot dead on the spot. Although the frontier was only 4 kilometers distant (from Hrubieszow), the Nazis took the Jews by a roundabout route covering more than 50 kilometers, chasing them across fields, woods, and marshes * * *. Every few minutes the Nazis ordered those who were tired to stand aside. These were shot dead and their bodies left lying in the fields. During the march the Jews were not given food or drink, and those trying to leave formation to take water from ditches were shot dead.

"At the Sokal bridge survivors were told that anyone failing to cross the river, either over the bridge or by swimming, within 20 minutes would be shot. On reaching the Soviet side the Jews, despite desperate resistance, were taken across the frontier by the Soviet guards and turned over to the Germans. They were told they would be shot unless they crossed the river again. A number swam across and succeeded in entering Soviet territory." (J. T. A. News, January 22.)

Executions: Extracts from Nazi police diaries, published in the Breslau newspaper, *Schlesische Zeitung*, gave further details of treatment of Jews. The Germans, entering the town of Lask, shot 100 Jews in searching the town. When a Jewish crowd allegedly tried to prevent the Germans from entering a synagogue, police used their guns and killed several hundred, razing the synagogue. In Sieradz 35 Jews were executed. In Radom 3,600 Jews were arrested and interned in a concentration camp and more than 100 were executed for "resisting" the Nazi police. The diaries said the task of the police was "facilitated" by many suicides of Jews to avoid arrest. (J. T. A. News, January 23.)

Blackmail: The Jews of Lodz have been forced to pay a "ransom" of 9,000,000 zlotys (\$1,800,000 at pre-war rates) to secure postponement until spring of an expulsion order affecting 50,000 Jews concentrated in a number of streets. The Jews were already preparing to leave the city, many being on their way out, when the order was temporarily suspended after the community had paid the "ransom." (J. T. A. News, January 25.)

RELIEF EFFORTS OBSTRUCTED

The American Red Cross some time ago reached an agreement with the German Government containing Nazi assurances of non-sectarian distribution of Red Cross supplies in Nazi Poland and permission for periodic American supervision. The American Friends' Service Committee has been holding out for continuous American supervision. This week the Red Cross decided also to seek continuous supervision and threatened to withdraw relief offers unless it obtained a supplementary agreement with the Germans.

Red Cross: It was learned in Washington that the German authorities have refused to allow James T. Nicholson, Red Cross representative, to enter Poland for anything more than a brief visit. Some supplies sent from America arrived in Cracow and were distributed without supervision, while Nicholson was blocked in his attempts to reach Cracow. The Red Cross said negotiations for a supplementary agreement were still in progress, and without it no further supplies would be sent to Poland. (J. T. A. News, January 26.)

The Belgian Red Cross reportedly had better results in arranging shipments to Poland. It sent a transport of food, medical supplies, and underclothing to Warsaw via Berlin to be distributed under supervision of Belgian Legation officials with provision made to insure that at least one-third of the supplies go to the Jews of Warsaw. (J. T. A. News, January 22.)

I hope and pray that the protest by the President of the United States, if and when my resolution will be adopted, will awaken the conscience of the civilized world and unite all nations in the denunciation of the Nazi terror in stricken Poland.

EXTENSION OF REMARKS

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include there-

with a letter to the editor of the Washington Evening Star by my colleague the gentleman from Virginia [Mr. DARDEN] on the subject of the naval-construction program.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a summary and report issued by the Federal Works Agency, the Work Projects Administration, Division of Research.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter and financial debt statement I have received from the assistant to the Secretary of the Treasury with reference to the foreign obligations owed the United States.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The matter referred to follows:

TREASURY DEPARTMENT,
Washington, January 8, 1940.

Hon. ROBERT F. RICH,
House of Representatives, Washington, D. C.

MY DEAR MR. RICH: In reply to your letter of January 3, 1940, addressed to the Secretary of the Treasury, there is enclosed a statement showing the outstanding indebtedness of foreign governments to the United States as of December 15, 1939, following payments made on December 13 and December 15, 1939, by the Governments of Hungary and Finland. This is the latest statement published on the subject, and no payments have been received from any of the debtor governments since that date.

You may also be interested in the enclosed copy of a memorandum revised March 1, 1939, covering the indebtedness of foreign governments to the United States.

Very truly yours,

D. W. BELL
Assistant to the Secretary.

Statement showing total indebtedness of foreign governments to the United States, Dec. 15, 1939

Country	Total indebtedness	Principal unpaid ¹	Interest postponed and payable under moratorium agreements	Interest accrued and unpaid under funding and moratorium agreements
Funded debts:				
Belgium	\$457,552,820.78	\$400,680,000.00	\$3,750,000.00	\$53,122,820.78
Czechoslovakia	165,788,588.45	165,241,108.90		547,479.55
Estonia	21,321,017.05	16,466,012.87	492,360.19	4,362,643.99
Finland	8,142,890.21	8,042,466.77	100,423.44	
France	4,200,332,646.54	3,863,650,000.00	38,636,500.00	298,046,146.54
Germany (Austrian indebtedness) ²	26,011,672.09	25,980,480.66		31,191.43
Great Britain	5,574,430,793.82	4,368,000,000.00	131,520,000.00	1,074,910,793.82
Greece	34,523,635.29	31,516,000.00	449,080.00	2,558,555.29
Hungary	2,412,700.53	1,908,560.00	57,072.75	447,067.78
Italy	2,025,525,996.77	2,004,900,000.00	2,506,125.00	18,119,871.77
Latvia	8,790,192.69	6,879,464.20	205,989.96	1,704,738.53
Lithuania	7,870,378.50	6,197,682.00	185,930.46	1,486,766.04
Poland	266,815,451.34	206,057,000.00	6,161,835.00	54,596,616.34
Rumania	64,914,114.78	63,860,560.43		1,053,554.35
Yugoslavia ³	61,817,578.15	61,625,050.00		192,578.15
Total	12,926,250,476.99	11,231,004,335.83	184,065,316.80	1,511,180,824.36
Unfunded debts:				
Armenia	23,803,164.11	11,959,917.49		11,843,186.62
Russia	394,992,092.46	192,601,297.37		202,390,795.09
Total	418,795,196.57	204,561,214.86		214,233,981.71
Grand total	13,345,045,673.56	11,435,565,550.69	184,065,316.80	1,725,414,806.07

¹ Includes principal postponed under moratorium agreements and principal amounts not paid according to contract terms.

² The German Government has been notified that the Government of the United States will look to the German Government for the discharge of the indebtedness of the Government of Austria to the Government of the United States.

³ This Government has not accepted the provisions of the moratorium.

NOTE.—Indebtedness of Germany to the United States on account of costs of Army of Occupation and awards under Settlement of War Claims Act of 1928, as amended, not shown in above statement.

Mr. RICH. Mr. Speaker, I would like to have you and Members of Congress look at this statement showing the amount of indebtedness owed us by foreign countries.

If you were to sit in the meetings of the House Committee on Appropriations now, you could see the fine results we are accomplishing in trying to cut down the extravagant

expenditures of the Government. It is what I have been insisting on doing for 7 years, and I wish to congratulate the majority party on seeing the light of day in this respect, and I am sure you will be doing the right thing if you keep it up. Do not stop it until we balance the Budget. I think we now have an opportunity to go to these foreign nations that owe us great sums of money and ask them to pay their indebtedness to the United States. We should insist on it. The money is due us, and we should receive some consideration in payment of their debts. That is one place where we can get the money. Furthermore, if they are unable to pay us in cash, there is certainly some other way in which they could meet these obligations. For instance, there are some islands that are in close proximity to America that might be turned over as a consideration on the debt. If they would do this, they would be showing their good faith in trying to eliminate these debts to America. We do not propose to cancel them, and they might just as well know it. We are going to insist on payments; and if they are honest, honorable nations, they will make some suggestions on the payments. They can offer some of the West Indies or Bermuda or other land in close proximity to the United States. We do not want any country or territory far from our shores. Look at the above table of debts—they owe us over \$12,000,000,000. France, Great Britain, Italy, Belgium, Germany, what will you offer; name your price. You come to us with an offer. It is up to you. We are waiting for your proposals.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein an address over the radio by Mr. Elliot Roosevelt entitled "America Looks Ahead."

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. GEARHART] may have permission to extend his remarks in the RECORD and include therein a letter from Clarence Austin Castle.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE GROWTH OF BLUEGRASS

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. JENKINS of Ohio. Mr. Speaker, a few days ago I inserted in the RECORD a news release put out by the extension service of the Ohio State University which brought out the fact that Mr. Albert B. Gatch, who lives at Milford, Ohio, was living on the same farm that his ancestors purchased from the Government in 1799. In my remarks I sought to stress the fact that this was a very unique situation, and I sought further to stress the fact that some of his land had been in blue grass for well over 100 years and had never been plowed. Many of the farmers in the limestone section of Ohio and other parts of the country will be interested and I hope might benefit from the reading of this article.

I am glad to know that my distinguished friend and colleague from New York, the Honorable JAMES W. WADSWORTH, noticed what I said, and he has evinced a very lively interest in it. His interest is set forth beautifully in a letter which I have received from him and which I am inserting in the RECORD at this point. I hope that others in the country who might read what I have said and what Senator WADSWORTH says will be interested and benefited. There is no question but that billions of dollars worth of soil and fertility have been wasted in our country.

This is the letter from the gentleman from New York, Senator WADSWORTH:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 18, 1940.

HON. THOMAS A. JENKINS,

House of Representatives, Washington, D. C.

DEAR TOM: I have just read that statement which you inserted in the CONGRESSIONAL RECORD a few days ago relating to a piece of

land in your district in Ohio which has never been plowed and which is still producing a fine bluegrass pasture. This is the kind of thing I like to hear about, for, believe me, I know what such a piece of land means. I gather that the first settlers in your part of Ohio arrived at about the time that the first settlers came into the Genesee Valley in western New York—1790. My great-grandfather acquired some Genesee Valley land in 1790, and I am running some of his farms today. Believe it or not, there are tracts on those farms which have never been plowed. They are upland tracts, originally covered with timber. The timber was taken off, I suppose, about 1800 or thereabouts, and from all our records it is apparent that a natural bluegrass sod established itself immediately. It is there now, just as good as ever. We run steers and dairy cattle and sheep on it, careful never to overstock. It has withstood droughts and deluges. There is no sign of erosion. I said the timber had been taken off. I should qualify that statement. Here and there a walnut tree was left for shade and for beauty. A lot of them are still there. Ours is a limestone country. It grows grass and bone. The water is hard. It deposits a coating of lime on the inside of the kettle on the kitchen stove. Women do not like it when they come to wash their hair. But after all, we can't have everything in this world. The truth is these bluegrass limestone country tracts are God's gift to the farmer, and provided the farmer does not abuse them they will nourish him for all time. And by the way, I notice in your statement that the tract of land that you know about in Ohio is still owned by a direct descendant of the original settler. This reminds me of an old adage which persists where I live. It runs: "The best thing for the land is the foot of the owner."

Faithfully yours,

J. W. WADSWORTH.

PERMISSION TO ADDRESS THE HOUSE

Mr. McDOWELL. Mr. Speaker, I ask unanimous consent that on Wednesday, January 31, after the close of all legislative business and any other special orders, my colleague from Pennsylvania [Mr. CORBETT] may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. VREELAND. Mr. Speaker, I ask unanimous consent that after the reading of the Journal and disposition of the legislative business on Monday next, I may be allowed to address the House for 30 minutes on Thomas A. Edison.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ANNOUNCEMENT

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SHEPPARD. Mr. Speaker, I regretfully have to announce that my colleague from California, the Honorable ALFRED J. ELLIOTT, is seriously ill at his hotel and will not be able to attend the session. I hope he will have a speedy recovery. He is very, very ill.

HEALTH AND WELFARE ACTIVITIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 604)

The SPEAKER laid before the House the following message from the President of the United States which was read by the Clerk and referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed:

To the Congress of the United States:

In my special message to the Congress on January 23, 1939, I expressed my concern over the inequalities that exist among the States as to health services and resources with which to furnish such services. With that message I transmitted the report and recommendations on national health prepared by the Interdepartmental Committee to Coordinate Health and Welfare Activities and recommended it for careful study by the Congress.

Conditions described a year ago are substantially unchanged today. There is still need for the Federal Government to participate in strengthening and increasing the health security of the Nation. Therefore I am glad to know that a committee of the Congress has already begun a careful study of health legislation. It is my hope that such study will be continued actively during the present session, looking toward constructive action at the next. I have asked the Interdepartmental Committee to Coordinate Health and Welfare Activities to continue its studies.

In order that at least a beginning may be made I now propose for the consideration of the Congress a program for the

construction of small hospitals in needy areas of the country, especially in rural areas, not now provided with them. Hospitals are essential to physicians in giving modern medical service to the people. In many areas present hospital facilities are almost nonexistent. The most elementary health needs are not being met.

The provision of hospitals in the areas to which I refer will greatly improve existing health services, attract competent doctors, and raise the standards of medical care in these communities. The new hospitals should serve the additional purpose of providing laboratory and other diagnostic facilities for the use of local physicians, as well as accommodations for local health departments.

The proposed hospitals should be built only where they are most needed; they should not be constructed in communities where public or private institutions are already available to the people in need of service even if these institutions are not up to the highest standards. To insure proper location and good standards of operation, approval of hospital construction projects should be given by the Surgeon General of the Public Health Service, with the advice of an advisory council consisting of outstanding medical and scientific authorities who are expert in matters relating to hospital and other public-health services.

Projects proposed for consideration should be submitted by responsible public authorities and should include assurance that adequate maintenance will be provided. Approval of projects should be preceded by careful survey of existing local hospital facilities and needs. Standards for organization, staff, and continuing operation should be established by the Surgeon General, with the advice of the advisory council. A competent hospital staff and satisfactory standards of service should be required, including medical, surgical, and maternity service. When indicated, special provisions should be made for the care of the tuberculous. In many areas of the South the present acute needs for the care of Negro patients should also be met.

I suggest that these hospitals be simple, functional structures, utilizing inexpensive materials and construction methods. The facilities of the Federal Works Agency should be utilized in the planning and execution of the hospital projects. Title to these institutions should be held by the Federal Government, but operation should be a local financial responsibility.

I recommend to the Congress that enabling legislation for this program be enacted and that a sum of between \$7,500,000 and \$10,000,000 be appropriated to the Public Health Service to inaugurate the program during the next fiscal year.

I am confident that even this limited undertaking will bring substantial returns in the saving of lives, rehabilitation of workers, and increased health and vigor of the people.

This suggestion is not a renewal of a public-works program through the method of grants-in-aid. The areas which I have in mind are areas so poor that they cannot raise their share of the cost of building and equipping a hospital. Yet I believe that many of such communities have enough public-spirited citizens with means, and enough citizens able to pay something for hospital treatment, to care for operating costs of a hospital, provided they do not have to pay for its original construction and equipment, or to pay annual interest and amortization on borrowed money. Treatment in such a hospital would, of course, be available to men, women, and children who literally can afford to contribute little or nothing toward their treatment.

One of the important difficulties in such areas at the present time is that young doctors hesitate to practice general medicine or surgery because of the utter lack of hospital or laboratory facilities. One cannot blame them.

In such areas also costs of construction are generally low and many local materials can be used. It is my belief that with the assistance of the Work Projects Administration the cost of building and equipping a hundred-bed hospital can be kept down to between \$150,000 and \$200,000. This means that we could build 50 such hospitals for between \$7,500,000 and \$10,000,000.

This is not an ambitious project. This principle should not be extended to Government gifts to communities which are financially able to build their own hospitals. It is an experiment in the sense that the Nation will gain much experience by undertaking such a project.

At the very least it will save lives and improve health in those parts of the Nation which need this most and can afford it least.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 30, 1940.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1941

Mr. CANNON of Missouri, from the Committee on Appropriations, reported the bill (H. R. 8202, Rept. No. 1540) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1941, and for other purposes, which was read a first and second time, and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. DIRKSEN reserved all points of order against the bill.

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 8202, making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1941, and for other purposes; and, pending that, I would like to arrange for control and division of the time with the gentleman from Illinois [Mr. DIRKSEN] for general debate. I wonder if it would be agreeable for us to continue general debate throughout the day, one-half the time to be controlled by the gentleman from Illinois [Mr. DIRKSEN] and one-half by me.

Mr. DIRKSEN. That will be agreeable, to run for the balance of the day, the time to be equally divided.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that general debate continue through the day, one-half the time to be controlled by the gentleman from Illinois [Mr. DIRKSEN] and one-half by me.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Missouri.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 8202, with Mr. COLE of Maryland in the chair.

The Clerk read the title of the bill.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, this morning, in this high hour of lethargy and complacency, I raise my voice as a Jeremiah crying in the streets of the city—warning against the evils of an inevitable day of reckoning and the certainty of the wrath to come.

We are in the midst of a great war—a war in which America is not a participant and will not be a participant, but which is affecting the United States to a degree second only to its influence on the belligerents themselves.

We have seen wars come and go. We know only too well the economic aftermath of war. Within the memory of every man within this Chamber a great war closed in 1918, and we saw for ourselves and can testify out of our own experience its effect upon our country and our people—and especially upon American agriculture and the American farmer. When the World War closed, agricultural prices, union wage scales, and industrial dividends were at the peak. Everyone was prosperous, everyone was employed, everyone had bread and to spare. And then, almost overnight, agricultural prices collapsed. The farmers of the United States saw two-thirds of their land values melt away. Prices of farm products went down to the incredible level of 10 percent of what they had been. Farms were sold under the hammer in every community until there was no longer anyone to bid on them, and the relative standard of living

on the American farm fell to the lowest point in the history of the Nation.

Today, while another war rages, we are drifting heedlessly toward the same catastrophe. We know that eventually the war must end and that when it does end farm prices must drop as before. The war cannot last indefinitely. It may close within the year. With that certainty before us, with the experiences of 1920 still fresh in mind, what is being done—what steps are being taken—to protect the farmers of the United States against a recurrence of the bankruptcies, foreclosures, privation, and suicides that followed the last war? Or must we go through all that again? Is Congress so impotent and the Committee on Agriculture so indifferent that it will not even invite counsel, or call witnesses, or hold hearings, or give the matter any formal consideration whatsoever? Legislation of this character cannot be drafted in a day. Even after enactment, laws of such far-reaching effect require months to reach maximum operating efficiency. If the war closes within the next year, as is generally expected, means and methods must be devised and adopted at this session of Congress if they are to prove effective. The next session will be too late. Even if the war drags out over a period of years—which seems unlikely—it is not too early to begin to formulate a law to cope with the situation which is certain to follow the close of hostilities. It will be too late to build a cyclone cellar after the cyclone starts. This session convened practically a month ago. It must adjourn for the national conventions in June. And yet up to this time no steps have been taken, so far as the Congress is apprized, to even inquire into the possibilities of saving the farmer and the country from the chaos which must inevitably follow. The end of the war can already be foreseen. No one who lived through 1920 can entertain the slightest misapprehension as to the effect the close of the war will have on farm prices. Someone is asleep at the switch or else is criminally negligent. Either the Committee on Agriculture does not want to avoid national disaster, already looming directly ahead, or it is deaf, dumb, and blind.

Now, let no one say I have minimized or deprecated the benefits to agriculture accruing from the Agricultural Adjustment Act, soil conservation, parity payments, the purchase of surplus commodities, and every other recourse available the last 4 years. Every agricultural appropriation bill I have reported to the House since they became operative has utilized them to capacity. This subcommittee has reported the maximum authorizations for all of them, and the last agricultural appropriation bill was the only appropriation bill of the session reported out in excess of the Budget estimates. Every dollar that could be secured was reported out by this committee in a futile effort to solve the farm problem. Without these inadequate windfalls the lot of the farmer would have been unendurable. But the fact remains that they have not solved the problem and have failed by a wide margin to bring farm prices or the farm income up to parity or near parity.

So frightful were the effects from the collapse of farm prices in 1920, and so widespread the national wreckage which attended it, that every political party in each quadrennial convention from 1928 to 1936 has included in its platform a solemn pledge to restore farm prices to equity. Congress by legislative enactments in 1933 and again in 1938 formally recognized the need and justice of parity prices for farm products and committed itself to the policy of restoring agriculture to a plane of economic equality with labor and industry. So far these piecemeal stopgaps are our only effort to redeem our promise to the American farmer to pay him as fair a price for what he sells as he must pay for what he buys. They have had a fair and exhaustive trial. And we must now face the fact that they do not redeem the campaign promises or platform pledges of either party. The Secretary of Agriculture testified emphatically at the hearings before the committee that the law as it now stands will not, and cannot, bring farm prices up to parity, and that additional legislation is necessary if we ever hope under normal conditions to give the farmer a fair price for his products and a decent wage for his labor. In corroboration of his testimony, the Bureau of Agricultural Economics submits the following table:

Prices received by farmers for specified commodities on Nov. 15, 1919 and 1939, and parity price Nov. 15, 1939

Commodity	Unit	Prices received by farmers on Nov. 15		Parity price, Nov. 15, 1939
		1919	1939	
Wheat, per bushel	Cents	214.0	73.1	113.2
Corn, per bushel	Cents	134.0	46.8	82.22
Oats, per bushel	Cents	69.6	32.1	51.1
Barley, per bushel	Cents	118.8	42.2	79.2
Rye, per bushel	Cents	131.5	44.6	92.2
Buckwheat, per bushel	Cents	148.6	62.4	93.4
Flaxseed, per bushel	Dollars	4.10	1.64	2.16
Rice, per bushel	Cents	266.2	76.1	104.1
Cotton, per pound	Cents	36.00	8.80	15.87
Cottonseed, per ton	Dollars	72.65	23.75	28.86
Potatoes, per bushel	Cents	154.2	69.2	86.5
Sweetpotatoes, per bushel	Cents	135.1	64.5	112.4
Peanuts, per pound	Cents	9.1	3.39	6.1
Apples, per bushel	Dollars	1.85	.62	1.23
Butterfat, per pound	Cents	62.9	28.1	35.8
Chickens, per pound	Cents	22.0	12.4	14.6
Eggs, per dozen	Cents	59.1	25.8	39.5
Hogs, per 100 pounds	Dollars	13.36	5.87	9.24
Beef cattle, per 100 pounds	Dollars	8.65	6.89	6.67
Veal calves, per 100 pounds	Dollars	12.65	8.64	8.64
Lamb, per 100 pounds	Dollars	11.45	7.48	7.51
Tobacco, per pound	Cents	62.1	16.0	15.5
Hay, per ton	Dollars	19.40	7.51	15.1
Wool, per pound	Cents	51.0	27.6	23.4

¹ Price per bushel received by farmers Dec. 1, 1919.

² Adjusted for seasonal variation.

In the last column is the price we promised the farmer. And in the middle column is the price we are actually paying him. Here are the figures. They speak for themselves. They give you the high-water level to which the combined legislative and administrative measures adopted up to this time have been able to force farm prices.

It is true, as Secretary Wallace testified, that without these measures corn would be selling today for less than 20 cents, cotton close to 5 cents, wheat at 30 cents, hogs around \$3, and other farm products in proportion. But the important thing is that with all these benefits, supplemented by drought and war, and billions of dollars of relief expenditures, the farmer is still one-fourth short of what he earned and what we promised him. Can you imagine organized labor opening its envelope on pay day and finding its wages 25 percent short? And can you imagine what the Committee on Labor would do about it? While the farmer has been collecting from half to three-fourths of his pay—and the Committee on Agriculture has for 4 years refused to consider a bill to pay him in full—legislation reported out by the Committee on Labor has been so effective that union wage scales and earnings per week are more than 50 percent above parity, as is shown in the accompanying table submitted to the committee by the Bureau of Agricultural Economics and based on data compiled by the Bureau of Labor Statistics:

Weekly earnings in building and construction, and of factory workers, 1913, 1919, and 1939

Occupation	1913 (May 15)			1919 (May 15)			1939 (June 1)		
	Wages per hour	Hours worked per week	Earnings per week ¹	Wages per hour	Hours worked per week	Earnings per week ¹	Wages per hour	Hours worked per week	Earnings per week ¹
Plumbers	0.578	45.2	26.13	0.769	44.2	33.99	1.526	37.9	57.84
Electricians	.518	45.4	23.52	.755	43.7	32.99	1.532	37.6	57.60
Stonemasons	.567	44.9	25.46	.764	44.5	34.00	1.544	38.8	59.91
Steam fitters	.556	44.6	24.80	.753	43.4	32.68	1.589	37.8	60.06
Carpenters	.516	44.7	23.07	.759	43.8	33.24	1.401	38.7	54.22
Painters	.485	45.8	22.21	.732	45.1	33.01	1.395	36.4	49.69
Bricklayers	.690	44.1	30.43	.883	43.6	38.50	1.662	38.4	63.82
Factory workers	(²)	(²)	12.21	(²)	(²)	24.00	(²)	(²)	24.34
						20.60			17.14

¹ Weekly earnings in building and construction computed from union wage rates and hours worked per week from data furnished by the Bureau of Labor Statistics.

² Computed by multiplying weekly earnings in building and construction on May 15, 1913, by the index of the cost of living for June 1919 of 171.1 and for June 1939 of 142.5 (1913=100) compiled by the Bureau of Labor Statistics.

³ Not available.

⁴ Average for the years 1914 (1913 not available) and 1919 estimated by the Bureau of Labor Statistics.

⁵ Computed by multiplying weekly earnings in 1914 by the index of the cost of living for June 1919 of 168.7 and for June 1939 of 140.4 (1914=100).

⁶ Average of January–November 1939, estimated by the Bureau of Labor Statistics. Bureau of Agricultural Economics, Department of Agriculture.

In the last column is the wage the workman would earn if he received parity, and in the middle column is the wage we are actually paying him. Agriculture is getting less than 25 percent under parity and labor is getting more than 50 percent over parity.

Industry likewise is above parity. This morning's newspapers announce that the first 100 corporations to report their 1939 earnings show total profits 67 percent larger than in 1938. Twenty-one railroads show an increase in total profits of more than 1,000 percent. The Du Pont Co. more than doubled its profits. The Bell Telephone Co. reported the largest profits made in any year since the telephone was invented. Sixty-six miscellaneous industrial enterprises earned \$221,804,000, as against \$102,777,000 the year before; and the United States Savings and Loan League, supported by urban incomes, reports the highest totals in 9 years.

In comparison with these increases, the Department of Agriculture reports in Crops and Markets that the average price of the farmer's hogs declined from \$7.25 in 1938 to \$5.87 in 1939, while the cost of building materials for his barns increased 7.5 percent in 2 months. Eggs dropped from 27.9 cents a dozen for 1938 to 20.5 cents for 1939, while Pennsylvania oil for his incubator and tractor advanced six times during the year 1939. Wheat has fallen 12 cents since January 1, while the price of the superphosphate to grow the wheat advanced in the same time from \$7.50 to \$8.50 per ton. And the farmer's share of the national income was the lowest in 5 years, as indicated in the following table supplied by the Bureau of Agricultural Economics:

National income, United States, 1909-39

Year	Total	Nonfarm ¹	Farm ¹	Farm as a percentage of total
				Percent
1909	\$26,415,000,000	\$22,070,000,000	\$4,345,000,000	16.4
1910	28,114,000,000	23,474,000,000	4,640,000,000	16.5
1911	28,480,000,000	24,251,000,000	4,229,000,000	14.8
1912	30,394,000,000	25,798,000,000	4,596,000,000	15.1
1913	32,133,000,000	27,560,000,000	4,573,000,000	14.2
1914	31,919,000,000	27,367,000,000	4,552,000,000	14.3
1915	33,210,000,000	28,404,000,000	4,806,000,000	14.5
1916	39,036,000,000	33,198,000,000	5,838,000,000	15.0
1917	47,385,000,000	38,482,000,000	8,903,000,000	18.8
1918	55,357,000,000	44,856,000,000	10,501,000,000	19.0
1919	60,354,000,000	48,756,000,000	11,598,000,000	19.2
1920	64,552,000,000	56,478,000,000	8,074,000,000	12.5
1921	54,210,000,000	49,883,000,000	4,327,000,000	8.0
1922	57,546,000,000	52,109,000,000	5,437,000,000	9.4
1923	66,171,000,000	59,620,000,000	6,551,000,000	9.9
1924	68,824,000,000	61,898,000,000	6,926,000,000	10.1
1925	73,278,000,000	65,852,000,000	7,426,000,000	10.1
1926	76,504,000,000	68,695,000,000	7,809,000,000	9.1
1927	76,457,000,000	69,618,000,000	6,839,000,000	8.9
1928	78,117,000,000	71,209,000,000	6,908,000,000	8.8
1929	80,372,000,000	73,542,000,000	6,830,000,000	8.5
1930	73,571,000,000	68,456,000,000	5,115,000,000	7.0
1931	62,384,000,000	59,303,000,000	3,081,000,000	4.9
1932	48,355,000,000	46,551,000,000	1,804,000,000	3.7
1933	45,771,000,000	43,174,000,000	2,597,000,000	5.7
1934	52,540,000,000	49,164,000,000	3,376,000,000	6.4
1935	57,007,000,000	52,770,000,000	4,237,000,000	7.4
1936	66,722,000,000	61,599,000,000	5,123,000,000	7.7
1937	70,753,000,000	65,282,000,000	5,471,000,000	7.7
1938	64,687,000,000	60,236,000,000	4,451,000,000	6.9
1939 ²	67,608,000,000	63,150,000,000	4,458,000,000	6.6

¹ National income available for living. For method of derivation see The Agricultural Situation, May 1, 1937, p. 19.

² Preliminary estimates.

The second column shows the total national income for the United States, and the last column shows the percent of the national income paid to the farmer. It shows that the farmers, who constitute 25 percent of the Nation's population, are receiving less than 7 percent of the national income. And it shows that while labor and industry have been receiving more and more, the farmer has been receiving less and less each year under our present farm program.

But the most striking contrast is in the trend since the war. In 1919 agriculture, labor, and industrial incomes were at the peak of war inflation, and all the Nation was prospering. And then the war ended, and farm prices dropped like a bucket in the well while everything else advanced, and the tables above show that while farm products are bringing today approximately one-third of what they brought in 1919, labor is receiving three times the wages paid in 1919, industry has more than maintained wartime prices on everything the farmer

has to buy, and farm machinery, fertilizer, and all costs of production are higher today than the farmer paid when he was getting \$2.40 for wheat, 35 cents for cotton, and \$1.50 for corn.

Farm prices and farm income have been steadily dropping for 5 years, while labor and industry costs entering into farm necessities have been rising to heights never before attained in the economic history of the world.

Now, do not misunderstand the attitude of the farmer toward labor or industry. The farmer believes in high wages and high prices, and he is ready to pay them as long as he has buying power to do it. He has cooperated, and the Members of Congress from farming districts have cooperated, at every opportunity to better the condition of both labor and industry—to increase the wages and reduce the hours of labor, and to stabilize industrial prices. We approve of that legislation. We supported it. We voted for it in the expectation that legislation to provide the same benefits for the farmer would come next. And I am convinced that labor would support a similar bill to stabilize farm prices if the Committee on Agriculture would bring one on the floor. But in the 4 years in which farm income has been dropping no such bill has been reported, and in the meantime Congress has continued to enact legislation which has further increased the disparity between farm and factory. We raised freight rates, and the farmer pays the freight both ways. We passed the bus and truck bill, doubling rates to the farmer unable to own a car or buy a truck. We took over the waterways, the farmer's last guaranty of competition in transportation. We put a floor under wages and a ceiling over hours, when the testimony shows that 20 percent of the money required to effectuate it comes from the pockets of the farmer. We passed a bill guaranteeing the price of coal—not only the coal the farmer burns but the coal entering into the cost of every piece of machinery and equipment he buys. We enacted the "hot oil" bill and hiked the price of the oil and gas the farmer must have for his tractor. We maintain the tariff, costing the farmer, along with every other consumer, billions of dollars a year. And, most significant of all, we passed the fair-trade bill, fixing the retail price of every manufactured article from medicine to matches and from razors to radios. We raise the income, reduce the hours, and standardize the prices of everybody but the farmer, and the Committee on Agriculture does nothing about it. "Oh," they say, "the farmers can't get together; the farm organizations can't agree." But neither could the labor organizations agree. There has never been a division short of civil war equal to the division in the ranks of labor, and yet the Committee on Labor has gone along reporting and passing labor legislation. I take off my hat to the Committee on Labor. I pay especial tribute to the able and loyal chairman of the Committee on Labor, the gentlewoman from New Jersey [Mrs. Norton]. She has rendered a service to the wage earner unequalled in the annals of the House. I wish she was a member of the Committee on Agriculture.

And while we are discussing those who have forgotten the farmer, let me also mention the Director of the Budget. In view of the promise to give the farmer a minimum of 100-percent parity, and our utter failure to keep that promise, we would naturally expect the Budget to favor the agricultural appropriation bill, especially on those appropriations affecting farm income. What is our surprise to receive a Budget estimate which cuts the farm bill deeper than any other appropriation bill, cutting funds for purchase of surplus commodities and food stamps in half and eliminating appropriations for parity payments altogether. Of course, funds for such purposes will not solve the farm problem. They will not provide parity prices. But they do add to the farmer's meager income, and until the Committee on Agriculture provides something better, half a loaf is better than no bread at all. But they are omitted by the Budget, and our subcommittee was under explicit instructions from the whole committee not to exceed the Budget estimates, and in compliance with those instructions we submit a bill more than half a billion dollars under the expenditures for the current year. It is, in round figures, \$155,000,000 under the Budget estimates, allowing

room for judicious expansion in collaboration with the Senate, if occasion requires, without materially exceeding Budget figures or committee instructions.

Let me say on behalf of the subcommittee that we made these reductions reluctantly. Had we followed our personal preferences, especially with reference to those items in which our colleagues were particularly interested, we would have made no cuts at all, and in numerous instances would have increased such appropriations. The fact that we have reduced any particular item is no indication that funds for such purposes would not be advantageously extended. It simply means that under the necessity of cutting somewhere we selected those items which were less essential, which duplicated or overlapped other activities, and which could more justifiably be deferred until national finances are in better balance and national income at least equals national expenditure.

Mr. WOODRUM of Virginia. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Virginia.

Mr. WOODRUM of Virginia. May I say, with the gentleman's permission, that, being much interested in the agricultural appropriation bill, I have carefully examined the painstaking hearings conducted by the gentleman's committee and the report. I think the gentleman from Missouri [Mr. CANNON] deserves the commendation of the House and the country for the fine hearings and the splendid work which his committee has done on this bill. At a later time I shall have something a little more specific to say about that. But his bill is \$154,000,000 under the Budget estimate. Today, because of the action taken by the Congress to date under the President's Budget, instead of being within \$61,000,000 of our national-debt limit we are three hundred and some million dollars under it, and that much farther away from the necessity for a tax bill. I think the gentleman is to be congratulated, and I hope the House will back his efforts at making this a real economical bill, but one which in no way cripples needed items for agriculture. [Applause.]

Mr. CANNON of Missouri. We appreciate the gentleman's cooperation, and now that the committee has performed its duty we trust he and all other friends of agriculture will also cooperate in finding a solution for the real farm problem. This bill cannot solve it. No amount of appropriations—no hand-outs, however generous—can permanently dispose of it. We must have legislation standardizing income and fixing minimum prices as we have standardized wage scales, fixed retail prices, established freight rates and certificates of convenience and necessity, and the equivalent of all the other legislative and administrative devices contrived to insure industry's costs of production and a reasonable profit. I trust the gentleman and all other farm-minded Members will appreciate the importance of taking steps at this session to prepare for the shock which will follow the close of the war. For every additional dollar in national income received during the war \$1.75 will be subtracted from the national income when the war closes. Our munitions plants, airplane factories, and the myriad war-sustained activities of the Nation will draw their fires the night peace is declared and throw their armies of workmen into the streets. Domestic markets will shrink as unemployment mounts. We will have all the gold in existence. We will be the one great creditor nation of the world and the most hated nation on earth. Foreign nations will have nothing with which to buy. International trade will fade with the echo of the last gun and economic chaos will sweep across land and sea. Unless we prepare now for the inevitable catastrophe, agriculture will be the first to suffer, and conditions in 1920 will seem mild in comparison. If we cannot maintain farm prices at three-fourths of parity, aided by drought and war and billions in pump priming, what can we expect when the props are removed and we must depend on normal conditions without foreign markets and war orders, or Government aid? The present system will not do the work. Even if it did, we cannot indefinitely finance one class or one industry, however deserving, out of the Public Treasury. President Roosevelt has emphasized that fact in both his message and his Budget.

Secretary Wallace tells us some permanent plan must be adopted. The Department of Agriculture, after painstaking investigation, submits impartial statistics which leave no room for doubt. Every farm organization and every notable farm leader agrees that a remedy must be found.

Louis J. Taber, master of the National Grange, said at the Seventy-third Annual Convention of the Grange:

We have not yet solved our farm problem. The farmer is not receiving his share of the national income. Although he has educated, housed, clothed, and fed 31 percent of the youth of the land, the prices he has received for the last 10 years equal only 78 percent of the prices he has paid for commodities and services used in rural life.

William Hirth, president of the Missouri Farmers Association and chairman of the historic Corn Belt Committee, who led the fight for the McNary-Haugen bill, and without whose support it could not have been passed, says:

Agriculture is facing a new crisis. Already Secretary Wallace has sounded a warning that there is no assurance that the new Congress will be willing to keep on appropriating hundreds of millions of dollars, * * * and thus it is not unlikely that the farm relief of recent years, economically unsound * * * as it has been, will come to an end, and the farmers will once more be left to root hog or die. * * * Will the Democratic leaders have the courage to tell the consumers of the Nation that they should be willing to pay the farmer cost of production, plus a reasonable profit, for the products of his toil? Or, to put it another way, when they tell our millions of city workers that they are entitled to an American standard of living, will they have the honesty and courage to tell them that they should be willing to concede the same kind of living standard to the farmer? * * * If the farm men and women of the United States were willing to ignore partisan politics and would speak with one voice, they would make demands for economic justice to agriculture which neither party would dare ignore, and the time is close at hand when farmers must act in this manner if the Republic is to be preserved.

Likewise, John Vesecky, of Kansas, president of the National Farmers' Union, was instrumental in securing the adoption at the annual meeting of his organization of a legislative program demanding parity and proposing the enactment of a self-liquidating plan for maintaining the prices of agricultural products.

In similar vein, Edward A. O'Neal, president of the American Farm Bureau Federation, writes January 30, 1940:

I am willing to support any feasible and reasonable farm program, and support any and all reasonable expenditures in behalf of agriculture, if only there is some prospect that a solution will be found. In the light of the experience of the last few years, with generous appropriations to carry out a program for curtailing supply and expanding demand, is there anyone so bold as to insist that we have found the solution, or, if not, approximate solution? It is results that we are after, and I believe I express the sentiment of a majority of farmers that they seek results rather than experimentation.

And I especially want to quote briefly from a statement made in the last few days by Earl Smith, of Illinois, one of the most able farm leaders in America, when he said:

Everything yet done by Congress for the solution of the farm problem has been to appease the farmer rather than directed fully to the solution of the agricultural problem. There have been reams of evidence presented and filed with the Agricultural Committees of both Houses of Congress relative to the agricultural problem and its remedy.

There has been evidence presented that before any fair jury in the land would have been convincing that a full and effective permanent solution of the farm problem is a first essential to the solution of the unemployment problem and the balancing of the National Budget. This evidence has been temporized with by both Democrats and Republicans.

As a result, politics has crept into both unemployment relief and the farm-surplus problem. Vast expenditures have been and are being made for the temporary relief of both, but the real farm problem, as related permanently to the future welfare of every citizen of this country, has not even been approached.

Is there anyone who can successfully deny that by giving the American farmer a price for his products that represents a fair exchange value for the products of industry the increased buying power of farmers resulting therefrom would require the absorption into the normal labor channels of industry of practically every able-bodied man in America who wants a job at a decent wage?

That we have temporized with this fundamental problem of relationship of farm prices to the cost of things the farmers buy is shown from the fact that the buying power or exchange value of the farm dollar has been increased only from 61 cents in 1932 to 77 cents in 1939. While progress has been made, it is entirely too slow and must be immediately speeded up if the Nation is to avoid more serious difficulties.

Every departmental official and agricultural authority, every farm organization and recognized farm leader in the Nation is demanding action. The time for temporizing is past. The war will finally burn itself out. It is not a contingency. It is not a possibility. It is not a matter of chance. It is merely a question of time, and when it ends no one who witnessed the tragic misfortunes of agriculture following the close of the last war can entertain any doubt as to what will happen. And if the Committee on Agriculture, which is charged with this dire responsibility, permits Congress to adjourn without opportunity to legislate, and the war closes before the next session, they will be calling on the rocks and the mountains to fall upon them and hide them from the wrath of the betrayed and exploited farmers, who have depended on the members of that committee to represent them and protect their interests. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. I yield myself 10 additional minutes.

Mr. O'CONNOR. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Montana.

Mr. O'CONNOR. Does this bill carry any appropriation to provide the \$347,000 deficit due the Montana farmers alone to meet the deficit in parity payments to the farmers under the 1939 appropriation bill.

Mr. CANNON of Missouri. I have introduced a bill for that purpose—House Joint Resolution 434—which has been favorably reported by the committee and is now on the calendar. It has also been included in the urgent deficiency appropriation bill. It is expected to pass both Houses and go to the President in the next few days, and will be in operation in ample time to meet all requirements. No parity payments will be omitted, reduced, or delayed.

Mr. O'CONNOR. I wish to correct the figures I quoted. The amount we are short today to meet the parity payments due the farmers for the year 1939, instead of being \$337,000, is \$9,634,000, and \$347,000 of this amount is due the farmers of my State for parity payments under the 1939 program. I wish to make this statement as a correction of the figures I just gave. I also wish to submit the observation to the gentleman that notwithstanding the appropriations that have heretofore been made by the Congress by way of parity payments, we have restored the prices of the American farmer's products up to only 75 percent of parity with the necessities the farmer has to purchase, such as goods, wares, and merchandise; in other words, the farmer has still a 75-cent dollar notwithstanding the \$225,000,000 that was appropriated for parity payments a year ago.

Mr. CANNON of Missouri. The gentleman's figures are correct. The resolution makes available \$11,000,000 to cover all possible deficiencies.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Texas.

Mr. JONES of Texas. It is reported, although it does not seem to be in the bill, that the committee saw fit to eliminate the farm tenancy program. Is this correct?

Mr. CANNON of Missouri. The bill, as reported by the full committee, makes no appropriation for farm tenancy.

Mr. JONES of Texas. Does the gentleman agree with the gentleman from Virginia that this step can be taken, that this machinery can be broken up, without injury of any kind?

Mr. CANNON of Missouri. The farm-tenancy appropriation, judging from our experience with it in my own State, occasioned more dissatisfaction than any other measure that has been actually provided for in this bill. It is my observation that it did more harm than good.

Mr. JONES of Texas. I should like to know on what basis the gentleman makes that statement.

Mr. CANNON of Missouri. In the first place only a minority of the counties were allotted funds for farm-tenancy loans and a large part of the time given to the subject was

devoted to explaining why these counties were selected and others excluded. And within the counties in which loans were made, the applications, both of those who wished to borrow money and those who wished to sell land, were vastly in excess of the facilities available. When beset by irate farmers who had been denied loans, when their neighbor just across the road, whom they invariably took pains to explain was not so good a farmer or in such dire need as themselves, had been given loan, you were in the predicament of a man up a tall tree and anxious to remain there. Even farmers who owned their farms, or tenant farmers who did not apply for a loan, who were very few, criticized the program on the ground that the Government was picking out a pet of the administration and subsidizing him at the expense of the taxpayers.

Mr. JONES of Texas. The gentleman has an unusual district, then, because in every district from which I have heard they all want that particular program. The men who have purchased farms have paid more than 100 percent of the payments due.

Mr. CANNON of Missouri. It is the usual Missouri district in that respect, as evidenced by this clipping taken from the Missouri Farm Bureau News. Here is the headline: "Disappointment for Many." And under that is a subhead: "There Are Twenty Times as Many Applicants as Loans." And then the article goes on to say:

The Farm Security Administration estimates that it has available funds this year for 6,971 loans under the Bankhead-Jones Farm Tenant Act to enable tenants to buy farms. For these there are on file 133,096 applications. This is the third year of the operation of the act and during the first 2 years 6,180 loans were made to that number from among 147,972 applications.

Of course the number of applicants given here is but a few of those who wanted loans, but who had to be told it was hopeless to apply because loans were not being made in that particular county, or for various other reasons. For every one of these loans you made there were hundreds of disappointed tenants and hundreds ranking with a sense of the injustice of denying them prices for their products which would enable them to buy their own farms, and then denying them the loans the Committee on Agriculture says are solving the tenancy problem.

But the principal objection to the appropriation of funds for the farm-tenancy program at this time is the fact that it does not achieve the purpose for which it was designed. It does not cure farm tenancy, and the testimony before our committee is that every year it has been in operation farm tenancy has increased rather than declined.

Mr. JONES of Texas. That has been true for the last 40 years up to 1933. There has been practically no increase in farm tenancy since 1933, and does the gentleman think, if his statement were correct, that he would want to abandon the one step we have taken that tends to solve this problem?

Mr. CANNON of Missouri. It is to be regretted that the statistics submitted to our committee by the Department of Agriculture do not bear out the gentleman's conclusion. According to the statement before the committee farm tenancy is increasing at the rate of approximately 40,000 a year. Dr. Alexander testified that 4,296 of the 6,000,000 farmers of the United States had been put on farms in the year 1938-39, and 4,296 subtracted from the 40,000 who lost their farms during that year would leave a net increase of 35,704 in farm tenancy, notwithstanding the farm-tenant program and the \$40,000,000 appropriated to finance it. There is only one thing that can solve the problem of farm tenancy and that is to increase agricultural prices so that the man on the farm will be able to make cost of production and have enough over to pay taxes and stand off the sheriff. [Applause.]

Mr. JONES of Texas. The gentleman is just as wrong as he can be.

Mr. CANNON of Missouri. No. What is wrong is the price of farm products. Prices paid the farmer for what he sells are so low, in comparison with the prices he has to pay for what he buys, that he cannot make enough to buy a farm. Or if he owns a farm cannot make enough to pay running

expenses and have enough left over to pay taxes and interest. You could put the best tenant farmer in the United States on the best farm between the two seas and unless you paid him enough for what he grew, it would be merely a matter of time before the sheriff would have the farm. What brought on all this wholesale loss of farms under foreclosure of mortgages? It was the fact that agricultural prices were below parity. That is the sole cause of farm tenancy and you will never cure farm tenancy until you go right back to where it started and pay the farmer fair wages for his labor and decent prices for his products. If you want to solve the farm-tenancy problem, let the Committee on Agriculture bring out a bill to put a floor under farm prices just as the Committee on Labor has reported and passed bills putting a floor under wages. [Applause.]

Mr. JONES of Texas. There is no use to bring out a bill if the Appropriations Committee is going to kill it. [Applause.] Let me say to the gentleman, he has not thought this thing through, and that is plain. As a matter of fact, I favor an increase in prices, but it so happens that when prices increase, land prices increase also; and the gentleman will not solve the tenancy problem in that way, because tenancy has increased more when prices were high than when they were low. And the gentleman is flying in the face of the facts when he states they can own their own homes in that way. They are beginning to own their own homes under the present farm-tenancy program, and the gentleman now kills it.

I agree with a measure of economy, but when the gentleman takes a machete and an ax and tries to destroy every step that is being taken in that direction, I do not agree with him that nothing is being done. We have the lowest farm interest rates that ever prevailed in this country; we have provision for rural electrification; we have provision for disposal of surpluses, which the gentleman's committee, I understand, has practically killed; and we have a provision for starting on the solution of a problem that has been accumulating for 75 years—farm tenancy—and you cannot cure it in 1 year, and the gentleman now offers to further that program by destroying it, which is an absurdity. [Applause.]

Mr. CANNON of Missouri. I am surprised to hear the chairman of the Committee on Agriculture say that we ought not to give the farmer a fair price for his products because it will increase the price of land.

Mr. JONES of Texas. The gentleman cannot misquote me in that way. I have said that I want to increase farm prices.

Mr. CANNON of Missouri. But the gentleman said that it increases the price of his land and, apparently, that is the reason he will not bring in a bill to give the farmer fair prices.

Mr. JONES of Texas. The gentleman misinterprets my statement. I favor fair prices for the farmer, but while that will solve the price question, which needs to be solved, there are various wings to the farm problem, and you will not solve the entire problem by solving one wing of it. When you solve the price question, you will not solve the question of ownership unless you tackle that problem directly.

Mr. CANNON of Missouri. Mr. Chairman, no one can survey the results of the farm-tenancy program without being impressed with the utter futility of the attempt to solve the farm problem by such means. Even in years when the Federal income is in excess of expenditures, it is a disturbing factor. In the most favorable light it merely selects one farmer in a hundred thousand, with no advantage whatever to the other millions of farmers in the Nation. The great problem before the farmer and the American people today is the low price of farm products. This program cannot affect that problem in any way. It cannot add a penny to the price of any farm product or to the individual or national farm income. We have promised the farmer parity prices and he expects us to keep that promise, and yet farm tenancy has so occupied the attention of the Committee on Agriculture this session that apparently they have completely lost sight of the important duty before this Congress of discharging that obligation.

You are paying the farmer less than 75 percent of parity. Why do you not do something about it? Until you do something about it, the farmers will continue to lose their farms and farm tenancy will continue to increase and the entire Nation will continue to suffer from lack of business and unemployment due to the lack of buying power on the farm.

Mr. JONES of Texas. Will the gentleman yield further?

Mr. CANNON of Missouri. With pleasure.

Mr. JONES of Texas. We have authorized parity payments. Does the gentleman think he will accomplish that by cutting out the provision for carrying out those stipulations?

Mr. CANNON of Missouri. As the gentleman perhaps knows, there was no provision for parity payments in the estimates submitted to Congress by the Bureau of the Budget. And as the Committee on Appropriations, long before the report of the subcommittee on this particular bill, had issued explicit instructions that no bill should be reported out this session in excess of the Budget estimates, and was in position to enforce such instructions, the question of an appropriation for parity payment was not before the subcommittee at any time. Under the circumstances, there was no means by which it could have been brought before the subcommittee for consideration.

Mr. JONES of Texas. I am glad the gentleman makes that statement, because I have always regarded him as being interested in this problem, and I was amazed that while they have made comparatively few reductions on other bills, they cut this one 47 percent. It is a surprising thing, coming from the gentleman from Missouri, and I am glad to have his explanation that he was acting under the instructions of the full committee, and I absolve him of that, but that does not solve the problem.

Mr. CANNON of Missouri. Mr. Chairman, I hardly see how there can be any misapprehension as to my position on parity payments. I have made the fight for them, both in the committee and in the House each year they have been provided. Last year I brought the appropriation of \$225,000,000 for this purpose back from conference by one vote, and, on my motion, largely through the valiant cooperation of the gentleman from Texas [Mr. JONES], the House agreed to the appropriation by the slender margin of five votes. No opportunity has yet been afforded to secure consideration of an appropriation for parity payments this session, but in due time I trust we can again find occasion to call on the gentleman from Texas, and in such event I am certain we can again depend on him to put it through.

Of course, the amount we are able to provide for parity payments will not bring on the millennium. They were not able this year to push farm prices up to even three-fourths of parity. And we all realize that they are merely emergency provisions, and we cannot depend on appropriations of this character from the Federal Treasury as a permanent policy. But, in contrast with the tenancy program, which benefits only one farmer here and there over the State, parity payments reach every farmer in America, and this year added 11 cents to the price received for every bushel of wheat, 1.6 cents on every pound of cotton, and 6 cents on every bushel of corn, paid by Government check. And the \$225,000,000 added to the buying power of the farm was reflected in the business of every merchant in the Nation and contributed to the employment of thousands of workmen in factory and shop and plant throughout the land, who otherwise would have been without a job.

But parity payments are at best merely a stopgap. They pay the farmer less than 75 percent of parity. I trust the gentleman's committee will meet and bring in permanent legislation to standardize farm prices at not less than 100 percent of parity on the same basis on which every other industry and service is now enjoying parity or better. Many proposals have been suggested for consideration and enactment, including specific measures recommended by the Secretary of Agriculture and farm leaders and farm organizations. Surely out of all this wealth of material some plan can be formulated to meet the situation. I trust the committee will at least meet and consider them. That is all we

ask. It is my understanding that up to this time there has been no consideration of any means to meet the situation we must face when the war closes.

Mr. MASSINGALE. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Oklahoma.

Mr. MASSINGALE. Since the Secretary of Agriculture has been fair enough to state that he never can accomplish parity or cost-of-production prices for farmers under his bill, I understand the position of the gentleman from Missouri is that we ought to abide by what the Secretary says in that respect and have the guts to get up here and either give them cost of production or parity as a floor under farm prices, so that when this war does end, if it ends soon, the farmer will not be left without anything on earth for his farm products.

Mr. CANNON of Missouri. Any farmer who went through the last war can testify to that. It would be presumptuous to pass on the merits or demerits of any of the measures which have been submitted, but in multiplicity of counsel there is wisdom, and I hope the Committee on Agriculture will meet and consider the entire field; and when they do, I have every confidence that they will be able to evolve a plan, or a combination of plans, that will answer our needs and protect the interests of the farmer and the country.

Mr. NELSON. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to my colleague from Missouri.

Mr. NELSON. My colleague, than whom the farmer has no better friend in Congress, has referred to the collapse in farm prices which he anticipates will follow the present World War, and has made reference to the collapse which came at the close of the World War a quarter of a century ago. Obviously there can be no such collapse—that is, to such a degree as came then—because up to now the farm prices have not advanced in any respect because of the World War now being waged overseas. What the farmer buys has to a considerable extent advanced in price, but not what he sells.

Mr. CANNON of Missouri. I regret that I cannot agree with my colleague. All authorities agree that the situation will be infinitely worse unless legislation is enacted to protect farm prices from the same conditions which followed the last war. It is true that farm prices cannot fall so hard, because they will not have so far to fall. At the close of the last war wheat was selling at \$2.40 a bushel. Today it is a little under a dollar. When the armistice was signed in 1918, hogs were selling at \$24.50. I sold some on the St. Louis market at that price, myself. Today they are down to approximately \$5. Eggs were 60 cents; corn was \$1.50. A drop from those prices was a greater shock than a fall from the prices we are receiving today. But the shock was cushioned then because the Government lent European nations \$10,000,000,000, which they spent exclusively in the United States, and which provided a market as long as it lasted. This time we will not lend them a thin dime, because, with the exception of Finland, none of them have paid back what they borrowed then. As a result, the reaction will be more immediate, more certain, and more drastic than before. Still, the Committee on Agriculture has considered no plans to protect our farmers from the smash every Member of this House knows is coming.

Mr. FERGUSON. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to my good friend from Oklahoma.

Mr. FERGUSON. Does the gentleman want to leave the impression that the present agricultural bill, which definitely controls production of those crops that produce a surplus, the program of loans, the program of control, the program of insurance, the program of benefit payments, the program of parity payments, which the gentleman so ably supported at the last session, have all been wasted, and that American agriculture has not in any way benefited from the program under this administration?

Mr. CANNON of Missouri. The gentleman evidently overlooked my statement on the benefits to agriculture accruing

from the measures he has mentioned. They have supported the market to the extent of preventing a return to 1932 prices, as was pointed out by Secretary Wallace whom I quoted. But they have not and cannot give us parity prices. Secretary Wallace testified positively and emphatically they could not and would not support parity. It is not a matter of surmise or conjecture. We have tried them out. And even under the most favorable conditions, with a drought in the Northwest driving up the price of wheat—to the speculator not to the farmer who sold it long ago—even with the drought and with three-fourths of the nations at war and the other fourth arming for war, and supplemented by billions of dollars spent for relief, the best they could do was just a little short of three-fourths of parity. If that is true now what do you suppose will happen to farm prices when the war closes with Europe and Asia bankrupt, and our war industries closing down? And most significant of all—a depleted United States Treasury unable to supply further parity payments or finance the many other activities which are providing a market for farm products now and will be missing when peace and exhaustion and destitution come to Europe. Even if they would do as well after the war as now, would you consider that enough? The Government promised the farmers parity and it promised Members of Congress their salaries for services rendered. If, when you went to collect your salary, they paid you 75 cents on the dollar would you think the Government had carried out a splendid program? Well, the farmers feel the same way about it.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Montana.

Mr. O'CONNOR. Parity payments are cut out of this bill; in other words, if this bill is passed we get no parity payments.

Mr. CANNON of Missouri. Parity payments never were in the bill. They were not even submitted in the Budget estimates.

Mr. O'CONNOR. I realize, just as was said by the distinguished gentleman from Missouri [Mr. NELSON], that there is not in the House of Representatives any more zealous advocate of the farmer than the distinguished gentleman from Missouri [Mr. CANNON]. May I not say to him that I believe his committee could carry out the instructions of the full committee to stay within the Budget recommendations of the President providing they would take from this huge anticipated appropriation to be made to construct battleships that will never be needed—at least we hope they will never be needed—and give that money to the American farmer, and maybe some of the poor people on relief.

Mr. CANNON of Missouri. Unfortunately, this subcommittee did not have the battleships before it. In such case we might have made some adjustment.

Mr. O'CONNOR. The gentleman would be in favor of that, would he not, taking it from building battleships and giving it to the farmers and unemployed?

Mr. CANNON of Missouri. Of course, the gentleman understands that the appropriation for parity payments on the 1940, this year's crop, the 1940 crop, have already been made. It is the provision for parity payments on the 1941 crop that is in question.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Mississippi, who knows more about the farm question than any man outside of the committee and who has rendered as valuable a service to agriculture as any Member of the House.

Mr. RANKIN. I agree with what the gentleman from Montana said. We all know that the gentleman from Missouri [Mr. CANNON] is always in sympathy with the farmer.

The gentleman from Missouri said a while ago that we were not subsidizing the farmer; that we were subsidizing the people in the city who eat the things that the farmers produce. As a matter of fact, are we not subsidizing the middlemen who are profiteering on both producer and con-

sumer? I hope to place in the *RECORD* an article from the New York Times of January 23, which shows that one Mr. F. A. Countway, manufacturer of soap made from cottonseed oil, soybean oil, peanut oil, and so forth, is raking down a salary of \$496,000 a year and had \$200,000, if I remember correctly, added to that salary within the last 12 months. There are many other processors of farm products drawing salaries larger than the salary of the President of the United States. They are the ones who are profiteering on the American farmer, not only the American farmer but also on the man in the city who buys the things produced by the farmer.

Mr. CANNON of Missouri. The gentleman has touched on one of the vital phases of this question. The hearings before the committee developed the fact that there was not only a wide difference between the price received by the farmer and that paid by the consumer, but that the margin is rapidly increasing and the middleman is taking a greater toll today, both from the producer and the consumer, than ever before. It is a situation which merits attention, considerably more than passing attention, and I trust the gentleman from Mississippi will follow it up.

Mr. HOUSTON. Mr. Chairman, will the gentleman yield? Mr. CANNON of Missouri. I yield.

Mr. HOUSTON. This morning the Budget estimate for the Surplus Commodities Corporation for food stamps went out on a point of order. Can the gentleman tell us whether the \$100,000,000 available from 30 percent of the customs receipts will provide for and take care of those cities that have already been approved for this stamp plan up to this time?

Mr. CANNON of Missouri. That is true. The original estimate for the amount which would be available from section 32 of the act—that is, 30 percent of the customs duties—was \$90,000,000. Under the revised estimate just received the amount is in excess of \$100,000,000. This will be available to continue the stamp plan in those cities in which it is now in use, and additional cities will be added as conditions justify. The system has proven so satisfactory to the producer, the consumer, and the merchants through whom it operates that the bulk of commodities available for relief will be distributed through this agency.

Mr. HOUSTON. Is that over and above the 28 cities that participated in the program last year? There may be other cities that have not been listed but which have been approved.

Mr. CANNON of Missouri. I am only familiar with those cities listed in the report. A small part of the \$100,000,000 will be sufficient to take care of the 28 cities listed. The expectation is that other cities will be added as the program progresses.

Mr. BOLLES. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield.

Mr. BOLLES. Does not the gentleman from Missouri believe that one of the helps we could have at the close of the war would be the abrogation and repeal of all reciprocal-trade treaties, saving this American market for the American people?

Mr. CANNON of Missouri. I believe that would be the most unfortunate thing for the American farmer that could be done. If we close our borders, if we refuse to buy we cannot expect to sell. All testimony before the committee on that point was conclusive. Market demand for farm products and prices of all farm commodities are materially higher than they would have been but for the stimulating effect of the reciprocal-trade treaties. I trust the gentleman will take time to read the hearings on that question.

Mr. JENSEN. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Iowa.

Mr. JENSEN. Can the gentleman inform the House whether or not there was a penny recommended by the President in the Budget for parity payments or anything recommended by the Secretary of Agriculture for parity payments?

Mr. CANNON of Missouri. Nothing was recommended by the Budget for parity payments in the belief that as the European war progresses farm prices will rise. If they reach parity, there will be no need for funds for these payments.

The President has given assurance that if that expectation is not realized by the time the bill is returned from the Senate, he will request an appropriation for the purpose. Of course, the President has from the first favored parity payments in the absence of other legislative means of securing parity, with the provision that Congress provide the revenue to pay them. His position on that point is unassailable. We should enact permanent legislation for the purpose. It is to be hoped that the Committee on Agriculture will meet soon to take up the consideration of legislation with that in view.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield 6 minutes to the gentleman from Massachusetts [Mr. TINKHAM].

Mr. TINKHAM. Mr. Chairman, the United States is slowly but surely treading the road to war both in Europe and in Asia.

It is proceeding toward tragic involvement in the present wars step by step, as it did in the last war; first, arms; then, credits; and finally, men.

The United States has abandoned neutrality. Neutrality, the rule of impartial treatment of all belligerents, is the only policy that has kept and can keep a nation out of war when war comes. It kept the United States out of war in Europe and Asia for 150 years, until the World War of 1914-18, when abandonment of neutrality led directly to our participation.

The United States has substituted political intervention for neutrality both in Europe and in Asia. Political intervention means war in the end.

President Roosevelt and Secretary of State Hull have assailed in offensive and provocative language country after country with which the United States is at peace.

In 1935 they took provocative and hostile action in the Ethiopian war far in advance of the League of Nations, and the consequences, by reason of subsequent events, were humiliating to the United States.

Our Government subsidized China in 1938 in the Sino-Japanese war, in the same amount in dollars as Great Britain, and strange as it may seem, we thereby allied ourselves in Asia with communistic Russia, which is actively supporting the Chinese.

They sent American officials to Czechoslovakia in 1938 to support Great Britain in the political crisis there which eventuated in the Munich settlement, and again the United States was involved in the humiliating and disastrous denouement.

The President and the State Department openly and aggressively supported Great Britain every step of the way and at every turn up to the moment of the actual declaration of war by Great Britain and Germany.

Hostilities between Russia and Finland began on November 30, and within two weeks President Roosevelt and Secretary Hull had authorized a loan of \$10,000,000 to Finland and sanctioned shipment to Finland of United States airplanes built for our Government. The administration now proposes that the Congress authorize a further loan of \$30,000,000 to Finland. These acts are in flagrant violation of neutrality. They are hostile acts. They are acts of war.

No matter how great are our sympathy and our admiration for Finland, the Congress should not officially approve United States intervention on that war front, or on any other war front in Europe or Asia. To do so would be to commit the United States inescapably to war.

In the present war between Russia and Finland, the President and Secretary Hull are having the United States pursue exactly the same policy as is being pursued by Great Britain.

In the Ethiopian war, in the Sino-Japanese war, in the Czechoslovakian crisis, and the Munich settlement, and in the Russian-Finnish war, the "parallel action" to which Secretary Hull has so often alluded when vehemently denying that there was any alliance between the United States and Great Britain is clearly evidenced and is compelling proof of the alliance of the ruling heads of Great Britain and the executive branch of our own Government. [Applause.]

Mr. DIRKSEN. Mr. Chairman, I yield myself 30 minutes.

Mr. DIRKSEN. Mr. Chairman, it was in no spirit of exaltation that I listened to the confession today that the farm problem has not been solved. It was with no exaltation that I listened to the confession that our industrial problem has not been solved. But when all is said and done and all the rhetoric has been wasted, you gentlemen know just as well as I do that the two primary problems of this country, the problem of employment on which, of course, hinges relief, and the problem of equal purchasing power for the farm dollar, have not been solved. Our country is akin to Russia, in one sense, in that those are the two major countries where you have such a division between agriculture and industry that both of them are primary problems. I can think of countries in South America where agriculture is dominant. I can think of countries like Japan and Germany where industry is very preeminently dominant. But in our country we have to find a solution for both problems, and that solution has not been found.

It is essential that a solution be found, because all the things we are doing are so futile until that solution has been found. When last in this Well, speaking on the independent offices appropriation bill, I pointed out the forward march of foreclosures by the Home Owners' Loan Corporation and that as of this time about 178,000 foreclosures have been authorized. This is not going to stop until unemployment and relief have been solved. Diminution of national income, reduction in national revenue, is not going to be solved until these primary problems are disposed of. I make so bold as to say that I doubt our ability actually to reach a balanced Budget until you put the ax at the cause. The cause, of course, is the drain upon the Federal Treasury. Until that drain is removed not only on the Federal Treasury but upon State treasuries and local treasuries as well, we are not going to get anywhere in seeking a solution to this problem.

If I wanted to document my remarks today, first, as to how much we expended, and, secondly, whether we have found the solution, I would ask you to look at page 1032 of the Budget for 1941. This is not my budget. It is the President's Budget. There he says:

Moneys for recovery and relief, total amount provided to October 31, 1939—

Here they are—

grants, aids, and expenses, \$15,452,000,000. Federal Public Works projects, \$3,542,000,000. Total nonrepayable—

Not my language; the President's language; the Budget Bureau's language—

Total nonrepayable, \$19,001,000,000.

Now, then, the President said this in his message on January 3, 1940:

We have not yet found a way to employ the surplus of our labor which the efficiency of our industrial processes has created.

That is not my confession. It is the confession of the President of the United States, who has indicated to the country time after time since his campaign messages of 1932 that a solution would be found. And here writ into the record he says there have been \$19,001,000,000 of nonrepayable expenditures. Then when we look at the score, we find that on the 27th of January 1940 the American Federation of Labor reports 9,379,000 people out of work.

Mr. Chairman, we have not found the answer. When we talk about the farm problem and about appropriations for agriculture, you cannot divorce that from the industrial problem, because there is a great segment of the consuming public on short rations, and until their fortunes have been rehabilitated we are like Ishmael shouting in the wilderness rather futilely and making a gesture without finding a durable solution.

I wish time permitted my going into a rather fulsome discussion of this whole industrial matter, but I am not going to do so. I am going to leave one thought after this administration confession and apology. I am afraid that if we do not find a solution pretty soon, there is going to be a

failing faith in the capacity of government as now constituted to find the answer; and when that lack of faith becomes sufficiently widespread, then you have got a real problem on your hands that is not dissimilar from that which has taken other countries and deposited them from the side of democracy to the side of totalitarianism. The best language and the best answer you can get to this whole problem you will find in Isaiah. I do not remember the chapter and the verse offhand, but there appears this language:

And it shall come to pass, that when they shall be hungry, they shall fret themselves, and curse their king and their God, and look upward.

That was written by the old patriarch on parchment several thousand years ago, but it is just as persuasive and it is just as logical and it is just as durable as it was the day Isaiah wrote it.

Today you hear people say that since we are not finding the solution to these problems perhaps our Government no longer has the capacity to do so as presently constituted, and therefore we ought to do something about it; we ought to get a new Government. That is the thing that brought Hitler out of the crucible of bitterness and despair; that is the thing that brought Mussolini out of the realms of despair. When the war was over I had a chance to go into Italy to make some observations. I saw it. I saw that brooding and dismal despair on every hand in Italy. I saw people completely lost and having no sense of direction. They did not know where they were going.

I never think of a lack of direction but what I think of a story of a Kentucky judge back in the days when Abraham Lincoln was in the legislature in Illinois. This judge had a rather happy habit of having a bottle of corn in his inside pocket. He had a rubber tube running from that corn up to his pipe. He would sit on the bench all day puffing, without any smoke coming from the bowl; but in the afternoon he got pretty mellow. He came out of the courthouse one afternoon and threw a saddle on his horse, ready to go home. A young lawyer standing there said to him, "Hey, judge, you've got the saddle on backward." The judge looked at him with that species of judicial contempt that only judges know and said to him, "How the devil do you know in what direction I am going?"

That is the answer today. There is a lack of direction, as there was a lack of direction over there. When there is a lack of direction to thinking then people say, "Well, let's get a new kind of government."

I remember, as you remember, the observance of the birthday of this country on March 4, 1939. There stood the President, there stood the Chief Justice of the Supreme Court, the President pro tempore of the Senate, the Vice President, and our beloved Speaker. Here was the Cabinet and here were the Members of the Supreme Court, the Members of the Senate, and the Members of the House, all together under this one seal-studded roof. We were having a birthday party for our country, 150 years old.

I sat somewhere along in there. I closed my eyes. I could just fairly imagine our great and illustrious predecessors marching through the Well of this House—they who were a part of the national stream—James Madison, in the First Congress; Abraham Lincoln, who served one term in this body in 1846 and 1847; McKinley; James G. Blaine; and Garfield, who sprang from the House to the Presidency—all contributed to the moving stream of our history and then disappeared on yonder shore. I thought of the contributions they had made, and then I began to wonder about those 150 years we had survived without any major change in our Government.

Will there be a two-hundredth anniversary? I do not know. Will there be a two hundred and fiftieth anniversary? I do not know. But when I see these disintegrating forces in the country and in the world, I begin to wonder some whether after 150 years we can hold our country together. Of course, the danger is that people whose bellies are empty, whose minds are bitter—and you know it and I know it—may undertake sometime to raise their voices in crescendo; and if

there are enough of them they will say, "Let us get a new form of government."

So, Mr. Chairman, we have not found the answer to this problem, but when I prefaced my remarks I said that it is no gloating or exultation on my part. But how provincial, narrow, and bigoted it would be for me as a Republican to draw the party line so closely and so narrowly as to say, "Well, that is swell. You Democrats have not found the answer. We will make mincemeat out of you in 1940." We may or we may not do that; that remains to be seen. But that certainly would be a provincial attitude, because it does not find a solution to the problem. After all, our own political destiny and the destiny of any one party should always be subordinate to the welfare and the well-being of the country.

So your President stood here on the 3d of January and confessed that we had not found the answer to the problem, and in the Budget message he said we had expended \$19,100,000,000. That is No. 1.

No. 2 is the farm problem. We have not found the solution to that problem, either. I live out in the Corn Belt. I want to get everything I can for my farmers. I want to get that kind of a policy that is most durable and most beneficial not only for the farmers in the Corn Belt but for the farmers in all sections of the country. I can think of nothing better we could do as we think of this farm bill for a little while than to get a clear-cut perspective of what we have done, how much money we have expended, and what the score is at the present time.

We have 6,812,000 farms in the country. It may be well to remember that figure, and it is not hard to remember—6,812,000. That was indicated by the agricultural census of 1935. We have 513,000,000 acres of cropland and we have 31,800,000 people who are identified with agriculture.

Ever since I can remember we have been trying to get parity for the farmer. What is parity? Well, first of all, parity is a condition under which there is such a relationship between what the farmer has to spend and the price he must pay for the things he must buy and the prices which he receives for his products, so that he will buy on the level that was attained in the base period from 1909 to 1914. In other words, we want to go back to that good old period of 1909-14 when there was a balance between what the farmer had to pay and what he received. So the first and most important thing is that parity is a condition; and when you do not have that condition, you can try to do something about it by legislation. You can try to induce artificial parity, or, rather, induce it artificially by various restraints, controls, subsidies, benefits, and so forth; and this is the thing we have been laboring on since 1932; and while there has been some progress—oh, you cannot deny that; many conditions are better than they were back in the dismal, dark days of 1932 and 1933—yet we are a long way from the goal.

Now, there are some ways of attempting to provide parity. If prices are low because you have got too much farm commodities in the country, then one way to get parity is to reduce the supply on the theory that if you have less available in the market prices will go up. There is another way to bring about parity, and that is to expand consumption and demand.

We have attempted both of them. We have done a lot of both of them; and when I think of reducing supply, here is what we have done, just to get the perspective in your minds: Under reduction of supply, in the hope that reduction would raise prices, first of all, we plowed under, and there was lots of crop destruction, particularly in the Southland. There is no need to bother you about the millions of acres to be plowed under. All I need to say is that it is uncontroverted that there has been destruction of crops for the purpose of reducing supplies; and, secondly, we have gone in for acreage reduction, under the original Agricultural Adjustment Act, under the act of 1938, and by other devices, trying to reduce cotton, trying to reduce rice, reducing corn, reducing wheat and other basic commodities. What was the purpose of it? To reduce the supply in the hope that the price would go up. This is item No. 2 in the program.

No. 3. We made loans to withhold commodities from the market. I think one of the most interesting exhibits in all the West are the thousands of corn cans, galvanized cans, holding 2,500 bushels of corn which stand out in the Corn Belt. You see them in the villages and the towns and hamlets. There you have an articulated example of what was done to reduce supply. In other words, withholding supply from market. And so we made loans and put the 1937 corn and the 1938 corn in these galvanized corn cans for the purpose of keeping it from the market in the hope that there would be no diminution in the price.

My good friend from Illinois hands me a picture, here, of these cans. They look like a lot of oil tanks in Texas. As a matter of fact, they are galvanized corn cribs in Illinois, and I suppose this is an aerial picture that was taken of them, but it is only a part of the whole program to reduce supply.

The next step was marketing agreements. What was the purpose of marketing agreements? To hold things off the market for a while, to regulate the speed with which commodities find their way into the markets; and it is nothing else except a regulation of supply which was designed to improve prices.

Finally, we had surplus removal operations, trying to get rid of the supply through various methods with which the Department has been empowered and, finally, we went in for a land-acquisition program. You may say to me that we are taking marginal land out of cultivation. It does not make any difference much whether it is marginal or submarginal, or any other kind of land.

It may raise 10, 15, or 20 bushels of corn to the acre, and in that proportion it has been contributing to the supply.

Now, I notice from the hearings that we have taken 10,157,000 acres out of circulation, so to speak, because the control or ownership is vested in Uncle Sam today under the land-acquisition program. So there you have a whole host of steps—crop reduction, crop destruction, curtailment, withholding from market, marketing agreements, export subsidies, land acquisition, surplus removal operations—all for the purpose of diminishing the supply, in the hope of achieving this elusive thing that we call parity.

You can get at it from the other side also. To get parity you can reduce the supply or you can expand the demand—or attempt both. We have been trying to do that every way possible. There are any number of programs on the books today. But what I am interested in, and what you are interested in today, is the score. I am not going to take the responsibility for giving you the score. I am going to let a greater man in the field of agriculture than I do it. That is none other than Edward A. O'Neill, who is president of the American Farm Bureau Federation, and who spent a whole morning with the committee in the finest kind of fellowship as we sought to get the benefit of his information; the benefit of the accumulated information of the American Farm Bureau Federation and its executive council. Here is Mr. O'Neill's testimony, after all the effort that has been made in order to get parity. He said:

The gross farm income in 1939 is 26½ percent, or \$1,800,000,000 under parity.

Now, we spent a lot of money, gentlemen. We have spent a lot of money over a period of 5 or 6 years in the hope that we could ameliorate the farm condition. Mr. O'Neill tells us that we are still 26½ percent below parity on the basic commodities, or a total of \$1,800,000,000.

How much money have we expended for farm payments? Mr. O'Neill and his very able assistant, Mr. Ogg, who is the statistician for the American Farm Bureau Federation, advised the committee that the farmers have received \$3,112,000,000 in payments; that on the 15th of December 1939 cotton was 6.16 below parity. That is a long way. Corn was still more than 25 cents a bushel below parity. Wheat was almost 31 cents a bushel below parity on the 15th of December 1939. Rice was 70 cents per 100 pounds below parity. Various kinds of tobacco were below parity in prices ranging from 1 cent to 3 cents a pound.

Now, there is the score, after all the things that we have done. Frankly, I just wonder where we are going. I share with my genial chairman from Missouri [Mr. CANNON] the belief that something else has to be done about this thing; that we are not getting to the heart of the problem or finding the solution by constantly doling money into all kinds of payments, only to find after 6 or 7 years that we are still \$1,800,000,000 from parity on the five basic commodities that are dealt with in the Farm Act of 1938.

In the course of all this program we have made a lot of concessions; we have made a lot of sacrifices. For instance, the world wheat acreage is up 30,000,000 acres. Our wheat acreage is up a little, but they have been taking advantage of the fact that we have been reducing and paying money to reduce. The true world corn acreage is about 13,000,000 greater than in years past. Our decrease is about 12,000,000. You know you cannot sit out in the middle of the Corn Belt and see all those fine golden ears hanging on those sturdy stalks, hoping that they will be translated into terms of adequate income for farmers, and then see some of the most fertile land out there that God ever placed on this footstool being diverted to other uses and taken out of cash crops on the theory that by reducing we will effect parity. We have not done it.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. AUGUST H. ANDRESEN. While you have been reducing corn acreage 12,000,000 acres in this country, Argentina this year has doubled its acreage.

Mr. DIRKSEN. I would not be a bit surprised. When I think of corn reduction, we are going to have another reduction in 1940. On the 29th of December the Department issued a release—1940 State corn allotments in commercial area announced, with this language from the Department of Agriculture:

The 1940 allotment is 12 percent less than the allotment for 1939.

Now, take 12 out of every 100 acres of corn away from us under the production of 1939, and finally we get down to the place where we have cut off the dog's tail a little at a time, until there will be no dog left, and all the volume gone; all the jobless people who reflect that lack of farm volume, as a matter of fact. That is why I say, with all deference to my good friend from Texas [Mr. JONES] we are much better off, but after this tremendous expenditure that was made, but we are still so far away from parity; and here we are fighting the same old problem of making an assault upon the Federal Treasury and aggravate the Federal deficit with no hope of a solution in sight.

I am willing to support any feasible and reasonable farm program and support any and all reasonable expenditures in behalf of agriculture if only there is some prospect that a solution will be found. In the light of the experiences of the last few years with generous appropriations to carry out a program for curtailing supply and expanding demand, is there anyone so bold as to insist that we have found the solution or even approximated a solution? It is results we are after, and I believe I express the sentiment of the majority of farmers that they seek results rather than experimentation.

Mr. JONES of Texas. I agree with the gentleman that this whole problem cannot be solved by reduction, but does not the gentleman realize that the total production of corn in this country the past year is far above average and that we have not really reduced the production of corn in quantity?

Mr. DIRKSEN. The gentleman knows full well that back in the lush days we had 110,000,000 acres of corn, whereas today we have 90,000,000 acres of corn.

Mr. JONES of Texas. Over a 10-year period we produced 2,300,000,000 bushels of corn. We produced about 3,000,000,000 bushels last year. That is but one phase of the program. The gentleman must realize that there are other wings to this.

Mr. DIRKSEN. Let me show the gentleman what that approach is. Here is John Jones, a farmer out in Tazewell County, Ill. They come along and say: "Mr. Jones, you are a good citizen and we know you are going to cooperate with this farm program." John swells out his chest and, like a true American, says, "Yes; I will cooperate." All right, they give him an allotment; they reduce his corn acreage; but it is a challenge to his ingenuity just as it has been to all farmers. Then one day he skims the pages of the paper and notices that there is a chance to take less acreage, plant better seed, hybrid seed, yet produce more corn.

Mr. JONES of Texas. Does not the gentleman believe that is a good thing to stimulate?

Mr. DIRKSEN. I do.

Mr. JONES of Texas. Does the gentleman believe it is a good thing to have unlimited production of a commodity, regardless of the amount on hand?

Mr. DIRKSEN. I am not so sure whether I do or do not.

Mr. JONES of Texas. If the manufacturers of automobiles had done that in 1931 and 1932, we perhaps could have gotten automobiles at \$100 apiece and plows at about \$10 or \$15 apiece; and then we could have afforded to have produced without regard to the market.

Mr. DIRKSEN. But, Mr. Chairman, I must remind the gentleman that the administration had never made it its responsibility to give everybody an automobile. It has, however, said that there would not be any starving people in this country; and while they may not be on the ragged edge of starvation, yet when you put a fellow on \$44 a month on W. P. A. and let him try to nurture a family of four or five kids, he is so close to starvation that it is not even funny. Nine millions of our people are still out of work, many of them are on the fringe of starvation. I am sure the gentleman will agree that reduced production of foodstuffs and fibers in the face of this condition does not seem very persuasive.

Mr. JONES of Texas. Does the gentleman believe it is going to solve this problem to reduce the appropriation for these policies 47 percent? That is what this bill does.

Mr. DIRKSEN. I am not so sure about that. I am not so sure but what a new Domestic Allotment Act might be a better answer than the present act.

Mr. JONES of Texas. This problem has been going on for 100 years—ever since the first tariff bill was enacted. We cannot solve it in 1 year, but the gentleman is not going to help solve it by destroying any chance to work it out.

Mr. DIRKSEN. I do not want to destroy. I am willing to pay to produce, but with all the efforts under this administration and all the billions of dollars expended we have not gotten the answer yet, and the gentleman knows that is a fact.

Mr. JONES of Texas. The farmer's total income has been nearly doubled since the program started. The gentleman knows that.

Mr. DIRKSEN. I have high regard for the incisive thinking of the gentleman from Texas, but what do we find when we look at the situation we have been trying to improve; what have we got for our great expenditure of money?

Mr. JONES of Texas. Let us not stop; I say let us keep on.

Mr. DIRKSEN. We have gone pretty far. We put an N. R. A. on the books; we put a Wage and Hour Act on the books; we put the Wagner Labor Relations Act on the books; why? For the purpose of putting a ceiling over the hours of labor and a floor under the wages of labor.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield myself 15 additional minutes.

The result of this is reflected in higher prices for all the things the farmer must buy. Having done that—you voted for it and I voted for it—what have we done? We have kicked up the level that must be reached before we can get parity; so parity is a shifting quantity, or a shifting condition, that goes up under the impact of so many things we have done in the Congress. The result is that we are almost as far

away from parity today as we were in 1937 and 1938. There is illogic in that.

Mr. JONES of Texas. I agree that the final answer has not been found, but I do not agree that we have not made a good start or that we have not made great progress.

I believe we are doing that. The gentleman mentions a certain thing that has been talked about here and that is price fixing. No one knows what the final answer will be, but if you try price fixing on corn, 85 percent of which never crosses the county line and is fed in the county in which it is produced, does the gentleman think any price-fixing scheme could apply there?

Mr. DIRKSEN. Let me ask the gentleman, How are we ever going to reach parity if we are fixing all along the line wages in industry and in one thing and another, so that there is a tendency for prices to go up rather than come down, then require more money for relief payments and parity payments in order to reach that elusive condition? That is the illogic of the thing.

Mr. JONES of Texas. When we have about \$40,000,000,000 of industrial production that is protected at an average of at least 20 percent, about \$8,000,000,000, the amount that is spent on an effort at farm parity is a drop in the bucket compared with it. The farmer has in the main assumed that burden. I am not talking about the merits of the program. It is a program, and the gentleman believes in that program.

Mr. DIRKSEN. I may say to the gentleman we have been approaching parity from one standpoint alone.

Mr. JONES of Texas. No.

Mr. DIRKSEN. I will prove that statement. We have approached parity from the standpoint of letting these wages and prices reach a level, sometimes under the impetus of legislation by this Congress, then trying to reach up to that level. I wonder whether there is not an approach from the top down in the hope that perhaps there can be a reduction downward insofar as industrial prices are concerned and then we can reach parity without such astronomical expenditures. That is a thing that has received no attention to speak of from the Congress of the United States.

Mr. JONES of Texas. There may be some merit in the gentleman's position on that, but certainly the tendency to make it further out of balance does not justify the abandonment of efforts to bring it into balance.

Mr. DIRKSEN. No; I rest on the broad conclusion, which is not controverted, I am sure, because it is documented here, that we failed in finding a solution to the two primary problems, the problem of unemployment and the relief drain and the problem of equal purchasing power for the farm dollar. There is not a soul in this chamber today who can controvert the truth of that statement.

Mr. JONES of Texas. I agree with that, but we have made a great deal of progress toward it.

Mr. DIRKSEN. We just fiddle away at a solution of many other corollary problems, and we cannot do anything until those two problems are solved. When the chairman of the Subcommittee on Appropriations was speaking, the chairman of the Committee on Agriculture was quite interested in the Farm Security Administration and farm tenancy loans. So I want to address myself to that subject for a moment. I doubt whether the House has had an adequate picture of what this farm tenancy program is. I am going to give it to you. These are the facts and you can stand on them.

In the first place, we are making 40-year 3-percent loans to people with which to buy farms. We made available \$10,000,000 in 1938, \$25,000,000 in 1939, \$40,000,000 in 1940, and the present bill carried \$25,000,000 when it came out of the subcommittee, but this was stricken from the bill by a vote of 25 to 9 in the full committee.

There are 6,812,000 farms in the country, according to the agricultural census of 1935; 2,865,000, or 42 percent, of those farms are tenant farms.

Mr. Alexander, of the Farm Security Administration, came before the committee last year, and he came before the committee this year, and gave us facts about the increase in farm tenancy. He said it was increasing at the rate of

40,000 a year. On page 1186 of the hearings on the 1940 departmental bill he stated the increase in tenancy was 55,000 to 60,000 a year. These are not my figures. This is Mr. Alexander, the Administrator of the Farm Security Administration, speaking. Let us see what we have done on loans. They made 1,832 loans in 1937 and 1938, 4,296 in 1938 and 1939, and they estimate 7,200 loans in 1940. The total for 3 years is 13,328 loans. That is what percent of the tenant farmers in the country? It is less than one-half of 1 percent. To be exact it is .47 of 1 percent. On page 960 of the 1939 hearings Mr. Alexander stated:

It will take \$150,000,000 to \$200,000,000 a year to alleviate this condition.

Mr. KEEFE. That is for 20 or 25 years.

Mr. DIRKSEN. Yes. This does not inspire an increase in farm prices.

Secondly, we are saving up a problem for future generations. You make a loan for 40 years to a man who is 40 years old now and he will have to live to be 80 years old to pay it off. It is not likely that many of them will live that long. Then what? You throw it into an estate. Then what? Oh, somebody will come along and the farm which Uncle Sam financed will certainly revert to tenancy again.

What was the experience of South Dakota in connection with farm-tenancy loans? Mr. Chairman, this is not a new subject. They tried making rural loans in South Dakota. How much did that State lose? It lost over \$30,000,000 on a rather short experiment in that field. Now, we were addressing ourselves to 2,800,000 tenant farmers in the country and we are washing out less than one-half of 1 percent of the loans a year; meanwhile the number is increasing over and above the number to whom we can give farms with Federal funds by about 40,000 a year, on the basis of their own figures. It just does not make sense.

Mr. Chairman, the average size of these farms is 134 acres, average loan \$5,395, and there have been 4 percent defaults in the number of borrowers.

Some borrowers have paid ahead so that the moneys that have been paid are probably 160 percent of maturities, but 4 percent of the number of borrowers are in default. Are we solving the problem when we are wrestling here with cash out of the Federal Treasury in order to effect parity and an appreciation in prices if we then launch out in a farm-tenancy program? And one of the conditions of that loan is that the borrower has to be a cooperator.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Texas.

Mr. JONES of Texas. Of course, that figure of 4 percent is high. At the present time, I understand, they have only 3 cases out of 145 on which payments have come due and are in default. This is an amazingly small percentage. That problem has been a long time developing, and apparently the program is working to date. Would the gentleman knock the baby in the head because it could not walk the first day? I may say to the gentleman that we introduced the bill with from a billion to two billion dollar program, but we found here this criticism: "Why go into that large an expenditure until you have tried it out and seen how it works? Why not start on a small scale?" So we started in a modest manner. We are not going to solve that problem in 1 year. If the gentleman had a chance as I did to go into a number of different districts and investigate the individual farms that have been purchased, he would find that in the main this program has been working in a very remarkable way.

Mr. DIRKSEN. Let me say to the gentleman that I experience a complete sense of frustration when I think that we will make 4,000, 5,000, or 7,000 loans in a year, and meanwhile there are 40,000 other people who are sliding into tenancy, so that we are taking one step up and dropping four steps down.

Mr. JONES of Texas. I agree that when one first looks at it it looks that way, but we first started out with only a \$10,000,000 appropriation and that was gradually increased.

We are now having hearings on a measure which we hope to report out soon that would parallel the Federal housing method and broaden and expand this. If you break down the machinery, it breaks down the chance really to solve this problem.

The gentleman talks about 40 years. In Denmark, where a program such as this succeeded better than anywhere else, they have a 60-year program. If you give a man a chance to work toward daylight on home ownership, you have given him something to work for, and such programs have worked in nearly every country in which they have been tried. I do not know how it worked in South Dakota, nor do I know what their method was, but in nearly all the countries where they have tried it they have worked out a program and are holding onto their program, not abandoning it.

Mr. DIRKSEN. There is nothing complicated about the method they used out there. You just loan a man money and say to him, "These are the conditions under which you can get yourself a farm," and it failed.

Mr. JONES of Texas. I am not willing to concede that we cannot succeed at all when a great many other countries have succeeded.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. The gentleman says we go ahead one step and then go back two.

Mr. JONES of Texas. I did not say anything about going back two steps. That is what the gentleman from Illinois thinks we are doing.

Mr. GIFFORD. The gentleman has said the progress is that way. I suggest that the boy tried to get to school. He said he could not get there; that he went forward one step and went back two. They asked him how he finally got there. He said he turned around and started for home.

Mr. JONES of Texas. I hope the gentleman does not believe that by denying the tenant the right to secure a home he will enable that tenant to start home. How can he start home when he has no home? What we are trying to do is to start the tenant home.

Mr. DIRKSEN. No; it proceeds on the assumption—and probably an unwarranted assumption—first, that tenancy is all wrong. I can show you lots of tenants who would not swap. I will show you acreage out there in our country that is administered on a tenancy basis where the tenant is infinitely better off as a tenant than as an owner. We start on an unwarranted assumption.

Mr. JONES of Texas. The gentleman does not mean that. The gentleman may mean a condition prevails, but the gentleman recognizes that there is nothing worth more to the country than home ownership on an average-sized farm.

Mr. DIRKSEN. Yes; but the idea of addressing ourselves to a farm-tenancy program when we are going to make only a few loans compared to the total number of tenant farmers.

Mr. JONES of Texas. The gentleman realizes that there are 30 applications for loans for every case where the tenant gets the money?

Mr. DIRKSEN. Yes; there are nearly 30 applications and is it any wonder when we give such largesse out of the Federal Treasury? Who would not go up to the bowl and get his share of porridge?

Mr. JONES of Texas. There is no largesse in this.

Mr. DIRKSEN. Let me address myself now to this question of the liquidation of resettlement projects, and I want the gentleman from Texas to hear this because here again we got into this high, exalted idea that we ought to go out and dot the countryside with resettlement projects and subsistence homesteads. In the first place it cost \$1,500,000 to administer the liquidation. There are 160 of these projects that are being administered by the Farm Security Administration as a sort of successor in trust to the old, defaulted Resettlement Administration under the benign guidance of our cherished and distinguished friend, Dr. Rexford Guy Tugwell. After the good doctor got that all built and got

the taxpayer's dough invested he left the Government and got himself a job elsewhere. So the liquidation is one of the responsibilities of the Farm Security Administration. In addition to the projects, they built some auxiliary factories, like hosiery mills and garment factories and wood-working factories. Up to the 1st of December 1939 they had liquidated 15 of these projects. The 15 cost the taxpayers \$3,551,000. Now, did we get that much out of them when they were sold?

Mr. EATON. And the worst one was in New Jersey.

Mr. DIRKSEN. Let me tell you what they got. They got \$2,006,000. So in the first 15 we have lost \$1,038,000. They have got 1 down in Alabama that cost \$1,038,000 and it was sold for \$194,000. Yes, out of the great benevolence of our collective hearts we were going to scatter these great bits of masonry over the country and let losses fall on the taxpayers. We were going to be good to everybody at the expense of the taxpayer.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield myself 5 additional minutes.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield there?

Mr. DIRKSEN. So we built the Alabama project for \$1,038,000 and we got \$194,000 back, which reminds me of the fellow who sold suits below cost and when someone asked him how he could do it, he said, "Well, it is because I can sell so many of them." [Laughter.] I suppose by that logic the more of these things you have built and on which you lose seven or eight hundred percent, the more solvent the Federal Treasury will become.

Now, my notion about that is that the liquidation of the resettlement projects ought to be turned over to the United States Housing Authority, or it ought to be turned over to the Federal Housing Administration. That is the proper place for it, and not in the Department of Agriculture.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. JONES of Texas. I agree with the gentleman that the project buildings were a mistake, and when the Committee on Agriculture reported the bill under which this farm-tenancy program is working we forbade the construction of any more of those projects and provided for the financing of individual homes. Now, it is true that the Federal Housing Administration has been doing some work, but they are not equipped to do this type of work, and they found they were unable to handle it because they have a different method of approach. However, the new bill we have under consideration and which we expect to hitch onto this one does follow the Federal housing plan, and I think gives great promise of effective work. I hope the gentleman will not fight to do away with the program before it has had a chance to prove itself, especially when it is working so well up to date.

Mr. DIRKSEN. I have one rule, I will say to my good friend from Texas. I think the first and foremost responsibility of the Congress of the United States is to make a heroic effort for the people of the country to approximate a balanced budget.

Mr. JONES of Texas. Yes.

Mr. DIRKSEN. Now, every man must have for himself a formula for determining whether an expenditure is justified or not in marching toward a balanced budget, and the only formula I have is whether or not the matter is indispensable or whether we could best back off from it for a while rather than use borrowed funds for the carrying on of that kind of function of government. Weighed, I believe, by that formula, we can just as well go along with the overwhelming sentiment of the Appropriations Committee this morning and leave that \$25,000,000 in limbo for a year or two, or until we can determine how far we are going to go to escape the requirements which the President has placed upon us—that there must be new taxes if we are going to expand.

I am not unmindful of the fact that the Budget Bureau, when it sent the item to us, lopped off \$15,000,000. I do not

know what the reason was, but I would say offhand that when they capriciously took \$15,000,000 off of an expenditure of \$40,000,000 they certainly did not evaluate it on the side of indispensability, or they would have insisted on the full amount of \$40,000,000; but they did not do that. They said, "You can get along with \$25,000,000," and after we went into it, we said, "You will get along with nothing," and I hope that the Congress of the United States will support the full committee in taking that viewpoint.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Yes.

Mr. JONES of Texas. I will state to the gentleman that I have no objection to making the regular amount of reduction, but does not the gentleman think that when he takes the entire activity and reduces it 47 percent—and I have had the secretary of the committee figure that—it is going a little strong; and when he takes an organization that has been 3 years building up and makes it impossible for it to function at all, and practically destroys the activity, that that is pretty strong action for a committee to take without going into it pretty fairly?

Mr. DIRKSEN. The logic of it is this: If your wife sent you to the grocery store with a \$5 bill and gave you a list and you find there are twice as many items as you can buy with the \$5, there are two ways that you can go about it. You can buy half the amount of each and thin it out. If you follow that philosophy, you will have inefficient administration. Or you can eliminate some of the items entirely, and I believe that is the way to get to a balanced Budget.

Mr. JONES of Texas. You would not spend it all for meat and nothing for vegetables?

The CHAIRMAN (Mr. EDMISTON). The time of the gentleman from Illinois has again expired.

Mr. DIRKSEN. Mr. Chairman, I yield myself 5 additional minutes.

Mr. IZAC. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from California.

Mr. IZAC. I do not want to break in on the gentleman's thought about farm parity and these other matters, but I did want to break in earlier when he was talking about when we are going to have a change in the type of government in this country. It is not going to be due to a handful of Communists or subversive agents that some foreign government plants in this country, but it is going to be due to the one-third of our people who are ill-clothed, ill-housed, and ill-fed. I would like to have the gentleman reiterate that that is his own idea.

Mr. DIRKSEN. But let me add one thing to it if the House will indulge me just a moment. I remember standing in the bridgehead in Germany in 1918. I had been a courier from Uncle Sam's general headquarters up to Cologne. I could attune my ear and hear the machine guns on the homes, on tops of buildings in the town of Dusseldorf, Germany, and what were they doing? They were mowing down their own citizens. I said to myself, "It is impossible. There is solidity of character about that type of people that would not permit them to go that far. They will not get off of their base." But despite all those attributes of character they were mowing down their own citizens. Why? Because of despair, because of hunger, because of desperation. Was it because they were subversive? Was it because they were lacking in devotion to their country, to their ideals, their traditions, and their culture? Oh, no. It was bitterness and despair of the conditions that made them do it, and to cut down their own citizens.

May I say to my friend, I am much concerned about these problems, as much as anybody. So I want to subordinate my partisanship in the hope that, in pursuance of the general welfare, we will find the answer, because therein we are going to find a major share of the answer to this farm problem. Take 9,000,000 families, instead of having to live on soup bones and cheap cuts, they might go into a butcher shop and lay down a dollar bill and say, "Give me a dollar's worth of pork chops." That is the kind of stuff that registers way out

there in the Corn Belt, where we have the problem of low lard prices, and low corn prices, and all that sort of thing. So much of the solution is bound up in finding the remedy for the problem of unemployment and its twin sister, relief.

Mr. IZAC. And therefore we had better turn our attention to the solving of that problem, does not the gentleman think?

Mr. DIRKSEN. I yield to the gentleman from California.

Mr. VOORHIS of California. Of course, that is the central problem we have to solve. But let me ask the gentleman whether the argument which he made a while ago, when he was speaking about the restriction of production, is not an argument in favor of the expansion of the Surplus Commodities Corporation stamp plan of enabling people to consume so-called "surpluses" of our agricultural crops? Does he not think that he was really making an argument in favor of that plan?

Mr. DIRKSEN. Maybe we can; maybe we cannot; but it is scratching the surface. We are not going anywhere as far as the whole problem is concerned.

Now, before I get through, having talked about unemployment and relief, it would be unfair to develop a thesis without having an answer for it, and I think there is an answer. That answer is just this: No less a person than Governor Eccles, of the Federal Reserve Board, said last Monday that employment depends upon private enterprise. Well, it is an old remedy, but it is a true remedy. It is an old problem, and it is going to take an old-fashioned remedy. It reminds me of the young wife who called in the doctor for the baby. The doctor punched the baby around a little and finally he says, "Now, my dear, you give the baby some castor oil." She was one of these ritzy young mothers, and she said, "But, Doctor, castor oil is such an old-fashioned thing." The doctor says, "I know; but babies are such old-fashioned things." [Laughter.]

This is an old-fashioned problem, and it takes an old-fashioned remedy. But what is the remedy? The remedy will be found in the expansion of private enterprise and in the encouragement of venture capital into new fields of enterprise.

Now, what is the score? When Jerome Frank was before the committee in connection with the Securities and Exchange Commission I had him put into the hearings on the independent offices appropriation bill a statement showing the amount of new money each year that had been spent in private enterprise.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield myself 5 additional minutes.

I also assembled some figures from the Financial Chronicle to see how the last few years compared with prior years in the amount of new enterprise capital invested.

What is the answer about new capital and new enterprises? Let me give you the high spots.

In 1929 we were up to \$8,600,000,000, not of refunding capital or refinancing capital but new capital. In 1930 we were down to \$4,900,000,000.

How much was it in 1933? One hundred and sixty-one million dollars; a little drop in the bucket for new enterprises. It got up to \$1,115,000,000 in 1937. In the first 5 months of 1939 it was back to \$179,000,000. There, Mr. Chairman, is the answer to our problem.

Mr. Chairman, I like to go back to Scripture once in a while. You read somewhere in St. Matthew about the householder who had a vineyard. He went into the market place, saw men idle, and hired them. He went again, saw more men idle, and hired them. Then the Scripture said that in the eleventh hour he went into the market place and there saw more men idle. He said unto them, "Why stand ye here all the day idle?" And one with more temerity than the rest stood forth and said, "Because no man hath hired us."

That is the answer to the unemployment program. Who has not hired them? Those who could if there were any encouragement for new-venture capital to find its way into the establishment of new enterprises. How could this be

done? A little encouraging word from your President and mine to the business element in the country would go a long way toward finding new jobs so that these people might earn and help us dispose of the farm surplus of the country.

When all is said and done, there are but two employers in our land—one is business and the other is Government. Government cannot hire all the unemployed and remain solvent. Hence we must go back to business, industry, and enterprise. If private enterprise is to take up the unemployment slack, there must be some incentive for it to do so.

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. COFFEE of Nebraska. Before the gentleman yields the floor, I wish he would give us some insight into the reasoning of the committee which led them to eliminate the provision necessary to carry out the Sugar Act of 1937.

Mr. DIRKSEN. Let me say to the gentleman, first, that when it came before the committee in December—or in January, I believe it was—the quotas had been lifted by Presidential proclamation. Several factors were involved. The second one is that the Sugar Act expires in December 1940, if I remember correctly. The third is that the Supreme Court of the United States killed the processing taxes on every other basic commodity, but we are still collecting \$68,000,000 in excise taxes from sugar consumers of the country. The fourth reason is that there is dissatisfaction in the administration of the Sugar Act of 1937, and they are not agreed at all as to what the Congress ought to do.

The Secretary of Agriculture has indicated time and time again that sugar is an inefficient industry and that it ought to be destroyed. If it ought to be destroyed, then I am willing to give it the coup de grace right now instead of spending additional millions of dollars.

Mr. COFFEE of Nebraska. Does the gentleman realize that the tax on the sugar grower is still retained?

Mr. DIRKSEN. But that matter can easily be taken care of by the Congress. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 30 minutes to the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Chairman, if the ills of the American farmer could be solved by words, I know of no one better qualified to act as specialist in administering the treatment than our genial friend from Illinois. I have listened to him carefully for 60 minutes. He gave to himself every minute of time permissible under the rules of the House for one Member of the House to consume. I judged from his remarks that he is very much dissatisfied both with the machinery of the existing farm program and with the execution of that program; and also that he is very greatly dissatisfied because of the condition of the American farmer. After consuming most of the time during which he addressed the House in a discussion of his criticisms of the things that he contends are wrong, he did make some reference in the concluding part of his speech to what he suggested might be the remedy, stating that it would, in his judgment, be unfair to enter upon the extensive criticisms he voiced without at the same time suggesting some remedy.

What remedy does he suggest? I want you to go back over his remarks mentally and find the things to which he made reference as remedies. First, he referred to a facetious way to the old-fashioned remedy of castor oil. I do not assume, of course, that he desires to administer that to the American farmer. That gentleman is suffering enough already from dysentery of the tongue on the part of some politicians.

His next remedy is the balancing of the Budget. Of course, I am as heartily in favor of balancing the Budget as he is, and I think my record on that question may favorably compare with his, because I have voted against the making of approximately \$15,000,000,000 of appropriations which have been made since 1933. The question here involved is of more importance even than the balancing of the National

Budget. It is a question of undertaking to bring about some balance of the budget of the American farmer, and I respectfully submit that no suggestion of the gentleman could by any stretch of the imagination be construed to relate to the solution of that problem.

His comments with regard to providing more capital for private enterprise are not applicable in any way to the farm problem, although they might possibly be applicable to the problems of industry and the unemployment situation. The problems of the American farmer cannot be solved by oratory. If that could be done, he would be riding today on the crest of a wave of great prosperity. What we need to have done, if it can be done, is that those who have been so liberal in the use of their words of sympathy for his condition and in their criticism of what is being done for him may, when the opportunity is afforded them translate those words into acts. The only way you can translate words into acts in an effort to aid the condition of the American farmer today in connection with this bill is by making appropriations in his behalf which have been authorized by law. You cannot legislate in an appropriation bill. If a new program should be embarked upon by legislation which would substitute other procedure for that which now exists under the Agricultural Adjustment Act of 1938 perhaps it may or may not be more satisfactory in helping the agricultural population of the country. I did not vote for the Agricultural Adjustment Act of 1938. A great many of those who are opposing some of the appropriations which have been carried in this bill in the past, such as parity payments, did support that legislation, which impliedly promised parity payments. I would like to see other and improved legislation substituted for the farm program which now exists, but I know and you know it is not worth while to talk of that now and that if we do not use the machinery of that program now in an effort to help the American farmer there is absolutely nothing that can be done.

As a member of the subcommittee which reported this appropriation bill to the House, I dislike very much to create the impression that there was dissension among the membership of the committee as to what should be the terms of the bill. In the main I may say that we were in substantial accord, but there are certain matters which are contained in the bill, or which have been eliminated from the bill, that I must discuss; otherwise I would feel that I am recreant in my duty, not only to my constituents but to the membership of this House.

First, I want you to take notice of exactly what has been done to the appropriations for the Department of Agriculture. Those appropriations for the present fiscal year are \$1,185,115,315. They were reduced by the Budget estimates to \$780,924,519—a reduction of \$404,190,796. They have been further reduced by the action of your subcommittee on agricultural appropriations and the subsequent action of the full committee by the amount of \$154,530,263, which makes the bill for the next fiscal year, as reported to the House, approximately \$626,000,000, as against approximately \$1,200,000,000 for the present fiscal year. The exact cut below the figure of last year is 47 and a fraction percent.

As I have said, I am in favor of economy—that is, reasonable economy—but in view of the admittedly distressed condition of the agricultural population of this country, I can think of no justification for making the farmer the goat in this Budget-balancing program which is being carried on and as against very much smaller reductions made in the appropriations for other departments, cutting the Department of Agriculture activities and benefits to be received through its activities by the farmers of the country by approximately 47 and a fraction percent. Of course, I realize that one of the major items in that reduction has been the elimination of parity payments. I do not know if it would be possible at this time, even if the subcommittee had been authorized under the rule adopted by the full committee to report it, to secure the approval of the parity appropriation by the membership of this House. I hope that later it may be possible to carry into effect that provision of the Agricultural Adjustment Act of 1938, at least in time for necessary appropriations to be made

for the 1941 crops. The 1940 crops were provided for in last year's bill.

I call your attention to the fact that this question of rising farm prices and whether or not they will continue ought not to be decisive of our action in determining whether or not parity payments should be provided in this bill. There is no assurance they will rise to parity. You have been told by the gentleman from Missouri [Mr. CANNON], chairman of the subcommittee having jurisdiction of this bill, and I am sure you agree with him in this particular, of the probable effects of an early conclusion of the European war upon our agriculture and of the disastrous drop in farm prices which may reasonably be expected immediately after the conclusion of that war. Nobody knows whether it will have been concluded before the expiration of the next fiscal year or not. One thing we do know and that is if we make parity appropriations in this bill under the same restrictions as the parity payments which have been carried in preceding bills, they cannot be used to make parity payments to farmers if the prices of the farmers' products shall have risen in 1941 to 75 percent or more of parity. In other words, if the anticipated increase in the prices of farm products comes about, if there is no necessity during the next fiscal year for making any payments to the farmer in order to bring his prices up; not to parity, but to 75 percent of parity, then not one single dollar of parity appropriations, if made in this bill, would be expended.

I agree with one argument—I believe that the President of the United States is absolutely correct in his insistence that the Congress should make provision by appropriate legislation for financing this farm program in some way other than from the general funds in the Treasury of the United States. I hope the fact that these parity payments have been eliminated for the time being, at least, from the pending bill may serve as a spur to the Committee on Agriculture and to the Committee on Ways and Means to devise and report to this House some legislation of a permanent character which will enable us to finance the farm program in some other way than by general appropriations from the Public Treasury, which cannot be indefinitely continued.

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Nebraska.

Mr. COFFEE of Nebraska. I take it that the gentleman may be suggesting a processing tax as a means of financing the program. May I call the attention of the gentleman to the fact that under the sugar legislation that was passed recently a processing tax was established, and the growers are now paying that processing tax? Under the present bill, however, the appropriation for carrying out the provisions of that act has been eliminated entirely and, as a consequence, the growers who are now paying the processing tax on sugar beets and sugarcane will get no returns whatever this fall.

Mr. TARVER. I am not undertaking to suggest to the able members of the Committee on Agriculture what they should do, but they could report to the House a bill substantially the same as the old Agricultural Adjustment Act which was outlawed by the Supreme Court and which would probably now be upheld by that tribunal.

That legislation, of course, if reenacted by Congress, would provide for the levying of processing taxes. I am simply pointing out that the President's position, to my mind, is unassailable, and that it seems to me to be the duty of the appropriate legislative committee or committees of the House to provide by legislation reported to this body for some permanent source of revenue to continue this farm program.

With reference to the Sugar Act, may I say to the gentleman that I had expected to discuss it later if I had sufficient time to do so? I do not come from a sugar-producing area, but I may say for the benefit of the gentleman that I was one member of the subcommittee who was not convinced that it was advisable to eliminate the appropriation for the Sugar Act of 1937 at this time, and I did not vote so to eliminate it.

Mr. COFFEE of Nebraska. Will the gentleman yield for a further question?

Mr. TARVER. I yield.

Mr. COFFEE of Nebraska. Is it not a fact that the testimony in connection with the appropriation to carry out the sugar legislation was taken on December 6, at which time the quotas had been lifted, and as a consequence the committee did not, perhaps, have full knowledge of the fact that by Executive order the quotas had been reestablished?

Mr. TARVER. Of course, the gentleman will not place on me the burden of explaining the reasons which actuated other members of the committee when I have stated to him that I entertain a contrary opinion.

Mr. PACE. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Georgia.

Mr. PACE. The gentleman has expressed the hope that the Committee on Agriculture would bring out legislation to provide a means of paying these appropriations. There seems to be a very grave doubt in the minds of many with regard to the jurisdiction of the Committee on Agriculture to propose a money-raising bill. They seem to feel that the Committee on Ways and Means should begin a study of that question.

Mr. TARVER. May I say to the gentleman, who I know is deeply interested in this problem, that I believe, while I do not claim to be an authority on parliamentary law, that any legislation which involves principally the question of raising taxes would necessarily go to the Committee on Ways and Means, but legislation which deals generally with the farm problem and which only incidentally involves the question of raising revenue is properly referred to the Committee on Agriculture. The old, original Agricultural Adjustment Act went to the gentleman's committee, and there is no reason, in my judgment, why legislation similar to that should not be reported from his committee.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from North Carolina.

Mr. COOLEY. The legislation to which the gentleman refers would be primarily for the purpose of raising revenue. Does not the gentleman believe such a bill should come from the Committee on Ways and Means, and not the Committee on Agriculture?

Mr. TARVER. I do not agree that it would be primarily for the purpose of raising revenue. In my humble judgment, the existing farm program needs correction and revision. The proposed bill may very well involve extensive proposals in connection with the revision of the existing Agricultural Adjustment Act, the act of 1938, and therefore would go to the gentleman's committee instead of to the Committee on Ways and Means.

Now, may I pass on, because there are two or three other parts of the bill to which I desire to make some brief reference.

I believe the elimination of the farm-tenant land-purchase appropriation in this bill was absolutely unjustified and was an attempted destruction of a program which has been of very considerable benefit to a part of the farm-tenant population of the United States, who comprise 2,800,000 farmers. About the only objection there is to the program now is that the objectors believe it is not extensive enough to reach a considerable number of the tenant farmers, the idea seeming to be that because you cannot help all the tenant farmers you should not help any of them. Originally the principal ground of objection was that the tenant farmers would not pay back the money and therefore we were just giving them largesse from the Treasury of the United States, and it was an inexcusable waste of public funds.

Now, it comes down to the point where only three of the large number mentioned by the gentleman from Texas [Mr. JONES] in his colloquy with the gentleman from Illinois [Mr. DIRKSEN] a few moments ago are in arrears at all on their payments. The total amount of repayments exceeds by a considerable sum the amount of obligations to repay now due; in other words, the Government is not going to lose anything on this program as it is being carried on at present, and therefore little, if any, stress is laid by its opponents on its being a waste of public funds.

There was considerable discussion in the subcommittee on agricultural appropriations with regard to suggesting to the appropriate officials of the Government that this program should be financed in future on a larger scale through the securing of loans from the Reconstruction Finance Corporation just as it is proposed to finance the R. E. A. by securing loans in the amount of \$40,000,000 for the next fiscal year.

These loans are just as safe, just as certain of repayment, just as much of an investment for the benefit of the American people as are the R. E. A. loans. The fact that the program is being carried on only in a small way is not only not an argument for its abandonment but is argument for its expansion. The amount authorized for the next fiscal year is \$50,000,000, and certainly there is absolutely no justification for the proposed cutting below the amount of \$25,000,000 approved by the Budget and, in fact, the elimination of the activity altogether. Of course, gentlemen who come from sections of the country where the farm-tenancy problem is not very grave perhaps do not realize just the situation in sections where 70 percent of the farmers are farm tenants. We held out to them some 2 or 3 years ago, when we passed the Bankhead-Jones Act, some little ray of hope that those who were industrious, those who showed that they were honest and would repay their debt, those who showed that they were capable farmers, might eventually obtain a small loan from the Government by which they might purchase for themselves homes; and a small number of them have been able to do it. I am sorry that the number has not been greater, but in the long run it will not cost the United States Government anything, and if it has brought happiness to even a small number of tenant families in this country who would not otherwise have been able to own their homes, I feel we have been justified in the support that we have been able to give to this program, and I earnestly hope that the House may reverse the action of the full committee and at least reinsert the \$25,000,000 which was approved for this purpose by the Budget. Talk about this being of small benefit and just a scratch on the surface. The first appropriation for rural free delivery in the United States was only \$10,000, and objections were made against it then on the idea that they could serve only a few of the millions of farmers in the United States, and that it was absolutely useless to try to institute such a program, and yet from that small beginning there has grown today a Rural Free Delivery Service which touches almost the entire agricultural population of the country.

Mr. SOUTH. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Texas.

Mr. SOUTH. Is it not a fact, so far as the gentleman knows, that the farm-purchase program is the only part of the attempted relief program which does not cost and will not cost the Government a single dollar in the long run; in other words, it is self-supporting, is it not?

Mr. TARVER. I would not say that it is the only part of the program which is self-supporting, but I will say to the gentleman that, in my judgment, it is self-supporting, and, instead of being a waste of Government funds, it constitutes a wise investment.

There are certain other items in the bill which I thought ought not to have been eliminated. Some of them are items that are not of any interest to the section of the country which I represent.

Let me refer, first, to the Budget estimate of \$500,000 for water facilities for arid or semiarid lands. Not one single dollar of that, if it had been included in the bill, would have been expended within a thousand miles of my congressional district, but I have heard considerable evidence from time to time as to the value of the work done under that appropriation, and which is being done today, and no justification was advanced in the hearings before my subcommittee for the elimination by the subcommittee of the Budget estimate of one-half million dollars, and I certainly hope that the House, upon further consideration of the matter, may see fit to restore it.

Mr. FERGUSON. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Oklahoma.

Mr. FERGUSON. I certainly appreciate the gentleman's statement about water facilities and I wish to say that the possibility has just been started of really developing water facilities for small units to individual farmers, most of the money being loaned, and they have done a fine job and I hope the gentleman's amendment, if he offers it, will prevail.

Mr. TARVER. I have no intention of offering an amendment, because I do not come from that section of the country, but I shall support such an amendment if it is offered.

There was an item in the Budget for \$603,000 for combating what is known as the white-fringed beetle, one of the most destructive pests which has ever operated in our country. The Committee did not vote to eliminate that item from the bill, it was eliminated upon a point of order, the chairman of the subcommittee taking the position that no authority of law exists for the making of the appropriation. I was under the impression, and still am, that legislation passed by Congress two or three years ago authorizing the making of appropriations to combat grasshoppers, mormon crickets, and other pests of that character would be sufficient authorization for the making of an appropriation of this kind, but the chairman of the subcommittee entertained a contrary view. Certainly, it will be disastrous to a very large area along the Gulf coast—it does not touch my congressional district immediately—if the Senate does not restore this appropriation which, as I have said, is backed up by a Budget estimate.

You have already heard of the action which has been taken with regard to the projected appropriation for surplus commodities. I do not think that any money appropriated by Congress has been more usefully expended or expended in a way more calculated to be helpful to the farmers of the country and also to the low-income families of the country than the money which has been provided for surplus-commodities purchase and distribution to low-income families.

However, with regard to that item, the subcommittee was absolutely powerless. The law only makes a permanent appropriation of 30 percent of the tariff receipts for that purpose. There is no authorization of law for an appropriation by Congress in addition to that 30-percent proportion. So that if any amount is included in this bill for surplus commodities it must be added by the Senate, after which the House may concur in the Senate's position if it should see proper.

I feel that among the other activities which this administration has been responsible for and which have been of very great benefit, are the submarginal land activities; that is, the land utilization projects. I say that as a resident of a section of the country where very little of that money has been or will be spent. I am being guided by evidence which has from time to time been submitted to our subcommittee as to the value of the work which has been done. The Department asked for \$10,000,000 for this purpose. They wanted to carry on substantially the same program that they have this year. They were cut down to \$1,000,000 by the Budget.

Dr. D. S. Myer, of the Soil Conservation Service, testified before our subcommittee, and I trust you will read his evidence in the hearings, that in many of these submarginal land units they have purchased tracts of land which are not connected and that it is absolutely necessary, in order that there be orderly control or management of these units, that they be permitted to purchase the intervening tracts, so as to combine all of the lands in connection with one project into one body. He said that without starting any additional projects whatever, but solely for the purpose of making purchase of lands dividing tracts that have already been acquired, there would be necessary for the next fiscal year \$5,000,000 in addition to the amount approved by the Budget. The subcommittee did not make provision for that. However, the subcommittee did add approximately \$1,000,000 to the amount carried in the bill for submarginal land purchases.

Mr. COFFEE of Nebraska. Will the gentleman yield?

Mr. TARVER. I yield.

Mr. COFFEE of Nebraska. I think the Congress voted about \$10,000,000 a couple of years ago for submarginal-land purposes, primarily for the purpose of trying to connect these purchases together, but in my section of the country that money was not used for that purpose, and I think the committee did well in cutting it down.

Mr. TARVER. It might be possible that in the gentleman's section of the country expenditures have not been conducted with the same care that they have been in other sections. I am advised that in some sections of the country at least, I think practically everywhere unless in the gentleman's locality, discretion has been used in the management of these matters, and there has not been any general complaint of the character which the gentleman voices at this time.

I have taken all the time of the House which I feel justified in consuming. I want to repeat that in my judgment the drastic cut here of 47 percent below the appropriation for the present fiscal year for the Department of Agriculture is unjustified, and to express the hope that it may be restored either by this House or by the Senate, not to the full amount appropriated last year, because I do think that certain economies can be effected without injury to the Department or its activities and I voted for them in committee; but certainly to an amount which will not place an undue, disproportionate burden upon the farmers of the United States, who have certainly suffered to a greater extent than any other element in our population because of depression conditions which have existed during the last several years.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. TARVER. I yield.

Mr. JOHNSON of Oklahoma. I have listened with a great deal of interest to the gentleman's informative address. I had hoped that he would touch on several other very serious cuts which, in my judgment, if permitted to stand, will do a great injustice to the farmers of the United States. I wonder if the gentleman would be kind enough to discuss the reduction that has been made in the appropriation for the administration of organized soil-conservation districts. Last year there was more than \$4,000,000 appropriated for that purpose. That one item has been cut more than one-half for the ensuing year. This reduction, if permitted to stand, will make it impossible for many districts heretofore organized and approved to function because of the lack of sufficient funds.

Mr. TARVER. That is a cut which, in the judgment of the committee and in the judgment of myself, was justified under present conditions. I cannot agree with the gentleman as to its effect. I think we all agree that it is necessary to exercise all of the economy possible in an effort to bring about an adjustment between our national revenue and our national expenditures, and to do this we must cut some things we would like to see untouched. I am heartily cooperating with those who are trying to bring about that adjustment; while I deplore unreasoning economy, at the same time I do think that some of these worth-while activities ought to be willing to stand a reasonable cut in an effort to bring about a financial balance.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. JONES of Texas. Mr. Chairman, I would like to make an inquiry as to whether or not it is planned to continue the debate over tomorrow. This is a rather important bill and the hearings were extensive, and the bill was not made available to any of the Members of the House until today at 12 o'clock. Many of us have not had an opportunity to read it. I was wondering if these gentlemen were not going to permit general debate to run over tomorrow.

Mr. CANNON of Missouri. The committee is proceeding under directions from the House that general debate be continued for the day. Tomorrow is Calendar Wednesday, and the Committee on the Post Office and Post Roads has the call and I am informed will call up a bill for consideration by the House. We will, however, resume consideration of this bill at the close of Calendar Wednesday business.

Mr. JONES of Texas. Then will there be further general debate? The gentleman is in position to know whether there will be. Many of us have not had a chance to get any data together, for we did not know with what we were going to be confronted. It seems to me that general debate ought to run over Thursday. The gentleman is in position to give us some information on that, I believe.

Mr. CANNON of Missouri. Mr. Chairman, we must, of course, dispose of the bill by Thursday night.

Mr. JONES of Texas. Why is that true?

Mr. CANNON of Missouri. I shall be glad to give the gentleman from Texas, to whom we always listen with pleasure and profit, or anyone whom he may suggest, all the time he may require. I shall be pleased to recognize the gentleman now, if he desires time, for 20 minutes, 30 minutes, or 1 hour.

Mr. JONES of Texas. Mr. Chairman, I would much prefer to have time tomorrow, not knowing until today at noon what was going to happen. The subcommittee and the main committee have taken, and I think properly so, 2 or 3 months to get this matter ready, but they throw it at us at 12 o'clock with all its implications, and while I want to talk a little and express some of my feelings about this, still when a man has not had a chance to read the bill it is very difficult for him to present his argument, for he has to take a lot of statements simply on faith. I would rather do it the other way. If there is to be no further debate, if we are going to be backed up against the wall and face the firing squad within 2 days after the bill is reported, then I have no other choice but to take time this afternoon.

Mr. CANNON of Missouri. Mr. Chairman, no one here, of course, can say how long general debate will continue, because we are proceeding under the orders of the House. I may say to the gentleman from Texas that if general debate is continued tomorrow I shall be glad to give the gentleman any time at my command.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield.

Mr. RAYBURN. May I ask the gentleman from Missouri and the gentleman from Illinois how many applications for time they have on this bill?

Mr. CANNON of Missouri. I have few applications. Five Members have asked for a total of 1 hour and 15 minutes. With the requests now pending with me we could complete general debate tonight.

Mr. DIRKSEN. I have requests for about 2 hours' time.

Mr. JONES of Texas. I resent this action of bringing in a bill that is cut half in two, practically—a 47-percent reduction—with a proposal to close general debate before the Members have had a chance to read the bill. I protest any such procedure.

Mr. CANNON of Missouri. Mr. Chairman, I believe it ought to be said that we are following the regular procedure. The gentleman speaks as if this were extraordinary.

Mr. JONES of Texas. Then I protest the regular procedure. I protest the habit of the Appropriations Committee's withholding all information as to what items are in a bill until they report it to the House and then go immediately into its consideration. I protest that. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, this bill comes up regularly year after year. It has come up ever since the gentleman has been a Member of this House.

Mr. JONES of Texas. I protest a continuous procedure of this kind. It is wrong.

Mr. CANNON of Missouri. The newspapers of the city have carried from day to day practically verbatim a report of the changes made in this bill.

Mr. JONES of Texas. Oh, no; they have not. I have asked the gentleman from Missouri, I have asked every member on the Democratic side of this committee, and some on the Republican side, what the bill contained, and they said they were under orders not to disclose any information; and I could not get any accurate information. I have had newspapermen ask me what the bill was, and I had to say that I

had no idea. That is what they got from these gentlemen, too.

Mr. CANNON of Missouri. The newspapers have carried accurate reports on the bill. We could not, of course, report those things which came up at the last minute. The item to which the gentleman refers in particular is one which none of us could anticipate, which by a vote of 26 to 5, I believe, was eliminated by the whole committee this morning. That action could not be foreseen.

Mr. JONES of Texas. Mr. Chairman, I am not protesting the action of the subcommittee. I have a high regard for the gentleman from Missouri. I am not protesting the action of the subcommittee, for they are complying with the custom and probably with instructions from their full committee; but I want to take this occasion to make the statement that I believe, in all fairness to the other Members of the House, the Appropriations Committee should adopt the custom of reporting a bill and waiting at least 2 or 3 days before it is taken up because there are items in this bill—it is not just one item that we are interested in; there are many items—that different Members are interested in; and, in all fairness, the men who represent different sections of the country should have an opportunity to study the bill before they are called upon to act on it. A bill should be reported and, unless there is grave emergency, 2 or 3 days should intervene before it is called up to give the Members a chance to become informed of the contents of the bill.

Mr. CANNON of Missouri. Mr. Chairman, let me say, in response to my friend from Texas, that these bills are stereotyped—that the same items come up under exactly the same circumstances year after year; and anyone who has been a Member of this House during that time, and especially anyone who has paid attention to agricultural legislation and the appropriation bills, can surmise that any particular item will be there again, either pro or con, with either an increase or a decrease.

These items come up every year. All of them have been reported here repeatedly, and it is merely a question of whether the committee will vote them up or down. It is merely a question of amounts, with no change in the merits involved. Any gentleman here can tell now what will be in the agricultural bill next year except as to amounts.

Mr. JONES of Texas. There are hundreds of items in here. A man cannot carry around a library on the assumption that every item is going to be changed, and he has to be ready for every item. It is just wrong, that is all.

Mr. RAYBURN. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Texas.

Mr. RAYBURN. May I ask the gentleman from Missouri if it is not his intention and if he is not willing to give liberal time for general debate on this bill?

Mr. CANNON of Missouri. Yes. We always give liberal time.

Mr. RAYBURN. If it is determined at the close of today that liberal debate has not been had and that Members have not had an opportunity to be heard, who are in position, as the gentleman from Texas [Mr. JONES] is, of course, to know something about these matters, then would it not be possible to extend general debate for a time tomorrow?

Mr. CANNON of Missouri. Yes. May I say again, as I stated before, if the time is extended I will recognize the gentleman. I will be glad to yield him 10 minutes, 30 minutes, or an hour now. These items in which he is interested have been before the House repeatedly, and they have been discussed for years. If the gentleman is unprepared at this time, which is a very remarkable situation, he may speak later.

Mr. PACE. Why is it necessary to finish this bill Thursday night?

Mr. MASSINGALE. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Oklahoma.

Mr. MASSINGALE. On what does the gentleman from Missouri [Mr. CANNON] predicate his statement that we cannot debate this bill on Thursday or Friday?

Mr. MICHENER. Mr. Chairman, a parliamentary inquiry?

The CHAIRMAN. Will the gentleman yield for a parliamentary inquiry?

Mr. CANNON of Missouri. The program adopted by the House leadership and by the Committee on Appropriations is to bring in an appropriation bill every Tuesday and debate it during the entire legislative week. We debate the bills, dispose of them, and get them out of the way at the rate of one each week. That has been done week after week during this present session and in all previous sessions. In order to dispose of the legislative program it is necessary to dispose of one appropriation bill a week and that is all we are asking here.

Mr. MASSINGALE. The gentleman made the statement that he had not had any requests for time. The gentleman knows it is absurd for a Member not a member of the committee to think that he can get any time until the committee has exhausted all of the time it wants; therefore, I am sure a number of people who are interested in this have not even thought of asking for time because they knew it would not be possible to get it.

Mr. CANNON of Missouri. Happily, that is not the situation. Out of the five men to whom I have yielded time only one is a member of the committee. Anyone who applies may have time.

Mr. MASSINGALE. I am talking about the ordinary procedure.

Mr. CANNON of Missouri. Any Member may have all the time he wants. I have given everyone who applied all the time he requested.

Mr. JONES of Texas. Will the gentleman agree that general debate will run over until tomorrow and through tomorrow?

Mr. CANNON of Missouri. We are proceeding under the orders of the House.

Mr. JONES of Texas. Will the gentleman agree not to make a motion to close debate before tomorrow night? Will the gentleman agree to that?

Mr. CANNON of Missouri. We never move to close debate. It is always done by unanimous consent.

Mr. JONES of Texas. Will the gentleman agree he will not make a motion?

Mr. CANNON of Missouri. I have never made a motion to close general debate in my life.

Mr. RAYBURN. Mr. Chairman, I am going to ask for the regular order.

Mr. JONES of Texas. Why cannot this general debate continue and be concluded on Friday?

Mr. CANNON of Missouri. It has been customary to adjourn over the week end.

Mr. O'CONNOR. Will general debate continue until Friday night?

Mr. CANNON of Missouri. That is a matter to be taken up with the House leadership.

Mr. RAYBURN. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The gentleman from Missouri [Mr. CANNON] has the floor.

Mr. CANNON of Missouri. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. FERGUSON].

Mr. FERGUSON. Mr. Chairman, I am glad to know that the gentleman from Missouri [Mr. CANNON] has adequate time to give to those who want to discuss this bill, and I am sure if I do not finish in my 10 minutes he will be glad to give me additional time.

Mr. Chairman, we heard the gentleman from Missouri today make the rather startling statement which summarized would mean that all the efforts at farm legislation under this administration had accomplished very little. In reality I know that if the present farm bill were submitted to a vote of the farmers, the great majority of them would vote in favor of the existing legislation. Certainly it has fundamentals that

must be contained in any successful farm legislation. No. 1 is control and No. 2 is the machinery to pay the farmer the difference between what he gets for his products and what he is actually entitled to. If the gentleman from Missouri was so anxious to give the farmer the parity prices he tells us the farmer is entitled to, certainly he could have followed the fine example he set for the House the last time an agricultural appropriation bill was under consideration and urge an appropriation for parity payments this year.

Soil conservation during the last 7 years, a subject neglected by this Nation until with the aid of modern machinery we have accomplished more toward destroying the natural fertility and our greatest natural resource, the productivity of the soil, has made the first steps toward stopping the complete destruction of the productivity of our greatest natural resource, the soil of this Nation. Certainly you cannot say that the present farm legislation is not the first that has recognized the need of this Nation to take stock of its resources and make an attempt to preserve the productivity of the soil of this country for future generations. Any time you hear an advocate of letting the farmer produce all he desires to produce you hear an advocate of the destruction of our natural resources and of the export at a loss of our greatest natural asset, our soil. Certainly an attempt has been made under the present bill to limit the production of the farmer somewhat in line with the production of this Nation and our prospective exports, and when you exceed that you are urging the Nation to deplete its resources and say to future generations, "We care nothing for your welfare; we want only the immediate gains we can mine from this soil."

I do not have time to talk on the general program, but I do wish to point out that loans this year on wheat put \$300,000,000 in the pockets of the farmer that otherwise would have gone to the speculator, that loans on cotton undoubtedly have kept that commodity from staying at 5 cents a pound, and that loans on corn have actually saved the corn farmer. I cannot stand here and say that all the program has been a failure. Had it not been in effect wheat would have sold this year on the basis of Liverpool at 25 cents; so the farmers, the real farmers who are enjoying the benefit, are in favor of the program.

The people who oppose the program are those who are opposed to any farm program and would like to sell the farmer again the old Smoot-Hawley tariff and give him nothing else. I hope for the farmer's sake he will not be taken in by that story again.

The farmers are perfectly willing to pay their way in this program. No farmer has protested the processing tax. The gentleman from Missouri lays on the doorstep of the Committee on Agriculture the responsibility of the farm program, but I may say that on several occasions the Committee on Ways and Means has been approached on the possibility of enacting a processing tax or a certificate plan, call it what you may, to let the present program pay its own way. Personally, I am willing to assume the responsibility and the political disadvantage, if it is such, of introducing a processing-tax bill. I have already done so. I introduced such a tax bill right after the old A. A. A. was declared unconstitutional. I also introduced in this Congress a processing tax on wheat. Most certainly I intend to support a certificate plan or any other plan that will finance and assure the permanency of a farm program.

The farmers are willing to vote such a tax because they realize that if we have to continue to depend on appropriations from the Treasury, the time is coming when the whole program will be lost to the American farmer. Certainly he does not want to have to return to the tender mercies of the high protective tariff under which he suffered such disastrous times previous to the enactment of the present farm program.

There are some little items in this bill that have been cut indiscriminately, without rhyme or reason. I stood on this floor and told the House the results of blowing, of the destruction of the land by wind erosion. Since that time the Soil Conservation Service and the dry-land experiment stations

have done a marvelous work in restoring blowing pastures and blowing plowed fields with native grass.

Without any justification, without any sustaining facts to point the way as to how this work would be carried on, the committee cut last year's appropriation for dry-land experiment stations of \$226,000 to the nice round figure of \$100,000; not because they were shown a way that this great work of grass development and of resodding could be carried on, not because they were shown a way that the production of grain sorghums that can be grown in dry land could be carried on, and not because they were shown a way that the development of trees that will actually grow in the plains area could be carried on, but just because it made a nice round cut of \$126,000, that sum was reduced 125 percent.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. FERGUSON. I yield to the gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. I may say to the gentleman that when the item to which the gentleman refers was discussed in the full committee and I offered an amendment to restore the original amount and asked the chairman of the committee why the bill was cut so unreasonably, the answer was, "We had to cut somewhere." That was the same answer given as a reason for several other drastic cuts.

Mr. FERGUSON. I know my colleague does not agree that these cuts are justified because the gentleman has a dry-land field station in his district. He knows what a great service they render.

Mr. JOHNSON of Oklahoma. I will say to the gentleman that I offered an amendment to restore the sum of \$226,000 for dry-land stations that was appropriated last year. The committee without evidence or reason indiscriminately slashed this appropriation from \$226,000 to \$100,000, which means that considerably more than half of the dry-land stations of the entire country are proposed to be abandoned.

Mr. FERGUSON. The gentleman knows that the dry-land field stations have done more toward the permanent success of agriculture than any other bureau of the Department of Agriculture.

Mr. JOHNSON of Oklahoma. I agree with the gentleman thoroughly. This so-called economy move is in fact false economy.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 5 additional minutes to the gentleman from Oklahoma.

Mr. FERGUSON. The dry-land field stations, the one at Woodward in particular, can be given credit for the development of grain sorghums, such as maize, which has definitely proved to be the only crop that can be continuously grown with our expected rainfall. This is a contribution to our economy that cannot be equaled by any other single development in the agricultural picture in our country. They have determined proper methods of planting wheat, and now we are making some headway with the use of native grasses in restoring that blown-over land.

I have in my hand a report of the Department of Agriculture made in 1897. Allow me to quote from *Grasses and Forage Plants of the Dakotas*, by Thomas A. Williams:

It is very important that every possible effort should be made to preserve the native grasses. They are naturally adapted to the conditions which prevail in the region, and it is quite improbable that introduced forms can be had to take their places satisfactorily, at least for years to come. Climatic conditions would soon destroy the ordinary cultivated grasses, but the native species have flourished under it for centuries, and there is no reason they should not continue to do so and still yield plenty of forage if properly handled.

This is one of a series of reports following the unprecedented drought in the nineties. Overgrazing and improper handling had started to deplete the Great Plains in this period. The native grasses were then being considered as the greatest resources the Plains country possessed. In all the period in between the nineties and 3 years ago, when the present grass-breeding project had started, the study of the uses of native grasses was neglected. Although millions of

dollars had been spent in the study of breeding of corn, wheat, and other commercial farm products, the possible uses of native grasses had never been expounded until the grass-breeding experiment was started under the direction of the Woodward Dry Land Field Station 3 years ago. I have seen with my own eyes the restoration of a whole farm that had once been plowed to a good stand of various native grasses. In the name of economy the committee would have us abandon this project on which over \$100,000 had been expended. In the name of economy the only sensible approach to the restoration of the Great Plains will be abandoned. In the name of economy the future ability of the residents of that area to pay taxes, maintain schools, educate their children, and live with a reasonable degree of security will be greatly hampered, because grass as it was in 1897 is the greatest asset that the Plains country possesses. Certainly an experiment that is making great strides in finding intelligent methods to restore the grass that once made the Great Plains so productive should not be strangled in its infancy. Let us not repeat the mistake an economy-minded Congress made back in 1897. Had the experiments made then not been stopped, the use and value of native grass would have been firmly established and probably the great crime committed out on the Plains in the twenties of plowing up that land, which should have been left in grass, would not have been committed.

I hope when the amendment is offered to restore these dry-land field stations, the Congress will not commit the same crime they committed 43 years ago in the name of economy.

Also, we have an act that has been in effect 3 years with respect to water facilities. It seems to be a kind of orphan child, a product of an area where there are not many Members of Congress to defend it, and it has been left on the doorstep homeless. The Water Facilities Act has instituted 154 projects in 17 of the Western States—small projects with an average cost of \$600. If you never lived in the prairie country you cannot realize what one of these small water facilities means to a family. It means that a man is able to live there in time of drought and keep his family alive and off of relief. These water facilities mean life itself to the people in this western plains country. Oftentimes they are constructed as community projects. A little community project on the Cimarron River is now being restored. It has been allowed to get into a bad state of repair because of the fact we had such low agricultural prices in the thirties they could not keep the project up. Now, for a small sum of \$50,000, 25 families and well over a thousand acres of land can be restored on an existing project that has been watered successfully in previous years, and had to go out of operation only because of extraordinary weather circumstances and bad prices. This is helping the small farmer to stay on his land that he now owns, and allow him to contribute to the economic life of his community. I hope the Congress will not say that we are going to start these things; that we are going to set up the machinery; that we are going to investigate the possibilities; that we are going to pick out the farms that should be successfully helped with a small water facility—the average price, as I say, has been \$600—that we are going to do all the ground work, and then in a wave of economy we are going to wipe it from the picture in order to save \$500,000 when, in reality, you lose the investment the Government has made in its investigation of worthy projects. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 12 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, a great deal of criticism this afternoon was directed at the chairman who has charge of this bill before the House for not making it available in time for the Members to read it and find out what is in it before it is brought up here for discussion. Personally, I think the criticism is all right, but I want to say that he is not the only one, and the Committee on Appropriations is not the only committee that should be criticized for this very practice. Since I have been a Member of this House, time

and again I have seen important bills brought before the membership of this House for consideration and without any Members except the committee members knowing the contents, no copy having been made available.

This is not fair to the membership of the House. We all have our different constituencies to represent, and we have their various interests at heart. Bills are brought in here affecting those interests, and we do not even know the contents of the bill until the debate begins.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. MAHON. I think there is something in what the gentleman says, but he should not fail to point out that we usually have several days on an important bill to read the hearings and to read the bill before we vote on it and before it is subject to amendment.

Mr. O'CONNOR. There is something to that, but the report on the bill and the bill are not made available, as a rule, until the morning of the day the bill is to be considered. It is a mighty faulty practice for the House of Representatives to indulge in.

I want also to say this to the membership of the House. I believe in economy just as much as any Member of this House, but I do not believe in economy at the expense of progress of the American farmer or at the expense of the youth or of the unemployed of this country. To my mind, the C. C. C. camp is one of the greatest institutions that the present administration has inaugurated for the benefit of the youngsters of this country. It has taken them out of the pool halls and out of the other kinds of hellholes and the alleys and put them into worth-while employment, thereby making good men out of them, yet we find that the appropriation for that activity has been cut in the interest of so-called economy.

We also find that the appropriation for the National Youth Administration has been pared. This, Members of the House, is an institution inaugurated by the Government that is indeed entitled to be commended. It provides a work program for the needy unemployed young people between the ages of 16 and 24 years, inclusive, and assists them to continue their education in schools and colleges, and likewise aids them in the securing of employment. Mind you, it has to do almost exclusively with the needy. Then we find the W. P. A. appropriation cut in the interest of economy. My friends, might it not well be said that it seems to be the poor and the needy who are slashed at by the Director of the Budget and the Appropriations Committee of the House?

My friends, the unemployed of this country, numbering nine or ten million people, have been mighty peaceful for a good many years. Many times they have been hungry. Many times their families have been hungry. I do not think it is economy to refuse to appropriate to provide jobs for the jobless.

I think we should be liberal with a person who cannot find a job, whose job has been taken away from him by the use of mechanics. We know that manpower is being displaced every day by machinery. That is why men and women are thrown upon the streets, unable to find employment. We must not economize at the expense of those human beings, because if we do, you may destroy our very form of government. It is a serious matter.

Another thing that has been cut down is the reclamation in the West. I do not know whether you in the East realize it or not, but a great deal of your market for the manufactured articles and other commodities is in the West, where new land is brought into use, where minerals are mined, where cattle and sheep are raised, where it is necessary to impound these waters as they come out of the mountains and flow into the little streams, then into the great rivers, and on down into the oceans and the Gulf of Mexico, doing nobody any good, but doing harm on their way. We have to harness those waters so that they can be used by our livestock men and our small farmers. Yet in the name of economy we find that that allotment is being cut down in the neighborhood of 40 percent from what it was a year ago.

In the face of a desire for economy we find that the Federal Government advocates the construction of battleships and other weapons to fight some kind of a war that exists only in the minds of war-hysteria people. We find that in the neighborhood of \$2,000,000,000 will be asked for that purpose. It will be asked for at the expense of progress, advancement, and improvement of the country, and at the expense of the farmer, the youth, and the unemployed of the country. Personally, my friends, I am not in favor of such a program as that. I favor national defense, but let us not forget that bellies must be provided with beef. I think our good friend the gentleman from Missouri [Mr. CANNON]—and I repeat what I said this morning; the farmer has no better friend on this floor than he is—will go along with us and pare down this huge anticipated appropriation for battleships, and so forth, and give it where it is needed.

I want to talk for a moment or two on these parity payments which the committee has cut out of the bill. You will recall when this bill was before the House a year ago the chairman of this subcommittee made one of the finest arguments ever listened to in support of the \$225,000,000 to restore parity payments. It was not parity. It was only 75 percent of parity. It remained for the distinguished chairman of our Committee on Agriculture, the gentleman from Texas [Mr. JONES] to bring forth from the archives of history the words of Alexander Hamilton when the first tariff bill was written in this country, when he said:

If you write a tariff bill to protect the industries of this country, you must vote something to the American farmer to offset the tariff, to put him on a par with the industries of this country.

But he said:

You will not do it in the name of a subsidy or in the name of a gift, but in the name of restitution.

The gentleman from Texas [Mr. JONES] pointed out that it was returning what belonged to them as Hamilton said. These words are still true. When we voted \$225,000,000 a year ago for parity payments that was not a gift to the American farmer. It was not a subsidy to the American farmer. It was trying to place him on 75 percent of par, with the industries from whom he had to buy. We find him selling in an open market. He must take the other fellow's price for everything he sells. When he buys he must buy at the other fellow's price. His head is caught in a nutcracker. He takes the other fellow's price for his products, and he pays the other fellow's price for what he buys.

My friends, the least we can do when the time comes is to up this W. P. A. appropriation to take care of the unemployed in this country. The next thing we must do is to try to restore to the American farmer, as far as we can, parity prices for what he sells with the industries from whom he has to buy.

We hear a lot of talk about parity payments. The phrase "parity payments" is used by a great many without realizing what it is all about. At the last regular session of Congress \$225,000,000 were appropriated for the purpose of bringing the farmer's income up to 75 percent of parity. Cotton, corn, wheat, and rice were included in this program.

If the farmer were to receive full parity price for his wheat, such as I am speaking of, he would receive \$1.13 per bushel for wheat instead of receiving 75 or 80 cents a bushel, and that in the face of having the appropriation made of \$225,000,000 a year ago. Suppose that parity payment is refused under this bill; suppose we do not vote any parity payment, then you may find the American farmer taking 40 or 50 cents a bushel for his wheat.

Let us see what parity payments mean. By "parity payments" we mean such a price for farm products as would equal the price of the commodities which the farmer had to buy during the years from 1910 to 1914. Taking wheat as an example, if we secured the full parity price for wheat, namely, \$1.13 per bushel, we could purchase the same amount of commodities that we could have purchased with a bushel of wheat between the years 1910 and 1914. That is what we mean by parity. We take the price of the commodity between the years 1910 and 1914 and figure it from that basis. In other

words, farm products have not kept pace with the rising price of all other commodities since the years 1910 to 1914. The American farmer's dollar today, bolstered up as it was by the \$225,000,000 parity payments, is still only a 75-cent dollar.

The time is coming when Congress will quit voting these parity payments. There is no question about that—if it has not already come to us now. We have not thus far produced a plan whereby the farmer is going to be protected against the monopolies from which he is required to purchase his goods.

Mr. PIERCE. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. PIERCE. The Committee on Agriculture spent days last winter on the cost-of-production plan.

Mr. O'CONNOR. Yes.

Mr. PIERCE. When it came to a final vote, seven voted to bring it out. Here we have the certificate plan before us, but as yet no hearings.

Mr. O'CONNOR. Yes. As the gentleman has pointed out, we have too many Members of Congress giving merely lip service to the American farmer. That is the kind of service farmers are getting. The cost-of-production bill should have been reported to this House. A parity-payment bill should have been reported to this House giving the American farmer the same chance the monopolies of this country enjoy and give us a chance to give the farmer a square deal.

Mr. PIERCE. Mr. Chairman, will the gentleman yield further?

Mr. O'CONNOR. I yield.

Mr. PIERCE. Perhaps we will have to remove the strong power of the arm of the banker group along the Atlantic border.

Mr. O'CONNOR. There is no doubt about that, but at the same time it is not entirely the bankers' fault. Monopolies have grown up in this country. I had to do with the prosecution of monopolies as special counsel to the Federal Trade Commission during the war, and I know what I am talking about. The price of everything that the American farmer has to buy is fixed, and at a profit, and the farmer has got to pay that price and profit or go home without it, but when he takes his stuff to the market he has got to take the other fellow's price for it.

I am reminded of the testimony of a harness manufacturer I had on the stand in a case. I asked him: "If this policy continues of the farmer paying profits on everything he buys but taking the other fellow's price on everything he sells regardless of his losses, how long can it continue?" What do you suppose his answer was? His answer was: "Eventually he will join the Indian class." I asked: "By that you mean just what?" He replied: "He will become the vanishing American."

That is what will happen. [Applause.]

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. CULKIN].

Mr. CULKIN. Mr. Chairman, imports from South America are not only taking the American market away from the American farmer but they are bringing in that dread destroyer of mankind—typhus fever. Tennessee, Alabama, and Georgia have had hundreds of cases of typhus fever which is spread by rats and fleas which come in with the shipments of grain from countries infected. It can, therefore, be asserted with certainty that not only are the trade agreements, which encourage and stimulate these shipments that are destroying the American farmer, but that disease and death ride in these trade pacts.

My authority for the foregoing statement is an editorial contained in the November 1939 number of the Journal of the Tennessee State Medical Association, published at Nashville, Tenn.—Secretary Hull's home State. Under the caption "Did someone fall down on the job?" the editor of this magazine states that typhus fever is occurring in several Southern States with sufficient frequency to create very definite concern. This authoritative magazine states that this situation calls for action and inquiry as to how this dread

plague of the middle ages has come back to America. The editorial goes on to state—

The following figures supplied from reliable sources give some idea of the increasing frequency of the disease in the last 4 years. In Tennessee there were 8 cases in 1935, 6 cases in 1936, 21 cases in 1937, and 24 cases in 1938.

For 1939, the figures for the State, as a whole, are not available, but the city of Nashville, alone, has had 44 cases to October 31.

The State of Alabama had 294 cases in 1935, 369 cases in 1936, 478 cases in 1937, and 342 cases in 1938.

The State of Georgia had 485 cases in 1935, 814 cases in 1936, 1,012 cases in 1937, and 908 cases in 1938.

A much smaller number of cases of the disease occurred in Florida, Louisiana, Mississippi, North Carolina, and South Carolina. In all of these States there was a marked increase in the number of cases in the years since 1935, as compared with the years prior to 1935. Figures for this group up to date are not available.

It suffices to say that there has been a marked increase in the incidence of this preventable disease since 1935.

In Nashville, a majority of the cases have occurred in and adjacent to mills which handle corn. It is further brought out that corn has been imported from Argentina and shipped to these mills in the last few years.

It is common knowledge that rats are prone to accompany these shipments of grain. If they happen to be infected rats, they, of course, spread the disease in the rat population, and the fleas in turn spread the disease to humans.

Mr. FERGUSON. Mr. Chairman, will the gentleman yield at that point?

Mr. CULKIN. In a few moments I will yield, if the gentleman does not mind.

The learned editor of this publication makes the point that this alarming situation has gone by default on the part of the Public Health Service. By inference he leads us to believe that the Public Health Service instead of being on the job in a situation like this is devoting its time and its energies to the advancement and circulation of propaganda for socialized medicine. I do not attempt to pass upon the propriety or correctness of this charge. If the charge is true, it is but a contributing factor. If it is mistaken, I think I can definitely trace the reason for this failure to quarantine our people properly against the plagues and diseases incident to other countries and which we have practically wiped out here by our sanitary leadership and the expenditures of large sums of money.

In the foregoing article the cause of the Nashville, Tenn., outbreak of typhus is apparent. I quote again from the editorial in the Medical Journal:

In Nashville a majority of the cases have occurred in and adjacent to mills which handle corn. It is further brought out that corn has been imported from Argentina and shipped to these mills in the last few years.

The State Department, in charge of trade agreements, has not been concerned about the health and well-being of the American people, but only in a puerile attempt to purchase peace throughout the world by giving foreign countries the American market for farm products, including corn. The Public Health Service is at fault because they stood passively by and permitted to be written into all trade agreements a provision tying the hands of the United States on sanitary laws and regulations. In the cause of international peace, which seems to be a will-o'-the-wisp these troublesome days, Secretary Hull's reciprocal trade treaty writers have tendered to foreign nations joint power over sanitary regulations. This clause appears in all of the trade agreements.

History will tell you that the Argentine trade agreement was not consummated for the reason that there was a storm coming out of the west to which the treaty makers by reason of the approaching Presidential election bowed their heads. But the same attitude of indifference to sanitary regulations applies not only to the countries to which treaties have been made but to all other countries; this under the multilateral application of each treaty.

Dr. Parran, of the Health Department, should get on his seven-league boots and get down South as promptly as possible and investigate this situation. He is chargeable with the public health and should call a spade a spade, despite the bullying attitude of the State Department, which ignores the rights of the American farmer and the health of the American people.

I want to say to the internationalists in the State Department, including Secretary Hull, that a far-flung epidemic of typhus in the South or in the North will not make for international good will but only for suffering and death among the American people.

I now yield to the gentleman from Oklahoma.

Mr. FERGUSON. The gentleman places responsibility for typhus in the South on the Secretary of State, due to the fact that rats—

Mr. CULKIN. Please do not make a speech, but ask a relevant question.

Mr. FERGUSON. To my knowledge there has been no reduction in any tariff on the importation of grain in any reciprocal-trade treaty.

Mr. CULKIN. But I can show the gentleman where the State Department through its Foreign Service has been stimulating shipments at every period during the life of these agreements. If the gentleman would take the time to read any of these trade agreements he would find out what I am shooting at here.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield 1 additional minute to the gentleman from New York.

Mr. CULKIN. I am trying to bring to the gentleman's attention—and if he will look in the agreement he will see this is true—that the State Department has tied the hands of the American Congress and has made it impossible, if you please, for America to write sanitary laws in order to protect the health of our own people. I claim that Dr. Parran is properly chargeable with being influenced by the State Department in not opposing such legislation. I say further to the gentleman that it is apparently the opinion of an authoritative medical publication in Secretary Hull's own State that Dr. Parran is not functioning. The gentleman knows that in every one of these trade agreements there is written in the agreement a provision that no sanitary regulation can be imposed without the consent of the other party. They have joint control over our health regulations.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma [Mr. FERGUSON].

Mr. FERGUSON. Mr. Chairman, I may say to the gentleman from New York [Mr. CULKIN] that, contrary to his statement, in every trade agreement that has been made it is specifically written that no sanitary regulations of this country can be affected or can be considered affected by the trade agreement.

Mr. CULKIN. The gentleman has not read the agreements.

Mr. FERGUSON. I have read the regulation that was inserted in the treaty with Canada, which kept every one of our sanitary regulations in effect.

Mr. CULKIN. The distinguished gentleman is hopelessly mistaken.

Mr. FERGUSON. I will quote the RECORD. If the gentleman will refer to the letter from the Secretary of State, quoted in the speech I made on reciprocal-trade treaties, he will see that those sanitary regulations are not only quoted but set out in full.

Mr. CULKIN. The gentleman got hold of some propaganda from the State Department.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield 12 minutes to the gentleman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, in view of the fact that the Biggers unemployment census shows approximately 34,000 boot and shoe workers totally unemployed and 15,000 boot and shoe workers partially unemployed, and the fact that the Canadian plant of the Bata Co. is operating with 225 Czechs and only a few Canadians, it seems to me it is very important for us to look over the activities of the Bata Co. insofar as it concerns the welfare of the people of the United States.

I have here a number of pamphlets from the Department of Commerce which show very clearly that Mr. Bata has disrupted the boot and shoe industry in every country in which

he has opened plants. I also have some pamphlets showing pictures of the workers, and they are obviously quite young children, demonstrating what that concern would do to our labor market and to our older workers.

I also have a pair of shoes in my hand advertised as made in the Belcamp, Md., shop, which retail at \$1.99. I have the advertisement of those shoes and the bill of sale. If you will look at the shoes, you will find they are out of line so far as the heel and toe are concerned. They are simple and of inferior quality, but a temptation for people to buy.

A little over 25 years ago several shoemakers came to this country to study American shoemaking methods. They worked for various periods of time in various shoe districts throughout the United States. Since returning to Europe they have repeatedly claimed that they have copied and followed American shoemaking methods. Today we have the strange experience of having these same workers return to the United States to teach American shoe workers shoemaking methods and techniques.

Of course, to anyone familiar with the shoemaking industry it is apparent that I am speaking of the Bata Shoe Co., of Zlin, Czechoslovakia. The name Bata Shoe Co. has become increasingly familiar to the American shoe industry and those connected with it. And now, because they have come into our midst, I think it would be highly desirable to cut through the fog and confusion that has been created regarding their activities and see what the true facts are regarding this company's development in the United States.

I may say I have checked very carefully the facts I am about to present to you today, so I am sure of the truth of what I am saying.

The Bata Shoe Co. first began extensive activities in the United States in the late twenties when it began the importation of the McKay type shoe in large quantities. This importation was the beginning of a well-planned development of this company's activities here. Soon thereafter the company established the Bata Shoe Co., Inc., in New York and began the establishment of a retail chain of stores in the Midwest, centering around Chicago, Ill.

These stores were in competition with American shoe shops which sold a line and grade of shoe acceptable to the American consumer. In order to satisfy the same demand, it was necessary for them to purchase shoes from the American manufacturers in the domestic market. This was due to the fact that the Bata Co. was forced to pay a 20-percent tariff on all shoes imported into the United States. Twenty percent of a \$1 retail pair of shoes was only 20 cents and could be absorbed by the low wage and labor cost which they paid in their foreign factories. It was not as easy for them to absorb 20 percent of their \$5 shoes which amounted to as much as \$1. Therefore, they purchased the more expensive shoes for their domestic market and imported their cheaper shoes from their foreign factories.

But the domestic manufacturer from whom they purchased their medium-priced and expensive shoes was constantly hard put to it to obtain their orders because subtle propaganda was constantly being spread that "Bata is about to establish a factory in the United States." And it was no coincidence that these recurrent rumors appeared most strongly just prior to the time that the style shows were to be held, at which contracts were to be signed for shoes for the coming season.

Thus for many years in the past decade the American shoe industry and the American shoeworkers have seen the growth and development of Bata's retail chain of stores and at the same time have heard recurring, persistent rumors that Bata and all the dire things he represented to them is about to be brought to the United States.

The rumors served their purpose. The manufacturers, in order to gain an immediate order, would repeatedly cut their cost at labor's expense and justify themselves with the claim and thought that "if we don't accept this order at a reduced rate, Bata will establish his factory here and provide a more serious and more threatening competition than he does now."

The workers in the shoe industry were told each period after style season that they must once again accept a cut in wages if

they are to prevent Bata establishing here and throwing the whole shoe industry into chaos.

It was because of these contacts with the Bata Shoe Co. and knowledge of their methods, that the shoe industry opposed so violently the special concessions given to this company in the reciprocal-trade treaty between Czechoslovakia and the United States. At the hearings held in connection with this treaty it was brought out especially by the trade-union representatives, that while they had every sympathy with the democratic government of Czechoslovakia, they opposed these concessions for the shoe industry, because the Bata Shoe Co., representing the only major shoe manufacturer engaged in export to the United States would be the sole beneficiary of this section of the treaty. Anyone who has checked up on the methods and labor standards of this company, as I shall develop at greater length shortly, would agree that this company and its methods was not in sympathy with the true democracy and the progressive methods of government of their country. It was for that reason and for that reason alone that we, who are familiar with the shoe industry and its problems, so strongly opposed the shoe section of that reciprocal-trade treaty. We cannot help feeling, to this day, that our cause was prejudged and that our explanation and facts were given little consideration when the negotiations were concluded.

The treaty would have permitted the importation into this country of some 6,000,000 pairs of shoes, or up to one-quarter percent of the total production of shoes in this country. However, as the opposition pointed out at the time, these shoes, consisting almost solely of cemented women's novelty shoes, constituted a much larger percentage of that class of shoe production, and due to the low price factor became an important pace setter in that branch of the shoe industry.

Unfortunately, both for the Bata Shoe Co. and our own State Department, as well as for a number of other groups and the peace of the world, Hitler had other plans. In the fall of 1938 Hitler took over the Sudeten lands, and on March 15, 1938 occupied Bohemia and Moravia, thus absorbing both the home plant of the Bata Shoe Co. in Zlin and the basic establishments of the industrial empire of the Bata Co. which were located in the absorbed territories. The direct effect of all this on the Bata Shoe Co.'s plans in the United States was that imports from the home plant in Zlin had to be marked "Made in Germany." All the confusion and representations of the Bata Shoe Co. that they no longer had control of the company's properties in the protectorate of Czechoslovakia have since proven false, but at that time and until the late fall of 1939 efforts were made here in Washington, in Czechoslovakia, and Berlin, Germany, to evade the 25-percent countervailing duties imposed upon imports of German products by the President on March 18, 1939.

This action by the President cut off imports from Zlin and hampered the plans of the Bata Shoe Co. for their development of a much larger chain of retail shoe stores than they already had established here. At first they attempted to provide the deficiency by increasing their imports from their factories in neutral countries, such as the Netherlands, but found difficulty in overcoming the tremendous problems created by shipping difficulties due to naval warfare and the sinking of allied and neutral shipping.

These problems gave incentive to the speeding up of the developed plans for the establishment of a factory in the United States, and by April 7, 1939, in the Hartford Democrat and Aberdeen Enterprise, published in Aberdeen, Md., you will find the following paragraph:

It is understood that recent developments in that country since its invasion by Germany have brought to a head plans for the construction of a similar plant in America.

On April 28 the same paper carried the definite announcement that the Bata plant was to be constructed at Belcamp, Md.

Actually the Bata Co. had planned to establish its American factory at Belcamp as early as the summer of 1934 and late that September made arrangements that the new Philadelphia Road pass through its property. They later paid

the Maryland State Highway Commission \$11,000 for this arrangement. Meanwhile they had arranged for special consideration from local officials and followed this up with a petition to the Immigration and Naturalization Service of the Department of Labor requesting the Department to permit the Bata Co. to import 100 citizens of Czechoslovakia to "employ these persons as instructors in the making of shoes in accordance with the particular methods and in the operation of the special type of shoe machinery which will be used by the petitioner in its new factory." The petition was based on the allegation that the machines used by the Bata Shoe Co. were different from machines used in a comparable American factory. Likewise, the petition claimed that 5 or more years' experience in the Bata factory in Zlin was necessary to develop the skills required to teach their "peculiar" methods.

Mr. Chairman, may I say that the machines seem to be exactly like the machines in use here and that may be secured in this country. May I also state that the work can be done by our own already well-trained boot and shoe workers. May I state further that the Department of Labor in making an investigation of the Bata plant at Belcamp, Md., found that only a small number of the Czechoslovakian instructors were needed to in any way carry on the work. I have here a table showing the ages of the so-called instructors on behalf of whom request was made for permission to enter this country. One was 16, two were 17, two were 18, four were 19, and nine were 20, and so on. These were all brought into the country as instructors.

Age distribution of Czech instructors imported by Bata

Age	Number	Date of arrival					Cumulative total
		Aug. 10	Aug. 11	Aug. 17	Aug. 28	Sept. 9	
16	1				1		3
17	2					2	5
18	2				2		7
19	4	1			1	2	9
20	9			2	3	4	18
21	5			1	1	3	23
22	6	1		1	1	3	29
23	2	1				1	31
24	1					1	32
25	6	1		2	2	1	38
26	1				1		39
27	4	2	1	1			43
28	3	2			1		46
29	1	1					47
30	2	1		1			49
31	1			1			50
32	2				1	1	52
33	3					3	55
34	5	4		1			60
35	3	1	1	1		1	63
36	2	1				1	65
37	3	3					68
38	1	1					69
39	1					1	70
40	1	1					71
Total		21	1	11	14	24	

It is possible that the Department of Labor had no way of making an immediate check upon these claims, though I am informed that within the Department were three experts who were familiar with Bata methods, at least two of whom had visited the Bata plant at Zlin. Also, the Department of Labor could have made use of the knowledge of experts in the Department of Commerce, the Tariff Commission, and the Treasury Department, who had familiarized themselves with the methods and business techniques of the Bata Shoe Co.

However, the Immigration Service did not consult these experts nor make any effort to determine the truth of the Bata Co.'s claims beyond the holding of a formal, perfunctory hearing in their New York office May 11, 1939, 1 week to the day after the petition was filed, and without any notice to the industry or the trade-unions who might have appeared and presented the full facts sought by the examining officer before the permit was granted. However, the Department saw fit to grant this permit after a hearing at which the only party represented was the Bata Co. through

three officials of their American subsidiary. This hearing definitely established the fact that the Bata Co. had planned to establish a factory at Belcamp and that it took the "minimum of 5 years' experience at the Bata plant in Zlin before anyone could expect to serve the purpose that we wish to put these people to that are coming over."

Another important fact developed at this hearing was the answer to the question:

Q. In the event it should be required, would your company be prepared to post bond to guarantee the departure of these persons from the United States?

A. While we respectfully request that no bond be asked because of the amount involved and because of the fact that we are taking the responsibility for these people and are willing to guarantee their leaving on a certain date, I can say that if that was the only condition on which they would be admitted, then, of course, we would post the bond.

Though the officials of the Labor Department were aware of the bad faith shown by officials of the Bata Shoe Co., the Department granted the permit in a letter dated June 9, 1939. The conditions of this permit required the Bata Co. to furnish the Immigration and Naturalization Service with "the name of the alien, name of the vessel, the date and port of contemplated arrival, prior to each alien's applying at the American consulate at Prague for a visa and before departure from Czechoslovakia."

These conditions were immediately violated when, on July 6, 1939, some 23 employees of the Bata Co. arrived at Ellis Island without having fulfilled the above requirements of the permit and attempted to cover their entry into the United States by claiming that they were "visitors to the world's fair." Each of the 23 admitted upon questioning that they were employees of the Bata Co.; that they were awaiting orders from Mr. Bata; and that they had such small sums as \$40 as their total cash assets. I am amazed at the effort of this company to legalize later the entry of these aliens by attempting to negotiate with the Immigration Service for the permanent entry of "25 chemists, inventors, engineers, executives, and experts in the manufacture of products by the Company Bata." The Department sidestepped this request by pointing out that the immigration laws required "the procurement of a consular immigration visa from the Department of State." As late as November 13, 1939, 7 of these 23 were still in the United States, although they had been granted visitor's visas for a 60-day period only, beginning on July 6, 1939. Two of the 7 applied for extensions, leaving 5 in outright violation of their visas as visitors, and with no effort made to obtain legal extension or entry. Is it possible that the Bata Co. feels that it is above complying with American law?

The Bata Co. further violated the conditions of the permit of entry of June 9, 1939, by claiming that the permit granted for 100 did not include as separate individuals the wives and adult children of the so-called instructors, who were permitted entry by the Department of Labor.

After extensive lengthy negotiations between the Department of Labor and counsel for the Bata Co., the company was permitted to bring wives and children into the country on visitors' visas.

At this point I would like to make clear the fact that we no longer are involved with only 72 individuals, as the company's inspired publicity claims, but we have 7 world's fair visitors, 44 visitors accompanying 72 so-called instructors, plus 26 executives and officials here as visitors "on business," plus their families, servants, secretaries, chauffeurs, and so forth, a total of more than 200 here in connection with the Belcamp factory alone. The number of alien officials, executives, and workers here in connection with the retail stores in the Midwest, the new chain of retail stores in the East, and those in each of our possessions, including the Panama Canal Zone, the Virgin Islands, and so forth—the total number of individuals involved, I feel sure, would easily come to 500 or more.

Last autumn an attempt was made by Mr. Bata to bring 500 workers from Czechoslovakia in addition to the first request for the 100 so-called instructors. In conjunction with others, I worked very hard to prevent these alien workers

from coming into the country and apparently we were successful in our efforts.

To me the most amazing fact regarding these aliens, in view of the company's claims of skill, is their youth. I refer you to the above table showing the age distribution of the so-called Czech instructors imported by the company. One expert admitted, Ludmila Rokytova, though listed as an official of the firm, was only 16 years of age. Others ranged through the adolescent years. One-fourth of the total were 20 years or younger. One-half of the grand total were 25 years or less. Look it over.

At what age were these experts employed by the Bata Co. to give them 5 or more years' experience, which according to the company's own petition for admission of these instructors, was necessary to develop the skills required to teach the Bata methods. Is it possible that this company employs such large numbers of youth in their plant at Zlin?

I have here in my hand a booklet published in three languages, including English, by the Bata Co. for distribution to visitors and those interested in the Bata system. On page 29 is a picture of a child learning to use the Singer sewing machine. This child certainly cannot be more than 8 years of age. It is plain from the picture and the caption below it that this child is learning skills involving the use of this machine. I now take up another booklet published by the same company entitled "Zlin, the Place of Activity," and find from pictures on pages 41, 43, and 47 that the use of the Singer sewing machine constitutes a vital part of the production system of the Bata Shoe Co.

It is beginning to seem to me that the claims of trade-union officials, in the hearings before the Tariff Commission, that their opposition to the concessions to the Bata Co. were based on low wages and the exploitation of youth were well founded in fact.

In the petition for the importation of the instructors the Bata Co. stated that their—

Experience * * * convinces the petitioner that the best results can be obtained by employing young men and women locally, paying them a comparatively high rate of wages. * * *

And then gives the real reason for their importation by continuing—

Petitioner believes this plan will accomplish better results than can be had by endeavoring to recruit its force from among experienced shoemakers who are not acquainted with the Bata methods.

The company proceeded to follow its plan along this line and early last summer—

Every member of the 1939 graduating class of Harford County high schools received a card inviting applications for employment. Soon thereafter, the invitation was extended to 1938 and 1937 graduates.

Thus the company kept the implied promises of Mr. Bata, who when dedicating the laying of the cornerstone said, "I intend to employ no one except high-school graduates and to educate them in my methods"—copied for the most part from American mass-production methods.

Mr. Bata, thus absorbs a small section of American youth, but he completely throws on the industrial scrap heap all American shoe workers now unemployed and those who will thus be displaced by the so-called economies of his system.

His statement, just quoted, claims that his system is an adaptation of American mass-production methods, so we should look at those methods to see what they produce.

In the newspaper article already referred to in the Sunday Star of November 19, 1939, there is the following quotation regarding Mr. Bata's methods:

These methods are an adaptation of the conveyor-belt system perfected in the automobile industry. Rawhides and other materials begin at the top of the building and flow endlessly down and around from floor to floor, past the benches of workers, who have each one a small task to do in the making of the finished shoe. One man polishes the leather of the hide. Another cuts the uppers; another cuts the caps; another inserts eyelets; another turns the welt; another sandpapers heels.

"And it is fast," declared an 18-year-old girl, a graduate of Havre de Grace High School last year.

"They assigned me to brushing polish around the edge of the sole and they gave me a whistle.

RESULTS FROM A WHISTLE

"If you can't keep up with the shoes going past on the belt," they said, "blow the whistle. The belt will stop till you catch up." I managed to keep up with the belt all morning, but in the middle of the afternoon I fell behind. So I blew the whistle. All of a sudden it seemed as if about 20 instructors were around me, shouting instructions in Czech and German and English.

"I vowed right then that I would never blow that whistle again—not even if the factory blew up."

It is obvious from this article that the Bata system has adopted the technique of the American mass-production system without the social viewpoint and humane methods of the American use of that system.

This same article points out that these youngsters were employed at the minimum wage required by law. The Bata Co.'s petition for the admission of these so-called instructors alleged that the best results could be obtained by employing young people and paying them a comparatively high rate of wages. Does Mr. Bata think that the minimum established by law is a high rate of wages?

The report of a memorandum by the Immigration Department officials in regard to the second investigation of the Bata Shoe Co., conducted late in November 1939, contains the following:

Although the petition mentioned above also alleged that the best results could be obtained by employing young men and women locally and paying them a comparatively high rate of wages, it should be stated that the greater part of these new workers are being paid the minimum wage prescribed by the Wage and Hour Division of this Department—30 cents an hour, or \$12.60 per week, with a social-security deduction of 13 cents.

In addition, this alien concern is not complying with the minimum-wage standards established by this Congress. In a civil action brought before the District Court of the United States for the Northern District of Illinois, the Wage and Hour Division charged the Bata Shoe Co. not only with failing to pay the minimum required by law, and failing to pay overtime for hours worked beyond the maximum set for the regular rate by law, but this company likewise, which seeks special favors in our midst, was charged with and later admitted, by a stipulation dated December 19, 1939, the full essence of the complaint. For the short period of 1 year under which we have been operating under the act, this company, to bring itself under compliance with the act, made restitution of \$7,000 in wages to 65 of its employees in Chicago.

I am reliably informed that the company is also violating the provisions of the wage-hour law in its plant in Maryland. Trade unions, representing a number of employees in that plant, have filed complaints with the Wage and Hour Division recently. They were informed that an investigation would be instituted by the Wage and Hour Division. If and when further violations were found in this plant, it seems to me that this visitor in our midst is certainly abusing the hospitality which has been shown him. It is time the administrative agencies of Government required strict adherence to the spirit and letter of their regulations before conceding further favorable administrative decisions to the Bata Co.

The experts and officials of the Department of Labor who have made a thorough study of the methods of this company, of their machinery, of their technique and business methods, have required the company to reduce its alien staff of instructors to a maximum of 10. This ruling was made after a full, fair consideration of all the facts, and all the allegations of the company in its original petition. Now, instead of complying with the regulations of the Department, powerful interests in the State of Maryland, apparently at the request of the Bata Co., are bringing pressure upon the Department of Labor to change its ruling.

In behalf of the American shoe industry, I urge the Department of Labor to stand by its determination in this matter, and I urge the Members of this House to investigate the facts regarding the Bata Co. before they associate themselves in the efforts in its behalf.

You should know the tremendous harm which the methods of this company will work on our already trained boot and shoe people, when the Biggers unemployment census shows that 34,000 boot and shoe workers were totally unemployed.

and 15,000 were partially unemployed. It also works a tremendous hardship on all labor.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield 1 additional minute to the gentlewoman from Massachusetts.

Mr. DICKSTEIN. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from New York.

Mr. DICKSTEIN. The gentlewoman is complaining about the admission of certain people who come here to engage in that industry?

Mrs. ROGERS of Massachusetts. Yes. If I had had more time, I could have pointed out that many of these persons really were not entitled to permits. I understand that all but a few of them are to be deported on the 1st of February.

Mr. DICKSTEIN. Exactly; because they came here under a temporary permit as experts to train Americans in that particular industry.

Mrs. ROGERS of Massachusetts. And they were not experts and were not needed.

Mr. DICKSTEIN. That is a different matter.

Mrs. ROGERS of Massachusetts. They did not live up to the terms of their agreement, as I have already pointed out. They asked also, I hear, for a permit to stay permanently.

Mr. DICKSTEIN. They could not do that under the law if they came here for the sole purpose of teaching American girls and boys that particular trade or vocation.

Mrs. ROGERS of Massachusetts. If you follow my remarks closely, you will see they tried to evade the law. I may say to the gentleman—

Mr. DICKSTEIN. Then they will be sent back in due course.

Mrs. ROGERS of Massachusetts. They are to be deported very shortly, I understand. You see what a hardship it places on our workers to import foreign labor. We have the best and most highly trained shoe workers in the world. It seems to me one of our most vital needs today is to put our people back to work, and we cannot sanction any such activity as the Bata method in this country. [Applause.]

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield 10 minutes to the gentleman from Nebraska [Mr. STEFAN].

Mr. STEFAN. Mr. Chairman, it may perhaps seem strange to you that a Member from the prairies of Nebraska is replying to the gentlewoman from the industrial State of Massachusetts on this question of aliens who are in the United States presumably to teach Americans a new method of manufacturing shoes. I was very much interested in the statement of the gentlewoman from Massachusetts and the statement by the gentleman from New York [Mr. DICKSTEIN] that these people will be deported.

Because of my interest in the welfare of the Czech people I have interested myself in this particular case. I believe every Member of this House should know something about it.

I know the gentlewoman from Massachusetts is very much interested, as I am, in securing jobs for the unemployed people of our country. She comes from a district that is purely industrial. I imagine that in Lynn and in Boston, and in that part of the country, they make more shoes than in any other place in the United States. Naturally she is interested in idle shoemakers. I am interested in idle farmers.

I am opposed to aliens coming into this country at any time and taking the jobs of any unemployed Americans. I believe our most serious question is to see that we do something about this unemployment problem, which is the most serious problem confronting the Nation today. I think we should give more attention to that problem than we are giving at this time. We debate here today an agricultural bill. The reductions in this agricultural bill means a desertion of the farmyard in favor of the navy yard.

May I say to the gentlewoman from Massachusetts that she has 36,000 unemployed shoemakers, but I have 40,000 unemployed people in my State. All of them depend upon our farmers for a living. Our farmers are not well off. Let

us see how much New England has helped my farmers by buying American leather.

With the permission of the Chair, I place in the RECORD just how many hides have come in from foreign countries and used in the making of shoes by the shoe monopoly, hides which come in direct competition with hides from the States like Nebraska:

[Leather and Rubber Division, Bureau of Foreign and Domestic Commerce]

CONSUMPTION OF CATTLE-HIDE LEATHERS IN THE UNITED STATES, BY TYPES

A study has been made by tanners showing the types of leather produced from cattle hides in the United States, and according to this information more than 87 percent of the average cattle-hide leather production in the past 17 years were shoe leathers. The following table shows the average number of cattle hides tanned in the United States yearly during the period 1922 to 1933, inclusive, and the types of leather produced therefrom:

	Hides	Percent of total
Shoe leathers.....	18,434,000	87.3
Belting leather.....	885,000	4.2
Harness leather.....	441,000	2.1
Luggage leather.....	414,000	2.0
Upholstery leather.....	461,000	2.2
Other leather.....	465,000	2.2
Total.....	21,100,000	

Principal sources of United States cattle-hide imports

	Pieces	Pounds	Dollars
1933			
Argentina.....	525,000	24,052,418	2,443,060
Uruguay.....	15,000	866,820	101,841
Brazil.....	171,554	9,237,467	576,155
Canada.....	488,301	21,119,442	1,527,366
Mexico.....	13,300	549,392	32,099
Australia.....	10,520	271,422	28,121
New Zealand.....	13,754	577,486	50,657
Italy.....	8,679	369,734	108,303
Switzerland.....	9,683	965,394	138,626
China.....	19	282	55
Total world.....	1,298,742	59,651,078	5,177,315
1939 (11 months)			
Total world.....	2,849,633	117,279,075	10,392,116

Here are 72 poor Czechs, who are administrators and instructors, who are instructing Americans how to make shoes in a new method and actually giving jobs to a thousand Americans who have not had jobs before, and creating a million-dollar-a-year pay roll. They tell me they will use American labor only and eventually create a large market for Nebraska hides and southern cotton. The chairman of the Immigration Committee assures you on this floor of this House that these handful of Czechs are going to be deported because, as he claims, they have infringed some immigration laws. I want to tell the chairman of the Immigration Committee that I took this matter up with the Department of Labor and the Immigration and Naturalization officials. I think I know what these officials are up against. I have taken it up with the State Department; I have taken it up with Mr. Goodman, of the C. I. O.; I have taken it up with the delegation from Massachusetts, and it is strange that a Member from Nebraska and a Member from New York and Massachusetts must discuss a question which is not in their particular districts but in the district of the distinguished gentleman from Maryland [Mr. COLE], who so ably presides over that committee and who is right here now and knows more about this question than any of us here on the floor of the House.

Mr. COLE of Maryland rose.

Mr. STEFAN. In just a minute I will yield to the gentleman from Maryland [Mr. COLE] if I may proceed now.

I want to repeat that I am opposed to any alien coming to this country and taking a job which rightfully belongs to an unemployed American, because we have 9,000,000 unemployed here. I have served in this House long enough with the gentleman from Maryland [Mr. COLE] to know that

he has been fighting to help the unemployed, and if he can get a factory in his district which will take a thousand or 3,500 unemployed off the unemployed rolls and give them a job, I am for him.

Mr. COLE of Maryland. Mr. Chairman, will the gentleman yield at this point?

Mr. STEFAN. I certainly will yield to my friend from Maryland.

Mr. COLE of Maryland. As I understand the situation, as far back as last June the Bata Co. made a request of our Government that 100 employees, the type of which could not be found in this country, be permitted to come here for a period of 1 year. After investigation, and I assume a thorough investigation, 72 were admitted, but an order permitting 100, I think, was passed. Like the distinguished gentleman from Nebraska now in the Well of the House, I hold no brief for alien competition with our local unemployed or employed labor, but I do want to testify to the dignity and the magnitude which the development of this plant in Maryland presents at this time. It would astonish any Member of this House to see the tremendous strides they have made. It will be one of the largest plants in the East before a great while. Some have not been able to understand why, after investigation, they were permitted to enter the United States and then, after 4 or 5 months of their term, during which, as I have been advised, they have been schooling our local people in the particular technique required in the shoe industry—and all expecting to go back within a year and have no intention of staying here—why, all of a sudden, we find an order directing them to pull up stakes and go back when so much has been done upon the basis that the order issued last June meant what it said. This plant is giving welcome work to many of my constituents, but like all who have spoken, none want imported labor, except when in compliance with the language of the pending order, to compete with them.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. COLE of Maryland. I will gladly if the gentlewoman from Massachusetts can clear that up.

Mr. STEFAN. I want to thank the gentleman in whose district this factory is located. It is my belief that the international headquarters of many industries are going to be moved to the United States of America because of the persecution of dictators in foreign lands.

After a careful and personal investigation of the visa headquarters of our Foreign Service, it is my belief that everybody in all parts of the world wants to come to the United States of America to live, and I sympathize with them. What a privilege it is.

I am opposed to the action of the Commissioner of Immigration in revoking the permit issued by the Department of Labor on June 9, 1939, to permit the entry into the United States of 100 Czech nationals for supervisory employment at the Bata Shoe Co. plant at Belcamp, Md., for a period not to exceed 1 year.

This order, which is alleged to have been issued without the Bata Shoe Co. even knowing that the approval of the permit was even being considered, is, in my opinion, unjust, discriminatory, and prejudiced against a group of Czech people who are making it possible for nearly a thousand American workers to have a job in favor of thousands of alien refugees who are in this country with the permission of the same Department which is extending the stay of these aliens, who, instead of making jobs for American unemployed people, are taking some of those jobs away from them.

If the Department insists on carrying out this revocation, I fear it will result in the closing of a new enterprise which has brought into our country several millions of dollars of new capital and brought to us a new pay roll which eventually may run into many millions of dollars annually.

I plead with the Department of Labor to revoke their latest order and again reconsider the matter and allow these Czech nationals to remain in this country for the 1 year as originally promised them in order that the program to instruct Americans in the Bata method of shoe construction can be

carried out as originally planned. I ask that this order be rescinded and that some of these Czech nationals be allowed to come to Nebraska and act as instructors for Nebraska unemployed people who would be employed in a branch factory if Dr. Jan Bata expands his American enterprise and opens a branch shoe factory in Nebraska. With an army of eight to ten million of our own people unemployed, I feel that every encouragement should be given to any new enterprise which will give men and women employment. Because of the drought which has existed in my district for several years, hundreds of people are unemployed there and are living from the funds appropriated by Congress annually for relief purposes. Most of these people want a legitimate job. They want to work and improve their condition and the condition of their family. They want an opportunity to eventually own their own homes, provide a living for their families, and have some assurance that there will be some future for their children. The establishment of a factory in my district similar to the one Dr. Bata constructed at Belcamp, Md., where they are now employing 800 people, would be a godsend to the people of my district. I therefore plead with the Department of Labor and those responsible for the issuance of the new order which threatens to close the new factory to give every consideration to my plea and give me as much assistance as possible to secure jobs for unemployed American men and women.

I am told that there are more than 12,000 alien refugees in our country who have overstayed their time, and that the Department of Labor is extending the time for these aliens. It is my belief that many of these aliens are taking the jobs which belong to Americans. I am sincerely of the belief that these thousands upon thousands of alien refugees will remain in the United States permanently. I am also sincere in the belief that these 12,000 aliens are merely the vanguard of additional thousands of aliens who are coming to this country at this time and will come in the future.

It was my privilege during August of 1939 to make an official investigation for the House Committee on Appropriations of our foreign missions. I visited the missions in Norway, France, Germany, Czechoslovakia, Austria, Hungary, and Yugoslavia. I especially made a carefully conducted observation of the work of the visa divisions in the various missions. I talked to the employees in these divisions and also to the representatives of the Department of Labor, whom I found to be very active and efficiently conducting their duties. However, I was amazed at the tremendous task confronted by these visa divisions. I found thousands of people waiting to register to come to the United States. I found the registration books blocked for some years to come by people who are anxious to come to this country to live. I talked with hundreds of other people who are anxious to pay their fees for the purpose of merely registering, in spite of the fact that the books were blocked and their chances of coming to this country—especially not for many years to come. Yet they were anxious to have that slip of paper in order to show that they had registered to come to the United States of America. In fact, nearly everyone I talked to in every country I visited wanted to come to the United States to live. I found many people who would surrender a fortune to secure that privilege or to secure some preferential status on our quota list—which, of course, is not possible.

The reason I am pleading for these Czech people to be allowed to remain in this country is because they are not taking the job of one single American. In fact, they are teaching Americans a new method of shoemaking in order that Americans can have jobs. In fact, already they have made it possible for nearly 1,000 Americans to have a job. This is somewhat different from the effect the 12,000 to 20,000 alien refugees will have on our army of unemployed Americans. In my opinion these alien refugees will remain in this country permanently and take the jobs of just so many Americans who are now employed. This army of aliens will be added to because of the tremendous financial program backed strongly by people financially qualified to carry out the program. I am not opposed to aiding alien refugees, but

I am tremendously disturbed at anything that may be done which would take away from our employed people their jobs and throw them into the army of unemployed. If it was right to let them come here in the first place, why the sudden change of attitude by the Labor Department now?

I am informed that the Bata Shoe Co. was organized in this country in 1928. From that date until about June 1939 its sole business was the sale of shoes in the United States, having operated about 50 retail stores. About 75 percent of those shoes which it sold were purchased in the United States, and the other 25 percent were imported from Czechoslovakia. In 1939, because of financial and political conditions abroad, the Bata industries in Europe decided to transfer as far as possible its manufacturing operations to the United States.

It was thought that the manufacture by an American company of an American product, which, because of the more efficient methods of manufacturing used by the Bata people, be sold at a reasonable price would capture much of the foreign market for shoes, particularly the market which existed in South and Central America which already was a good field for the Bata products and which, because of conditions in Europe, was being lost. Dr. Jan Bata, who came to see me personally because he is interested in expanding his business and the possibility of opening a factory in my State of Nebraska if expansion permits, stated that the importance of the export phase of this business may be seen from the fact that heretofore the Bata factories in Czechoslovakia alone have supplied foreign markets with approximately 20,000,000 pairs of shoes annually. It was contemplated that the transfer of manufacture to the United States would result in the employment of not less than 5,000 Americans in not less than 2 or 3 years. This would mean an annual pay roll in excess of \$5,000,000 to employees. In addition, it would mean a great increase in employment in allied industries. It was estimated that the cost of raw materials for this factory would equal a sum like the annual pay roll. Above all, it was not contemplated that any manufacturing plant established in the United States would employ foreign labor; rather it was planned that all operations be carried on by American labor. I was told that it would be necessary at the outset to have skilled employees of the Bata Co. in Europe to train skilled employees in the United States in the methods of Bata manufacture. The reason for that is the Bata system is different than the system used by any other shoe company. The Bata organization has developed a round conveyor system which is adaptable to the manufacture of numerous sizes and types of shoes, and was developed in various places in the world after the expenditure of several million dollars. Because it was contemplated that the shoes to be manufactured in this country would be sold throughout the various countries of the world it would be necessary to train prospective American employees not only in the technical processes of manufacture but in the variations in shoes used in different places in the world and in the Bata system of world distribution and merchandising of world products.

I quote here part of a brief regarding the application of the Bata Shoe Co. for temporary permits for the 100 Czech nationals to act as instructors at its shoe plant at Belcamp, Md.:

With the aforesaid considerations in mind the Bata organization decided that if the United States Government would grant the necessary visas and working permits for 100 of its skilled Czech employees to act as instructors in training American employees for a period of 1 year (so that the Bata system could be properly instituted) that it would construct a large manufacturing plant at Belcamp, Md. Mr. John Hoza, a naturalized American citizen (of Czech nationality), was engaged by Dr. Bata, head of the international Bata organization, as manager of the proposed plant and was instructed to make application for the necessary visas and work permits for said instructors, and, if such permits were granted, to begin construction of the manufacturing plant. He was specifically instructed that he was not to begin construction of the said plant unless the United States granted permits for the skilled instructors, etc.

Proper applications were therefore made to the Department of State and the Department of Labor to secure the aforesaid necessary visas and work permits. After an investigation was made by these Departments, the Department of Labor on June 9, 1939, issued a permit to the Bata Shoe Co., Inc., to import 100 Czech

nationals for employment at the Bata plant for a period not to exceed 1 year.

Immediately after the permit for the temporary importation of these skilled instructors was obtained, and in reliance thereon, the Bata organization supplied the necessary funds to build the plant. These funds were not obtained even in part from the sale of stock to the public or through loans from banks. Up to the present time approximately \$2,000,000 has been expended in plant construction and housing developments for its employees. The Bata organization has always emphasized the welfare of its employees. Along with its construction of manufacturing plants it provides for the housing of its employees and lays great emphasis upon the creation of athletic and other facilities and in the development of a community esprit de corps.

Up to the present time, 72 of the 100 Czech nationals have actually been admitted to this country and have been employed in the Belcamp plant under permits issued by the Department of Labor. Of the remaining 28 workers which the Bata Co. had been authorized to temporarily import, the immigration authorities had already approved the importation of 6-named persons.

Under the tutelage of the 72 skilled instructors the Bata Co. has already employed in the Belcamp plant well over 800 Americans. The approximate pay roll at the present time is \$18,000 per week, or \$1,000,000 per year, and if the business is permitted to proceed according to original plans it is anticipated that the pay roll will constantly be increased until it reaches approximately \$5,000,000 per year in direct salaries to employees of the manufacturing plant.

This has already resulted in the employment of other persons in allied industries, which will increase as the productivity of the Bata plant increases.

At the present rate of production the purchase of raw materials from within the United States will approximate \$1,000,000 per year; eventually, as previously mentioned, the cost of such raw materials will probably aggregate around \$5,000,000 per year.

Of the 72 Czech nationals now working in the plant, some 25 of them are married and have their families with them.

Under date of December 28, 1939, without the Bata Shoe Co. even knowing that the approval of the permit for the importation of the 100 skilled laborers was being reconsidered, the Commissioner of Immigration revoked the permit as to all but 10 of said workers, notwithstanding the fact that the plant had been built in reliance on the previous approval of said permit and notwithstanding the further fact that 72 of the workers had, with the consent of the United States, already arrived in the United States and been employed in the Bata plant. Newspaper releases concerning the revocation of the permit were immediately given to correspondents who were apparently waiting for their release and articles appeared in all leading newspapers of the country on the morning of December 29 concerning the same. It was only by seeing some of these newspaper articles that officers of the Bata Co. knew anything about the decision, and it was not until December 30 that the company was actually informed of the decision of the Commissioner.

The ruling states that in accordance with its usual practice the Immigration and Naturalization Service had made an investigation at Belcamp in which the Naturalization Service was "assisted by persons familiar through long experience with the process of shoe manufacture," and that as a result of this investigation it was determined that there was "unemployed skilled American labor of the type required to perform" the instruction necessary in the Bata process. The decision directs that 62 of the imported Czechs be separated from the employment of the company on January 10, 1940, a period of scarcely 7 working days from the date of the ruling.

Among the surprising features of the ruling is the fact that an investigation was made by both Labor and State Departments before the original permit was granted, in which those two Departments came to a contrary conclusion. Another surprising feature is that the responsible officers of the Bata Co. were not only not informed that an investigation was being made but were not even interrogated in the process of the investigation; and, so far as appears from the written ruling of the Commissioner of Immigration, available records of other departments of the Government of the United States, which had made extensive investigations in Czechoslovakia of the Bata organization and its manufacturing process and methods, were not even examined.

It is true that certain investigators spent some time at the plant at Belcamp, but officers of the Bata Co. were under the impression that they were there not to investigate the manufacturing process but to check up on the immigration status of persons employed in the organization. Despite the fact that the ruling of the Commissioner states that "the Immigration and Naturalization Service has recently made a thorough investigation of the Bata plant at Belcamp, Md.," the fact remains that while the investigators were in the plant the conveyor system, which had just recently been installed, was not operating with the degree of efficiency, nor was there the coordination in the manufacturing processes, that will eventually prevail. Since the officials of the company were not advised of the purpose of the investigation, they were given no opportunity to explain the peculiar necessity for the temporary use of Czech specialist instructors, nor were they given an opportunity to explain the further coordination of machinery and methods that will ultimately prevail. Nor did the Commissioner of Immigration furnish the company with a copy of his report or even a summary thereof as a basis for any comment or inquiry

which the Bata Shoe Co. might desire to make. No hearing of any kind was accorded to anyone interested in sustaining the permit that had already been approved and issued.

On the other hand, it would appear from newspaper reports throughout the country that the Commissioner did grant ex parte hearings to representatives of competing shoe manufacturers in the United States, the Congress of Industrial Organizations, and possibly other labor organizations. The nature of the ex parte representations which they made to the Commissioner of Immigration are unknown, but it would certainly seem, in view of the fact that the permit was once issued and that a plant had been built in reliance thereon, that under any accepted principle of fair dealing the company should have been apprised of the charges made and given an opportunity to answer them before the permit was revoked.

The fear that the manufacturing of shoes at the Bata plant in Maryland will increase competition with American shoe manufacturers is not well founded, for the fact is that the Bata organization abroad now exports to the United States approximately 5,000,000 pairs of shoes annually. If hereafter such shoes are manufactured in the United States under American methods, at the American wage scale, the chances are that the competition will be less and not more keen.

Any fear, if there be any, that the creation of a Bata plant will take American money out of the United States is also unfounded, for the Bata organization has a well-established policy of reinvesting its money in the countries where that money is made. It also has a well-established policy of permitting its companies in various countries to be independently managed and operated.

It is apparent even from the most cursory examination that the action of the Immigration Commissioner in revoking the permit, arrived at without any hearing of any kind, is entirely unjustified. There is nothing in the order to indicate that the Bata organization made any misrepresentation of any kind in the securing of the original permit. Since the Department made an investigation before it granted that permit, and was apparently satisfied as to the need for the skilled labor, it is almost incredible that, without even giving notice to the parties concerned, the original approval could be revoked.

The Bata organization, in the first place, decided that it would build a plant in Maryland, provided it could use its own skilled labor in teaching the Bata process to American employees. When the United States granted the permission for the Bata organization to proceed in that manner, the latter built the plant in reliance thereon.

The Bata Co. denies that there are specialists in the United States sufficiently skilled to teach the Bata process. In fact, it maintains that there are no skilled men in the United States who have been trained in that purpose. If the Commissioner of Immigration, therefore, insists on his revocation of the permit, it will probably be necessary for the Bata Co. to close its plant. In that event not only 62 men will be thrown out of employment but in excess of 800 Americans who have already been employed. Furthermore, the respective Bata organization will probably be driven from the United States.

The ruling of the Commissioner says nothing as to what shall happen to the Czech employees, many of whom have families. They have been employed only a short period of time. Undoubtedly great hardship will result to them. If they were not needed as skilled laborers to educate American unskilled labor (most of whom were farmers) in this country, the Department should not have permitted them to come here in the first place.

The manner in which the ruling of December 28, 1939, was arrived at was un-American and contrary to democratic principles. In the interest of fair play to skilled laborers who have come to this country and to the capital invested in this country, in reliance upon a ruling made by the Department of Labor, the very least that could be done by the Commissioner of Immigration is to reopen the entire matter for a full hearing, of which all parties shall have notice and are accorded full opportunity to expression for the presentation of the material facts.

I have discussed this entire matter with people in the various departments, and especially people who originally had these matters in hand officially. It is my understanding from this information that the Bata organization brought new capital from foreign countries to construct the plant at Belcamp, Md., and also to equip it; that the capital represents new capital; and that approximately 1,000 jobs held by Americans are new jobs. Because of the fact that the unemployed question in America is the most important question to be solved by this Congress, I plead for a rehearing and a reconsideration in this matter for the sake of more jobs for unemployed American men and women.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. STEFAN. Let me give you a little picture of Czechoslovakia. Only a year or so ago they had a population of about 15,000,000 people. When they took Sudetenland away from them, when they took Moravia, and other parts

away, they left a country there under a dictator protectorate cutting the population to about 8,000,000. They have an immigration quota from that country of around 2,700. Do you know that there are 75,000 of those people registered who want to come to America to live? You cannot blame them but we must look after our own unemployed people first.

The quota is locked from Bohemia. It is locked from some other countries. But you have here a little band of Czechs who are teaching Americans, giving unemployed Americans jobs. They are here with your permission. Now you say to them in a cold-blooded way, "Get out." You let them come here with the belief that they would stay here for at least 1 year. After a few months when they have their factory going you say, "Go back." That is not fair in my opinion.

I want to say again that the gentleman from Maryland [Mr. COLE] knows more about this question than any other Member of this House, because the factory which is giving jobs to a thousand people is located in his district. I took this matter up with all of the officials who have something to do with it, and I was informed that the New England delegation would discuss the matter openly on the floor of this House. I am willing to take the challenge and help these Czech people. The New England shoe organizations, the shoe-machine organization, and the organization of the C. I. O., will be responsible for sending these 40 or 50 poor Czech people back to Bohemia. I plead with them not to discriminate against just a handful of Czechs with whom we ought to sympathize. [Applause.]

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield 3 minutes to the gentleman from Connecticut [Mr. MILLER].

Mr. MILLER. Mr. Chairman, I have asked for this time to announce to the membership of this House the death yesterday morning of a great American, Donald L. Brown, or Don Brown, as he is better known throughout the aviation industry.

Don Brown was president of the United Aircraft Corporation and a resident of West Hartford, Conn. This morning high officials of the Army, Navy, Civil Aeronautics Authority, and the Governor of Connecticut issued statements paying their tribute to this great leader in the aviation industry, who has done so much to aid in the establishment of a sound national-defense program. Rear Admiral Towers, Chief of the Bureau of Aeronautics, said:

The death of Don Brown, president of the United Aircraft Corporation, is a great loss to aviation. He grew up with it, and by sheer ability and extraordinary qualities of leadership reached the top of his large corporation in a remarkably short space of time. His accomplishments have been of very great value to the national defense and to commercial aviation. His sudden death is a great shock to his many friends in naval aviation.

Major General Arnold, Chief of the Army Air Corps, issued this statement:

The report of the passing of Mr. Don L. Brown, president of the United Aircraft Corporation, was a great personal shock to me and will be received by the entire Air Corps with the sorrow that comes from the loss of a true friend and staunch supporter. Mr. Brown has been intimately associated with aviation since 1915. In 1921 he became assistant factory manager of the Wright Aeronautical Corporation and has been personally interested in the development of the engines of that company and of Pratt & Whitney for the past 19 years. During this time, he has worked closely with Air Corps officers, has understood their problems, and has striven energetically and successfully in the production of power plants for airplanes which have to do so much to maintain the preeminence of American aviation. The entire Air Corps joins the aviation industry in mourning the passing of one of its great pioneers and outstanding gentlemen.

The tribute of Mr. Hinckley, Chairman of the Civil Aeronautics Authority, follows:

The untimely death of Donald L. Brown, president of the United Aircraft Corporation, is a severe blow to aviation in the United States. He and the organization he helped establish have contributed immeasurably to the development of aeronautics in this country, civil as well as military, through the development of aircraft engines recognized throughout the world for their efficiency and dependability. Mr. Brown has left an indelible imprint upon an industry with which he was intimately associated for 20 years.

The Honorable Raymond E. Baldwin, Governor of Connecticut, issued a statement, in which he said:

The news of the death of Don L. Brown has brought a deep feeling of sadness. Young, energetic, enthusiastic, highly intelligent, he was one of the outstanding leaders in this community and in the whole State. He had given liberally of his energy and time and thought to State affairs whenever called upon. He was a member of the Aeronautical Development Commission and has done excellent work for our reemployment council. He was a friendly, genial companion. His activity was so great and his interests so varied in the life of this community and State that only the passing days can bring us a full understanding of our loss.

In a letter written to Mrs. Brown, the Honorable Louis Johnson, Acting Secretary of War, said:

Please accept my deepest sympathy on the untimely death of Don L. Brown. I have lost a friend, aviation an illustrious pioneer. The preeminence of the American aircraft engine throughout the world would never have been possible without Don L. Brown. Not only we of the War Department, who have worked with him, but the aviation industry and the Nation as a whole have been impoverished by his death.

In 15 short years Don Brown has aided in the building of a great industry. The United Aircraft Corporation was organized on August 1, 1926, and employed 25 men. At the present time that corporation employs over 6,000 men and has a pay roll of over a million dollars a month.

Far too often we hear expressed on the floor of this House the thought that the great opportunities that once existed in the United States no longer exist. The life of Don Brown is ample proof that this is still the land of opportunity; that there is still opportunity for young men who are willing to apply themselves, to engage in business, and to build great worth-while industries.

I am reminded of an incident that was reported to me a few days ago. Members of this House will recall the neutrality debate during the recent special session. I am informed that at the opening of that special session, Don Brown, who was an important figure in the old aircraft industry, called in his public-relations man and said to him:

While this neutrality debate is going on I do not want you to go near the Hill in Washington. Our Representative has certain definite ideas and, while I do not personally agree with him, I don't want to bother him at a time when his every thought should be toward solving this program for the country's best interest. We can't let our own interests guide our thoughts at this time. Congress alone can decide that for itself and must be given an opportunity to decide what effect repeal of the arms embargo is going to have, not only on the United States, but on the whole world.

In these troubled times we can ill afford to lose such a great American as Donald L. Brown.

Mr. DIRKSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mrs. Rogers].

Mrs. ROGERS of Massachusetts. Mr. Chairman, I want to give you a few more facts about the Bata situation in this country. Let us have an open investigation of it. I would welcome it. I know the workers would welcome it and the industry would welcome it. Let us face the facts for a minute. Let us look over the whole activity of this company in this country.

I want to show you again that Mr. Bata violated his agreement in allowing these people to come into this country. I also draw your attention to an issue of the New York Times, in which it is stated that Mr. Bata wanted to buy a textile mill in this country. He wanted a loan from the Reconstruction Finance Corporation, according to the newspaper story, and the Reconstruction Finance Corporation refused that loan because Mr. Bata would not promise to employ American workers.

Let us also face the facts that Mr. Bata later requested that an additional 500—not 100, but with it 600 in all—Czechoslovakians be allowed to come in sometime during last autumn. Five hundred workers would mean their families also, of course; not 100, but 500. That would make 600 that the request was made for, of Czechoslovakian workers, together with their families, to come into this country.

The following is an article in a St. Louis paper on Monday, November 6, 1939, by Mr. Drew Pearson and Mr. Robert S. Allen:

THE WASHINGTON MERRY-GO-ROUND
(By Drew Pearson and Robert S. Allen)
CZECH SHOE LABOR

The Labor and State Departments have been up against a tough problem recently with the demand that 600 workers and executives of the famous Bata shoe factories of Czechoslovakia be permitted to enter the United States.

Jan Bata, who has done to shoes what Ford has done to automobiles, is setting up a new factory in Harford County, Md., just north of Baltimore. To start the factory he asked for the admission of 100 Czech workers. This roused terrific opposition from both C. I. O. and A. F. of L. shoe unions.

However, Bata had the support of Senator TYDINGS, of Maryland, whose law partner, Maj. Robert Archer, was arranging for the purchase of Bata's land in Maryland. TYDINGS wrote several vigorous letters to the Labor and State Departments demanding entry of the workers, and they finally consented that 100 workers be admitted temporarily.

This has aroused the vehement opposition of some of Senator TYDINGS' colleagues, notably Senator WALSH, of Massachusetts, Senator DAVIS, of Pennsylvania, and Representatives TREADWAY and EDITH NOURSE ROGERS, of Massachusetts. They have protested that the admission of shoe workers seriously hurts shoe labor in the United States.

Despite all this, Bata has just asked to import 500 additional personnel into the United States, and Senator TYDINGS made a personal call upon Secretary of State Hull to urge their admission. Specifically, he urged that the immigration laws be waived to admit these 500 in one lump. He urged this on the ground that this group consisted of shoe executives, chemists, and specially trained men, who would not interfere with American labor.

United States labor unions, however, again objected, and even more strenuously. They pointed out that the families of the Bata people also would be admitted, which meant nearer 2,000 rather than 500. They also pointed out that Bata was the Henry Ford of Czechoslovakia; that he manufactured a cheap product which undersold American shoes; and that it was impossible for labor to organize his plants.

Secretary Hull, faced with Senator TYDINGS' plea, consulted his chief of the visa office, Avra Warren, who advised him that if Bata wanted to shift his executive offices to the United States, it should be done through routine channels. Warren urged that if Bata really wanted to set up factories permanently in the United States, his men should get permanent visas, not be given temporary visas.

He pointed out that the Nestle's Chocolate Co. was planning to move to the United States to avoid the war; also, the Belgian mines offices and the Belgian diamond cutters. Warren argued that the transfer of Bata permanently to the United States would enrich this country, and that any immigration visas granted Bata should be on a permanent basis.

Accordingly, the State Department has ruled that the Bata people may receive regular, not temporary, visas if they are able to comply with the requirements of the law.

I am fighting for American jobs and not for jobs for people over there. Our duty is to find employment for the people here.

I know that the gentleman from Nebraska [Mr. STEFAN] is working for his farmers; I realize that, because he is always working for his farmers, and also I know he does not comprehend the very great danger in allowing hundreds of trained aliens to come to this country to compete with our unemployed.

I would like to tell you further that, although the officials of the Labor Department were aware of the bad faith shown by officials of the Bata Shoe Co., the Department granted the permit in a letter dated June 9, 1939, but then later withdrew it.

I repeat that Mr. Bata violated the conditions of the permit of entry immediately, for on July 6, 1939, some 23 employees of the Bata firm arrived at Ellis Island without having fulfilled the requirements of the permit, and attempted to cover their entry into the United States by claiming that they were visitors to the world's fair. Each of the 23 admitted upon questioning that he was an employee of the Bata Co. and that he was awaiting orders from Mr. Bata. They had such small sums as \$40 as their total cash assets.

Again I want to say that I am amazed at the effort of this company to legalize later the entry of these aliens by attempting to negotiate with the Immigration Service for the permanent entry of 25 chemists, inventors, engineers, executives, and experts in the manufacture of products by the Bata Co.

As I stated before, the Department seemed to sidestep this request by pointing out that the immigration laws required the procurement of a consular immigration visa from the Department of State. As late as November 13, 1939, 7 of

these 23 were still in the United States, although they had been granted visitors' visas for a 60-day period only, beginning on July 6, 1939; 2 of the 7 applied for extension, leaving 5 in outright violation of their visas as visitors and with no effort made to obtain legal extension or entry.

I also want to emphasize again the fact of the employment of young and inexperienced workers, that they could not keep up with Mr. Bata's method of production. Our methods are better. Our workers are better. They are citizens of the United States. My ambition and purpose is to fight for their protection.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 15 minutes to the gentleman from Oklahoma [Mr. NICHOLS].

Mr. NICHOLS. Mr. Chairman, I have often heard this body referred to as the greatest legislative body in the world. I am willing to agree with that statement, but I also want to say that it is one of the most temperamental bodies in the world. We in this body are extravagant to the point of waste or else become economical to the point of being ridiculous in some instances. Every one of us, of course, wants economy as long as it is not false economy, but I believe there has been some false economy practiced in this bill. It does not amount to much money, but the precedent is being established.

The Soil Conservation Service has had approximately \$7,000,000 lopped off of the amount of money they told the Budget they needed and which they justified before the Budget and proved they could use profitably. Let us see what they wanted to do with this money. We are saving in this bill, so far as the Soil Conservation Service is concerned, approximately \$7,000,000. Let me read some of the conditions that exist by reason of soil erosion in this country; and I am sure everyone here will agree that the soil is our greatest natural resource. I am sure you will also agree that the soil is only as valuable as it is productive; and then I am sure you will agree that it cannot be productive unless the productive properties of the soil are left on top of the ground.

In the western Gulf region of the Soil Conservation Service, comprising all of Arkansas and Louisiana and most of Texas and Oklahoma, recent surveys have disclosed the grave need for the application of soil- and water-conservation measures and other good land-use practices.

The survey report showed that 12,800,000 acres, or about 52 percent of the entire land area in the region, require the immediate application of erosion-control practices if the remaining topsoil is to be saved, and that 70,200,000 acres, or about 28 percent should have preventive measures applied so that this land will not fall prey to the destructive forces of erosion. Thus it is seen that about 80 percent of the entire area, or 199,000,000 acres, needs to have conservation measures applied.

To the extent that the lopping off of this \$7,000,000 has decreased the fund at their disposal, to that extent must their efforts be curtailed, and I say that the knocking off of this sum is false economy. The Soil Conservation Service has not got as much money this year as it had last year. In this connection we must remember that Congress passed an act which provided that if States passed enabling legislation there could be created in the States throughout this country soil-conservation districts. The States have barely got to the place where that enabling legislation has been passed. I will give you some figures which indicate the present need. Current estimates based on the present status of district organizations indicate that there will be 423 districts requesting assistance from the Soil Conservation Service in 1941. Many of them comprise several counties. Now, it is just "pat" on the face of the thing that they will need more money in 1941 than they needed in 1940 if they are to cooperate with many of these 423 districts which were created under the hope held out to the States through legislation we passed; that if they did pass enabling legislation and these districts were created, that the Federal Government would cooperate with them. To the extent that new districts have been created they need

more money. They say they need only \$7,000,000 more than the Budget was willing to allow. False economy, I call it.

The three necessities of life—food, clothing, and shelter—come directly or indirectly from the topsoil. The Garden of Eden at one time must have been the most beautiful place on earth; the good things of life must have been more abundant there than any other place on the top side of this earth. We now know where the Garden of Eden was located. There is not a sprig of grass there now; it is arid desert. Erosion? Sure. It could happen to us. Maybe we would not turn into a desert, but we can become an arid country quickly if we do not go on with this important job of holding the water on the land where it hits the land and stopping its washing into the Gulf of Mexico and into the Pacific and Atlantic Oceans.

Soil erosion costs the farmers and ranchers of the United States not less than \$400,000,000 annually. This means a loss of more than \$7.50 for every man, woman, and child living in rural areas. Soil erosion has already ruined about 50,000,000 acres of farm land for practical and possible cultivation. This represents a loss of more than 320,000 farms equal in size to the 156-acre average for all United States farms. Soil erosion where active seriously reduces, of course, the per-acre crop yields, despite improved cropping and improved seed and fertilization. Soil erosion causes 750,000,000 tons of solid matter to be dumped into the Gulf of Mexico alone every year—750,000,000 tons. The destruction of the soil does not, of course, mean only a loss in dollars.

It means human suffering; living standards decline; churches, schools, and other necessary institutions suffer. The security once offered by productive fields vanishes. Opportunity wanes. Faith is shaken. Hope falters. Even liberty and democracy are menaced for \$7,000,000.

Mr. Chairman, an amendment will be offered to restore this sum. Whether or not this will be done, of course, I do not know. Amendments will be offered to restore other items of the bill which have been cut out.

I take up the subject now of disposition of surplus commodities. The Budget in a fit of generosity allowed \$113,000,000 to stay in this bill for that purpose. The Appropriations Committee, in its wisdom, cut this out. That money would have gone largely for the development of the so-called stamp plan for the distribution of surplus commodities. I hear a lot of talk on the floor about not doing anything that is going to make businessmen afraid, you must have the confidence of business, and so forth. Let me say to those who are interested in that side of the problem that the present system of distributing surplus commodities upon the stamp plan has the endorsement of every businessman who has ever had opportunity to touch it. No one will argue that it is not a better system of distribution for surplus commodities than any other system yet devised, and no one will argue that by reason of our cock-eyed distribution system we do not need something to help distribute surplus commodities.

Why save this money? For what purpose? Are we going to save this \$113,000,000 to build a battleship or to increase the standing army? I am not so much in sympathy with the big program for national defense. Who is coming over here? They could not get here, in the first place, and they could not stay here after they got here. I am willing to go along with a little relief for the industrial centers of the United States if they have to build some ships, but not to the extent it is going to hamper and cripple the internal development of this Nation. Do not talk to me about lending money to Finland or to the suffering people of China when the people in my district are suffering. [Applause.] As long as the pruning knife falls so deeply into appropriations that we cannot afford to spend any money for the distribution of surplus commodities do not ask me to lend foreigners any money. I will not be with you, and I am liable not to be with you on your national-defense program.

I do not think that there is anything more important than the peace, the tranquillity, and the happiness of our own people.

As I said at the outset, this is a great body, but we swing from one extreme to the other. When I came to this body

about 6 years ago I stood on the floor of the House and saw appropriated \$4,880,000,000 in about 2 hours. Now then, we are squealing and squalling and hollering trying to save \$7,000,000 at the expense of the soil.

Mr. FERGUSON. Will the gentleman yield?

Mr. NICHOLS. I yield to the gentleman from Oklahoma.

Mr. FERGUSON. To the gentleman's knowledge, is not this stamp plan to distribute surplus commodities the first attempt to answer the critics of the administration and the only actual thing that has been done to make consumption meet production? We always hear the argument that there is not overproduction; it is underconsumption. This method would raise the consumption of our products in our own country.

Mr. NICHOLS. Not only that, but it answers the other critics of the administration who say that we have gone so much into business that private business does not have a chance to function because the Government is doing it all.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, I hope that you and my colleagues will be interested in a bill I am introducing this afternoon. I cannot promise that the draftsmanship, which is my own, is perfect by any means, but, on the other hand, I think the principles of it may be of interest to the membership.

This bill is entitled "The Exchange Dumping Tax Act" and reads as follows:

Be it enacted, etc., That the Tariff Act of 1930 (Public Law 361, 71st Cong.), as amended, is hereby further amended by adding a new section after section 522 thereof, as follows:

"522-2 (a) Whenever the value of the currency of any foreign state, in terms of the currency of the United States as shall be determined in accordance with section 522 hereof, shall have declined in excess of 5 percent from the value of such foreign currency so determined to have been in effect on December 31, 1934, there shall be levied, collected, and paid upon all articles when imported from such foreign country into the United States, or any of its possessions (except the Philippine Islands), a tax according to the value of such article, which shall be in proportion to the ratio which the difference between the value of such foreign currency on December 31, 1934, and the value of such foreign currency on the date of release from customs custody to the consignee or his agent shall bear to the value of such foreign currency on the date of such release. This tax shall be levied and collected and paid in addition to and not in lieu of any other tax imposed according to law.

"(b) This tax shall be designated as 'The Exchange Dumping Tax.'"

Mr. Chairman, I have introduced this bill because, as every Member of the House knows, since the negotiation of trade treaties under the Reciprocal Trade Agreements Act of 1934 nearly all of the countries that have been parties to such agreements with the United States have very materially reduced their exchange rate with the United States, very largely through manipulation or currency control. I have before me the figures up to yesterday, which show the depreciation of several foreign currencies and the antidumping tax that would be applied under the terms of my bill.

Table showing devaluation of certain foreign currencies in terms of United States dollars since Dec. 31, 1934, and proposed ad valorem exchange dumping tax

Country	Currency	Value in United States dollars			Currency devalued	Estimated current proposed tax
		Dec. 31, 1934	Jan. 29, 1940	Difference		
United Kingdom	Pound sterling	4.94	3.99	0.95	Percent 19	Percent 23.8
France	Franc	.0662	.02265	.04355	66	183
Sweden	Krona	.2550	.2383	.0167	6.5	7
Italy	Lira	.0875	.0505	.03525	41	69.5
Finland	Finnmark	.0219	.0185	.0034	15.5	18.3
Holland	Gulden	.6782	.5310	.1472	22	27.7
Japan	Yen	.2876	.2349	.0527	18	22.4
Switzerland	Franc	.3249	.2243	.1006	31	44.6

The effect of such devaluations is in many cases to negative any tariff that may exist, even though that tariff may not

have been reduced by the reciprocal-trade agreements. On duty-free items it naturally gives a big discount on purchases made abroad. On goods which we must sell to foreign countries it does the reverse and places a premium against our merchandise and makes it hard for us to sell abroad, especially in items of current world trade.

We must contemplate also the probable effect that further reductions in exchange rates will have upon our commerce when wars shall be won or lost and the world again scrambles for markets. We have bound the status of many tariff items in reciprocal-trade agreements. When millions of men now in armed forces return to work we are in a position to become a dumping ground for foreign goods in a really big way. Trade agreements already negotiated make provision for discriminatory examination into discriminating exchange controls but it is quite likely that these discriminations will have worked havoc upon us before a review can have been made.

I hope the Members of the House will take an interest in the principles of this bill. If someone has a better suggestion than this, I am entirely modest concerning the efficacy of my own bill and I shall be glad to cooperate with anyone who can propose a better one.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. GEHRMANN].

Mr. GEHRMANN. Mr. Chairman, I certainly agree with the gentleman from Oklahoma [Mr. NICHOLS], who spoke a few moments ago, that it is not right that the entire additional appropriation for the Army and Navy and other parts of our national defense should be taken out of agriculture. This bill is practically cut in two as compared with last year's bill. While I did not agree with some of the appropriations made in last year's bill, certainly many items are taken out of this bill that should be restored, such as the item referring to surplus commodities. No one can find any fault with this distribution of surplus commodities because it affects and benefits not only the farmers of every section of the country but also the people that are waiting for something to eat. It also helps to a large extent the communities that will be obliged to furnish relief in some form to those unfortunate people. I believe this item should be restored.

The stamp plan, as was stated by the gentleman from Oklahoma [Mr. NICHOLS] has been a wonderful one. I know, at least, that all the larger cities in my district have clamored for it, and I have yet to find a single businessman who formerly criticized the distribution of surplus commodities who does not now feel that that is the right way to do it. I believe that provision should be restored to the bill.

Mr. Chairman, I am compelled to say a few words about this agricultural appropriation bill.

I am willing to go along with the economy program, but, if we are going to economize, I think it is absolutely unfair to take most of the savings that this Congress hopes to make out of the farmers and those unfortunate people unable to find a job and are dependent on positions provided by the Government or upon direct relief from some Government agency. The W. P. A. appropriation will come up later, and I hope to be able to get some time to express my views on that appropriation bill. The few minutes I have I wish to devote to this agricultural appropriation bill which is now under consideration.

This bill makes no provision for parity payments, as the Agricultural Adjustment Act provides should be made when farm products which come under the Agricultural Act fall below 75 percent of parity. In spite of the fact that by far the largest single agricultural industry, which is the dairy industry, is left out in the cold and has not received any consideration in the Agricultural Act, nevertheless I have constantly supported the principle of parity payments and have done everything possible to assist in the passage of the money necessary for parity payments.

Too many people, including most of the newspapers, are constantly pointing out the huge sums appropriated for agriculture. Last year the amount was over \$1,000,000,000, and the public, through the press and speeches by Members of

Congress and others, have made the people believe that this entire huge sum is appropriated as a direct grant or gift to the farmers. That, of course, is very unfair, and that impression should not be permitted to prevail. There is about as much truth in the statement that last year the farmers of the country received over \$1,000,000,000 in gratuities as there is in the fact that many consumers believe that out of the 14 cents they pay for a quart of milk in the cities the farmer receives at least 10 cents or more. When we separate the agricultural appropriations we find that a very large percentage of the total amount is for other than agricultural purposes, which include such large items as roads and forestry.

I wish to further point out that parity payments, if and when they are made, should not in fairness be considered as gifts or gratuities. I look at them as a partial restitution of import duties on agricultural products, which we all know are coming in here with comparatively less protection than industrial products are permitted to be imported.

I have not the time to go into all these details, but my main purpose in getting this time on the floor is to ask the Members of Congress, and especially those interested in the present Agricultural Act, which designates five agricultural products as basic commodities, to include dairying as the sixth basic commodity.

Let me say here that, while I do not agree with the present agricultural program, it has been made plain here today that we are about to try something else, and I believe that the only real agricultural program is either the plan of parity payments or a plan based on the cost-of-production principle. I hope that before this Congress adjourns one of these plans will be enacted into law. However, while we are working under this program, I plead with the Members at least to consider the largest single agricultural industry—namely, the dairy industry—as part of this bill.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. GEHRMANN. I yield to the gentleman from Louisiana.

Mr. BROOKS. I am pleased to hear the gentleman's remarks, and I should like to call the attention of the gentleman to the reduction in the soil-conservation appropriation referred to by our colleague the gentleman from Oklahoma [Mr. NICHOLS]. This cut is approximately \$3,000,000 in one phase of the soil-conservation program. This program is carried out in every State of the United States, according to the testimony, and this reduction alone, small as it seems, will mean an actual reduction of 15 percent in the work done on the farms under the soil-conservation program, and a 20-percent reduction throughout the United States in supervisory personnel. This is what it will mean to the farmers of the United States.

Mr. GEHRMANN. I am in favor of continuing that appropriation.

The agricultural statistics of 1939, prepared by the United States Department of Agriculture, shows that the dairy industry, which includes nothing except milk and its products, has a value at least equal to the two next largest commodities—namely, corn and wheat. The value of the 6 products are as follows, according to the 1937 agricultural statistics:

Milk and its products.....	\$2,013,340,000
Corn	1,279,711,000
Wheat	842,874,000
Cotton	796,179,000
Tobacco	319,465,000
Rice	35,132,000

To the value of dairy products, of course, should be added the value of the livestock, such as veal calves, heifers, and dairy cows sold, and other so-called byproducts incident to this industry. That, I am sure, would make the total value of the dairy industry not less than two and one-half billion dollars.

I feel that Representatives from dairy States, whose farmers have been left out in the cold without any aid except the surplus-commodity provision, should support an amendment, which I am sure will be offered, to provide parity payments, as promised to the farmers under the Agricultural Act. But,

first, I believe we should have a promise from those very much interested in parity-payment provisions that they will agree to include dairying as a basic commodity.

The gentleman from Wisconsin, Congressman HULL, and myself have introduced two bills, which are identical, and which carry out the wishes of the dairy farmers in several States where dairying is the major industry.

The farmers in these States, which include Wisconsin, part of Michigan, Minnesota, and part of Iowa, as well as Illinois, have held meetings during the last several years, and they finally agreed on a program which is embodied in the bills introduced by my colleague and myself. These bills are H. R. 6500 and H. R. 6530. Shortly before adjournment of the regular session the Committee on Agriculture appointed a subcommittee to hold hearings on these bills. I hope that this subcommittee will report these bills to the whole committee and that the whole committee will give this most important matter due consideration at an early date so that the dairy farmers may be included as a basic commodity along with the other five commodities.

I met with a great many farmers of not only my own district but from all over the State of Wisconsin, and their earnest advice to me was to attempt to organize the Representatives in Congress from dairy sections to the extent that support for parity payments be withheld unless those that are now benefiting from parity payments, loans, and otherwise, as provided in the Agricultural Act, agree to be fair and include the largest of all agricultural commodities.

I am sure that no one here can state that the Members from dairy sections have been unfair. It is really surprising to a great many observers that the dairy farmers of this Nation and their Representatives have been patient enough to go along with the administration's agricultural policy from year to year, hoping constantly that the next bill would recognize the dairy industry. Our patience is about exhausted, and I do not know whether I would dare to support any longer the fight for parity payments and other provisions of the agricultural bill unless we have assurance that dairying will be declared a basic commodity. I hope that assurance can be given the representatives of dairy sections before the test vote comes on appropriations for parity payments.

Some of my Wisconsin colleagues did not support parity payments last year because they realized and believed that we had waited long enough to have this Congress recognize the dairy industry as a basic commodity. In spite of that refusal year after year, up until last year, our entire Wisconsin delegation have supported the agricultural program and the fight for parity payments. Congressman Hull and myself supported it again last year, but I will not promise to support it this year unless some assurance is given that the leaders of this Congress, who are handling this legislation, will assist us in passing the two bills mentioned before, which are now before the Subcommittee on Agriculture. These bills introduced by my colleague and myself seek no special privilege or advantage that the other five commodities have not enjoyed for quite a number of years, and I wish to read from the bill section 2, which is the declaration of policy:

SEC. 2. It is hereby declared to be the further policy of Congress to extend and apply the underlying principles of the Soil Conservation and Domestic Allotment Act, as amended, and the Agricultural Adjustment Act of 1938, as amended, to the dairy industry and to utilize the administrative agencies established thereunder, insofar as is practicable, for the purpose of encouraging the development and adoption of sound dairy practices in the maintenance of healthy and efficient herds, the improvement in the quality of milk, stabilization of marketing conditions through orderly marketing of adequate supplies, and the prevention of burdensome surpluses; to accomplish these purposes through the encouragement of herd-improvement practices through breeding and testing and disease eradication and the sanitary production and care of milk; to assist in the marketing of dairy products for domestic consumption and export; and to regulate interstate and foreign commerce in dairy products to the extent necessary to provide an orderly, adequate, and balanced flow of milk and its products in such commerce through the maintenance of an adequate production capacity by establishing herd or marketing quotas, assist dairymen to obtain, insofar as possible, parity prices for milk and its products and parity of income, and assist consumers to obtain an adequate and steady supply of such commodities at fair prices.

All through this bill it simply adds milk and its products to corn, wheat, cotton, rice, and tobacco. This bill also establishes marketing quotas which are entirely under the control of the Secretary of Agriculture. The allotments are based on the national cow population, and the average production per cow is the yardstick by which allotments are made. These will be found on pages 14 and 15 of the bills mentioned. I hope that every Member of Congress will carefully read one of these dairy bills before they vote on the bill now under consideration and decide on how they will vote on the amendments that will be offered which attempt to provide for parity payments.

As stated before, no one can accuse me of not being fair, and I want to continue to be fair, but in justice to the thousands of farmers I represent, whose main income depends on the dairy cow, it will be almost impossible to longer support funds for parity payments unless the dairy farmer is treated equally along with the other so-called basic commodities. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield to the gentleman from Louisiana [Mr. MILLS] such time as he may desire.

Mr. MILLS of Louisiana. Mr. Chairman, I am a firm believer in national economy, but when I say this I mean that I do not believe in wasting the people's money; not that I do not believe in spending the taxpayers' money to purchase certain benefits which are of inestimable value to the taxpayers.

There are approximately 6,812,000 farms in this country, but I am sure every Member of this body will agree with me that we, when we pass legislation which helps the farmer, we also help all other citizens of our Nation, as a prosperous agricultural class is certainly a requisite to a sound and prosperous nation; therefore, before we begin arbitrarily to cut this expenditure and that, we must stop and consider just what these so-called economies will cost us in the end—and when I say "us" I mean the American people as a whole. I believe that some reductions as set forth in this proposed legislation will cost us dearly, and that in the end, if we pass this measure as it stands, we shall have proved to be, in the words of the old adage, "pennywise and pound foolish."

May I for a moment call your attention to the proposed cut of \$3,629,834 in the Soil Conservation Service appropriation as against the appropriation for this same agency last year. One phase of the Soil Conservation Service's work is the prevention of soil erosion and the restoration of fertility to the soil. Our farmers naturally want to make a success of their farming, and you will find that they are more than willing to work and are eager to try the best methods to preserve their primary asset, the soil itself; however, they cannot do this without assistance, and the manner in which they have cooperated with the Soil Conservation Service shows how grateful they are for such assistance. The farmers must have technical help and advice if they are going to prevent the ruin of their land in sections where soil erosion is a problem, and yet the reduction of the Soil Conservation funds will mean curtailment of some of this work.

What the results of such curtailment would be is painfully obvious. Many farms will go to wrack and ruin, with consequent loss not only to the owner but to the Nation, which will have lost a valuable productive unit with every farm which ceases to operate. Further, we shall have ceased to care for the very soil which supports our country and our people.

And what will happen to the people who thus lose their farms and their means of earning a livelihood? They will form another unemployed class, and one untrained for industrial pursuits, even could they find employment in the city, which all of them could not. Mr. Chairman, if we take away from the farmers the help they desperately need at this time, we shall be creating another unemployed group for which we shall find ourselves legislating a few years hence. Is it not in the end the greater economy to protect our farms and our farmers by spending a few dollars now rather than waiting until we have to feed hungry families out of public funds?

It is further proposed that we appropriate no funds whatsoever for the disposal of surplus commodities, by which is meant the purchasing from the farmer of products he cannot sell and the distributing of these foodstuffs to hungry families.

In this we shall grossly injure both the farmer who will be left with crops rotting his bins, and the poor man who has no work, no money, no food. Mr. Chairman, I tell you that you cannot leave people to starve in a land of plenty without inviting a wave of crime and a storm of popular protest. And isn't the most practical way to feed the hungry just this plan of using surplus crops for this purpose?

The bill which we are today considering makes no provision whatsoever for parity payments to farmers, although we know that we cannot have prosperous farmers until we see to it that the farmer gets as much for what he sells as he must pay for what he buys. Some means must be found to secure parity prices for the farmers or there will be many farms in this country which will cease to operate, many families that will lose all source of income.

With every separate phase of this legislation which we consider we find the same story; that is, that after years of following a program of help to the farmer we suddenly propose to cut down on certain types of assistance while we do away with others altogether. This help was given the farmer in the first place because he needed it desperately and because it was recognized that not only the farmer but the rest of the country would benefit from this help. Today the farmer is still in need of assistance and protection.

The passage of this measure as it stands, particularly unless some adequate provision is made for parity payments, would be a staggering blow to American agriculture as a whole, and through it to American business and industry. We cannot achieve a healthy economic system without making adequate provision for our farmers, and if we are not moved by humanitarian considerations—by the picture of whole families moving from their farms which are also their beloved homes, to go cold and hungry, looking for work in alien fields and cities—then at least the thought of what an impoverished farm class will do to our economic set-up must make us reconsider and alter this bill before it is too late. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Chairman, today we are considering one of the truly important bills of this session of Congress, the appropriation for the Department of Agriculture. We provide in this bill the funds for the farm program, soil conservation, and the numerous activities of the Department of Agriculture. I am vitally concerned about the problems of agriculture; I am deeply disappointed about some of the provisions of this bill, and I take this opportunity to register my protest against those provisions and urge your support of a more comprehensive program for agriculture, than the bill as reported by the committee affords. I appreciate my membership on the Appropriations Committee, and I regret to find myself unalterably opposed to the actions of the committee in regard to several items in the bill. I cannot speak for the committee, but I can and must speak for myself.

The Budget cut the request of the Department of Agriculture very severely—too drastically, in my opinion; then along came the Agricultural Subcommittee on Appropriations and cut the request of the Department of Agriculture even more; and then along came the full Committee on Appropriations this morning and cut even deeper than the subcommittee had cut.

The gentleman from Virginia [Mr. WOODRUM]—and there is no abler Member of the House than he—paid a very glowing tribute to the bill and to the members of the Subcommittee on Agriculture.

I could pay a glowing tribute, if I had the time, to the men who compose the membership of that subcommittee, but to save my life I cannot pay a tribute of any kind to the bill that was brought in by the subcommittee, or to the bill which was reported to the House by the whole Committee on Appropriations, because I feel that the bill represents a short-

sightedness that is unworthy of the committee. I am one of those who did not favor the drastic cuts that were made by the committee, and I am one of those who will not favor those cuts when we read this bill and are permitted to offer amendments to it.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Louisiana.

Mr. BROOKS. This bill almost cuts last year's appropriation 50 percent; does it not?

Mr. MAHON. I am not sure of all the figures, but the cut is very drastic.

Mr. BROOKS. The gentleman does not believe in taking the entire economy program out on the farmers of the United States?

Mr. MAHON. I do not. The gentleman is correct.

FARM TENANCY

In the next place, I would like to call attention to the action taken on the farm-tenant purchase program. The Budget cut the item from \$40,000,000 last year to \$25,000,000 this year, and now comes the committee and cuts it out entirely. There have been those who say that we cannot solve the farm problem in this manner, and that we should quit trying to help people along the road to home ownership by the farm-tenant purchase program. I do not agree with that philosophy. To close the door to the only ray of light and hope that many tenant farmers have seems to me to be not only cruel but poor policy. What we should be doing is expanding that program rather than taking from the tenant farmer what little hope he may have that the Government will assist him in his ambition to own a home for himself and family. The program is in its infancy and has been greatly restricted heretofore. My hope has been that the program would be expanded and improved from year to year.

Gentlemen, there can never be a sound and prosperous agriculture unless people are enabled to own their farm homes. This is of vital importance not only to the farmer but to the Nation as well. Of course, the program cannot fully succeed without an increase in farm income.

My friend the gentleman from Illinois [Mr. DIRKSEN] has referred to the fact that in committee the vote to cut this farm-tenant purchase item was about 25 to 9. I am glad that I can be recorded in the nine who voted against the elimination of the item and who voted for a program of home ownership on the farm.

PARITY PAYMENTS

I want to discuss the question of parity payments. Of course, we include nearly \$500,000,000 in this bill for soil-conservation payments, but parity payments ought to be included also. I offered an amendment in the Appropriations Committee for the restoration of the program of parity payments which we had last year and the year before. The amendment I offered provided for \$225,000,000 for parity payments, which was the sum appropriated by Congress last year. My amendment was promptly voted down. That I regret very much.

In 1938 we passed an agricultural bill and we announced the policy of parity for the farmer. We did not propose a gift to the farmer, mind you, but a payment to partially offset the loss he is taking by reason of an unfair and unbalanced tariff. We have made provision for parity payments in the bill for the last 2 years, and there was no reason for the farmer to feel it would not be in the Budget this year and in the bill this year. Some say, however, that the war situation might cause a greater price for agricultural commodities, which most people doubt and which I doubt, and that there may not be any necessity for this parity payment. Let me point out, however, that the parity payment provision provides that if the price of agricultural commodities is less than 75 percent of parity, then the appropriation will be utilized to make up the deficiency between the actual price of certain farm products and 75 percent of parity. Certainly we could do no less than that. We ought to do more. I think if we are to play fair with the farm population of this country in their basic relationship to the economy of the

Nation before this session is over, Congress must restore the parity payment program of the past couple of years.

If the Agriculture Committee finds other and better ways to raise the price of agricultural commodities, that is all right, but to cut out from under agriculture this prop, so to speak, and offer no other substitute and no other prop in its stead, is contrary to good public policy and represents short-sightedness and poor economy. I will not agree to destroying what we have until we have found a substitute that is better.

Frankly, I have been very much disappointed with the administration of some aspects of the present farm program. I vigorously opposed some of the provisions of the farm act which Congress passed in 1938. A man who thinks that the present farm program is perfect is sadly misinformed. I do not think it inappropriate to again point out to the House at this time the seriousness of the problem of displacement of farm families from the farm. This tendency is prevalent throughout the Farm Belt.

I have outspokenly, in Texas and in Washington, advocated a farm program that would mutually encourage both landlord and tenant in the utilization of a normal-sized farm unit in every farm community. The utilization of a well-balanced number of families on the farm lands of the Nation and not the displacement of families should be the aim of our agricultural program. In other words, the program should be so worked out that it would be to the mutual advantage of both landlord and tenant to retain people on the farm rather than displace them. Of course, in this bill we are considering an appropriation for agriculture and not agricultural legislation. The legislation necessarily must be first considered and brought to the House by the Committee on Agriculture.

SOIL CONSERVATION SERVICE

I condemn the cuts that have been made by the Budget and by the committee in the soil-conservation item for the demonstrational work of the soil-conservation program and for other aspects of the program of soil conservation, being ably administered under the leadership of Dr. H. H. Bennett. I am going to support amendments designed to restore funds for this vitally important and useful program.

I think there is something to the cry about the conservation of the topsoil, and I think any money we spend, however great it may be, to retain what resources we have left is money well spent, good economy, and good common sense.

Mind you, in criticizing this appropriation bill I do not wish to minimize the many good features it contains. I could refer to the provisions regarding the rural-electrification program, in which I am so much interested, and many other items, if I had the time. And I hope when this bill is read for amendment, and as it takes its devious course through the House and through the Senate, we will be able to make up for some of these drastic cuts that have been made by restoring and shaping up this bill in a way that will deal properly with the great agricultural interests of this country; and when I speak of agricultural interests I speak not only of the 30,000,000 people who live on the farms, but I speak also of the 130,000,000 people whose future is dependent upon the well-being of agriculture and upon the conservation of the soil and the conservation of the people who live on that soil.

I know that in an appropriation bill we cannot cure the ills of agriculture. We cannot legislate. That must be done by the Committee on Agriculture and by the House following its leadership, but we can do that which comes to our lot when the opportunity is presented. We must go forward with this agricultural appropriation bill in such a way that we will not destroy the hope of the farmer, but rather give him continued assurance that he will have the support of the Congress in endeavoring to work out his welfare. [Applause.]

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, the three great failures of the New Deal are, first, its inability to solve the unemployment

problem, after an expenditure of \$25,000,000,000; second, the inability of the New Deal to solve the farm problem, after huge expenditures, and to increase the price of farm products; third, the utter lack of a fiscal policy. There is no fiscal policy. Whatever fiscal policy there is, it does not stick any more than a custard pie would stick if you would try to nail it to the wall.

The Roosevelt farm promises and the Roosevelt farm performances have now quarreled and parted. The Roosevelt farm forces today have thrown overboard all efforts to pay the American farmers a parity price for this year's crop. They reached this decision in spite of the fact that the farm income is \$3,000,000,000 below that of 1929, and the further fact that hogs yesterday sold at prices ranging from a low of \$4.25 at Sioux City to a top of \$5.90 in Chicago.

That President Roosevelt did not propose to keep his promises to the farmers this year, but chose instead to use the money that the farmer received last year to build a bigger Navy, is proven by the increased Budget of hundreds of millions of dollars for armaments and naval appropriations, and his deliberate failure to include any appropriation whatever for parity payments in his Budget message this year.

Not even Mr. Roosevelt any longer contends that this is a depression or even a recession. The American farmer has come to learn that at the end of the second Roosevelt term, with 10,000,000 individual workers unemployed, what we are suffering today is just a good old-fashioned dose of Democratic hard times.

There is no true economy to be effected in depressing the farm income of the United States in order to build up a super-navy, or even to hold our foreign trade. The State of Illinois, or the State of Iowa, is a far better and safer market for American industrial goods than is either the country or nation of Iraq or Iran.

Restore the purchasing power of the Illinois corn and hog raiser, the Kansas wheat grower, the Wisconsin dairy farmer, the Southern cotton planter, and the American agriculturist in general to a point where their purchases will put dinner pails in the hands of the unemployed, and there will not be enough mines, mills, or factories in the land to supply their wants and needs for decades to come.

There will be no restoration to normal industrial activity until the domestic markets for agricultural products are restored to the American farmers, and our farmers are paid a decent American price for that portion of their crops domestically consumed.

Our farm program can best be described as an Alice-in-Wonderland farm policy. Hundreds of millions of dollars have been appropriated and spent for the purpose of putting new lands into cultivation and production. Other hundreds of millions of dollars have been appropriated and spent to take lands out of cultivation and production, and then more hundreds of millions of dollars are used to subsidize the farmers for not growing crops on lands already in production. That has been the policy of the administration for the past 7 or 8 years, and farm prices are today much lower than between 1921 and 1931 under Republican administrations.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. FISH. I would rather proceed, if I may.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. DIRKSEN. Mr. Chairman, I yield the gentleman 4 additional minutes.

Mr. FISH. I want to take the remaining time to discuss the disastrous cotton situation. I do not apologize for doing that, although we do not produce any cotton up in Dutchess County, N. Y. I speak about it because you Democratic Members of Congress from the Southern Cotton States refuse to present the facts to your own people, and they do not get the facts, because, unfortunately, there is only a one-party government in most of the Cotton States of the South.

The southern Members of Congress, due to their party loyalty, are afraid to tell the truth about the deplorable cotton situation in our own country, but the abrogation of

our trade treaty with Japan, effective January 26, is just another blow to King Cotton.

The President has succeeded, by placing countervailing duties on Germany and Italy, in losing the export market of almost 2,000,000 bales of cotton annually to those two countries. Now it is proposed, by similar action against Japan or even going further and placing economic sanctions on trade with Japan, to destroy our biggest remaining market for cotton exports.

The southern planters have been given the kiss of death by the administration's foreign policy, and its continuation will mean a vanishing market for our cotton export trade from the South, which heretofore has constituted its greatest wealth. The Southern Cotton States have been fighting to build up the export markets for American cotton for the past 100 years, and for nearly 100 years American cotton exports have maintained the balance of trade between the United States and the outside world. Today, under this administration, instead of exporting 10,000,000 bales as we did prior to 1932, our exports have dropped to one-third of that amount.

We now find that Great Britain is limiting her purchases of American cotton and making bulk purchases in Brazil, India, and Egypt, and then selling her present warehouse cotton stocks to the neutral nations of Europe under a depreciated pound, thus depriving our cotton farmers of those markets and precluding the sale of American cotton in practically every world market.

A long-range cotton economy for the United States will not be complete without the adoption of a two-price system for this staple. We must eliminate Federal governmental control of production, see that the American cotton planters are paid a fair American price for that portion of the cotton crop consumed in the United States, and sell our exportable surplus to all nations at whatever prices it can be sold.

Mr. Chairman, under consent granted, I include an interesting letter written by Mr. J. E. McDonald, who is commissioner of agriculture for the department of agriculture in the State of Texas.

DEPARTMENT OF AGRICULTURE, STATE OF TEXAS,
Austin, January 29, 1940.

Hon. HAMILTON FISH, M. C.,

House Office Building, Washington, D. C.

MY DEAR MR. FISH: Col. C. C. Hanson, Raleigh Hotel, Washington, D. C., who is secretary for the Southern Commissioners of Agriculture Association, mailed me copy of your statement issued for release on Friday, January 26, and I have read the same with sincere appreciation. I had 100 copies made, as per enclosed, and mailed same to the Texas newspapers and association members.

For 7 years I have consistently pointed out the fallacies of the A. A. A. cotton program, and during this time have sponsored what is known as the Clair domestic-allotment plan for agriculture, presented by Francis J. Clair, formerly of New York but now of Washington.

Mr. FISH, cotton is the "kingpin" of American agriculture; cotton is the greatest crop grown by man; cotton and cottonseed furnish food and raiment for both man and beast; cotton is the most non-perishable crop; cotton is the most readily accepted collateral, the most easily liquidated.

The A. A. A. cotton program is encouraging foreign production, sur-rendering foreign markets, forcing the cotton farmer into a state of peasantry such as has come to some of the older countries, and once the farmer loses his foreign cotton markets and forced out of the cotton-growing business he will be compelled to invade the fields of other producers, which will further demoralize American agriculture.

Manufacture, commerce, and transportation suffer or prosper with agriculture, therefore the agricultural problem even more vitally concerns those engaged in other American industries than it does the farmer himself.

There can be no general prosperity and happiness in this Nation of ours so long as the farmer does not receive parity prices for that portion of his crop domestically consumed.

This Congress should place the Clair domestic-allotment plan on the statutes, making it available to the growers of each and every commodity, if and when the producers thereof worked out and presented a national program for their commodity, which program would provide that the commodity finance its own program, such as cotton finance cotton, wheat finance wheat, and so forth.

Money to finance the cotton program should be through the imposition of an excise tax on the finished cotton goods first sale from processor.

Illustration: A spinner invoicing out \$100 worth of cotton goods, there would be added perhaps a 10-percent excise tax, making the collection \$110. The \$10 to be sent to the United States Treas-

ury, deposited, earmarked, and by the Congress appropriated out and made available to the Secretary of Agriculture for making adjustment payments, which adjustment payments would represent the difference between the world market price and the announced parity price on that portion of the farmer's cotton domestically consumed. The excise tax coming on the finished product, which is several times the price of the raw product, would be so nominal that sufficient money could be provided without being a burden on anyone. By this means the spinner would not have his money invested and there would be no excuse for profiteering or pyramiding.

The domestic-allotment plan would not disturb our present wonderful cotton-marketing system and the passage of the domestic-allotment plan for cotton should not, and would not, incur the opposition of the cotton spinner or cotton merchant.

The Clair domestic-allotment plan, adopted and wisely administered, would merely extend tariff protection and benefits to the industry of agriculture, and by the farmer receiving parity prices he would have purchasing power with which to support other American industries.

The one thing that has retarded economic recovery more than any other one thing is the disparity between the price of agricultural and industrial things and the wage of organized industrial labor as compared to the wage of unorganized agricultural labor. The one most imperative thing before the American Congress is to place on the statutes an agricultural law which will remove this disparity by providing parity prices.

Parity prices would affect the greatest exchange of the products of farm and factory and with the greatest exchange of the products of farm and factory, there would be the greatest employment on the farm, in the factory, and in commerce.

Solution of the agricultural problem is not a difficult one. Mr. Clair can in 15 minutes convince any intelligent man what the trouble is with agriculture and give the solution. The real problem is getting some Member of Congress who has sense enough to realize that taking the lead in solving the agricultural problem gives him the greatest opportunity to serve the Nation and at the same time gives him national political prestige.

Your release gives me encouragement and I want to assure you of my assistance in your endeavors to place on the statutes a constructive agricultural law and I will be pleased to have you write me.

With appreciation and kindest regards, I am

Very sincerely,

J. E. McDONALD,
Commissioner of Agriculture.

Mr. CANNON of Missouri. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, the bill under consideration today has to do with one of two basic problems of the United States.

The unemployment problem and the problem of low agricultural income spring primarily, in my judgment, from two causes: The first is the presence of monopoly in the economy which enables those enterprises which are organized as monopolies to take more than their fair share of the flow of consumer purchasing power, and the other is the increase of productive capacity at a more rapid rate than the power of the people to consume increases. In the last few months industrial production has climbed to above the 1929 level, but employment has increased only about one-quarter as rapidly. To drastically curtail Government's contribution to farm income or income of the unemployed at this time will, in my judgment, lead to most serious consequences. Already we have a distinct gap between the wealth produced on the one hand, and the capacity of the people to consume it upon the other. We should not make it worse.

In like manner, in the case of agriculture, we have a situation where we have what we call agricultural surpluses, wealth already produced, actual, real food available to the people, and yet millions of our people do not have purchasing power with which to buy that food.

The other day a gentleman on the Republican side of the aisle made a speech that interested me very much. In that speech he said that you cannot create purchasing power by increasing the public debt. He was right, of course, for the only way that real purchasing power is created is by the production of real wealth. But, as a matter of fact we do not barter that wealth around among ourselves, but we exchange it by means of tokens which we call money. Mostly they are figures in books, and written on checks today, and the difficulty is that when that real wealth is produced there is no telling how the token or money claims upon it will be distributed. And frequently far too small an amount of such claims are in the hands of those who will promptly spend

them or invest them. To turn his argument around I would like to ask: What is wrong when we have real wealth in the form of the abundant agricultural production available—real purchasing power, by his own definition—and yet the monetary buying power of our people is not sufficient to take care of it? Does such a situation not justify and require us to create sufficient token or money claims on this real wealth so as to enable buying consumers to use it, and deserving farmers to be rewarded for their labor? Believe me, Mr. Chairman, I agree most deeply with what the gentleman from Texas [Mr. MAHON] said a little while ago: There is nothing more fundamental to the life of this Nation than the presence within it of a free and independent farm population. When that population, that independent family farm population, is threatened with destruction, or threatened with the loss of its independence, then, indeed, the Nation itself is threatened and there is not anything that this Congress should not be willing to do to prevent that.

CALIFORNIA'S PROBLEM

I agree with those who have said that many of the cuts in this bill are false economy, and I have a selfish reason for feeling this way. I come from California. I come from that State to which people go who find it impossible to make a living on the land as they used to make it.

I come from a State where hundreds of thousands of people have come looking for a new home, but unfortunately with the unemployment and other problems with which we are confronted ourselves, with a population of people over 60 years of age which is 12 percent greater than the national average, we find it difficult to carry this burden. We are, therefore, fundamentally interested in the welfare of the people of this whole Nation not only from the standpoint of being interested in the national welfare, but from the standpoint of being interested in the welfare of our own State and the problems that we face.

STAMP PLAN SHOULD BE EXPANDED

I believe with those who have spoken so earnestly here today for this stamp plan, that the Surplus Commodity Corporation has developed. I believe this is a program that offers real hope and that it should be extended, not curtailed. It is one way that has been devised whereby the hungry people of this Nation can actually use some of the food that has been produced by our farmers, and our farmers receive payment therefor. But I see no reason why it should be necessary to increase the public debt when that happens. Here is real wealth already created. Money is only a medium of exchange to transfer that wealth into the hands of someone who wants it. It has been proven again and again that basic farm commodities will respond quicker to an injection of additional money into the monetary stream of this country than any other commodities there are. Why, then, should we not in the interest of maintaining a stable purchasing power in the dollar that we depend upon to transact our business, in the interest of enabling these so-called surpluses to be consumed, why should we not in the interest of doing those things extend directly the credit of this Government in order to redeem those blue stamps that have been put out by purchasers? And let no one talk of unbalancing the Budget or increasing the public debt in this connection. I have just shown that neither is necessary and I would add that there lies in the Treasury today \$1,500,000,000 of idle silver seigniorage to say nothing of the gold in Kentucky.

Mr. PATRICK. Mr. Chairman, will the gentleman yield?
Mr. VOORHIS of California. I yield.

Mr. PATRICK. Does the gentleman know upon what theory the use of these surplus commodity stamps has been curtailed? Can the gentleman tell me upon what theory their curtailment is supposed to relieve any of the distress?

Mr. VOORHIS of California. I do not know. I presume it is an economy measure. I may say to the gentleman from Alabama that I do not understand the plan is to be abandoned, but I do understand that it is not to be used to that extent where it can be applied to new communities.

Mr. PATRICK. That is really the point I was driving at.

Mr. VOORHIS of California. As the Members of the House already know, it is my profound conviction that we can best find the democratic solution to the problems of unemployment and low farm income through constructive measures in the field of monetary reform and provision of a flow of consumer buying power comparable to our power to produce.

THE 12 FEDERAL RESERVE BANKS SHOULD BE PUBLIC INSTITUTIONS

I am ready to work in any way I can to that end. And I know no more logical first step than to put an end to the unconstitutional delegation to the Federal Reserve banks of the power to issue the Nation's money. The obvious way to do this is for us to provide for the purchase from the member banks of the Federal Reserve System of the stock of the 12 central banks which they now own.

I am delighted to note that the gentleman from Texas [Mr. PATMAN] addressed the House last Thursday and brought forcibly before the Congress the central importance of this matter. It is my earnest desire to cooperate with him and all others of like mind.

Therefore I have today introduced the simplest possible bill—a bill which provides but one thing—purchase by the Government of the capital stock of the 12 central Federal Reserve banks. I have simply lifted out of my comprehensive monetary reform bill, H. R. 4931, the section in that bill which contains this provision.

BANK OF ISSUE SHOULD ALWAYS BELONG TO THE PEOPLE

Now, this measure rests on two utterly unassailable principles of justice and good government. The first is that the function of original creation of money is a function of sovereignty and cannot be delegated away to any private agencies without violating the fundamental sovereignty of a nation. The second principle is economic. It is that it is of basic economic importance that whatever advantages derived from the original creation of any volume of the medium of exchange—whether by coinage or printing of money or by expansion of credit—should always accrue to the people generally and never to any privileged or selected group of them.

The ridiculousness of our present practice has never been more forcibly stated than by Christopher Hollis in his book, *The Breakdown of Money*, where he says:

Indeed the historian has to record that in almost every age there was some superstition or other of utter unreason which strangely occupied the minds of men, otherwise of activity and vigor. He has to confess that he cannot explain how it was that men once believed in the mystical significance of numbers or in the claims of astrology. We are sometimes ready to congratulate ourselves that our age has outgrown all superstitions. But the historian of the future will, I fancy, reckon in the same class as number worship and astrology and the study of the zizzards of birds the strange superstition that, whenever money is invented, a percentage must be paid forever afterward as a propitiation to a banker. It is on that superstition that the whole empire of Mammon is built.

RICARDO ON BANK OF ENGLAND

This is no new problem; nor are the two principles I gave above new principles. As long ago as 1824 the great economist, David Ricardo, left behind him at his death an unanswerable argument in favor of having the English Government instead of the private Bank of England issue the nation's money. In the course of Ricardo's argument he included the following paragraph, which has a strangely familiar ring to it:

If the view which I have taken of this subject be a correct one, it appears that the commerce of the country would not be in the least impeded by depriving the Bank of England of the power of issuing paper money, provided an amount of such money, equal to the bank circulation, was issued by government; and that the sole effect of depriving the bank of this privilege would be to transfer the profit which accrues from the interest of the money so issued from the bank to government.

THOMAS JEFFERSON

And Thomas Jefferson, founder of the Democratic Party of the United States, has left behind him the warning which we may well heed today:

If the American people ever allow private banks to control the issuance of their currency, first by inflation and then by deflation, the banks and corporations that will grow up around them will deprive the people of all their property until their children will wake up homeless on the continent their fathers conquered.

Today, however, the case for this move rests not alone on theoretical grounds or on those of principle, but on the facts of the present situation as well.

BUSINESS OF FEDERAL RESERVE BANKS TODAY

Ten years ago only 20 percent of the earning assets of the 12 Federal Reserve banks consisted of United States Government securities. Today 99.22 percent of their earning assets are United States Government securities. The detailed reasons for this change would take a long time to discuss. But the main fact is that the business of the Federal Reserve banks today consists practically entirely of the creation of credit (substitute for money) for the United States Government. When the Federal Reserve banks buy Government bonds they buy them with credit created for the purpose—with entries on their books. But the people of America pay interest on those bonds from that time on. This sovereign Nation has given to these privately owned banks the power to create its medium of exchange. But on the other hand the Treasury of the United States must raise by means of taxes the money to pay the interest on or to retire the bonds purchased with costless credit by these private banks. We are paying interest to the Federal Reserve banks for the use of the credit of the Nation itself, which is all on earth the Federal Reserve buys the bonds with. This situation is wrong and should be ended by the purchase by the Government of the stock of the 12 Federal Reserve banks from the present owners (the member banks). Then the bank of issue of America would be, as it should always have been, a bank belonging to the sovereign people of the Nation.

Our cash money consists mostly of Federal Reserve notes. They are issued by the Federal Reserve banks. It is required by law that these notes be backed by gold to the amount of 40 percent. As a matter of fact they are backed by gold to well over 100 percent today. On May 17, 1939, there were \$4,750,545,000 of Federal Reserve notes outstanding. And the Reserve banks had \$4,872,500,000 of gold set aside to "secure" them. But the "gold" really consists of "gold certificates in vault or due from the United States Treasury." By law the Secretary of the Treasury may redeem these certificates in "lawful money" (whatever that may mean under our strange monetary system of today) but never in gold. Hence it is plain that the Federal Reserve notes are nothing more nor less than Treasury notes. Yet the Treasury would have to pay interest if it borrowed any of them.

The original Federal Reserve Act, section 7, paragraph 1, provided that the Federal Reserve banks should pay a small rate of interest to the Government on all Federal Reserve notes issued. This was, no doubt, done because it was so plain that the money-creating power was being delegated by Congress to these banks. But by one method or another this requirement has been avoided, and no such interest has ever been paid. Again the original Federal Reserve Act, section 16, paragraph 4, required the payment of a franchise tax by the Federal Reserve banks to the Government in the form of the delivery to the Treasury of all surplus over and above the guaranteed 6-percent dividend on the stock. This provision was repealed in 1933, so that no franchise tax is now required. It was the hope in 1913 that the Federal Reserve System would prevent the growth of financial monopoly. Instead, about 75 giant financial houses control about half the assets of the entire banking system of 15,000 banks, and the squeezing out of small independent banks proceeds apace with the march of branch banking.

It was the hope originally that the Federal Reserve System would prevent booms and depressions. But the fact is that the worst and most disastrous depression in all American history took place with this system in operation, and was undoubtedly caused in part by the deliberate and cruel deflation carried out in 1920 by the orders of the Federal Reserve Board itself. And the present Board, by its own statements in its last annual report, says that it has no power adequate to prevent either disastrous inflation or deflation if certain forces favorable to either of these conditions should assert themselves. Should inflation of bank credit start to take place the

Board has not the power either to raise reserve requirements or to engage in open-market operations to a sufficient extent to check it. Under the threat of inflation the Board ought to sell bonds so as to take money out of circulation. But if it did so, it would contribute to a collapse of the Government-bond market and the price of such bonds. So this power is ineffectual. In the face of deflation there is, according to the Board, nothing in the present Federal Reserve System that can effectively check it. Some may be inclined to question this until the Board vigorously uses its power of buying in Government bonds and thus replacing them with money. But it is largely true, I think, because we depend entirely for an expansion of our medium of exchange upon the creation of bank credit for the purpose of making loans at interest. And the very time when such loans are least likely to be made is a time of deflation, when the Nation most needs an expansion of its money supply. The present monetary system of our country stands condemned by the statements of its own defenders.

I do not think it is necessary to go on. The 12 central Federal Reserve banks now belong to the member banks of the System. The stock is worth a par value of about \$132,000,000. But with the ownership of that stock goes the power of control over the monetary system of America. It would be a cheap price, indeed, to pay if for \$132,000,000 we set America, her industry, her agriculture, her people, free from the control of her economic life by those who traffic in figures in books which we call bank credit, and who today have a monopoly of the privilege of writing those figures down in the books.

FUNDAMENTAL MONETARY PRINCIPLES

The bank of issue of America should be a Government bank belonging to the people and paying into circulation under the explicit direction of Congress such money or national credit as the national economy may require to maintain in our dollar a stable buying and debt-paying power in our domestic market. And such national money or credit must be placed in circulation debt free at the point of origin, which in every case must be the National Government.

If this Congress did nothing else but pass a bill making the 12 central Federal Reserve banks Government institutions, it would go down in history as one of the greatest Congresses of all time. This one measure will not solve all our problems, but it will put us in a position to attack them from a point of vantage that will give substantial hope of real and speedy success. The text of my own brief bill follows:

Be it enacted, etc., That (a) the Secretary of the Treasury of the United States is hereby authorized and directed forthwith to purchase the capital stock of the 12 Federal Reserve banks, and branches and agencies thereof, and to pay to the owners thereof the par value of such stock at the date of purchase.

(b) All member banks of the Federal Reserve System are hereby required and directed to deliver forthwith to the Treasurer of the United States, by the execution and delivery of such documents as may be prescribed by the Secretary of the Treasury, all the stock of said Federal Reserve banks owned or controlled by them, together with all claims of any kind or nature in and to the capital assets of the said Federal Reserve banks, it being the intention of this act to vest in the Government of the United States the absolute, complete, and unconditional ownership of the said Federal Reserve banks.

[Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. CROWE].

Mr. CROWE. Mr. Chairman, I want to preface the few remarks I am going to make by saying just a word concerning the prices of several farm commodities down in southern Indiana in the year 1932. This is brought to my mind because of the prices mentioned a few minutes ago by the very splendid gentleman from New York. I recall in July 1932 visiting several flour mills in the Ninth Indiana District. The prices they were paying for wheat ranged from 32 cents to 36 cents per bushel. In October of that year, in Jackson County, fine corn, yellow and white, as fine corn as you ever saw, was bringing at the elevators 8 cents, 9 cents, and 10 cents per bushel, and fine hogs of proper weight ranging from 160 to 200 pounds each after being taken to the market at Indianapolis were bringing from \$2.50 to \$2.85 per hundredweight. I would like to have those prices compared with prices of

today, even though prices are not today what they should be for farmers. There is some improvement nevertheless.

I call the attention of the Members to page 45 of the bill now being considered by the Committee, where for the Forest Service for the purchase of forest lands there is only \$1,000,000 provided. For the year 1940 an amount of \$3,000,000 was appropriated for this same purpose. I have brought to the attention of the Members of the House several times recently the fact there would be an attempt to reduce the amount this year to almost the vanishing point and when the bill was written and presented to the House today we find there is only \$1,000,000 included for that purpose.

I notice that a number of items in this bill have been tremendously reduced. We believe in economy, of course, and we believe in a proper reduction of expenditures if it can be done without loss; but buying these forest lands is not a loss to the Government. We find that under the law enacted March 1, 1911, \$4,250,000 was realized where timber was sold from forest lands that cost a total of under \$60,000,000. In some of the States very little or no timber has been sold yet because the purchases started only recently. In my own State of Indiana only in the last few years has any land been purchased, so there has been no production yet from those lands. However, I find that last year almost \$3,000,000 worth was sold off the national forests of the United States in timber alone.

Not only are there receipts from the sale of timber, but many other things of value are involved in purchasing forest land. Our forests hold moisture. They make preserves for birds and game. The forests hold moisture in the land and distribute it more equally throughout the year, so there is water in our streams constantly the year round, which will preserve the fish.

Further, forests provide many areas for sportsmen to enjoy. They build up the natural resources. Where forests are planted on eroded land, erosion is stopped, and thereby we reduce the crests of our floods and rebuild the land. It takes some time to rebuild these eroded lands. An inch of topsoil takes perhaps a hundred years to build, but after some years you do begin to get a crop of timber, and in 10 to 20 or 30 years you can bring back a new crop of timber.

In my own State they started purchasing the Hoosier Forest units several years ago and then for 2 or possibly 3 years there were no purchases made at all, so as a matter of fact in that 638,000-acre tract only 35,000 acres have been purchased by the Federal Government. This acreage is not integrated at any point but is scattered hither and yon because no one expected anything other than that the program would be continued.

I believe it is a good thing to have a liberal expenditure for national defense, but I do not want to see this Congress spend so much for national defense that it forgets the farmers of this Nation and the benefits to them. I do not want to see them spend so much for one arm of this Government that they will entirely forget the natural resources of this country. A nation which does not have timber and forest lands does not continue to be a prosperous nation for many years. It is only a short time until any nation that destroys all its timberlands goes into decay and is soon a weak and poor nation. Such nations destroy themselves when they destroy their timber and their natural resources.

When this bill is read for amendment I expect to offer an amendment to increase the item of \$1,000,000 which is specified in this bill to at least \$3,000,000, the same amount as last year. I believe the amount I asked in the bill I recently introduced, \$15,000,000, for this purpose, is not out of place, but in view of the tremendous drive for economy at this time I shall offer an amendment to raise this amount from \$1,000,000 to only \$3,000,000. I hope to have the approval of the committee for this amendment, and I ask that the House back me up in it and increase the amount to at least \$3,000,000. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. MAHON] having assumed the chair, Mr. COLE of Maryland, Chairman of the Committee of the Whole House on the state of the Union, reported that the Committee, having had under consideration the Department of Agriculture Appropriation bill, 1941 (H. R. 8202), had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HINSHAW] in the extension of his remarks may be permitted to include certain statistics in tabular form on foreign-exchange rates.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent that I may extend my own remarks in the Appendix of the Record and include therein a short article from my hometown newspaper on the subject of the Finnish loan.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FISH. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in Committee of the Whole today and include therein a letter from J. E. McDonald, commissioner of agriculture of the State of Texas.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks made this afternoon and to include therein an article by Drew Pearson and Robert Allen, appearing in a St. Louis paper on Monday, November 6, 1939.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to extend my remarks and to include certain excerpts and tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. STEFAN. Mr. Speaker, I ask unanimous consent that in the extension of my own remarks which I made this afternoon I may include a brief table on the import of hides that go into the manufacture of shoes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. DITTER. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein an address delivered before the Women's National Republican Club on January 20.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WILLIAMS of Delaware. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Delaware?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. D'ALESSANDRO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. D'ALESSANDRO. Mr. Speaker, I arise to call your attention to a resolution which I have just introduced.

That resolution calls for a thorough and sweeping investigation of conditions at the District of Columbia Home for the Aged and Infirm—popularly known as Blue Plains.

Several days ago Mrs. Franklin D. Roosevelt did this city a service by visiting that institution. She reported she found conditions there to be "shocking."

It seems to me that in this Nation's Capital we should be able to provide a decent place for the last days of those unfortunates who have grown old here and find themselves without the means to keep themselves.

If this city had suffrage and the right to vote, like other American communities, these people might be able to solve their own problems. But as long as this Congress keeps to itself the right to run the affairs of Washington, it should see that they are run right.

The resolution I have introduced calls for an investigation which would be carried on by the House District Committee or the proper subcommittee thereof. It would not cost one cent of the taxpayers' money.

I trust it will receive your support. [Applause.]

ORDER OF BUSINESS

Mr. CANNON of Missouri. Mr. Speaker, may I ask the gentleman from Illinois [Mr. DIRKSEN] if it would be agreeable to him to continue debate tomorrow under the arrangement which we have followed today?

Mr. DIRKSEN. That will be quite agreeable, Mr. Speaker.

Mr. CANNON of Missouri. Then I ask unanimous consent, Mr. Speaker, that when consideration of this bill is resumed tomorrow general debate may continue as today, one-half to be controlled by the gentleman from Illinois and one-half by myself.

Mr. DIRKSEN. Reserving the right to object, Mr. Speaker, will the gentleman include in the request that we even up the time? I think we are about 20 or 30 minutes behind.

Mr. CANNON of Missouri. I include as a part of my request, Mr. Speaker, that the time continue as of today.

Mr. DITTER. Mr. Speaker, reserving the right to object—and I do not intend to object—will the gentleman from Missouri tell us whether he intends to read any part of the bill tomorrow?

Mr. CANNON of Missouri. We expect to continue debate until all who desire have had an opportunity to participate. Of course, when general debate is exhausted, we will read the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

GENERAL PERMISSION TO EXTEND REMARKS

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that all who have spoken on the bill today may have 5 legislative days in which to extend their own remarks in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. LELAND M. FORD (at the request of Mr. ENGLEBRIGHT), on account of illness.

To Mr. McANDREWS, indefinitely, on account of illness.

ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 2001. An act for the equalization of letter carriers.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1820. An act to provide for the transfer of certain land owned by the United States to the State of Texas, and certain other land to the county of Galveston, Tex.

ADJOURNMENT

Mr. CANNON of Missouri. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 44 minutes p. m.) the House adjourned until tomorrow, Wednesday, January 31, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON NAVAL AFFAIRS

There will be a hearing Wednesday, January 31, 1940, at 10 a. m., before the Committee on Naval Affairs on H. R. 8026, to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matters named:

Tuesday, February 6, 1940:

H. R. 7527, to make effective the provisions of the Minimum Age (sea) Convention (revised), 1936, and for other purposes. Wednesday, February 7, 1940:

Hearings will be continued Wednesday, February 7, 1940, at 10 a. m., on H. R. 6130, to provide for mandatory or compulsory inspection and permissive or voluntary grading of fish, fishery products, fishery byproducts, shellfish, crustacea, seaweeds, and all other aquatic forms of animal and vegetable life, and the products and byproducts thereof, and for other purposes.

Tuesday, February 13, 1940:

H. R. 1780, to amend section 7 of the act of June 19, 1886, as amended (U. S. C., 1934 ed., Supp. III, title 46, sec. 319), relative to penalties on certain undocumented vessels and cargoes engaging in the coastwise trade or the fisheries, and for other purposes.

H. R. 5837, to amend section 221 of the Shipping Act, barring certain aliens from participating in the benefits thereof.

H. R. 6770, to amend Revised Statutes 4311 (U. S. C. 251).

H. R. 7694, to amend section 4311 of the Revised Statutes of the United States.

Tuesday, February 20, 1940:

H. R. 4079, to amend sections 4353 and 4355 of the Revised Statutes of the United States.

H. R. 6751, to repeal certain laws with respect to manifests and vessel permits.

H. R. 5788, to amend the present law relating to the delivery of ships' manifests to collector of customs by excluding Sundays and holidays from the time within which such delivery may be made by the master.

H. R. 5789, to amend the present law relating to the delivery of ships' manifests to collectors of customs by excluding Sundays and holidays from the time within which such delivery may be made by the master.

Friday, February 23, 1940:

H. R. 7639, to provide for the examination of civilian nautical schools and for the inspection of vessels used in connection therewith, and for other purposes.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization Wednesday, January 31, 1940, at 10:30 a. m. In re H. R. 7110 (LESINSKI), naturalization of certain natives of India.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings in the committee room, 247 House Office Building, at 10 a. m., on the following dates on the matters named:

MEDAL OF HONOR PENSIONS

Thursday, February 1, 1940:

H. R. 3385. A bill to liberalize the provisions of the Medal of Honor Roll Act of April 27, 1916.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Hearings will begin Monday, February 5, 1940, at 10 a. m., before the Petroleum Subcommittee of the Committee on Interstate and Foreign Commerce. State regulatory bodies will be heard first.

COMMITTEE ON THE JUDICIARY

On Wednesday, February 14, 1940, at 10 a. m., there will be a hearing before the Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary on the bill (H. R. 8016) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto (municipal compositions). The hearing will be held in room 346, House Office Building.

COMMITTEE ON MILITARY AFFAIRS

There will be a meeting of the Committee on Military Affairs of the House in room 1310, New House Office Building, at 10:30 a. m., January 31, 1940, for the consideration of all bills pending before this committee relative to taxation of Tennessee Valley Authority properties.

COMMITTEE ON INDIAN AFFAIRS

There will be a meeting of the Committee on Indian Affairs at 10:30 a. m., Wednesday, January 31, 1940, on H. R. 7551, authorizing payment to the San Carlos Apache Indians for lands ceded by them in the agreement of February 25, 1896, ratified by the act of June 10, 1896, and reopen such lands to mineral entry.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1331. A letter from the Archivist of the United States, transmitting a report of the Archivist of the United States on lists of papers consisting of 390 items, from those recommended to him for disposition, January 9, 1939, July 7, 1939, July 18, 1939, and September 30, 1939, by the Department of Agriculture; to the Committee on the Disposition of Executive Papers.

1332. A letter from the Archivist of the United States, transmitting report of the Archivist of the United States on a list of papers consisting of four items, from those recommended to him for disposition, September 19, 1939, by the Department of Labor; to the Committee on the Disposition of Executive Papers.

1333. A letter from the Archivist of the United States, transmitting a report of the Archivist of the United States on a list of papers consisting of three items, recommended to him for disposition, October 27, 1939, by the General Accounting Office; to the Committee on the Disposition of Executive Papers.

1334. A letter from the Archivist of the United States, transmitting a report of the Archivist of the United States on a list of motion-picture films, consisting of 824 items, from those recommended to him for disposition, June 22, 1939, by the Department of the Interior; to the Committee on the Disposition of Executive Papers.

1335. A letter from the president, Capital Transit Co., transmitting a report covering the operations of Capital Transit Co. for the calendar year 1939, with balance sheet as of December 31, 1939; to the Committee on the District of Columbia.

1336. A letter from the Archivist of the United States, transmitting a report of the Archivist of the United States on lists of papers, consisting of 12 items, from those recommended to him for disposition, October 7, 1939, by the Department of the Navy; to the Committee on the Disposition of Executive Papers.

1337. A letter from the president, Chesapeake & Potomac Telephone Co., transmitting a statement of receipts and expenditures of the Chesapeake & Potomac Telephone Co. for the year 1939, in compliance with chapter 1628, acts of Congress 1904; to the Committee on the District of Columbia.

1338. A letter from the President, Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill to regulate, in the District of Columbia, the disposal of certain refuse, and for other purposes; to the Committee on the District of Columbia.

1339. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to authorize certain future adjustments in the accounts of the Treasurer of the United States when erroneous payments have been made by him in good faith and without negligence, and for other purposes; to the Committee on Expenditures in the Executive Departments.

1340. A letter from the Archivist of the United States, transmitting a report of the Archivist of the United States on lists of papers consisting of 118 items, from those recommended to him for disposition, May 1, 1939, and August 16, 1939, by the Department of the Treasury; to the Committee on the Disposition of Executive Papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. CANNON of Missouri: Committee on Appropriations. H. R. 8202. A bill making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1941, and for other purposes; without amendment (Rept. No. 1540). Referred to the Committee of the Whole House on the state of the Union.

Mr. COCHRAN: Committee on Expenditures in the Executive Departments. H. R. 8150. A bill providing for the barring of claims against the United States; without amendment (Rept. No. 1541). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. WINTER: Committee on Claims. S. 1160. An act for the relief of Roland Hanson, a minor, and Dr. E. A. Julien; with amendment (Rept. No. 1542). Referred to the Committee of the Whole House.

Mr. EBERHARTER: Committee on Claims. S. 1449. An act for the relief of Robert Stockman; with amendment (Rept. No. 1543). Referred to the Committee of the Whole House.

Mr. SASSCER: Committee on Claims. H. R. 1288. A bill for the relief of Mrs. Clyde Thatcher and her two minor children, Marjorie Thatcher and Bobby Thatcher; with amendment (Rept. No. 1544). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 2487. A bill for the relief of Krikor Haroutunian; with amendment (Rept. No. 1545). Referred to the Committee of the Whole House.

Mr. MACIEJEWSKI: Committee on Claims. H. R. 3171. A bill for the relief of George L. Sheldon; with amendment (Rept. No. 1546). Referred to the Committee of the Whole House.

Mr. PITTINGER: Committee on Claims. H. R. 3970. A bill for the relief of Charles Sidenstucker; with amendment (Rept. No. 1547). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 4388. A bill for the relief of James Henry Rigdon; with amendment (Rept. No. 1548). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 4436. A bill for the relief of Gladys Faughnan Holden, guardian; with amendment (Rept. No. 1549). Referred to the Committee of the Whole House.

Mr. POAGE: Committee on Claims. H. R. 5257. A bill for the relief of R. D. Torian; with amendment (Rept. No. 1550). Referred to the Committee of the Whole House.

Mr. POAGE: Committee on Claims. H. R. 5258. A bill for the relief of W. L. Frady; with amendment (Rept. No. 1551). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 5397. A bill for the relief of Richard L. Calder; with amendment (Rept. No. 1552). Referred to the Committee of the Whole House.

Mr. EBERHARTER: Committee on Claims. H. R. 5805. A bill for the relief of Knute E. Nelson; with amendment (Rept. No. 1553). Referred to the Committee of the Whole House.

Mr. SASSCER: Committee on Claims. H. R. 5812. A bill for the relief of Marguerite P. Carmack; with amendment (Rept. No. 1554). Referred to the Committee of the Whole House.

Mr. PITTINGER: Committee on Claims. H. R. 6209. A bill for the relief of William H. Dugdale and wife; with amendment (Rept. No. 1555). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 6437. A bill for the relief of Standard Oil Co. for losses sustained by payment of discriminatory excess tonnage taxes and light moneys; with amendment (Rept. No. 1556). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 7959. A bill for the relief of Nathan A. Buck; with amendment (Rept. No. 1557). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CANNON of Florida:

H. R. 8203. A bill to provide for a customhouse building at Miami, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. DEROUEN:

H. R. 8204 (by request). A bill amending the act of January 17, 1920 (41 Stat. 392), authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Mississippi and Poinsett, and subjecting said lands to taxation, insofar as said act affects certain public lands in Big Lake Migratory Bird Refuge, Mississippi County, lying within the Little River Floodway, known as Big Lake; to the Committee on the Public Lands.

By Mr. LELAND M. FORD:

H. R. 8205. A bill to amend section 1309 (a) of title 19, United States Code; to the Committee on Ways and Means.

By Mr. MURDOCK of Arizona:

H. R. 8206. A bill relating to mining and providing for small loans by the Reconstruction Finance Corporation to facilitate the development and production of metals and minerals; to the Committee on Banking and Currency.

By Mr. DIMOND:

H. R. 8207. A bill to amend subdivision 3 of schedule A of title VIII of the Revenue Act of 1926; to the Committee on Ways and Means.

By Mr. HART:

H. R. 8208. A bill relating to personal-injury suits by seamen, and to amend the act of March 4, 1915 (ch. 153, sec. 20, 38 Stat. 1185; act of June 5, 1920, ch. 250, art. 33, 41 Stat. 1007); to the Committee on Merchant Marine and Fisheries.

By Mr. VOORHIS of California:

H. R. 8209. A bill to vest in the Government of the United States the absolute, complete, and unconditional ownership of the 12 Federal Reserve banks; to the Committee on Banking and Currency.

By Mr. KELLER:

H. R. 8210. A bill to establish and maintain the American School Army and to organize and equip the American Reserve Army; to the Committee on Military Affairs.

By Mr. HENSHAW:

H. R. 8211. A bill to amend the Tariff Act of 1930; to the Committee on Ways and Means.

By Mr. SCHIFFLER:

H. Con. Res. 43. Concurrent resolution declaring a state of war to exist between Soviet Russia and Finland; to the Committee on Foreign Affairs.

H. Con. Res. 44. Concurrent resolution declaring a state of war to exist between Japan and China; to the Committee on Foreign Affairs.

By Mr. DICKSTEIN:

H. Res. 369. Resolution requesting the President of the United States to express the abhorrence of the United States against brutal treatment of the peoples of Poland; to the Committee on Foreign Affairs.

By Mr. D'ALESSANDRO:

H. Res. 370. Resolution authorizing an investigation of the condition in the Blue Plains Hospital in the District of Columbia; to the Committee on Rules.

By Mr. FLAHERTY:

H. Res. 371. Resolution requesting the President to petition the British Ambassador; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRYSON:

H. R. 8212. A bill granting an increase of pension to Matt J. Gaines; to the Committee on Pensions.

H. R. 8213. A bill for the relief of R. N. Tannahill; to the Committee on Claims.

By Mr. COLE of Maryland:

H. R. 8214. A bill for the relief of Morris Mensch; to the Committee on Claims.

By Mr. DEMPSEY:

H. R. 8215. A bill for the relief of Mr. and Mrs. Hugh Boyd; to the Committee on Claims.

By Mr. LELAND M. FORD:

H. R. 8216. A bill granting a pension to Dillon N. Coulston; to the Committee on Pensions.

By Mr. GREGORY:

H. R. 8217. A bill for the relief of Thomas R. Fox; to the Committee on Claims.

By Mr. HAVENNER:

H. R. 8218. A bill to correct the naval record of Peter Peterson Beck, deceased; to the Committee on Naval Affairs.

H. R. 8219. A bill for the relief of the Louis Puccinelli Bail Bond Co.; to the Committee on Claims.

H. R. 8220. A bill for the relief of Mary E. Gregory; to the Committee on Claims.

H. R. 8221. A bill for the relief of Lulu Hilda Galehouse; to the Committee on Claims.

By Mr. JOHNS:

H. R. 8222. A bill for the relief of Della Thompson; to the Committee on Claims.

By Mr. KELLER:

H. R. 8223. A bill granting a pension to Laura B. Stewart; to the Committee on Pensions.

By Mr. KEOGH:

H. R. 8224. A bill for the relief of Gdynia America Line, Inc., of New York City, N. Y.; to the Committee on Claims.

By Mr. MARTIN of Illinois:

H. R. 8225. A bill for the relief of W. G. Sutton; to the Committee on Ways and Means.

By Mrs. O'DAY:

H. R. 8226. A bill for the relief of David Morgenstern; to the Committee on Immigration and Naturalization.

By Mr. POAGE:

H. R. 8227. A bill for the relief of Ed Symes and wife, Elizabeth Symes, and certain other citizens of the State of Texas; to the Committee on Claims.

By Mr. SPRINGER:

H. R. 8228. A bill granting a pension to Clara B. Mathews; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6308. By Mr. BOLLES: Petition of sundry citizens of Kenosha, Wis., protesting against the levying of excise or any other form of processing taxes on bread and other everyday indispensable necessities of life; to the Committee on Ways and Means.

6309. By Mr. FLAHERTY: Petition of Marcus Mason & Co., Inc., Westboro, Mass., favoring extension of the Reciprocal Trade Agreement Act; to the Committee on Ways and Means.

6310. Also, petition of the Central Committee of Federal Employees of Denver and Colorado, urging support of House bill 3649, to establish a system of longevity pay for postal employees; to the Committee on the Post Office and Post Roads.

6311. By Mr. HART: Petition of the National Association of Life Underwriters, New York, N. Y., protesting against any monetary measures inimical to the interests of the existing policyholders and annuitants and to the cause of thrift; against any debasement of our currency; and commending the President of the United States for resisting pressure in favor of unsound monetary policies; to the Committee on Coins, Weights, and Measures.

6312. Also, petition of the New Jersey Society of Professional Engineers, Inc., Newark, N. J., favoring the proposed Boston to Washington, D. C., superhighway being constructed as a Federal project; to the Committee on Roads.

6313. Also, petition of the Board of Commissioners of the City of Wildwood, N. J., favoring the passage of legislation necessary to cause the proposed Federal Intracoastal Waterway to become a reality; to the Committee on Rivers and Harbors.

6314. By Mr. HOOK: Petition of the Board of Supervisors of Dickinson County, Mich., regarding the establishment of a Federal trout hatchery at Jones Pond in Breitung Township, Dickinson County, Mich.; to the Committee on Merchant Marine and Fisheries.

6315. Also, petition of the County Board of Supervisors of Gogebic County, Mich., requesting the Congress of the United States to pass the Hook bill (H. R. 931); to the Committee on Agriculture.

6316. Also, petition of the Iron County Board of Supervisors, objecting to 25-percent sponsors' contribution on Work Projects Administration projects; to the Committee on Ways and Means.

6317. Also, petition of the City Commission of the City of Wakefield, Mich., favoring the approval of snow-removal projects by the Work Projects Administration; to the Committee on Ways and Means.

6318. Also, petition of the Descendants of the American Revolution, opposing the continuance of the Dies committee; to the Committee on Rules.

6319. By Mr. HOUSTON: Petition of 46 grocers of Wichita, Kans., urging enactment of House bill 1, the Patman chain-store tax bill; to the Committee on Ways and Means.

6320. By Mr. KEOGH: Petition of the New York City Federation of Women's Clubs, Inc., concerning the wool-labeling bill (H. R. 944); to the Committee on Interstate and Foreign Commerce.

6321. Also, petition of the Atlantic States Shippers Advisory Board, New York City, concerning Senate Resolution 146; to the Committee on Interstate and Foreign Commerce.

6322. Also, petition of the Vessel Owners and Captains' Association, Philadelphia, Pa., concerning Senate bill 2009 or House bill known as the Lea bill; to the Committee on Interstate and Foreign Commerce.

6323. By Mr. PATMAN: Petition of R. P. Craton, of Fresno, Calif., and over 3,000 merchants of California, Oregon, Washington, Idaho, Utah, and Arizona, favoring the passage of House bill 1, the Federal chain-store tax bill; to the Committee on Ways and Means.

6324. By Mr. SECCOMBE: Petition of the Quimby's Holsum Bakery, of Uhrichsville, Ohio, bearing approximately 75 signatures, protesting against the levying of excise or any other form of processing taxes on bread and other everyday indispensable necessities of life; to the Committee on Ways and Means.

6325. By the SPEAKER: Petition of Local 42, United Office and Professional Workers of America, Congress of Industrial Organizations, Milwaukee, Wis., petitioning consideration of their resolution with reference to antialien bills; to the Committee on Immigration and Naturalization.

6326. Also, petition of the United Federal Workers of America, Local 10, Washington, D. C., petitioning consideration of their resolution with reference to the antilynching bill; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 31, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Heavenly Father, we come to Thee with our burdens, with our problems, and with our clamorous necessities and pray for Thy directive help. Do Thou interpret them for us and make them very simple in our outlook upon life. If aught in our hearts be displeasing to Thee, we ask Thee to remove it. Let us realize that the Christ is in our midst ready to speak to us His message; as we listen may we detect the accent of our Saviour. Blessed is the man that walketh not in the counsel of the ungodly, nor standeth in the way of sinners, nor sitteth in the seat of the scornful; but his delight is in the law of the Lord, and in His law doth he meditate day and night. The ungodly are not so, but are like the chaff which the wind driveth away. Dear Lord God, enrich these passing hours; discipline us for everything that is intended to make us strong, brave, and true, and Thine shall be the glory. Through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

RECIPROCAL-TRADE TREATIES

Mr. GORE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, the gentleman may proceed.

There was no objection.

Mr. GORE. Mr. Speaker, on yesterday the gentleman from New York [Mr. CULKIN] charged Secretary Hull's trade-agreement program with responsibility for an alleged outbreak of typhus fever in Tennessee and in other Southern States, allegedly caused by the importation of Argentine corn accompanied by rats.

The gentleman proceeded upon an erroneous premise in that no trade agreement has been made with Argentina and in that no health or sanitation regulation has been abrogated in any agreement with any country.

I have the following statement from the Department of State, which I quote:

First, the Government in its trade agreements has reserved the right to adopt any regulations it may see fit for the protection of human, animal, and plant health or life.

Second, the statement of Congressman CULKIN that the trade agreements "have tendered to foreign nations joint power over sanitary regulations" can be categorically denied.

I talked to Dr. Hugh S. Cummings, Director of the Pan American Bureau of Sanitation and former head of the Public Health Service, and he stated to me that in 1922, under his direction, one of his assistants, Dr. Maxey, conducted an investigation in the South, and at that early date, long before the inauguration of the reciprocal trade treaty program, typhus fever was found in Montgomery, Ala., and in isolated communities in Florida and Georgia. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. KITCHENS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article by Hon. William Allen White, enjoining the Republican Party to not fight the trade treaties now being negotiated by Hon. Cordell Hull.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to extend my own remarks and include two short editorials from the Cincinnati Inquirer on the subject of the elimination of stream pollution.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BOEHNE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to quote the Excessive Expenditures Act, as well as to quote briefly from the hearings on the pending bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a summary and report issued by the Federal Works Agency of the Work Projects Administration. I have been informed by the printer it will require three pages, at a cost of \$135.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a brief statement which I made before the Committee on Appropriations.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a short editorial appearing in the Indianapolis Star of Monday, January 29.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

W. P. A. FUNDS IN PENNSYLVANIA

Mr. McDOWELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McDOWELL. Mr. Speaker, Members of the House, today Pennsylvania raises her voice to cry out against a wrong that has enveloped thousands of Pennsylvanians in misery and distress from the Delaware River to the Ohio State line. Beginning today Pennsylvania will call to your attention from time to time the fact that by some cruel circumstance our State is not receiving her fair share of W. P. A. funds, and this afternoon, after the special orders of the day, my colleague the gentleman from Pennsylvania [Mr. CORBETT] will present the first of a series of data that we believe will prove the discrimination against the ill-fed, ill-housed, and ill-clad of our State. The gentleman from Pennsylvania [Mr. CORBETT] will be followed by other Pennsylvanians who are determined that something must be done.

For months the controversy has raged between Gov. Arthur H. James, of Pennsylvania, and the National and State administrators of W. P. A. Governor James has charged the basest discrimination, terming it either accidental or political. Denials of every sort have been made by both Colonel Harrington, national head of the W. P. A., and Colonel Mathews, State head.

We Representatives from Pennsylvania have gathered all of the available material, statistics, figures, and allotments and comparisons and we shall day by day unravel this unhappy circumstance that the Congress may judge which is right.

We from Pennsylvania can testify absolutely to this fact that there are 100,000 forgotten men in the State that furnishes more than 10 percent of the income of the United States of America, and that they and their families are now addressing the Congress as a last hope for the bare necessities of life.

We have examined the figures prepared by the State authorities in Harrisburg and are prepared to agree with Governor James that the discrimination is evident and obvious, and that each day the wrangle goes on the sufferings in Pennsylvania increase. The sudden fluctuation of W. P. A. rolls in Pennsylvania is highly suspicious as the tide has been

greatest as the elections neared and slightest after they were over.

We are loath to make the charge that politics enters into the amount of funds that are made available to Pennsylvania because some of the most stalwart defenders of the present administration represent our State in both Houses of the Congress. We Members of this House and of the other body who are determined that justice must prevail for our State have invited all Representatives of the Commonwealth of Pennsylvania to participate in our actions, thus proving beyond all peradventure of a doubt that politics is not involved in this plea.

We are assembling figures and information from the national offices of W. P. A., which we shall also lay before you.

Pennsylvania is the second largest State in the Union in population and wealth—first in industry and one of the first in mining. Pennsylvania is the birthplace of the Nation. In Pennsylvania was signed that great document that permitted us of Pennsylvania to bring this matter to the floor of the Congress. We trust you will bear with us in the succeeding days to come, when Pennsylvania stands at the bar and demands the justice that she as a great sovereign State is entitled to. [Applause.]

NATIONAL LABOR RELATIONS BOARD

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, more than 2 years ago, in April 1937, the Supreme Court held that the National Labor Relations Act did not require an employer to enter into a written contract—a signed contract. On the 27th day of this month, last Saturday, the Labor Board held that it was an unfair labor practice for an employer to raise wages—not lower them—to raise the wages of men working in the plant until they had consulted the union representatives.

On the same day, notwithstanding the Supreme Court of the United States had held more than 2 years ago that under the N. L. R. A. an employer could not be required to enter into an agreement with the employees but need only bargain in good faith, and need not sign a written contract, the Labor Board on the 27th of January 1940 in the case of Wilson & Co. against United Packinghouse Workers L. I. U. No. 51, case No. R-1138, and Wilson & Co., Inc. against United Packinghouse Workers L. I. U. No. 51, case No. C-1149, among other things, ordered Wilson & Co., Cedar Rapids, Iowa, and its officers, agents, successors, and assigns to embody any understanding arrived at in a written signed contract. In effect, this order ignored a previous decision of the Supreme Court which held that after employer's and employee's representatives had, in good faith, bargained for a reasonable length of time, they need no longer continue negotiations, and in this case, the negotiations had extended from 1934 until in 1937, the board found that the failure to negotiate further was an unfair labor practice, and ordered a continuance of the negotiations.

The board also declared, as has been stated, that an increase in wages, without having first consulted the union officials, was an unfair labor practice and it then, to cap the climax, ordered the signing of a contract if an agreement was reached, although, the Supreme Court of the United States has held, as stated, that the act does not require the making of any contract at all.

Now, I am asking you the same question I have been asking all along: How long will we sit here and let this labor board, by its activities, wreck business institutions, increase unemployment, deprive employees of their pay checks, and do nothing about it?

[Here the gavel fell.]

AID FOR POLAND

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

LXXXVI—52

The SPEAKER. Without objection it is so ordered.

Mr. ALEXANDER. Mr. Speaker, while young America was going through its birth pangs during the darkest days of the Revolution and it seemed very doubtful if even the masterful ability and sagacity of George Washington could bring the new Nation to birth, a brave group of the liberty-loving Polish fighting men under Generals Pulaski, Kosciuszko, and others, came to the aid of the discouraged and struggling under dogs, the colonial armies of the Thirteen Original Colonies.

Now, today, some 160 years later, we have the opportunity to repay our debt of gratitude and appreciation to those men, their nation, and their ancestors, and to express our sympathy for the under dog. They came to our aid in our greatest hour of need. Today millions in their nation are suffering with cold, with hunger, and are ill-clothed and destitute. Even the simplest of medical supplies and elemental nursing needs are inaccessible to them because of the ravages of war and the devastation following in its wake.

Yesterday in the House Foreign Affairs Committee hearing, I was privileged to learn first-hand details of the problems of the Polish people, to see uncensored pictures of the conditions there; to have my own private opinion confirmed, that their suffering is acute, their needs are great and imperative.

Several resolutions have been introduced calling for a congressional appropriation for funds to be turned over to the American Red Cross for the purchase of food, of clothing, and medical supplies.

It is my conclusion that action should be taken just as expeditiously as possible on these joint resolutions. I have among other letters, one from Senator Raymond J. Julkowski, a member of the Minnesota Legislature, in which he states that the 48,911 Polish people of that State are working energetically to raise funds for the relief of the sufferers and refugees of Poland, and asking every Member of the Congress from the State to support the Polish-aid resolutions. I am sure the Members from every other State will wish to join with us in this mission of mercy.

THE FORGED ATTACK ON THE DIES COMMITTEE

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COX. Mr. Speaker, in view of the testimony taken by the Dies committee on yesterday, in which disclosure was made that one Mr. David Mayne forged and sold the letters which were used by the gentleman from Michigan [Mr. Hook] in the speech he made on the floor of the House a few days ago attacking the gentleman from Texas [Mr. Dies], I am wondering whether the gentleman from Michigan [Mr. Hook] will not want to ask leave of the House to expunge his entire speech from the RECORD, to offer apologies to the gentleman from Texas [Mr. Dies], to the House, and to the country. [Applause.]

THE LABOR BOARD A DETERRENT TO BUSINESS

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RICH. Mr. Speaker, I realize that we have a committee investigating the National Labor Relations Board. It is my hope that this committee will bring in a report in sufficient time that we may have legislation that will change some of the things that are happening today. Make the law give equal opportunity to management and labor. That is just and it is necessary.

If you want to put the 11,000,000 unemployed back to work the National Labor Relations Act must be changed. Let me read you a statement made by one of the leaders of the C. I. O. in my district who resigned from that organization. He states in a letter to me:

I believe the present set-up, whereby the Labor Board investigates, prosecutes, and judges, is insupportable and should be corrected by a limitation of power.

In another letter the same gentleman writes:

I sincerely feel that I have returned to common sense after a period of association with ignorance, apathy, and inutility.

When a man who belonged to the C. I. O. turns over a new page and gets out of an organization and then writes his Congressman that he is against it; and when the legislators here who enact such laws giving so much power to radical labor leaders realize that the people themselves know the law is wrong and unjust, we should change the law and prohibit these radical labor leaders from doing the things they are doing today in sewing up industry and prohibiting men from getting jobs. [Applause.]

ANNOUNCEMENT OF VOTE

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The SPEAKER. Without objection it is so ordered.

Mr. RANDOLPH. Mr. Speaker, on Monday I was necessarily absent from the House. Had I been present on roll call No. 11 I would have voted "nay," on roll call No. 12, "nay," on roll call No. 13, "nay," and on roll call No. 14, "yea."

EXTENSION OF REMARKS

Mr. WILLIAMS of Delaware asked and was given permission to extend his own remarks in the RECORD.

Mr. MILLER. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in the committee yesterday and to include therein brief statements by the Chief of the Air Corps, high officials of the Army and Navy, and the Governor of Connecticut with reference to the death of Donald L. Brown.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. MILLER]?

There was no objection.

Mr. SECCOMBE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address made by my colleague, the gentleman from Michigan [Mr. SHAFER] at the McKinley birthday banquet, Canton, Ohio, on Saturday, January 27.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. SECCOMBE]?

There was no objection.

CALENDAR WEDNESDAY

The SPEAKER. This is Calendar Wednesday. The Clerk will call the committees.

Mr. BURCH (when the Committee on the Post Office and Post Roads was called). Mr. Speaker, by direction of the Committee on the Post Office and Post Roads, I call up the bill (H. R. 2665) to provide increases in clerical allowances at certain offices of the third class, and for other purposes.

The Clerk read the title of the bill.

Mr. BURCH. Mr. Speaker, I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. BURCH]?

Mr. DITTER. Mr. Speaker, reserving the right to object, may I ask whether or not the minority members of the Committee on the Post Office and Post Roads know of the chairman's intention to bring this matter up today?

Mr. BURCH. They do.

Mr. McDOWELL. The minority members agreed unanimously this morning to this proposition.

Mr. BURCH. This carries a unanimous report of the committee.

Mr. DITTER. Mr. Speaker, further reserving the right to object, is it the purpose of the chairman to give the House the opportunity to consider this matter and to lay before us what this will entail in the way of additional expenses?

Mr. BURCH. Yes; I will be very glad to do that.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. BURCH]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That on and after July 1, 1939, postmasters at offices of the third class shall be granted allowances for clerk hire as provided (39 U. S. C. 81), except the four higher grades, which shall be as follows: An allowance of \$1,200 per annum where the salary of the postmaster is \$2,000 per annum, an allowance of \$1,500 per annum where the salary of the postmaster is \$2,100 per annum, an allowance of \$1,800 per annum where the salary of the postmaster is \$2,200 per annum, an allowance of \$2,000 per annum where the salary of the postmaster is \$2,300 per annum: *Provided*, That the Postmaster General may increase the allowance for clerk hire at any office by an amount not exceeding 25 percent, where the needs of the service require, but in no case shall the allowance provided be reduced below the rate fixed.

Sec. 2. All laws and parts of laws inconsistent with this act are hereby repealed.

With the following committee amendments:

Page 1, line 8, strike out "\$1,500" and insert "\$1,320."

Page 1, line 10, strike out "\$1,800" and insert "\$1,500."

Page 2, line 1, strike out "\$2,000" and insert "\$1,800."

The committee amendments were agreed to.

Mr. BURCH. Mr. Speaker, this bill has been amply and fully considered by the Committee on Post Offices and Post Roads, and the report brought in here is a unanimous report of the committee. This changes the clerical allowance for postmasters of the third class in the last four higher brackets. In other words, where the receipts of a post office are from \$4,200 to \$5,000, the allowance for clerical help under the present law is \$1,050. This is increased to \$1,200. Where the receipts are from \$5,000 to \$6,000, the amount allowed for clerical help is increased to \$1,320; from \$6,000 to \$7,000, it is now \$1,400, which is increased to \$1,500; from \$7,000 to \$8,000 the increase is from \$1,600 to \$1,800.

May I say that the allowance for clerical hire for third-class postmasters is entirely inadequate. Especially in the higher brackets, the postmasters cannot conduct the business of their office with that clerical help. You will understand, of course, that this is not for one person or one clerk but for the entire clerical help of a third-class post office. In these higher brackets the postmaster very often has to employ two to three people.

Let me make a comparison. After you pass over \$8,800, the post office goes into the second class, and immediately upon entering that class the second-class postmaster is entitled to two clerks at \$1,700 each; so you can quite well appreciate that the third-class postmasters in these higher brackets are not adequately provided for.

May I say further that a representative of the Post Office Department, Mr. Ellis, appeared before the committee and favorably recommended the bill. Of course, the third-class postmasters are making a great demand for this legislation. I may say further that we reduced the amount provided in the original bill.

Mr. DITTER. Will the gentleman yield?

Mr. BURCH. I yield to the gentleman from Pennsylvania [Mr. DITTER].

Mr. DITTER. Mr. Speaker, it seems to me that at a time such as the present we should give some thought to what an authorization really provides. There are evidences of economy abroad today, and this has been reflected very definitely as the appropriation bills have come to us for consideration. The Appropriations Committee, however, is charged with the responsibility of providing the money to carry out the authorization, after the authorization bills come through. It seems to me that we ought to lock the stable door before the horse is stolen.

This bill will provide an avenue for additional clerk hire and result, I believe, in an additional cost to the Post Office Department in excess of \$400,000. This means that the deficit of the Postmaster General will be bigger next year than it has been in years gone by. Before the Congress just carries along this program of approval, I believe we should stop, look, listen, and contemplate what we are going to do when the appropriation bill comes along that must carry out the obligation which we are entering into here today. I

wonder whether the gentleman could not give us some evidence that this additional cost is going to be compensated for by additional revenue.

Mr. BURCH. It will be, absolutely; and I may say to the gentleman in that connection that the Post Office Department has in the last few years had to make use of a fund that is known as a separating fund for the postmasters. They have used this fund to a great extent to aid and assist these postmasters of the third class in connection with their clerical help.

With the increase provided in the present bill, an ample amount will be provided and the Appropriations Committee of either the House or Senate may make readjustments so as to take care of a great deal of the money provided in the separating fund, which is \$410,000 for the present year.

[Here the gavel fell.]

Mr. DITTER. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the gentleman from Virginia has made a very interesting observation. I know the type of arithmetic that is being carried on at the present time has a degree of intrigue about it as well as interest. Whether we take the money from this fund or from some other fund, in the final analysis it means that this bill leads toward a possible continuing deficit.

I wonder whether the gentleman cannot give us a further assurance, rather than simply saying that we will take money from one pot and put it into another pot, that these continuing and increasing deficits, in spite of the intrigue and machinations in bookkeeping, will be decreased rather than increased by the proposal the gentleman is now making.

Mr. BURCH. I do not know. I do not see how I as an individual Congressman could give the gentleman that assurance. I want to say to the gentleman, however, that he is not any more for economy in governmental expenses than I am. I believe if the gentleman will look at my record he will see that I have been consistently taking that attitude all along. Let me repeat to the gentleman that this is a case where the allowances for the persons concerned are absolutely inadequate, and it was so stated by Mr. Donaldson, by Mr. Dudley, and by Mr. Ellis; and Mr. Ellis appeared before our committee and said the present situation was shameful and that he was in favor of this bill. Of course, the Treasury-Post Office Department appropriation bill has just passed the House, and these changes can be taken care of by the Senate Appropriations Committee.

Mr. DITTER. By the same token, all others who are seeking aid from the Federal Treasury can say that they really merit such aid, and this probably would be the plea that would be made by all others.

Mr. BURCH. You should scrutinize every plea or request or demand that comes before you and see whether or not it is justified. I do not believe economy means that you shall not pay an official a reasonable wage or salary. In other words, I believe every question of this kind should be considered on its merits. Let me repeat that the Committee on Post Offices and Post Roads has given this matter a thorough hearing and has brought in a unanimous report, agreed to by Members on both sides of the aisle.

Mr. DITTER. I close simply with this repetition of the cautionary word I tried to express earlier, that authorization bills are easily passed but ultimately authorizations must be paid for. Today we take the first step toward providing further funds from the Federal Treasury, which will only increase the deficits that so many of us at the present time are trying to avoid.

[Here the gavel fell.]

Mr. COCHRAN. Mr. Speaker, I move to strike out the last two words.

Mr. Speaker, I believe this is a very good time to show the country the House means business when it talks economy. We should start economizing with authorization bills, especially when they are opposed by the Budget. You will notice

by the report that this authorization is not in accord with the financial program of the President, which means it has not been approved by the Bureau of the Budget. What are you doing when you pass this measure? You are simply authorizing an appropriation, and that means if the bill is finally approved before the Senate disposes of the Treasury-Post Office appropriation bill, this item will be placed in that bill in the Senate. If the bill does not receive final approval by that time and there is an opportunity to amend a deficiency bill, you will find it added there. If you must wait until next year, then the Committee on Appropriations will include it in the regular appropriation bill or an amendment will be offered on the floor of the House and it will carry, as it will not be subject to a point of order.

It is the authorizations that run up your expenditures. This is going to be permanent legislation, and it will add at least \$1,000,000 a year—not for 1 year but every year—to the expenses of the Government. I do not believe this is any time to be increasing the salaries of Government employees. I feel if they can keep what they have, they should be well satisfied.

As every one of you did, I received a letter the other day from the Federal Employees Association. They wanted to know if I approved the attitude of the Committee on Appropriations in not providing for promotions. I answered that I did. I told them that if we had to cut appropriations it was not consistent to add salary increases, even though many are deserving of advances by reason of length of service and their efficiency ratings.

Increases at a time when we have so many millions of people in the United States who have no income whatever is not sound business.

The Government employee has the best paymaster in the world. I receive letters, and so do you, from taxpayers asking me to find some taxpayers who receive the annual leave we grant to Government employees, or sick leave, together with pay such as we grant the employees. We have taken very good care of the Government employees, and I have helped to do it over a period of 10 or 12 years; but I say that now is the time to stop passing legislation which does not have the approval of the Bureau of the Budget, because if you continue this practice you are only increasing the deficit.

I want to go on record as opposing this measure, and I am going to continue to oppose legislation where it is sought to increase the deficit without the recommendation of the Bureau of the Budget.

If I am not in error a bill similar to this was vetoed by the President. If so why put it in his lap again.

Mr. Speaker, as my record will disclose when we were in a position to grant increases to the Government employees I voted for the legislation. I felt they were entitled to it and then again I wanted to set an example to private business to increase the wages of their employees thus providing a better standard of living. I would do it again if there was a surplus and we were not running a deficit. The bill affecting your farmers, taxpayers who are served by the employees affected by this bill, has been cut several hundred millions of dollars which reduced their income. How will they like to see their appropriations cut and at the same time the salaries, of those whom they help to pay, increased? This bill and all other authorizations not approved by the Budget Director should be defeated.

Mr. Speaker, under leave granted me to extend my remarks let me say I was called from the Chamber when the gentleman from Georgia asked if I would tell him how many Government employees in my district are affected by the bill. I will tell him now; I do not have the appointment of 1 postmaster, Presidential, first, second, third, or fourth class, but I do have 10 times as many postal employees living in my district as the gentleman from Georgia [Mr. WHEELER].

[Here the gavel fell.]

Mr. TABER. Mr. Speaker, I move to strike out the last three words.

Mr. Speaker, the authorization bills increasing salaries and changing the requirements of Post Office employees in the last 5 or 6 years have increased the cost of operating the Post Office Department \$100,000,000 a year, as nearly as I can figure it. The additional cost this particular item will add is probably currently \$500,000 a year, and ultimately probably will be at least \$1,000,000 or \$1,500,000. According to the Budget estimate, the appropriation required for next year for clerks in third-class post offices has increased \$275,000 over that required for the current year.

I do not know what we are coming to. It seems to me this Congress should go slowly in adding continuously and everlastingly to the expenses of Government, and I hope that this effort of the Post Office Committee to add one more item of expense will not be approved.

Mr. SWEENEY. Mr. Speaker, I rise in opposition to the pro forma amendment.

Mr. Speaker, I can appreciate the sincerity of some of our friends on this side in their efforts to balance the Budget, but I want to call your attention to the fact that we have clerks in these post offices who work for \$30 a month. The sum total involved here is about \$415,000 a year. Many of these men who work in these second- and third-class post offices work 10 and even 14 hours a day as indicated by the report and they do not get the benefit of the 40-hour week accorded the men in the first-class post offices.

You cannot balance the Budget at the expense of the Postal Service. One of the finest men who ever sat in this Congress on your side of the aisle, the late lamented Clyde Kelley, time and time again rose on this floor to indicate that this Department of our Government was based upon service and efficiency and that it was not a money-making Department. We cannot pursue a penny-wise and pound-foolish philosophy when it has come to taking care of the Post Office Department. I was here in 1933, when the Congress, in a mad wave of economy, passed the so-called Economy Act. We slashed every Government employee 15 percent in an effort to balance the Budget. You were going to save \$250,000,000 a year, as I recall the figures. That was a cruel piece of legislation. So cruel, in fact, that within 18 months you came back here and you wiped out every vestige of the Economy Act because the protests were so numerous in your districts throughout the country.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. SWEENEY. I yield to the gentleman from Pennsylvania.

Mr. RICH. Was it not the fact that the President said he was going to do certain things and after the act was passed he did not do what he said he was going to do, and that is what bungled the thing all up?

Mr. SWEENEY. I am not concerned about the bungling of that thing up, I am concerned now about getting some relief for these underpaid men.

I cannot go along with the gentleman from Missouri [Mr. COCHRAN] but I am in accord with what he states about there being so much unemployment in the country. There are W. P. A. workers in my community making only \$57 a month and I want to join in a movement at some other time that will raise that wage; but do not strike these men, some of whom are only getting \$30 a month, a wage below the present W. P. A. scale. The amount is too insignificant to have any real effect on the entire Budget of the Government.

Mr. SECCOMBE. Mr. Speaker, will the gentleman yield?

Mr. SWEENEY. I yield to my colleague from Ohio.

Mr. SECCOMBE. Is it not a fact that the minority members of this committee are heartily in favor of this bill, and may I not also point out that in the hearings the fact was stated that some of the postmasters have to go down in their own pockets for \$20 or \$30 to pay some of this clerical hire?

Mr. SWEENEY. The gentleman is absolutely correct. The gentleman is a friend of the post-office employees, and what he says is based upon observation and study. You have a unanimous report from the committee, and I am sure the Members generally wish to go along with us.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. SWEENEY. Yes; I yield.

Mr. TABER. How does the gentleman figure when the allowance for the lowest class of post offices at this time is \$1,040 and the highest class runs up to as much as \$1,600, that any of these people are getting as little as \$30 a month? I wonder if the gentleman has heard of any of these third-class postmasters who were prepared to give up their jobs because of the low pay.

Mr. SWEENEY. Well, I am not concerned about giving up their jobs. This measure has no reference to postmaster's increases of salaries.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. SWEENEY. I yield to the distinguished majority floor leader.

Mr. RAYBURN. I think I have given evidence here that I want to go along with the committees and cut things, and I think in the general post office bill they could, in all probability, cut out \$415,000; but there are a great many Members of this House who do not understand this small post-office business, because they do not have any of them in their districts. I agree with the gentleman from Ohio that it is a penny-wise and pound-foolish policy that would starve the employees of these third-class post offices, and when I think in connection with all the appropriations we are making of the hundreds of employees in these little offices who are terribly underpaid, I think the least we can do is to pass this bill.

Mr. RICH. Will the gentleman yield?

Mr. RAYBURN. No; I have not the floor.

Mr. RICH. Mr. Speaker, will the gentleman from Ohio yield?

Mr. SWEENEY. I yield.

Mr. RICH. Has it not been a fact, so far as the Post Office Department as a whole is concerned, that they are probably as well paid as any branch of Federal employees, and is it not a fact that we increased the postage rate from 2 cents to 3 cents several years ago with the idea of increasing our revenues so that we could pay \$100,000,000 on our national debt? However, the Post Office Department brought in bill after bill until they have used that \$100,000,000 in increasing the salaries and the services of the Post Office Department, so you will never get rid of your 3-cent postage rate.

Mr. SWEENEY. I agree with the gentleman from Pennsylvania in what he says about some of the branches of the service that are pretty well paid and have grown considerably in security, but I am referring to the lower-paid clerks who put in longer hours than most of the clerks in first- and second-class offices. The record of the Postal Service demonstrates that every increase in salary and improvement in working conditions promotes efficiency in the most important branch of our Federal Government.

[Here the gavel fell.]

Mr. HARE. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I do not happen to be a member of this committee and therefore I am not entirely familiar with the facts upon which the conclusions are based. But I want to state that in my humble judgment the Post Office Department is just as vital to the happiness, contentment, and prosperity of the people of this Nation as any other department of Government. In other words, I believe the economic life of the Nation could be paralyzed quicker by stopping the postal activities than by stopping the activities of any other one department. And I do not mean to reflect or in any way minimize their importance. I hold no brief for the Post Office Department or its activities, but I can see a distinction between payment to employees in the Department generally and employees working in the third-class post offices. My experience and my observation is that the facilities and opportunities in the third-class offices are not adequate and are entirely out of line with the facilities and opportunities in the higher-class offices.

I am glad to hear the remarks of the gentleman from Missouri [Mr. COCHRAN] when he speaks of unemployment.

And my primary purpose in rising now is to serve notice that at a later time in this session I plan to ask the Congress to go on record to increase the employment of the people by inaugurating a program that will build some post offices for these third-class offices. And I want to know whether or not the gentleman from Missouri will go along with me on that program?

Mr. COCHRAN. I will answer the gentleman by saying I will assume the same attitude that I did when the gentleman offered the amendment before on the relief bill, by getting on my feet and making a speech in opposition to it.

Mr. HARE. That is right. That is exactly what the gentleman will do. But he gets up here today and says he is in favor of increasing the employment of the unemployed, but the first time a concrete, definite opportunity is presented to him, he crawfishes and says he will not do it. Now, I am going to offer this amendment at the proper time, and I am going to ask Congress to provide third-class offices with proper facilities.

There are many of them that contribute to the postal revenues to a very large extent, yet many of these third-class offices are required to work under conditions in some localities and in some instances that are almost criminal. Many of them are mere firetraps or mere shacks in which postmasters are required to conduct the business of the Government, whereas larger offices have every modern convenience conceivable. I am going to take the position that this great Government ought to take the army of unemployed and use them to construct buildings so that those who work in them will be able to do their jobs more efficiently and more competently and at the same time increase the revenues of the Government and reduce the enormous annual rental expense.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. HARE. I yield for a question.

Mr. COCHRAN. I hope the gentleman, when he offers his amendment, will not offer it on the relief bill, where he would take from the W. P. A. worker the money that he wants to put into these post offices throughout the country. If the gentleman wants to try it, do so on the public-building appropriation, not at the expense of those on W. P. A.

Mr. HARE. Since the gentleman seems to be softening up a little, we will put it on any place we can, but it will be with the idea of increasing employment, as well as furnishing new buildings. If we cannot get it on one bill, we will try and get it on another.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. HARE. I yield.

Mr. HOFFMAN. When you offer that increase, will you try to tell us what the average citizen in those communities receives, whether or not these postmasters whose salaries you propose to increase do not get more than the average wage earner in that community?

Mr. HARE. We are not increasing postmasters' salaries here. I am not in favor of that. We are increasing the allowance for clerk hire in third-class offices. I am speaking from personal observation. My district does not have large cities, but it has a large number of third-class post offices, and I know first-hand the difficulty they have in many places in handling and dispatching the mail efficiently. It is not for the purpose of increasing the salaries of postmasters but it is for the purpose of increasing the help they have in the offices. This past summer I observed a number of cases where they were working under conditions that made it impossible to give the public the efficient service the people are entitled to.

Mr. HOFFMAN. The gentleman was probably out vacationing on some lake. [Laughter.]

Mr. HARE. Unfortunately, my district does not have recreational and watering places like those found in the State of Michigan, the gentleman's home State, nor do I have the time and means to avail myself of these pleasures to the extent he does. [Applause.]

Mr. MURDOCK of Arizona. Will the gentleman yield?

Mr. HARE. I yield to the gentleman from Arizona.

Mr. MURDOCK of Arizona. I have a larger proportion and number of this class of postmasters in Arizona than has the average Member of this House. I favor the pending measure in their interest and in the public interest.

The SPEAKER. The time of the gentleman from South Carolina has expired.

Mr. WHELCHER. Mr. Speaker, I move to strike out the last three words.

Mr. Speaker, I do not think there is anything in this matter to cause alarm. All of this increase was authorized in the act of 1925, but there simply has not been sufficient money to carry out that law. I understand, and I have this from authentic sources, that there is an increase of \$24,000,000 in the post-office receipts of 1939 over 1938.

In answer to the gentleman who made the point that these appropriations have been going up yearly, I would give him this information: For the fiscal year 1933 we had 10,024 third-class offices. The appropriation was \$8,500,000. In the fiscal year 1940 we had 10,077 offices, or an increase of 53 in number. The appropriation was \$7,725,000. In other words, it has been going down each year.

I would call the gentleman's attention to the report and to that part of Mr. Ellis' testimony where he said that some of these people were not getting the wage that a W. P. A. worker received. He said, as a matter of information, that in this instance we have some discretion, and he said that due to the fact that our appropriation is inadequate, we must borrow from Peter to pay Paul.

He says:

Under the circumstances we know an inequity is being done these folks in third-class offices.

I know of my own personal knowledge that many of these postmasters themselves pay for clerk hire; and I want to pause long enough to tell you, Mr. Speaker, that this bill does not concern the postmasters in third-class offices but deals only with the clerks—nothing more; it does not create additional salaries for postmasters, but it takes care of these clerks who are being paid in many instances by the postmasters themselves. It is a meritorious bill and ought to be passed.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. WHELCHER. I yield.

Mr. HOFFMAN. Does it cover carriers too?

Mr. WHELCHER. Mr. Speaker, the gentleman must have misunderstood me, for I said that it covered clerks and clerks only at third-class offices.

Mr. HOFFMAN. I was just wondering. At the little office of Fargo there are 17 applicants for the job.

Mr. WHELCHER. The gentleman is talking about postmasters at fourth-class offices. I am talking about clerks and talking about clerks in third-class offices. I am not talking about fourth-class postmasterships.

Mr. HOFFMAN. I am talking about the clerks.

Mr. WHELCHER. The gentleman is talking about rural carriers. This bill deals with clerks.

Mr. SECCOMBE. Mr. Speaker, will the gentleman yield?

Mr. WHELCHER. I yield.

Mr. SECCOMBE. Is it not a fact that some of these clerks receive a lower wage than provided under the Wage and Hour Act; that in fact they do not come within the provisions of the Wage and Hour Act or the Social Security Act either?

Mr. WHELCHER. I am under that impression.

Mr. SECCOMBE. That was brought out in the testimony; that was verified.

Mr. WHELCHER. The gentleman was there and doubtless knows it was verified.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. WHELCHER. I yield.

Mr. RANDOLPH. I am very certain from statements made during this debate that all are not familiar with third-class post offices and the small compensation these clerks receive. Those of us who come from districts where there are many third-class offices realize the handicap under which

these clerks have worked. They labor long hours for small pay. This bill is meritorious and should pass.

Mr. WHELCHER. I ask my friend the gentleman from Missouri [Mr. COCHRAN], if he is here, how many third-class offices there are in his district and how many of his constituents are affected by this bill? I do not do this to "put him on the spot," but the fact is that probably he does not have a third-class office in his district and knows nothing about this problem.

Mr. PACE. Mr. Speaker, will the gentleman yield?

Mr. WHELCHER. I yield.

Mr. PACE. This bill covers only the upper four grades. What is the condition of the lower nine grades in the matter of clerk hire?

Mr. BURCH. They do not have so much work in the upper grades, and they get along very well.

[Here the gavel fell.]

Mr. HOBBS. Mr. Speaker, I rise in opposition to the pro forma amendment.

Mr. Speaker, I hesitate to take up the time of the House for even a few minutes on this very meritorious bill; but having had the honor of serving on the Committee on the Post Office and Post Roads for awhile, I simply wanted to bear testimony to the integrity of that great committee and to the care with which their bills are brought out, to the absolutely nonpartisan method of procedure which is both the tradition and practice in that committee. This report is unanimous. There are no politics in it. These experts upon our Postal Service "know their stuff."

This bill is supported by reason, by authority, and by the unanimous opinion and vote of the Post Office and Post Roads Committee. I believe that the debate here today has evidenced the abysmal ignorance of the gentlemen who criticize it when they talk about being out on a frolic at a lake somewhere and of the condition in the local post offices at those places. They are talking about fourth-class offices, which have nothing to do with this particular bill.

Let me say to the membership of this House that there is not a committee of this body that has brought in fewer bills than the Committee on the Post Office and Post Roads. Whenever they do bring in a bill, you can bank on it that the bill has merit. Not only that, but in this instance this is no log-rolling bill; this is not a bill to raise salaries generally; it is a bill for this particular class of clerks in third-class offices in the higher brackets, where everyone who knows anything about the Postal Service knows they have been discriminated against and that this relief is seriously needed.

We should support the work of this intelligent, hard-working committee, the character of whose service is shown by experience and is spread on the record of this House. When they speak, they mean it. While they are just as anxious as anyone else to balance the Budget, they are not willing to do it at the expense of continuing discrimination against the group covered by this bill.

As the distinguished gentleman from Georgia [Mr. WHELCHER] has told you, this is not new. They have been clamoring to remove this discrepancy and discrimination since 1925. I beg the membership of this House to go along with this great committee in its nonpartisan and unanimous report on this very meritorious measure. [Applause.] It is not extravagance to pay our honest debts.

[Here the gavel fell.]

Mr. MICHENER. Mr. Speaker, I move to strike out the last 10 words.

Mr. Speaker, I fully agree with the committee that this is a meritorious bill. Surely in many instances third-class postmasters could use additional clerical help to good advantage. The real question which we must decide today, however, is not whether this bill is meritorious but whether its enactment is essential to the proper functioning of the Post Office Department at this time. To put it another way, Can we afford it? In short, the question is as to the tempo, that is, Is this the time and the place to authorize an additional expenditure of more than \$400,000 by the Federal Government?

The gentleman from Alabama [Mr. HOBBS] just told us that this matter has been before the Congress since 1925 and has never been given favorable consideration. In these circumstances I cannot understand the logic of those who would place this additional burden on our Treasury at this particular time. We must not forget that our Government will soon pass the authorized \$45,000,000,000 debt limit and that our Government is spending practically \$2 for every dollar it takes in. This means but one thing, and that is if this additional \$400,000 is to be spent, then it must be borrowed and interest must be paid on the money. Just \$400,000 more which the generations yet to come will be compelled to pay. Yet there are those who say, "Oh, it is such a small amount." Do you realize that a vote for this bill is a vote to instruct the Treasurer of the United States to go out and borrow this additional money to increase the compensation in these third-class offices? We all talk about economy, yet it seems to be very difficult to economize when some particular pet project is at stake. It is likewise difficult to vote against appropriations for postal employees in an election year. The President has well asked where we are going to make the cuts. To me the answer is simple. The Congress should not spend money for anything except absolute essentials to the functioning of the Government and the relief of its people. Of course, the easy way is to vote for every appropriation or authorization where any considerable number of constituents will benefit. By the same token it is politically difficult to vote against an appropriation advocated by any organized or active pressure group in one's congressional district. We are never going to balance the Budget, or even approach a balance, unless this Congress displays more courage than it has in the last few years. The executive branch will not do it.

Later in the day the House will proceed with the consideration of the annual agricultural appropriation bill. Now, there are many desirable things that might be included in that bill, yet the Appropriations Committee has cut the proposed appropriation by more than 20 percent. That is taking money away that was intended in some way to benefit agriculture. How can you justify yourselves in withholding unessential but desirable appropriations from agriculture when we all know that the farmers are generally operating at a loss, and at the same time—and on the same day—increase third-class postmasters' compensation by \$400,000? It would be fine if we had the money to double the compensation, yet the third-class postmaster is lucky if he has the job today. These are the offices which largely serve the farmer, and what is the farmer who is about to lose his home going to say when he realizes that his Congressman voted additional taxes on him to increase the pay of his postmaster. Better think these things over.

Now, I have many third-class offices in my district. Undoubtedly some of them do not receive very large compensation for the work they do, yet if a vacancy occurs in one of these offices there is a mad scramble for the job. Most of them are among the best paid people in their respective communities. When the unemployed find jobs it will be time to increase this compensation.

The gentleman from South Carolina [Mr. HARE] advises us that he contemplates offering an amendment authorizing the Federal Government to erect new post-office buildings for these third-class offices. That just indicates the length to which some of our Members would go. So far as my congressional district is concerned, if I were to propose that new post offices should be built for all third-class offices, and that the Government go in debt for the cost, I would be severely condemned. New buildings are nice things for communities, but they should not be built unless they are essential until we can afford to have these luxuries.

Stress has been laid in the debate on the income from these third-class offices. It was not mentioned, however, that when the income from the revenues of the office reaches a certain point, the office then automatically goes into second class and there is a difference in the compensation. The author

of the bill, the gentleman from Georgia [Mr. WHELCHEL], has called attention to the fact that the revenues of the Post Office Department were greater in the last year than they were in the preceding year. Well, what has that to do with spending this \$400,000? We are never going to balance the Budget if we find new uses for all additional revenue. At best, this new law would but benefit a few. Several years ago Congress increased letter postage from 2 to 3 cents. That was intended as an emergency or temporary measure. It is still a law, and there is no prospect of a reduction for a long, long time. If we want to encourage the use of the Postal Service and benefit the users, why not give consideration to going back to the 2-cent stamp? It cannot be done now, but let us work toward that end.

In conclusion, do not forget that this bill authorized an additional appropriation without providing the means for raising the money. The people are demanding tax reductions, not tax increases. They expect the Congress to pare all appropriations to the bone, to the end that we may get back on our feet financially, and when the Government is able to operate again on a sound financial basis, then will be the time to pass desirable, even though not essential, legislation of this character. I have always supported adequate compensation and reasonable working hours for postal employees, but I do not think they are doing their own cause any good by demanding this increase under present economic conditions. [Here the gavel fell.]

Mr. McDOWELL. Mr. Speaker, I move to strike out the last 11 words.

Mr. Speaker, this bill is brought here by the unanimous report of the Committee on the Post Office and Post Roads. There has been much said about economy. Speaking in justification of the minority members of the committee, no pain nor anguish is more unendurable than for a Republican to vote to increase the national debt. But we did not do that. This bill is brought in here to right a wrong. This bill is brought in here to pay good, honest Federal employees some sort of a decent salary. I would like to make the observation here that this Congress has done much in reference to wages and hours for all sorts of employees all over the United States. We get all hot and bothered about machinists, the mill workers, and other persons, but Uncle Sam has a lot of people working for him, cleaning the halls, washing the windows, and so forth, who do not make a decent living. That is the reason the minority members voted to bring this bill out for consideration.

Mr. JENSEN. Will the gentleman yield?

Mr. McDOWELL. I yield to the gentleman from Iowa.

Mr. JENSEN. As a member of the Committee on the Post Office and Post Roads and as a Member of the minority side, may I say in all honesty and sincerity that every member of the Post Office and Post Roads Committee analyzed and deliberated for quite some time on this bill. We came to the conclusion that this class of Federal help had been greatly underpaid for many years. I know that those who have third-class post offices in their districts will know I am stating the truth when I say that these people put in long hours and hard work for the smallest pay any class of Federal employees receive.

Mr. TABER. Will the gentleman yield for a question?

Mr. McDOWELL. I yield to the gentleman from New York.

Mr. TABER. Does the gentleman know that at the present time General Farley, the Postmaster General, has felt that these allowances were so big he is reducing them 10 percent under authority of the bill. He considers the present allowances so high that he and the Bureau of the Budget have reduced them 10 percent?

Mr. JENSEN. I cannot answer that.

Mr. TABER. Well, that is the fact.

Mr. JENSEN. I do know that the Republican Party is for economy. The Republican members of this committee, as well as some of the members of the majority side, are for economy, but this is one time when we felt we should right

a wrong, as the gentleman from Pennsylvania [Mr. McDOWELL] just stated.

Mr. BURCH. Mr. Speaker, I offer a committee amendment which I send to the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. BURCH: Page 1, line 3, strike out "1939" and insert "1940."

Mr. BLACKNEY. Mr. Speaker, I rise in favor of the amendment.

Mr. Speaker, as a member of the Post Office and Post Roads Committee, I have been very much interested in the discussion that occurred this morning. As a Republican my heart throbs in unison with the eloquent pleas that have been made for economy; yet I smile to myself when I think that this bill, which involves approximately \$400,000 of an increase is being fought so strenuously this morning and later on today or tomorrow another bill, involving several million dollars, will go through with a wave of the hand. While I believe in economy to the fullest extent, and join my party in that, yet there are three types of bills I will go a little bit further on than others. For instance, I will go further than my own judgment dictates perhaps in voting for Navy and Army appropriations for our country. I would rather spend a billion dollars for the maintenance of our Army and Navy at home for adequate defense than to spend even a half million dollars or several million dollars on a foreign war, or for sending our boys across the sea to fight a war not our own.

Also, I would rather spend a little more, perhaps, than my judgment would dictate, to serve the public through the great post-office system.

I favor this bill. I call your attention to the fact that in the third-class post offices a considerable range of ability is required; different, perhaps, than is required in the second-class post offices, where the work is specialized. The clerks employed in third-class post offices must have the ability to grasp quickly all phases of the postal laws and regulations, the classification of mails, accounting, the issuance of domestic and international money orders, which is difficult with the ever-changing rates of exchange; and the handling of postal savings, as they do practically a regular banking business; and in addition they must have the ability to meet the public in a courteous and an efficient manner.

I favor this bill, and I know the Committee on the Post Office and Post Roads has given careful study to it. I ask that the House approve the measure. [Applause.]

[Here the gavel fell.]

Mr. BURCH. Mr. Speaker, I move the previous question on the amendment and the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Virginia.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. COCHRAN) there were—ayes 91, noes 26.

So the bill was passed.

A motion to reconsider was laid on the table.

Mr. RAYBURN. Mr. Speaker, I move to dispense with further proceedings under the call of the calendar.

Mr. CASE of South Dakota. Reserving the right to object, Mr. Speaker, can the gentleman state at this time whether or not general debate on the Agricultural appropriation bill will run for the balance of the day?

Mr. RAYBURN. I was not here when the House adjourned yesterday, but the gentleman from Missouri [Mr. CANNON] made a statement, which is in the RECORD, that I believe is a clear indication that general debate will run all day if any Member wishes to speak.

Mr. CASE of South Dakota. I have no objection to dispensing with further proceedings under the call of the calendar if general debate is to continue through the day, but I

believe, in fairness to many of the Members, that the reading of the bill should not start today.

Mr. RAYBURN. If I were asked about the procedure by those in charge of the bill, I would suggest that if general debate did not take all day they read only the first paragraph of the bill.

Mr. CASE of South Dakota. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CALL OF THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and forty-three Members are present, not a quorum.

Mr. RAYBURN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 15]

Allen, Pa.	Douglas	Johnson, Lyndon	Reece, Tenn.
Andrews	Dowell	Jones, Ohio	Rees, Kans.
Barton	Duncan	Keller	Robertson
Beam	Elliott	Kelly	Robinson, Utah
Bell	Englebright	Lambertson	Robison, Ky.
Brewster	Evans	Landis	Romjue
Buckley, N. Y.	Fay	Lanham	Sabath
Cartwright	Fernandez	Lemke	Satterfield
Cluett	Folger	McAndrews	Schulte
Coffee, Nebr.	Gifford	McArdle	Schwert
Colmer	Gilchrist	McLaughlin	Short
Cooley	Gillie	McLean	Smith, Wash.
Creal	Gross	Martin, Mass.	Somers, N. Y.
Crowe	Guyer, Kans.	Merritt	Stegall
Crowther	Halleck	Mott	Taylor
Cummings	Healey	Mouton	Tibbott
Darrow	Hendricks	Murray	White, Idaho
Dies	Hook	Pittenger	Wolcott
Dondero	Jarrett	Plumley	

The SPEAKER. On this roll call 347 Members have answered to their names, a quorum.

On motion of Mr. RAYBURN, further proceedings under the call were dispensed with.

AGRICULTURAL DEPARTMENT APPROPRIATION BILL FOR 1941

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for further consideration of the bill H. R. 8202, the Department of Agriculture appropriation bill for the fiscal year 1941.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8202, with Mr. COLE of Maryland in the chair.

The clerk read the title of the bill.

Mr. DIRKSEN. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Chairman, in the RECORD of January 23 there appears a colloquy between the gentleman from Michigan [Mr. Hook] and myself. At that time I called the attention of the Members of the House to a speech which the gentleman from Michigan had placed in the CONGRESSIONAL RECORD under date of the preceding day, which was a Monday. I charged at that time that this speech was full of trickery, deceit, and innuendo, and I asked the gentleman from Michigan "who wrote that speech for him." He answered, "I wrote that speech." I was in hopes that the gentleman from Michigan would deny the authorship of the speech and the contents of it. I hated to think that the gentleman from Michigan would be guilty of writing the material that was contained in that speech, and yet I had very good information at the time I asked that question that his speech, except for the window dressing that had been put into it by the gentleman from Michigan, had been entirely written by a gentleman who was part of a conspiracy that since has been exposed, under oath, to the Dies committee by sworn testimony, the purpose of which conspiracy was to

defame the character of the gentleman from Texas, MARTIN DIES, the chairman of the Dies committee. I am astonished and surprised that the gentleman from Michigan, who has on the floor of this House repeatedly denounced communism, who at one time denounced the unlawful sit-down strikes, and who has in his soul, I am sure, the very germ of Americanism, would be led by a group of conspirators to defame a brother colleague on the floor of this House.

I do not suppose there are very many of you people who have read that speech. I charged at the time of the colloquy with the gentleman from Michigan that there was not a lawyer in this House that could read that speech and accept the evidence which he claimed tended to incriminate the gentleman from Texas [Mr. Dies] and connect him with Mr. Pelley and the Christian Front.

I had in my possession at that time information which I could not disclose, which led me to believe that the entire evidence which he submitted not only to this Congress but to the Rules Committee was a complete forgery from beginning to end and was a tissue of absolute falsehoods. The suspicion which I had on that day has now been completely verified by the testimony that was taken yesterday before the Dies committee, when the author of those letters, under oath, admitted that he, for a price of \$100 and the promise of a job in the Department of Agriculture, had forged these letters out of his own fertile imagination.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield right there?

Mr. KEEFE. Yes; I will yield.

Mr. RAYBURN. There was no promise of a job. This gentleman did not testify to that. He said somebody else said he would use his influence to get him a job.

Mr. KEEFE. Well, if you draw that distinction, I want to say to you gentlemen that I read that testimony very carefully this morning, and I can come to no other conclusion but that the author of these letters, I will say to the distinguished gentleman from Texas, that the persons who sought his assistance in writing these forgeries not only promised him \$100 but promised to get him a job in the Department of Agriculture.

Mr. RAYBURN. The gentleman who is supposed to have promised him a job in the Department of Agriculture has no official status—

Mr. KEEFE. I did not say that the man who promised the job had any official status in the Department of Agriculture.

Mr. RAYBURN. The gentleman did say that he was promised a job in the Department of Agriculture.

Mr. KEEFE. Exactly, and that is exactly right.

Mr. RAYBURN. I do not know what this man said, but I do not think the gentleman should go so far as to say he was promised a job.

Mr. KEEFE. I am going to say that the man who succeeded in getting him to forge these letters did promise to get him a job in the Department of Agriculture, and that is what he testified to.

Mr. RAYBURN. That is perfectly all right.

Mr. KEEFE. Let me finish, with all due respect to the majority leader. I have not said that the gentleman who made that promise had the capacity to give him a job.

Mr. RAYBURN. No; and the statement I objected to, and I am sure the gentleman did not intend it, was the flat statement that he was promised a job in the Department of Agriculture, and I think if the gentleman will read his remarks he will understand that. I have no doubt that this gentleman that he was talking to would promise him anything.

Mr. KEEFE. I do not want to make the statement appear that anybody in authority in the Department of Agriculture had promised him a job. I think it was all part of a conspiracy and a plan, but unfortunately, the conspirators themselves were let down in this case because the man whom they thought had joined them in the conspiracy, to wit, this man, Mayne, testified that he was out to get this man Gardner Jackson and Weisberg, the contact man of Jackson, who offered him the hundred dollars and told him he would see to it that he got a job in the Department of Agriculture.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?
Mr. KEEFE. I yield.

Mr. HOFFMAN. Does the gentleman from Texas make any distinction between a bribe of \$100 and a job and a bribe of \$100?

Mr. RAYBURN. I do not think there is any distinction to it at all; and if the gentleman had listened to my questions and understood them, he could not have had that impression.

Mr. HOFFMAN. The statement was that he bribed him. What difference does it make whether he gave him \$100 and a job, or just \$100?

Mr. RAYBURN. The man who gave him \$100 is not connected with the Government.

Mr. KEEFE. Mr. Chairman, I do not yield indefinitely out of this little time that I have. I think I have made my position clear as to what I intended to say.

Mr. RAYBURN. And I will say to the gentleman it is perfectly satisfactory to me.

Mr. KEEFE. I am glad that it is.

Now, the situation is just this: We have this thing confronting us. I challenged this speech of the gentleman from Michigan [Mr. Hook] the next day after it was put into the Record. I have his authority under his oath as a Member of this House that he wrote that speech. We have the further statement from the gentleman from Michigan [Mr. Hook], given to the Rules Committee and also given to this House in answer to an interrogation by myself, that the facts contained in that letter are authentic. He further stated that he had submitted the proof he had to the Department of Justice for their further action. I have endeavored diligently to ascertain what branch of the Department of Justice those letters have been submitted to, but up to date I have not been able to find any department where the gentleman stated he had submitted his proofs.

Now, the fact is he has assumed full and complete responsibility for the authorship of that statement. He has assumed full and complete responsibility for the authenticity for the statements contained in that speech. The proof now is that, except for a little window dressing which the gentleman from Michigan may have put into the speech, the speech was written by a fellow by the name of Weisberg, who prided himself upon the fact and patted himself upon the back that he had written the speech.

It also now develops under oath that that same speech had been offered to another Member of Congress, and the gentleman is sitting here now and knows that I am telling the truth, because he himself told me. That speech was offered to another Member of Congress with the request that he deliver the speech and thus become a party to the conspiracy, and it is to the everlasting credit of the gentleman to whom I refer that he refused to accept it, because he had sense enough not to be a party to any such dastardly conspiracy as that. He had sense enough, after even the most cursory examination of the so-called letters and photostatic copies, to discover that the man who wrote them endeavored to protect himself from a charge of forgery by misspelling Mr. Pelley's name in the alleged signatures.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. RABAUT. To whom was the speech offered?

Mr. KEEFE. The speech was offered, and it appears in the sworn testimony of Mr. Mayne, given before the Dies committee, to the gentleman from Washington [Mr. Coffey]. It will no doubt come out when that testimony is printed. That is the fact.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. SCHAFER of Wisconsin. Is it not a fact that the "big shot" in this conspiracy is none other than Gardner Jackson, who is the legislative lobbyist on the hill for Labor's

Non-Partisan League, the political organization created and dominated by John L. Lewis?

Mr. KEEFE. I will say that the testimony very clearly shows a conspiracy between Gardner Jackson and his friend, this man by the name of Weisberg, and it is Weisberg who wrote the speech and it is Weisberg who offered the \$100 and the promise of a job to this man Mayne if he would produce these letters which proved to be utter and complete forgeries and which were submitted by the gentleman from Michigan [Mr. Hook] as being absolutely authentic.

Now, Mr. Chairman, the integrity of this House is at stake because that statement went all over the country. The front pages of the newspapers emblazoned in bold type that here was proof, submitted in the form of documentary evidence by the gentleman from Michigan [Mr. Hook], that links the gentleman from Texas [Mr. Dies] with the Christian Front and with the Pelley organization, a plain attempt to assassinate the character of the chairman of the Dies committee, and, by implication, to smear and besmirch every member of that committee. I think that this thing cannot go unchallenged. I believe, Mr. Chairman, knowing that the gentleman from Michigan [Mr. Hook] is, after all, an American and a patriot, knowing that he really in his heart ought not knowingly be a party to any such conspiracy, now that the facts have become known and his own integrity has been attacked, that the thing for the gentleman from Michigan [Mr. Hook] to do, instead of waiting for the Rules Committee to order this speech expunged from the Record, is to come before this House and ask to have it stricken from the Record himself, and to apologize to this House and to the country at large for playing into the hands of a bunch of cheap conspirators who have been working for a long time to try to kill and besmirch and smear the important work of the Dies committee and especially its chairman. [Applause.]

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. DIRKSEN. Mr. Chairman, I yield such time as he may desire to the gentleman from Montana [Mr. Thorpe].

Mr. THORPE. Mr. Chairman, my interest in agriculture is as keen as my interest in State rights and the right of the people to regulate their own affairs free from Federal oppression and persecution. It is high time that the people inform their Representatives in Congress that this Government belongs to the people who have reserved certain rights to themselves to regulate affairs, not only within the States but in private business as well. The Members should realize that they have taken an obligation to preserve, to protect, and defend the rights of the people, and that they are expected to honor this obligation instead of following communistic planning experts in the executive and other departments. It is sickening indeed to sit in Congress and watch this destructive planning in operation. It is a willful and deliberate attempt to bring about complete disintegration and demoralization of the Nation and our business structure.

I do not know which is the greater evil, the Gold Reserve Act passed in 1934 or the Reorganization Act passed in 1939. Both of these acts are not only unconstitutional but are unquestionably destructive to national security and detrimental to public welfare. For Congress to turn such powers over to one, two, or three men is a plain example of congressional apathy, and this is particularly true when those upon whom these powers are bestowed lack reasonable ability.

Let us briefly review the past 27 years. Since 1913 we have been subjected to more and more planning. This planning brought us into the World War without the slightest desire on our part to be so engaged. The same planning left us in 1920 with a 38-percent inflation of currency, or with a dollar worth 62 cents. For the next 8 years, while the Treasury was under the management of Governor Strong, the dollar in 1926 attained the value of 100 cents in gold and 100 cents in purchasing power, which, of course, is a desirable and sound dollar. During this 8 years planning did not cease but was retarded to a great extent.

In 1928 the international financiers, or the international planners, began to prepare the foundation for that which we have today—dissension, hatreds, and a nearly bankrupt Nation. If you recall, it was during the 4 years from '28 to '33 that the various bank corporations were formed, and the question may be asked, for what purpose? Was it to aid the people in the outlying districts or communities? It was not. It was, instead, a deliberate preparation to concentrate the Nation's wealth in the larger cities in order to enforce poverty upon outlying communities. It was to allow the larger banks and brokerage houses to cover up unsound international transactions, uncollectible loans, and other wild-cat banking, which left us holding the bag after the World War. This merger of banks was brought about by stock transactions in which many losses were sustained by gullible buyers of this stock. It left some of our real bankers, who understood local conditions, bankrupt and displaced by men favorable to the corporations and banks which had been of great aid in the community under the new management indifferent to local interests. I shall not elaborate upon this at this time, but the point to bear in mind is that chain banks, next to Federal monopolies, are the most malicious and destructive concentration of power that we have ever had. Both are a retarding influence upon development, destructive to private industry, and will, if permitted to continue, destroy our Nation's earning power.

These bank chains or bank corporations were organized in the hope that Congress would enact the Gold Reserve Act, which was actually passed in 1934. Their hope was to secure to themselves the control of all the gold in the United States, and, in addition to that, control of our commodity currency and credit. The Gold Reserve Act is in itself a most contemptible and unconstitutional piece of legislation which has impoverished our people and left them at the mercy of international exploiters.

It is this side of the agricultural question that has never been considered in Congress, yet it is most important because money is the power that moves all merchandise. Before 1933 our money was secured by gold in the United States Treasury, and was, therefore, valued upon its gold security. To establish a normal dollar worth 100 cents in gold and 100 cents in purchasing value, it was only necessary to bring about a balance of money in circulation with the gold in the United States Treasury. This most desirable state of affairs is a thing of the past, for we are now conducting business on an inflated dollar, or what is ordinarily called a commodity or managed currency, devoid of all value except what such money may buy from day to day. Its purchasing power is based upon the ability of some committee in the Government to keep all prices at a reasonable purchasing level. It is this phase of the agricultural problem that I desire to discuss in these remarks.

Let us always bear in mind that planned production, planned restriction, and planned operation are tantamount to planned poverty. Sound business depends upon active competition, alertness, and the will to go ahead and continue to build, as our forefathers have done before us. It is nearly impossible for farmers or ranchers to borrow money from the new chain banks, for no credit is available for farm investments. What is needed is service of independent banks, State or National, to serve the community in which the money is made. Chain banks or bank corporations are only interested in the accumulation of their own wealth.

This experimental planning in agriculture is paid for by the farmer, for he has allowed the Department of Agriculture and other incompetents to farm for him. Many of these unfortunates now depend on Federal aid, which, of course, means Federal supervision of their farms.

It requires very little experience to realize that when the prices of sugar, cattle, beef, and, as a matter of fact, all farm products are controlled by importing the same farm products from foreign nations, our own farmers pay for their own destruction. It should be clear if I am a producer of sugar, for instance, and must compete with an imported product produced by cheaper labor and under much more favorable

circumstances, it will, if nothing else, prevent me from obtaining a fair price for my product.

The point I want agriculture to bear in mind is this: The present trade pacts and trade agreements are very important to the present planners in the administration, for such importation is actually a club beating the profits of our farmers into the ground by cheaply priced importations. Should farm prices go up, we will hear, as we have in the past, that prices on certain commodities are too high. This is supposed to be a warning for price reduction. If the producers fail to comply with this warning, importations will be increased up to the point where our own people are driven out of the market by merchandise admitted practically duty-free.

This governmental stupidity goes a little further than that, for we loan money to foreign countries to engage in competition with our own farmers, as we have done in many countries and so we did when we extended credit to Brazil for \$120,000,000. The queer part of these transactions may be found in this glaring fact, that the Federal Government borrows this money on the credit of the United States, on the credit of our own farmers, if you please, who must aid in the repayment of the principal and the interest. Is it any wonder that our agricultural structure, as well as all other business structures, are undergoing rapid dissolution? I do not think so. Our own people are even beginning to realize the destructiveness of the present planning, for I shall now quote from a letter which, in my opinion, is apropos:

JUNE 5, 1939.

HON. J. THORPELSON, M. C.,

United States House of Representatives, Washington, D. C.

MY DEAR DR. THORPELSON: Since I am writing you one letter, I want to give you an interesting incident which came to my attention recently. I went for a short vacation for several weeks to Seattle, and on the train I met a Japanese who appeared to me to be a very keen businessman, so I entered into conversation with him. As he sat across the aisle from me in the coach, I told him I would like to sit by him and ask him a lot of questions, because I was interested in Japan and the Japanese and in what they were doing.

One of the first statements was that the American people waste more than enough to care for Japan and its war. Another statement that interested me very greatly was the fact that he said there were no unemployed Japanese; that many of the Japanese young people came to this country to be educated in our schools and universities, to return to their own country and use our business methods for the development of a greater Japan; and he cited as an incident that practically all of the young Japanese now are being sent to Brazil. He said that in a short time Brazil will become Japanese, and Brazil will raise more and better cotton than our Southern States; that Japan will raise in Brazil more and better wheat than all of our wheat areas.

He said to me, "You are a funny people. You are subsidizing Brazil for the profit of the Japanese." I objected, and he said, "You call it making a loan to Brazil; we call it subsidizing Brazil, because we do not believe you will ever get it back, even the interest"; and he laughed and said, "It is all for Japan as subsidy for the Japanese in Brazil." He told me also that they were overrunning Mexico, even to our southern boundary over to the California coast. He said, "Soon we will not have to buy your oil; we will have Mexico oil. Our young men are going into Mexico as doctors, merchants, and lawyers, and soon Mexico will be filled with Japanese, and we will be able to get all of our oil from Mexico as we get wheat and cotton from Brazil."

To my amazement, in last week's Life there was an article of Brazil, and the picture showed Japanese working, and the heading of the article was "The Japanese Take Japan Into Brazil." It is the issue of Life that had the picture of Mrs. Roosevelt on the front page. It made me do a lot of thinking. As a result it has occurred to me why we should not be able to use part of our unemployed at least, under direction of those who are capable, to take United States into Brazil and follow our great industries there, and follow our subsidy even as well or better than Japan is doing—at our expense. This may not be worth a second thought, but it occurs to me as a possibility.

Sincerely,

J. L. SHERBURNE.

I shall ask my colleagues to read this letter very carefully. It shows business acumen and farsightedness on the part of Mr. Sherburne, two qualities which are necessary for those who are employed in the Federal Government. This gentleman stated in his letter the very issues which are in controversy today, and which have, more than anything else, brought about gradual obliteration of our large farming interests throughout the United States. Loans of money to

other nations to develop their agriculture and restriction of our own agriculture can only be condemned, but importation of the same product after it has been developed by our money is, in my opinion, the height of folly, for it can only end in our becoming an importing nation.

As I look back over the past 40 years, I can see the tremendous trade we had in wheat, in cotton, in lard, in meats—as a matter of fact, in all farm production. Today, we are, because of fanatical planning, leaving our own farmers in misery and poverty by engaging in planned destruction of farming as well as other business.

How can this be corrected? It can only be corrected in one way, and that is by placing a protective duty on all articles that can be raised or manufactured within the United States and its territories. If we can reduce Federal operative cost to where it was 28 years ago, we can operate within profit even with little or no export trade. It is there we must begin now. We should abolish all trade pacts and trade treaties, place duties upon all competitive imports, and an export duty upon war material. This will act as a protection for our own people, and for the protection of innocent foreign peoples by making wars costly to those who engage in the destruction of lives. Both taxes will aid in defraying the expenses of our Government and in restoring the rights of business and agriculture to operate unmolested and free from foreign competition and stupid Federal planning.

What Congress and the Federal Government should bear in mind is that profits may be restored by drastic decrease in overhead, and by drastic reduction in the Federal operative cost. The surplus accruing from such economic operation should be used to reduce the national debt, for no government can operate with a steadily increasing national debt as we now have, and with a constantly increasing deficit.

The greatest aid which can be given to the farmer is to allow him to operate under reduced taxation on his knowledge, instead of under Federal dictation. It is the duty of Congress to provide outlets and markets for the farmer, as well as for other business, and it is that I propose Congress consider seriously at this time. Let us first restore the home markets to our own people. When we develop a surplus in our production, let us endeavor to establish foreign markets for such surplus, or uses for surplus production in the manufacture of useful commodities.

I believe in full protection, and I am not opposed to armament, but the greatest security a nation can enjoy is that which is established when all of our citizens work in a united effort, "One for all, and all for one," to bring about national security and prosperity similar to that which we have enjoyed in the past. This cannot be accomplished by dissension, intolerance, or group segregation as we have today. Those who cannot go along with the principles of this Republic as set forth in the Constitution should be eliminated from the United States because they are anti-American and will always, no matter what happens, be a hindrance and a disturbing factor in the unity of this Nation.

Mr. DIRKSEN. Mr. Chairman, I yield 7 minutes to the gentleman from North Dakota [Mr. BURDICK].

Mr. BURDICK. Mr. Chairman, I am going to speak directly to the pending bill before the Committee. I am astonished by the provisions of this bill—the fact is I am amazed when I read it—but, since there appears no minority report, I take it that in the main the committee has agreed on the bill. I say candidly, however, that, were I a member of the committee that brought this bill in, I would at least have filed a minority report.

This Capitol here is seething with talk of balancing the Budget; that is, balancing our expenditures with our income from taxes. I am not opposed to reduced governmental expenditures, but I am opposed to taking the savings all from one single group. We have increased war appropriations, especially for the Navy and naval equipment, over \$1,000,000,000, but to meet this unnecessary and useless expense we are taking the appropriation away from the farmers of this country—the actual backbone of the Nation in time of peace and absolutely indispensable in time of war.

We could not move a wheel in time of war without the farmer. No navy or army can operate without food, yet the very food factories of the Nation are being destroyed before there is any war in sight. Stop and compare a moment the value of a \$75,000,000 battleship that can be blown up in 10 seconds with 75,000,000 bushels of wheat to feed the Army, the Navy, and the people of the United States.

Members of Congress are reciting in chorus nowadays: "Balance the Budget and save the country." In order to do this a majority of Republicans and Democrats are voting to take these appropriations away from the farmers.

I call attention to the following as some of the major cuts in the bill: Parity payments have been omitted \$225,000,000; the Commodity Credit Corporation has been cut \$113,000,000; farm tenancy, \$25,000,000; sugar, \$47,000,000; eradication of tuberculosis and Bang's disease, \$4,000,000; National Forest Service, \$2,000,000; new lands for national forests, \$2,000,000; soil conservation, \$3,000,000. All these items taken together, with minor slashes, make a grand total of \$666,000,000. Everyone knows that if these payments went out to the farmers, as they have a right to expect they will, the least we can do will be done for 38,000,000 people in this country.

Mr. RANKIN. Mr. Chairman, will the gentleman yield? Mr. BURDICK. I yield.

Mr. RANKIN. Let me say to the gentleman from North Dakota that, while I would like to see the Federal Budget balanced, I am not willing to balance it on the distressed farmers of this country, and until we do something to raise farm prices back to their normal levels we are simply penalizing him unjustly when we cut down the appropriations for the benefits he has been getting for the last few years. If they will restore the farmers' purchasing power to 20-cent cotton and \$2 wheat, I will help to balance the Budget, but I am not willing to balance it at the expense of the farmers of the country, while they are selling their crops below the cost of production.

Mr. BURDICK. There is a budget in this country that ought to be balanced, I say to the members of this Committee, and that is the budget of human welfare. When people have to go hungry, dress in rags, and sleep where they can, it seems to me it is of greater concern to relieve these conditions than it is to have both sides of the ledger meet in the bookkeeping system of this Government.

Mr. RANKIN. Mr. Chairman, will the gentleman yield further?

Mr. BURDICK. I yield.

Mr. RANKIN. I agree with the gentleman thoroughly on that point. We shall never restore prosperity in this country by hoarding the gold supply of the world and burying it in the ground and then borrowing money from the rich and giving it to the poor for the farmers to pay back throughout the future years with compound interest. If, however, we would take that gold and silver and remonetize it at a reasonable ratio, of say 16 to 1, and put it into circulation, or issue currency against it and put the currency into circulation, we could raise the farmers' prices back to their normal levels and restore prosperity. Then the Budget would balance itself.

Mr. BURDICK. The gentleman is right.

Mr. MURDOCK of Arizona. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. MURDOCK of Arizona. I shall take only a moment to endorse what the gentleman just said, that to balance the budget of human needs is more important than to balance the Budget of the National Treasury. While I am anxious to have a balanced financial Budget, and that as soon as it is wisely possible, I fear we are about to make a terrible mistake in this measure by taking it out of farmers.

Mr. BURDICK. Everyone knows that even with these payments the farmers are getting far less than they are entitled to, but take those payments away and the total insecurity of the farmers will be complete, but those who shout "balance the Budget" will be appeased. They can take this \$666,000,000 and build nine battleships and the country will be saved.

The slogan of balancing the Budget is the only issue candidates for the Presidency harp upon. They all shout, no matter to which party they belong, "Balance the Budget." I am sorry to see such stupidity emanating from those who would like to carry the Republican banner. There is a budget that should be balanced. It is not the Budget in dollars and cents in a bookkeeping transaction but it is the budget of human welfare. People who are hungry and in rags, sleeping where they can, and out of work through no fault of their own at least have the right to life. The general welfare of the people of this country means more than even figures on the sides of the national ledger.

We need to offer opportunities for people to work—that is our job here; we need to strengthen the national defense by putting our farmers in order to produce food. That is what should be balanced. But no, sir. This Congress will not listen to that philosophy. The very first stroke in attempting to balance the Budget in dollars and cents is to take away from the backbone of the Nation its power of resistance against the depression. The 38,000,000 producers of this country will be less able to take care of themselves and feed the Nation—including the Army and the Navy—in the event of war. The number of jobless will increase. The farmers, like Dante, will be driven as fugitives from their own cities, but when the work of desolation is completed the same cities will claim the bones of their exiled Dantes and commemorate their lives with edifices and temples. It will then be too late, and our experiment of a government of life, liberty, and the pursuit of happiness will exist only in the musty pages of a forgotten history.

Many who vote to deny these appropriations to the farmers will hide behind the Bureau of the Budget. The Bureau of the Budget recommended that these appropriations to the farmers be eliminated. There is absolutely no logic in this argument. If the Bureau of the Budget is to be blindly and submissively followed, why have a Congress at all? It would be a shorter cut to let the Bureau of the Budget do the appropriating as long as the Congress is hog-tied to what it recommends.

I hope we shall have a few Members of Congress who will stand up here and be counted. If we cannot defeat this plan to strip the farmers of their just appropriations, we can at least let Congress look at its own stupidity.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 1 additional minute to the gentleman from North Dakota.

Mr. BURDICK. I am not one-sided in this Congress on legislation. I have voted for bills that helped the cities; that have helped the East, the South, and the far West.

I am willing to contribute to the general welfare of this Nation, because one section cannot be poor without affecting every other section. Today, when we are confronted with having the farm class of America, 38,000,000 people, stripped of the only means, in my judgment, that will enable them to continue during the year 1941, we ask the same consideration from the men in Alabama and from the cities whom we have helped when matters concerning them were before this body. Our Nation's entire welfare is at stake in this bill. The East cannot sell if we of the West cannot buy. In the end the entire Nation is injured when you make it impossible for the farmer to survive. Put back these appropriations. Do not increase the relief clients—do not make this great Nation defenseless. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Chairman, before I speak on certain items in this bill, I want to let the members of the Committee of the Whole House relax, for a minute, while I read them a bit of official humor. I do this for a purpose, because it shows that mistakes can be made even with the best of intentions, and I think that even with the best of intentions some mistakes have been made in the bill that is before us.

The paragraph I wish to read is germane to this bill. It deals with agriculture. It is in the official Federal Register for yesterday, January 30. It gives the penalties for the ranchers in Jones County, S. Dak., if they plant cotton in excess of their quota.

Now, the gentlemen from the South who have been worried about cotton competition should take heart. My farmers will be penalized if they plant too much cotton. The gentlemen from the North who have worried about corn in the South can cease their worries. They may get cotton quotas, too.

Let me read from the official Federal Register, the official 1940 bulletin on the range conservation program for Jones County, S. Dak., section 4, paragraph C. It is headed:

EXCESS COTTON ACREAGE

C. Excess cotton acreage. Any person who knowingly plants cotton on his farm in 1940 on acreage in excess of the cotton-acreage allotment established for the farm in 1940 shall not be eligible for any payment under the provisions of the 1940 Jones County, S. Dak., Range Conservation Program. Any person having an interest in the cotton crop on a farm on which cotton is planted in 1940 on acreage in excess of the cotton-acreage allotment for the farm for 1940 shall be presumed to have knowingly planted cotton on his farm on acreage in excess of such farm cotton-acreage allotment if notice of the farm allotment is mailed to him prior to the completion of the planting of cotton on the farm, unless the farmer establishes the fact that the excess acreage was planted to cotton due to his lack of knowledge of the number of acres in the tract(s) planted to cotton. Such notice, if mailed to the operator of the farm, shall be deemed to be notice to all persons sharing in the production of cotton on the farm in 1940.

When my western ranchers see that, I can safely promise you that none of them will exceed their cotton quota. Jones County, S. Dak., is in the very heart of the short-grass country west of the Missouri River, and the only native cotton that grows out there is that on the tail of a bunny rabbit or that which floats from a cottonwood tree in spring. The county seat of Jones County is named Murdo, Murdo McKenzie, for the great cattleman whose herds ranged there many years.

Some of you gentlemen from the South who are worried about competition in cotton, I give you fair warning—look out for cotton from the cow country.

Mr. RANKIN. Will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Mississippi.

Mr. RANKIN. Since the weather map has been turned upside down, and the thermometer is below zero, and my part of the country, much of which is covered with 2 feet of snow, maybe that is not a bad provision.

Mr. CASE of South Dakota. Perhaps I should send word out to the boys in South Dakota to start planting cotton.

Mr. Chairman, this shows that accidents can happen. I think that accidents have happened and mistakes have been made in this agricultural appropriation bill. I have too much respect for the membership and the intelligence of the members of that committee to believe that in every instance they had full information before them when they acted.

DRY-LAND EXPERIMENT STATIONS

Let me direct your attention, first, to the item for dry-land experiment stations in the Bureau of Plant Industry. Last year, there was appropriated for these stations, \$226,828. The bill before us proposes to cut that to a flat \$100,000, a cut of 53 percent. It means wrecking a program that has been going on for 40 years. There are 24 items under the heading of this Bureau, with a total appropriation last year of \$5,408,009. This total is to be cut to \$4,878,249, a cut of \$529,760; a cut of less than 8 percent for the items exclusive of the dry-land stations, but there a cut of 53 percent to account for one-fourth of all the cut made against the 24 items in the Bureau's activities.

Let me call your attention to some of the remaining items. You will find them on pages 20 and 21 of the report on the bill. The subcommittee proposes no cut for the \$49,000 for Arlington Farm; no cut in \$76,000 for work in botany; \$500,000, a half-million dollars, for cereal crops and diseases; \$400,000 for cotton and other fiber crops and diseases; \$47,000

for drug and related plants; \$77,000 for experimental greenhouse maintenance, which was no cut; \$225,000 for fertilizer investigation, which was no cut, in spite of all the money that has been appropriated for fertilizer investigations by the T. V. A.; \$265,000 for forest pathology, a quarter of a million dollars; \$1,250,000, over a million dollars, for fruit and vegetable crops and diseases; \$25,000 for genetics and biophysics; \$125,000 for irrigation agriculture; \$45,000 for mycology and disease survey, which was not cut; \$54,000 for a national arboretum; \$48,000 for nematology; \$39,000 for soil microbiology investigations, which was not cut; \$300,000 for sugar-plant investigations; and \$140,000 for tobacco investigations.

Money for all these, but when it came to the item for dry-land agricultural experimental stations, the stations which serve the people in one-fifth of the total area of the United States, the subcommittee, for some reason or other, has cut the appropriation of \$226,000 last year down to \$100,000.

In a total reduction of \$529,000 on 24 activities, \$126,000 was taken out of dry-land stations alone.

I want you to know what that is going to mean.

Mr. FERGUSON. Will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Oklahoma.

Mr. FERGUSON. I called the Bureau of Dry Land Agriculture and they tell me if this is cut down to \$100,000 it will close every dry-land agricultural station in the United States with the exception of two.

Mr. CASE of South Dakota. And it will reduce those two.

Mr. FERGUSON. And it will reduce those two.

Mr. CASE of South Dakota. So that the Members may understand exactly what will happen, I want to give a list of the stations that will be wiped out. Under the appropriations proposed, there will be no funds for these dry-land stations and the buildings that the Federal Government owns at these various stations will be allowed to rot. These are the stations that will be absolutely discontinued under the recommendation of the subcommittee:

Havre, Mont.; Huntley, Mont.; Akron, Colo.; North Platte, Nebr.; Hays, Kans.; Dalhart, Tex.; Tucumcari, N. Mex.; Sheridan, Wyo.; Big Spring, Tex.; Lawton, Okla.; Newell, S. Dak.; Pendleton, Oreg.; Garden City, Kans.; Colby, Kans.; Archer, Wyo.; Dickinson, N. Dak.; and Moccasin, Mont.

There you are—17 stations in States scattered from Texas to Oregon, all through the West. Stations Federally owned, from 40 to 360 acres in size, stations with buildings, records, and equipment, and getting only from \$3,000 to \$9,000 annually out of this appropriation. I think the one in my State gets \$4,075. All wiped out. The only two stations that will remain of these dry-land experiment stations in the entire western part of the United States will be the ones at Woodward, Okla., and Mandan, N. Dak., and both of those stations will have to take a substantial cut.

I doubt if any Member of the subcommittee actually realized the situation or had ever visited these stations and been familiar with their work. These are research stations that have been cooperating with the farmers in the various communities. Some of them have been in operation for over 40 years and they will be wiped off the map.

These are old-line research stations. They are stations which are appreciated by the farmers. The one I know best has an exhibit day every summer. Two thousand farmers come there for a field day to investigate the work that has been done in feeding and the experimental work that has been going on in crops. Last winter I got a picture showing 300 farmers there in midwinter on a day when it was 10° below zero to study the results of a lamb-feeding experiment.

These are the stations that furnish the information to the Farm Credit Administration on which they base their loan policy—telling them of the soil capacity of the land. These are the stations from which the Farm Security Administration can get information as to what crops have the best chance of success in the surrounding area. These are the stations from which the several agencies of government get concrete records as to rainfall and crop production. They

are the ones that give advice to the farmers and to the agencies of the Government as to what crops should be avoided and what should be planted. Their work is constructive. They use very little money. They help the farmer to help himself.

The only suggestion I could get from any member of the subcommittee was, "Well, we are buying some land and taking it out of production. Why should we be maintaining dry-land experiment stations in that area of marginal land?"

I fear the committee has been seeing The Plains picture. Despair propaganda has registered too heavily. Why, bless you, not all the land in the western half of the United States is marginal land. In every one of these States there is some of the finest land and some of the finest people to be found in the country. They have not all gone. Only a small fraction, in fact. Our farmers are sustaining their communities. They have their churches and their homes. They are not going to move out. If you cut out these dry-land stations and tell these people you are not interested in them, they are not going to move out anyway, because they love the West. You are not going to drive them out by choking off these dry-land stations. And it is far better to put \$4,000 into these stations and let them help these people make a living where they are than to try to drive them out and tell them you want them on the relief rolls. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 5 additional minutes to the gentleman from South Dakota.

Mr. PIERCE. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Oregon.

Mr. PIERCE. I do not want the gentleman to miss the point that the value of these stations lies in their accumulated knowledge, the knowledge accumulated from year to year. What they have done through a series of years will all be lost if these stations are now closed or are even closed for a year or two.

Mr. CASE of South Dakota. The gentleman is absolutely correct. These stations have built up weather records, they have built up production records, they have built up records to show what trees to plant, what wheat and grasses to grow, what shrubs to control erosion, and other services in an economy adapted to the country they serve. I cannot believe that the committee understood the situation. I believe that when this matter comes before us at the time the bill is considered under the 5-minute rule the committee will accept some adjustment of this matter. I certainly believe the House as a whole will support a move to put back in the bill what should be placed there to maintain these stations. It is a small amount. Certainly it would be a shameful thing for this Congress to penalize these stations and the whole West in this way.

There are other parts of the bill I should like to discuss and in my extension of remarks I shall refer to them. Just now I want to mention briefly two topics.

THE SOIL CONSERVATION SERVICE

First, I want to say something about the Soil Conservation Service and the voluntary work that is being started by the farmers through soil conservation districts.

The charge is often made that the Government these days is regimenting agriculture; that the farmer can no longer control his own destiny or do anything to solve his own problems, and that independence is but a memory back on the farm. In one respect at least, I deny that this is true.

I am speaking of the work being done to conserve the Nation's soil and water resources, the work done by the agency known as the Soil Conservation Service. No one disputes the great need for conservation. Saving America's soil resources is one of the great jobs we have to undertake, whether we like it or not.

About 5 years ago we authorized the establishment of this Soil Conservation Service. We created it and told it to go ahead and do something about soil erosion, floods, silting, and so on. Well, in the 5 years this organization has done

something. It is working in almost 900 different areas across the country on more than 200,000,000 acres. It is controlling erosion. But the way it is working is the important thing. Instead of walking onto a farmer's land and telling him that he will have to do thus and so, the farmer himself is enlisted to do the biggest part of the job himself. With a little bit of technical assistance, the farmer solves his own problem.

The Soil Conservation Service has encouraged the formation of soil-conservation districts. Let me tell you what they are. Some of you may be confused, thinking this is a part of the A. A. A. Soil-conservation districts are something new in American agriculture.

Under most State laws for soil conservation, any 25 farmers may petition a State soil conservation committee for the formation of a district. Then, through a process of public hearings, public referenda, and public elections, the farmers themselves decide whether they want to have such a district. If they vote "yes," the district is established. If they vote "no," that's the end of it.

If a district is formed, the farmers get together, go over common problems, develop a common program, and go to work. By organizing and going to work together, a long stride has been taken. We will never have a permanent solution to our agricultural problems until the farmers themselves play the major part in the solving.

One of the big problems is soil conservation. A farmer often needs a little technical help in laying out terrace lines, or in planning the correct crop rotations, or in building dams or drainage.

That is where the Soil Conservation Service comes in. The farmers of a district can turn to this Service and ask for this technical help. I do not know all about the S. C. S. districts. Nobody does. They are new. They have problems, of course.

But in a little more than 2 years, 221 soil-conservation districts have been voluntarily formed in 27 States. These districts cover more than 120,000,000 acres. The growth of this district idea has been phenomenal. No one had any idea it was going to spread so rapidly.

So far, I am advised, the Service is working actively with the farmers of 165 districts, at the request of the districts. More districts are being formed almost daily. More requests are coming in for this technical help from the Soil Conservation Service.

I am told that the present Budget estimate will not permit continuation of the present program, let alone meeting the ever-increasing requests for help that are coming in from newly organized districts. Before the present fiscal year is over, the service will be working with the farmers of about 235 soil-conservation districts. But the present Budget estimate for 1941 will permit cooperation with only about 190 districts.

On the basis of the present rate of district formation, there will be more than 420 districts requesting the assistance of the Soil Conservation Service in 1941.

If we are to provide this assistance to farmers and carry on the other phases of the Soil Conservation Service program we will have to make some changes in the bill before us.

The 1940 appropriation was \$23,720,584 but the 1941 Budget estimate calls for only \$20,090,750. According to the hearings, service for the districts that will be operating in 1941 would call for increasing the 1941 appropriation by \$4,157,100 over the 1940 amount. Summarizing—

Appropriation for 1940, \$23,720,584; Budget estimate for 1941, \$20,090,750; needed for 1941, \$27,977,684.

Surely, this matter deserves consideration when we reach that point in the bill.

SMALL WATER FACILITIES

And in the minute or two remaining I want to call your attention to the item of \$500,000 for the water-facilities program approved by the Budget, but eliminated by the subcommittee. I understand some of the members of the subcommittee were very much in favor of continuing that program, but it was dropped because of the feeling, possibly, that this is a duplication of the work of the Bureau of Reclamation in the Department of the Interior.

Such a feeling arises from a misconception. The \$500,000 for the water-facilities program is distinctly limited by legislation, as well as policy, to small projects. This money is used for drilling wells, building small stock-water dams, and doing other similar work on individual farms, which calls for a close relationship between the lending agency and the farmer. The Department of Agriculture has a financing and collecting agency in the Farm Security Administration and has the Soil Conservation Service to provide the technical service that is necessary for building a proper dam and doing things of that sort. The Bureau of Reclamation has not engaged in this individual farm work and does not have the facilities or the machinery for undertaking individual water-facility projects on individual farms.

This \$500,000 is for that type of small project. I honestly believe it would be expensive if you tried to transfer that particular activity to the Bureau of Reclamation, which is engaged in large-scale public-works construction.

Mr. HOUSTON. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Kansas.

Mr. HOUSTON. I believe the gentleman, as a member of the general Appropriations Committee, will agree with me in this observation: That the appropriation for carrying the stamp plan dealing with surplus commodities was not eliminated because of the plan itself; it was eliminated on a point of order because there was no authorization of law for the continuance of the item.

Mr. CASE of South Dakota. The gentleman is correct. That is my understanding also.

Mr. HOUSTON. At least, the fact that the plan was eliminated from the bill is no reflection on the plan itself.

Mr. CASE of South Dakota. As far as I understand, there was nothing that came up on that point. I may state further, as a member of the special joint committee that was created in the House and Senate during the special session at the instance of the Speaker, that when we attacked the problem of emergency drought and flood relief the Surplus Commodities Corporation was very helpful and was the one agency that could come in the pinch and offer surplus commodities to avoid actual suffering in emergency areas.

Mr. HOUSTON. I have had between 50 and 60 Members of Congress in the last 24 hours speak to me about this appropriation item. They wanted to know if it could not be put back in the bill. Of course, it cannot be put back in the bill in the House. It might be put back in the Senate, and if it is put back in the Senate the House conferees later can bring the matter up for a vote in the House.

Mr. MURDOCK of Arizona. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. MURDOCK of Arizona. May I ask whether the \$500,000 for the water facilities was taken out of the bill?

Mr. CASE of South Dakota. It was stricken out in the subcommittee.

Mr. MURDOCK of Arizona. I greatly regret its loss and hope it will be only temporary, because I think that provision is one of the most urgent needs of the West. Of course, there is a bill pending to authorize an appropriation for the Bureau of Reclamation to build out of the reclamation fund small projects, not to exceed \$50,000. Much as I favor that, the authorization is not yet passed and the money has yet to be appropriated. You and I, coming as we do from the arid or semiarid West, recognize the great work of the Bureau of Reclamation.

Mr. CASE of South Dakota. Yes; and nothing I have said here is intended to reflect on their work. They do a great job in construction and management of irrigation projects. It is simply a question of whether this matter of building small projects, stock water dams, and wells should be transferred from the Department of Agriculture, which has a representative in practically every county in the country, to the Bureau of Reclamation in the Department of the Interior, which has no such personnel organized for servicing scattered individual farms.

Mr. MURDOCK of Arizona. I favor both programs and hope that the enactment of the one will not interfere in the enactment of the other.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 20 minutes to the gentleman from Texas [Mr. JONES].

Mr. COOLEY. Mr. Chairman, I make the point of order there is not a quorum present.

The CHAIRMAN. The Chair will count.

Mr. COOLEY. Mr. Chairman, I withdraw the point of order.

Mr. JONES of Texas. Mr. Chairman, I sometimes wonder if most of our troubles do not arise from misunderstanding. I wonder sometimes, with the many things that are calling for the attention of the Members of the House, that they can get as well informed on subjects as they do. For this reason it is surprising that so many mistakes are avoided rather than that so many are made. But in the light of the history of this House, and especially the experience that I have had in it, it is surprising that on a measure as important as this, the Appropriations Committee, which I understand only took final action the last day on a bill that was only presented to them the day before, should see fit to cut out 51 percent of the total appropriations. I said yesterday 47 percent, but I find that when we take the appropriations and the reappropriations for this year and for the coming year, it is a 51-percent cut. I cannot help believing that the men who did that did it without going deeply into this problem.

Thirty-one percent of the American people live on the farm. We have a Budget of \$8,000,000,000 or \$9,000,000,000, and they cut this entire appropriation, for every phase of agricultural work, to \$640,000,000, a very small percentage of the National Budget.

I am willing for agriculture to take its share of any reasonable cut, but this is an overwhelming thing, all out of proportion to the other reductions.

There are 200 different commodities in the farm production of America. This is a broad, big country. There are many phases of the farm problem, and when a committee undertakes to eliminate certain items in toto, I am wondering if they do not go beyond their province. When the House has authorized, by its solemn decision, a certain activity, I doubt whether the Appropriations Committee should take the responsibility of completely eliminating those items without action on the part of the House. I concede their right to vary the amount of the appropriations after investigation, but in these items they eliminate a number of them, and a number of tremendously important ones.

No man can solve the farm problem with a single bill. I suppose there are many people who think they have a solution before they go into it very thoroughly, because there are nearly 400 bills pending before the Committee on Agriculture. We have five subcommittees. But the problem is too varied and no single bill can do it.

The roots of this problem are in the tariff, which in varying degrees has been in operation more than 100 years. I am not going to discuss the merits or demerits of that subject, but anyone who has studied the question knows that the application of the tariff is lopsided in its effect as between agriculture and industry, so recognized by the original founder of the tariff and recognized by the original leader of the opposition to the tariff. Through the processes of 100 years that lopsided condition has been developed until this country became unbalanced in its economy, making it necessary for some sort of action to be taken to bring back the balance between agriculture and industry, because if you destroy the market for the products of industry by destroying the purchasing power of a great segment of the country, you ultimately destroy industry itself. Paralysis cannot come in one part of the body without ultimately reaching the head and the heart.

I was not surprised on yesterday to hear some Members say that our efforts along the line of the farm problem solution had been a failure, but I was surprised to hear that statement from one who has always been a friend—and a fighting friend—of agriculture. I almost felt like saying et tu,

Brute, when he wielded the dagger and drove it into the heart of agriculture. I can but believe that he was acceding to the wishes of the entire committee. In fact he stated as much later.

When a man says it has been a failure I ask him, if he has even a short memory, to go back to the time when we had 10-cent corn, 20-cent wheat, and 5-cent cotton; when they took judges out in Iowa and other parts of the great West and threatened to kill them, and when millions of blameless people were shuffling in bread lines, helpless, hungry, and despairing as a result of this continual overbalancing of the different interests of this country. When the cash income of the farmer got down to \$4,358,000,000 and now in 1939 it is nearly \$10,000,000,000, do you think that the legislative program that helped bring that change about is a failure? There are many things that this administration has done.

We established the Farm Credit Administration. In the first 4 years, beginning in 1933, we refinanced more farms in the United States than had been refinanced in the previous 16 years of the land bank history, and we refinanced them at the lowest farm rate of interest that ever prevailed in the United States, and the lowest that has ever prevailed in any great country in the world. Was that a failure?

We have the Agricultural Adjustment Act, under which provision is made for soil conservation and for the rebuilding of the soil of America, in which every man, woman, and child in this land is interested. Anyone can read the story of China, once the richest country in the world almost, where the hillsides were plowed up, the rocks were taken out, the trees chopped down. Then the rains descended and the floods came and beat upon those hillsides and washed the soil down into the valleys, which became overpopulated and overcultivated, and finally on into the streams. Read the story of how the women gather up the soil along those streams and carry it back to the hillsides in baskets on their heads and on their shoulders; and then talk about that being a failure.

Then we have the Tenant's Purchase Act. I am wondering—I would just like to know how many of the committee members really read the testimony before they took a vote on that? That is one of the most tremendous problems in the world, and one of the most important.

My friend, the gentleman from Massachusetts, said something about going back home. How can a man go back home when he has no home? In some of the States of the United States 70 percent of them do not have any home that they can call their own. It is less in other States, but 42 percent of the American farmers are homeless. Of course, there is merit to their complaint that we are not solving this problem the first year. I wish we could do it. I wish provision could have been made, but in the judgment of the House we were not ready for that and could not go that far. But if you had a child afflicted with pneumonia or some dread disease, because you could not get the best doctor in America, would you kick her out into the street and say "die," because you cannot get the best for her? Or would you say, that because you could not solve all the problems of charity or the problems of sickness—therefore I will wrap my cloak about myself and do nothing for my neighbor? I do not believe you will do it when you think of it.

Listen, my friends, if there is anything that is dangerous to this country, or that will threaten this country, it is not an attack from without. I have enough confidence in the integrity, the spirit and the character of the American people, and in their resources and their willingness to fight, if necessary, to have very little fear of an attack from without. But if we neglect the problems that arise in this, the richest country in the world, and allow the seeds of dissolution to be sown, then we are in grave danger.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. I gladly yield to the gentleman.

Mr. BANKHEAD. Before the gentleman leaves that subject would he kindly refer to the evidence showing the manner in which these farm tenants are repaying their loans?

Mr. JONES of Texas. Yes; I will be happy to do that. I am glad the Speaker calls my attention to that.

Listen, my friends, we started on a modest scale, of necessity. Only about 7,000 loans have been made for the purchase of homes, because that was all the money we had. It has been distributed all over the Nation. Of that 7,000, less than 4 percent are delinquent in any payment whatever, and there have been sufficient overpayments to run the total payments up to 159 percent of the amount of payments that were due. It is an amazing story. I took occasion during the summer to visit in a number of different districts and to watch the operations, the wonderful operations of that bill. I was amazed at the almost evangelistic interest which the county committees, which select these tenants, showed in their work. They impressed on the tenants this fact: "We want you to make good in the interest of the other tenants of the community. With the funds we have we cannot take care of all of you, but we want the ones who are selected to bend their energies to making good, in the interest of the entire program."

You cannot solve a problem like this overnight. The country that has probably the highest percentage of home ownership of small farm homes is Denmark. They tackled their problem in 1873 and are still carrying on the program. They have practically 99 percent home ownership—a happy, well-ordered, home-owning, and home-loving people.

The distribution of wealth is very even over there, and they have that patriotic zeal that comes from home ownership and from having an anchor in the ground and a place where they can lay their affections and build their patriotic feelings. You never find a people like that going into communism, bolshevism, or any of the "isms" that tend to destroy the life of a nation. If we will make this a nation of home owners on family-sized farms and average-sized city homes we need not fear the infiltration of these "isms." These are the cancerous growths that spring up on the various phases of an economy, no matter how rich. These are the little foxes that eat the grapes on the vine of national security and which threaten the stability of this country.

Mr. HOUSTON. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. I yield.

Mr. HOUSTON. Can the gentleman tell us how rapidly farm tenancy is increasing over and above the relief afforded by the program we appropriated for the last 2 years?

Mr. JONES of Texas. No one knows exactly, and all figures since 1930 are estimates. There was a very rapid increase up until 1930. Over several years of that period there was an increase of 40,000 per year. Actually there are no figures except the 1935 figures, which were not very thorough as to the growth since 1930. I am inclined to believe, however, that there has not been much of an increase since 1935, but that is purely a guess.

Mr. HOUSTON. How many claims are in default?

Mr. JONES of Texas. Of the 645 loans that were made the first year only 10 have ever been in default; and only 3 are now in default of the 645.

Mr. HOUSTON. Is it not a fact that most of the loans are going to the South because they have a heavier problem of farm tenancy? I know that in Kansas not much has been done to relieve farm tenancy.

Mr. JONES of Texas. It is divided in two ways: On the basis of farm tenancy combined with farm population, about half and half. The larger part goes to the heaviest tenant section, but not in proportion to the tenancy. Tenancy is weighted 50 percent and farm population 50 percent. These funds go into every State of the Union.

Mr. HOUSTON. In my State of Kansas there are approximately 45 to 50 percent tenant farmers, of the whole farm population of the State.

Mr. JONES of Texas. I have the figures somewhere for the various States. They have been put in the RECORD before. They vary from 6 or 8 percent to as high as 70 percent.

Mr. HOUSTON. It seems to me that in Kansas we are not making very fast progress with only 25 of these loans made in 105 counties; that is 1 for every 5 counties.

Mr. JONES of Texas. Let me state to the gentleman from Kansas that this is apportioned on the basis of funds available, and we have not had a great amount of funds. As I said before it is based on need and farm population, but its effects reach over the entire Nation. Now I would like to proceed, if I may.

Mr. GEYER of California. Mr. Chairman, will the gentleman yield for one brief question to which the gentleman may answer yes or no?

Mr. JONES of Texas. I yield.

Mr. GEYER of California. Will the current census give us figures on the farm tenancy problem?

Mr. JONES of Texas. The current census will, and I hope we may have the advantage of those figures at as early a date as possible.

Let me tell the gentleman something else: We so fashioned this tenant bill that an individual who owns a farm can turn it over and let it be handled by these people. I have had a number of landowners intimate that they were going to do this. I am hoping that some of these great philanthropists when they see the deep and underlying nature of this problem will, instead of endowing institutions alone, see fit to grant some of their lands to this organization for the building of homes and the establishment of individual homes. I can think of nothing that would contribute more to the stabilization of the United States on the part of a wealthy man than for him to give a few thousand acres, well located, to be turned into homes for the homeless, even though turning it over and accepting a small return would amount to a sacrifice. We have provided in another bill which we hope this Congress will see fit to pass, ways of broadening the solution of this problem.

Mr. HOUSTON. Mr. Chairman, will the gentleman yield further?

Mr. JONES of Texas. I yield.

Mr. HOUSTON. I would like to see it administered to distribute the benefits more evenly than to one county in five.

Mr. JONES of Texas. That is a real problem in many instances; but if with the small appropriation they went into all counties at once, the overhead cost might become prohibitive. But let me draw another analogy. A man has appendicitis and an operation is performed. The next day, when he is lingering between life and death begging for water which he cannot have, some unthinking person comes along and says: "That man is worse off now than he was before the operation. Why don't you get another doctor? Why don't you call in Dr. Quack? Why don't you call in the doctor who gave us 5-cent cotton, 10-cent corn, and 20-cent wheat?" I use him only in the abstract sense. I think he had a tremendously hard job to fill at a time when probably no man could succeed, and I am not offering this as a personal criticism but am just offering recorded facts of the conditions we faced.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 15 additional minutes to the gentleman from Texas.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield? I had not intended to get into the gentleman's speech until he got into the Hoover field. Now, I think I have a right to.

Mr. JONES of Texas. If the gentleman wants to get into that field, he has my permission.

Mr. GIFFORD. Has the gentleman added the amounts of the appropriations for the last several years and divided it by 7,000 to arrive at what the average cost has been?

Mr. JONES of Texas. The cost is limited by the terms of the act to not to exceed 5 percent for the entire overhead cost.

Mr. GIFFORD. My other question is this: What effect will this have on the home body politic? When you take care of one in a county, even selected by the board the gentleman speaks of, how many dissatisfied ones do you have left?

Mr. JONES of Texas. I went into that end with surprising results. I thought I would run into criticism. My friend from Missouri said he did. I went to 6 different places,

where I made that specific inquiry. They had about 25 or 30 applications for each place that was available. They called those people in and went over the matter and talked with them. I took the opportunity to talk to some of those who were disappointed, but they did not complain in a single instance. They said they regretted the program was not broad enough so they could get in, and they hoped the other man would succeed and that we would be able to broaden it.

Denmark did not accomplish her wonderful record in 1 day, 1 year, or 10 years. She has been working on this for 75 years. Those other Scandinavian countries, Norway and Sweden, have had low interest rates for the financing of their farmers and for the purchase of homes for a long, long period of time. Read the musty pages of history and you will find the secret of a nation's greatness as well as the cause of a nation's fall. When they failed to look after their farmers, when they ceased to be a pastoral nation, they did not last long. No nation should ever become overindustrialized, and no nation that has become overindustrialized has remained truly great over a long period of years. When industry and agriculture work hand in hand the best results are accomplished. The interest of industry is wrapped up completely in the balanced interest of agriculture.

Mr. GIFFORD. One more question. I fear the gentleman's ability.

Mr. JONES of Texas. The gentleman does not have to do that.

Mr. GIFFORD. One family in a county per year. How many years will it take before we will get enough to bring about that situation to which the gentleman refers?

Mr. JONES of Texas. Well, sir, we started with more money than Denmark started with in proportion to population. Of course, if we never expanded it would take a long time, but if we build or expand on the solid foundation of our experience we will succeed. I am not willing to admit that America cannot solve this vital problem.

We started the Federal road program with an initial appropriation of \$25,000. We started the rural-mail delivery with \$10,000, so I am informed. There must be a starting point. We should start wisely, but above all we should start. You go down to the Smithsonian Institution and look at the first automobile. You would not start from here to Alexandria in it. It does not have any lights, it does not have pneumatic tires, and it does not have a windshield. But did they kick it in the ditch? No. The genius of America kept on. They only built a few the first year. They then spread out. Go down there and look at the first electric light invented by Edison. It is a very crude affair. I understand he went all the way over to the Orient to get the strips from bamboo cane, not knowing anything about tungsten. It will make a little light, but not enough to read a platform of Republican promises by. But it does make a little light. Edison did not abandon it. The genius of America kept on until we have the great white ways of today. The other day I noticed that General Motors had manufactured 25,000,000 cars. If they had abandoned that car at first because they could not give everybody a ride, where would we be?

Mr. GIFFORD. That is a complete answer to my question, I presume.

Mr. JONES of Texas. I hope so. If the gentleman wants some pictures drawn we will get an artist to do it. I appreciate the gentleman and I appreciate his interest.

Mr. GIFFORD. I am afraid of the gentleman and his wonderful ability.

Mr. JONES of Texas. I hope the gentleman will not take my time to flatter me. I appreciate his good will; I know I have his friendship. He is a mighty fine gentleman and I am glad to have his good will.

We have done some other things. There is rural electrification. In 1933 when this terrible condition existed, less than 10 percent of the farms of America had electricity or the benefits of that wonderful commodity. When made in quantity it is the cheapest commodity in all the world. Through simple financing of these various associations at a low rate of interest more than 25 percent of the American farmers

have the benefit of that commodity. It is taking the drudgery out of the farm home. Do you call that a failure? Do you think that is not a step toward the solution of the farm problem? Do you not think that is a help toward clearing up the farm problem?

There is another thing here, the disposal of surpluses. That was provided by section 32, which we reported and which the House is responsible for. It originated in that section. It has worked in such a remarkable way through what they call the use of stamps that it is sought all over the country. We want to produce all that the market will absorb, both at home and abroad. We have made provision so that some of these funds can be used to lift the surplus glut in different parts of the country and distribute it in the cities. I cannot understand why anybody from the city would vote against that proposition so long as we have any relief or relief work bills, because the cities get about 75 percent of the advantage. It is one of those few things that serves a double purpose. It serves the farming communities and the city communities, and it saves the relief bills.

I am sorry the committee saw fit to throw this out. I understand it was done through a point of order. I am surprised anybody familiar with the provision would make a point of order against that great undertaking.

Then we have a provision for research into new uses and new markets for farm commodities. All successful industries carry on researches of that kind. We are building four great regional laboratories, one in the district represented by my very splendid friend, the very intelligent and very brilliant young man from Illinois. One of these laboratories was located in his district.

This is a nonpartisan measure. It always has been nonpartisan. We kid each other on the proposition, but, after all, the farm problem is the Nation's problem.

I am always interested in what my friend from Illinois has to say. He is such a wonderful talker he can talk the birds right out of a tree. I never have heard anyone more skilled in that respect. I have wondered many times how he could get so many facts, apparently thorough facts, but now he has used as an argument against this tenancy bill the South Dakota experience. I wish some Member from South Dakota would rise and tell us about that experiment. It was not a farm-tenancy program at all, as a matter of fact. Way back in the days of high land prices some of the banks wanted to unload their obligations, and they unloaded some of those obligations at a rate of interest up to 6 percent. You know the experience the Dakotas went through during that period, a rather unfortunate experience. I have not investigated it as thoroughly as I had hoped to, but I found many points that made it utterly out of parallel with this tenancy program.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I may say in justice to the banks and the people of South Dakota that it was not primarily a matter of unloading mortgages from the banks; rather, it was an attempt to secure lower interest rates for the farmers in South Dakota, which in part did succeed. However, we have an annual tax bill over the State exceeding \$1,000,000 a year now to make up the losses under our rural-credit venture. At the same time, however, it should be said that while the rural-credit venture resulted in some disaster and there were a great many foreclosures, and the State of South Dakota now owns some 7,000 farms—

Mr. JONES of Texas. Was there any disappearance of funds?

Mr. CASE of South Dakota. Not primarily in connection with that program, but, rather, in the handling of bank guaranty funds, which, in turn, closed banks and produced a cycle of foreclosures.

Mr. JONES of Texas. Some of the stories I have read indicated that there was some mismanagement.

Mr. CASE of South Dakota. There were some irregularities in rural-credit funds, but they were not a large part of the losses that the State now faces.

Mr. JONES of Texas. I do not undertake to say that there were, but I do undertake to say that that experience was gone over, and I have found it in the hearings when we had the original farm-tenant bill under consideration. Even if the experiment in South Dakota was carried on in the best of faith, as to which I have some doubt in the light of my brief reading, as much as I had the privilege of doing in the last 24 hours, I doubt whether it was altogether a pure farm-tenant proposition. Even if it were, however, it was started at a time—in 1920—when land prices were all out of reason, and the gentleman knows it could not have completely succeeded.

Mr. CASE of South Dakota. If the gentleman will permit, I may point out that, although South Dakota has been going through the wringer on that proposition, so have all the insurance companies and the banks and everyone else that had farm mortgages during that period.

Mr. SOUTH. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. I yield to the gentleman from Texas.

Mr. SOUTH. I may say for the benefit of the gentleman from South Dakota that I have been told it is a matter of record that the treasurer of the venture in South Dakota was short \$235,000, and that is one of the reasons the program failed.

Mr. CASE of South Dakota. Of course, that was a minor amount compared with the \$30,000,000 loss sustained.

Mr. JONES of Texas. Many of the banks, according to the records which were given to me, turned their obligations over to this organization. That experience may be one of those steps you have to go through in reaching an end, and I do not offer this in straight criticism, but the fact that a farm-tenancy program has succeeded elsewhere and is succeeding now makes the situation such that we cannot abandon the program entirely simply because there may have been a failure or a partial failure somewhere else. I am sure the gentleman from South Dakota would not want to do so.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. I yield to the gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. In order to be perfectly fair, is it not true that the present Farm Tenant Act has succeeded and that the tenants have paid even in advance?

Mr. JONES of Texas. The Chairman has already asked that question. The tenants have not only paid in advance, they have paid 159 percent of the amount due, and that is taking into account the entire number that have been refinanced.

I do not believe the development of 7,000 additional farm-home owners in America is a thing that should be "sneezed at," as we sometimes express it in the language of the street. I am rather proud to have that many more home owners in beautiful, family-sized country homes than we had when the program started. I do not apologize for it.

May I say also that we have pending before our committee now a measure providing for insured farm mortgages, in a plan very similar to Federal housing, which is working. This would greatly broaden this undertaking. I hope the House, in the light of the immensity of this project and its far-reaching, deep effect upon our national life and our national economy, will not break down the organization which has been built up and these county committees who have such a vital interest in the matter and who give so much of their time, practically without pay, to making it a success. I hope you will not dismantle this whole organization before we get fully started on the program.

We are now going ahead with the various parts of the program, and we are bettering the entire farm program. I believe we have the best program now we have ever had in this country. I know it is not perfect, but we are going to improve it. I hope that we may improve it as we go along, and I hope we will not turn back.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 5 additional minutes to the gentleman from Texas.

Mr. JONES of Texas. My friend the gentleman from Montana, Hon. JAMES O'CONNOR, who has always taken a very fine interest in farm legislation, asked me to call attention to another historical matter that I have mentioned before. The most fundamental principle in American life is the principle of equality in the application of the laws of the country.

That was written in the Declaration of Independence before we had a Constitution. It was carried forward in the Constitution. When the tariff act was first sponsored by Alexander Hamilton, its patron saint, in 1791, on December 5, when he made his report on manufactures, he recognized, honest as he was—while I do not believe in his general philosophy, I do recognize his intellectual integrity—he recognized that the placing of a tariff act on the statute books would be to the disadvantage of the farmer. He discussed that matter and suggested that when the tariff should be put into effect the farmers should be paid bounties as an offset to the tariff.

Now, that is not a subsidy. I get out of humor every time I hear them talk about a subsidy in connection with this legislation, and before I read this statement I want to call your attention to these facts.

I asked the Tariff Commission to give me the amount of industrial production in America. It was sixty billion and some million dollars in 1939. I asked them how much of that is protected by the tariff. They said they could not give me the exact figures but most of it is; that there is some of it on the free list but the greater part, in fact, a large percentage, is protected by the tariff. I ask what the average rate of the tariff is on an ad valorem basis and they said thirty-six-and-a-fraction percent. If you will take that \$60,000,000,000 and assume that 50 percent of it is protected, and take that thirty-six-and-a-fraction percent and say 40 percent of that is effective in the way of increased prices, you have increased prices on tariff-laden articles in this country amounting to nearly \$10,000,000,000.

I am not talking about the wisdom or the unwisdom of it, but taking as an example the cotton farmer who, with his wife and sometimes his children, bends his back in the blazing August and September sun and picks that cotton, sells it in a free market, and assumes the burden of those tariff-laden articles which he must buy, and then include the other surplus farm commodities, you will find that it would take a good deal more than the \$1,300,000,000 that we had in last year's bill, before complete restitution is made to the farmers for their added burdens under the tariff.

Here is what Alexander Hamilton said:

Bounties are sometimes not only the best but the only proper expedient for uniting the encouragement of a new object of agriculture with that of a new object of manufacture. * * *

The true way to conciliate these two interests is to lay a duty on foreign manufactures of the material, the growth of which is desired to be encouraged, and to apply the produce of that duty, by way of bounty, either upon the production of the material itself or upon its manufacture at home, or upon both. In this disposition of the thing the manufacturer commences his enterprise under every advantage which is attainable, as to quantity or price of the raw material; and the farmer, if the bounty is immediately to him, is enabled by it to enter into a successful competition with the foreign material.

The first tariff act was not passed that year. A few years later it was passed, but they forgot the second wing of the Hamiltonian philosophy and adopted just the first. Jefferson and his group assaulted it, but through the years the tariff increased, and, finally, the doctrine was announced in the early part of this century that if we are going to keep the tariff the surplus-producing farmers are entitled to an offset to the tariff as a matter of simple justice, and on that philosophy I will stand today, and I believe every man, whether he is a high-tariff man or a low-tariff man, should stand by that philosophy.

Upon the principle of equality among all its citizens, this country has grown from simple beginnings to a proud position of freedom and power. I hope it may remain in a balanced condition. I hope it may remain a true Nation of equal privileges under the law. I hope that whatever is done in the way of legislation may either apply to all of the people

of the Nation or the complementary part may be carried forward so that we may remain one great, united Nation, with a united economy in the interest of all our citizens with fairness and justice to all. On that basis we can go forward with the triumphant tread of victors. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from South Carolina, the ranking member of the Committee on Agriculture [Mr. FULMER].

Mr. FULMER. Mr. Chairman, I doubt if I take even the 10 minutes, because I believe it is useless to take even that much time. I do want to make two or three definite statements. I agree with my chairman that the subsidies, that we have been paying to the farmers, have been a wonderful help in increasing their purchasing power and they also tend to bring their prices up toward parity. However, up to this good hour we have not gotten their prices above about 75 percent of parity.

What I want to call your attention to is the major problem confronting the agricultural interests of this country and the Congress, and that is the farmers cannot continue to own and operate their farms when they only receive 75 percent of parity; in other words, it is impossible to buy a \$1 article with 75 cents.

I want to make this additional statement: While I have gone along with the program trying to make landowners out of tenants, and I expect to vote for this item as well as for an appropriation to pay parity payments, you cannot make landowners out of tenants until you stop the thing that is making tenants out of landlords. [Applause.] You have not done it. You are not going to do it until the farmers, as a class, are put on the same basis as these well-organized and well-financed groups of the country that have the country by the neck today. These groups have their State, regional, and national associations, whereby they talk over their problems, and where they thrash out their trade practices, rules, and regulations; wherein they are able to control their production, their distribution, and most of them fix the actual price down through their agents or distributors to the consumer. The consumer can take it or leave it. The farmers, my friends—and I am one of them—operate as individuals. Most of them do not have technical experience in marketing and distributing their products. In a great many instances he has not the financial nor business ability to market and distribute his product. He has no bargaining power as to price. There are thousands of middlemen operating between him and the consumer; many of them are real parasites, sapping the very lifeblood out of the producer and the consumer.

The gentleman referred awhile ago to the Scandinavian countries. It is true that over 90 percent of the people in those countries own their homes, their farms. Why? Because their Government is doing what our Government, with the cooperation of the States, should do, and that which we will have to do, if our farmers are to be successful, happy, and contented.

Their Government actually protects them from these monopolistic, price-fixing groups if they have any. They assist them and cooperate with them in a way that their marketing is done properly—their products, properly graded and distributed without all those middlemen, and at a price in line with prices they have to pay for that which they purchase. We had one of their citizens before our Committee on Forestry at our hearings at Portland. He said they were all happy and contented. Why are the Finns, today, putting up such a glorious fight? Because they have something to fight for—their natural resources, and they own their own homes. The great national resources of this country that should belong to the people, are in the hands of these selfish groups, and they are ruthlessly destroying these resources. In so doing it, they are bringing about increased tenancy and unemployment. This means poverty, misery, and communism.

I contend that it is useless for you to spend money to investigate communism unless you do the things in the interest of the unorganized farmers and consumers that I have been talking about; because you cannot stop that kind of thing with the conditions that are prevailing in the country today.

Let me call your attention to one farm product, and it is true with every one of them. I have beautiful sweetpotatoes in a curing house on my farm today, which my tenants labored hard and long hours to produce, and they are selling for 50 cents per bushel, while the consumers in the city of Washington and every other city are paying \$2 and \$2.50 per bushel. Why is that? It is because you have millions of parasites operating between the individual producer and the consumer, and they are well organized with their associations—State, national, and regional. They do the distributing, and they get theirs. If anything is left they give that to the farmer. They have their high-salaried men here in Washington lobbying around and, brother, I tell you, in my 19 years of experience, they get through what they want, and they keep down anything they do not want that may be in the interest of the consumer and the unorganized class of people about whom I am talking.

Now, what about the forest resources of this country? In the great Northwest, Michigan, Wisconsin, and Minnesota, where they at one time had 7,000,000 acres of beautiful timber, with manufacturing plants and people employed; farmers and wage earners with incomes sufficient to make them happy; today there are less than 2,000,000 acres sparsely covered with timber; unemployment and poverty running rampant; farmers losing their lands as tax delinquents. What is the next move? When I was out in Oregon recently a local paper in a county took 52 pages to advertise tax-delinquent land. These lands belong to individuals who were unable to pay their obligations and taxes because of their incomes.

Now, what is happening in many of the States? The State of Oregon, being unable financially to make these lands into State forest areas, they turn these lands over to the Forest Service, and the State is deprived of the taxes. Then these States and counties proceed to increase the taxes on the man who is still holding on to his land, and eventually he goes the same route, becomes a tenant. Already these States, and especially the counties, are demanding a larger payment from the Federal Government to help pay the running expenses of county government.

During the last few years, about 40 pulp and paper mills have moved into the Southeast. They have been buying up millions of acres of fine timberland that is protected by Federal fire money. That is, what these groups want is larger appropriations for fire protection. They are not cutting their timber. It is growing into wealth, but they are ruthlessly destroying every acre of farm woodlots, and at a price that is nothing but highway robbery.

Now, what are the facts? Do you expect to make a landowner out of a farmer, or hope to have farmers continue to be landowners, when he is getting 50 and 75 cents for a cord of wood, standing, and they are making him cut a cord and a quarter as a cord? There seem to be several agents between the farmer and the pulp and paper mills; with salaried men coming out from these mills, all of them getting two or three times more than the farmer is getting for that which he produces. As one lady wrote me the other day, "They wanted me to cut my cord wood 5 feet long and pile it 6 feet high, and offered me 50 cents per cord"; and in the meantime, she stated, "And the Federal Government is begging farmers to put out pine trees on their farm lands." These Federal departments are interested in appropriations creating new bureaus and new employees. Every State and Federal agency that appeared before our committee wanted additional money and employees. They stated they needed these to advise and educate the people. My friends, we have been spending millions along this line for the past 50 years, yet farmers, thousands of them, annually are losing their farms.

We have got to break up monopolistic price fixing, or we will have to put farmers in the same position in marketing and fixing of their prices.

I am for these appropriations for farmers, but we have got to do something to actually solve the major problem. If you stop these appropriations today, you will place the unem-

ployed and the farmers in the same position we found them back in 1933. I am hoping the Congress will not kid itself by a reckless spending of the taxpayers' money. In a great many instances it is just like throwing it into a rat hole. I hope instead that we will do the major thing that has got to be done. If we do not, we might just as well stop. [Applause.]

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, we are confronted with a rather anomalous situation. The very gentleman who comes before us and tells us that the farmers cannot make a living under present conditions; that they must have parity payments; that they must have their surplus crops removed and the removal paid for, on the other hand tells us that we must go on with this farm tenancy program at a cost of approximately \$6,000 or \$7,000 each to set farmers up in business. He tells us further that these rehabilitated tenant farmers are so prosperous that they are able to make not only all their payments on the moneys advanced to them but a living in addition. When does the gentleman describe the farm situation as it exists today, I ask him? I ask him how at the same time he can take a position in favor of continuing the farm tenancy program and at the same time say that the plight of the farmers in this country generally is so bad that we must continue parity payments?

I appreciate that, due to the terrifically destructive policies that have been followed with reference to the Labor Board and the Wages and Hours Act, which have helped prevent the employment of our people, economic conditions have been such that the market for agricultural products has been very largely destroyed. We must face this situation squarely; we must not dodge around. Let me say to you—and I have the releases from the Department of Agriculture to prove what I am about to say—with reference to these parity payments for the 1939 crop, the parity payments were 1.6 cents a pound on cotton, 6 cents a bushel on corn, 11 cents a bushel on wheat. A little further along in the release it is stated that, including payments that were made on account of soil conservation to the farmers cooperating, they received a total of 3.6 cents per pound on cotton, 15 cents per bushel on corn, 28 cents per bushel on wheat. This year the amount carried for soil conservation is the same as it was in 1939, including the unexpended balance that was made available, and my understanding is that the announcement has been made to the farmers that a bounty will be paid to them under the 1940 act of 1.5 cents a pound on cotton, 10 cents a bushel on wheat, and 5 cents a bushel on corn. With the soil-conservation payments the same, these bounty payments will practically equal the payments that were made in 1939.

Facing this condition, we must consider the situation as it actually exists. The figures I am about to give you I took from market reports. A year ago the spot market on cotton was 8 cents, today it is practically 11. A year ago the spot market on wheat in Chicago was approximately 58 cents a bushel, today it is 98. A year ago the corn market was approximately 42 cents, today it is approximately 60. In New York the butter market was 26 cents a year ago, today it is 33. The egg market was 18½ a year ago, today it is 25½. The only items where there has been a substantial reduction are beef and poultry.

Mr. PACE. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. PACE. The gentleman's figures are so much out of line with the facts that I wonder if the gentleman would mind stating the source of his information? Spot cotton is not bringing 11 cents; it is bringing hardly 9. Corn is bringing not 60 cents, but not even the loan value of 57 cents. What is the source of the gentleman's information? We certainly have to challenge those figures.

Mr. TABER. The gentleman could get these figures out of the daily papers. For cotton I was referring to the New York market, and I believe my figures are correct. There

might be a very small percentage of variation, perhaps one-tenth of a cent, or something like that, but that is all.

I am wondering how, with the picture I have presented, we can justify a vote for parity payments equal to the amount that was presented here a year ago.

How can we justify any action which is going to further wreck our economic structure? One of the reasons for the low price of agricultural products and one of the reasons for our unemployment is the terrific debt that we are piling up and the deficit that the Government is running. Every day that deficit goes on and is increased, prosperity is harder to attain. When we make an appropriation or make an attempt to create a situation that has no justification in fact, every move in that direction is a blow at the farmers of the United States. It is not only a blow at the farmers of the United States but it is a blow at the financial integrity of America and unless we take steps to put our house in order and balance the American Budget, we are going to bring down upon the farmers, along with the rest of the country, complete wreckage. I am not going to be a party to that situation. That is not helping the farmer. It is helping to ruin him. We must take a stand firmly against that kind of an operation.

I am going to discuss in the few moments I have available some of these farm tenancy operations. I have before me the hearings upon that subject and I refer to pages 940 to 950. You will notice that on page 940 they give an allotment to Ohio for these farm tenancy loans of \$911,000. On page 947 they give the same figure and there they give 109 loans. On 944 they say they are going to make 26 loans in Ohio.

With reference to New York, they say on page 940 that they are going to allot New York in 1940 the sum of \$311,000 and that they are going to make 53 loans. On page 944 they say that they are going to make 10 loans in New York. The whole thing is a jumble. Wherever I have seen the operations of this outfit, I have observed that they have gone into a community, they have picked out some favorite, bought a farm that was a headache to somebody else at a high price and have turned it over to somebody who did not know how to farm. Maybe that will help the farming situation, but it certainly is not a business proposition; and the people of this country are not going to get back on their feet until we get rid of that kind of an incubus on the Government.

Mr. SOUTH. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Texas.

Mr. SOUTH. Is the gentleman speaking from his own knowledge when he says they picked out farmers promiscuously who know nothing about farming?

Mr. TABER. I told the gentleman I was speaking of my own knowledge and with reference to the cases that had come to my attention. The gentleman can very readily see that with only 10 projects in New York my personal experience is not too extensive. I do know that where they have done it within my purview it has not been anything I would do.

Mr. SOUTH. I will say to the gentleman that in his own county and in every other county they have a committee composed of the residents of that county who are high type, high-class farmers, and those gentlemen select these tenants.

Mr. TABER. Do they pay this committee?

Mr. SOUTH. Yes; they pay them \$3 or \$4 a day.

Mr. TABER. There are no projects in the county in which I live, although it is a very substantial agricultural county. There are a few in my district. The whole set-up is bad.

Mr. SHORT. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Missouri.

Mr. SHORT. Will the gentleman inform the Members of the House the average amount of these loans? Will he give the average amount of each loan?

Mr. TABER. It is difficult to tell. If you figure it one way, it runs about \$30,000. If you figure it another way, it will run \$5,000 or \$6,000, depending upon which figures and which of the tables this outfit furnishes you take.

Mr. SHORT. About what is the overhead cost or administrative expense?

Mr. TABER. I am not able to answer that.

Mr. SOUTH. May I interrupt to say that it does not exceed 5 percent, as the gentleman knows, for administration expenses. The average per farm is between \$3,000 and \$4,000. The hearings show that.

Mr. TABER. The average per farm, according to Dr. Alexander, was \$5,000 to \$6,000.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. TABER. Mr. Chairman, the average of these items, according to the 1940 allotment, would be \$5,500, which is shown on page 947 of the hearings. In 1939 the average of these allotments would be approximately the same. In 1938 the allotments figure at about \$4,200 or \$4,300 on the average.

Mr. MURRAY. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Wisconsin.

Mr. MURRAY. Does not the gentleman think that possibly one of the greatest draw-backs to this program is the fact you take a man who is a nonfarm owner, put him in a community and let him have money at 25 or 50 percent less than his neighbors are carrying their load, and is it not true that that will have a tendency to break down the whole agricultural credit set-up?

Mr. TABER. It is very apt to.

Mr. MURRAY. In other words, you kick one man off the farm because he cannot pay two or three thousand dollars, turn right around, take the hired man and give him a farm, paying \$10,000 or \$12,000 for it, spend a lot of money on buildings and more money on improvements than is necessary to buy the whole farm. If the thing were administered with a little common sense it would probably have some merit.

Mr. TABER. Mr. Chairman, I yield back the balance of my time.

Mr. DIRKSEN. Mr. Chairman, I yield 10 minutes to the gentleman from North Dakota [Mr. LEMKE].

Mr. LEMKE. Mr. Chairman, may I say at the very outset that I am in full accord with the chairman of the Committee on Agriculture, the gentleman from Texas [Mr. JONES], so far as he goes, but he has not been going far enough. He has been traveling very slowly along the right road, but has not arrived at his destination. In fact, he has been creeping and crawling. I am in favor of protecting and making even one tenant a home owner, if I cannot protect all of them.

I feel the time has come for our friends on both sides of this aisle to remember that we have been altogether too conservative in dealing with agriculture; that we have deliberately, and I say that word knowingly, betrayed the farmers. We have made them promise after promise and we have fulfilled none of those promises. We began in 1924 when we kept cool with Coolidge, but he vetoed the McNary-Haugen bill. Then we went along with Mr. Hoover, when he promised to put agriculture on an equality with industry. Well, Mr. Hoover succeeded. He put both of them in the soup line.

Then along came this administration. Franklin D. and the Democratic platform of 1932 promised us cost of production plus a reasonable profit for our farm commodities, and promised that the farm indebtedness would be refinanced. Franklin D. was told over the long-distance telephone from Chicago that this meant the Frazier-Lemke refinance bill, and it apparently was O. K. with him. But after the election was over the President unfortunately found a Mr. Wallace, and he made him Secretary of Agriculture. Just why he should take a renegade Republican and make him Secretary of Agriculture is more than I can understand, but agriculture is paying the penalty for that mistake.

I am sorry that when the President selected his Cabinet he did not see fit to make Mr. Wallace his Secretary of Labor and Mme. Perkins his Secretary of Agriculture, because Wallace seems to be more interested in seeing that the farmers feed the laboring people below cost of production than he is in seeing to it that the farmers get cost of production.

This farm problem, and I say this to my friends on both sides of the aisle, has been before the people and has been before Congress for many years. If we had done the sensible thing in the first place, then it would not have been necessary to do all these things that are now being criticized, in order to keep the farmers alive.

May I say to my Republican friends, that you will not ride to victory in 1940 by simply throwing meat axes at what little my Democratic friends are trying to do for agriculture. [Applause.] That is little enough, but merely to criticize is not enough. In place of criticizing so much, why do you not go up here to the Speaker's desk and sign petitions No. 5 and No. 6, that would give to the farmers cost of production and the Frazier-Lemke refinance bill? Then we would not need all the laws we now have and this program would not cost the Nation one penny, whereas you have spent millions and billions and have done nothing for the farmer or for the people of this Nation except give them make-believe legislation. You have made beggars and tramps out of the farmers of this Nation, and you have loaded upon their backs 100,000 tax eaters.

You were attempting to solve this agricultural problem long before I became a Member of Congress, and I have been a Member for over 7 years. During all these 7 years there has been a group of us on both sides of the aisle who have been striving to do something that would relieve you from all this other make-believe legislation, but unfortunately we could not get a majority to come with us. Once or twice we thought we were nearly there, but then Mr. Wallace got busy and threw dust into our eyes. He came along with so-called parity. What is parity? It is parrot talk and does not mean anything.

Then you have not been honest enough to say, "We will give the farmer 100 percent of parity." You say, "We will give him 75 percent of parity." Yet, parity is still 25 percent below cost of production, so if you would give the farmer 100 percent of parity he will still be short 25 percent of cost of production.

The gentleman from Oklahoma [Mr. MASSINGALE] is now willing, and the rest of us will join him, to give the farmer 100 percent of parity, not only on five or six agricultural products—that is insanity, that is making a guinea pig out of those 5 or 6 products—but on 50 of the products the farmer produces. When we get that parity the farmers will become educated enough so that even you, my conservative friends on both side of the aisle, will have to wake up and walk a little faster or they will leave you at home. You will have to give them cost of production.

The average relief case in my State has cost the Government \$2,400. We would not have any relievers in my State if you had given the farmer cost of production and the Frazier-Lemke refinance bill. Yet, while these petitions are up at the Speaker's desk, Member after Member gets up here and criticizes the present farm legislation, but he offers nothing in place of it and refuses to do the obvious—that which he ought to do—sign petitions 5 and 6. I do not know what there is that keeps Members from doing the intelligent thing, the sane thing.

Surely the 435 Members of this Congress are sufficiently capable of solving the agricultural problem if they want to solve it. If they will forget all about the lobbyists on the outside and forget about the other end of Pennsylvania Avenue they will have no trouble in reaching a solution. We are here to write the Nation's laws and the other end of Pennsylvania Avenue has a right to see that they are enforced after we pass them. If the President is not satisfied with them as we pass them he has the right to veto them and tell the people of this Nation why he does so, but they should not be sand-bagged on the floor of the House by the bureaucracy at the other end of Pennsylvania Avenue.

I am not so much concerned in whether the tenants who do get into the program or those who do not are satisfied. I am interested in knowing whether it is for the best interest of this Nation that we make the tenants again home owners, and it is more important still, as the gentleman from South

Carolina said, that we prevent the home owners who still own their homes from becoming tenants. Under the present set-up we make about 40 tenants for every tenant we attempt to make a home owner.

Let us be intellectually honest with ourselves. Is there a Member of this House so dull and so stupid—and I know there is not—as to believe that any system can succeed unless we see to it that the farmer gets cost of production? Can a farmer continue when he does not get cost of production? Can a lawyer continue if he does not get cost of production? Can a school teacher continue to teach if she does not get as much for teaching as it costs her to live and dress decently while she is doing it? There is only one intelligent answer to these questions, and that is cost of production. I trust this Congress will give us cost of production and the Frazier-Lemke refinance bill long before we adjourn.

It is not necessary to take the Massingale cost-of-production bill, or the Frazier-Lemke refinance bill, but, at least, give us something that will do the job and we will be with you 100 percent.

We are told that we will not get out of this depression. It is not a depression now; it is a recession. Do you know the difference between a depression and a recession? When they depress you, they push you down. When they recess you, they roll you back—you go backward. There is no difference between those two animals—they are the same thing. But we are told we are in it because we have been going into the red. The truth is we got into it when we thought we were going out of the red. There was no going into the red when this depression hit the Nation in 1929. That was not the reason then, and the reason today is not the deficit as much as it is a lack of intelligence at both ends of Pennsylvania Avenue.

There is no use fooling around about it. I shall vote against this bill because it is a camouflage. It is a hypocritical pretense to do something for agriculture when it takes away what little the farmers have been getting. It does something to them. I shall vote against it unless it is amended and some of these appropriations are reinstated. I shall vote against it because it is a fraud upon, and a betrayal of, the farmers of this Nation.

Now, if you do not want to continue these appropriations, I have given you the remedy. Sign petitions 5 and 6. I have suggested to you that you cannot continue the farmer in business unless you give him cost of production. You cannot continue him in business unless you give him security—the Frazier-Lemke refinance bill—so that when he gets cost of production some insurance company cannot snatch his farm away from him before he gets on his feet.

In past appropriation bills we have appropriated, and we are going to now appropriate, billions—for what? For the Army and the Navy at the expense of the American farmer. Whom are we at war with?

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield the gentleman from North Dakota 2 additional minutes.

Mr. LEMKE. We are spending billions on the Army and the Navy. For whom? There is no nation threatening us. Oh, we will have to build a few battleships, perhaps, for kings and queens, but I am not interested in that. We have plenty of kings and queens in our own land to take care of. Let them settle their own quarrels over there in Europe. I will repeat that I am not in favor of making the farmer the goat again for European insanity. I am not for a large Navy at the expense of agriculture. The farmers had to pay for the last war that we never had any business getting into. We got into it because we did not know the facts, but let us stay out of this one.

Let us set a splendid example of what we can do for the men and women of this great Nation. Let us restore the appropriations taken out of this bill, and then after that is done, I want my good friends from Texas to join me and we will put over the cost-of-production bill.

If you insist, we will agree and change the words "cost of production" to "parity" to satisfy the Secretary of Agriculture. But we will keep the rest of the bill. When that bill

becomes a law you will not have to appropriate one dollar, and then the gentleman from New York will not have to come up here and tell you about deficits. There will be no deficit. We will pay them all off if he will help us get cost of production, because then agriculture will absorb at least 3,000,000 of the unemployed you are now taking care of in the cities and towns, and that in my State has cost you \$2,400 for each case to date, and I think the other States are in about the same position.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. LEMKE. I yield for a question.

Mr. SCHAFER of Wisconsin. The gentleman indicates that his bill will take care of the farm problem and extend munificent benefits to all of our American farmers and will not cost a penny. Where are you going to get the money if it is not going to cost anything, and what do you intend to do for the farmers without cost to the Government?

Mr. LEMKE. We intend to refinance farm mortgages under the Frazier-Lemke refinance bill at 1½ percent interest and 1½ percent principal. I have been informed by a great number of banks that if the bill passes they will be willing to take the bonds. Therefore the Federal indebtedness will not be increased but will be paid, and the farmers will pay their share. We intend to give them cost of production for that part consumed in the United States and we will make that a minimum price.

I am sorry if the gentleman has not read the Massingale bill, because in that measure we tell you how it is done. We also have had hearings, both in the House and Senate, but I have not the time to go into that further than to tell you that when the farmer gets cost of production for that part consumed in the United States he will need no further help.

Under section 10 of the cost of production bill we stop the importations from foreign countries. In the 7 years that I have been here we have sold the American farmer short \$16,000,000,000. We have imported foreign agricultural products and substitutes to that amount. That is the domestic valuation. This would have been enough to have given \$2,970 to every farm family in the United States of America. [Applause.]

Mr. DIRKSEN. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. JOHNS].

Mr. JOHNS. Mr. Chairman, I was impressed yesterday with the statement of my distinguished colleague from Missouri with reference to the bill now under consideration. I am heartily in accord with his views on this bill.

I was also impressed when we had the agricultural bill under consideration at the first session of this Congress to hear the distinguished gentleman from Virginia [Mr. WOODRUM] make this significant statement:

Personally, I was anxious to center the spotlight on this question with the hope it would stimulate thinking upon the subject, and that we should come to a point some time where we would try to do something for the farmer except to have as our objective each session of Congress as piling up additional gifts and subsidies, because that is not helping him. We are not helping the farmer when we increase his indebtedness and make it easier for him to borrow. I hope that some place, somewhere, there will be a solution and that we shall be able to find it.

I think that we can all agree that agriculture has been helped but very little with all the tremendous amount of money that has been spent to improve its condition. There are many factors which enter into it, but the principal one was pointed out yesterday by the distinguished gentleman from Illinois [Mr. DIRKSEN] and other of my colleagues on the other side of the House. The great trouble, if we may follow this line of reasoning a little further, is that agriculture has been crucified to help industry. I agree with both these distinguished gentlemen that we have not found a solution of the farm problem.

I hope briefly to point out why this is true. If you will read the statement before the Ways and Means Committee recently made by the Secretary of State with reference to reciprocal-trade treaties, you will find that his principal defense of them is that we need foreign trade or an outlet for the goods

manufactured in this country, but if you will examine the exports, you will find that most of these goods are of industry and not of agriculture.

I am not going to quote, except on a few items, how the farmer suffers as a result of this. In reviewing the monthly summary of foreign commerce of the United States issued by the Department of Commerce, I find that we exported from the United States for the first 11 months of 1939, 3,143 head of cattle and that there was imported into this country during this period 724,815 head; we exported 12,918,044 pounds of canned meats, and we imported canned beef alone of 82,511,852 pounds; we exported during this same 11 months 1,356,582 pounds of cheese, and we imported during the same period 55,592,510 pounds. During the first 11 months of 1939 we exported 435,774 pounds of hides and skins, raw, and we imported 31,360,143 pounds.

I could go on for an hour through the dairy products, but it is useless to bring to your attention more than the items that I just quoted. There is no use continuing to try to hand out money to the farmers in this country and to try to raise the price of what they are able to sell, or to try to furnish enough money to dispose of their surplus, unless they have some protection of some kind. This is not a partisan matter; it is only a question in my mind whether we are not thinking too much about industry in maintaining the higher living standards and forgetting entirely about those who labor and toil that you and I may live.

To my mind there is not much use in giving a farmer \$10 or \$20, or possibly a larger sum, depending entirely upon the acreage that he may be farming, if you give it to him just shortly before election and then take it away from him again in January, when he has to pay his taxes.

I make this statement because in 1938, the last year for which detailed data are available, expenditures of all governmental authorities aggregated sixteen and eight-tenths billions as contrasted with eleven and six-tenths billions in 1929. Of these totals, the Federal Government accounted for seven and five-tenths billions in 1938 and three billions in 1929; State and local governments spent nine and three-tenths billions in 1938 as contrasted with eight and seven-tenths billions in 1929.

The Federal Government now accounts for 45 percent of all governmental expenditures as contrasted with only 26 percent in 1929.

Per capita governmental expenditures rose from \$95.54 in 1929 to \$129.02 in 1938.

The per capita tax burden rose from \$80.30 in 1929 to \$107.51 in 1938.

I wish to call the Congress' attention to our present indebtedness which most of you are familiar with but perhaps have not figured it out as to just what it is costing us each day and the amount that we are borrowing. The public debt at the close of business on January 15, 1940, was \$42,106,638,580.49. Our total expenditure from July 1, 1939, to January 16, 1940, a period of 6½ months of the present fiscal year, is \$5,165,434,493.22. Total receipts for the same period are \$2,902,832,615.58. Excess of expenditures over receipts for the period are \$2,262,601,877.64. Our spending has been at the rate of \$25,956,957.25 per day, and \$1,081,539.88 each hour, or \$18,025.66 each minute. We are running in the red at the rate of \$14,587,098.57 each day, or \$607,795.77 for every hour of the day. Our deficit last year was approximately three and a half billions. Our Budget has been out of balance now for over 10 years. Just what would your banker say if you had money borrowed from him and had been running behind for 10 years? If you do not know, just try him.

Notwithstanding this apparent failure on our part to help the farmer, I am deeply interested in any efforts that may be made to help him. My own farms are dairy farms, and naturally I am interested in anything that will help the dairy farmers, because in my own district and State we have more of them than any other State in the Union. The dairy interest has been very hard hit with declining prices in the past few years.

Having been born and raised on the farm, and having lived there until I was 20 years of age, and having owned

and operated farms most of my life, I naturally am deeply interested in the problems of all farmers and in the problems of agriculture.

There are many millions of them and their families, and after all we can never have any real prosperity in this country unless the farmer is first prosperous.

This is a period in history when many people want something from the Government, because that is what is termed the "more abundant life." In these hand-outs the farmer has fared pretty well along with all other people. I think it might be well to put a few of these figures into the RECORD to show what has been received.

The Government has given to the Department of Agriculture during the past 8 years directly and indirectly about \$15,000,000,000, and directly \$7,337,000,000. You know the condition of agriculture today, and I will leave it to the judgment of my colleagues as to whether it has helped the farmer or agriculture very much or not. I have grave doubts about it myself.

I might say that the vast sums mentioned do not include losses that may result by reason of guaranties and other commitments that have been made by the Government.

Beginning back in 1848 the Federal Government appropriated \$3,000 for agricultural purposes. This was gradually increased until 1860 when it reached \$60,000. By 1881 it totaled \$353,000. In 1888 it had reached \$1,028,000. By 1901 it reached \$4,023,000. Seven years later the amount reached \$9,437,000.

During the next 9 years, or up until 1917, when we entered the World War, we had only increased this amount slightly, but on account of the demand for food stimulation, the amount appropriated that year reached \$40,000,000, and dropped to \$38,000,000 in 1918, but was back to \$112,000,000 in 1920, besides a \$1,000,000,000 wheat guaranty. In 1922 we appropriated \$38,000,000, but we created the seed loans at that time by appropriating \$1,500,000,000 for that purpose. In 1923 we gave agriculture \$62,000,000 besides \$25,000,000 for roads. In 1930 these appropriations had increased to \$160,000,000. This same year \$251,000,000 was appropriated for marketing funds. It was at this time that we began to increase the appropriations for agriculture with the thought in mind, of course, of maintaining high prices for farm products through conservation of the soil and other purposes. In 1931 we had increased the appropriation to \$200,000,000 and also \$89,000,000 for roads. In addition to this, \$150,000,000 more was appropriated for marketing funds, and another \$45,000,000 for relief of farms, or a grand total of \$484,000,000.

In 1932 we appropriated \$269,000,000 for the Department of Agriculture and \$50,000,000 for roads. In 1933 we again appropriated \$176,500,000 for the Department. In 1934 we appropriated \$200,000,000 for loans to farmers, \$100,000,000 to the Department itself, and \$40,000,000 for crop-production loans. In 1935 there was appropriated \$66,000,000 to the Department, \$15,000,000 for agricultural adjustment, and \$2,389,000 for the Farm Credit Administration, or another grand total of \$83,389,000.

At this time we began in earnest to try and pay out more money for agriculture. In 1936 we gave the Department approximately \$430,000,000, and another \$296,000,000 under the agricultural-adjustment provisions of the law. A separate act of Congress this same year gave to the Department 30 percent of the gross customs receipts to be expended by the Department.

In 1937 we gave the Department \$172,000,000 and \$4,000,000 for the Farm Credit Administration.

In 1938, for all purposes, including roads, the Department received \$1,100,000,000, and the Farm Credit Administration \$4,000,000 more. Under the terms of the Sugar Act it received \$39,750,000, besides a deficiency appropriation of \$23,365,000 more, making in all \$1,162,750,000.

Congress appropriated during the first session of this Congress \$1,166,486,915 in addition to this \$112,175,000 which was appropriated for aid for the farmers for the fiscal year ending in 1940.

I am not going to take the time of the Committee to go into details regarding the conditions of the American farmer today and the hopeless condition of agriculture in general. You have heard these facts and figures so often, it would only encumber the *RECORD* to rehearse them here again.

I should like, however, to call the Committee's attention to the total individual income taxes for the year 1937, which would not pay the amount appropriated for the Agriculture Department of the Government alone for this fiscal year.

Parity payments to agriculture has been taken out of this bill, also any amount to buy surplus commodities. The idea of parity payments to agriculture is all wrong. It is just like pouring water into a hole in the ground. So long as we have treaties with other nations permitting them to ship their cheap agricultural products into this country, such as we can produce here, with tariffs so low that we cannot compete with their cheap labor that produces these products in foreign countries, we can expect no change or relief for the American farmer.

In handling a program of this kind, it is just like an appropriation that is made to start dams and other irrigation and reclamation projects throughout the country, which now require constantly increasing appropriations to complete and maintain them. So with parity payments to agriculture—if we kept on adding other agricultural interests with the other parity payments already being made, we never would be able to tax the people of the United States enough to make even a slight showing to the farmer. I agree with the Secretary of Agriculture in the statement he made last year before a committee when he said:

Of course, you are aware of the fact that if you are to appropriate enough so that the payments added to the market prices of these five crops (wheat, cotton, corn, rye, and tobacco) affected by the parity payments were brought up to parity, the sum would be a very, very large sum. The \$212,000,000 appropriated a year ago, you are aware, was only a fraction of the sum necessary to attain that objective.

What would result if we added other products such as dairy products to this list? I need not add to that statement further, because it speaks for itself. In other words, we cannot possibly tax our people sufficiently to maintain a price on our agricultural products that will compete against the world that produces these same products in foreign countries with labor they pay several hundred percent less than we pay our own labor. We cannot possibly raise our standards of living, because the higher price we provide for our own products only encourages larger importations of these foreign products to compete with our own, and the surplus supply continuously drives down our own prices. The only people who benefit are the people of these foreign countries.

We must protect the American farmer and his products; and if we do not, I cannot see anything but serious trouble ahead for agriculture.

We cannot go on borrowing money and taxing the people to raise the standard of living of people in foreign countries. We must maintain the standard of living and improve it for our own people first. [Applause.]

[Here the gavel fell.]

Mr. TERRY. Mr. Chairman, I yield 15 minutes to the gentleman from Oklahoma [Mr. JOHNSON].

Mr. JOHNSON of Oklahoma. Mr. Chairman, I have not had the privilege of listening to this entire debate on the pending bill to make appropriations for the Department of Agriculture and the various agricultural activities. The Interior Subcommittee on Appropriations, of which I am acting chairman, is now in session and we have been holding hearings for several days. But I have endeavored to listen to as much of this debate as possible. I have been hopeful that someone would defend the provisions of the pending bill. We have just listened to the distinguished gentleman from Wisconsin [Mr. JOHNS], who has given a very splendid address containing some very valuable information on the subject of dairying and other business enterprises. The gentleman also offered some general criticisms, some of which are no doubt justified. But we listened intently for him to offer

some constructive suggestions with reference to the provisions of the pending bill.

I think I am not unfair in saying that he did not offer one constructive suggestion, and I think I am also accurate in adding that he did not defend any of the so-called cuts or other provisions of the pending bill.

I have had the privilege of hearing two or three other gentlemen. I heard the very interesting and entertaining address made by the gentleman from North Dakota [Mr. LEMKE]. I agree with much he said. I especially agree that farmers are entitled to cost of production for their products. But merely because farmers are not now receiving cost of production or reasonable prices for their farm commodities is no reason for throwing the entire farm program over, nor is it a valid excuse for sandbagging the farmers who are looking to this Congress hoping and praying for a few crumbs that might fall their way.

Mr. JOHNS. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes. Inasmuch as I have mentioned the gentleman, I will gladly yield to him for a question.

Mr. JOHNS. In answer to the gentleman's statement that I have not offered any suggestions, I will say that I did not have time to complete my address, and if the gentleman will read it in the *RECORD* he will get those suggestions.

Mr. JOHNSON of Oklahoma. I shall be glad to read the gentleman's very interesting and well-prepared address. In the meantime, I shall look forward eagerly to ascertain just what are his constructive suggestions.

I also listened to every word of the interesting address by the gentleman from New York [Mr. TABER]. Inasmuch as the minority members of the committee are said to have played a leading role in this sad drama to withhold from the farmers funds that will spell doom and defeat for many of them, I naturally expected the gentleman from New York to take this bill up and defend it, or at least discuss it in some detail; but, to my disappointment, he made his usual political speech. He insisted upon dealing in glittering generalities, except to advise us once more that he is against the New Deal and everything connected with this administration. Of course, it was no news that the genial gentleman from New York is against all the present farm program. He was against it when it was enacted, as he opposed practically every suggestion or recommendation made by the President of the United States. The gentleman from New York just cannot conceive of any good to the farmer in a farm bill under a Democratic administration.

It is not my prerogative to defend the present farm program. I have criticized it on many occasions. But it is a much better program than it was at the outset. All agree that there is still room for improvement, and I believe this Congress can and will improve the present farm program. It occurs to me, however, that as long as we have the present bill it is idle folly—it is unsportsmanlike and bad faith—for this committee to eliminate entirely all parity payments to the farmers.

May I say here that it has been my policy in the past to follow members of the committee who heard the evidence. I have always resolved any doubt in favor of the committee having charge of any bill. Moreover, I am in sympathy with the desire of members of the committee to economize wherever possible. May I remind Members that when the first annual appropriation bill for this session was reported to this House that I not only joined in the effort to economize but that I offered one motion and made the fight that reduced by \$50,000,000 funds available next year for the American merchant marine. It is significant that some of the so-called leaders on both sides of this aisle who are now so rampant and determined to unreasonably slash appropriations to aid the distressed farmers did not support me in my successful fight to cut the subsidy of this Government for the merchant marine. So it appears that all depends upon whose "ox is gored" as whether men who cry from the housetops for economy in government really want real economy in government.

Mr. ZIMMERMAN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes; I will be glad to yield to the distinguished gentleman from Missouri.

Mr. ZIMMERMAN. Does the gentleman recall whether or not the last Republican National Convention went on record as promising the farmers of America that if they were put in power they would give the farmer parity and that the farmer was entitled to the equivalent of the tariff that industry had enjoyed all those years, and that the farmer had never been given? Does the gentleman remember that?

Mr. JOHNSON of Oklahoma. Of course, I did not read that immortal, or otherwise, document. But in that I suspect that I am in the same position that probably a vast majority of millions of other people of the country occupy, but it seems that I do remember something like that being headlined in the daily papers.

Mr. ZIMMERMAN. Does the gentleman recall whether our distinguished friends on the right have denied that their party made a statement like that, when they made a solemn party pledge to the people of America? I will ask the gentleman further whether or not he recalls the Democrats made some promises about like that at that time, promising to give the farmer parity for his products?

Mr. JOHNSON of Oklahoma. Oh, yes; I remember all that. The fact is, if I recall correctly, each party endeavored as best it could to out-promise the other. [Laughter.]

Mr. ZIMMERMAN. Then I will ask my distinguished colleague from Oklahoma further, judging from what has happened in the preparation of this bill up to this time, does it not look like the Congress, and by that I mean those sitting on both the right and left side of the aisle, is getting ready to sell the farmers of America down the road, as they have been sold for many years in the past? Does that not just about size up the situation?

Mr. JOHNSON of Oklahoma. The gentleman is just speaking out what many of us have been thinking for the past several hours. I thank the gentleman for his very valuable contribution. But, confidentially, unless the pending bill is amended materially, I, for one, shall refuse to support it. [Applause.]

Yes; we have been waiting in vain for someone today to really try to defend the indefensible cuts in this bill. I suggested to one of the gentlemen yesterday when this bill was reported by the subcommittee that we were shocked and surprised at its action in eliminating the entire farm-tenancy program, the dry-land agricultural experiment stations, the water-facilities item, and other indefensible and unreasonable, wholesale cuts. I was undiplomatic enough to ask the chairman point blank why such cuts were made. He repeatedly stated, "We had to cut somewhere." That was the very illuminating information which the full committee received on yesterday—"We had to cut somewhere." Why did we have to cut somewhere and why did the farmer have to take the brunt of such wholesale slashes?

Mr. ZIMMERMAN. The farmer in the past has always been the first to get a cut. Is not this just a carrying out of the tradition of the political parties of America to make the farmer the first victim of a cut when one is administered?

Mr. JOHNSON of Oklahoma. The gentleman has answered his own question very well.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes; I yield for a brief question.

Mr. H. CARL ANDERSEN. This will be a very short question.

Mr. JOHNSON of Oklahoma. I yield.

Mr. H. CARL ANDERSEN. Why is it that both last year and this year the President of the United States refused to submit to the Budget the item for parity payment?

Mr. JOHNSON of Oklahoma. I am not, of course, a White House spokesman, but it is, of course, natural that gentlemen from the Republican side of this House Chamber just cannot help from taking a slap at the President at every opportunity.

Now let us be fair about this. I challenge the gentleman or any Member on his side of the aisle to find one statement from the President against parity payments to farmers. But the President has said that if parity payments are made to farmers that this Congress should find a method of providing funds to pay for such payments. It is unnecessary for me to defend the present President of the United States. He has managed in the past to pretty well take care of himself. [Applause.] The fact that the President was able to increase his vote from 21,000,000 plus in 1932 to 27,400,000 plus in 1936 would indicate that the farmers were pretty well pleased with Roosevelt and his farm program. I might add that even with these unreasonably low prices, droughts, and hard times that the average farmer is in a whale of a lot better shape today than he was in the dark, never-to-be-forgotten days when prosperity "Hoovered" around the corner too long. [Applause.] Now, let us discuss briefly some of the specific cuts to which many of us so seriously object.

First and foremost, let us bear in mind that the cuts in nearly every instance do not come in the bureaus downtown, but in the field—out where they hurt the farmer. If you will examine this bill from beginning to end, you will find that the boys down behind the big mahogany desks are not the ones who are getting the serious reductions.

A year ago, when this bill was up for consideration, I pointed out, for example, that the Soil Conservation Service was not getting a cut in the Washington office; but that, on the other hand, the Bureau was growing by leaps and bounds, and the cut that was being made was in the field. Let me now remind Members that in this bill, so far as the Soil Conservation Service is concerned, one of the most drastic and serious reductions is for these regularly organized soil-conservation districts. In my State we have encouraged the farmers to organize these districts, and they have been told that they would be given technical information and advice from the Soil Conservation Service. They have recently organized some 25 or 30 such districts in the State of Texas, for example. Not one such district is now in operation, if I am advised correctly, in that State. But farmers of Texas have had it held out to them that when Congress in this regular appropriation bill makes funds available for that purpose, that they were assured of adequate technical service. Some 27 or 30 soil districts have been organized in my own State, Oklahoma; and the people of those areas are just waiting and watching Congress and wondering when the money will become available so they can have their districts in operation. To preserve American soil now will help make the future of our great country secure.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to my good friend from Louisiana.

Mr. BROOKS. After years of educating the farmers to the benefits of soil conservation and getting them to the point where they are eager for it, then it is proposed here to cut down on the appropriation that enables it.

Mr. JOHNSON of Oklahoma. That is true. We not only refuse to take care of these soil-conservation districts that have been organized but in many instances districts already organized will have to be abandoned, and we shall have to tell the farmers that we are sorry, but the cuts just had to come. "We had to cut somewhere." That is what our distinguished chairman told us over and over, and so it was decided to again have the poor old farmer take it on the chin. But bear in mind that they did not seriously reduce any of the bureaus in Washington, of course; they did not cut out a single mahogany-desk or swivel-chair job in Washington. The farmers, who farm the farms in Washington, are safe and secure. What I am complaining about is that these drastic cuts are all made in the field, where the farmer really gets some benefit. This ought to be called a Farm Bureau bill, not a farm bill.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from South Dakota, a member of the committee.

Mr. CASE of South Dakota. The Soil Conservation Bureau this year will be cooperating with 235 soil-conservation districts.

Mr. JOHNSON of Oklahoma. That is correct.

Mr. CASE of South Dakota. I am informed that they expect there will be 420 of these districts in the coming year.

Mr. JOHNSON of Oklahoma. That is also correct.

Mr. CASE of South Dakota. The amount carried in the bill, however, will permit cooperation with only 190 districts, which is less than the number in operation this year.

Mr. JOHNSON of Oklahoma. I thank the gentleman for that definite information. That is the situation with which this Congress is faced at this moment. I wish I could go on and discuss it at length, but I must pass to another phase of the bill. Let us now discuss another very important situation, the dry-land stations.

This committee has decided that the work of the agricultural dry-land stations was all a mistake—not partly a mistake, but all a mistake.

Congress established these dry-land stations in several arid and semiarid States. All of these stations have done marvelous work. There is no question but they have justified their existence. The Government has hundreds of thousands of dollars invested in property and land in these stations, yet now at one fell swoop this committee proposes to close these stations, practically all of them. They have listed nine that are certain to close under the Budget estimate. Then the committee, without making a full, fair investigation of the activities of such stations, makes an additional cut of \$75,000 without rhyme or reason and the committee admits its action without any evidence. It is further admitted that such agricultural experiment stations are rendering valuable service to farmers of their respective areas.

One of such stations we are told must go is in Lawton, southwest Oklahoma. I am familiar with its splendid work over a period of several years. I have attended several meetings of farmers held at this particular dry-land station near the city of Lawton, Okla. Farmers from several counties were present at that meeting. They testified to the good work being done by that one dry-land station, a real functioning station with a marvelous program; yet, under the provisions of this bill that station and 12 or 15 other dry-land stations throughout the country are to be not reduced, but actually abandoned. I might add that members of the Appropriations Committee were not accorded the courtesy of being permitted to appear this year in support of the appropriation for the continuation of these stations in their own congressional districts.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. MAHON. I take advantage of this opportunity to say to the gentleman from Oklahoma that he is correct in defending the work which has been done by these dry-land stations. They have been doing this work at a minimum of cost compared to the tremendous influence they have had among literally thousands of farmers and hundreds of farm communities throughout the Nation. I shall wholeheartedly support the amendment to restore the dry-land experiment station work. The cost is small—the good results immeasurable.

The station at Big Spring, Tex., is within my own congressional district and I know from first-hand observation about the good work being done there.

Mr. JOHNSON of Oklahoma. I thank the gentleman for his valuable contribution. I wish I could spend more time on that important item, but I must hurry on.

Another item that has been entirely eliminated is the water-facilities item of \$500,000. What is that for? To eliminate swivel-chair jobs downtown? No, no; they must not be touched. It is for farm ponds for farmers in Oklahoma and several other States. It involves only small projects, and is now in successful operation in several States—western, southern, and midwestern—and a really worth-while program for the farmers is now being carried out under direction of the Soil Conservation Service in cooperation with other agencies.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. DIRKSEN. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Illinois.

Mr. DIRKSEN. In the interest of accuracy I think it should be stated that the report carries a specific recommendation that the item for water facilities be transferred to the Department of the Interior.

Mr. JOHNSON of Oklahoma. I thank the gentleman for that statement. I hope it will be transferred, and adequate appropriation made because, certainly, the work must go on. We cannot take a backward step so far as the water-facilities program is concerned.

There is another item here dealing with surplus agricultural commodities. I am not going to criticize the committee with reference to that because it probably would have gone out on a point of order anyway. I think it is generally agreed that that set-up called the food-stamp set-up has done a marvelous job in many States of the Union. We have heard no criticism from the committee or others. This set-up as you know provides for the sale at a very low rate of surplus farm commodities to the underpaid, low-paid citizens throughout the country and to those who have no jobs at all. Many cities and towns in the district I have the honor to represent in Congress are clamoring for this so-called food-stamp set-up. It has been very successful, and I am sure the action of the committee is no indication that it did not approve of the very fine work that is being done. I am hopeful that the appropriation will be made, and I believe that before Congress adjourns it will be.

Mr. Chairman, I come now to the meat in the coconut, the farm-tenancy program, which is about the only thing that has been really criticized here this afternoon. The gentleman from New York [Mr. TABER] spent most of his time, after talking in generalities against the entire Roosevelt administration, in speaking against the farm-tenancy program. If I understood him correctly, he said when you figure it one way the average cost of these farms for farm tenants was \$30,000 each. That was his way of figuring it. Yet the gentleman from Texas insists that the correct figure of the average cost to the Government for farms sold on a long-time period to these tenants is around \$4,000.

Mr. SOUTH. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Texas.

Mr. SOUTH. In the State of Georgia the figures I gave were between three and four thousand dollars. I have since secured from Mr. Baldwin the exact figures throughout the Nation, which are \$5,395. I would like the Record to show that.

Mr. JOHNSON of Oklahoma. I thank the gentleman very much for that definite, authentic information. By no stretch of his imagination could the figure in any State, to say nothing of the average, be near \$30,000. Just where the distinguished objector from New York got his figures of \$30,000 is a problem that I seriously doubt if even he himself could possibly explain.

Mr. SOUTH. The first figure I gave related to the State of Georgia. The figure of \$5,395 covers the entire Nation.

Mr. JOHNSON of Oklahoma. That is correct; and I hope we have heard the last of those unreasonable figures of \$30,000, \$20,000, or even \$10,000 as the average cost of such farms. The gentleman from New York and others have been consistent in their opposition to this farm-tenancy program. Several of them opposed it in its inception. I am not surprised at their criticism of it today. When the first appropriation of \$10,000,000 was made, the gentleman from New York and several other gentlemen on both sides of the aisle opposed it very vigorously. What was the argument then advanced? Why, they said, it is just a drop in the bucket; that is not enough to really do a worth-while job. When

the next appropriation of \$15,000,000 was made, the same gentlemen cried out in unison, "That is not sufficient." But still they opposed it. The next year, when the appropriation was \$25,000,000, again they said, "It is not enough," and Congress overwhelmingly voted down the objectors to this farm-tenancy program. If I remember correctly, the Congress raised the amount allowed by this same committee last year from \$25,000,000 to \$40,000,000 for the farm-tenancy program.

Again this year the committee insists upon taking a backward step because "we must cut somewhere." It proposed to go back to \$25,000,000 in the interest of economy. Then at the last moment, with one fell swoop, the committee eliminates the entire amount because, forsooth, under this appropriation they discover that it will be impossible to secure a home for every tenant farmer in the United States. If you will read history you will find that when the Speaker's father was in the Senate of the United States, and that great man of courage and foresight was fighting to start a great highway program throughout the country, pleading for national highways, the objectors said: "Why, \$50,000 to start such a proposal is ridiculous. Fifty thousand dollars will not build all of the highways over the country that need to be constructed. It is just a drop in the bucket." They used the same argument then against Federal highways that has been used consistently against this farm-tenancy program.

Some of you can remember when it was suggested that the farmers of this country should be entitled to free rural delivery. What was the argument against that proposal? At first you recall that rural free delivery was begun on a very modest appropriation of a few million dollars. At that time the perpetual objectors argued that we could not then or ever hope to bring free mail delivery to all the farmers, therefore such an experiment would be unfair to those who were denied that service. They opposed it and put it off and ridiculed it because, they said, "Who can conceive of giving the rural population a free delivery?" But who today would think of opposing a highway bill or a free rural delivery bill simply because all of the people cannot have a highway and all of the people cannot have free rural delivery?

Coming down to modern history, I can remember going down to the White House early in this administration with various committees. Especially do I recall that the President of the United States, early in his first administration, suggesting to a committee of a few Republicans and several Democrats that something ought to be done for the youth of the land. He suggested to that committee that there ought to be some kind of camp set up for the unemployed youth of America. I can remember very well how some of the early objectors to anything the President wanted boldly refusing to go along with the President's suggestion. The President's ideas of aiding unemployed youth were ridiculed then by some who just could not believe a Democratic President could make good.

"Mr. President, you cannot possibly do it," they cried. "It would break the Government to take care of all the unemployed youths in the land. You might just as well forget it." But the President did not forget. Some of those who thought then only in terms of partisan politics offered the same old argument that is being used against the Farm Tenancy Act now. But the President, in spite of criticism, did not then retreat. He went right ahead and, thank God, demanded that Congress establish the C. C. C. camps, where between 2,000,000 and 3,000,000 youths have been able to find themselves and get a new lease on life. All agree now that the C. C. C. has justified its existence, but it took some time to make a real, functioning organization. No one wants to abandon all of the C. C. C. camps merely because we are unable to care for all of the youths of the land. And who would dare stand here now and say that he is opposed to the C. C. C. program?

I recall later when the President suggested to the Members of this Congress that they establish the National Youth Administration to permit youth to attend high schools and colleges that there were some so-called leaders and alleged leaders and would-be leaders who pounded the President's desk and

said, "You cannot do it, Mr. President. You would break the Government. It is unconstitutional, and if it is not unconstitutional then it must be socialistic." The President could not get this Congress to pass such a measure, but he took the proverbial bull by the horns and issued an Executive order establishing the National Youth Administration. He was criticized from this floor for trying to dictate to Congress, yet what Member on either side of this aisle would stand here today and demand the elimination of the N. Y. A., which is doing so much for the youth of the land?

Yet, by the same token and by the same silly argument, we see gentlemen arise here and solemnly declare that because we will expend only \$40,000,000 on the farm-tenancy program during the present year—and we are just getting started on that great program—because we have not been able to take care of all the farm tenants in the land we should wipe out the program entirely. These gentlemen seriously contend that, despite the fine record made, despite the fact that farm tenants have paid 159 percent of the payments due the Government, a record far beyond our expectations, that we should now take a defeatist attitude and say that farm tenancy cannot be solved.

Mr. Chairman, if this Congress does not do something for the homeless, landless farmers of America, another Congress sometime in the future will do so. We cannot ostrichlike close our eyes to this growing farm-tenancy problem. It is not and should not be a partisan matter. Let us continue this important program. Deep in the breast of every homeless, landless farmer is the desire to some day become a home owner. Shall we by our vote here say to him and his family that there is no hope for the future? Let me appeal to all fair-minded men to restore this farm-tenancy item, and by so doing do the square and the humane thing for the homeless and helpless farmers of America. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Chairman, I believe the agricultural legislation passed during the present administration has been generally beneficial. I trust we shall be able to perfect that legislation.

It is easy to criticize and it is difficult to build or construct. The committee in charge of the bill under consideration has pointed out the real weakness of the Agricultural Adjustment and Domestic Allotment Act. This act contemplates and in fact assures to agriculture a price adjustment. It is regrettable that no definite provision has been made for making price adjustments.

The chairman of the committee, the gentleman from Missouri [Mr. CANNON], in his opening statement called on the legislative committee to initiate, report, and have the Congress pass legislation to make definite provision for the payment of parity. We have had much helpful discussion during the past 2 days. I hesitate to detain the Committee at this late hour, but I believe the committee in charge of this appropriation is warranted in asking the Congress to make definite provision for that which is contemplated by existing law. I am going to take the liberty of suggesting what I believe to be a constructive solution of the problem of parity.

It is universally admitted that the protective tariff is not effective for agricultural products, of which we produce an exportable surplus. Cotton and wheat are, therefore, handicapped by the protective tariff. Those who advocate such tariffs do not advocate them for revenue; they advocate them for protection. I maintain that the growers of these and similar crops are entitled to the equivalent of the benefit accorded to the manufacturer.

We are all agreed as to the objective. I am alarmed, Mr. Chairman, when I think of the widening spread between the income of industrial workers, on the one hand, resulting from such acts as the Wagner Act and the Wage and Hour Act, and the smaller increases in the income of agricultural workers. We are all agreed, as I have stated, as to the objective. A number of approaches have been suggested. The original Agricultural Adjustment Act carried a processing

tax, but this has been declared unconstitutional. A general manufacturers' sales tax has been suggested, but consumers protest. The Secretary of Agriculture has suggested the certificate plan. These plans have their merits.

The customs duties collected annually by the United States during the past 4 years have run from \$319,000,000 to \$487,000,000. I am aware of the provision known as section 32 of the original Agricultural Act, which provides for the disposition of surplus commodities. I have in mind the amendment of that act in the Agricultural Adjustment Act of 1938. I propose not to repeal the Agricultural Adjustment and Domestic Allotment Act but to perfect it and to provide permanently and definitely that the customs duties be used in providing parity payments for agriculture under that act. I am suggesting this because, while this is not a legislative bill, the committee in charge has called on the Congress to provide permanent and definite legislation to solve this problem.

I am suggesting an amendment to the Agricultural Act that will definitely provide—and I give you substantially the language—that our customs receipts be turned over to the Commodity Credit Corporation. We have not been able to obtain a parity price under the program. I am suggesting 75 percent of a parity price. The Agricultural Act contemplates loans. In fact, loans are mandatory. If the proceeds of the customs duties were turned over to the Commodity Credit Corporation, there would be guaranteed 75 percent of parity and the surplus would be sold at the world price in foreign markets at world prices. The provision I have in mind would stipulate that all unappropriated customs duties as provided by section 32 as amended shall be turned over to the Commodity Credit Corporation for the purposes mentioned. In the event this were insufficient to provide for the necessary parity moneys at any time—because I realize that the customs duties vary in different years and have varied during the past 4 years in the figures that I gave, the duties for 1936 being \$386,000,000; for 1937, \$487,000,000; for 1938, \$356,000,000; and for 1939, \$390,000,000—there should be imposed on manufacturers in proportion as they are benefited by the tariff a sales tax to make up the deficit. I call attention to the fact that 30 percent of the customs receipts have already been devoted to the disposition of surplus crops.

Mr. Chairman, I believe this provision, automatic and self-executing, is worthy of the consideration of the committees and of the Congress. It has many advantages, and certainly it does not have many of the disadvantages of a processing tax, of a general manufacturers' sales tax, or of the certificate plan. The processing tax is not fair to cotton; we export about 50 percent. We export about 10 percent of our wheat. It is not fair, because it does not fall on all alike. The certificate plan, having many advantages as it does, is a tax on the consumers of the country.

The tax that I propose is that the funds the Government of the United States realizes from protecting manufacturers shall be devoted to those who are handicapped by that protection, and that in the event the amount is insufficient, it be supplemented by a tax upon the manufacturers in proportion to the protection afforded.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman.

Mr. COOLEY. The funds or customs receipts to which the gentleman refers now go into the General Treasury. Is not that true?

Mr. WHITTINGTON. Yes; except 30 percent of them.

Mr. COOLEY. And the effect of what the gentleman is proposing to do is to pay the full amount of customs receipts from the General Treasury and make them available for agriculture.

Mr. WHITTINGTON. I am proposing to do in a larger way just what, in the answer to the gentleman's question, his committee did when that committee provided under section 32 of the original act that 30 percent of these customs duties shall be automatically and permanently appropriated for the disposition of surplus products, and the amendment that I have in mind would be in substantially this language:

Instead of making a definite commitment for 30 percent, I contemplate a statute that would provide that the entire 100 percent of the duties shall be utilized for the purposes I mention.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. WHITTINGTON. I propose an amendment in substantially this language to the existing Agricultural Act:

In order to maintain a reasonable domestic price which shall be 75 percent of parity price, through loans by Commodity Credit Corporation, and in order to maintain our fair share of export markets, all import duties not heretofore allocated shall from this date be paid to the Commodity Credit Corporation to be applied as repayments on outstanding loans, plus carrying charges in an amount sufficient to reduce said loans to the lowest delivered world price plus 5 percent handling charges to the exporter and farmer. An equivalent remuneration is to be paid by the Commodity Credit Corporation to the exporter of goods or articles 90 percent of which are agricultural products, all as determined by the Secretary of Agriculture.

Mr. COOLEY. If the gentleman will yield at that point, the point I want to make is that the gentleman's proposal would deplete the Federal Treasury to the extent of 30 percent of the duties collected.

Mr. WHITTINGTON. Yes; and of all duties collected.

Mr. COOLEY. The gentleman is proposing to do in a very direct way what has otherwise been sought to be accomplished by parity payments.

Mr. WHITTINGTON. I always like to be direct.

Mr. COOLEY. I am not objecting to what the gentleman is proposing.

Mr. WHITTINGTON. I am glad to have your statement. I am proposing in a direct and in a permanent way to solve a problem that is on the doorstep of the Congress now, and I am proposing what I believe to be a fair and a just solution of the problem.

Mr. COOLEY. Does not the gentleman believe, though, in view of the situation that exists at the present time, and our inability to get even \$225,000,000 for the benefit of agriculture, we are rather optimistic in hoping to be able to set apart 100 percent of the import duties?

Mr. WHITTINGTON. I answer the gentleman by saying it is rather easy to go along and to not make any definite provisions, but it is hazardous. I am undertaking to answer the criticism not only of the committee in charge of this bill, but the criticism that has been leveled at Congress, to wit, that the Congress of the United States has made no definite provision for the payment of parity, and if you or your committee have a better solution, or a more nearly sound solution, or a more nearly just solution than that which I propose, I shall gladly follow you; but I believe we have gone long enough without any solution whatever. [Applause.]

While I have not actually introduced a bill to effectuate the purposes I now advocate, I may say that I have, for years, been committed to the principle that the import duties collected by the Government should be devoted to the payment of parities on agricultural products of which we produce exportable surpluses.

Section 32 of the Agricultural Adjustment Act has a kindred purpose in mind. It only provides for 30 percent of customs duties. I would utilize all customs duties to protect agricultural products handicapped by the protective tariff. I trust that the Committee on Agriculture, of which the gentleman from North Carolina [Mr. COOLEY] is a distinguished member, will give consideration to permanent legislation to provide for parities, and to the proposal that I have outlined, which I will be glad to submit in the form of a bill.

While the amendment that I propose would only provide for the unappropriated customs duties for parities, the more I think about the matter the more thoroughly convinced I am that all customs duties should be utilized for parities. If it is necessary to provide for the disposition of surplus commodities primarily for those in need I am agreeable to other legislation for this purpose.

Again, if all of the customs duties are utilized to provide parities, it might eliminate the suggestion for a manufac-

turers' sales tax for any additional funds not supplied by the customs duties to provide parities.

I believe that the Agricultural Adjustment Act should make definite provision. I proposed broadly that customs duties be automatically appropriated as outlined to provide parities.

I am not alarmed by the use of the word "subsidy." A tariff is nothing more nor less than a subsidy. Parities are tariffs in reverse. There should be a tariff for all or for none. [Applause.]

Under leave to revise and extend my remarks, I should like to say that the amendment I have proposed was submitted to me by Mr. O. F. Bledsoe, of Mississippi. Mr. Bledsoe is, and has been for some 20 years, president of the Staple Cotton Cooperative Association of Greenwood, Miss. He advocates the principle of allocating customs duties to provide parities. He is a successful cotton grower; has given much thought to the cotton problem; he is practical. He is not only a successful cotton grower but he is a successful administrator of a cooperative association. His association has been particularly successful in merchandising cotton.

Having advocated for years that customs duties be utilized to provide parities, I am glad to accord Mr. Bledsoe full credit for the amendment which I have proposed as a permanent solution of the problem of financing parities.

I believe that the proposal of Mr. Bledsoe and the proposal that I have outlined constitute the most practical and sound approach to the solution of the parity problem. The program is thus put on a permanent footing. It is, therefore, permanent legislation.

I summarize my proposal by saying:

First. Seventy-five percent of a parity price will be provided for cotton, wheat, and other similar products.

Second. An equivalent remuneration will be paid to the exporter of goods or articles 90 percent of which are agricultural products.

Third. If additional money is needed, a sales tax on tariff-protected articles can be levied in proportion to their protection. The details can be worked out by legislation.

ADVANTAGES

(a) The program is automatic; it is self-executing.

(b) Surplus products will be sold abroad at world prices.

(c) The program is to use import duties to provide that cotton, wheat, corn, and other agricultural products shall have the equivalent of the benefits accorded to manufactures under the protective tariff.

(d) The collection and distribution of tax money would not be required.

(e) It has all of the virtues and none of the faults or vices of the processing tax, the manufacturers' sales tax, or the certificate plan.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. HAWKS].

Mr. HAWKS. Mr. Chairman, I have been sitting here for 2 days listening to the debate on this bill and I am reminded of a story I heard sometime ago. Perhaps some of you have heard it. A young recruit was sent up to the front line long before he was prepared for such duty. The attack had started and they were shooting off their rifles and the captain noticed that the bullets that were coming out of Private Jones' gun were landing right in among his own troops. He rushed over to Private Jones and snapped him to attention and said, "Private Jones, do you have any idea where the bullets from your gun are going?" Private Jones clicked his heels, saluted, and said, "No, sir, Captain; all I know is that when they leave here they go with a hell of a bang." That is just about the way this debate has been on this particular bill, and that story just about sums up the New Deal. It started with a bang, but had no direction, and consequently has arrived nowhere.

For some reason or other the Congress of the United States does not seem to be getting any place in the solution of the agricultural problem. The gentleman from Oklahoma [Mr. JOHNSON] got up here and accused my colleagues, the gentle-

man from Wisconsin [Mr. JOHNS] and the gentleman from New York [Mr. TABER], of making purely political speeches. I noticed he did a pretty good job on a purely political speech himself when he started out. The only difference I can find between his speech and the speech of my colleague from Wisconsin was that he needed help, while the gentleman from Wisconsin [Mr. JOHNS] did not. [Laughter.]

The question has been asked during the debate on this bill, Why do we have to cut appropriations?

Why do we have to cut this appropriation to the farmers? I have to go back home to try to find that answer, and I find it in just this one reason, that the farmers throughout this country who have been paying the bill just cannot afford to pay it any longer. I know it is nice. I know this farm-tenancy program and other panaceas are nice on paper. I know you can get up here and be social-minded in your attitude, but are you going to destroy the whole program, are you going to destroy the very things that have built this country just because you happen to be social-minded and want to take care of a few of the unfortunate people in this country? I do not know how those who are working hard for a living, those who are really producing the goods that are consumed in this country, and trying to get ahead and trying to keep their heads above water, can do so much longer with the spending program that is going on as it has gone for the past 7½ years. You say we are not in trouble? You say we are not at the danger point? Then you are admitting that \$45,000,000,000 of debt is not dangerous to our entire economic structure. Then you are admitting that going from three to five billion dollars a year in the red is not a dangerous procedure. Then you are admitting that your program that has left us with about 10,000,000 unemployed, that has left us without a solution of this farm problem, that has left us with the tenant problem, a program that has left us with every major problem which you on this side of the aisle refer to as Hoover problems, problems that were created by the Republican administration under President Hoover, as you say, has failed. You are admitting that we still have every one of those problems, and I have to admit that we do have them, and you have failed.

Mr. SOUTH. Mr. Chairman, will the gentleman yield?

Mr. HAWKS. I yield to the gentleman.

Mr. SOUTH. Perhaps a part of that is correct, but it is a fact that the national income went to less than \$40,000,000,000 under Hoover, and it is about \$68,000,000,000 now. That is a substantial improvement.

Mr. HAWKS. All right. Where did our debt go?

Mr. SOUTH. Where did it go? We were increasing it under Hoover and we have been increasing it since.

Mr. HAWKS. I will say we have. We have only increased it some twenty-odd billion dollars under your administration. But, my friends, I do not want to make this thing a partisan question. God knows the problems we have at home, the problems we have in Wisconsin are just as serious as the problems you have in Texas. It is just like the gentleman from Illinois [Mr. DIRKSEN] said the other day, "this thing is serious." We must rise above the kind of partisan politics that has been displayed on this floor in the past 2 days. Unless we do, there is not going to be any Congress of the United States, and I will not have the pleasure of standing here looking into your fine countenances. We must take this problem of agriculture, which I think is basic, and correct it right down at the roots. We have to realize that there is not going to be any general prosperity in this country until we get the farmer back on his feet. Is that not true?

Mr. PIERCE. Will the gentleman yield?

Mr. HAWKS. I yield to the gentleman.

Mr. PIERCE. Will the gentleman outline in a few sentences the program which he would suggest?

Mr. HAWKS. If I could outline a farm program in a few sentences I would probably be the next President of the United States.

Mr. PIERCE. Well, in many sentences, then.

Mr. HAWKS. I do not have the time. We have been working on this for 20 years. This is not a New Deal or

Democratic problem alone. This problem goes back to long before your party came into office. This problem started in 1920 right after the war, and has been growing steadily worse. We have been trying to pay the farmers during the past 7 years out of surplus earnings of other people for something that we could not do or have not been able to do legislatively, and do it on a sound basis. If we are going to stand here year after year and admit that we cannot solve this farm problem, then we had better quit. Then we had better look for a new form of government; we had better look for some kind of government that can solve it. But I maintain that we can. I maintain that this Congress can solve it.

I am here today primarily to talk about one item in this bill, and that is the Forest Products Laboratory, which is located in my district in Madison, Wis. I know that the people back in Madison are deeply interested in this laboratory. The Governor, the gentleman from Oregon [Mr. PIERCE] was there only this winter and he knows of the good work that that laboratory is doing and the money they are saving in the forestry industry alone. That particular laboratory has been cut again some \$68,000.

Mr. PIERCE. Will the gentleman yield further?

Mr. HAWKS. I yield to the gentleman.

Mr. PIERCE. I want to say that that is one of the real things that our committee solved. We saw that laboratory and the work you are doing.

Mr. HAWKS. I thank the gentleman. I honestly believe that every dollar appropriated to the Forest Products Laboratory in Wisconsin is returned manifold.

Mr. PIERCE. Will the gentleman yield further?

Mr. HAWKS. I yield to the gentleman.

Mr. PIERCE. Tell us the reason that was given for the cut.

Mr. HAWKS. I have not found any reason. There is not any reason in the report that I can find. All I know is that year after year, before the Subcommittee on Appropriations on agriculture we have had a hard time to keep around a six or seven hundred thousand dollar appropriation, when the original budgetary recommendation was a million dollars.

We have never been able to get it. Last year, with the supplemental appropriation, I think we got right around \$700,000.

Since they built this new laboratory out there they have been constantly whittling away at the appropriation. If it were something that did not amount to anything, if it were something that was a drain upon the country and the resources of the country, I would have no objection to the cut, but here is an institution that is giving something worth while; that is giving jobs, pouring dollars into pay rolls in this country; yet year after year after year they have had to fight for their very existence.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield 2 additional minutes to the gentleman from Wisconsin.

Mr. PIERCE. Mr. Chairman, will the gentleman yield further?

Mr. HAWKS. I yield.

Mr. PIERCE. The value of the laboratory is in developing uses for waste products, as we saw when we went through the laboratory last year, how they had found uses for things that used to be thrown away.

Mr. HAWKS. The gentleman is correct.

For the benefit of those Members who will not have time to read this huge report let me point out some of the things in which the laboratory is interested and active. They are interested in timber harvesting and conversion investigations, in lumber, forest-products statistics investigations, pulp and paper investigations—and the pulp industry alone in this country did a \$1,300,000,000 business last year. This laboratory is interested in the investigation of the strength of wood, seasoning, and the physical properties of wood, in chemical investigations and wood utilization, in wood preservation investigations, wood structure and growth investigations.

I wish every Member of this House could go into that laboratory as the gentleman from Oregon [Mr. PIERCE] and the committee did last winter and see the splendid work they are

doing and the help they are giving industry and what they are doing down South. By the way, it was the Forest Products Laboratory which was largely responsible for the new paper mill down in Texas. They did a lot of the work and contributed a great deal toward the creation of that particular industry. They have opened up the yellow-pine industry down there in the paper-making field to an extent never before dreamed of, meaning added savings for Americans and also jobs for American citizens.

This laboratory appropriation has been cut \$68,000. While I have been one of the most economy-minded Members of the House since I have been here, still I cannot see how you can keep on whittling away on something that is constantly adding to the total wealth of this country; something that is steadily adding to the pay rolls of this country. I do not see how you can justify such performance.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield 12 minutes to the gentleman from Wisconsin [Mr. HULL].

Mr. HULL. Mr. Chairman, the only reasons assigned to the drastic reduction in appropriations for agriculture and direct benefits to the farmers in bringing in this bill is that the situation of the Federal Treasury is such that economy is necessary. The fact that appropriations by Congress in previous sessions have crowded the Federal debt nearly to the limit fixed by Congress, and that there will be a further deficit this fiscal year, is brought forth with much emphasis. There will be other appropriation bills coming up later, and it would be interesting to know if the reduction of 45 percent in this particular measure shall be extended to other expenditures of the Government. If not, it would be even more interesting to learn why agriculture is called upon to take such a huge reduction in appropriations.

I join in the protests voiced by Members yesterday as to the manner of bringing in bills of such magnitude and rushing them through without giving the Members an opportunity to study the hearings or the report, much less the bill itself. The report and hearings on this bill were not available to the Members of the House until yesterday morning, and practically no time has been allowed Members to familiarize themselves with the extensive reduction which the committee proposes.

The expenditures for agriculture for this fiscal year will be \$1,185,115,000. The administration Budget committee reported very great reductions in that amount to \$780,904,519. Now comes the Committee on Appropriations asking that Congress will consent to a further reduction of \$154,530,263, making the amount available for all agricultural purposes, including the administration expenses in the Department, approximately \$636,000,000.

In this attempt to evoke economy at the expense of the farmers I would call attention to the recent deficiency bill, in which \$267,000,000 were voted by the House for additional expenditures for the Army and Navy this year. The Senate reduced that amount to approximately \$245,000,000, and it is likely to be signed and become a law in that amount. That appropriation is an addition to the very liberal funds provided for the Army and Navy at the former session of Congress.

There is now pending before the Naval Committees of both Houses a proposal that there shall be \$1,300,000,000 of additional appropriations authorized for expanding the Navy. It is not likely that Congress will sanction such an extravagant appropriation for naval expenditures even in the stress of the present war scares, but it is quite evident with the alarming prophecies regarding the dangers of the war in Europe, and further alarmist propaganda regarding the danger of our being drawn into a war with Japan, that the naval appropriations will be greatly added to at this session of Congress. While I believe in adequate national defense, I am not among those who respond to this widespread propaganda for a huge armament program preparing our country to engage in war with all the rest of the world.

In his recommendation to Congress the President suggested new taxes of \$450,000,000 to take care of the increased naval appropriations. There is no present indication that the recommendation of the President will be adopted. In fact, the

leaders in both the House and Senate seem not inclined to favor a tax bill in a Presidential campaign year. Regardless of the condition of the Treasury, the size of the deficit, or the approach to the debt limit, there is not a very strong probability of a tax being levied for war-preparation purposes.

That situation may have been taken into consideration in this particular move for economy in striking out appropriations for parity payments, the purchase of surplus commodities, farm-tenancy program, rural electrification, and other purposes of agriculture. In other words, to reduce the deficit occasioned by naval appropriations, the farmers of the country are called upon to make the sacrifice. Instead of new taxes levied on all the people, there is to be this reduction in appropriations for agriculture. It amounts to the same thing as taxing the farmers by reducing their income for these extended war preparations. In other words, taxing the barnyards to expand the navy yards. I do not approve of that kind of economy.

That the farmers of the country are aware of this move is evidenced by a telegram which I received last evening from the Buffalo County Farmers Equity Union, a strong farm organization in one of the most fertile and enterprising agricultural centers of Wisconsin. It is as follows:

Farmers desperate. Demand parity on all products. Oppose present budget.

BUFFALO COUNTY FARMERS EQUITY UNION,
ADOLPH MAASEN, President.

Still another telegram is at hand this morning from Mr. Albert H. Wahl, president of the Menomonee Farmers Equity Union, which consists of a large membership of dairy farmers, in which he states, "We need farm legislation instead of armament appropriations."

Undoubtedly I shall receive many communications of the kind in the mails in the next few days. Farmers are desperate in my section of the State, and their desperation is increased by the thought that their income is to be reduced under the guise of economy while preparations are made for expanding the National Budget by appropriations for other purposes.

The amount appropriated for parity payments the past year was \$225,000,000. Some try to believe that the war in Europe may so increase agricultural prices that prices may be raised to parity without this appropriation. We passed the naval deficiency bill appropriating the additional \$267,000,000 regardless of its effect upon the Budget, and the committee now would strike out the \$225,000,000 of direct appropriations for farmers upon the mere hope that the war may increase agricultural exports and add to the agricultural income. There is no indication that such will be the case, as England and France are buying less of agricultural products from us than they were a year ago. Our farm problem will not be solved by foreign markets or foreign policies. It is our responsibility to do our part toward its solution now.

There are differences of opinion as to the success of the general program for agriculture under which we are working. I have been among its critics. I have objected to its limitations as well as to the advantages which it brings to some sections of our country and the lesser benefits to other sections. I have not believed that the one-fourth of our farmers engaged in dairying with a product value of nearly \$2,000,000,000 annually, the largest branch of agriculture, should be deprived of a share in such a farm policy while the principal benefits are confined to those producing cotton, corn, wheat, rice, and tobacco. A policy which discriminates between farmers of a few sections and those of many other sections is as unjust as has long been the unfair discrimination between industry and commerce and agriculture in general.

Regardless of differing opinions as to the general farm program, it must be conceded that it will be continued for the time being. The main issue is whether or not we shall make it more effective, more beneficial, or hamstringing the program by restricting its operations.

Our Wisconsin dairymen feel that they have been unjustly deprived of the benefits they might have received under the

farm policy. Their payments have been small as compared to those received by the farmers of other States. They rightfully believe that they should be included, and they are demanding that dairy products shall be included among the basic commodities along with corn, cotton, wheat, rice, and tobacco.

H. R. 6500 and H. R. 6530, identical measures, presented by the gentleman from Wisconsin, Congressman GEHRMANN, and myself, are measures upon which our dairy farmers demand action. These measures were formulated under the direction of the Farmers' Equity Union and the Wisconsin Dairy Parity League. Hearings were held by a subcommittee of the Committee on Agriculture last July. A large delegation of dairymen came from Wisconsin, and others from Minnesota and New York, to voice their approval of these measures and urge their adoption. Included were President Kenneth W. Hones, president of the Wisconsin Farmers' Equity Union, and William H. Bundy, president of the Wisconsin Dairy Parity League. The hearings were adjourned without day. We are endeavoring to have them completed, hoping for a favorable report and later for prompt action by Congress to include dairy commodities under the parity policy.

These measures have been discussed before hundreds of farm meetings and many business associations and commercial clubs in both Wisconsin and Minnesota. Thousands of farmers are interested in them and are demanding action.

Now comes the report of the Budget committee, striking out all parity funds, and the House committee accedes apparently without protest. To the farmers who benefited directly by parity payments and to all others who are demanding a share in the program, the present bill denies even consideration. Budget balancers and economy advocates join hands with the proponents of a world-dominating navy in the endeavor to reduce farm income and farm buying power at a time when the very plight of agriculture continues to be the principal cause of a continuing depression, with its industrial distress, unemployment, direct relief, and all else which come with it and will remain with it until agriculture is reestablished on a parity basis.

It is to be hoped that the House will amend the measure before us, provide funds for parity payments, at least to the extent of 75 percent of parity as the program now provides, and in sufficient amount to permit dairy products to also be included in the parity program. If it fails to do so, it will serve notice on agriculture that "economy" starts on the farm, and, if other appropriations are not to be similarly reduced, it must end on the farm.

Reduction of the funds for surplus-commodity purchases and distribution by \$72,000,000 will occasion losses to farmers far in excess of that amount, as such purchases have served to reduce surpluses and stabilize marketing conditions. It will also lessen the supplies to thousands of families on relief in the large cities; increase the effect of alleged overproduction by furthering more underconsumption. Farmers get their benefits from these expenditures by better marketing conditions only. The destitute people of the industrial centers obtain the direct benefit. Reduction of the funds by nearly 40 percent means the piling away of food surpluses in the warehouses, to the great detriment of farmers and consumers alike.

In 1938 the Surplus Commodities Corporation purchased 152,000,000 pounds of butter and other dairy products for the double purpose of supplying the needy families who otherwise would not be able to obtain dairy foods essential to good health. Removing that amount of dairy products from the oversupply maintained the prices of such products from 20 to 40 percent above what they would have fallen to in a speculator's market. To reduce the appropriations at this time will invite further difficulties in the dairy markets as the flush season of production comes on. The losses to butter and cheese producers under such conditions will far exceed the amount of the "economy" which this bill proposes. The proposal is unjust to other farmers whose products were purchased in three times the amount expended for dairy commodities. It is still more unjust to the millions of the ill-fed,

ill-clothed, and ill-housed who have shared in this portion of the farm program. Restoration of the amounts for surplus commodity purchases should be done by amendment. The cost of a battleship exceeds the so-called savings proposed by this reduction, and there is no present indication that battleships are as badly needed as are food for the needy and improved markets for the farmers.

Mr. SCRUGHAM. Mr. Chairman, will the gentleman yield?

Mr. HULL. I yield.

Mr. SCRUGHAM. What does the gentleman estimate to be the yearly cost of our battleship program?

Mr. HULL. The only estimate I could make is on the general information given us when naval matters are before the House, that one modern battleship costs in the neighborhood of \$72,000,000.

Mr. SCRUGHAM. If I told the gentleman that the total appropriation for battleships this fiscal year was only around \$100,000,000, would that alter the gentleman's statement?

Mr. HULL. Did the gentleman say \$1,000,000,000?

Mr. SCRUGHAM. No; I said around \$100,000,000.

Mr. HULL. As the appropriation for battleships this year?

Mr. SCRUGHAM. The amount appropriated for battleship construction this year is something slightly over \$100,000,000, and for the proposed 45,000-ton ships, only something over \$100,000,000.

Mr. HULL. It may well be that for some particular type of battleship only \$1,000,000 was appropriated for the current year, but there is authorization for battleships running into the hundreds of millions.

Mr. SCRUGHAM. Authorizations, but not appropriations.

Mr. HULL. Eventually they will be made, the money is going to be spent. Now, I would withhold a little of what is going to be spent on battleships and give it to the farmer, particularly the dairy farmers of the country.

Mr. SCRUGHAM. I am entirely sympathetic with farm relief, but how much of the needed farm relief does the gentleman think the amount appropriated for a battleship would take care of? Certainly only a very small percent.

Mr. HULL. The amount authorized for battleships?

Mr. SCRUGHAM. The amount authorized and the amount appropriated are entirely different things.

Mr. HULL. But if the authorization is there it does not matter whether in 1 year there is appropriated \$1,000,000,000 or \$100,000,000, we may expect the balance to be appropriated.

Mr. SCRUGHAM. I wish to deny the inference that farm relief and national defense are conflicting items. They both may be considered as essential to the welfare of the Nation. In the face of world-wide conditions and the lessons of history, it would be folly to cut down our naval defense. Is it claimed that battleships cause a reduction of money available for farm relief?

Mr. HULL. Battleships and other naval craft.

Mr. SCRUGHAM. What is the gentleman's definition of a battleship?

Mr. HULL. Perhaps my definition of a battleship and the gentleman's definition of a battleship may not agree. To my mind any ship of war is a battleship, whether they are huge structures or little ones.

In 1939 the total of farm income was approximately \$8,000,000,000. The direct benefits to farmers were about \$730,000,000, or approximately 9 percent of the total. The indirect benefits through corn, cotton, and wheat loans and commodity purchases can only be estimated, but probably far exceeded the amount of direct payments.

The farmers, comprising 25 percent of our national population, receive less than 10 percent of our national income. The farm income for 1938 was nearly a billion less than that of 1937. Except for fall advances in the prices for some products in anticipation of the effect of war, the income of millions of farmers was less in 1939 than in 1938. In Wisconsin farm income for 1939 was 13 percent below that of 1938.

At such a time, when farm foreclosures have driven hundreds of thousands of farmers from their homes and farms,

and the farmers remaining are receiving so much less than cost of production that further foreclosures are bound to follow, protection of agriculture from the attempts of those who favor balancing the Budget at the expense of farm income should be the duty of Congress, and for my part I shall vote accordingly. In 1937 about 35 percent of our farmers had an average income of less than \$500. That year was more favorable to farmers than any since. I am not in favor of still further reducing the income of 2,000,000 farmers by the proposed economies, nor of depriving another 1,500,000 farmers, whose incomes are less than \$1,000, of any benefits which may have been derived from the farm program now in force. I am ready and heartily ambitious of seeing policies adopted which will lead to greater benefits and increased incomes. But the matter directly before us is that of protecting what we have while seeking the better. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 30 minutes to the gentleman from Mississippi [Mr. COLLINS].

PROGRESS OF THE FEDERAL RURAL ELECTRIFICATION PROGRAM

Mr. COLLINS. Mr. Chairman, one of the outstanding accomplishments of our national agricultural policy of aiding the rural people of the United States to improve their living standards has been the rapid expansion of rural electrification during the past 4½ years. When the Rural Electrification Administration was established in May 1935 only 1 out of every 10 farms was receiving central station electric service. Today 1 farm out of every 4 is receiving the benefits of this service. It is evident that this rapid progress would not have been possible without the encouragement given by the Federal Government through its lending of funds at low rates of interest to rural communities for the construction of their electric distribution systems. The total number of farms now electrified is about 1,700,000. Even with the widespread activity of R. E. A., which has given aid to farmers in 45 States, over 5,000,000 farms are still without central station electric service.

PROGRESS OF RURAL ELECTRIFICATION ADMINISTRATION

It is reported that on January 1 of this year about 400,000 rural consumers were receiving electric service from lines constructed with funds borrowed from Rural Electrification Administration, and that service will be available to an additional 350,000 when lines now under construction are completed. Progress has been made during the past 6 months at an accelerated pace, as is evidenced by the fact that of the 400,000 now receiving service, about 132,000 were connected between July 1, 1939, and January 1, 1940, an average of 22,000 a month. Since September 1939 it is reported that connections have been made at the rate of about 30,000 rural consumers a month. This compares with an increase of 168,000 between July 1, 1938, and July 1, 1939, or an average of 14,000 per month. By the end of the lending program as established by the Congress in the Rural Electrification Act, service will be available to almost one and one-half million farm families and other rural consumers from R. E. A. financed lines alone.

The growing importance of the rural-electrification program and the accompanying increase in the magnitude of the responsibilities of Rural Electrification Administration are shown clearly by the reports of that agency on its increasing investments of public funds in rural-electric systems. At the end of the year 1939 R. E. A. had made allotments totaling \$268,037,000 to 690 borrowers located in 45 States. This compares with \$229,698,000 to 632 borrowers on July 1, 1939; \$89,565,000 to 367 borrowers on July 1, 1938; \$61,148,000 to 266 borrowers on July 1, 1937; and \$15,050,000 to 66 borrowers on July 1, 1936.

The records of Rural Electrification Administration showing the amount of funds actually advanced by the Treasury Department for rural electrification and the number of miles of electric line actually constructed are equally impressive in indicating the forward strides of this program. By January 1, 1940, R. E. A. had advanced funds totaling \$184,099,000. This figure compares with advances of \$122,338,000 on July 1, 1939, \$60,500,000 on July 1, 1938, and \$12,401,000 on July 1, 1937. From these figures it may be observed that approxi-

mately the same amount—\$62,000,000—was advanced during the last 6 months of 1939 as was advanced during the entire 12-month period between July 1, 1938, and July 1, 1939, which indicates a doubling of the monthly rate at which funds were going out for labor and materials. A similar rate of progress is revealed by the reports of the number of miles of electric line constructed. These reports show that on January 1, 1940, there had been a total of 200,579 miles constructed; on July 1, 1939, a total of 137,277 miles; on July 1, 1938, a total of 61,460 miles; and on July 1, 1937, a total of 12,462 miles. During November and December of 1939 the rate of construction reached an all-time high, averaging slightly over 500 miles of line a day.

These statistics show clearly the progress that has been made in carrying out the Federal rural-electrification program. It is a notable record of 4½ years' work. Particularly is it noteworthy when consideration is given to the size of the staff that has been responsible for this work. For the present fiscal year Rural Electrification Administration has an appropriation for salaries and expenses of \$2,700,000, or about 1 percent of the \$268,000,000 of investments for which it is responsible. The Budget estimates for the next fiscal year indicate a similar relationship between the item of salaries and expenses and total investments, which will then amount to approximately \$310,000,000. To my knowledge, there is not any other business, either public or private, with similar responsibilities and activities that conducts its affairs more economically and at a smaller percentage of its total loans. It is generally recognized that because R. E. A. investments are made in going concerns, usually to the extent of 100 percent of the value of the properties constructed with the borrowed funds, and because of the highly technical nature of the work involved in the construction and operation of electrical systems, it is necessary that Rural Electrification Administration must have a continuing responsibility with the affairs of its borrowers at least until they have established themselves on a financial basis that gives assurance of repayment of the loans. Undoubtedly most of the progress achieved in carrying out the rural-electrification program reflects the activities of the relatively small but highly competent staff of experts engaged in the work. The inherent nature of these activities requires a large proportion of highly trained technicians and professional persons. A second factor which has contributed in no small measure to the progress has been the employment of the more progressive methods of management.

Through measured standards of performance, scheduling and progress records, a positive control is maintained over operations. It is apparent from a demonstration of these controls that this agency has been able not only to coordinate its activities for maximum effectiveness but also that it has operated very efficiently. A third factor which deserves special notice is the intensity at which the R. E. A. staff works.

RURAL ELECTRIFICATION PRIOR TO 1935

Prior to 1935 rural electrification generally was restricted to a selected class of farm residents. For the most part, those farmers fortunate enough to have electricity were located along the main roads extending between urban centers, where density of population was relatively high, or in areas of the country where the type of farm activities offered large power loads at the outset. In most rural areas devoted to general farming, however, line extensions usually were short and reached only a few customers located in the more prosperous sections. In addition, rates and other conditions of service were generally restrictive of rural electrification, ranging from requirements that prospective customers pay high prices for the line and give the power company title to the property, to partial contribution to the construction cost with high minimum bills or other extra charges. Generally the private companies made no effort to find out whether construction in rural areas might not be simpler and less expensive than that in urban centers and therefore require less investment. If the companies were disposed to build lines into the country, farmers had to pay whatever the company asked or do without service. Most farmers had to give up the thought of

having electricity because their income would not permit acceptance of such terms. Primarily because of these onerous conditions there was very little real rural electrification in the United States before 1935. The practice of making short extensions to the relatively few farmers who could afford to pay meant not only that electric service was restricted but also that construction costs were unduly high because of piecemeal heavy construction.

A NEW APPROACH TO RURAL ELECTRIFICATION

When Rural Electrification Administration was established it was recognized that an entirely new approach to the problem would have to be made if electric service were to be made available on a widespread basis to farmers at rates and under conditions they could afford. At that time it was assumed that under the favorable conditions established and the low-interest rates offered by R. E. A. the existing private utility companies would borrow the majority of the loan funds because they were going concerns, had generating plants and other facilities, and had seemed to indicate their intention of extending service into agricultural areas. It was thought that by making loans to private companies, the funds would be spent promptly for labor and materials and thereby stimulate business immediately and help to alleviate the serious unemployment situation. But of the \$268,000,000 allotted by Rural Electrification Administration by January 1, 1940, less than 2 percent has been borrowed by private companies.

Within a year after R. E. A. was established, a new type of borrower—the electric cooperative, or nonprofit local distributing organization—came into being. This development, which had been foreseen in the Rural Electrification Act of 1936, began at a slow pace at first, but grew rapidly as more farm communities discovered how they could organize to get electricity. Under their State laws they formed cooperatives to borrow funds from R. E. A. Of the total amount allotted by January 1, 1940, over 92 percent had been borrowed by cooperative associations and about 6 percent by public power districts and other public bodies.

As has been indicated, in order to make electric service available on a widespread basis to farmers at rates that they could afford to pay, a new approach had to be made on many fronts to remove or overcome the barriers that had stood in the way of progress in the past. This meant blanket coverage of large areas, sharply reduced line costs, and lower rates. It was evident that these objectives had to be achieved if widespread rural electrification on a self-liquidating basis were to be made a reality. These objectives and the emergence of the cooperative organization as the principal type of borrower—a type of organization relatively new to the electric industry in the United States—presented the need of pioneering work of a high order. As a consequence, it has been necessary to obtain the service of competent technicians and other experts in order to deal effectively with these matters.

REDUCTION IN RURAL LINE COSTS

One of the outstanding accomplishments of R. E. A. is the substantial reduction in the cost of line construction. Before the establishment of R. E. A. the reported average cost of rural lines ranged from \$1,500 to \$1,800 a mile. With few exceptions, rural line construction had followed urban practice of heavy construction. R. E. A. engineers streamlined the established design and produced a graceful but durable style that is more economical and better serves the needs of the farmer. By designing rural lines to meet rural needs, by placing construction on a mass-production basis, and by simplifying and standardizing designs and materials, R. E. A. has reduced line costs to an average of about \$800 a mile, or about 50 percent of previously reported costs. Since 1935 the over-all line costs of R. E. A. borrowers have been declining—from \$980 in 1936 to \$914 in 1937, to \$810 in 1938, and to \$754 in 1939. These economies have not been achieved by inferior design or construction. R. E. A. line design is being adopted by the private companies. The constant decline in the cost of line construction is broadening the potential area of economical rural electrification because every reduction is reflected in the farmers' electric bills, and

lower costs mean that more farmers can afford electric service.

Closely associated with the development of mass production methods of line construction has been the development of comprehensive area coverage. The practice generally followed prior to 1935, of building only to those farms promising relatively large loads and disregarding all other neighboring farms, frequently referred to as "skimming the cream," deprives the large number of remaining farms of the probability of ever receiving electric service, because lines can be extended to them in the future only at high costs. Comprehensive area coverage as practiced by R. E. A. borrowers, however, assures availability of service to most of the farms within a compact area, because mass-production methods of line construction can be used and the lower costs averaged over both large and small consumers.

Though the new type of line-design standards is the best known contribution of R. E. A. to more economical rural construction and has been responsible for much of the progress of this agency in extending rural electrification on a self-liquidating basis, certain other technical advances should be mentioned. Among these are two which should be noted specifically: a cyclometer-type meter and a low-cost transformer. In cooperation with manufacturers the R. E. A. engineers have developed a cyclometer-type meter which permits easy, direct reading and reporting by farmers themselves and thus reduces the cost of meter reading from about 15 cents to 3 cents a month per meter. Over a period of years this meter will save farmers many thousands of dollars.

Among the more recent technical developments of importance in extending rural electric service is a new low-cost, small transformer which will enable farmers of very limited income to have electric lights and small appliances with a minimum bill of about \$1 a month. Even at the substantially and progressively lower costs achieved since the Government program began, many low-income farmers have not been able to afford electric service. This new transformer will enable the sharecropper or small tenant farmer, for example, to have electric lights and radio, and a few other small appliances at very low cost. The development of this small transformer is an excellent example of the efforts of R. E. A. to bring electric service within the reach of all farmers regardless of their income status. This is in direct contrast to practices of utility companies of serving only the more prosperous farmers within an area and disregarding all others.

The effect of these and many other engineering advances in rural line construction has been not only to lower substantially the cost of rural lines, which in turn makes possible lower electric rates, but also to make possible the extension of electric service to many rural areas on an economical basis.

LOWER POWER RATES

Substantial progress also has been achieved by R. E. A. in lowering the cost of electricity to farmers by assisting its borrowers to obtain power at lower wholesale rates. Wholesale power costs are the largest item of expense of rural distribution systems and often may mean the difference between failure and success of a project. Inasmuch as most of the generating plants of the country are owned by private companies, the wholesale rates paid by R. E. A. borrowers must be acceptable to these companies. When the Government rural-electrification program started, many companies were reluctant to quote rates; some refused to quote rates at all, and others offered wholesale rates averaging as high as 2½ and 3 cents per kilowatt-hour. In addition the power contracts offered by many of the companies were complex and contained many confusing clauses detrimental to the interests of the borrowers. By constant negotiations with utilities and State public-service commissions, and because of the growing realization by some companies of the desirability of this new load created without expense to them, R. E. A. has been able to reduce the average wholesale charge per kilowatt-hour to about 1.25 cents. In addition to direct benefits to R. E. A. borrowers, an important effect of these reductions in wholesale rates has been further reductions to other classes of wholesale customers of the companies. In many instances

rate schedules of private companies have been revised to meet the new conditions created by the growth of rural electric cooperatives.

RURAL ELECTRIC COOPERATIVES

While the emergence of the cooperative or nonprofit association as the principal type of borrower of Government funds for rural electrification has created problems and consequently profoundly influenced the nature of the responsibilities and activities of Rural Electrification Administration, there are beneficial aspects of this development of far-reaching significance. In a very real sense these cooperative and nonprofit associations are community enterprises conducted on the basis of democratic principles. As community enterprises they are controlled by their membership, and every member has one vote. It has been said that the cooperative movement is one of the great educators for a democratic society. Today, when democratic institutions are being sorely tried throughout the world, we in this country are taking positive steps to reinforce and stabilize our institutions for the preservation of our democracy. The development and growth of rural electric cooperatives and other similar nonprofit associations is one step in the march toward a true democratic society in which citizens of a community through their collective efforts can control their affairs.

However, cooperatives are businesses like any other enterprises and must be operated on sound business principles if they are to be efficient and successful. Inasmuch as the rural electric cooperative and nonprofit corporation is a new type of organization, R. E. A. borrowers lack experience not only in the technical field but also in the business management of electric distribution systems. Obviously, Rural Electrification Administration must help these borrowers initially in solving their technical problems and in guiding them toward a financial basis which will assure the repayment of the Government loans. This requires competent experts and technicians trained in many fields, because the construction and operation of an electrical utility system is a highly technical and complex undertaking. These expert services are required particularly to evaluate the soundness of loan applications and the probability of repayment of the loans, to determine the legal validity of the borrowers' organization and all contracts and other documents, to help farmers obtain maximum benefits from the use of electricity in their home and farm activities, and to guide borrowers in the construction and operation of their systems to assure efficient management and safeguard the Government loan.

The activities of R. E. A. are designed, therefore, to bring to almost 700 borrowers the services of varied experts which the borrowers could not independently afford. They are intended to fulfill the objective of the rural-electrification program of the Congress by making electricity available to as many farms as possible at low cost, and at the same time to assure sound construction and efficient operation of the systems and thus the maximum security of the Government's loans. When consideration is given to the innumerable activities involved in the construction and operation of rural electric systems, it is amazing that Rural Electrification Administration with its small staff has been able to achieve the progress it has made during the past 4½ years.

BENEFITS OF RURAL ELECTRIFICATION PROGRAM TO INDUSTRY

In addition to its direct benefits to farmers, the Federal program of rural electrification has created other widespread social and economic benefits. One of the chief recipients of these benefits has been the electric utility industry. About two-thirds of the R. E. A. financed systems purchase their power at wholesale from private companies. It is estimated that for the 12 months ending June 30, 1939, the R. E. A. cooperatives purchased approximately 75,000,000 kilowatt-hours at a cost of over \$1,000,000. During the present fiscal year these purchases are expected to amount to almost \$3,000,000. This represents new business for these utility companies—business for which they did not have to incur any selling or development expense and which results in improvement of their load factor.

The rapid strides of the rural-electrification program with the accompanying increase in the number of new rural users

of electricity has opened a new market for the manufacturers of line construction materials. As of June 30, 1939, it is estimated that Federal funds used for financing line construction, wiring, and plumbing required manufactured products worth over \$145,000,000.

This business was shared by many industries, including lumbering, mining, smelting, electrical manufacturing, hardware, plumbing, and transportation. In addition to the above, consumers on R. E. A. financed lines spent almost \$27,000,000 of their own funds for wiring and plumbing installations.

Surveys of the electrical appliances being used by members of R. E. A. cooperatives indicate the extent of the market that has been developed for manufacturers of electrical, household, and farm equipment. On the basis of this survey, it has been estimated that the average farm family, during the first year of electric service, spends almost \$200 for electrical appliances. This would indicate that the farmers receiving service from the Government-financed lines have spent not less than \$80,000,000 for appliances. Since experts tell us that farmers are just on the threshold of use of electricity in their farm operations, it can be expected that the farm market for appliances and equipment will continue to expand.

THE COOPERATIVE A SOUND INVESTMENT

Inasmuch as not more than 20 percent of R. E. A. borrowers have completed their systems and can be considered to have reached the stage of well-rounded-out going concerns, an appraisal of the operating results to date of the rural-electrification program must necessarily take these conditions into account. The status of the other 80 percent of the borrowers varies widely; some of the systems are not yet energized, while others are constructing additions and are not completely energized. Of those which are energized the average age is about 18 months.

The best evidence of the financial results of the rural-electrification program to date is contained in the figures showing the amounts due the Reconstruction Finance Corporation by the R. E. A. and the amounts which have been collected to meet those payments. The reports indicate that every payment on these obligations has been made promptly and that R. E. A. has had a surplus after each payment was made. On January 1, 1940, a total of \$992,362.70 was due the R. F. C. for interest payments. After paying this obligation R. E. A. had a surplus of \$1,390,527.15 to its credit for future payments. This is an excellent record of accomplishment.

R. E. A. loans are made on a 25-year basis, and technically—so long as interest is paid—are not due until the end of that period. While R. E. A. has made provision for periodic repayments of principal—a practice not generally followed by private utility companies—it has done so as a matter of good-business practice and not for the purpose of squeezing its borrowers.

At the present stage of the development of the rural-electrification program, trends in borrowers' operations are important indices of the progress being made by them toward financial stability and successful operation of their systems. If gross revenues increase more rapidly than operating expenses, if new users are being added to the lines, and if consumption of power continues to increase, then there is no question of the financial outcome of the program. Judged by criteria such as these, R. E. A. borrowers are in excellent condition and show a promising future. These results, of course, have not been achieved automatically but have come from the continuing efforts of R. E. A. to help borrowers achieve efficient management in the technical and business operation of their electric distribution systems. Such expert advice and counsel must be continued at least until the borrowers have reached a point of stability which assures repayment of the Government loans.

EXPANSION OF RURAL ELECTRIFICATION

There are strong indications that the desire for electric service by farmers on terms that they can afford to pay is increasing. R. E. A. reports that loan applications on hand or in the field at the present time total about \$48,000,000 in the face of discouragement of inquirers when available loans

are near exhaustion. This amount exceeds by \$8,000,000 the loan appropriation of \$40,000,000 recommended in the Budget for fiscal year 1941.

In view of the contention that lack of farm income sets a limit to economical rural electrification, it is of interest to note the results of a survey made by the Farm Journal in 1938. Although made after 2 years of intensified activity in rural electrification, this survey estimated that over 2,000,000 nonelectrified farms were located in the upper income third of the counties of the United States; counties that account for two-thirds of all cash farm income and report an average cash income per farm of \$1,733 in 1937.

Rural electrification is one part of our national program to improve farm income and the welfare of farm families. It is a factor common to many parts of the broad program to restore farm life to its proper plane in the national economy, and it reinforces many of the activities being carried on to achieve that objective. In a very real sense, rural electrification is of national concern and its accomplishment is a national responsibility. Notwithstanding the current progress being made in extending electric service to rural areas, the major problem remains primarily one of wider availability, making electric service available to as many farms as possible. The magnitude of the task is challenging when it is considered that 3 out of 4 farms in the United States are still without electric service. The strides and progress already made by R. E. A. indicate that the task can be done.

Progress of Rural Electrification Administration construction, June 30, 1936, to Dec. 31, 1939

As of end of month	Allotments	Advances	Number of borrowers	Number of operating systems	Miles of line constructed (weighted construction)	Miles of line energized (approximately)	Consumers connected (approximately)
June 1936.....	\$15,050,000	\$823,000	66	11	12,462	400	1,000
June 1937.....	61,148,000	12,401,000	266	45	61,460	8,000	20,000
June 1938.....	89,565,000	60,500,000	367	248	137,277	115,000	100,000
June 1939.....	229,698,000	122,338,000	632	417	146,021	120,000	268,000
July 1939.....	235,411,000	132,936,000	635	428	148,267	120,000	275,000
August 1939.....	241,715,000	146,078,000	648	442	158,267	127,000	290,000
September 1939.....	253,909,000	157,945,000	664	457	167,558	136,000	310,000
October 1939.....	261,474,000	166,321,000	671	472	177,466	150,000	340,000
November 1939.....	267,136,000	176,073,000	687	498	190,793	164,000	370,000
December 1939.....	268,037,000	184,099,000	690	535	200,579	189,000	400,000

Status of Rural Electrification Administration funds (as of Dec. 31, 1939, except as noted)

	Appropriations	Allotments	Loan contracts	Advances
1935 Relief Act.....	\$14,165,128	\$14,165,128	\$14,165,128	\$13,953,733
1937 R. E. A.—R. F. C.....	50,000,000	46,351,331	46,130,643	(1)
1938 R. E. A.....	30,000,000	29,552,086	29,493,636	26,761,267
1939 R. E. A.—R. F. C.....	140,000,000	239,720,556	138,523,196	(1)
1940 R. E. A.....	40,000,000	38,248,192	33,798,690	4,117,463
Total.....	274,165,128	268,037,293	262,111,293	184,099,271

¹ 1937 and 1939 funds cannot be segregated by years; total \$139,266,808.

Loan applications pending

Ready for allotment.....	\$6,349,500
Being examined for allotment.....	14,312,250
Known to be in preparation in field.....	27,433,700
Total.....	48,095,450

Allotments by uses

	Amount	Percent
Line construction and working capital.....	\$256,506,431	95.7
Generating plants.....	6,529,000	2.4
Wiring and plumbing.....	5,001,862	1.9
Total.....	268,037,293	100.0

Interest and principal payments from borrowers

WIRING AND PLUMBING LOANS	
Interest due.....	\$35,427
Interest paid.....	34,059
Principal due.....	267,641
Principal paid.....	283,019

CONSTRUCTION AND WORKING CAPITAL LOANS

Interest due	\$1,374,373
Interest paid	1,345,176
Principal due	759,322
Principal paid	812,433

R. E. A. payments on notes to R. F. C. (Jan. 1, 1940)

Interest due	1,774,106
Interest paid	1,774,106

Interest account of Rural Electrification Administration—Interest received from borrowers, interest due and paid Reconstruction Finance Corporation, and balance available for future payments

Date	From borrowers—	Due and paid Reconstruction Finance Corporation	Balance
July 1, 1937	\$19,329.06	\$19,329.06	
Jan. 1, 1938	47,963.12	15,086.61	\$32,876.51
July 1, 1938	152,015.37	14,840.63	137,174.74
Jan. 1, 1939	605,826.21	508,889.32	96,936.89
July 1, 1939	834,837.44	229,597.74	611,239.70
Jan. 1, 1940	2,382,889.85	992,362.70	1,390,527.15

The Dirksen amendment, which has been accepted by a majority of the Appropriations Committee, is an indirect attempt to destroy the rural electrification program by striking at the patriotic group of men and women who have made it successful.

Before carrying its provisions into effect I do hope that each Member of this House will carefully weigh these pertinent facts.

BASIC POINTS JUSTIFYING R. E. A.'S PROMOTION POLICY

I. Rural electrification was a new thing. It called for pioneering, trail blazing, creation of new techniques.

II. Pioneering requires an unusually high proportion of specialists.

III. R. E. A. did its key recruiting during that part of the depression (1935 and 1936) when first-class men were available at second-class salaries. The salary scale was set too low for present conditions.

IV. R. E. A. grew from some 200 at the end of 1935 to nearly 800 at the end of 1939. Increased responsibilities were constant. Some could be reflected in reclassifications; others only in administrative promotions—when funds permitted. Promotion from within has been a basic policy wherever possible.

V. Each year sees an increase in the total amount of R. E. A. loans, all of which require R. E. A. attention if they are to continue to flow back into the Treasury. In fiscal year 1940, R. E. A.'s administrative appropriation amounts to 1 percent of the amount loaned.

VI. In spite of the promotions made, R. E. A.'s average salary remains substantially below the averages of a number of comparable agencies.

I

R. E. A. is something new—it is a pioneering organization. The engineering and legal problems that have faced R. E. A. since its inception have been new problems calling for new answers.

"How could low-cost, sturdy, and dependable lines be built on a scale never before attempted?" was the question to be answered by the engineers. Engineering skill of unusual caliber was necessary to develop the undeveloped field of rural electrification so that farmers could obtain electricity at a reasonable cost. Men of imagination are not to be found on every corner.

The legal questions concerning State laws in relation to R. E. A. projects were in a new field. Many States lacked suitable laws for the organization of farmer-owned electrification projects. Attorneys had to be of high ability to safeguard the public's money through proper loan contracts, proper incorporations of projects, and proper legal relations of the projects with other interests. Safeguarding the vigor of the borrowing groups from all legal tangles later became an important service. By employing and keeping good attorneys now, difficulties resulting in expenditure of large sums of money will be avoided in the future.

Good accountants to keep track of expenditure and repayment of funds, experts to help develop projects that will be healthy and pay off the loan in the contracted period, experts to help the farmer learn how electricity could be used profitably on the farm—all are necessary in establishing and maintaining an effective program of rural electrification.

II

Rural Electrification Administration's work is highly specialized. The technical nature of the work calls for specialists and skilled people generally. The engineering problems require skilled engineers; the legal problems require trained lawyers; the accounting problems require experienced accountants. Passing on the feasibility of loans in a new field is a difficult art. Helping farmers get acquainted with electricity and put it to work calls for a high order of training and experience in a specialized field. Advising with young projects in the solution of their operating problems is not work for routine clerical personnel.

Since the work is in professional fields, professional salaries have to be paid. Therefore, higher salaries should logically prevail than in agencies where the subject matter is non-professional.

III

In spite of its technical nature, R. E. A. has a low-salary scale. Many of the key employees were recruited during the depression. They were obtained at unusually low salaries. Business is now better. R. E. A. knew it wouldn't be able to keep these people unless higher and more equitable salaries were paid. Losing these men would have been and would now be a blow to the operating effectiveness of the agency and would endanger the security of the money loaned, now totaling some \$275,000,000.

Not only from the standpoint of cutting down turn-over is it advisable to pay adequate salaries. Fairness requires that professional and skilled persons, still receiving salaries far below the worth of the job they are performing, be given increases commensurate with their work.

IV

Rural Electrification Administration is growing. It is successfully carrying out the program laid out by Congress. As the organization has grown, jobs have increased in responsibility. The volume of work per man has likewise increased. Higher-quality work and greater quantity both deserve higher compensation. Lapses and savings resulting from increasing efficiency have been applied to this end as fast as they accrue.

As the administrative staff has grown, in attempting to keep pace with the loaning operations, new jobs have developed. These have been filled by promotion from within, which is the cheapest, quickest, and most effective way of getting the work of R. E. A. done. Those already in R. E. A. knew the organization—the nature of the job; they did not have to be trained. On the other hand, the organization knew the ability of the employee. Promotion of able employees was the logical result.

Although the administrative staff has increased in size, the increase in work is out of all proportion. Thousands of hours of overtime are put in by members of the staff to keep up with the current pressure of work. In fact, Mr. Carmody, the former Administrator, found it necessary to forbid unauthorized overtime. The load was telling on the productiveness of many staff members.

V

The total amount loaned to date is \$270,000,000. None of the borrowers have completed repayment, nor will they for many years to come—the loans are for 20 to 25 years. R. E. A. has a continuing responsibility for all the outstanding loans. Yet the administrative expenses appropriated for fiscal year 1940 were \$2,700,000, which amounts to 1 percent of the money loaned.

Assuming \$40,000,000 to be loaned during fiscal year 1941, the total sum being administered will equal \$315,000,000. For the administration of this fund, the President's budget calls for \$3,100,000, which is under 1 percent of the amount of money loaned. The administrative load increases year by

year as additional money is loaned, and will for some time to come, until the older projects become fully going concerns, able to do without load building, management, and accounting assistance, as rapidly as new projects are launched.

VI

According to the United States Budget for 1941, the average salary estimated to be paid in R. E. A. during the current fiscal year is \$2,342. Five comparable agencies show average salaries estimated for their departmental staffs—R. E. A. has no field staff—ranging from \$2,585 for Farm Credit Administration, to \$2,710 for Farm Security Administration. Securities Exchange Commission shows \$2,635, Federal Power Commission shows \$2,655, and Reconstruction Finance Corporation shows \$2,694. These figures are all taken from the Budget now before Congress, and are arrived at by dividing the number of permanent departmental employees into the amount set aside for their salaries.

The Budget of the United States—1941
[Estimate 1940 column]

	Employees	Salaries	Average
Rural Electrification Administration—net permanent departmental (without lapses) ..	790	\$1,850,198	\$2,342.02
Federal Power Commission—net permanent departmental ..	454	1,205,598	2,655.50
Securities Exchange Commission—net permanent departmental ..	1,330	3,505,540	2,635.74
Farm Security Administration—net permanent departmental ..	38	102,985	2,710.13
Farm Credit Administration—net permanent departmental ..	1,352	3,495,672	2,585.55
Reconstruction Finance Corporation—total permanent departmental ..	1,645	4,431,360	2,693.82

In fact, the R. E. A. pay roll for January 16–30, 1940, shows \$2,334 as the average actually being paid, a drop of \$8 per employee under the estimates for the year.

Rural Electrification Administration employees fall into the following categories, reflecting the high proportion of skilled workers, yet revealing that the ratio is not fantastic in any way: 29 experts; 44 attorneys—34 attorneys \$3,200 and above, 10 attorneys below \$3,200; 156 engineers—132 engineers and 24 trainees—70 engineers \$3,200 and above, 86 engineers below \$3,200—62 engineers and 24 trainees; 41 classified employees \$3,200 and above, 502 classified employees below \$3,200.

Mr. DIRKSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Chairman, I am sorry to inflict myself on the House at this late hour, but this being the last opportunity to get in on general debate, and having one or two items that I want to mention, I feel I have to do so, much as I hate to.

I was disturbed to note that, due to a technicality, it was necessary or will be necessary to eliminate \$72,678,812 asked to be appropriated for the extension of the food-stamp plan of disposing of farm surpluses. This plan, it seems to me, is a very constructive one; and just as 2 and 2 makes 4, if the farmers and the Department of Agriculture want to get rid of their surpluses, we must promote and follow a plan such as this, which makes it possible in a practical way to get rid of the surpluses. We have 10,000,000 unemployed and poverty-stricken people in this land of ours begging for food and for relief. We have another 8,000,000 people classed as among the aged, as well as thousands of others physically handicapped, all holding out their hands asking for food. As long as we have these huge farm surpluses, it seems to me just common, ordinary horse sense that we continue this food-stamp plan which has been put into effect during the past 2 years, and which is being used to a very successful degree, not only to supplement scanty food rations but also as to the farmer and retailer. I hope that some way will be found to continue the plan.

The other matter I want to discuss briefly is a real solution for the farm problem. It seems to me that after we put some of these various panaceas into effect, always along comes the opposition to nullify everything we do in the way

of raising farm prices. However, there are two things that can be done, if I am not mistaken in my mathematics, which would materially aid the farmer to realize better net prices for produce, and do it permanently. One is the adjustment of freight rates, especially in the Midwest area, where the greatest proportion of our Nation's foodstuffs are produced; and the second is an adjustment of our taxes on real estate.

Taking up the first just briefly, many of you have already often heard me make the statement that we in the Middle West are being discriminated against so far as freight rates are concerned.

I want to quote just two simple figures and facts which you can take home with you tonight and give a little consideration to in connection with this statement. I am informed that it costs only 4 cents to ship a bushel of wheat from Buffalo, N. Y., to New York City, by rail, a distance of 436 miles. From Yankton, S. Dak., it costs the farmer there who puts his bushel of wheat on a freight car 15.9 cents per bushel to haul it to the city of Duluth, a distance of only 424 miles, or 12 miles shorter than from Buffalo to New York City by rail.

Mr. HARRINGTON. Will the gentleman yield?

Mr. ALEXANDER. I yield to the gentleman from Iowa.

Mr. HARRINGTON. Does the gentleman think that the passage of the omnibus transportation bill now in conference will help that situation?

Mr. ALEXANDER. That is the point I make. If you men who have made all sorts of promises and assertions about your desire to assist the farmers and who have spoken about your intense interest in the farmers, want to do something for them, it seems to me you cannot support the "ominous" transportation bill, S. 2009, the consideration of which we are going to be faced with shortly, and which, if passed, would continue and would intensify this unjust and iniquitous freight rate situation so far as the farmers are concerned. Not only that but the Interstate Commerce Commission is even now already and without it lending its support and voice to promotion of this very thing, although they were set up originally to prevent discrimination and to protect the shipper and consumer. If we want to do something to assist the farmers, why do we not get at some of these fundamentals that are taking dollars and cents from the farmers' pockets? In other words, if it costs 16 cents to ship a bushel of grain from Yankton, S. Dak., to Duluth, 424 miles, and it only costs 4 cents to ship that same bushel of grain more miles from Buffalo to New York City, there is something rotten in Denmark, and I think you will all have to admit that.

That is only one illustration. I might give you dozens more, covering not only what the farmer sells but what he buys and consumes, and I know my colleague the gentleman from the great State of Iowa [Mr. HARRINGTON], could assist in the presentation of these facts if the time was available.

As regards the other matter, taxes on real estate, I recall in an investigation I made of our tax situation in Minnesota a few years ago that about 85 percent of our tax burden was collected from real estate out there. That probably is about the same proportion as in most of the States of the Union. I will venture to state that today, if the truth were known, our farmers are being asked to pay about double the tax they were 20 years ago. What sense is there in that with farm produce selling for one-half, and even one-third, and, in some cases one-fourth, of what the same produce brought the farmer 20 years ago?

We are about 150 years behind the times when it comes to the question of tax reforms; in other words, we stand today about where we did in the beginning of this Nation, when 90 percent of our people were either living on farms or were engaged in agriculture and allied lines. At that time we put the tax burden rightfully on real estate as the main activity. Even the first President, Washington, was a farmer then. But today, when only approximately 25 percent of our people are gaining their livelihood through agriculture, to continue to load down the farmer and the real-estate owner with this huge burden of taxes is just plain unfairness and lack of

sense, it seems to me. If we hope to do anything for the farmers, about whom we talk so much and weep crocodile tears, we must get down to fundamentals. Two problems at least must be attacked more vigorously, and they are the adjustment of freight rates and the removal of the tax burden from the farmer. [Applause.]

Under leave to extend my remarks, I insert the following:

ABERDEEN, S. DAK., January 27, 1940.

Hon. J. G. ALEXANDER,
Washington, D. C.

SIR: The subcommittee of four Farm Belt Republican Congressmen met in Minneapolis, December 20, 1939, where and when a searchlight was turned on northwest agriculture and its economic problems. I regret that it was impossible for me to attend that meeting. I am a farmer, half owner and operator of a farm in South Dakota. I was born and grew to manhood on a farm in northern New York State. I know what has hurt the farmers and what they need for recovery. Freight rates must be cut materially and all carrier facilities relieved entirely of their tax-collecting job.

There are three essentials that are costing us farmers more than we can afford to pay, namely: (1) Land on which to work (I own my farm); (2) transportation; and (3) governmental activities. Our greatest expense is freight. That is not only true in respect to farmers; freight is the largest item of overhead paid by everyone. But we (farmers) pay it twice—to and from the farm. The carriers' taxes are included in all freight bills, because railroads are tax collectors, not taxpayers—costly collectors.

Indirect taxes, the innumerable taxes on transportation facilities especially, are the next important cause of our present plight and why we cannot recover our former prosperity. These taxes must be shifted to the income from economic rent, where they cannot affect the price of goods and services that we must buy and sell. This also applies to and affects the entire population, as everybody pays land rent to someone, and it is one of the sources of income that isn't taxed, although it is earned by the population collectively, not by any individual. It should therefore be used as a replacement tax only; take the place of taxes that do harm.

Fred Brenckman, Washington representative of the National Grange, in a speech at St. Louis on October 17, 1939, said: "The farmer is keenly interested in transportation because it has a vital effect on his pocketbook." Hon. VINCENT P. HARRINGTON, in his speech the day before at the same place, told us what our perplexity was due to. He said: "Cut the high cost of transportation and thus reduce the cost of distribution." There is no other way for legislators to help the farmer. And while they are aiding him (in the right and only way) they will be contributing to "the more abundant life" for everybody else. Freight rates must be cut 50 percent at least, but railroads cannot do that and at the same time collect taxes, nor support the Interstate Commerce Commission.

There are two governmental bodies that should receive the earnest and unprejudiced consideration of the Congress; namely, the Interstate Commerce Commission and the Department of Agriculture. Both cost the farmers and everyone else immense amounts of money yearly, directly and indirectly—mostly the latter. Both should be abolished in the interest of democratic government. Both are superfluous. Neither serve any good purpose for the farmer nor anybody except tax eaters—bureaucrats. The insuperable load of indirect taxes must be shifted from our backs to our common income: Economic rent—land rent—which we have to pay anyhow. Levied there, they can harm nobody and do everybody a lot of good.

Respectfully yours,

C. J. LAVERY.

Communitistic activity, pro and con, appears to be engaging the minds of many who should know that communism, or any other subversive campaign, is not a social disease but is one of the symptoms incident to and caused by governmental bureaucracy and profligacy. The disease is endemic!

Do what we may about subversive trends in America, the Dies investigation or what have you, some will find, and let us hope not too late, that there is no other way to circumvent or destroy subversive rebellion than by repealing governmental restrictions on our trade with each other and with the world. First, we must get our trade with each other, here at home, free from barriers before we attempt adjusting import tariffs.

Mr. Secretary Hull and the President are working on the last end of our problem instead of the first, the home end. Taxes that are now levied on business and industry which, eventually, are paid by the ultimate consumer—indirect taxation—together with other governmental restrictions, are the chief cause of most of our vexations. They should be shifted.

The Congress ought to realize that our desired objective can never be attained by enacting new statutes. But statutes that cause rebellion by raising the price of food, clothing, and shelter must be abrogated or, at least, mitigated. The forty-three-odd millions who cannot pay present prices, must be thought of first. "The welfare of a nation is the welfare of its least fortunate." Congress must "take taxes out of prices."

Shifting taxes from the things that the suffering one-third needs, to the income, actual and potential, from economic rent (land rent) which is not now taxed but which should defray the entire expense of Government, ought to engage the earnest attention of our policy

makers, now. If legislators don't start doing so in the immediate future, somewhere and somehow, America will continue on the road, now being traveled so rapidly, which leads inevitably to the confusion and disorder that now obtains in Europe and Asia. How would it be to start doing first things first?

Isn't the pursuit of happiness, like health, a process of production, distribution, and consumption? So! Anything that interferes with that process must be, and is, antisocial and unconstitutional. All taxes that raise prices to consumers are just that.

CHARLES J. LAVERY, M. D.

ABERDEEN, S. DAK., January 20, 1940.

[From the Sioux City Tribune of January 27, 1940]

WOULD ABOLISH I. C. C.

Congressman J. G. ALEXANDER, of Minnesota, has started a drive to abolish the Interstate Commerce Commission. And we think that maybe the Congressman has something there.

In a speech the other day he pointed out that no other industry asks the Government to pay the expense of operating its trade association. "We could save \$9,000,000 a year by letting the railroads pay the cost of their trade organization," he said.

ALEXANDER doesn't think much of the efficiency of the Interstate Commerce Commission, anyhow. He thinks the heavy increase in the amount of railroad debt during the last 10 years is a poor testimonial for the Commission.

There should be Government ownership and control or the Government should quit trying to regulate the railroads, ALEXANDER declared. He'd let the high-salaried railroad presidents try running the business themselves.

Considering the hash the I. C. C. has made of the American transportation situation, there is a sound basis for some kind of effort looking to a complete overhauling of the control agency.

The railroads are, as Mr. ALEXANDER points out, still going in the red and service has not been materially improved. Private management could have done no worse than the governmental agency.

Perhaps the Commission should not be abolished but it certainly needs overhauling and shaking up. No department in Washington is so completely bogged down in red tape nor so beset by doddering old men who should be retired from public service.

It should be abolished and the Department of Agriculture also.

C. J. L.

Mr. CANNON of Missouri. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. BRADLEY].

Mr. BRADLEY of Pennsylvania. Mr. Chairman, my colleague the gentleman from Pennsylvania [Mr. CORBETT] has just extended his remarks in the RECORD. He widely advertised the fact that he would deliver a speech on the floor of the House today attacking the W. P. A. administration in Pennsylvania, and that such an attack on his part would be in the nature of a bombshell. The gentleman has not seen fit to make his speech; whether because he lacked courage or was not sure of his facts I do not know.

Mr. CORBETT. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. Not just now.

It seems to me the bombshell has turned out to be a squib.

May I also direct the attention of the House to the fact that when the first deficiency W. P. A. bill was considered on this floor last year the gentleman from Pennsylvania, I believe, voted for the motion of the gentleman from New York [Mr. TABER] to recommit the bill and to cut the sum from \$725,000,000 to \$350,000,000, and on the motion of the gentleman from Missouri [Mr. CANNON] to restore the amount to \$875,000,000 as recommended by the President and the Works Progress Administrator. The gentleman voted "no." That is the answer to what the gentleman thinks of Federal funds for W. P. A.

Mr. McGRANERY. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. I yield to the gentleman from Pennsylvania.

Mr. McGRANERY. Is it not a fact that the Governor of Pennsylvania has refused to put up \$125,000 in order to receive from W. P. A. \$1,250,000 for the cleaning up of the upper Schuylkill River?

Mr. BRADLEY of Pennsylvania. The gentleman is correct. The Governor of Pennsylvania has halted that project and refused Federal funds.

I cannot answer the gentleman from Pennsylvania [Mr. CORBETT], because he did not make the speech, as he previously informed the press he would do. The gentleman released his remarks to the press but did not utter them on the floor of the House.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. CORBETT].

Mr. CORBETT. Mr. Chairman, may I explain to my colleague the gentleman from Pennsylvania [Mr. BRADLEY] that I did not make the speech and extended my remarks in the Record simply to save the time of the Members of the House? May I say further that I and others of my colleagues will be on this floor later and give plenty of opportunity to other Members to interrogate us. As far as talking about bombshells and explosives is concerned, we never did that. We insist that there is a sufficient case against the W. P. A. in our State that it should either be answered satisfactorily or the condition corrected.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I am interested in the remark made by the previous speaker that the Governor of Pennsylvania was refusing to put up \$125,000 to match a W. P. A. allotment of \$1,250,000. That would be a 10-percent sponsor's contribution. My understanding is that the contribution is expected to be at least 25 percent.

Mr. BRADLEY and Mr. McGRANERY of Pennsylvania rose.

Mr. CORBETT. May I say to all of you, because I have only a few seconds left, that there will be ample opportunity to go over all these questions. However, on this particular issue, I refuse to get into a partisan controversy. It is a simple case of whether or not the State is getting ample W. P. A. funds, or whether it is not.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. CORBETT. I yield.

Mr. BRADLEY of Pennsylvania. The gentleman agrees he did not make that speech on the floor of the House for us to answer. I want the press to note that.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. BROWN].

Mr. BROWN of Georgia. Mr. Chairman, of course, we all know that in an appropriation bill the only thing that can be done in behalf of the farmer is to appropriate money authorized by Congress. Everyone knows that we cannot legislate in an appropriation bill. I do not think in this bill the committee has carried out the will of Congress. It is very unfortunate that we began the consideration of the bill before a copy of it, together with the report and hearings, was furnished by the Appropriations Committee to Members of the House. It is almost impossible for those who are not members of the Appropriations Committee to familiarize themselves with every detail of an item of appropriation in the bill. Many Members have complained of this, and I sincerely hope that all committees from now on handling such important bills will see the justice in reporting the respective bills, together with reports and hearings, at least 3 days before the bill comes up for consideration in the House.

I believe in economy and I would like to see the Budget balanced as soon as possible but not entirely at the expense of the helpless and distressed farmer.

We have appropriated for agricultural purposes for the present fiscal year \$1,200,000,000 and this bill reduces the amount for the next fiscal year to approximately \$625,000,000, a reduction of nearly 50 percent.

I certainly hope many items in the bill will be increased before it is passed.

Why should the committee cut out entirely the appropriation for the farm-purchase program, a relief program which is shown to be self-supporting and not costing the Government anything. This is an attempt to destroy a program to aid the farm-tenant population of our country.

Why should the committee make such a drastic cut in the appropriation for the soil conservation districts. This agency is perhaps doing more permanent and constructive work on less money than any other agency. The main pur-

pose of this agency is the preservation and improvement of soil fertility which in the end will stabilize and help maintain the farmers' purchasing power.

There are many items in this bill beneficial to the farmers which should not be cut so drastically.

Farmers, especially the cotton grower, have been neglected more than any other class for the past half century, and now in this bill you are seeking to cut their benefits lower than any other class.

The prosperity of practically every business is dependent on agricultural prosperity, for the reason that half of the people of the United States are dependent directly or indirectly on agriculture for a living. The farmer with more purchasing power can buy more industrial products and industry can pay more wages to employees who can buy more food and clothing.

The farmer is forced, and has been for many years, to sell his product in a competitive market and to buy his absolute necessities in a protected market. Everything he buys he pays a fixed price for it, which includes cost of production and a reasonable profit, and when the cotton farmer sells he has to take the other fellow's price for his commodities and pay his price for the necessities he, the farmer, needs. The cotton farmers cannot suffer any longer the disparity existing between the price they received for their commodities and the price they pay for the actual needs of life.

The average gross income of the cotton farmer of the South is less than \$200 per year, and if he is a tenant or cropper part of this amount must go to the landlord who is burdened with payment of large sums for taxes and upkeep of the land. Besides, he has to pay out a considerable amount of the gross income for fertilizer, bollweevil poison, farm implements, and so forth. How can an average family—of five persons—live on this amount? The poorest-paid person in any walk of life receives twice as much for his labor. The garbage cleaners are receiving far more for their services than the industrious cotton farmers who are doing their best to remain on the farm and stay off the relief roll. About 30 percent of our entire population is engaged in farming and my information is that they receive less than 10 percent of the national income. No wonder that thousands and thousands of our people are leaving the farms daily and entering the relief rolls to obtain a livelihood and work in industries where they are protected by wage and hour laws.

Many of these people prefer to remain in rural sections where home life and environment are much more preferable to that of the city. If these people continue to abandon the farms for the next few years as they have in the past, we will soon not have enough farmers to produce the actual necessities for the people of this country. I believe if you Members from the cities understood the real plight of the cotton farmers of the South and the grain growers of the West as we Members of the rural sections know it, you would assist us in obtaining at least parity for the basic commodities of these farmers. Besides correcting an injustice in great sections of this country, it would lessen the tax burden of your constituents. These people will go back to the farms where they were reared, cultivate the soil dear to them, where living expenses are not so costly, produce some of the food crops, and, with an equitable and just price for their money crops, live in contentment and in a measure enjoy prosperity.

I am not satisfied with farm measures and the benefits thereunder to the cotton farmers. While these laws have been helpful to an extent, the benefits are far short of justice and parity. The farmers of my section of the country do not oppose good prices for commodities produced in our sections, but they want, and are entitled to, parity and living prices for their commodities.

I believe in national defense and favor adequate appropriations for same, but it is just as important and necessary to protect the farmers and their children, and if we are to have increase in appropriation for armaments, why is it not just as important to have increase in appropriation for the distressed farmer. Anything that weakens agriculture will

necessarily weaken our national defense. Agricultural prosperity is essential to a strong national defense.

Every tariff act upon the statute books for years works to the disadvantage of the farmer, and the author of the first tariff act recognized that something should be done to help the farmer to offset the tariff.

The tariff measures were passed to protect industry of this country, and therefore the duties collected on imports should be paid to the farmers who are under a disadvantage by these acts, and certainly all customs receipts on imports to this country should be paid the farmers producing basic commodities, such as cotton and wheat, they being the farmers suffering so much under disparity. Therefore, I advocate and I am one of those demanding that all amounts derived from customs receipts, which approximate \$400,000,000 annually, be paid to these farmers and thus in a great measure help bring about parity.

The farmer wants something certain and definite that he can count on each year. The question continually arises: Where will we obtain the money to pay benefits to farmers? If the amount derived from customs receipts is made permanent and paid annually to the farmers, this certainly will be helpful in bringing about parity and the farmer will know he can count on this sum at least. Much dissatisfaction is caused by not knowing, when they plant their crops, what they will receive in the way of benefits.

The farmers producing surplus crops, such as cotton, and selling in a free market and assuming the burden of tariff-laden articles, are entitled to bounties to offset the tariff as a matter of justice.

I think that every Member in this House, regardless of whether he is in favor of a high or low tariff, realizes the justice of the position we Members residing in the rural sections now take, and therefore I beg you to assist us in this fight to obtain sufficient bounties equivalent to parity for these farmers.

Parity payment is a means of bringing about a balance in our national structure and should not be called a subsidy.

It was shown at the hearings on this bill that every dollar of increase in cash farm income is accompanied by an increase of from \$6 to \$7 in national income and that full parity to American agriculture and the restoration of economic balance between agriculture and industry and labor would be very helpful in solving the unemployment problem and giving us permanent prosperity.

It was shown, according to a study made by the Department of Agriculture, that one-third of all factory employees who lost their jobs in 1930 lost them as a result of decreased farm purchasing power, and that in 1933 two out of every five who obtained work owed their new jobs to improvement in farm income.

The cost of the tariff is the main cause of disparity of agriculture. It was shown at the hearings that in a recent estimate of the United States Department of Agriculture the cost of tariff on products consumed by farmers in 1935 amounted to approximately \$681,000,000. This, you will see, is a large amount.

The cotton growers in my section of the country cannot go on without more benefit payments at the present price of cotton, especially in view of the reduced acreage allotment. We must have parity prices at least on cotton consumed in this country. Today parity on cotton is a little more than 16 cents per pound, and I beg you Members from other sections of the country to help us to obtain more benefits before it is too late.

Mr. CANNON of Missouri. Mr. Chairman, I yield 15 minutes to the gentleman from Oklahoma [Mr. MASSINGALE].

Mr. MASSINGALE. Mr. Chairman, I desire to state that, in common, I believe, with every Member of Congress who represents agricultural regions, I feel a distinct disappointment in the action of the committee in trimming down on appropriations for the farming class of people in the United States. Practically all items of appropriations heretofore made have been trimmed, and severely trimmed.

The matter of a farm-tenancy purchase program was what we in the rural regions were led to believe was a permanent

policy of the Government. In the first year of the existence of the law \$10,000,000 was appropriated for the purpose of enabling tenants to purchase homes with Government assistance; \$25,000,000 in appropriations were made for this purpose for the second year under the law, with a promise to appropriate \$50,000,000 per year thereafter. If I remember correctly, in 1939 the House appropriated \$40,000,000 after having raised the amount recommended by the committee from \$25,000,000 for the purpose of carrying on this great program. Now the bill has been pared down by the committee to \$25,000,000. Of course, \$25,000,000 is quite a sum of money to be appropriated to any purpose, but I cannot conceive of any appropriation that could be made by the Congress that would inure more to the general welfare of the country than an appropriation to make home owners out of tenants.

In all, we have appropriated since the law was enacted about \$75,000,000 for this unquestionably sane and safe legislation, for the Government up to date has been reimbursed for every dollar that it has put out for the purpose of enabling the tenant farmers of the country to secure homes. While we have appropriated this sum of \$75,000,000 for the purpose of enabling tenants to own their own homes, we have gone into the cities of the country and appropriated \$800,000,000 to the work of city slum clearance. There is no disputing the fact that this clearance of the slums in the cities is a work perhaps as fine in all its purposes and intents as the program to make it possible for tenants to own homes in the country. But there is quite a bit of difference between the \$75,000,000 made available for loans to tenant farmers and \$800,000,000 made available to the uses of those people in the cities who have not comfortable and sanitary places in which to live. Now, the committee has recommended that the entire program for loans to tenant farmers for home purchases be eliminated.

In addition to this item, another one of immense importance not only to the individual farmers throughout the country but to every man engaged in business in America has been recommended for reduction. The committee has recommended a great reduction in the appropriation to prevent soil erosion. Whether a man lives in the city or in the country, he is directly interested in soil conservation and he is a beneficiary of conserving the soil of the country; for if the farmer is able to make more on his farm by keeping the fertility of its soil unimpaired by floods, freshets, and overflows, there is going to be that much more farm products produced, and these farm products are distributed throughout the Nation, and wherever they are taken for use and consumption there is bound to be a corresponding increase in business to the handlers of such products. The cut on this program was not so severe as the one on the farm tenancy purchase program. However, the appropriation heretofore made for the Soil Conservation Service was \$24,000,000, and \$4,000,000 was taken from this amount just simply because the committee recommended it.

There is a mania abroad for what is erroneously called economy. It is not economical in any sense of the word to cut such an important item as soil conservation \$4,000,000 a year. In fact, if there is any justification for an increase in any service of the country, it is in the service of conserving the soil for us who are now here and those who are to come after us.

Another thing to which I wish to call attention is the fact that the committee blindly and without any apparent reason for it, has practically eliminated any appropriation for carrying out its promise to the farmers of the United States to make parity payments to them for adhering to the program of the Agricultural Department in making so-called parity payments to farmers who did comply with the planting and production requirements under the Agricultural Adjustment Act. We should not have promised these farmers throughout the country that they were going to get these parity payments unless we intended to carry out that agreement. At most, under the Agricultural Adjustment Act, the farmer can get up to 75 percent of the parity cost of his farm products, and now this is denied him. During the debate much was made of the fact that prices for farm products have gone up

and that perhaps as long as the war lasts there would really be no necessity for appropriating any money for parity payments. The committeemen who thus prophesied have reckoned wrong because those prices have begun to tumble, and really more money would be required to make these parity payments under the market as it seems to be heading now for the year ending June 30, 1941, than was appropriated for the fiscal year ending June 30, 1940. But notwithstanding that, the committee has recommended that appropriations for this purpose be completely eliminated. The appropriation is approximately \$550,000,000 less than the appropriation for the current year and about \$130,000,000 less than the Budget estimate for this item.

I am constrained to believe that a great deal of the cutting and slashing in these farm appropriations is due to the method in which the appropriations bill has been brought to this House. We adjourn to meet at noon of a certain date, and when we take our seats, if they are available, the pages will hand us the appropriations bill with a volume of probably a thousand pages of closely printed hearings that have been had on the bill. We have no time to study the bill; we have no time even to begin to read the evidence that has been taken on the bill, and the committee expects us to just sit and vote with them on any kind of a cut that they desire to make.

It is generally accepted to be true that pay rolls in factories and indexes to all kinds of businesses follow very closely the increase in farm income throughout the country. If the farm income is above the average, business is above the average. Business not only of the wholesalers and retailers but the factory output is correspondingly large. Then why in the name of ordinary common business sense, should the farmer be denied an appropriation at least commensurate with what has heretofore been appropriated for similar purposes? The committee seems to forget that it would make no difference how many millions of dollars might be appropriated for the purpose of making parity payments, not one dime of it could be used for the purpose of making parity payments unless farm prices had been hammered down, whether due to the wars in Europe and Asia, or to any other cause, to a point below 75 percent of the parity price of such farm products.

What has been said in regard to parity payments, and soil conservation, and farm-tenancy purchases, may be said with equal force as to other agricultural appropriations which have been cut and practically dispensed with at the whim of the committee. It is just another instance, in my judgment, where the farmer has been discriminated against because of the fact that he has no organized force or organization in Washington that is looking after his interests. If he had articulate representation in Washington that was not afraid to stand up and assert itself, he would fare better than he does now, and no committee would dare cut appropriations that have been assured him without any excuse whatever for doing so. It will be observed that when it comes to making appropriations for the Army and Navy, and for slum clearance, that there is very little, if any, reference to the demands of the economy group to cut down appropriations.

The only hope for restoration of any of these items lies in the Senate, and I hope that they will be restored to at least something approaching fairness to the farmer.

Mr. CANNON of Missouri. Mr. Chairman, I yield 15 minutes to the gentleman from Arkansas [Mr. TERRY] a member of the committee.

Mr. TERRY. Mr. Chairman, at this late hour of the day I hesitate to take up the time of the Committee, but I do want to say a few things in regard to the bill the Committee on Appropriations is bringing before you now for your action.

There has been a great deal of criticism because of the huge cuts that have been made by the Appropriations Committee in the Budget items and also as compared with the appropriations for last year. The total direct appropriation in the bill this year is \$651,000,000, which is \$533,000,000 less than the appropriation for the current year and \$129,000,000 less than the Budget.

When this bill was taken up by the full committee on yesterday it deducted \$25,000,000 which was recommended by the

Budget and included in the bill reported by the subcommittee. I should like to discuss fully the subject of the merits of this item under the farm-purchase program but time does not permit.

This House and the Congress several years ago thoroughly debated the merits of a farm tenancy purchase program, and they passed a bill which provided for installments of \$10,000,000 for the first year and \$25,000,000, I believe, for the second year, and installments of \$50,000,000 annually thereafter. The Congress passed the \$10,000,000 appropriation over the objection of a great many Members, and last year the House approved \$25,000,000 and that was raised \$15,000,000 in the conference committee, making available \$40,000,000 for that program. It seems to me, Mr. Chairman, that for the Appropriations Committee to strike from this bill \$25,000,000 for this item after about a 3-minute debate by some members of the full committee is absurd, and I hope the House will restore this item of \$25,000,000 before the bill is finished.

In addition to this item of \$25,000,000 we had an item, which was approved by the Budget, of \$72,678,812 for the disposal of surplus commodities. The subcommittee was in favor of keeping this item in the bill, but it went out on a point of order because the appropriation was not authorized by legislation. A great many of the Members of the House who have spoken today have criticized the Appropriations Committee for eliminating this item, and I want the Members of the House to know that it was not eliminated on account of any desire on the part of the committee but by reason of the fact that there was no legislation to support it. I hope this item will be placed back in the bill when it goes to another body, and I feel sure that when it comes back to this House, the membership of the House will sustain the action of the other body.

Mr. PACE. Mr. Chairman, will the gentleman yield?

Mr. TERRY. I yield.

Mr. PACE. If the gentleman is permitted to state, was the item left out on a point of order or was it left out because the committee thought someone might make a point of order or that it was subject to a point of order?

Mr. TERRY. It was left out because they said there was no legislation for the item. It seems to me it would have been more appropriate for the subcommittee to have put it in the bill and brought it to the full committee, and then let the full committee pass it on to the House, to raise a point of order if some member of the Committee of the Whole wished to raise the point. I would have preferred that procedure.

Mr. PACE. In other words, as the matter is handled now, the House must admit that it is not able to make provision for surplus commodities and must await action by the Senate.

Mr. TERRY. It simply means that under the parliamentary rules of the House, without legislation authorizing it, the House could not put it in the bill, but this parliamentary rule seems not to apply in the Senate.

Another item that was reduced was in connection with the matter of land acquisition under the Forest Service. Last year the committee put in \$3,000,000 for land acquisition. The Budget reduced that this year to \$1,000,000, and the subcommittee carried out the wishes of the Budget; but it seems to me the program should have been raised at least up to the \$3,000,000 which we had last year. The Forest Service has been asking for an annual appropriation of \$10,000,000 for this very meritorious program. We did let them have \$10,000,000 one year, as I recall, and then it was cut down to \$3,000,000. The Forest Service has gauged its personnel to take care of a \$3,000,000 annual purchase of land, and it is very necessary in order to carry out the continuity of the program to set a definite amount and carry that amount in the bill every year. It seems to me to reduce that appropriation to \$1,000,000 this year will wreck the program, and it seems to me this action was entirely uncalled for.

Another item which seems to me very important in connection with the agricultural program is the soil-conservation program. One of these items is for soil and moisture conservation. Under this program the States of the Nation

have passed legislation for the creation of soil-erosion districts. Thirty-six States have passed legislation to this effect, and all over the country the people recognize the value of this work, and the farmers of the country are demanding the formation of these districts, and more and more districts are being created, and yet this year we cut that program down \$1,500,000. I would like to see that item restored in the bill.

In the matter of parity payments, there has been criticism of the committee because it did not include in the bill this year parity payments.

The full Committee on Appropriations passed a resolution which provided that the subcommittees could not bring to the full committee a bill which provided for more than the total of the various Budget items of the bill. Under the resolution of the full committee the subcommittee could not bring to the full committee the \$225,000,000 parity-payment item. We had that fight on the floor in the past 2 years, and we put that item in the bill. It does not seem to me that there is any reason why the Congress should not carry out the provision which is made for the benefit of agriculture and put this parity-payment item in the bill.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield at that point?

Mr. TERRY. Yes; I yield.

Mr. DIRKSEN. Is it the gentleman's understanding that section 303 of the Farm Act of 1938 mandates the Congress to provide funds for parity?

Mr. TERRY. It gives authority to do it.

Mr. DIRKSEN. Does it not say "if and when the Congress appropriates that money it shall be available for parity payments"?

Mr. TERRY. I think it gives them authority to make payments. Certainly for us to quibble over an item of \$225,000,000 for one-third of the population of this country, it seems to me, is absurd. When we spend millions and millions of dollars for other items in the national economy, to cut this out and refuse to endeavor to bring approximate parity to agricultural income is entirely wrong.

Mr. DIRKSEN. Will the gentleman yield for one other question?

Mr. TERRY. The gentleman realizes that he had an hour, and I only have a few minutes.

Mr. DIRKSEN. I will give the gentleman an additional minute. In view of the President's observation about ill-fed, ill-housed, and ill-clothed people, why did he not insert it in the Budget before it came to us?

Mr. TERRY. I do not know why he did not, but I think it would have been splendid if he had inserted it in the Budget.

Mr. Chairman, it seems to me that for this House to cut the agricultural budget in the way it has been cut is wrong, and that we should endeavor, to the best of our ability, to restore the essential and meritorious items that have been authorized and approved.

Now we hear a great deal about national defense. It is very easy to have budget items brought here for any amount of money for national defense. We are bringing in here an authorization for the Navy, which is supposed to be the equal of any four of the navies of the world. We do not seem to have much difficulty in passing legislation and appropriations for national defense; yet it seems to me that the agricultural program of this country is just as vital and just as essential as the national-defense program. I do not see how we can go on from year to year without adjusting the balance between agriculture and industry and manufacture. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 15 minutes to the gentleman from South Carolina [Mr. HARE].

Mr. HARE. Mr. Chairman, as a new member of this committee, I want to subscribe to the suggestion made here today that in the future the House have a rule whereby appropriation bills may be reported and submitted to the House at least 2 or 3 days before consideration. We now have before us a bill in which practically every Member

of this House is vitally interested. It carries with it a billion dollars or more, yet we have not had the time since it was reported by the committee to give it any study or any consideration whatsoever. Therefore, justifications for the various items can be made intelligently only by members of the subcommittee who heard the testimony justifying the appropriations, and ordinarily criticisms can be made only after a careful study of the testimony; that is, if a criticism is to be valid, just, and fair, the individual making it ought to be able to refer to evidence in justification for it. Therefore, I am going to subscribe to the suggestion made that in the future appropriation bills should be submitted to the House so that all Members of the House may have an opportunity to read the testimony and read the reports 3 days before such bills shall be taken up for consideration or passage.

Mr. DIRKSEN. Will the gentleman yield for an observation?

Mr. HARE. With pleasure.

Mr. DIRKSEN. On the 4th of January the President submitted his Budget message. It contains all of the departmental bills, all the language, all the estimates, and the only difference between this bill and those estimates is in the amounts that have been reduced by the subcommittee and the full committee. So that there has been at least a month in which Members of the House could fortify themselves as far as the basic pattern of this bill is concerned.

Mr. HARE. That is true. There is no argument there, but the point I am making is that we have a bill here where the estimates have been materially changed by the subcommittee, and nobody but members of the subcommittee know the reasons or grounds for such changes. I have every confidence in the integrity and ability of the members of the subcommittee and I am quite sure they always act fairly and in light of the evidence before them, but other Members of the House have equal responsibility in making appropriations, and they are entitled to know, before they are called upon to act, the real grounds or justifications for every appropriation.

Mr. SOUTH. Attention should also be called to the fact that no Member of this Congress has any way of knowing in advance what a subcommittee is going to cut out, that it is going to cut out entire items, as they did the farm-parity payments.

Mr. HARE. That is true. Exactly the point I am trying to emphasize.

Mr. SOUTH. It is a very poor answer to say that we knew in a general way what the President wanted. Neither the President nor God Almighty knows what this committee is going to do.

Mr. HARE. The gentleman is again correct.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield while we are on this subject?

Mr. HARE. I shall be very glad to yield to our majority leader.

Mr. RAYBURN. This question came up at the beginning of the last session of Congress. Some Members were advocating an amendment to the rules providing that a bill reported by the Committee on Appropriations should lie over 48 hours. I told them that if they would not make that move I would like to try to work out something with the Appropriations Committee. The Appropriations Committee agreed to it and did let their bills lie over 48 hours, but later in the session these same men who had made that move came to me and said they cared no further about the operation of that plan, and it was abandoned the latter part of last session.

Mr. HARE. It may be that with longer experience on the committee and with increased knowledge and wisdom I may subscribe to the idea or suggestion made by our able majority leader, but at present I cannot help but feel the suggested policy would be a good one to inaugurate.

Mr. RAYBURN. I am not taking one side or the other; I am only saying that it was done at the beginning of last session.

Mr. HARE. I am only suggesting a program which in my judgment will make the appropriations register the best judgment of the whole Congress. I might submit also for consideration of the subcommittees the idea of filing their reports with the full committee at least 24 hours before action is expected by the full committee, because I have to admit that when a full committee has only a few minutes in which to discuss a report filed by a subcommittee based on over 1,300 pages of testimony, as in the case now before us, the full committee cannot act with that degree of wisdom, information, and intelligence that it should. I feel from the experience I have had on the subcommittees on which it has been my privilege and honor to serve that if they report a bill to the full committee for action just a few minutes before the full committee is required to act, the full committee cannot be fully advised as to the testimony or the real reasons for changes made by the subcommittee. However, Mr. Chairman, I did not rise to lecture the Members of Congress, but only to give expression to my individual feelings and observations with regard to the existing practice. I arose primarily for another purpose.

Mr. KELLER. Mr. Chairman, will the gentleman yield?

Mr. HARE. I yield.

Mr. KELLER. I thoroughly endorse everything the gentleman has said, because a man sitting on the outside has not a chance in the world to know anything about it.

Mr. HARE. I thank the gentleman very much.

Mr. CANNON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. HARE. I yield.

Mr. CANNON of Missouri. This question comes up once in a while, usually as the result of some item in which some Member is particularly interested; but Members are never taken by surprise; Members are always amply informed. The complete hearings on this bill have been available to any Member of the House.

Mr. KELLER. How long?

Mr. CANNON of Missouri. Since Monday. Furthermore, this bill runs in well-defined grooves. An item in which any gentleman may be interested was in the bill last year, it was in the bill year before last, and the year before that; it will be in the bill next year and the year after next with absolutely no difference except in the amount. Any Member with any interest at all in any item in the bill can get the hearings and all the evidence at the command of the committee. He knows just what the situation is, and he has ample notice that there is always a possibility that it may be raised or lowered. And, as to the final form of the bill, no member of the committee has more than 30 minutes advice of the action of the Whole Committee over any other Member of the House.

Mr. HARE. As I stated, Mr. Chairman, it was not my purpose to criticize but only to suggest. This suggestion grew out of my own experience and my own observation as a new member of this committee. My real purpose in rising at this time was to discuss a matter not directly involved in this particular bill, but indirectly involved.

Last year when the Congress had Secretary Wallace's cotton export subsidy plan under consideration, I was not able to subscribe to the theory in toto. It was finally decided that part of the plan would be approved and tried as an experiment. About 2 months ago I observed a criticism of this plan in one of the New York papers, and, in support of this criticism, the author referred to the fact that we were exporting raw cotton to Japan under this plan, and Japan was able to export to the United States the finished product in competition with our manufacturers and our labor.

The criticism on its face appeared to me to have merit, because I am not unmindful of the fact that 90 or 95 percent of my constituents are directly or indirectly interested in the growing or manufacture of cotton, and I have always been interested to see that no governmental policy or program is inaugurated and maintained that adversely affects my constituents. Therefore, I addressed a communication to the Secretary of Agriculture asking to be advised whether

or not there was any justification for this criticism. I also addressed a communication to the Assistant Secretary of State asking to be advised if the operation of our reciprocal-trade policy had any effect upon the increased importation of cotton goods from Japan.

The illustration given in support of the criticism referred to was that in the month of September Japan had shipped to the United States 8,000,000 square yards of bleached cotton cloth and in the month of October it had shipped 9,000,000 square yards of bleached cotton cloth, leaving the impression that as a result of the cotton-export plan importations were increasing from Japan alone in this particular item at the rate of a million square yards per month. If this were actually true, there is no doubt but what it would command the attention and consideration of those who are interested in this matter, especially in view of the pending treaty with Japan, where every precaution should be taken to protect the interests of our own people.

Mr. Chairman, without having to take the time to read the replies to my two inquiries, I will ask unanimous consent to have the letter from the Secretary of Agriculture and the Assistant Secretary of State inserted in my remarks at this place.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The matter referred to is as follows:

DEPARTMENT OF AGRICULTURE,
Washington, December 22, 1939.

HON. BUTLER B. HARE,
House of Representatives.

DEAR MR. HARE: This is in reply to your letter of December 12 concerning the effect of the cotton-export plan upon Japanese competition with American mills.

The program provides export payments on cotton products based on cotton content which are equal to the payments for export of raw cotton. Hence American mills have been at no disadvantage in competing in foreign markets as a result of the program. Furthermore, as export payments on raw cotton have been reduced in recent weeks, payments on cotton goods have been maintained at relatively higher levels than those for raw cotton.

This gives American millers a definite advantage. Actual exports of cotton goods, together with sales registered for forward shipment now total over twice the amount exported during all the past cotton year. It would seem very clear that the export subsidy plan has been to the advantage of cotton textile mills as well as their workers.

If there is any other information you desire on the cotton program I shall be happy to provide it.

Sincerely yours,

H. A. WALLACE, Secretary.

DEPARTMENT OF STATE,
Washington, December 14, 1939.

The Honorable BUTLER B. HARE,
House of Representatives.

MY DEAR MR. HARE: I have received your letter of December 12, 1939, in which you refer to a complaint against the reciprocal trade agreements program. You ask whether imports of Japanese bleached goods, which increased in October of this year as compared with September, are really competitive with American cotton goods and whether there has been any increase in such competition under the trade-agreements program.

I enclose for your convenience a table showing imports of cotton cloth from Japan, by months, for the years 1935 through the first 10 months of 1939.

Countable cotton cloths (par. 904): United States imports for consumption from Japan, 1935-39 (square yards)

TOTAL					
	1935	1936	1937	1938	1939
January.....	3,340,953	6,804,986	11,660,847	2,341,895	5,378,565
February.....	4,853,421	6,049,871	14,732,266	2,124,386	5,950,555
March.....	4,574,572	8,641,471	16,780,855	1,578,737	6,440,012
April.....	3,169,595	6,208,068	18,726,359	1,670,241	3,512,786
May.....	3,182,405	5,507,919	11,747,997	2,400,299	3,089,883
June.....	2,352,088	12,036,534	7,856,739	3,238,476	5,358,464
July.....	1,582,674	1,957,480	7,662,963	2,712,561	5,006,392
August.....	1,893,521	3,143,516	5,467,187	3,005,182	5,012,965
September.....	2,264,834	4,328,388	3,219,735	2,950,225	9,185,394
9 months.....	27,214,063	54,678,223	97,854,948	22,022,002	48,935,916
October.....	3,663,717	4,936,265	3,098,940	3,805,187	9,442,669
November.....	3,073,189	6,566,695	3,068,956	3,185,308	.....
December.....	2,490,325	10,833,945	2,191,308	4,540,585	.....
Total.....	36,441,294	77,015,128	106,214,152	33,553,082	.....

Countable cotton cloths (par. 904): United States imports for consumption from Japan, 1935-39 (square yards)—Continued

BLEACHED					
	1935	1936	1937	1938	1939
January.....	2,633,295	5,842,933	10,317,378	1,671,730	5,220,625
February.....	4,347,739	5,024,094	12,940,828	1,551,483	5,648,800
March.....	3,853,250	7,270,073	14,659,238	1,132,159	6,187,647
April.....	2,318,831	5,423,413	15,904,291	903,537	3,342,584
May.....	2,461,023	4,497,336	9,534,083	1,953,674	2,956,085
June.....	2,037,855	10,551,438	6,210,495	2,830,356	5,025,931
July.....	1,238,893	1,540,534	6,082,820	2,458,690	4,813,722
August.....	1,699,840	2,591,952	4,193,836	2,690,763	4,709,796
September.....	1,718,023	3,408,957	2,506,563	2,588,141	8,841,345
9 months.....	22,308,749	46,150,730	82,649,532	17,750,533	46,746,505
October.....	3,136,794	4,456,659	2,359,985	3,609,994	9,112,746
November.....	2,772,982	5,738,699	2,404,262	3,017,160	-----
December.....	1,819,797	9,326,436	1,582,152	4,363,018	-----
Total.....	30,038,322	65,672,524	89,055,931	28,800,705	-----

Source: Compiled by the U. S. Tariff Commission from official statistics of the U. S. Department of Commerce.

Although it is true that imports of bleached cotton cloth from Japan increased slightly, from 8,841,345 square yards in September to 9,112,746 square yards in October, and that imports in each of these months were considerably larger than imports during any of the previous months of the year, the explanation for this increase is not to be found in any concessions granted in trade agreements.

Two moderate adjustments in the duties on certain fine, lightweight cotton cloths (mostly permanent-finish organdy and dotted Swiss) were made in the trade agreement with Switzerland, effective February 15, 1936, and a number of moderate adjustments in duty on various other types of cotton cloth were included in the trade agreement with the United Kingdom, effective January 1, 1939. But imports of cotton cloth from Japan are of such type and value that these duty adjustments in the agreements with Switzerland and the United Kingdom do not apply to the Japanese products. For the most part, therefore, imports of cotton cloth from Japan enter at the full rates of duty specified in the Tariff Act of 1930.

Imports of cotton cloth from Japan are relatively insignificant as compared with domestic production. In 1937, for example, when such imports were very considerably higher during the first 10 months of the year than during the first 10 months of 1939, the value of imports of cotton cloth from Japan amounted to only 0.6 percent of domestic woven-goods production. Imports of cotton cloth from all countries in 1937 amounted to only 1.4 percent of domestic production.

As you probably know, under an arrangement between representatives of the American and Japanese cotton textile industries, exports of cotton goods from Japan to the United States are restricted to a maximum of 200,000,000 square yards for the 2-year period 1939-40. Although a similar arrangement was in effect during 1937 and 1938, when the quota for the 2-year period was 255,000,000 square yards, less than 150,000,000 square yards were imported in those 2 years. Imports of cotton cloth from Japan during the first 10 months of 1939 amounted to about 58,000,000 square yards, or only a little more than half of the quota allotment for the year.

The real explanation for the increase in imports of cotton cloth from Japan in September and October of this year is the recent improvement in economic conditions in the country, an improvement which has also been reflected by increased activity in the domestic cotton textile industry. Statistics clearly show that imports and exports are high when domestic economic activity is prosperous, and that they fall in time of depression in the domestic economy. For example, in 1929 imports into this country were valued at approximately four and one-half billion dollars; the index number for production of manufactures (based on 1923-25 as 100) stood at 119; the employment index, at 106; the pay-roll index, at 110. The cash income of American farmers for that year was over \$10,000,000,000. In 1932 this huge value of imports had fallen to one and one-third billion dollars. While merchandise imports thus fell off, the index of production dropped to 63; employment, to 66; and pay rolls, to 47. Farm income fell to less than four and one-half billion dollars. Since 1933 our imports and exports have increased concurrently with rising production, increased employment, higher pay rolls, and larger farm income.

As indicated above, the recent improvement in economic conditions in the United States has been accompanied by increased activity in the domestic textile industry. Although imports of cotton textiles were somewhat larger in October, cotton consumed in the United States in October totaled 686,936 bales, compared with 624,902 bales in September, and 543,857 bales in October 1938. The number of cotton spindles active in October 1939 was 22,658,994, compared with 22,231,976 in the previous month and 22,113,316 in October last year.

Exports of raw cotton and cotton cloth from the United States are also increasing. Exports of raw cotton rose to 886,000 bales in October 1939 compared with 649,057 bales in September and only 464,439 bales in October last year. While exports of raw cotton do not directly benefit American cotton-cloth manu-

facturers, the dependence of our cotton growers on export markets is so great of course that without prosperous export sales the cotton growers do not have the purchasing power to buy the many products of American industry, such as textile products, which they need.

Cotton-cloth exports rose in October of this year to 39,000,000 square yards from 28,000,000 in September 1939 and 26,000,000 in October last year. For the 10 months ending October 1939, exports totaled 271,000,000 square yards, compared with 240,000,000 for the 10 months ending October 1938. As shown in the table, exports in the first 10 months of this year were more than three times greater than total imports of all kinds of cotton cloth from all countries in the same period.

United States exports and imports of cotton cloth; 10 months ending October 1939

(In thousands of square yards)

	Exports	Imports
Not bleached.....	60,377	2,910
Bleached.....	211,076	65,447
Printed, colored, etc.....	-----	15,284
Total.....	271,453	83,641

For these reasons, it would be extremely short-sighted for American cotton manufacturers to advocate import restrictions on their products, as such restrictions invariably tend to cause the imposition of counterrestrictions and retaliations by other countries and the consequent restriction of our export trade. This is what happened after the enactment of the Hawley-Smoot tariff of 1930.

The trade-agreements program has sought to alleviate excessive trade restrictions and to remove discriminatory trade practices which blocked the channels of world trade and reduced American exports by more than half during the depression years. Under this program, the American cotton manufacturing industry has benefited not only from the increase in our foreign trade, which the agreements have helped to bring about, and the stimulating effect of this increase on domestic agricultural and industrial production, but also cotton textile factory owners and workers have benefited directly as a result of trade-agreement concessions obtained from 11 foreign countries on cotton textiles and their products. Six countries reduced their duties and 3 countries gave assurances that their duties on cotton textiles and manufactures would not be increased. In addition 1 country increased its quota and 1 assured the continuance of the existing quota on cotton manufactures.

In view of these facts, it seems clear to me that the trade-agreements program is fundamentally in the interest of the cotton manufacturers of this country, for it has tended to improve their domestic market, by stimulating domestic business activity and consumer purchasing power, and it has helped and is helping to restore their export markets by reducing trade barriers and preventing discriminations.

Sincerely yours,

GEORGE S. MESSERSMITH,
Assistant Secretary.

Mr. HARE. Mr. Chairman, I find from the report of the Secretary of Agriculture that, instead of the subsidy or export plan operating to the injury of the manufacturer, the Secretary claims and insists it is operating to his advantage, because he suggests in his letter the subsidy applies just as well or just as much to the finished product as it does to the raw material; therefore, our manufacturers, as he indicates, are able to dispose of their surplus or their increased manufactured products in foreign markets, and in that way they are able to run or operate more machinery, more spindles, and afford greater opportunity for employment. The Secretary says that the policy—

Gives the American miller a definite advantage. The actual exports of cotton goods, together with sales registered for foreign shipment now total over twice the amount exported during all of the past cotton year. It would seem clear that the export subsidy plan has been to the advantage of the textile mills as well as their workers.

Mr. PACE. Will the gentleman yield?

Mr. HARE. I yield to the gentleman from Georgia.

Mr. PACE. The gentleman understands it would be very difficult to run that export subsidy program with the \$72,000,000 of surplus commodity money knocked out of the bill by the Committee?

Mr. HARE. That goes back to the point I endeavored to make at the beginning of my remarks.

How many Members of the House know from the evidence submitted to the subcommittee whether this item should be eliminated or restored? It may be that this item should

be restored, but I want to first read the evidence justifying action of the subcommittee. I certainly hope there will be some way to insert an amount for parity payments that were left out by the Budget Bureau.

It is true, according to figures submitted to me by the Assistant Secretary of State, that there has been a slight increase in the importations of bleached cotton goods from Japan this past year, but instead of being a million square yards in 1 month it was only 271,000 square yards.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield to the gentleman 2 additional minutes.

Mr. HARE. Mr. Chairman, I find further upon consulting the figures submitted by the Assistant Secretary of State that instead of there being an increase in the importations of bleached cotton from Japan last year there was an actual decrease if we take the first 10 months of the year and compare them with the first 10 months of the past 3 years. Take the figures we have already submitted for the first 10 months of the past 3 years and we find the average annual importations of bleached cotton cloth from Japan to be 49,048,520 square yards, whereas the importations for the first 10 months of last year were 46,746,503 square yards, or an actual annual decrease of 2,302,017 yards when comparing the average annual importations for the past 3 years.

I want to make clear, Mr. Chairman, that I hold no brief for the theory upon which the cotton-export plan is based, but if in practice and reality it succeeds in disposing of our surplus of raw cotton, affords a market for the surplus or increased finished product of the manufacturer at a fair price, and furnishes increased opportunity for employment of labor, both on the farm and factory, I am prepared to abandon my ideas about the theory involved. Of course, the matter is worthy of further consideration and I purpose to give it further study, but I am glad to find from these reports there is no necessity for being immediately unduly alarmed on account of the press report referred to. I hope to have time and opportunity to discuss the matter in more detail at a later date. Time seems to be rather precious here this afternoon.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 20 minutes to the gentleman from Alabama [Mr. HOBBS].

Mr. HOBBS. Mr. Chairman, in reply to the defense offered by the distinguished and learned gentleman from Missouri [Mr. CANNON], it might not be amiss to observe that an expert locksmith, who knows the combination of a safe, can open it quicker than another, even of comparable intelligence, who neither possesses the locksmith's skill and experience nor the combination.

The gentleman from Missouri and the members of our esteemed Committee on Appropriations are expert locksmiths, skilled and experienced in opening these safes to which they alone know the combinations. They can unlock any one of these safes on a moment's notice and produce any desired part of the contents. They are perfectly familiar with the contents of each, for they put them there. But to the rest of us the contents are a dark secret; we know not in what part of the safe they repose; we have neither the combination nor the experienced skill which they have acquired in working it. Therefore, we need more time than they for such a task. We must have more time if the House is to legislate. Under the existing system the subcommittees legislate, and the House tries to appear to know what is going on.

And why is there objection to our reasonable request that we be granted time to inform ourselves on the merits or demerits, if any, of these appropriation bills? Surely there is nothing to conceal. But if there were, that would be all the more reason for careful examination. The thought of many is that widespread study of these bills, reports, and hearings, would minimize opposition and enhance the high reputation enjoyed by the members of this great committee.

During the debate of the emergency supplemental appropriation bill, H. R. 7805, on January 12, 1940, I invited the attention of the Committee on Appropriations and of the House to the precipitancy which characterizes the handling of ap-

propriation bills after they are reported by the subcommittees to the full committee—RECORD of January 12, page 306. I then pointed out that while the bill then racing to passage was composed of only 29 pages, and the hearings of only 325 pages, there would be other bills of far greater length, the hearings on which would require hundreds of printed pages, that would be rushed through the full committee with scant consideration, and brought to the floor of the House before any Member not on the Appropriations Committee had had a chance to see bill, report, or hearings, much less to read or study them. The pending bill is proof of that statement. It comprises 92 pages, and the hearings 1,593. It was reported Monday morning to the full committee, less than 2 hours before it was to be presented on the floor.

Another defect in our system of making appropriations is that each of the many bills is separate, and not considered as a part of the whole Budget picture. We should consider the whole Budget and make appropriation therefor in one bill. Only so can we get the proper perspective and weigh the claims of several departments, agencies, and services in the same scales.

These observations are made with the highest regard for the excellent work which has always been done by our Committee on Appropriations. No men could do better under our system. But if we better the system we shall enable these devoted and able experts to better the high standard they have set.

Now, let us look at this bill as best we may.

It runs the figure 2 through the amount we appropriated last year for the needs of the Department of Agriculture. Such a radical reduction flashes the red light. Surely the Nation's need of the services rendered by this vital Department has not so shrunk. Even the casual examination of the bill which time permits discloses that the ax has not been wielded indiscriminately. The appropriations for certain services are increased. For others they remain the same. For still others no money at all is allocated.

Congress solemnly enacted the Bankhead-Jones tenant farm-purchase law. It has worked well, and without ultimate cost to the Government. Seven thousand former tenants have become farm owners. Seven thousand home fires have been lighted in the pride of proprietorship. The Budget approved \$25,000,000 for the furtherance of this program. Possibly this was not enough. Progress toward the desired end has been slow. But can progress be hastened by a dead and sudden stop?

Should a program ordained by Congress be thus abandoned?

The eradication of the white-fringed beetle—now well underway—must not be stopped. The appropriation for the continuation of this war of extermination, in which final and complete victory is near and assured, is also approved by the Budget. The experts in the Bureau of Entomology say that the white-fringed beetle is more dangerous to all plant life than all the other six well-known pests put together. It attacks all plant life. It is more dangerous to cotton, for instance, than the boll weevil and pink bollworm. Yet, because of fear of a point of order, every cent of this appropriation is eliminated.

Because of a similar technicality no money whatever is allocated, over and above the 30 percent of tariff receipts, for the splendid work of the Surplus Commodities Corporation. This agency is performing its task with vision and skill. It has prevented price collapse in the market for more than one important farm product. Its stamp program is scientific and effective.

Its distribution of commodities to the destitute has prevented untold misery at minimum cost. Its program is favored almost universally. Yet it must be crippled because the front door is blocked by technicality. But there is another door through which entrance may be effected. By all means let us see that it is used.

The appropriation to insure partial parity for farm prices is killed. The specious excuse advanced by some is that farm prices are up and parity payments may be unnecessary. This animadversion answers itself, for if farm prices equal

or exceed 75 percent of parity the law prohibits any parity payments. If the full appropriation carried in last year's bill—\$225,000,000—were in this one, not one cent of that money could be expended unless and until farm prices had been hammered down below 75 percent of parity.

Would that I had the time to elaborate these points already made and to cover the unwarranted cuts of the funds for forest-land acquisition, soil conservation, and for other meritorious purposes.

Suffice it to say that this bill cries out for scrutiny and amendment. We all favor economy and will vote for it. But if economy is to be judged solely by reduction of expenditures, we could close the whole governmental establishment and appropriate \$7,000,000,000 less. Real economy must be wise economy. Some services are indispensable. Some protections are indisputably wise investments. Some programs build and save the Nation.

We have the brains and the patriotism to make this bill far better. Let us use them.

Mr. CANNON of Missouri. Mr. Chairman, I yield 20 minutes to the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, we are considering a bill which all too many of our people and all too many Members of Congress look upon as an appropriation for one class or group of our citizens. Nothing could be further from the truth. We are today considering a bill which is not only of interest to every citizen in the United States, but a bill that relates to the one absolutely fundamental and essential activity of mankind—the one from which all other industries spring and on which they depend. Civilization begins and ends with the plow. Of the material possessions of civilized man only the land endures, and on its cultivation depends the very ability of mankind to exist. We all understand that if all production from our soil were stopped that our population would starve, but I fear that many of us have failed to realize that if all the farmers south of the Potomac River or west of the Allegheny Mountains were to cease to exist as consumers that three-fourths of the factories in Pennsylvania and New Jersey would be forced to close their gates. The industrial sections must have markets in the agricultural regions. These markets cannot be very good markets for your factories unless the people, the farmers of the Nation, may enjoy a larger share of the national income; and this great farm market cannot be as good a market as it should be until the farmer's income is on a parity with the income of other people in the United States. In other words, not until the farmer makes an income that will enable him to acquire with a day of his labor just as much of the usable goods of the world as the man working in a factory; not until you reach a parity of income between agriculture and industry will you have the greatest possible exchange of goods and the greatest possible prosperity for all groups. When you reduce farm purchasing power you destroy the market of American industry and you restrict the opportunity of employment for American labor. We have not reached a level of farm income anywhere near the level of parity. We are still getting less than 10 cents for cotton and less than a dollar for wheat, and these figures, when translated into man-hours, mean that our cotton farmers are still getting less than 10 cents per hour for their labor, but we have improved the situation. We have gone a long way from the depths of 1932. Let us not now, even in the name of economy, break down the existing farm income, and in so doing destroy the fountainhead of all economic recovery, urban as well as rural.

Seventy-five years ago we fought a war. In the South we fought for our homes and the rights of our States. In the North they fought to free the Negroes. Surely in 1865 everyone thought that this had been done, but since this time it must have become clear that all that has been done was to make slaves of the white man as well as of the black. Today we find the farmers of nearly all sections of our land in a state of economic serfdom far worse than any which exists among the poorest European peasants. In my own district probably more than two out of every three farmers are land-

less tenants. In one of my counties approximately three-fourths of all farmers are tenants. Most of the remaining one-fourth who are classed as owners have nothing more than a small equity in their homes, but even the ownership of this small equity is extremely important. The average income of the tenant farmer of my State is less than 50 cents per day. The total average gross income of all farmers of the South is less than \$200 per year. Obviously, the living conditions of any group of people with such a small income must be very poor.

Congress has recognized the importance of enabling the tenant farmers of this country to help themselves become home owners, and 4 years ago we passed a bill holding out a small ray of hope. We made appropriations of \$10,000,000 in 1938, \$15,000,000 in 1939, and \$40,000,000 in 1940. In all, we have made available for loans to tenant farmers \$75,000,000. During the same time we have given \$800,000,000 to the work of city slum clearance—a worthy work, but certainly it is hard to say that we have given to the rural slums the consideration we have given to city slum dwellers. Having already given 12 times as much to city slum clearance as we have loaned to this work of rural slum clearance, can you say that we are unreasonable in asking that this Government go on and carry out its existing obligation to loan \$50,000,000 to tenant farmers to aid them in becoming home owners? But the committee asks that the entire appropriation for this great work be eliminated. Every time you refuse to loan a tenant farmer money to help him own a home, for which experience shows the Government will be repaid, you have created a prospective candidate for a home in a city slum-clearance project, where you know the Government will never get its money back.

Not only does this bill fail to provide one cent for a continuation of the promised program of farm-home ownership, it materially reduces the aid that the Government has so properly extended to soil conservation. Without an intelligent use and conservation of our soils this Nation must follow the great nations of antiquity into oblivion. When the productive soil of the Tigris and the Euphrates Valleys was allowed to wash and blow away, those large centers of civilization ceased to exist. If we neglect to protect the soils of our own land, we can only expect a repetition of the tragedies of the past—floods, freshets, and overflows, followed by drought, dust storms, and desolation. Nor will the desolation be confined to the farms. There is no city so strong and so proud that it can continue to flourish long after the hinterlands that made it are denuded. Erosion is a thing that strikes at the very foundation of all being as well as all prosperity. The soil must be preserved, and this Government and the merchants of Philadelphia have an interest in its preservation just as truly as has the farmer in the Delta. Yet this bill cuts around \$4,000,000 from the \$24,000,000 heretofore expended for the work of the Soil Conservation Service.

Of course, the most staggering blow dealt by this bill to the farmer is the refusal to carry on the program of parity adjustment payments. It is true that we have never paid our farmer anything like enough to bring his income up to the parity which we held out as a hope when we passed the Agricultural Adjustment Act, but we have helped. We have increased farm income and in so doing we have increased national income. For 20 years factory pay rolls in this country have followed absolutely exactly farm income. In other words, for every dollar used to increase farm income you have likewise increased factory pay rolls by the same amount, and national income by seven times that amount. In no other expenditure can we have any assurance of such a direct return to the people of all the Nation.

We have, it is true, helped the farmers of America, but they are still down on their knees—in the South down on their knees before the great white throne of ailing King Cotton. Should we not give those needy and helpless Americans who feed and clothe the balance of us a helping hand rather than the brutal blow contained in this bill?

My friends, let us look to the need of our farmers. Let us look to the dependence of all industry on farming, and let us restore to this bill those meager aids heretofore promised to agriculture. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 15 minutes to the gentleman from Iowa [Mr. HARRINGTON].

Mr. HARRINGTON. Mr. Chairman, I realize that there are many things that are fundamentally wrong in the life of the midwestern farmer. One of those things is the unjust, inequitable freight-rate structure just referred to by my good friend, the gentleman from Minnesota [Mr. ALEXANDER]. It is indeed a major problem that this House must tackle sooner or later. So is the item of real-estate taxes also referred to by the gentleman from Minnesota. It would indeed be well to give both of these matters serious consideration in this body, but serious as these are today, I want to address myself to one item which has been left out of this bill—the farm-tenancy appropriation.

Balance the budget of the farmers, and the home owners of this country and the National Budget will balance itself.

The Appropriations Committee reports that it tried to make cuts in this bill "where they would be the least harmful to the public interest."

I would like to see the committee try to justify application of that language to its action on the appropriation for tenant-purchase loans. The committee has proposed to abandon what has been hailed in all parts of the Nation as one of the most constructive programs instituted by the New Deal.

We like to think of America as a nation of home owners. It once was. Half a century ago 80 percent of our farmers were owners. But today almost half of our farmers are renters, or have an even more precarious hold on the land as sharecroppers. Even on the rich soil of my own Iowa, 50 percent of the farmers are tenants.

Unless we do something to stop this swift tide, our independent, family-sized farmer, who has been the backbone of our Nation since its first days, will be wiped out. In place of our home-loving, secure, and stable farm population, we will have a rural population composed chiefly of restless, constantly moving tenants, and poverty-stricken, part-time farm laborers. Our land will be owned by banks, insurance companies, and a few big business operators.

Already a third of our huge farm-tenant population—or a million families—move every year. Hundreds of thousands of other families have lost all hold on the land and are desperately roving the highways in search of occasional, seasonal work, that at best will barely keep them alive.

Every year there are 40,000 additional tenant families, and probably almost as many new migrants, added to the roving population.

Two major efforts to halt this trend have been instituted by the Government. One of them, which is not involved in the current appropriation item, is the Farm Security Administration program of rehabilitation loans, which seeks to anchor the low-income farmer to the land by making him a more successful farmer and helping him to obtain better rental terms.

The other program—which is definitely at stake here—is the second step in this rehabilitation program, under which these farmers who have been converted into more successful tenants can consolidate their gains by becoming owners of their land.

This program was begun on a slow, experimental basis almost 3 years ago. Although we have appropriated only \$75,000,000, this is enabling about 13,000 former tenants, sharecroppers, and farm laborers to buy farms of their own—family-sized farms which they can operate themselves, and on which they can raise their families in comparative security. In Iowa 121 loans, aggregating \$1,176,157, have been made, and 140 more are being made this year.

Though this program is less than 3 years old, it has demonstrated conclusively that it is a sound approach to this vital and fundamental problem of farm ownership. The only serious criticism I have heard of the program outside of this House is that it is not big enough to do the job. But surely that is no reason for abandoning it, any more than we would abandon our efforts to stamp out disease just because we have not been able to stop all disease.

As pointed out by the gentleman from Texas [Mr. JONES], critics here on the floor have compared the tenant purchase program with other and unsuccessful efforts to finance farm

ownership. Such comparisons are worthless, because never before has there been a program so carefully planned, so soundly conceived, as the one now before us.

Never before has the lending agency exercised such caution in the selection of borrowers and the selection of the farms they were to buy. Never before has the lending agency extended expert guidance and advice to borrowers to help them succeed. Never before has the lending agency set up a variable payment plan under which the borrower would pay more in good-crop years and less in bad years. All of these things make the tenant purchase program a thing apart from other lending plans.

Mr. SOUTH. Mr. Chairman, will the gentleman yield?

Mr. HARRINGTON. I yield to the gentleman from Texas.

Mr. SOUTH. If the gentleman has not had the matter called to his attention, may I say that I am advised there has been paid into the Treasury substantially more money than is due; in other words, the farmers have taken advantage of the provisions referred to by the gentleman and paid back more money than is due. Further, there is now only a 2-percent delinquency. Although the testimony in the hearing showed about a 4-percent delinquency, Mr. Baldwin tells me that the figures as brought down to date now show only a 2-percent delinquency, with more money paid in than is due.

Mr. HARRINGTON. I thank the gentleman from Texas for his contribution. A little later I expect to show those figures.

Every farmer who has obtained a tenant purchase loan has been carefully selected by a committee of local farmers in his own county, and usually from among 20 or more applicants. Every farm bought has been appraised on its past production records. In every case the lender and the borrower have worked out a plan for operating the farm which promised not only to support the family adequately but to repay the loan. In every case farm- and home-management advisers have been constantly on hand to help the family work out the plan.

No wonder, under these conditions, that the program has succeeded. No wonder the delinquencies are less than 2 percent, despite the fact that the borrowers could not obtain adequate funds anywhere else on reasonable terms. No wonder 133,000 farmers in less than half of the agricultural counties of the Nation applied this year for these loans.

No wonder, fellow Members of the House, that the committee does not attempt to justify this cut except on the general ground of economy.

Yet, where is the economy? Is it economy to permit our farmers to drift into tenancy and onto the relief rolls? And has it actually cost the Treasury anything from the long-range standpoint to invest in farms virtually all of which are being improved rather than ruined, as they were under tenancy?

There can be little doubt that because of the way this program has been operated most of the farms on which the Government has loaned money are more valuable today than they were when they were bought at rock-bottom prices. Even in the cases of ultimate delinquency the Government is likely to come out without substantial loss.

So to me, at least, this proposal to save \$25,000,000 is a proposal to throw overboard a program which has proved wise economically and wise socially. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 10 minutes to the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS. Mr. Chairman, I must say that I am disappointed in the agricultural appropriations bill presented to this House for consideration. I know that the farmers of the United States, when they learn the contents of this bill, will be likewise greatly disappointed. Even a cursory study of the bill indicates the drastic extent to which appropriations for the farmers of the Nation have been reduced and in many instances shows where entire services have been discontinued. Oftentimes the eliminations have occurred in spite of the fact that Congress has previously authorized and specifically provided for functions eliminated under the provisions of this act. Time will not permit me here to go fully

into all phases of these reductions. I desire, however, especially to call your attention to the reductions in the Soil Conservation Service. In all phases of this work we have a reduction of approximately \$7,000,000 over the original estimates for this Department. From all parts of the United States have come protests against these reductions and statements as to the injury which will be inflicted by even this small cut in appropriations for this most worthy purpose.

After all, Mr. Chairman, soil conservation deals with the primary asset of the Nation, namely, the land. It seeks to correct the erosion which has been going on in this Nation for the last 150 years and longer. It seeks to teach our farmers how to conserve the land resources which are far and above all others the most vital and most essential to the Nation; and yet at a time when our farmers are learning conservation practices which are so important not only to themselves but to the future generations, and at a time when they are eager to go forward with this work, the appropriation is cut. This will mean that certain conservation watershed districts will not even be touched in the work of the Soil Conservation Service, and the work in other watershed districts will be greatly reduced.

The Land Utilization Section of the Soil Conservation Service likewise suffers heavily from the drastic cut made in this bill. In this service submarginal land is taken by the Government and improved to the point that it becomes subject to use and habitation by the farmers of the United States. It has been estimated that were this work carried to a full conclusion in the State of Louisiana alone 41,000 additional farm homes might be established and 41,000 additional farm families might be cared for by the appropriate use and improvement of submarginal land.

At this point, Mr. Chairman, I desire to read a resolution received by me recently from the police jury—the governing body—of the parish of Webster, La. This resolution is typical of the many resolutions I have received from both governmental and private agencies showing the deep concern which these people evince in any reduction to soil-conservation funds. Let me read:

Resolution No. 240

TO HON. OVERTON BROOKS:

Whereas it has been called to our attention through the press and news releases that the general appropriation bill now being considered by Congress proposes a reduction of funds from the past appropriation for soil conservation, land utilization, and Civilian Conservation Corps; and

Whereas we, the Police Jury of Webster Parish, La., are vitally interested in the soil conservation and land utilization of the land in Webster Parish in order to promote prosperity of the people of our parish, those living on the farms as well as those in business who are dependent on the farm for their general welfare; and

Whereas the Civilian Conservation Corps in this area has given employment to veterans of the World War who could not find employment elsewhere and has given employment and training to youth reaching manhood who could not find employment, and who, if not employed, would have been subject to temptation leading to law violations, which not only would have been detrimental to the general public but expense to the State; and

Whereas the people of Webster Parish felt that the Civilian Conservation Corps is the outstanding accomplishment of the present administration and is subject to less criticism than any other governmental agency; and

Whereas the Soil Conservation Service through proper utilization, with the aid of those employed in the Civilian Conservation Corps, has been a material aid to this parish through the employment of youth and unemployed veterans of the World War and the purchase of approximately 10,000 acres of submarginal land in Webster Parish; and

Whereas the farmers of the Dorcheat soil-conservation district have shown their interest and enthusiasm and desire for aid from the present program by the following facts:

First. Soil-conservation district organized January 1939 and began operation June 1939, comprising more than 1,080,000 acres, 75 percent of which is in need of land-utilization and soil-conservation treatment.

Second. The December report of the soil-conservation district shows 347 farmers owning 61,844 acres of land have applied to the district for service. The Soil Conservation Service has been able to reach 181 farmers, owning 22,971 acres at the present time, and more than 100 applications have been received by the supervisors of the Dorcheat district since the December report.

Third. Two hundred and sixteen applications, comprising 43,721 acres, have been received from Webster Parish, and of these plans have been made on 82 farms comprising 32,354 acres; and

Whereas at present the approved budget for the Dorcheat soil-conservation district is approximately \$30,000 per year, all of which is needed to continue the work at the present rate; and if the proposed appropriation for Soil Conservation Service is reduced as recommended it is estimated that this district will receive only approximately \$24,000, which will materially slow down the work now being done; and

Whereas work will be considerably accelerated if the appropriation remains approximately where it was for the current year: Therefore be it

Resolved by the Police Jury of Webster Parish in session, That you are requested to consider carefully these facts and others at your disposal, and we do hereby recommend that, if it is possible, the appropriation for the Soil Conservation Service, land utilization, and Civilian Conservation Corps be not reduced unless absolutely necessary.

WEBSTER PARISH POLICE JURY,
J. M. PEARCE, President.
RUTH LUNSFORD, Secretary.

State of Louisiana, parish of Webster, Minden, La.

I am sure that other Members have received similar resolutions from those people who live on the land and see the wonderful work of soil conservation from day to day.

Mr. Chairman, I might say also that this bill completely eliminates all appropriations for the Commodity Credit Corporation and the appropriations under the Sugar Act of 1937. It reduces surplus commodities appropriations from \$113,000,000 to \$72,678,000.

Farm Security Administration comes in for drastic reduction also in this bill and the amount recommended by the bill is \$25,000,000 as against \$40,000,000 appropriated for 1940. And then the Agricultural Adjustment Administration program is completely eliminated. Not one cent is appropriated for A. A. payments to the farmers of the United States as against the sum of \$225,000,000 which was appropriated last year for this same purpose.

I am glad, however, to learn that the deficiency bill now before the Senate carries an arrangement for the transfer of a sum of a little less than \$10,000,000 to take care of the payments under the Price Adjustment Act of 1938. I am informed by the Agriculture Department that funds appropriated last year by Congress covered only about 87 percent of these payments and this additional sum is necessary to conclude the 1939 payments. The farmers of the Nation have been promised these so-called parity payments and a severe hardship has been imposed upon them by failure to make these payments timely and prompt as have been intended by the Department of Agriculture. This sum does not represent an additional amount appropriated to the farmers but means merely a transfer of funds previously appropriated for this same purpose. In this connection, Mr. Chairman, I would like to read a letter received by me about 2 weeks ago from the Honorable Henry A. Wallace, the Secretary of Agriculture, in reference to this same matter. I read:

DEPARTMENT OF AGRICULTURE,
Washington, January 4, 1940.

HON. OVERTON BROOKS,
Member of Congress,
Shreveport, La.

DEAR MR. BROOKS: This acknowledges your telegram of December 19 relative to payments under the 1939 price-adjustment program.

The Price Adjustment Act of 1938 provided a separate appropriation of \$212,000,000 for parity payments to producers of wheat, cotton, corn (in the commercial corn-producing area), rice, and tobacco, pursuant to section 303 of the Agricultural Adjustment Act. In order to determine the rate of payment for the various commodities with respect to which price-adjustment payments would be made, it was necessary to estimate the probable participation in the 1939 price-adjustment program far in advance of the actual time of making payments. Participation was in excess of that estimated, so that the funds provided by the aforementioned appropriation were not sufficient to complete all payments to producers.

No authority exists whereby funds from any other appropriation could be used for the purpose of making 1939 price-adjustment payments. In order that the balance of these payments may be made, Congress is being advised that part of the \$225,000,000 which was appropriated for the 1940 parity-payment program should be made available for the purpose of completing payments due under the 1939 price-adjustment program. It is hoped that favorable action on the part of Congress will be forthcoming early in the next session. If so, the balance of the payments due under the 1939 price-adjustment program will be made immediately.

Sincerely yours,

H. A. WALLACE, Secretary.

Mr. Chairman, this Congress has been worrying itself about the problems of the Chinese and about the problems of the Europeans. It has sought to help the people of Argentina and to furnish protection to the entire continent of South America. It is now proposed to make an actual loan to the Finns to help them in their suffering and misery. It seems that Congress is preparing to help all the peoples of the world and yet it turns its back on its own people.

The proposed cut in soil conservation, which totals, roughly, some \$10,000,000, will mean a great hardship upon the farmers in all parts of the United States. It will mean, so I am informed, a cut in the activities of soil conservation throughout the United States of 15 percent of the entire work. It will mean a further cut of 20 percent in the actual personal direction and supervision work of soil conservation throughout the Nation. It will mean that many soil-conservation districts will not even be touched during the coming year, and that other districts which are reached will have their work drastically reduced.

Of all of the work being done for the people of the United States, I doubt that there is any work which means such a long-time saving and benefit to our people as does the work of the Soil Conservation Service. It means the checking of the erosion of the soil; the restoring of some of the washed-away land; the refertilization of millions of acres of land; and the revitalizing of much land which had become unfit for farm use.

Before taking care of the troubles of the world we should provide for our own people. The 33,000,000 people who live on the farms throughout the United States are entitled to the attention of this Congress. Drastic reductions should not begin with the farmers but certainly should be begun in the appropriations which seek to correct the problems of other peoples.

The Bible tells us:

But if any provide not for his own, and specially for those of his own house, he hath denied the faith and is worse than an infidel.

Mr. CANNON of Missouri. Mr. Chairman, I yield 20 minutes to the gentleman from Texas [Mr. Gossett].

Mr. GOSSETT. Mr. Chairman, those of us seriously interested in the farmers of America and in stabilizing American agriculture are shocked to find the appropriation anticipated to carry on the Bankhead-Jones Farm Tenant Act eliminated in the report and recommendation of the Appropriations Committee.

Every average American farmer who desires to do so ought to be able to own and to make a decent living upon a family-sized farm. Today thousands of such farmers roam the streets of our towns and cities, and can neither rent nor buy land. While the farmer, as an unorganized, unprotected, rugged individualist, has always suffered economic discrimination at the hands of organized groups, still, prior to the depression, he was always able to rent or buy land; and by hard work he was able to live upon and from the land. Today many thousands of men, who were among America's best farmers and best citizens, can neither rent nor buy a farm. This Farm Tenant Act, which some of you gentlemen propose to kill, offers an opportunity to some of these good farmers, and it gives encouragement to all.

Agriculture is the oldest and most fundamental of all human enterprises. The tillers of the soil have since the beginning of time been the backbone of every stable society. It was the embattled farmers at Concord Bridge who fired the shots heard around the world—shots that resulted in American independence and in the formation of the democratic Government under which we have enjoyed more than a century of unparalleled prosperity and progress.

Agriculture has always been the most important activity of the American people, and our farmers have been since the beginning the bulwark of American democracy. It has always been thus with every great people. Emerson once said:

The first farmer was the first man; and all historic nobility rests on possession and use of land.

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Cato testifies:

The agricultural population produces the bravest men, the most valiant soldiers, and a class of citizens the least given of all to evil designs.

We could even cite Thomas Jefferson as an authority in this instance. He once said:

Wherever there is in any country uncultivated lands and unemployed poor, it is clear that the laws of prosperity have been so far extended as to violate natural rights. The earth is given as a common stock for men to labor on. * * * The small landowners are the most precious part of the State.

The home owner, especially the landowner, the man who lives upon and gets his living from the soil, is never a radical or a revolutionist. He is a man of sturdy character, of high ideals, of unquestioned patriotism. He is a lover of liberty and of justice; he is a defender of all the worth-while institutions. It is said that the late Pancho Villa of Mexico, whose escapades you will remember, and against whom there was sent an American expeditionary force under the command of General Pershing, when given a ranch by the Mexican Government, completely changed his way of living and his philosophy of life, and became a staunch defender of the rights of private property. This problem, therefore, becomes a social as well as an economic one.

Approximately 7,000,000 American families live upon the farm, almost one-third of our population earn their livelihood from the land. The tenant percentage of these families has increased. In 1880, 25.6 percent of American farm families were tenants; in 1890, 28.4 percent; in 1900, 35.3 percent; in 1910, 37 percent; in 1920, 38.1 percent; in 1930, 42.4 percent; and in 1935, 42.1 percent. In Texas, the greatest agricultural State of the Union, 57.1 percent of the farmers are tenants, while 41 percent of the owner-operated farms are under mortgage, according to 1935 statistics. In my district of Texas, and I believe this is generally true throughout the country, the percentage of tenancy has been increasing and farm population generally has been decreasing. In several counties of my district, farm populations have decreased as much as 25 percent in the last 20 years.

For several years, landowners in an effort to pay mortgages and debts have resorted to large-scale farming and have ejected more and more of their tenants. The towns of my district are now filled with tenant farmers, many of whom were yesterday well-to-do and self-sustaining citizens.

These men and other farmers of this country have not seriously complained. They have always been a conservative force in American life. They believe in true economy. They also believe in economic and social justice. They would not accept more of anything than was rightfully theirs. They only insist upon, and only are entitled to receive, an opportunity to share equally with every other class of Americans in a common prosperity.

An able and influential Member of this body in the name of economy has stated, in effect, as the main reason for eliminating the Bankhead-Jones Farm Tenant Act, that said act did not reach all of the deserving tenants but only a few of them. His argument is that since we cannot give much relief, we should give no relief at all; that since we cannot do much good, we will not do any good. This is defeatism at its worst. This is answering the cry for bread with a stone. This is turning a deaf ear to the almost universal plea of serious-minded American citizens that the trend of decreasing farm populations be reversed and that we have in America a back-to-the-farm movement. This so-called economy wave is like a cyclone. It has struck in the strangest and most unexpected places in a freakish manner and with disastrous results. It would eliminate every vestige of a farm-tenant program in this country. It would eliminate an appropriation that is certain to be repaid with interest and that will yield valuable dividends in many other ways. If to eliminate this appropriation you were saving money and increasing governmental efficiency, if you were abolishing a Government bureau, or cutting down excessive overhead expenses, you would hear nothing from the farmers of America. They believe in efficiency and economy. But by this act, you simply deny

this credit to good American farmers who want to own and live upon the land. Farm ownership can only be promoted by long-period loans at low-interest rates, and only the Government can furnish this credit at this time. If this act is killed some better and more comprehensive act should be immediately passed to take its place.

I was greatly interested to note in this week's press reports of a speech made by House minority leader, the gentleman from Massachusetts, Representative JOE MARTIN. Speaking at Topeka, Kans., the gentleman from Massachusetts, Representative MARTIN, is reported as saying:

The greatest danger to the peace and security of the United States is not from foreign invasion, but to allow pressing home problems to go unsolved. * * * We must solve the problems of agriculture so the farmer can secure his fair share of the national income. * * * We must rescue the small farmer and the small employer from the domineering Federal bureaucracy. * * * Our front line is not on the Rhine, nor is it anywhere in France. It is at the farm gate and the factory door.

The gentleman from Massachusetts, Representative MARTIN, usually speaks for the vast majority of the Republican Members of the House. I hope he did so in this case. I am one Democrat who certainly endorses the statements just quoted from Representative MARTIN's Kansas speech. The farmers of America, gentlemen, expect more than lip service to the cause of American agriculture. It is sincerely hoped that you gentlemen on the Republican side of the House vote in line with this expressed sentiment of your leader.

There is no end to the sound arguments that could be made for an adequate farm-tenant program in this country. I think the gentleman from Massachusetts, Representative MARTIN, has sensed the shrewd judgment and good sense of the average American. The average American loves his country and believes in her adequate defense. He is not willing, however, to take money from the empty pockets of farmers of this country and bread out of the hungry mouths of the unemployed of this country to build excessive armament in the name of national defense. The \$25,000,000 asked for the Bankhead-Jones Farm Tenant Act is less than half the price of a modern battleship, dozens of which this Congress is being called upon to authorize.

Mr. Chairman, we should not be penny-wise and pound-foolish. Instead of eliminating this money, which we propose to loan the American farmer, it should be increased at least to \$100,000,000. Upon the stabilization of the average American farmer must, in the last analysis, rest the strength and security of this Republic. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 20 minutes to the gentleman from Texas [Mr. BECKWORTH].

Mr. BECKWORTH. Mr. Chairman, I am one of those who are rather disappointed as a result of the decreased appropriations in the agricultural bill.

One of the most paradoxical situations I have witnessed since becoming a Member of this Congress is the one which is obtaining right now. We were told in the President's message, correctly so, that even though the national income is increasing, yet the farmer's share of the national income is still far below what it should be. In 1933 agriculture, or the farmers, who constitute almost one-third of our population, received only about 9 percent of the national income.

In the wake of this statement, however, came the recommendation that there be no appropriations for parity payments and that the amount to be expended for soil conservation and other rehabilitating activities be greatly reduced. How can any thinking and sincere person reconcile the two viewpoints? If the economic health of the farmers is less evident than that of other groups and if the statistics of the Department of Commerce as to the national income constitute an accurate criterion, then apparently he needs much more help instead of being made the "goat" in this Budget slashing. I was surprised and amazed when I found that of the \$600,000,000 reduction in the Budget the Agriculture Department and the farmers had sustained two-thirds of it or some \$400,000,000.

Looking at the situation in a fair and impartial way, no person can see any justification for cutting even further the

agricultural appropriation bill—certainly not to the disproportionate degree of some 47 percent.

Congress, if it acquiesces in these slashes, is breaking faith with many farmers who have endeavored to adapt themselves to those rules and regulations prescribed by the A. A. A. They have changed their farming practices greatly. Mr. DIRKSEN, I believe, pointed out yesterday that each person who procures an F. S. A. loan must be a complier with the program. One of the rewards for complying heretofore has been the parity payment. How is he to receive it if there is no appropriation made for this purpose? And is it right for the farmers to curtail production through the promise of parity and then withhold the payments?

I know it is contended by those who oppose appropriating money to pay parity payments that the war will probably take up the slack in that our agricultural sales to foreign countries will increase. I heard Secretary Wallace testify in behalf of the trade agreements before the Ways and Means Committee and he seemed to give little hope to the realization of this possibility, but indicated that, although sales of certain types of commodities—not necessarily agricultural—might increase, yet this very fact would preclude the likelihood of the given countries being financially able to buy additional agricultural commodities. To substantiate his statement, he cited the World War period. Even though this contingency might be realized, it is completely nonsensical to put the farmers out on a present-war limb which will be sawed off by the termination of the war. The American farmer deserves more consideration than that. He must not be compelled to depend on markets accruing because of an existent war for his financial stability and economic security.

While I am speaking of these parity payments, I beg to disagree with what some of my colleagues have announced as their opinions as to an immediate means of financing the parity payments. It seems to me highly discriminatory to compel the Congress to raise money to pay parity payments to the farmers when such superwillingness is manifested so frequently to appropriate any amount of money for many other purposes without a similar stipulation. It would be justifiable to specify this, if farmers were receiving a bounty, a gift, or a donation, but this is not the case. The payment of so-called parity, the way I understand it, is a simple medium designed for the sole and only purpose of bringing about equity or fairness to the American farmer. As one Member said yesterday, it is not a bounty, but restitution. By virtue of the acts of Congress we have aided industry many years through the tariff; it is certainly fair to then say to industry, "You have received your bonus, your protection, and now to equalize the situation, we shall give the farmer something so that he will then have an amount equal to what you have already received."

Much has been repeatedly said about the progress which has been made in solving the farm problem. I cannot gainsay this, but I do contend that the farm problem is far from being solved. In my particular vicinity, a vicinity typical of the South, our problems are about as numerous as ever. Landlords and tenants are vocal in their enumeration of certain undesirable aspects of the present program. Landlords on the one hand continuously assert that they are having difficulty in meeting their land payments, their interest on these land payments, their taxes, and their ordinary outlay of expense in keeping up, so to speak, their farms, alleging that tenants do not desire to work without pay to maintain fences, and buildings, and so forth. They further contend that since their production has been appreciably curtailed, it is imperative that they take moves with respect to their respective farms to fortify themselves in order that their lands may not depart from them through the foreclosure gate.

Accordingly, in many sections of my district, there is a tendency for the landlord to divest his renters of their places, to buy a tractor or large farm machinery, to rent to the renter by the month the house in which the renter has been living, to hire the renter during crop time, to discharge him during the laying-by period, and to again employ him by the unit to

gather the crop of the landlord, after which the renter reverts back to his status as a virtual transient. This practice is for a purpose, the purpose being to so arrange the farm program as it concerns a given farm whereby the landlord can obtain all the parity payment and all the conservation amount. Of course, such a practice is helpful at the moment to the landlord and some of them allege it is necessary for them to do this.

But this does not draw all the picture. The renter who has been divested of the place he worked either on halves or on third and fourth cannot usually find another place. He roams a bit, is compelled to sell his cows, his hogs, his chickens, and his work stock during some period when he cannot obtain work. He soon becomes discouraged, dejected, and disanimated. Having heard of the W. P. A. and seeing no ray of hope whatsoever, he decides to move to town that he may identify himself with the W. P. A. Sadly disappointed he is destined to be, for there in town he finds the W. P. A. quota filled and more than filled. The result is that a person who once had successfully sustained himself becomes a dependent.

The foregoing description is by no means rare in the vicinity in which I live and no person who has witnessed such can fail to be keenly aware as to the seriousness of the problem brought forth. That the trend should and must be changed is obvious and patent.

A perusal of the report on the bill and the bill itself discloses that the farm-tenant fund is to be practically nil this coming fiscal year. Not every phase of the attempts made by the Federal Government to aid tenants can I approve, but I do know the objective is extremely laudable and I am not willing to discontinue a program that apparently has done some good and gives real and genuine promise of developing into a program or at least being the forerunner of a program that will be broad in its scope and fully successful. The average loan, I understand, has been some \$4,000. This is much too high, I am constrained to believe. I personally was practically reared on a place which cost my father less than \$700. Says someone, "But land prices vary." This is true; however, I cannot believe they should vary to the extent that the average cost per place is \$4,000, for accompanying a loan this large are two outstanding drawbacks, one, the fact that a debt this large is next to impossible to pay with agricultural prices as they are; the other, that too few people can be reached when the average amounts are that large.

Much more useful a program would we have if it were placed on a level within sounder reach of the family-size farmer. Even though some of the aspects of the program may be justly criticized, yet I cannot favor junking it when tenantry is increasing at the rate of fifty or sixty thousand families per year.

It must be remembered in considering the American farmer that you are considering the veritable bulwark of democracy; subversive elements boring from within or from without strike stone when they begin to work on him. But the American farmer has the same burning desires that every alert American citizen has, and he must be satiated if he is to always remain as stalwart as he has always been. He is willing to bear his proper share of deprivation and economic distress, but no more. I fear many Members of Congress and many high in the Government do not have as clear a conception of the burden he is now, and has been, carrying as he actually is. You know—

It's easy to sit in the sunshine,
And talk to the man in the shade,
It's easy to float in a well-trimmed boat,
And point out the places to wade,
It's easy to tell the toiler how best
He may carry his pack;
But no man can rate a burden's weight
Until it's been on his back.

Few people who have not observed the plight of farmers in the last few years can rate the weight of their burdens, especially the weight of the burdens of the little farmer—the family size farmer. It is difficult for those who are removed

from the farmers to know that in my section of the country many of the farmers have allotments of 8, 10, 15, and 20 acres of cotton—I mention cotton because it is still our chief money crop—and on the acres they grow 2, 3, 4, 6, or 10 bales of cotton, which brings at the present some \$80, \$120, \$160, \$240, or \$400 by the time incidental expenses are deducted. Yes; it is incredible to picture a family trying to live on these paltry pittance. No wonder some farmers are glad to identify themselves with the W. P. A., for in some instances it actually means more dollars.

The least this Congress should consider doing is to assure the farmers of the so-called parity payments—actually the \$225,000,000 provides only 75-percent parity—by restoring the \$225,000,000 to the bill. The soil-conservation work and the soil-conservation payments should not be diminished one iota. Any action short of this, in my opinion, is dereliction of duty. Let us not forget the "forgotten man."

Mr. CANNON of Missouri. Mr. Chairman, I yield 20 minutes to the gentleman from Louisiana [Mr. ALLEN].

Mr. ALLEN of Louisiana. Mr. Chairman, the agriculture appropriation bill which we are now considering is the greatest disappointment that agriculture has received since I have been a Member of this House. I do not believe any large group of our citizens in the United States have been harder hit than the farmers have been during the past 10 years. Very serious efforts have been made to help the farmer. I believe that many conscientious Members of this House have really given most serious thought to the pressing problem of agriculture. I am afraid that some things have been done which did not work out to the best interest of agriculture every time, but I am willing to concede that the sponsors of those moves, for the most part, have been sincere. Now, this appropriation bill takes the very heart out of agriculture. It destroys the hopes that have been built up in the hearts of millions of our citizens. It greatly hinders and cripples a great arm of our citizenry.

We have been hearing a great deal for a number of years about the farm-tenancy problem. This House has considered that problem for days. We passed a law to help that situation. We followed up that act with a modest appropriation. While it was only a modest beginning, many of us who were in a better position to know the problems which that act sought to correct felt that a great forward step had been taken. We felt that from that act benefits would flow to thousands of farm families formerly denied an opportunity. We visioned that the time would come when a great portion of our farm families would be able to own and operate their own homes and thus make them secure again. While we were content to begin at the inception of this act with a small appropriation, we felt that the benefits derived from it in the reestablishment of farm homes would be so obvious that Congress would be justified in not only continuing the farm-tenancy program but would be willing to increase the appropriation each year, at least within reasonable bounds. I am told by the Farm Security Administration that when the money in sight is used up it will have purchased some fifteen or sixteen thousand farms. Some fifteen or sixteen thousand families will therefore be rehabilitated. But the committee has seen fit in this bill to cut out this program entirely. The good that has been done will be lost. I sincerely trust that the Farm Security Administration will be backed up by this House with a reasonable appropriation to carry on this all-important work.

The hardest problem that we have had to meet insofar as agriculture is concerned is the undertaking to bring farm receipts up to some sort of level comparable to the receipts of other industries in the United States. The farmer has long been at the bottom of the ladder. Congress has held out to the farmer a hope that the receipts from his labor would be on a parity with other labor in the country. We from the Farm Belt have cooperated with the laboring classes in every section of the country. We have been glad to see the laborer rewarded and given a just compensation. We have undertaken to equalize the very unequal situation existing between agriculture and the balance of the country

by providing a measure of parity payments. Although the goal of parity payments is far above anything yet attained, still the appropriation made last year went a long way to achieve that end with the result that agriculture was placed upon a much sounder footing than heretofore. The committee in bringing in this bill likewise by one fell swoop has eliminated parity payments entirely. If this appropriation bill stands as it is now with parity payments eliminated, the situation with agriculture throughout the Nation will be very serious. With decreased production, with prices decreased, because of a lack of purchasing power and with every hope of parity payments being destroyed, unless this item is restored, we cannot hope for anything more than more destitution, more want among the millions engaged in agriculture. I hope, Mr. Chairman, that this Congress will not permit this to take place. I do not believe this Democratic administration can afford to permit it to be done. I trust that it will be restored.

Our agricultural leaders have been educating the people for many years to the necessity of conserving our soils. The American people have not been careful with their resources. I have seen the statement that we are losing about 300,000 acres of soil per year. At this rate, Dr. Bennett, of the Soil Conservation Service, estimates that in probably 150 years the United States will not be self-sustaining, agriculturally speaking. It is a sad commentary upon our use, or rather misuse, of this great Nation with the finest soil in the world. We have now awakened to the situation and are endeavoring to conserve our soils. We have been encouraged to create soil-erosion districts in many agricultural States. Many such districts have been created. Instead of less funds being needed, more funds are needed. In fact, I am informed that about \$3,000,000 additional money was asked for. Instead of that sum being granted, we find the Appropriation Committee cutting down the present amount about 15 percent. All of which means that this activity will have to be curtailed at least 15 percent. This, likewise, should not be tolerated. All the people of the Nation should realize that it is to the interest of all the people to conserve our resources. I hope that this cut will not only be eliminated but that the sum asked for will be granted.

Another very serious blow that has been handed agriculture in this bill is the elimination of the appropriation for the purchase of surplus commodities. That fund, no doubt, has been wisely used heretofore to relieve great surpluses in different sections, and by so doing to stabilize agriculture. This should be reinstated likewise.

Again the committee has seen fit to eliminate the appropriation under the Sugar Act of 1937. The committee completely ignored the plight of the sugar producers. Not being permitted to plant acreage sufficient to satisfy the needs of our own people, and having our country supplied to a great extent by sugar from the foreign country of Cuba, our sugar growers now face elimination of the funds provided by the act of 1937. This unquestionably should be restored.

All in all, Mr. Chairman, the committee has cut down the appropriations for agriculture about one-half. I am ready to economize where it is possible, but I have not seen the economy ax swing in any other branch of our national life like this. There is no sense, no fairness, in visiting such upon agriculture. I want these injustices rectified. I am at a loss to understand what prompted the committee in making these drastic reductions on agriculture. Surely this Congress, undoubtedly this Democratic administration, will not let that stand. Is it economy to try to economize on the man who is most needy? Our farming population represents about a third of our population. If this Congress is going to do this to agriculture, then let us swing the economy ax in other directions. Let us not single out agriculture, our very basic industry. Let us rather put this third of our Nation on a firm foundation by such remedial and protective measures as may be necessary. This country cannot go forward until the millions on the farm receive a price sufficient, and have income sufficient, to give them the proper purchasing power. I shall avail myself of every opportunity to work for and vote for a square deal for the farmer.

Mr. CANNON of Missouri. Mr. Chairman, I yield 20 minutes to the gentleman from Alabama [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. Chairman, I realize that the Appropriations Committee has a very hard job on its hands in trying to approach anything like a balanced Budget. I appreciate the work they are trying to do, but I do want to lodge my protest against the effort to balance the Budget at the expense of the farmers of this country.

I am particularly concerned with the action of the committee in failing to provide funds for parity payments to farmers. For 10 years this promise has been held out to the farmers. During that time every seriously considered farm program has proposed to give parity. But today we are offered an appropriation bill with no parity funds in it.

The suggestion may be made that the war will restore farmers to parity without need of a farm program. In his appearance before the committee, Secretary Wallace anticipated that and answered it completely by the insertion of a table showing the effect of the war on farm and nonfarm incomes compared with cost of living as well as the ratio between farm and nonfarm income. The table is as follows:

Farm and nonfarm income available for living, 1909-39

[Index numbers, 1910-14=100]

Year	Per capita income available for living		Ratio farm to nonfarm
	Farm	Nonfarm	
1909.....	96.5	92.5	104.3
1910.....	102.8	95.9	107.2
1911.....	93.6	96.7	96.8
1912.....	101.7	100.5	101.2
1913.....	101.2	105.0	96.4
1914.....	100.7	102.0	98.7
1915.....	106.6	103.5	103.0
1916.....	129.7	118.3	109.6
1917.....	198.1	134.3	147.5
1918.....	234.5	153.1	153.2
1919.....	259.7	163.0	159.3
1920.....	181.5	184.9	98.2
1921.....	96.8	160.0	60.5
1922.....	121.6	163.6	74.3
1923.....	149.5	181.8	82.2
1924.....	159.7	184.1	86.7
1925.....	171.2	192.0	89.2
1926.....	159.4	195.9	81.4
1927.....	161.1	193.7	83.2
1928.....	162.6	194.4	83.6
1929.....	160.6	197.2	81.4
1930.....	120.4	179.9	66.9
1931.....	71.8	154.4	46.5
1932.....	41.3	120.6	34.2
1933.....	58.2	111.8	52.1
1934.....	75.5	126.3	59.8
1935.....	94.6	134.3	70.4
1936.....	114.4	155.3	73.7
1937.....	122.5	163.0	75.2
1938.....	99.4	149.1	66.7
1939 ¹	98.9	154.9	63.8
1940 ²	108.5	165.6	65.5
Including benefits:			
1933.....	61.9	-----	55.4
1934.....	88.0	-----	69.7
1935.....	107.7	-----	80.2
1936.....	120.9	-----	77.8
1937.....	130.8	-----	80.2
1938.....	110.1	-----	73.8
1939 ¹	113.8	-----	73.5
1940 ²	124.0	-----	74.9

¹ Preliminary, includes advance estimates of income for November and December.

² Forecasts indicated by economic conditions at end of 1939 and probable developments in 1940.

The other great defect, as I see it, in this bill is its failure to provide funds for further farm purchases under the Bankhead-Jones Farm Tenant Act.

This proposal to eliminate appropriations for loans to tenants for the purchase of farms is the most dangerous kind of false economy.

On the surface, it looks like a saving of \$25,000,000 to the Government. Actually, it would mean severe losses to the Nation in the long run.

Our once independent, landowning farmers are rapidly becoming a class of insecure, restless, and dependent tenants, sharecroppers, and farm laborers. The tenure system under which they operate is ruinous not only to them, but to their landlords, and to the soil. They are running up a huge ultimate cost to the Government for the rehabilitation of men and soil.

In the counties of my own district of Alabama, more than 66 percent of the farmers are tenants. In these few counties of Jackson, Lauderdale, Colbert, Limestone, Lawrence, Morgan, and Madison, 24,238 of the 36,480 farmers listed by the last census are tenants working land they do not own and in which they have no interest, except to mine it for the largest possible immediate cash return.

By counties the farm-tenancy bill in my district is as follows:

	Number of farms	Number of tenants	Percent, tenancy
Colbert.....	2,726	1,798	66.0
Jackson.....	5,517	3,250	59.0
Lauderdale.....	5,170	3,180	61.0
Lawrence.....	4,855	3,408	70.0
Limestone.....	6,266	4,521	72.0
Madison.....	7,034	5,085	72.0
Morgan.....	4,912	2,996	61.0
Total.....	36,480	24,238	66.4

This is by no means an isolated case. In the State of Alabama, only 3 out of every 10 farm operators are full owners. In the United States, 42 percent of all farmers are tenants, operating land and buildings valued at \$11,000,000,000. Most of them move to a different farm every year or two.

What does this mean? It means that the soil—in which every citizen has a stake whether he lives on a farm or in the city—is being worked on a “here today, gone tomorrow” basis. It means that thousands of farmers are discouraged about the prospects of farm ownership, and, in the meantime, are losing any incentive they might have of conserving the soil for future generations.

We have found an effective means to combat this destructive tendency of absentee ownership in the Bankhead-Jones Farm Tenant Act. During the past 2 years, Congress has wisely appropriated funds to finance the purchase of 13,000 farms by tenants who could not get credit for this purpose from any other source.

The operation of this act eventually will establish a pattern of farm ownership throughout the Nation. It is a channel through which farm tenants of character and ability can settle themselves permanently on the land, derive a living from that land, and protect it as a source of future productivity.

It is an investment in the welfare of our farm people and a guarantee of the protection of the soil. If it is economy we are after, this is true economy.

This is the third year of operation under the act. By June, about 13,000 loans will have been made to tenants. Yet the Farm Security Administration, which administers the act, had received 279,000 applications for tenant-purchase loans up to December 31, 1939. In Alabama, where 576 tenant-purchase loans are to be made, applications were received from 13,521 families, or almost 26 times as many as can get loans under the present limitation of funds.

Some critics have argued that, because we could not make loans to all tenants, we should make none. But other means are being used to help those who do not get loans. The Farm Security Administration's rehabilitation program is increasing the stability and security of farmers who must remain as tenants. They are being helped to initiate sound farming practices that will make it easier to convert them into owners when the money is available.

It is not necessary to make every tenant an owner. On the other hand, I do not believe that 40,000 new tenants each year is healthy for this Nation. If we reduce the number of tenants gradually and meanwhile improve tenure conditions for the others, we will have gone a long way in stabilizing agriculture.

We have made a sound beginning in the farm tenant purchase program. Safeguards to protect the Government's investment have been made with care. Only experienced, capable farmers are eligible for loans. They must be American citizens who have proved their ability to operate a family-sized farm. Those who have accumulated a few tools and

some equipment in their years as tenants are given preference by the law. The character and qualifications of every applicant and the value and earning power of the land which he intends to purchase are carefully analyzed by committees of local farmers.

On the other hand, there are also safeguards for the prospective owner. The family-sized farms selected must be able to produce a living for the family and produce enough income to repay the loan. Borrowers have the advantage of being able to repay their loans under a variable-payment system, if they choose. Under this plan borrowers make bigger payments in good years, smaller ones in years of crop failure or low prices. Payments must average out so that principal and interest are retired in 40 years.

With each loan the borrower and his family receive some technical guidance in sound farming methods. The farm wife plans a live-at-home program by canning a sufficient amount of home-grown foods to meet her family needs. The farmer can build up the fertility of his soil through a long-time management plan. He can use crop rotations, permanent pasture, diversified cash crops, and soil-conserving tillage practices, which are impossible for a tenant who stays on a farm for only a year or two. These new owners plan to stay on their farms permanently and they are not going to risk depleting their soil.

The tenants who are becoming farm owners through the Bankhead-Jones loans are accepting their responsibilities. The installments due on these loans last year totaled about \$92,000, yet tenant-purchase borrowers repaid \$152,000 into the Federal Treasury. In other words, repayments far exceeded maturities. My own State followed this trend, repaying \$20,529 when maturities amounted to only \$18,402. And I am proud to say that the hard-working farmers in my own district repaid about \$300 more than was currently due on their loans.

Yet none of these borrowers were able to get credit for the purchase of a farm from any other source, public or private. Without the help offered through the tenant-purchase program these farmers would have still been on the bottom rung of the agricultural ladder where the 2,000,000 eligible farm families must remain because of a short-sighted attempt at economy. If we provide these tenants with the pride of home ownership, with an individual stake in the soil, we will be taking a real step toward economy and conservation.

That this program is heartily endorsed throughout the country may be shown by the following excerpts from editorials of various papers endorsing it:

EDITORIAL COMMENT ON THE BANKHEAD-JONES FARM TENANT ACT

[From the Atlanta (Ga.) Journal of August 17, 1939]

In other countries, notably in Denmark, Norway, Sweden, Finland, and Ireland, the farm-tenancy problem has been successfully dealt with by methods similar to that embodied in the Bankhead-Jones Act. The plan is sound in conception, and thus far is doing well in practice.

[From the Helena (Ark.) Record of October 19, 1939]

The F. S. A. is making little capitalists, little-business men out of thousands of American farmers. It is stabilizing our democratic, capitalistic society in a place where strengthening has been critically needed.

[From the Prairie Farmer of November 8, 1939]

This attempt by the Government to help solve the problem of too many rented farms and too few owned farms worked by owners was started without much blowing of trumpets. It is growing a little each year. We think that it has the breath of life in it, and as the years go by, will make many farm families happy in the security of their own farm homes.

[From the Burlington (Vt.) Free Press of July 18, 1939]

Any program which will help families to rehabilitate themselves on the land so that they can keep off the relief rolls and get back on a basis of self-support permanently certainly is worth encouraging.

[From the Houston (Tex.) Post of July 21, 1939]

There would seem to be no better long-range plan of coping with the problems of displacement or tenants than this one, which enables the tenants to acquire land of their own, and become independent. Congress will make no mistake by financing the expansion of the operations of the F. S. A.

[From the Mountain View (Ark.) Herald of June 26, 1939]

The Government has already launched a very splendid program designed to give particularly worthy tenants and sharecroppers a chance to achieve ownership. Into this program is established a phase of sympathetic technical help and advisory assistance, designed to give the borrower individual help along the line he needs.

[From the Greenville (S. C.) News of July 13, 1939]

One of the great values, as it has been shown, of the present plan, has been that of supervision by governmental agencies of the purchasing farmer's plans of operation and his consequent adoption of a well-rounded farm program which increases his chances of success. Capable assistance designed to help the farm tenant become a successful manager on his own place, is, after all, the most important basic contribution toward reducing farm tenancy.

[From the Salina (Kans.) Journal of March 20, 1939]

The future of cities in agricultural areas, such as Salina, depends upon the solution of the farm-tenancy problem. Business, in all classifications, should be intensely interested in the progress of and in the broadening of the program.

[From the McComb (Miss.) Journal of July 13, 1939]

So far 7,000 tenants and sharecroppers have been able to finance deals sufficient to buy farms with Government money, repayable over a 40-year period at 3 percent interest. The Government can make no better investment.

[From the Eau Claire (Wis.) Leader of February 12, 1939]

Worthy tenants of St. Croix County, who have been unable to get out of the tenancy class, are finding new hope in the Farm Security Administration's tenant-purchase measure, recently enacted under the Bankhead-Jones Farm Tenant Act, and operating in St. Croix County for the second successive year.

[From the Greenville (Tex.) Banner of June 20, 1939]

There is no doubt about the success of the program. It has been tested and found workable and worthy; in fact, it is one of the most important programs sponsored by the Government. Hunt County likes the program and hopes it will be enlarged in this section.

[From the Columbia (S. C.) State of March 4, 1939]

The soundest American philosophers, from Thomas Jefferson down, have agreed that the only healthy and sure base for a democracy like ours is a great body of small, independent, and successful farmers. If the Federal Government can do anything (and obviously it can do a great deal) to make our small farmers independent and successful it need not blush for the paternalism or the "interference" or even for the money spent. Especially when, in comparison with what has been spent on other Federal projects, the amount is so small.

[From Farm and Ranch for May 1939]

The Farm Security Administration, in its farm-purchasing program, is demonstrating that there are tenants who can become successful owners if given the opportunity.

[From the Hutchinson (Kans.) Herald of July 5, 1939]

We can think of nothing more desirable than to make this a nation of small farm owners and users, independent, debt-free, and contented on the farm.

[From the Jacksonville (Fla.) Times-Union of February 24, 1939]

From every million dollars that goes into the F. S. A. program will come returns greater than multiplied millions poured into other phases of the Federal-relief program generally. So small is the amount set aside for the F. S. A. that only six Florida counties have been designated for loans under the tenant-purchase program.

[From the Great Falls (Mont.) Tribune of July 27, 1938]

It is interesting to note that the Danes, over a century ago, revolutionized the rural situation in their country by a similar method of making farm owners out of a tenant population. The percentage of independent farm owners is high in Denmark, largely as a result of a Government system of aiding competent farmers to acquire ownership of productive farm units on easy terms of purchase. If the farm-purchase program is carefully and soundly developed in this country, it may prove a long-range factor in reversing the growing farm tenancy in the United States which has so alarmed observers of rural conditions in the last two decades.

[From the Columbia (S. C.) Record of November 11, 1937]

It appears that for the first time something definite will be done specifically for the farm tenant. And this provides ground for hope. Certainly the sporadic general efforts of the past have not been very effective in reducing high tenancy rates.

[From the Richmond (Va.) Times-Dispatch of July 4, 1938]

It is too early yet to judge the work of the Farm Security Administration, other than to say that it has of necessity had to proceed with desirable caution in making loans to tenants. Those who have gotten loans during the first years of the program have been the outstanding tenant farmers in their counties and are likely to succeed. They will also exert a good influence on farming in their districts.

[From the Martinsburg (W. Va.) Journal of July 1, 1938]

It may well be contended that the surest antidote to a temptation to communized government is to make individuals actual owners of property for, as such, they have respect for the principle of property as it applies both to themselves and to their neighbors.

[From the West Union (Iowa) Union of April 10, 1938]

Apparently, the bulk of opinion of the farmers present believed that barring death, accidents, or ill health, a young farmer receiving a Farm Security Administration loan in Fayette County would own his own place some day. The American spirit of "own the home place" was upheld in several spirited discussions.

[From the Houston (Tex.) Post of July 7, 1938]

The need for helping tenants to get on land of their own appears all the greater today. There would have been less need for relief of other sorts if more had been done to solve the tenancy problem. It is clearly to the advantage of the cities and towns, as well as to the small farmers, to prevent the merging of small farms into larger ones, since mergers of that sort almost invariably reduce the number of farm workers in a given area, cause unemployment, reduce the purchasing power of the population, and curtail general business.

[From the San Francisco (Calif.) Chronicle of January 5, 1940]

One piece of economy in the President's Budget strikes California with dismay. This is the 20-percent cut in the funds of the Farm Security Administration. The Farm Security Administration has been toiling to fix things on the Ozark Plateau and in like regions, so families there would not pick up and migrate to States like California, where relief payments are better. The cut, if it stands, means that Farm Security Administration can do less to stop this flow of migrants and to help those who are here.

[From the Madisonville (Tex.) Meteor of December 7, 1939]

A nation of home owners and of farm-owning farmers is the surest and about the only safeguard for a continuing democracy. If the Farm Security Administration succeeds in picking the right men, and these men live up to their opportunity, America will be the gainer for the money it loans in such a fashion. It's certainly worth trying.

[From the Arkansas Agriculturist for January 1939]

The measure is practically drawn and every effort is being made by Farm Security Administration officials to keep loans as low as possible. For example, full advantage is taken of existing improvements on farms that are bought. In cases where the house on the property is in good condition, the loan covers only enough to do minor repairs and place it in good living condition.

[From the Tishomingo (Okla.) Democrat of January 11, 1940]

The splendid work of the Farm Security Administration in Johnston County in rehabilitation of farmers makes one pause to wonder if the Government has not at last found the proper solution to relief problems by basing aid on a premise of "have" instead of "have not." Other Government relief agencies extend aid only to those who have nothing and continue to extend aid to those who continue to have nothing.

The Farm Security Administration starts farmers out who have nothing and build them up to landowners and fine citizens by helping them to acquire property and encouraging ownership.

[From the Dallas (Tex.) Times-Herald of January 18, 1940]

Walter Collins, Lamar County farmer aided by the Farm Security Administration to farm ownership, has done it again. On January 2 he came to the office in Paris of John D. Cunningham, county F. S. A. supervisor, and became the first farmer in the United States to make his 1940 F. S. A. land payment.

But this is only a third of the story.

Collins, who lives 17 miles northwest of Paris, is now 2 years ahead of his repayment schedule, although the loan is only a year old.

Mr. CANNON of Missouri. Mr. Chairman, I ask that the Clerk read the bill.

The Clerk read down to and including line 6 on page 1.

Mr. CANNON of Missouri. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. TERRY] having resumed the chair, the gentleman from Maryland [Mr. COLE], Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 8202, the Department of Agriculture appropriation bill, had come to no resolution thereon.

HOURLY MEETING

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that all Members who spoke today may have 5 legislative days in which to extend their own remarks on this bill.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. BROOKS. Mr. Speaker, in connection with my remarks previously made, I ask unanimous consent to have printed in the course of my remarks a copy of a resolution from the Police Jury of Webster Parish, La., on soil conservation, and a letter of Secretary Henry A. Wallace of the Department of Agriculture on soil conservation.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include a short table showing a break-down of certain public works by States.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks and include in the RECORD at this point a statement by Mr. Edward A. O'Neal, president of the American Farm Bureau Federation.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The statement referred to is as follows:

Edward A. O'Neal, president of the American Farm Bureau Federation, in a statement issued today, sharply condemned the economy bloc of the House which has slashed Federal farm appropriations for the next fiscal year.

"It appears," the statement said, "that the House Appropriations Committee is determined to economize at the expense of agriculture. I regard this as extremely short-sighted. Agriculture is the keystone in the arch of national recovery, and any reduction in farm income will be multiplied manifold in reduced national income, more unemployment, reduced Federal tax returns, and lowered national morale.

"Congress, in 1933, in 1936, and in 1938, in formulating the major farm legislation of recent years, has, in effect, promised farmers parity prices, but it has never made sufficient appropriations to make parity a reality. Restoration of farm purchasing power is fundamental to national recovery. Congress should increase the farm appropriation to a figure which will make the farm program fully effective, rather than cutting off the prosperity stream at its source, as it is doing now. The recovery that has been made has been due largely to improvement in farm buying power after the dark days of 1933.

"Farm income is still nearly two billions short of parity, which is simply fair exchange value, and economic balance can never be restored until farmers are able to trade their products on a fair basis for the goods and services produced by other groups. Farmers are producing abundantly and selling food and fiber at what amounts to a 27-percent discount.

"For generations farmers have paid the penalty of the tariff on everything they buy. After long years of struggle they at last won from this Government a plan which promised a tariff equivalent which would give agriculture the benefit of the American protective system. Now it seems that the economy bloc of the House proposes to sabotage farm recovery, to nullify the gains that have been made, and to set our basic industry back 20 years. If that is to be the policy of this Congress, then let Congress take the re-

sponsibility. The farm bureau will take the fight to the country, and those who are striking at agriculture will have to face their farmer constituents and give an account of their stewardship when they go home.

"Farmers are deeply conscious of the dangers of an unbalanced Budget. They want a balanced Budget, of course, but they believe in balancing it in a constructive way, by taking steps which will raise the national income to a figure at which it can be balanced. That can be done by raising agriculture's income to \$12,000,000,000 annually. That much income on farms will generate enough new business to put this country once more into high gear, to strike the most telling blow yet delivered to unemployment, and to give new hope and confidence to a nation whose morale has been sadly weakened in recent years.

"Farmers constitute the greatest mass market for industrial goods in this country, and with this group out of the market, it is folly to expect national recovery. Industry in this country is geared to mass production, and unless you have mass consumption to go along with it, it is bound to fail. If Congress carries out this threat to agriculture, it will be one of the most costly mistakes ever made."

EXTENSION OF REMARKS

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein an editorial from the Daily Argus Leader of South Dakota.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a letter from a practical farmer in my district on this agricultural question.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN. Mr. Speaker, several days ago I had unanimous consent to address the House for 30 minutes on Wednesday, February 7, at the conclusion of the legislative program. I note on the calendar that a mistake has been made and it indicates that I am to have that 30 minutes today. I ask for the change, and that I be permitted to address the House for 30 minutes on February 7, after the disposition of matters on the Speaker's table and at the conclusion of the legislative program.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. McGRANERY. Mr. Speaker, I ask unanimous consent that on next Tuesday, after the disposition of matters on the Speaker's table and the regular legislative calendar business, I may be allowed to address the House for 15 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. TENEROWICZ. Mr. Speaker, I ask unanimous consent that on Monday next, after the conclusion of the legislative calendar and any other special orders, I may address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. ALEXANDER. Mr. Speaker, in connection with the remarks previously made this afternoon, I ask unanimous consent to insert following those remarks a letter which I have received from Charles J. Leavery regarding the Farm Belt situation, and also an editorial from the Sioux City Tribune regarding the Interstate Commerce Commission.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent in connection with the remarks I made this afternoon and the extension thereof, to include certain tables and articles relating thereto.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. McDOWELL. Mr. Speaker, I ask unanimous consent that at the conclusion of the legislative business on Tuesday

next and other special orders I may be permitted to address the House for 20 minutes.

Mr. McGRANERY. Mr. Speaker, reserving the right to object, I could not hear what the gentleman whispered.

Mr. McDOWELL. I requested permission to address the House for 20 minutes at the conclusion of the legislative business and special orders on Tuesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLANNERY. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes on Tuesday next at the conclusion of the legislative business for the day and the other special orders that have been entered.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

SPECIAL ORDER

The SPEAKER pro tempore. Under the special order of the House the gentleman from Pennsylvania [Mr. CORBETT] is recognized for 20 minutes.

Mr. CORBETT. Mr. Speaker, it is my purpose here to place before the Congress and the people of the United States the burden of the complaint by the Commonwealth of Pennsylvania against the administration of W. P. A. in that State.

Mr. FLANNERY. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. The gentleman will have ample time to yield at the end of his remarks. I ask to be not interrupted now.

Early last fall Arthur H. James, the Governor of Pennsylvania, was induced by circumstances to inquire of Col. Phillip Matthews, the State administrator of W. P. A., and Col. Francis C. Harrington, the Federal Administrator, why Pennsylvania was not receiving its full quota of W. P. A. jobs. These inquiries were polite requests for information. Gradually, however, as the correspondence and interviews have continued, and as the Governor and his staff have probed deeper into the whole matter, the Governor has been compelled to make specific and grave charges against the administration of W. P. A. as regards the Commonwealth of Pennsylvania. These charges are based on evidence which has been carefully gathered and scrutinized. Certainly the charges and the evidence are such that the Federal and State administrators should feel constrained to do one of two things: Either they should prove the charges to be false or they should promptly admit their degree of validity and correct the situation without any political bickering. This is not a partisan matter, nor any attempt to embarrass anyone. It is plainly a demand that those responsible prove that the people of Pennsylvania are being treated fairly or that immediate steps be taken to provide for fair treatment.

Mr. Speaker, I herewith present the charges referred to, and some of the evidence on which they are based, and I ask each person to decide whether or not they merit an objective and complete answer:

First, it is contended that the quota of W. P. A. jobs allotted to Pennsylvania is too low. Our information indicates that during the administration of Governor Earle, Pennsylvania received approximately 10 percent of all W. P. A. jobs assigned in the Nation, and that currently under the administration of Governor James, Pennsylvania is receiving only 7 percent of all W. P. A. jobs assigned in the Nation. Now, if 10 percent was a fair and proper share in 1938, we wonder why it was not a fair and proper share in 1939, and why it is not a fair and proper share now.

More which is of a cumulative nature will be added on this point as I proceed.

Second, it is charged that the quota of W. P. A. jobs allotted to Pennsylvania has not been filled at any time since Governor James took office. The degree of performance in comparison to the quota provided has, of course, varied from week to week, but never has the quota been surpassed nor equaled. For proof, I will first read at this point the per-

tinent part of a letter under date of October 2, 1939, written by Governor James to Colonel Matthews:

DEAR COLONEL MATTHEWS: I have your letter of September 29 and I thank you for the reply concerning this important problem of increasing the number of persons on W. P. A. projects about 25,000 to reach your quota of 150,000 which was the quota for September and which you say will be the quota for October.

In your letter, as I understand it, you point out three factors which explain the fact that you are about 25,000 persons under the 150,000 quota.

First, you mention the administrative difficulties within your organization occasioned by the necessity of discharging 65,718 persons who had been continuously employed for 18 months and at the same time having your administrative force reduced 47 percent, all of this required by the congressional act. Under these difficulties the number of persons on W. P. A. projects went down to 117,169, or 32,831 under the quota.

Another part of the letter is very interesting and instructive, and I read it as an illustration of the fact that Pennsylvania has not only cooperated fully with W. P. A., but has done more to be helpful than has been asked.

I appreciate the administrative difficulties under which you have been laboring, and it was for that reason that on August 17, 1939, I informed you that I had appointed a special coordinating committee in order that the State government could give all possible cooperation with your W. P. A., and ever since coming into office I have constantly urged the departments to give full cooperation to the W. P. A. organization.

While I appreciate these difficulties which you have had, I must again point out that this failure to keep up to quota has resulted in a tremendous financial burden being thrown upon the State which rightfully belonged to the Federal Government and deprived thousands of persons of employment. You have fallen below the quota since July, and for the months of July, August, and September, due to the failure to reach the quota, the State has had to pay out in relief funds at least \$1,800,000 which burden should have been carried by the Federal Government by employing the full quota of persons it had established.

Up to the present time, the W. P. A. Administrator has listed three reasons other than the one of administrative difficulties just considered as to why Pennsylvania has not received its full quota of jobs. The reasons given are insufficient projects, a shortage of employables on the State relief rolls, and the failure of Philadelphia to participate fully.

Mr. FLANNERY. Has the gentleman taken it up with Colonel Harrington of the W. P. A.?

Mr. CORBETT. Mr. Speaker, I shall not be able to yield until the conclusion of my remarks only on the ground that there will be ample time if I am not too frequently interrupted.

Mr. McGRANERY rose.

Mr. CORBETT. I informed the gentleman that I would yield at the conclusion of my remarks, so I hope he will just be comfortable and contented.

Mr. FLANNERY. Suppose there is not time?

Mr. CORBETT. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 10 minutes remaining.

Mr. CORBETT. There will be plenty of time, I may say to the gentleman from Pennsylvania [Mr. FLANNERY].

Perhaps it is true that Philadelphia has not participated in W. P. A. work to an extent reasonably to be expected. For purposes of argument we can admit that point, because it is not pertinent. W. P. A. allotments are assigned to the State as a whole, not to subdivisions thereof. If Pennsylvania is assigned 160,000 jobs per month on the basis of the Administrator's careful estimate of the State's need, then Pennsylvania is entitled to 160,000 jobs regardless of whether or not 1 county or 10 counties fail to provide adequate projects. Certainly the money allocated to Pennsylvania should not be returned to the Federal office for distribution in other States. This is true because every man laid off W. P. A. or who W. P. A. fails to provide for is returned to the direct relief rolls of the State and becomes a burden to the taxpayers of the State. For example, if there are 500,000 persons on relief in Pennsylvania, and the W. P. A. promises to provide 160,000 of them with jobs, that would leave 340,000 for the State to furnish with relief checks. Now, if W. P. A. only places 135,000 on its rolls,

that means that Pennsylvania must retain the additional 25,000 persons on its relief rolls, making their total 365,000 rather than 340,000. Viewed in this light, is it not obvious that so far as the State budget is concerned it does not make a particle of difference whether a man is on the W. P. A. list in Pittsburgh, Erie, Scranton, or Philadelphia? The important thing is that he be on somewhere, and if Philadelphia does not want the job, that is no reason for penalizing Pennsylvania by giving the job to some other State. The job should go to some other part of Pennsylvania.

Briefly, then, if conscientious determination results in the allocation of 160,000 jobs, regardless of whether Philadelphia, Punkin Center, or Four Corners sponsors any W. P. A. projects or not, Pennsylvania has to carry a load increased to the extent W. P. A. fails to take on its announced quota.

The second alibi can be dealt with more concretely. It is alleged by the administrators that Pennsylvania is not enjoying its full quota because of the lack of available projects. The facts belie this notion. Reports under date of January 15 and 16, 1940, reveal the following facts regarding township projects: There is a shortage of 13,554 workers on projects already started; 9,127 men could be utilized on projects approved but not started, and 7,357 could be put to work on projects awaiting approval. The total of persons who could be assigned to projects located in Pennsylvania townships is accordingly 30,000, or more than the normal shortage in the W. P. A. quota list. But that is not all. Let us look at highway projects, exclusive of township projects, and see what we find. There the reports indicate a shortage of 5,061 on the 728 projects now operating. On 156 other projects approved and waiting for men, 6,999 men are needed to make a total of 12,060 men needed at once. Furthermore, on 167 delayed projects and 355 pending projects, 15,583 men could be given work. Adding the only figures for highway and township projects, and including projects working, approved, and pending, we find a total of 64,700 W. P. A. jobs now available. Surely lack of projects is not a valid reason for the failure to fill Pennsylvania's quota.

Next, let us inquire if the failure is caused by a shortage of employables on the direct relief rolls of the State. Here the story is the same. During the preelection peak of W. P. A. employment in Pennsylvania, which occurred during October and November of 1938, W. P. A. found jobs for 275,000 employables on relief in Pennsylvania. During October of 1939 they infer that only 133,000 employables could be found on the relief rolls in Pennsylvania and that therefore the then existing quota of 150,000 W. P. A. jobs could not be filled. Here I would like to again quote from Governor James' letter to Colonel Matthews. On October 2, 1939, he wrote the following, which is still illustrative:

DEAR COLONEL MATTHEWS: * * * The department of public assistance, by your own statement, has certified 186,969 persons to W. P. A. as of September 20, 1939, as available for employment. You mention that only 97,681 of the 186,969 persons are available for assignment. I wish you would explain what has become of the 89,288 which you are not including as available for employment.

In the accompanying table, I am showing the number of persons certified by counties, and only in 8 counties does the number of certified persons fall below 100, yet you mention 28 counties. Again, I should like to know where the missing persons are.

The tables referred to in the letter reveal a total of 186,969 persons on the State direct relief rolls who were certified as eligible for W. P. A. jobs. Certainly lack of employables on relief is not a valid reason for Pennsylvania being short-changed on its W. P. A. quota.

Now, if lack of projects is not the reason, if lack of men is not the reason, and if the Philadelphia situation can be discounted, what is the reason why Pennsylvania day after day, week after week, and month after month has to provide direct relief for varying thousands who, according to the W. P. A. Administrator's own quota, should be given W. P. A. jobs? We do not know the reason, and therefore we are here today asking for the reason, if Pennsylvania is assigned 160,000 jobs per month, why does not Pennsylvania get 160,000 jobs per month? And while we are asking questions, we would like to know also why Pennsylvania was only assigned 150,000

jobs up until December and why she is only assigned 160,000 jobs at present? We have allowed for the cut in the general Federal program, and we still contend that under a fair formula Pennsylvania would get considerably more than 150,000 or 160,000 jobs.

And, by the way, Colonel Harrington today announced an increase of 5,000 in the quota allotment for Pennsylvania.

Pennsylvania has paid out upward of \$25,000,000, according to the Governor's staff, in the form of direct-relief checks to persons who might have under the quota been assigned to W. P. A. On the average Pennsylvania is carrying, according to the same authority, about 67 percent of the total cost of relief in its own State, while few if any other States are paying over 47 percent of their own relief costs. Such a situation appears to be unfair and Pennsylvania asks that it either be satisfactorily explained or satisfactorily corrected.

I hope that our good friends on the Democratic side will join us in performing a service to thousands of Pennsylvanians.

Mr. McGRANERY. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I shall be pleased to.

Mr. McGRANERY. Do I understand the gentleman to say—first of all, I would like to make the observation that it is regrettable that only 10 Members listened to the gentleman's speech, exclusive of himself—however, do I understand the gentleman to say that Philadelphia was not to be counted in this State set-up?

Mr. CORBETT. No. The gentleman understood me to say that for purposes of argument we would admit what was said about the Philadelphia situation, and we admit it on the grounds that it is not pertinent.

Mr. McGRANERY. The gentleman admits that in the city of Philadelphia there are 15,000 that could be employed from W. P. A. if the Republican administration would pay its sponsors' contribution?

Mr. CORBETT. I made no such admission. I used no figure and did not use the words "Republican" or "Democrat."

Mr. McGRANERY. Does the gentleman deny the fact that 15,000 people can be employed on W. P. A. in Philadelphia?

Mr. CORBETT. If the gentleman's question will be fairly put, I will answer. We are trying to understand a problem.

Mr. McGRANERY. I will give the right figure. Does the gentleman deny that 20,000 people could be employed on W. P. A. if the municipal government there would sponsor the project and pay the contribution?

Mr. CORBETT. The gentleman deserves an answer on that point. Keeping close to the argument as it was being presented, I said that the situation regarding Philadelphia was not pertinent.

Mr. McGRANERY. Let me ask this question.

Mr. CORBETT. Let me finish the answer to one question, please. Because of the simple fact that we are here concerned with seeing to it that Pennsylvania's entire quota is filled up. Regarding the local situation in Philadelphia, since the election of a Republican mayor, \$1,000,000 has now been set aside to sponsor local W. P. A. projects. What has been true under the administration of Mayor Wilson I neither seek to explain nor apologize for. However, I want you to get this fact from my speech which you did not pay close attention to.

Mr. McGRANERY. The gentleman does not think so. Wait until he hears this.

Mr. CORBETT. Simply the fact that the jobs which might have gone into Philadelphia County were taken away from Pennsylvania and given to other States, while on the basis of figures I will introduce next week, you will see that county after county in the State of Pennsylvania was ignored.

Mr. McGRANERY. Let me correct the gentleman.

Mr. McDOWELL. Will the gentleman yield?

Mr. CORBETT. I yield to my colleague.

Mr. McGRANERY. Does the gentleman decline to yield?

Mr. CORBETT. I now yield to my colleague. When he has completed his question, I will yield to the gentleman again.

Mr. McGRANERY. I want to say to the gentleman there has always been a Republican mayor in Philadelphia.

Mr. MARTIN of Massachusetts. Mr. Speaker, I demand the regular order.

Mr. McDOWELL. I did not know there were 20,000 that could be employed. May I inquire, has the gentleman's voice been raised before this for those 20,000?

[Here the gavel fell.]

Mr. McGRANERY. My voice has always been raised.

Mr. FLANNERY. Mr. Speaker, I ask unanimous consent that the gentleman be accorded 5 additional minutes to answer questions.

Mr. CORBETT. If the gentleman will modify his request to 3 minutes, I shall not object.

Mr. FLANNERY. I amend it to 3 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania [Mr. FLANNERY]?

There was no objection.

Mr. CORBETT. Mr. Speaker, I now yield to the gentleman from Pennsylvania [Mr. McDOWELL] to finish his statement.

Mr. McDOWELL. This will be very brief and informative. I did not know this. Can the gentleman from Pennsylvania tell me if he has knowledge of any new additions to the W. P. A. in the Pennsylvania ranks since, say, last Thursday?

Mr. CORBETT. There has been a rather considerable increase in the number allotted—a 5,000 increase for W. P. A., plus the men who work on the projects now confirmed.

Mr. McGRANERY. Will the gentleman advise the House as to the organization set-up of W. P. A. in Pennsylvania with respect to whether or not there is a distribution over areas? Are there particular areas? How is this allotment in Pennsylvania distributed?

Mr. CORBETT. That will take some time to explain.

Mr. McGRANERY. I will ask for more time.

Mr. CORBETT. I do not have the time.

Mr. McGRANERY. Does the gentleman know how it is set up?

Mr. CORBETT. Yes; and I will explain it in considerable detail say on Tuesday or Wednesday of next week.

Mr. FLANNERY. Will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from Pennsylvania.

Mr. FLANNERY. Is it not a fact that in each instance when the W. P. A. appropriation bills were on the floor of this House for consideration the distinguished gentleman voted to cut the Presidential and Mr. Harrington's estimate? I ask the gentleman, Is that correct or incorrect?

Mr. CORBETT. Did the gentleman consult the RECORD on that?

Mr. FLANNERY. I ask the gentleman on his honor. I do not check the RECORD when I ask him. I asked him if he voted to cut the Presidential estimate.

Mr. CORBETT. I honestly would like to check that.

Mr. BRADLEY of Pennsylvania. I can answer that question.

Mr. CORBETT. I do not yield to the gentleman from Pennsylvania [Mr. BRADLEY].

Mr. FLANNERY. Does the gentleman know whether or not he voted to cut the Presidential estimates?

Mr. CORBETT. I voted for the figure of \$725,000,000, which was under the Presidential request at that time. Let us get the full story. On the next deficiency appropriation I voted for the total of \$125,000,000, which altogether was only \$25,000,000 short of the request which was made for the entire fiscal year.

Mr. FLANNERY. Then the gentleman did not have to consult the RECORD, and it is a fact that in each instance he voted to cut the Presidential estimate?

Mr. CORBETT. Not in each instance.

Mr. FLANNERY. Yes; in each instance. The gentleman has just stated that.

Mr. CORBETT. The total picture of my W. P. A. vote for the last year was \$25,000,000 under the Presidential estimate.

Mr. FLANNERY. Has the gentleman consulted Mr. Harrington with reference to these estimates?

Mr. CORBETT. May I ask a question? What do these questions or what does my vote have to do with whether or

not Pennsylvania is getting a fair share of these jobs? Is not the gentleman interested in that?

Mr. FLANNERY. They have to do with the gentleman's sincerity with regard to the amount of money available for the State of Pennsylvania.

Mr. MARTIN of Massachusetts. Mr. Speaker, I make the point of order that the gentleman cannot question the sincerity of another Member of the House.

Mr. FLANNERY. I withdraw my statement, Mr. Speaker, and apologize to the gentleman.

Let me rephrase my question.

[Here the gavel fell.]

Mr. FLANNERY. Mr. Speaker, I ask unanimous consent that the gentleman be permitted to proceed for 1 additional minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLANNERY. Did the gentleman consult Colonel Harrington about the conditions he has described here? The gentleman says he is asking for reasons. Will the gentleman please explain? Did the gentleman personally consult Colonel Harrington?

Mr. CORBETT. Indirectly through the office of Senator DAVIS, which letter and answer I have in part, and through the office of the Governor. That is all. The gentleman's question is answered.

Mr. FLANNERY. Why evade the question?

Mr. CORBETT. I did not evade it.

Mr. FLANNERY. Did the gentleman personally consult Colonel Harrington and ask these questions and ask for reasons and explanations?

Mr. CORBETT. I felt that in view of my Governor and my Senator having done that it was not necessary that I also should do it.

Mr. FLANNERY. In other words, the gentleman did not do it?

Mr. CORBETT. I did not.

Mr. FLANNERY. It does not seem fair to attack a man without consulting him.

Mr. CORBETT. Mr. Speaker, I never attacked, or in any way in my remarks said anything personal about Colonel Harrington, Colonel Matthews, or any other individual.

[Here the gavel fell.]

Mr. McGRANERY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. McGRANERY. The gentleman has stated what he calls charges against the administration of W. P. A. and its treatment of Pennsylvania. He said we have these employables there, and that they could go on W. P. A. I say to the gentleman that he does not have to go to Colonel Harrington; he does not have to go any farther than right here, and he will find out why. The answer is that the sponsor's contribution has not been met by the Commonwealth of Pennsylvania. We have up there right now an approved project.

Mr. CORBETT. Mr. Speaker, will the gentleman yield?

Mr. McGRANERY. I am afraid I cannot yield.

We have a project up there on the upper Schuylkill River in which there is waiting for W. P. A. in Pennsylvania \$1,250,000 if the State of Pennsylvania but puts up \$125,000.

[Here the gavel fell.]

Mr. CORBETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CORBETT. Mr. Speaker, the gentleman from Pennsylvania said that the reason these W. P. A. jobs were not filled was because of lack of funds for local sponsorship, yet I read to him figures pointing out that on projects already started, on township projects, there are now available 13,554 jobs, and on projects already started on the highways there

are now available openings for 5,061 men. In other words, if the projects are already started and the vacancies exist, surely the localities must have put up the money.

Mr. FLANNERY. Mr. Speaker, will the gentleman yield?
Mr. CORBETT. I yield.

Mr. FLANNERY. It seems that the gentleman has not taken into account the fact that many of these projects are in remote areas, and the State has not afforded transportation. [Here the gavel fell.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. PITTENGER (at the request of Mr. KUNKEL), for today and tomorrow, on account of official business.

To Mr. SATTERFIELD (at the request of Mr. BLAND), for today, on account of illness in his family.

To Mr. SASSER, for an indefinite period, on account of illness.

To Mr. LANHAM (at the request of Mr. LUTHER A. JOHNSON), for today, on account of illness.

ADJOURNMENT

Mr. McGRANERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 34 minutes p. m.), under its previous order, the House adjourned until tomorrow, Thursday, February 1, 1940, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON NAVAL AFFAIRS

Hearings will be continued Monday, February 5, 1940, at 10:30 a. m. before the Committee on Naval Affairs on H. R. 8026, to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will hold public hearings in the committee room, 356 House Office Building, February 3, 1940, at 10 a. m.

COMMITTEE ON MILITARY AFFAIRS

There will be a meeting of the Committee on Military Affairs of the House in room 1310, New House Office Building, at 10:30 a. m., Thursday, February 1, 1940, for the consideration of all bills pending before this committee relative to taxation of Tennessee Valley Authority properties.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matters named:

Tuesday, February 6, 1940:

H. R. 7527, to make effective the provisions of the Minimum Age (sea) Convention (revised), 1936, and for other purposes.

Hearings will be continued Wednesday, February 7, 1940, at 10 a. m., on H. R. 6130, to provide for mandatory or compulsory inspection and permissive or voluntary grading of fish, fishery products, fishery byproducts, shellfish, crustacea, seaweeds, and all other aquatic forms of animal and vegetable life, and the products and byproducts thereof, and for other purposes.

Tuesday, February 13, 1940:

H. R. 1780, to amend section 7 of the act of June 19, 1886, as amended (U. S. C., 1934 ed., Supp. III, title 46, sec. 319), relative to penalties on certain undocumented vessels and cargoes engaging in the coastwise trade or the fisheries, and for other purposes.

H. R. 5837, to amend section 221 of the Shipping Act, barring certain aliens from participating in the benefits thereof.

H. R. 6770, to amend Revised Statutes 4311 (U. S. C. 251).

H. R. 7694, to amend section 4311 of the Revised Statutes of the United States.

Tuesday, February 20, 1940:

H. R. 4079, to amend sections 4353 and 4355 of the Revised Statutes of the United States.

H. R. 6751, to repeal certain laws with respect to manifests and vessel permits.

H. R. 5788, to amend the present law relating to the delivery of ships' manifests to collector of customs by excluding Sundays and holidays from the time within which such delivery may be made by the master.

H. R. 5789, to amend the present law relating to the delivery of ships' manifests to collectors of customs by excluding Sundays and holidays from the time within which such delivery may be made by the master.

Friday, February 23, 1940:

H. R. 7639, to provide for the examination of civilian nautical schools and for the inspection of vessels used in connection therewith, and for other purposes.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings in the committee room, 247 House Office Building, at 10 a. m., on the following dates on the matters named:

MEDAL OF HONOR PENSIONS

Thursday, February 1, 1940:

H. R. 3385. A bill to liberalize the provisions of the Medal of Honor Roll Act of April 27, 1916.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Hearings will begin Monday, February 5, 1940, at 10 a. m., before the Petroleum Subcommittee of the Committee on Interstate and Foreign Commerce. State regulatory bodies will be heard first.

COMMITTEE ON THE JUDICIARY

On Wednesday, February 14, 1940, at 10 a. m., there will be a hearing before the Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary on the bill (H. R. 8016) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto (municipal compositions). The hearing will be held in room 346, House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1341. A letter from the president of the Washington Gas Light Co., transmitting a detailed statement of the business of the Washington Gas Light Co., together with a list of stockholders, for the year ended December 31, 1939, as provided in chapter 2510 of the act of Congress approved March 2, 1907 (34 Stat. 1133); to the Committee on the District of Columbia.

1342. A letter from the Secretary of the Navy, transmitting a report of the names of contractors and subcontractors who have been granted exemption by the Secretary of the Navy from the limitation of profit under section 3 (b) of the Vinson-Trammel Act of March 27, 1934 (34 U. S. C., sec. 496), as amended by the act of June 25, 1936 (34 U. S. C., sec. 496 (b), Supp. IV) and by the act of April 3, 1939 (Public, No. 18, 76th Cong.), owing to the contracts being used for scientific equipment; to the Committee on Naval Affairs.

1343. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to an existing appropriation for the Department of Labor for the fiscal year 1940 (H. Doc. No. 606); to the Committee on Appropriations and ordered to be printed.

1344. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment, United States Senate, for the fiscal year 1940, in the amount of \$23,700 (H. Doc. No. 605); to the Committee on Appropriations and ordered to be printed.

1345. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Federal Security Agency, for the fiscal year 1940, in the amount of \$295,000 (H. Doc. No. 607); to the Committee on Appropriations and ordered to be printed.

1346. A letter from the Acting Secretary of Commerce, transmitting statement showing the names for whom work

has been performed, the nature of the services rendered, the price charged for these services, and the manner in which the moneys received were deposited or used, in compliance with the act of May 27, 1935 (49 Stat. 292), authorizing the Department of Commerce to make special statistical studies upon payment of cost thereof; to the Committee on Expenditures in the Executive Departments.

1347. A letter from the Librarian of Congress, transmitting the Annual Report of the Librarian of Congress for the fiscal year ending June 30, 1939, and the Annual Report of the Register of Copyrights for the same period; to the Committee on the Library.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 8216) granting a pension to Dillon N. Coulston, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H. R. 8229. A bill to amend section 7 of the act of May 14, 1930 (46 Stat. 326; U. S. C., title 18, sec. 753f), relating to places of confinement and transfers of persons convicted of an offense against the United States; to the Committee on the Judiciary.

By Mr. DIMOND:

H. R. 8230. A bill to further amend section 14 of an act entitled "An act relating to direct loans for industrial purposes by Federal Reserve banks, and for other purposes," approved June 19, 1934 (48 Stat. 1105), as amended; to the Committee on Banking and Currency.

By Mr. JENKINS of Ohio:

H. R. 8231. A bill for the relief of the State of Ohio; to the Committee on the Judiciary.

By Mr. KILDAY:

H. R. 8232. A bill to provide security in grade for noncommissioned officers and petty officers of the Army, Navy, Marine Corps, and Coast Guard; to the Committee on Military Affairs.

By Mr. KNUTSON:

H. R. 8233. A bill to amend section 209 (b) (10) (C), title II, of the Social Security Act, as amended, and sections 1426 (b) (10) (C) and 1607 (c) (10) (C) of the Internal Revenue Code, as amended; to the Committee on Ways and Means.

By Mr. MILLER:

H. R. 8234. A bill to provide an American flag to be draped over the casket of persons who served in recognized auxiliary units during the World War; to the Committee on World War Veterans' Legislation.

H. R. 8235. A bill to provide domiciliary care and medical and hospital treatment for persons who served in recognized auxiliary units during the World War; to the Committee on World War Veterans' Legislation.

By Mrs. O'DAY:

H. R. 8236. A bill to amend subsection (d) of section 4 of the act of Congress approved May 26, 1924, entitled "An act to limit the immigration of aliens into the United States, and for other purposes"; to the Committee on Immigration and Naturalization.

By Mr. RANDOLPH:

H. R. 8237. A bill to amend the District of Columbia Revenue Act of 1939; to the Committee on the District of Columbia.

By Mr. SUMNERS of Texas:

H. R. 8238. A bill providing for the incorporation of the United Spanish War Veterans; to the Committee on the Judiciary.

By Mr. KOCIALKOWSKI:

H. R. 8239 (by request). A bill creating the Puerto Rico Water Resources Authority, and for other purposes; to the Committee on Insular Affairs.

By Mr. LEA:

H. R. 8240. A bill to promote the national health and welfare by the construction of certain hospitals, and for other

purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. REECE of Tennessee:

H. R. 8241. A bill to provide for the designation of certain former officers and retired officers of the Army by the titles commensurate with their World War services, and for other purposes; to the Committee on Military Affairs.

By Mr. FERGUSON:

H. R. 8242. A bill to amend part I of the Interstate Commerce Act, as amended, with respect to the use of refrigerator cars; to the Committee on Interstate and Foreign Commerce.

By Mr. LESINSKI:

H. R. 8243. A bill to provide increases of pension payable to dependents of veterans of the Regular Establishment, and for other purposes; to the Committee on Invalid Pensions.

By Mr. DEROUEN:

H. Res. 372. Resolution providing for the consideration of H. R. 1675, a bill to establish a national land policy, and to provide homesteads free of debt for actual farm families; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD:

H. R. 8244. A bill granting a pension to Lavinia McDonald Beard; to the Committee on Invalid Pensions.

By Mr. BALL:

H. R. 8245. A bill granting an increase of pension to Luella E. Macumber; to the Committee on Pensions.

By Mr. BUCK:

H. R. 8246. A bill for the relief of Peter Caietti; to the Committee on Claims.

By Mr. DEMPSEY:

H. R. 8247. A bill for the relief of Jasper Williams; to the Committee on Claims.

By Mr. GREEN:

H. R. 8248. A bill for the relief of the citizens of Duval County, Fla.; to the Committee on Claims.

By Mr. HALLECK:

H. R. 8249. A bill granting a pension to William Calvin Black; to the Committee on Invalid Pensions.

By Mr. HARE:

H. R. 8250. A bill for the relief of Eugene McClanahan and Lillian O. McClanahan, Liberty, S. C.; to the Committee on Claims.

By Mr. HARTER of New York:

H. R. 8251. A bill to correct the naval record of Henry Strier; to the Committee on Naval Affairs.

By Mr. KILDAY:

H. R. 8252. A bill for the relief of John Owen; to the Committee on Claims.

H. R. 8253. A bill granting a pension to Lula Davis; to the Committee on Pensions.

H. R. 8254. A bill for the relief of Frank J. Schulte; to the Committee on Claims.

By Mr. THILL:

H. R. 8255. A bill to provide for the bestowal of the Silver Star decoration upon Carl W. Heiden; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6327. By Mr. BOLLES: Petition of sundry citizens of Elkhorn, Delavan, and Walworth, Wis., urging support of a bill granting a loan to Finland; to the Committee on Foreign Affairs.

6328. By Mr. BURDICK: Petition of A. L. Nelson, of New Rockford; Gordon R. Anderson, of Minot; and others of North Dakota; to the Committee on Ways and Means.

6329. By Mr. LUTHER A. JOHNSON: Petition of the Franklin National Farm Loan Association, by W. W. Sandifer,

president; A. G. Scott, vice president; C. B. Carter, secretary-treasurer; A. H. Potter, D. M. Reagan, and J. J. Marshall, directors, urging that the Farm Credit Administration be restored to the status of an independent bureau like the Federal Reserve System, responsible to the two legislative bodies, the Senate and House, and that the President of the United States, with the advice and approval of the Senate, appoint the Government board of five members; to the Committee on Agriculture.

6330. Also, petition of Dr. I. R. McCollough, of Hillsboro, Tex., favoring Senate bill 134, concerning retirement pay of World War officers; to the Committee on Military Affairs.

6331. Also, petition of E. M. Dawson, G. L. Haley, J. B. Jones, Mrs. S. F. Jones, T. S. Hooser, S. S. Hooser, R. F. Henderson, L. A. Morgan, D. A. Ponder, Clyde Tullos, and 18 other citizens of Frost, Tex., favoring extension of law fixing 3½-percent interest rate on Federal farm-commissioner loans; to the Committee on Agriculture.

6332. By Mr. HULL: Petition of E. V. F. Loether and H. L. Schwahn, of Eau Claire, Wis., and others; to the Committee on Ways and Means.

6333. By Mr. KEOGH: Petition of the National Retail Dry Goods Association, New York City, concerning national economic, social, and legislative problems which may be the subject of consideration during the current session; to the Committee on Ways and Means.

6334. Also, petition of the Illinois Manufacturers' Association, Chicago, Ill., concerning changes in the National Labor Relations Act; to the Committee on Labor.

6335. By Mr. SMITH of Virginia: Petition of Ruby K. Ellington and the W. J. Keller Co., of Charlottesville, Va., and others; to the Committee on Ways and Means.

SENATE

THURSDAY, FEBRUARY 1, 1940

The Chaplain, Rev. Zeb Barney T. Phillips, D. D., offered the following prayer:

Almighty and compassionate Father, whose unsleeping care is over all Thy works, whose love passeth knowledge, whose mercy drives away despair: We turn to Thee at this morning hour, before we undertake the duties of another day, because apart from Thee we find neither light, nor rest, nor strength. We come in our weakness, but Thou knowest our frame and pitiest our frailties, for Thou hast made us. We are ashamed for our failures; we chafe at our limitations; we fret within the chains of sin, and long to be free. So, like dwellers on the heated plains who lift their eyes to distant hills, we lift our hearts to Thee, the Pure and Holy. Receive us and forgive, shelter us under Thy wings, and hide us in Thy heart of love that shall one day gather every wanderer home. We ask it in the name and for the sake of Jesus Christ Thy Son, our Lord. Amen.

ATTENDANCE OF SENATORS

Mrs. HATTIE W. CARAWAY, a Senator from the State of Arkansas, and ROBERT M. LA FOLLETTE, Jr., a Senator from the State of Wisconsin, appeared in their seats today.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Monday, January 29, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following acts:

On January 20, 1940:

S. 1554. An act to provide that the district judge for the western district of Washington, authorized to be appointed under the act of May 31, 1939, shall be a district judge for the eastern and western districts of Washington.

On January 25, 1940:

S. 1335. An act relating to the filing of affidavits of prejudice in the District Court for the District of Alaska.

On January 29, 1940:

S. 1919. An act to provide for the acquisition by the United States of the estate of Patrick Henry in Charlotte County, Va., known as Red Hill.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had passed the following bills of the Senate, severally with amendments, in which it requested the concurrence of the Senate:

S. 323. An act for the relief of E. C. Beaver, who suffered loss on account of the Lawton, Okla., fire, 1917;

S. 766. An act for the relief of the Missoula Brewing Co.; and

S. 1157. An act for the relief of the legal guardian of Roy D. Cook, a minor.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 329. An act for the relief of R. L. Scott;

H. R. 838. An act for the relief of Ray E. Nies;

H. R. 1183. An act for the relief of Ben L. Kessinger and M. Carlisle Minor;

H. R. 1857. An act for the relief of Nell Mullen;

H. R. 2055. An act for the relief of the K. E. Parker Co.;

H. R. 2086. An act for the relief of Joseph Sciortino;

H. R. 2160. An act for the relief of S. Uttal;

H. R. 2356. An act for the relief of the International Grain Co., Inc.;

H. R. 2665. An act to provide increases in clerical allowances at certain offices of the third class, and for other purposes;

H. R. 3358. An act for the relief of the estate of James A. Henderson, deceased;

H. R. 3674. An act for the relief of the Allegheny Forging Co.;

H. R. 3675. An act for the relief of the Allegheny Forging Co.;

H. R. 3784. An act for the relief of the estate of J. D. Warlick;

H. R. 3887. An act for the relief of Capt. Walter L. Shearman;

H. R. 4031. An act to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim or claims of the Recording & Computing Machines Co., of Dayton, Ohio;

H. R. 4256. An act for the relief of the estate of George B. Spearin, deceased;

H. R. 4456. An act for the relief of William O'Connell;

H. R. 5089. An act conferring jurisdiction upon the Court of Claims of the United States to hear, examine, adjudicate, and render judgment on the claim of the legal representative of the estate of Rexford M. Smith; and

H. R. 7941. An act relating to the citizenship and compensation of certain employees on military construction work in the Panama Canal Zone.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1820. An act to provide for the transfer of certain land owned by the United States to the State of Texas, and certain other land to the county of Galveston, Tex.; and

H. R. 2001. An act for the equalization of letter carriers.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Austin	Bridges	Byrnes
Andrews	Barbour	Brown	Capper
Ashurst	Barkley	Bulow	Caraway

Chandler	Harrison	Maloney	Slattery
Chavez	Hatch	Mead	Smathers
Clark, Idaho	Hayden	Miller	Smith
Clark, Mo.	Herring	Minton	Stewart
Davis	Hill	Murray	Taft
Donahay	Holman	Norris	Thomas, Okla.
Downey	Holt	Nye	Tobey
Ellender	Hughes	O'Mahoney	Townsend
Frazier	Johnson, Calif.	Overton	Truman
George	Johnson, Colo.	Pepper	Tydings
Gerry	King	Pittman	Vandenberg
Gibson	La Follette	Radcliffe	Van Nuys
Gillette	Lee	Reed	Wagner
Glass	Lucas	Reynolds	Walsh
Green	Lundeen	Russell	Wheeler
Guffey	McCarran	Schwartz	White
Gurney	McKellar	Schwellenbach	Wiley
Hale	McNary	Shipstead	

Mr. MINTON. I announce that the Senator from Alabama [Mr. BANKHEAD], the Senator from Washington [Mr. BONE], and the Senators from Texas [Mr. CONNALLY and Mr. SHEPARD] are absent from the Senate because of illness.

The Senator from North Carolina [Mr. BAILEY], the Senator from Mississippi [Mr. BILBO], the Senator from Nebraska [Mr. BURKE], the Senator from Virginia [Mr. BYRD], and the Senator from West Virginia [Mr. NEELY] are detained on important public business.

The Senator from Utah [Mr. THOMAS] is detained on official business for the Special Committee on Civil Liberties.

Mr. McNARY. I announce that the Senator from Connecticut [Mr. DANAHY] and the Senator from Massachusetts [Mr. LODGE] are necessarily detained from the Senate.

The VICE PRESIDENT. Eighty-three Senators have answered to their names. A quorum is present.

SENATOR FROM IDAHO—CREDENTIALS

The VICE PRESIDENT laid before the Senate the credentials of JOHN THOMAS, designated by the Governor of Idaho a Senator from that State to fill the vacancy caused by the death of Hon. William E. Borah, which were read and ordered to be placed on file, as follows:

STATE OF IDAHO,
OFFICE OF THE GOVERNOR,
Boise.

TO THE PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Idaho, I, C. A. Bottolfson, the Governor of said State, do hereby appoint Hon. JOHN THOMAS, of Gooding, Idaho, a Senator from said State to represent said State in the Senate of the United States until the vacancy therein caused by the death of Senator William E. Borah, of Boise, Idaho, is filled by election, as provided by law.

Witness: His excellency our Governor, C. A. Bottolfson, and our seal hereto affixed at Boise, Idaho, this 27th day of January, A. D. 1940.

By the Governor:

C. A. BOTTOLFSSEN, Governor.

[SEAL]

GEO. H. CURTIS, Secretary of State.

PROGRAM FOR CONSTRUCTION OF SMALL HOSPITALS (H. DOC. NO. 604)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Education and Labor:

To the Congress of the United States:

In my special message to the Congress on January 23, 1939, I expressed my concern over the inequalities that exist among the States as to health services and resources with which to furnish such services. With that message I transmitted the report and recommendations on national health prepared by the interdepartmental committee to coordinate health and welfare activities, and recommended it for careful study by the Congress.

Conditions described a year ago are substantially unchanged today. There is still need for the Federal Government to participate in strengthening and increasing the health security of the Nation. Therefore, I am glad to know that a committee of the Congress has already begun a careful study of health legislation. It is my hope that such study will be continued actively during the present session, looking toward constructive action at the next. I have asked the interdepartmental committee to coordinate health and welfare activities to continue its studies.

In order that at least a beginning may be made I now propose, for the consideration of the Congress, a program for the construction of small hospitals in needy areas of the country, especially in rural areas, not now provided with them. Hospitals are essential to physicians in giving modern medical service to the people. In many areas present hospital facilities are almost nonexistent. The most elementary health needs are not being met.

The provision of hospitals in the areas to which I refer will greatly improve existing health services, attract competent doctors and raise the standards of medical care in these communities. The new hospitals should serve the additional purpose of providing laboratory and other diagnostic facilities for the use of local physicians, as well as accommodations for local health departments.

The proposed hospitals should be built only where they are most needed; they should not be constructed in communities where public or private institutions are already available to the people in need of service even if these institutions are not up to the highest standards. To insure proper location and good standards of operation, approval of hospital construction projects should be given by the Surgeon General of the Public Health Service, with the advice of an advisory council consisting of outstanding medical and scientific authorities who are expert in matters relating to hospital and other public-health services.

Projects proposed for consideration should be submitted by responsible public authorities and should include assurance that adequate maintenance will be provided. Approval of projects should be preceded by careful survey of existing local hospital facilities and needs. Standards for organization, staff, and continuing operation should be established by the Surgeon General, with the advice of the advisory council. A competent hospital staff and satisfactory standards of service should be required, including medical, surgical, and maternity service. When indicated, special provisions should be made for the care of the tuberculous. In many areas of the South, the present acute needs for the care of Negro patients should also be met.

I suggest that these hospitals be simple, functional structures, utilizing inexpensive materials and construction methods. The facilities of the Federal Works Agency should be utilized in the planning and execution of the hospital projects. Title to these institutions should be held by the Federal Government, but operation should be a local financial responsibility.

I recommend to the Congress that enabling legislation for this program be enacted and that a sum of between \$7,500,000 and \$10,000,000 be appropriated to the Public Health Service to inaugurate the program during the next fiscal year.

I am confident that even this limited undertaking will bring substantial returns in the saving of lives, rehabilitation of workers, and increased health and vigor of the people.

This suggestion is not a renewal of a public-works program through the method of grants in aid. The areas which I have in mind are areas so poor that they cannot raise their share of the cost of building and equipping a hospital. Yet I believe that many of such communities have enough public-spirited citizens with means, and enough citizens able to pay something for hospital treatment, to care for operating costs of a hospital, provided they do not have to pay for its original construction and equipment, or to pay annual interest and amortization on borrowed money. Treatment in such a hospital would, of course, be available to men, women, and children who literally can afford to contribute little or nothing toward their treatment.

One of the important difficulties in such areas at the present time is that young doctors hesitate to practice general medicine or surgery because of the utter lack of hospital or laboratory facilities. One cannot blame them.

In such areas, also, costs of construction are generally low and many local materials can be used. It is my belief that, with the assistance of the Work Projects Administration, the cost of building and equipping a hundred-bed hospital can be kept down to between \$150,000 and \$200,000. This means

that we could build 50 such hospitals for between \$7,500,000 and \$10,000,000.

This is not an ambitious project. This principle should not be extended to Government gifts to communities which are financially able to build their own hospitals. It is an experiment in the sense that the Nation will gain much experience by undertaking such a project.

At the very least it will save lives and improve health in those parts of the Nation which need this most and can afford it least.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, January 30, 1940.

TEMPORARY NATIONAL ECONOMIC COMMITTEE

The VICE PRESIDENT appointed the Senator from Maine [Mr. WHITE] a member, on the part of the Senate, of the Temporary National Economic Committee, created by Public Resolution 113, approved June 16, 1938, to fill the vacancy caused by the death of Hon. William E. Borah, late a Senator from the State of Idaho.

FUTURE ADJUSTMENT IN ACCOUNTS OF THE UNITED STATES TREASURER

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to authorize certain future adjustments in the accounts of the Treasurer of the United States when erroneous payments have been made by him in good faith and without negligence, and for other purposes, which, with the accompanying paper, was referred to the Committee on Expenditures in the Executive Departments.

CONTRACTS EXEMPTED BY SECRETARY OF THE NAVY FROM PROFIT LIMITATION

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Navy, transmitting, pursuant to law, a report of the names of contractors and subcontractors who have been granted exemption by the Secretary of the Navy from the limitation of profit owing to the contracts being for scientific equipment, which, with the accompanying papers, was referred to the Committee on Naval Affairs.

REPORT OF SECURITIES AND EXCHANGE COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, the fifth annual report of the Securities and Exchange Commission for the fiscal year ended June 30, 1939, which, with the accompanying report, was referred to the Committee on Banking and Currency.

REPORT OF UNITED STATES HOUSING AUTHORITY

The VICE PRESIDENT laid before the Senate a letter from the Administrator of the United States Housing Authority, transmitting, pursuant to law, the report of the Authority for the fiscal year ended June 30, 1939, with supplementary data on activities to December 31, 1939, which, with the accompanying report, was referred to the Committee on Education and Labor.

REPORTS OF THE LIBRARIAN OF CONGRESS

The VICE PRESIDENT laid before the Senate a letter from the Librarian of Congress, transmitting, pursuant to law, his annual report and also the annual report of the Register of Copyrights, both for the fiscal year ended June 30, 1939, which, with the accompanying reports, was referred to the Committee on the Library.

REPORT OF WASHINGTON GAS LIGHT CO.

The VICE PRESIDENT laid before the Senate a letter from the president of the Washington Gas Light Co., transmitting, pursuant to law, the annual report of the Washington Gas Light Co., together with a list of stockholders, for the year ended December 31, 1939, which, with the accompanying report, was referred to the Committee on the District of Columbia.

REPORT OF CAPITAL TRANSIT CO.

The VICE PRESIDENT laid before the Senate a letter from the President of the Capital Transit Co., transmitting, pursu-

ant to law, a report covering the operations of the Capital Transit Co. for the calendar year 1939, with balance sheet as of December 31, 1939, which, with the accompanying report, was referred to the Committee on the District of Columbia.

REPORTS OF THE CHESAPEAKE & POTOMAC TELEPHONE CO.

The VICE PRESIDENT laid before the Senate letters from the president of the Chesapeake & Potomac Telephone Co., transmitting, pursuant to law, a statement of receipts and expenditures, and a comparative general balance sheet of the Chesapeake & Potomac Telephone Co. for the year 1939, which, with the accompanying papers, were referred to the Committee on the District of Columbia.

DISPOSITION OF EXECUTIVE PAPERS

The VICE PRESIDENT laid before the Senate letters from The Archivist of the United States, transmitting, pursuant to law, lists of papers and documents on the files of the Departments of the Treasury, the Navy, the Interior, Agriculture, Labor, and the General Accounting Office, which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition, which, with the accompanying papers, were referred to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. GIBSON members of the committee on the part of the Senate.

PETITIONS

The VICE PRESIDENT laid before the Senate a letter in the nature of a petition from the resolutions committee of the Grafton-Sullivan Forest Fire Warden's Association, Hanover, N. H., praying for an increased appropriation covering fire hazard reduction work during the fiscal year 1940-41 in the State of New Hampshire, which was referred to the Committee on Appropriations.

Mr. WALSH presented a resolution adopted by the council and mayor of the city of Quincy, Mass., favoring the enactment of legislation to remedy conditions in connection with compulsory lay-offs under the existing W. P. A. law, which was referred to the Committee on Appropriations.

Mr. CAPPER presented a resolution adopted by the Wichita Automobile Association, of Wichita, Kans., favoring amendment of the so-called Wagner Labor Relations Act so as to provide adequate protection for automobile retailers and their employees and similar groups, which was referred to the Committee on Education and Labor.

AID FOR FINLAND

Mr. KING. Mr. President, in my State an organization exists known as the Nordic Committee for Finnish Relief. I have received a communication in behalf of the committee from its officers—Mr. C. H. Carlquist, chairman; Mr. Holger M. Larsen, secretary; and Mr. Lawrence A. Johnson, treasurer. The communication which I have received contains a formal request, directed to the members of the Utah delegation in Congress, that the delegation to "do everything possible to have the United States support Finland short of actually engaging in war." The communication further states that the committee consists of 25 representatives—5 from each—Sweden, Norway, Denmark, Finland, and Iceland. The communication further states that at a gathering in one of the large halls of Salt Lake City more than 2,000 persons were in attendance, at which a number of addresses were delivered urging that the United States Government "should at least grant Finland a loan without 'any strings or conditions.'" The communication further states that the members of the organization, from their contacts with the people generally, are convinced—

That an overwhelming majority of the citizens of Utah favor something very constructive being done in the way of assisting Finland, and think that an outright gift, large enough to enable them to make successful resistance, is the right course to be pursued.

The further statement is made:

This desire is based upon the fact that Finland is fighting for us as well as for herself in restraining the encroachments of Stalin and his communistic government.

With the letter is a statement addressed to the Congress, which reads as follows:

We, the undersigned citizens of Utah, feeling deeply the absolute necessity of the United States' assistance to Finland in every way possible within the keeping of our neutrality laws, hereby beg of you to do everything within your power as our Congressmen to provide unlimited aid to Finland. We resent the attitude of some Members of Congress who have apparently taken an ostrichlike attitude at this serious time, as though the people of our beloved United States did not have any responsibility in supporting other democracies in their attacks by aggressor nations. We feel that the United States has an important stake in the present situation; and inasmuch as the little nation of Finland has conducted herself with honor in her dealings with the United States, therefore our Nation should wholeheartedly support Finland in her defense of democratic and Christian civilization. This assistance should be tendered in a concrete form and not only in sympathetic words.

I ask that this statement, which is signed by several hundred persons, be inserted in the RECORD, and that it, together with the signatures, be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KING. The names of several hundred members of the organization referred to are attached to the statement, and my information is that many more citizens of Utah and members of the organization referred to would have been glad to affix their signatures to the statement. I ask that the statement with the names attached thereto be referred to the Committee on Foreign Relations of the Senate. I avail myself of this opportunity to add a few remarks.

As Senators know, there are in the United States a large number of citizens of Scandinavian origin. They are among the most patriotic and enlightened citizens of this Republic. Within the State of Utah there are several hundred thousand persons who were either born in the Scandinavian countries or are their descendants. There are also some residents of the State who are of Finnish origin. I am glad to have the opportunity of paying tribute to the important contributions which have been made to the building of the State which I have the honor, in part, to represent by those who came from the Scandinavian countries, including Finland, and their descendants. There are no better citizens to be found in this Republic than those residents of my State, as well as other States, who trace their origin to the Scandinavian countries.

In every field of endeavor they have demonstrated those fine qualities which make for a high degree of civilization. The residents of my State who have come from the countries referred to are leaders in every branch of industry and in every important activity. They have taken high rank in all cultural fields as well as in all branches of trade, industry, commerce, and agriculture. They have been among the foremost in every line of industry, trade, commerce, and movements that have made for the development of the Commonwealth. They have set examples of thrift and courage and energy and enterprise that have given to them positions of leadership in every part of the State. In art, music, and literature they have been outstanding, and in educational and religious and spiritual spheres their leadership has been accorded universal recognition. They are, in every sense of the word, patriotic American citizens; they are devoted to constitutional government and to the maintenance of those principles of liberty and justice for which this Republic stands.

I respectfully request that the views expressed in the statement which I have read are not only entitled to consideration but should have weight with the Committee on Foreign Relations of the Senate, as well as to all Members of the Senate.

REPORTS OF COMMITTEES DURING ADJOURNMENT

Under authority of the order of the 29th ultimo,

On January 30, 1940:

Mr. REYNOLDS, from the Committee on Military Affairs, to which was referred the bill (S. 3200) to provide for the rank and title of lieutenant general of the Regular Army in the military departments of Panama and Hawaii, reported it without amendment and submitted a report (No. 1170) thereon.

On January 31, 1940:

Mr. WALSH, from the Committee on Naval Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 2992. A bill to authorize an exchange of lands between the Richmond, Fredericksburg & Potomac Railroad Co. and the United States at Quantico, Va. (Rept. No. 1171);

S. 3012. A bill to amend the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902 (32 Stat. 662), relative to the payment of the commuted rations of enlisted men (Rept. No. 1172);

S. 3068. A bill to provide an additional sum for the payment of a claim under the act entitled "An act to provide for the reimbursement of certain personnel or former personnel of the United States Navy and United States Marine Corps for the value of personal effects destroyed as a result of a fire at the Marine Barracks, Quantico, Va., on October 27, 1938," approved June 19, 1939 (Rept. No. 1173);

S. 3174. A bill to authorize the Secretary of the Navy to accept, without cost to the United States, a fee-simple conveyance of 16.4 acres, more or less, of land at Floyd Bennett Field in the city and State of New York (Rept. No. 1174);

H. R. 5634. A bill granting 6 months' pay to Sidney M. Bowen (Rept. No. 1175); and

H. R. 5734. A bill for the relief of World War sailors and marines who were discharged from the United States Navy or United States Marine Corps because of minority or misrepresentation of age (Rept. No. 1176).

Mr. GLASS, from the Committee on Appropriations, to which was referred the bill (H. R. 7922) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1941, and for other purposes, reported it with amendments and submitted a report (No. 1177) thereon.

INVESTIGATION OF CERTAIN CAMPAIGN EXPENDITURES—REPORT OF A COMMITTEE

Mr. GREEN, from the Committee on Privileges and Elections, to which was referred the resolution (S. Res. 212) for an investigation of campaign expenditures of Presidential, Vice-Presidential, and senatorial candidates in 1940 (submitted by Mr. GEORGE on January 10, 1940), reported it with amendments, and, under the rule, the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMITH:

S. 3226. A bill to facilitate and simplify national forest administration; and

S. 3227. A bill to enable the Secretary of Agriculture, in cooperation with official State agencies, to prevent the dissemination of pullorum and other diseases of poultry, and to improve poultry, poultry products, and hatcheries, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. TYDINGS:

S. 3228. A bill for the relief of persons suffering injuries due to the establishment, maintenance, and operation by the United States of the Aberdeen Proving Ground in Maryland for the test of explosive and other dangerous instruments of war; to the Committee on Claims.

By Mr. WALSH:

S. 3229. A bill to authorize the Secretary of the Navy to sell equipment and supplies to and perform work for the Commonwealth of the Philippine Islands; to the Committee on Naval Affairs.

(Mr. WAGNER (for himself and Mr. GEORGE) introduced Senate bill 3230, which was referred to the Committee on Education and Labor, and appears under a separate heading.)

By Mr. CLARK of Missouri:

S. 3231. A bill to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Mo.; and

S. 3232. A bill to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Jefferson Barracks, Mo.; to the Committee on Commerce.

By Mr. NYE:

S. 3233. A bill for the relief of C. T. Jensen; to the Committee on Claims.

S. 3234. A bill for the relief of Hazel Echo Knutson; to the Committee on Finance.

By Mr. MINTON:

S. 3235. A bill granting a pension to Samuel Flowers (with accompanying papers); to the Committee on Pensions.

By Mr. ELLENDER:

S. 3236. A bill to amend section 301 of the Sugar Act of 1937; and

S. 3237. A bill to amend section 301 (a) of the Sugar Act of 1937; to the Committee on Agriculture and Forestry.

(Mr. VANDENBERG introduced Senate bill 3238, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. VANDENBERG:

S. 3239. A bill granting an increase of pension to Pearl C. Schnader; to the Committee on Pensions.

By Mr. ANDREWS:

S. 3240. A bill for the relief of the St. Nicholas Park Co.; and

S. 3241. A bill conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of all persons who have suffered damages or losses as the result of the construction, development, or improvement of the Intracoastal Waterway, Miami to Jacksonville, Fla.; to the Committee on Claims.

S. 3242. A bill to provide for furnishing the national flag to be used for draping the coffin of deceased members of the Officers' Reserve Corps of the Army; to the Committee on Military Affairs.

S. 3243. A bill to provide for a customhouse building at Miami, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. MEAD:

S. 3244. A bill to incorporate the St. George Association of America, and for other purposes; to the Committee on the District of Columbia.

S. 3245. A bill for the relief of Maria Teresa Valdes Thompson; to the Committee on Immigration.

(Mr. MEAD introduced Senate bill 3246, which was referred to the Committee on Banking and Currency, and appears under a separate heading.)

By Mr. BRIDGES:

S. 3247. A bill declaring the last Thursday in November of each calendar year a national legal and public holiday known as Thanksgiving Day everywhere within the jurisdiction of the United States; to the Committee on the Judiciary.

By Mr. SCHWELLENBACH:

S. 3248. A bill to amend section 2, chapter 368, Forty-sixth Statutes at Large, page 1467, March 2, 1931, relating to extra compensation of inspectors and employees of the Immigration and Naturalization Service; to the Committee on Immigration.

By Mr. KING:

S. 3249. A bill for the relief of Estella King; to the Committee on Claims.

S. 3250. A bill to change the name of a portion of Twenty-fourth Street, NW., to Williamsburg Lane; and

S. 3251. A bill to amend sections 16 and 17 of chapter II of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia"; to the Committee on the District of Columbia.

By Mr. LUCAS:

S. 3252. A bill for the relief of the Ferguson Construction Co.; to the Committee on Claims.

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By Mr. MALONEY:

S. J. Res. 207. Joint resolution for the relief of the suffering people of Poland; to the Committee on Foreign Relations.

FEDERAL HOSPITAL CONSTRUCTION PROGRAM

Mr. WAGNER. Mr. President, on behalf of the Senator from Georgia [Mr. GEORGE] and myself, I introduce and send to the desk for appropriate reference a bill which was prepared to implement the program announced today in the message from the President of the United States. With the bill there is an explanatory statement which I ask unanimous consent to have printed in the RECORD.

There being no objection, the bill (S. 3230) to promote the national health and welfare through appropriation of funds for the construction of hospitals was read twice by its title and referred to the Committee on Education and Labor; and the explanatory statement was ordered to be printed in the RECORD, as follows:

HOSPITAL CONSTRUCTION PROGRAM

This bill is drafted to implement the program of Federal hospital construction outlined in the President's recent message. It is the first step in the development of the rounded national-health program now under consideration in Congress, growing out of the report and recommendations of the Interdepartmental Committee to Coordinate Health and Welfare Activities, transmitted in the President's message on health security about a year ago.

The bill authorizes the appropriation of \$10,000,000 for the fiscal year ending June 30, 1941, for the purpose of assisting States, counties, health or hospital districts, and other political subdivisions in providing better health and medical services through needed hospital facilities in rural communities and economically depressed areas. The term "hospital" is defined in the act to include physical facilities for the prevention, diagnosis, or treatment of disease, and for the protection of the public health.

Administration of the program is vested in the Surgeon General of the Public Health Service. Localities desiring to participate in the benefits contemplated by the legislation must show that additional hospital facilities are needed, and must give satisfactory assurances that such hospitals will be available to the public under appropriate conditions, will be maintained in good repair, and will be utilized in furnishing services according to sound professional and personnel standards, as defined in regulations to be prescribed.

The actual construction work will be carried on by the Federal Works Agency. Title to the hospitals constructed will remain in the Federal Government. As contemplated in the President's plan, the localities leasing the hospitals must carry the full responsibility and burden of current operations, subject to necessary standards. The Federal Security Administrator is authorized to accept, on behalf of the United States, gifts of money, equipment, and land to be utilized in carrying out the purposes of the program.

The administration of the program will be guided by a national advisory hospital council, consisting of the Surgeon General as chairman, and six members selected by him from leading medical or scientific authorities, who are outstanding in matters pertaining to hospital and other public-health services.

The council is authorized to advise the Surgeon General in reviewing applications for Federal hospitals, recommending needed projects, formulating appropriate professional standards and rules and regulations, reviewing reports, and making inspections with reference to professional services and standards of maintenance.

As outlined in the President's message, this program is frankly an experimental one, designed to fill immediately the most pressing health needs of the Nation and to gain valuable experience while congressional studies of a broader program go forward actively during the present session.

A bill (S. 3230) to promote the national health and welfare through appropriation of funds for the construction of hospitals

Be it resolved, etc., That this act may be cited as the National Hospital Act of 1940.

Sec. 2. For the purpose of assisting States, counties, health or hospital districts, and other political subdivisions of the States in providing better health and medical services through the provision of needed hospital facilities to serve rural communities and economically depressed areas, there is hereby authorized to be appropriated to the Public Health Service for the fiscal year ending June 30, 1941, the sum of \$10,000,000 and for each fiscal year thereafter such sums as the Congress may deem necessary for carrying out the purposes of this act. Amounts appropriated under this act shall be available until expended.

Sec. 3. States, counties, cities, other political subdivisions or parts thereof alone or in combination wishing to participate in the benefits contemplated by this act shall make application to the Surgeon General of the Public Health Service (hereinafter referred to as the Surgeon General). Said applications shall contain information necessary to establish the existence of need for hospitals, to give assurance acceptable to the Surgeon General that such hospitals will be made available under appropriate conditions to all groups of the population, will be maintained in good repair, and will be utilized in furnishing service of satisfactory quality, in accordance with regulations hereinafter authorized to be prescribed.

SEC. 4. There is hereby established the National Advisory Hospital Council (hereinafter referred to as the "Council") to consist of the Surgeon General as chairman and six members to be appointed by the Surgeon General with the approval of the Federal Security Administrator. The six appointed members shall be selected from leading medical or scientific authorities who are outstanding in matters pertaining to hospital and other public-health services. Each appointed member shall hold office for a term of 3 years except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of office of the members first taking office shall expire, as designated by the Surgeon General at the time of appointment, two at the end of the first year, two at the end of the second year, and two at the end of the third year after the date of the first meeting of the Council. No appointed member shall be eligible to serve continuously for more than 3 years but shall be eligible for reappointment if he has not served as a member of the Council at any time within 12 months immediately preceding his reappointment. Each appointed member shall receive compensation at the rate of \$25 per day during the time spent in attending meetings of the Council and for the time devoted to official business of the Council under this act, and actual and necessary traveling and subsistence expenses while away from his place of residence upon official business under this act.

SEC. 5. The Council is authorized to advise the Surgeon General with reference to the carrying out of the provisions of this act, including—

(a) The review of applications for hospitals submitted in accordance with and meeting the requirements of section 2 and recommendation of such projects as in its opinion are needed, will be adequately maintained, and otherwise will fulfill the requirements of this act.

(b) The formulation of standards which are necessary to insure proper conduct of the hospitals and care of persons served by the hospitals.

(c) The formulation of rules and regulations necessary to carry out the provisions of this act.

(d) The review of reports and inspections, and, when necessary, the making of inspections, with reference to professional service and standards of maintenance of the hospitals.

SEC. 6. In carrying out the purposes of this act the Surgeon General is authorized and directed, after consultation with the council—

(a) To conduct, assist, and foster studies and surveys with respect to needs for hospitalization and problems of hospital operation;

(b) To approve hospital projects, to designate the location, type, equipment, and size of hospitals, and to allocate available funds to such approved projects;

(c) To provide training and instruction of personnel who will be required in connection with the hospitals;

(d) To cooperate with State and local health and welfare authorities and with professional agencies;

(e) To secure reports and to make inspections with respect to professional service and standards of maintenance of the hospitals and other matters pertinent to carrying out the purposes of this act;

(f) To adopt such additional means as may be found necessary or appropriate to carry out the provisions of this act, including the safeguarding of the quality of service furnished in hospitals;

(g) To make, with the approval of the Federal Security Administrator, such rules and regulations as may be necessary to carry out the provisions of this act; and

(h) To lease hospital projects when completed to the applicant for an indefinite period, the consideration for such lease being the maintenance and operation of said hospital in accordance with the provisions of this act; if at any time said maintenance and operation by the applicant shall fail to meet such provisions, the lease shall be terminated by the Surgeon General on 6 months' notice.

SEC. 7. When a hospital project has been approved by the Surgeon General, in accordance with the provisions of this act, it shall be certified by the Federal Security Administrator to the Federal Works Agency for construction and there shall be allocated and transferred to the Federal Works Agency, out of funds appropriated pursuant to this act, so much of the appropriation as may be determined to be available for the project, and the Federal Works Agency is authorized to expend such sums for the planning, execution, and construction of the project and pertinent facilities, including administrative expenses, site acquisition, the preparation of working drawings and specifications, award of all necessary contracts and supervision of construction; and the Federal Works Agency is further authorized to expend out of appropriations available to it in accordance with the purposes thereof, such sums as may be necessary for the completion of the project, but without regard to specific limitations imposed on the use thereof. Title to the properties so constructed, and to the equipment installed therein, and to the land upon which they are located, shall be in the United States.

SEC. 8. The Federal Security Administrator is authorized to accept on behalf of the United States gifts of money, equipment, and land to be utilized in carrying out the purposes of this act.

SEC. 9. The President is authorized to allocate from funds appropriated pursuant to this act for the fiscal year ending June 30, 1941, a sum for all necessary expenses of the Public Health Service in administering the provisions of this act, including the training of personnel; and there is hereby authorized to be appropriated in each succeeding fiscal year such amounts as the Congress may deem necessary for such purpose.

SEC. 10. (a) There is hereby authorized to be appointed in the Public Health Service, in accordance with applicable law, such additional commissioned officers and other personnel as may be necessary in carrying out the provisions of this act.

(b) On recommendation of the Surgeon General, the Federal Security Administrator shall submit to the Bureau of the Budget on or before September 15 of each year a list of approved hospital projects under this act and cost estimates thereof, together with such other data as may be necessary for the preparation of the Budget estimates.

(c) This act shall not be construed as superseding or limiting (1) the functions, under any other act, of the Public Health Service or any other agency of the United States relating to the prevention, diagnosis, and treatment of disease; or (2) the expenditure of money therefor.

(d) The term "State" as used in this act shall include also the territories and insular possessions of the United States.

(e) The term "hospital" as used in this act shall include the physical facilities necessary for the prevention, diagnosis, or treatment of disease, and for the protection of the public health.

(f) The Surgeon General shall include in his annual report for transmission to Congress a full report of the administration of the act, including a detailed statement of receipts and disbursements.

(g) This act shall take effect 30 days after the date of its enactment.

ABOLITION OF UNITED STATES TARIFF COMMISSION

Mr. VANDENBERG. Mr. President, I introduce a bill to abolish the United States Tariff Commission and to create in its place a Foreign Trade Board, which shall gather together all of the powers and functions now scattered through 50 different departments and bureaus in relation to the promotion of foreign trade and the protection of domestic industry, agriculture, and labor.

I have prepared a brief statement outlining the proposal. I ask that the statement be printed at this point in the RECORD and that the bill be referred to the Finance Committee.

There being no objection, the bill (S. 3238) to abolish the United States Tariff Commission, to create a Foreign Trade Board, and for other purposes, was read twice by its title and referred to the Committee on Finance; and the statement was ordered to be printed in the RECORD, as follows:

STATEMENT PREPARED BY MR. VANDENBERG

I have introduced a bill to create a new independent agency of the Government to be known as the Foreign Trade Board. Speaking generally, it seeks to create full protection for American agriculture, industry, and labor in our relations with other countries through the establishment of a responsible and efficient agency to deal with foreign commercial and financial activities as distinguished from the diplomatic and political activities traditionally conducted by the State Department. It seeks to bring the full, constructive force of government to bear upon all phases of foreign-trade promotion while, at the same time, constantly gearing these efforts to the best welfare of our own domestic economy. It unifies these efforts which are now scattered, in one form or another, through 50 different bureaus and departments of Federal Government. It seeks to create authority, now substantially lacking, to record and control international financial transactions which are just as intimately related to our foreign and domestic economy as are commodity transactions. It seeks to provide practical machinery for keeping our tariffs in constant adjustment to competitive American costs of production, without the necessity of general tariff revisions. This method of handling the problem suggests an answer to those who insist that there is no middle ground between congressional logrolling and the Hull trade-agreements program in a practical and effective answer to the related problems. The advantages of such a Foreign Trade Board are strongly suggested by the success of the British Board of Trade over many decades in meeting the ever-changing conditions and problems of world trade in peace and war alike. There is no pretense that the bill is wholly perfected to meet all necessities. But the text is provided for constructive consideration and debate.

The existing United States Tariff Commission is abolished and all of its functions are transferred to the new Foreign Trade Board. The President is authorized to gather up all the other loose powers dealing with foreign trade and to concentrate them in this new authority. The board would have power to control imports for the purpose of protecting our domestic economy. It would have power to encourage exports through barter agreements and otherwise. It would have power to lower tariffs, as well as to increase them, under explicit congressional criteria. It would have power to take direct action in connection with the troublesome problem of blocked exchange. It would, for the first time, bring into Government possession authentic information regarding transactions in foreign exchange, in the export or import of securities, and in the export or import of gold and silver coin, bullion, or currency. It would be charged with the responsibility of coordinating our foreign trade and financial statistics in order that we may have a true picture of our relationship with each country in the world. Thus facts could take precedence over theories in the conduct of our commercial and financial activities with other countries.

Such an agency is necessary if we shall realistically meet world-trade conditions. It will be doubly necessary in post-war periods of readjustment. All of the principal nations of the world have already abandoned most of the methods previously employed in world trade. New and radically different methods already are in vogue. These nations have resorted to unilateral actions, such as exchange controls, quotas, embargoes, and other export and import controls, and they have extended such arrangements through a constantly growing network of exclusive, bilateral agreements, most of which leave our interests entirely out in the cold. It is not enough to say that these things are all wrong. We must cope with these realities by equipping ourselves to meet these conditions which are not likely to pass in our time. Furthermore, it is vital that our foreign-trade policy should be consistent within itself and should not present a constant quarrel between different policies pursued by different branches of the same Government.

Such an agency should operate as an independent agency and on a parity with other executive departments. It should be subject only to the general direction of the President and the Congress. It should not be subordinated to the State Department, because the latter specializes in political and diplomatic contacts and is not equipped or intended to deal with problems of commerce and finance which must be handled on a basis of domestic need. The Foreign Trade Board must be composed of men who are thoroughly experienced with all phases of our domestic economy, representing all political parties, all geographical sections and all national interests and activities, so that, as a whole, it may speak authentically for all America. So far as possible the Board should aspire to as detached and independent a status, in respect to foreign trade, as the Interstate Commerce Commission in respect to domestic transportation. The entire objective is to implement our commercial and financial transactions with other nations on the most effective basis of trade promotion and trade control in the light of necessary protection for domestic trade and commerce.

HOSPITAL LOANS

Mr. MEAD. Mr. President, I am today introducing a bill for appropriate reference which provides for an effective construction program aimed at the improvement of hospital and sanitation facilities throughout the Nation. I wish to observe at the outset that my bill will in no wise conflict with a similar bill introduced by my distinguished colleague the senior Senator from New York [Mr. WAGNER]. It will supplement the program he proposes, and it will permit applicants who otherwise would not be permitted to apply for funds for this purpose to qualify, and, in the end, to build hospital facilities.

I am making this proposal after some careful thought and survey of hospital and sanitation needs throughout the country. I have in mind the construction, equipment, repair, alteration, extension, and improvement of hospitals, water and sewage systems, and works for the reduction of pollutions in our streams.

In view of the essential requirements of hundreds of municipalities which are not in a position to finance such projects themselves, in view of the growing realization that the Nation's health is of major contemporary concern, in view of the need for long-term, low-interest financing in instances where private financing agencies cannot assume the task, in view of the need for continued stimulation of the heavy durable-goods industries, in view of employment requirements both in the skilled and unskilled fields, and in view of the liquidation in the near future of the existing P. W. A. program, which will throw additional hundreds of thousands out of gainful occupation, this proposed legislation appeals to me to be both necessary and timely.

Mr. President, let me point out that this is a modest, conservative proposal. It does not provide for public grants. Every cent that is loaned for this worth-while type of construction will be repaid to the United States Treasury.

The bill is restricted to 100-percent loans for a limited field of construction. It calls for long-term loans—as long as 50 years at 2-percent interest. It calls for an appropriation of \$300,000,000, of which \$100,000,000 shall be wholly devoted to hospital projects.

Mr. President, the construction of hospitals and the construction of sewage-disposal plants for the purification of our water systems is, in my judgment, of the utmost and immediate importance.

Loans will be made to public bodies and, in the case of hospitals, to nonprofit organizations. This means that privately owned and operated nonprofit institutions, such as those operated by religious, fraternal, or educational organi-

zations, which have heretofore been denied Federal public-works assistance, will have an opportunity to benefit under the provisions of the bill.

This proposal carries careful definitions of the type of construction to be undertaken, and it carefully defines the eligibility of applicants. From the standpoint of community health this is an important piece of legislation. From an economic standpoint I consider it most essential. It is a pared proposal as compared with the Mead-Starnes bill, which was rejected last year by the Senate by the closest of margins.

Employment and community requirements will, I believe, commend this measure to the public. It will be administered by the Federal Works Agency and will involve no permanent financial burden on the Government. Aimed at the construction of permanent, self-liquidating, essential projects, this hospital and sanitation facility building program dovetails into other suggestions that are being advanced to protect and to improve the Nation's health.

Mr. President, I trust this matter will have the attention of the Senate. In view of the liquidation of the Public Works Administration and its program, I believe, it is essential and necessary for us to give consideration, and, yes, approval of this matter at this time.

Mr. BARKLEY. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Kentucky?

Mr. MEAD. I yield to the distinguished leader.

Mr. BARKLEY. I am sure I need not call the Senator's attention to the fact that the Senate has twice passed a stream pollution bill providing for grants in aid and loans to States, municipalities, and other subdivisions, and to private industries, to enable them to put in sewage-disposal plants and other facilities for the purification of our streams.

Mr. President, in my judgment there is nothing more important for the conservation of the health of our people than to enter upon a program of that sort. A bill providing for such a program passed the Senate, and went to the House and is now on the House Calendar, with a rule already ordered by the Committee on Rules for its consideration, and I sincerely hope that the House will at a very early date consider that bill. There are differences of opinion among ardent advocates of legislation providing for elimination of stream pollution as to the best way to bring it about. There has arisen, for instance, the question whether there ought to be any grants in aid even to public corporations or cities. We are seeking now to work out a plan by which long-term loans may be made at low rates of interest by reason of which the communities involved will obtain in the long run as much benefit as if they received a grant outright of one-third of the cost of the total cost of the project.

Mr. President, I appreciate the interest of the Senator from New York in that phase of his program, as well as the other phases of it, and I think we are well on the way toward the enactment of some legislation at this session with respect to elimination of stream pollution.

Mr. MEAD. Mr. President, I recognize the merit in the proposal which the Senator has so ably sponsored in the Senate, at least during my short service in it, and both in the committee and on the floor of the House I was very happy to give the Senator's proposal my hearty cooperation and support. I recognize in the approval given to that proposal, as well as the approval given by this body to other important public-health measures, the possibilities of favorable approval of the measure introduced by me which is aimed at improving the national health. It will also facilitate the passage of other meritorious proposals, such as that just outlined by the distinguished leader of the majority.

The VICE PRESIDENT. Without objection, the bill introduced by the Senator from New York [Mr. MEAD] will be referred to the Committee on Banking and Currency.

The bill (S. 3246) to authorize loans to public bodies and nonprofit organizations for hospital, water, sewer, stream pollution control, and related projects and facilities, and making an appropriation therefor, was read twice by its title and referred to the Committee on Banking and Currency.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated below:

H. R. 7941. An act relating to the citizenship and compensation of certain employees on military construction work in the Panama Canal Zone; to the Committee on Military Affairs.

H. R. 2665. An act to provide increases in clerical allowances at certain offices of the third class, and for other purposes; to the Committee on Post Offices and Post Roads.

H. R. 329. An act for the relief of R. L. Scott;

H. R. 838. An act for the relief of Ray E. Nies;

H. R. 1183. An act for the relief of Ben L. Kessinger and M. Carlisle Minor;

H. R. 1857. An act for the relief of Nell Mullen;

H. R. 2055. An act for the relief of the K. E. Parker Co.;

H. R. 2086. An act for the relief of Joseph Sciortino;

H. R. 2160. An act for the relief of S. Uttal;

H. R. 2356. An act for the relief of the International Grain Co., Inc.;

H. R. 3358. An act for the relief of the estate of James A. Henderson, deceased;

H. R. 3674. An act for the relief of the Allegheny Forging Co.;

H. R. 3675. An act for the relief of the Allegheny Forging Co.;

H. R. 3784. An act for the relief of the estate of J. D. Warlick;

H. R. 3887. An act for the relief of Capt. Walter L. Shearman;

H. R. 4031. An act to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim or claims of the Recording & Computing Machines Co., of Dayton, Ohio;

H. R. 4256. An act for the relief of the estate of George B. Spearin, deceased;

H. R. 4456. An act for the relief of William O'Connell; and

H. R. 5089. An act conferring jurisdiction upon the Court of Claims of the United States to hear, examine, adjudicate, and render judgment on the claim of the legal representative of the estate of Rexford M. Smith; to the Committee on Claims.

EMPLOYEES ON MILITARY CONSTRUCTION WORK, PANAMA CANAL ZONE—AMENDMENT

Mr. THOMAS of Oklahoma submitted an amendment intended to be proposed by him to the bill (S. 3130) relating to the citizenship and compensation of certain employees on military construction work in the Panama Canal Zone, which was ordered to lie on the table and to be printed.

INDIAN LANDS AND RESOURCES—AMENDMENT

Mr. GURNEY submitted an amendment intended to be proposed by him to the bill (S. 2103) to repeal the act entitled "An act to conserve and develop Indian lands and resources; to extend to Indians the right to form business and other organizations; to establish a credit system for Indians; to grant certain rights of home rule to Indians; to provide for vocational education for Indians; and for other purposes," approved June 18, 1934, and the act of June 15, 1935, supplementary thereto, which was ordered to lie on the table and to be printed.

AMENDMENT TO INDEPENDENT OFFICES APPROPRIATION BILL

Mr. HOLMAN submitted an amendment intended to be proposed by him to the bill (H. R. 7922) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1941, and for other purposes, which was ordered to lie on the table and to be printed, as follows:

On page 77, line 16, to insert the following:

"Provided, That no part of this appropriation shall be expended for the purchase of oleomargarine or butter substitutes except for cooking purposes."

FUNERAL EXPENSES OF THE LATE SENATOR BORAH

Mr. CLARK of Idaho submitted the following resolution (S. Res. 223), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of Hon. William E. Borah, late a Senator from the State of Idaho, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

REPORT ON THE NATCHEZ TRACE

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day which will be stated.

The resolution (S. Res. 222 submitted by Mr. BILBO on the 29th ultimo) was read, as follows:

Resolved, That the Secretary of the Interior be, and he is hereby, directed to transmit to the Senate the report of a survey of the Old Indian Trail, known as the Natchez Trace, which was made pursuant to an act approved May 21, 1934, with a view of constructing a national road on this route to be known as the Natchez Trace Parkway.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. McNARY. Mr. President, the able Senator from Mississippi [Mr. BILBO] spoke to me about the resolution. I think the subject matter is of historical importance, and I hope the resolution will be considered at this time.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

ADDRESS BY SENATOR WHEELER BEFORE UNITED MINE WORKERS' CONVENTION

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD the address delivered by Senator WHEELER at the Golden Jubilee Convention of the United Mine Workers of America on January 26, 1940, at Columbus, Ohio, which appears in the Appendix.]

ADDRESS BY SENATOR WALSH ON NEUTRALITY—ITS IMPORTANCE AND DIFFICULTIES

[Mr. WALSH asked and obtained leave to have printed in the RECORD an address on the subject Neutrality—Its Importance and Difficulties, delivered by him before the annual convention of the American Coalition at the Willard Hotel, Washington, D. C., Wednesday, January 31, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR ADAMS ON RECIPROCAL-TRADE AGREEMENTS

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD a radio address on reciprocal-trade agreements delivered by Senator ADAMS on January 31, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR DAVIS ON FREE ENTERPRISE

[Mr. DAVIS asked and obtained leave to have printed in the RECORD a radio address on the subject Free Enterprise, delivered by him under the auspices of the Business Men's Association of Philadelphia, Pa., which appears in the Appendix.]

ANNUAL MEETING OF NATIONAL PUBLIC HOUSING CONFERENCE

[Mr. MEAD asked and obtained leave to have printed in the RECORD the text of a letter addressed by the President to the executive director of the National Public Housing Conference and speeches delivered by Senator WAGNER and Hon. Nathan Straus, Administrator of the United States Housing Authority, at the dinner of the conference on Friday, January 26, 1940, at the Willard Hotel, Washington, D. C., which appear in the Appendix.]

ADDRESS BY FRANK KNOX AT DINNER IN HONOR OF MINISTER OF FINLAND

[Mr. SCHWELLENBACH asked and obtained leave to have printed in the RECORD an address delivered by Frank Knox, on January 12, 1940, at a dinner given by the Chicago chapter of the American-Scandinavian Foundation in honor of Hjalmar J. Procope, Minister of Finland, which appears in the Appendix.]

EDITORIAL TRIBUTES TO THE LATE SENATOR BORAH

[Mr. HILL asked and obtained leave to have printed in the RECORD an editorial from the Montgomery (Ala.) Advertiser

of the issue of January 21, 1940, and an editorial from the Birmingham News of the issue of January 21, 1940, both paying tribute to the late Senator Borah, which appear in the Appendix.]

SECRETARY HULL AND RECIPROCAL-TRADE AGREEMENTS

[Mr. HILL asked and obtained leave to have printed in the RECORD an editorial entitled "A Warrior Bold," written by William Allen White and published in the Emporia (Kans.) Gazette, which appears in the Appendix.]

NATIONAL GRANGE LEGISLATIVE PROGRAM

[Mr. CAPPER asked and obtained leave to have printed in the RECORD the legislative program of the National Grange, which appears in the Appendix.]

STATEMENT BY M. W. THATCHER ON AIMS OF AGRICULTURE

[Mr. WHEELER asked and obtained leave to have printed in the RECORD a statement by M. W. Thatcher, national legislative representative of the Farmers' Union, relative to the views, aims, and wants of agriculture, which appears in the Appendix.]

ARTICLE BY GEORGE STEWART BROWN ON JUDICIAL REVIEW IN TAXATION

[Mr. RADCLIFFE asked and obtained leave to have printed in the RECORD an article entitled "Judicial Review in Taxation," written by George Stewart Brown, published in the Georgetown Law Journal for November 1938, and reprinted in the Baltimore Daily Record of January 3, 1939, which appears in the Appendix.]

THE FAR-EASTERN SITUATION

[Mr. SCHWELLENBACH asked and obtained leave to have printed in the RECORD an article published in the Christian Science Monitor of January 30, 1940, relative to the situation in the Far East, which appears in the Appendix.]

PHILIPPINE INDEPENDENCE

[Mr. GIBSON asked and obtained leave to have printed in the RECORD an article on the subject of Philippine independence published in the Washington Post of January 28, 1940, which appears in the Appendix.]

RELATIONS WITH SOUTH AMERICA

[Mr. SCHWELLENBACH asked and obtained leave to have printed in the RECORD an editorial from Boletim Linotipico, and an article from the Reading (Pa.) Times of January 13, 1940, relative to the relations of the United States with the nations of South America, which appear in the Appendix.]

TRADE RELATIONS WITH JAPAN

[Mr. SLATTERY asked and obtained leave to have printed in the RECORD a letter addressed to him by Quincy Wright on the subject of trade relations with Japan, which appears in the Appendix.]

JAPANESE-AMERICAN RELATIONSHIPS

Mr. VANDENBERG. Mr. President, the delicate questions involved in Japanese-American relationships, since the abrogation a few days ago of our treaty of 1911, are so important that there should be the least possible confusion of thought on the subject. The President's notice of abrogation was immediately preceded by my own resolution of last July 18 pointing to the same action. In his syndicated column 2 days ago, Mr. Walter Lippmann, a distinguished and thoughtful journalist, put great emphasis upon the contents and the purport of that resolution in its bearing upon the current crisis. In many aspects, I am sorry to say, that he misinterpreted what I believed then and believe now to be the intent and the objective of the resolution and the abrogation is proposed. I do not complain. It is purely an honest difference of opinion. But I think it so important that his interpretation should not go unchallenged—since they bear directly upon the present Japanese relations—that I ask unanimous consent that there may be printed in the RECORD at this point the original Lippmann article and a copy of my letter to Mr. Lippmann in reply.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The article and letter are as follows:

[From the Washington Post of January 30, 1940]

TODAY AND TOMORROW
(By Walter Lippmann)

THE SERIOUSNESS OF THE FAR EASTERN QUESTION

Our relations with Japan are now in a very much more serious condition than the majority of Congress or of the people at large seem as yet to have realized. No one can afford to use big words about it.

But the fact is that the issue which has caused the termination of our treaty relations with Japan is more serious, because it is more difficult to settle peaceably, than any issue which has arisen in our foreign relations for 25 years.

The situation in which we now find ourselves was precipitated by a resolution introduced by Senator VANDENBERG on July 18 last. This resolution was referred to the Senate Committee on Foreign Relations. Senator Borah was then the ranking Republican member of the committee, and among others on the committee were Senators HIRAM JOHNSON, CAPPER, LA FOLLETTE, and SHIPSTEAD. Senator NYE was not a member. But it is highly relevant to note that Mr. VANDENBERG is his candidate for President. It is, therefore, clear beyond dispute that the Vandenberg resolution cannot be ascribed to British propaganda or to an intrigue by the President "to involve us in other people's wars" in order to obtain a third term. The Vandenberg resolution was offered by a leading member of the Foreign Relations Committee; it was referred to that committee in the very week when Senator VANDENBERG and his associates on that committee voted to table repeal of the arms embargo and revision of the neutrality laws.

A canvass of the committee showed that it favored the sense of the Vandenberg resolution, and so, acting on the initiative of the Republican isolationists, the State Department served notice on Japan that at the end of 6 months the treaty of 1911 would end. Though on virtually every other matter in domestic or foreign policy there was at the time fierce opposition to the President, on this matter there was no objection, indeed there was universal nonpartisan support. Yet the Vandenberg resolution was the longest step on the road to war that the United States has taken since President Wilson announced in 1915 that he would hold the German Government to strict accountability for its acts.

Interpreted as step toward embargo

The terms of the Vandenberg resolution and the circumstances in which it was offered must, therefore, be studied, now that the country is face to face with the actual consequences of the resolution. It declares that "the United States should give Japan the 6 months' notice required by the treaty of 1911 for its abrogation." Why? "So that the Government of the United States may be free to deal with Japan in the formulation of a new treaty and in the protection of American interests as new necessities may require." Everywhere in the world this was taken to mean that the United States was making itself legally free to impose an embargo against Japan and, though there seems to be some doubt whether Mr. VANDENBERG himself had this in mind, no important voice was raised at the time to deny this interpretation of the resolution. It did not mean that the United States would impose an embargo, it did mean that the United States could impose an embargo.

But that is not the whole of the Vandenberg resolution. It contains a second paragraph which, considering Mr. VANDENBERG's isolationist theories, is really most curious. The Senator asked that "the Conference of Brussels of 1937, now in recess, should be reassembled." The Conference of Brussels was attended by the United States, Great Britain, France, Italy, China, the Netherlands, Belgium, and Portugal. These powers, says the Vandenberg resolution, should meet to "determine, pursuant to the Nine Power Treaty of Washington of 1922, whether Japan has been and is violating said treaty and to recommend the appropriate course to be pursued by the signatories."

Conference was to uphold treaty

This was a remarkable proposal. It was made, let us remember, at a time when Japan was still bound up with Germany in the so-called anti-Comintern Pact. The United States was to join with six European powers, not including Germany and Russia, and with one greatly interested Asiatic power, namely, China, in passing judgment upon Japan. This international group was then to recommend "the appropriate course to be pursued," if Japan was found guilty. It is plain that by the words "appropriate course," Senator VANDENBERG cannot have meant that the conference should condone Japan's violation of the Nine Power Treaty; his firm language can mean only that the conference was to uphold the treaty, and by something more than the use of words.

Yet at the time when Senator VANDENBERG introduced the resolution, which brought about the termination of our treaty relations with Japan, the European members of his proposed conference were known to be on the brink of a European war. That fact must have been known to Senator VANDENBERG. Yet he proposed to invite Great Britain and France (but not Germany) to join with the United States in judging Japan and in recommending a course of action. But also, at the very moment when Senator VANDENBERG was calling upon these European powers to help us deal with the Far Eastern problem, he was devoting his great eloquence and mighty influence to deny them the right to purchase arms by preventing the repeal of the arms embargo.

Thus he was asking the European Allies to join us in challenging Japan in the Far East while he was telling the people here that it

made no vital difference to them if the Allies were defeated in Europe. He was asking the United States to engage in collective action against Japan in the Pacific while he was willing to take the risk of injuring fatally in the Atlantic his proposed partners in the collective action.

Mental confusion at home is danger

Thinking of this character is what makes so very serious the Far Eastern situation that the Vandenberg resolution has precipitated. This profound mental confusion at home, and not the wiles of foreign propagandists or the strength of our potential opponents abroad, is our real danger. For it has caused us to challenge a great power, as the Vandenberg resolution challenges Japan, without calculating the consequences of taking account of the cost or considering how the challenge can be made good.

There are many in Washington who even today have not realized what it means to end our treaty relations with Japan in order to force Japan, on the theory of the Vandenberg resolution, to retreat from China. They do not seem to have grasped the fact that this is a frontal challenge to a great power on an issue which that power regards as so vital that it has gone to war about it. But they can measure the seriousness of the challenge when they recall that Great Britain and France are at war with Germany because they insist that Hitler shall give up in Poland, Czechoslovakia, and Austria what we are asking Japan to give up in China.

It would be a great mistake to assume that Japan will retreat because we apply an increasing economic pressure. To rely on that solution is to fall into that most dangerous of all errors, to underestimate the strength of an opponent. On the contrary, it would be folly not to realize that the Japanese can resort to more and more desperate expedients as their situation becomes more and more desperate. As a matter of fact, they have already indicated how they are likely to respond to our pressure. They will not try to challenge us directly. They will recoup their prestige and compensate themselves for their losses by measures directed against other nations, against those very nations which Senator VANDENBERG in his resolution wished to call to our assistance.

Japan intensifies action in China

Thus the Japanese have replied to the psychological blow of the treaty abrogation by intensifying their assault on the British at Tien-Tsin. As we tighten the screws, they will intensify their actions against the French supply lines to free China. They will in all probability try to come to terms with Soviet Russia for a partition of China. And if Hitler attacks the Netherlands, they are not likely for long to leave untouched the almost undefended Netherlands Indies.

The Japanese will, in other words, seek to destroy the power of our potential partners in the Far East. They will ally themselves with the nations in Europe which are at war with our potential partners in the Far East. They will strike not at us but at our friends. And their object will be, while avoiding war with the United States, to isolate us completely and put us in a position where we must accept their supremacy in the western Pacific or fight them alone under extremely difficult conditions. For they know that if the Allies can be driven out of the Far East and defeated or made helpless in Europe, then the United States will be quite unable with any force it can command to uphold its interests in both oceans at once.

Senator VANDENBERG was quite right last July when he saw that the Far Eastern question cannot be settled without the participation of the European powers. He was much more profoundly right than he himself has as yet begun to realize.

JANUARY 30, 1940.

MR. WALTER LIPPMANN,

1525 Thirty-fifth Street NW., Washington, D. C.

MY DEAR MR. LIPPMANN: You do me the undeserved honor of devoting your syndicated column this morning to a discussion of my Senate resolution of last July 18—calling for an abrogation of our 1911 treaty with Japan and for the reference of the Nine Power Treaty problem to the Brussels Conference. You proceed on the theory that my resolution "precipitated the situation in which we now find ourselves" because the State Department acted upon the favorable sentiment in the Senate Foreign Relations Committee toward the resolution. This is historically inaccurate. The committee rejected my resolution. The State Department's action followed immediately upon the heels of this rejection. It is of no particular moment as regards the problem itself. I simply wish to disclaim the theory that the President and the State Department were controlled by my initiative.

But this leaves for discussion the far more important matters respecting Jap-American relations to which you advert. You correctly emphasize the danger of "mental confusion" upon the subject. I know you would not consciously contribute to this "confusion." Yet that may unhappily be the result of many of your references to my Senate resolution of July 18 and my own attitudes and purposes, if I may be allowed very respectfully to say so. At any rate, I know you will welcome my own viewpoint respecting these references in order "to keep the record straight."

You say "the Vandenberg resolution was the longest step on the road to war since 1915." It was nothing of the sort—unless the incident of abrogation be needlessly used to precipitate a breach and a crisis which the resolution itself explicitly sought to avoid through its demand for a new treaty. It is historically necessary to remember that the Senate was being urged last July by important administration Senators to clamp a one-sided embargo on Japan then and there. That would have violated the treaty of

1911 and distinctly would have been "the longest step to war since 1915." My resolution was an alternative. It was relatively a pacific alternative. It was so intended. It so stated within its own preamble. It opened the way to precisely this result.

You say "everywhere in the world the resolution (which you constantly confuse with the administration's own independent abrogation notice) was taken to mean that the United States was making itself legally free to impose an embargo against Japan; and, though there seems to be some doubt whether Mr. VANDENBERG himself had this in mind, no important voice was raised to deny this interpretation." There is no doubt that the notice of abrogation legally freed us to apply a one-sided embargo. Probably no "important voice"—as "importance" is appropriately rated—denied it. But if the "voice" of the author of the resolution has any "importance," it was constantly and insistently raised against any such automatic purpose or prospectus.

You say the theory of the resolution was "to force Japan to retreat from China." Any such "theory" is denied by the text of the resolution itself which sought two things: (1) the formulation of a new treaty; (2) the protection of American interests "as new necessities may require." Whatever our sympathies may be, and whatever our sense of deep outrage over the conquest of China, our official responsibility, as a matter of foreign policy, is not "to force Japan to retreat from China"; it is to protect American interests. And that was the stated purpose of my resolution.

You say that the resolution, as interpreted by you, "is a frontal challenge to a great power," and must be viewed with this seriousness. I say that the resolution, as interpreted by itself, was a serious effort to avoid any necessity of challenge that might lead to war. I repeat it was the alternative to a one-sided embargo which, then and now, would be "a frontal challenge to a great power."

The purpose of the author of the resolution may be inconsequential. But in view of the importance which you inexplicably attribute to the authorship, it may help to "keep the record straight" to quote from a letter which I wrote Secretary of State Hull on August 7, 1939:

"I do not need to tell you that I have a particularly intimate interest in developments that follow your notice to Japan—regarding the abrogation of the Treaty of 1911—following as it did a resolution to this effect which I presented in the Senate. You are, of course, in no sense obligated to observe the text of my Senate resolution which preceded your action. But I take the liberty of pointing out that the resolution asserted the desirability of this abrogation for the purpose of enacting a new treaty with Japan in the light of 1939 realities.

"I want to take the liberty of making it plain that my own theory of abrogation is definitely predicated upon earnest efforts to agree upon a new engagement. I do not need to tell you that I would not be interested in a mere arbitrary prelude to a subsequent one-sided embargo. If such an embargo ultimately becomes indispensable to the adequate protection of legitimate American interests and rights in the Far East, and if the American people are ever deliberately and consciously ready to take what might thus be the first step toward war itself, we can meet that situation when the issue is unavoidably precipitated. I am writing this letter simply to state my own conviction that any such sinister step is not 'unavoidably necessary' unless and until we have exhausted every pacific recourse. Therefore, it is my prayerful hope that our own Government may promptly indicate to the Government of Japan that we are prepared and anxious to negotiate a new treaty of commerce and amity between the United States and Japan for the purpose of resolving—if possible—any controversy between us affecting American interests. It seems to me that Japan's response to a good-faith effort of this character on the part of the United States will authentically determine whether Japan is prepared to deal justly with us in the perpetuation of mutually friendly and helpful relationships. Holding this view, I shall greatly appreciate it if I may be kept advised from time to time regarding any developments along these lines which I may appropriately be permitted to know about."

I have repeated these sentiments several times in subsequent letters to the State Department. They concede that your interpretation of my resolution could be made. I freely concede that it has been made. But I resist the conclusion that it must be made. The purpose of the resolution was not to precipitate an embargo; it was to avoid an embargo—to avoid it through the realistic negotiation of a new commercial and political treaty with Japan which should amicably settle the question of American rights in Japan and China. I continue to believe this is possible if Japan takes adequate cognizance of our legitimate interests and if we recognize that the Far East of 1940 is not the Far East of 1911. I continue to believe that a rational agreement is possible unless statemanship is bankrupt at one end of the line or the other. I continue to oppose—except as a last resort—any one-sided embargo against Japan which in truth would be "the longest step on the road to war since 1915." This is not an expression of fear. It is an expression of prudence. It is not remotely a surrender to Japan. It is a surrender to common sense—but, of course, the surrender must be reciprocal. We may come to an embargo—and Japan is ill advised if it ignores this hazard. But we have not reached "the last resort" until we have exhausted every reasonable effort to write a new treaty as proposed by the Vandenberg resolution of July 18, 1939.

Now I come to the second part of your discussion—namely, the resolution's call for the submission of the question of Japan's violations of the Nine Power Pact to a renewed meeting of the Brussels Conference of 1937 which was then and still is in impotent recess.

You say "this was a remarkable proposal." If it was "remarkable," then the Nine Power Pact was "remarkable," because this was the precise procedure written into the pact itself for dealing with violations of the pact.

You say that by this proposal I invited Great Britain and France to join in "judging Japan." I did nothing of the sort. I invited the nine powers involved in the pact to read their own pact and to do what their own pact required under such circumstances. It is well, once more, to remember the alternative which was then urged—namely, that the United States should police the Nine Power Pact solely and alone upon its own responsibility. I was opposed to any such policing then and I am opposed to it now. If it is policed, it should be policed by all concerned and in the fashion which the Nine Power Pact itself prescribes. That is what the Brussels Conference was—and still is—for.

You say that while I was thus "calling upon European powers for help," I was supporting an arms embargo which would impair their ability to help. I was not "calling for help." I was "calling" for a recognition of all and not just part of the Nine Power Pact. It has nothing to do with the arms embargo—unless the inference is that we must not expect these European powers to abide by their engagements unless we arm them to do it. I reject any such hypothesis.

You further labor this arms embargo issue by gratuitously adding that, because I favored the arms embargo, I was "telling the people here that it made no vital difference to them if the Allies were defeated in Europe." I told them nothing of the sort. I told them that they must be neutral in their public policies and that they must keep out of this war themselves because it would make a vital difference to them if they drifted into a war from which they probably would come in political and fiscal bankruptcy despite their victory. I have never said the outcome in Europe makes no difference to us. It does make a tremendous difference. My feelings are well known and unequivocal. But it makes a still greater difference, in my humble opinion, if we are drawn into war—and I propose to continue to combat that hazard to the last honorable limit.

I beg your indulgence for this long analysis. It could not be shorter and parallel your own discussion. I am sure you will understand that I am writing in no spirit of complaint. I am sure you know my great respect for your opinions. But since you have assigned me to a place of such undue prominence in our far-eastern policies, I have felt it incumbent upon me to point out, chapter and verse, wherein I deeply dissent from some of your comments and conclusions.

With warm personal regards and best wishes,

Cordially and faithfully,

(Signed) ARTHUR H. VANDENBERG.

Mr. SCHWELLENBACH. Mr. President, I should like to say that while I probably disagree with the Senator from Michigan upon the general question involved, in view of the background behind the resolution submitted by the Senator from Michigan, I felt, in reading the article by Mr. Lippmann the other morning, that it was extremely unfair to the Senator from Michigan and completely misstated the actual facts, probably without any intention upon Mr. Lippmann's part.

Mr. VANDENBERG. I thank the Senator for his observation.

CENSUS QUESTIONNAIRES

Mr. TOBEY. Mr. President, I desire at this time to take 4 or 5 minutes to read a letter to a department head in the form of a petition. The letter is addressed to Hon. Harry L. Hopkins, Secretary of Commerce, and is as follows:

HON. HARRY L. HOPKINS,
Secretary of Commerce,
Washington, D. C.

JANUARY 31, 1940.

DEAR MR. SECRETARY: My attention has been called to the questionnaires which have been prepared by the Bureau of the Census, both for the population schedule and the census of housing, and I cannot reconcile some of the questions which will be asked of the householders of this country with the natural right of privacy of the individual and further with the authority granted by law.

In addition, in the light of evidence found by the Sheppard Investigating Committee in the matter of the W. P. A. scandal, I feel that there is real danger to our individual citizens in forcing them under threat of a penalty of imprisonment to divulge to the politically appointed individuals who are seeking this information facts concerning the individual citizens' financial indebtedness.

In the first place, it is noted that each individual called upon by the census takers will be forced, under threat of penalty of fine and imprisonment, to answer more than 80 questions, this ordeal alone being sufficient to give the normal housewife at least a slight suggestion of a headache. In the Sheppard report of the committee investigation into the W. P. A. scandal the official W. P. A. records were not kept in confidence; but in the State of Kentucky, for example, lists of all W. P. A. workers were copied from the official records in forms with a column left for "remarks." These forms were mimeographed on official W. P. A. stationery and copies handed to the W. P. A. foremen to have them filled out with the political affiliation of the relief worker and whether or not, in the

opinion of the foreman, the person so checked was favorable to the candidacy of the Democratic incumbent who was running for reelection. In many instances it was found that men not in favor of this candidate were discharged and denied relief.

Referring to the 1940 census, there has been inserted in the CONGRESSIONAL RECORD a copy of a letter addressed by a Member of the Senate to an applicant for census work, which stated that the applicant should secure the endorsement of her Democratic ward and precinct committeeman indicating that the census takers who call from door to door will be members of one political party and, in most cases, loyal party workers. I understand that those who call from door to door will be local residents of the community. Therefore, it will be most embarrassing to the individual, and a severe hardship, to require him, as you do, under the questionnaire, to tell his neighbor, who is taking the census, what salary he is receiving and whether he has received income of \$50 or more from sources other than money, wages, or salary.

In view of the W. P. A. scandal, there are grounds for being apprehensive lest these politically appointed census takers reveal this information to their political bosses and lest the political bosses take political advantage of the financial plight of the individual citizen. Further ground for this apprehension is based upon the fact that the owner of a private home is required, under the terms of the questionnaire, to reveal to his politically appointed neighbor, whether or not his home is mortgaged, and, if so, the amount of the mortgage, how regularly he is making payments on his mortgage, and whether the mortgage is held by an individual or business concern.

I am advised that the National Census of Housing Act of 1939 incorporates the provisions of the National Census Act of June 18, 1929. The latter act stipulates that the census "shall be restricted to inquiries relating to population, to agriculture, to irrigation, to drainage, to distribution, to employment, and to mines." The scope of these inquiries was enlarged in the National Census of Housing Act of 1939 to include "information concerning number, characteristics (including utilities and equipment) and geographical distribution of dwelling structures and dwelling units in the United States." The restriction placed by Congress on the inquiries would seem in all reason to call for an application of the universally accepted maxim, "Expressio unius est exclusio alterius."

Is it not rather anomalous that in this enlightened age, when the right to privacy in the individual has made such great strides, that the Government should step in and put a halt to that progress? This innate love of freedom in the individual is not the only deterrent in refusals to answer questions of this kind. The individual is entitled to a certain amount of self-respect. Why should he be compelled to divulge the amount of his income to political appointees who may reside in his neighborhood, who may be his next-door neighbor, in fact, or even an enemy. He is justifiably loath to furnishing such information to any Tom, Dick, and Harry who has been given, by a political boss, the privilege to intrude. Besides the convictions which have been inculcated in him, besides his self-respect, which is commendable, he may have an additional cause for refusing to answer some of these questions.

Would anyone be willing to say that his feeling that such evidence might be used against him by certain interested parties was altogether unwarranted?

Were I told that such a method of compulsion was used to elicit private information in Soviet Russia or in Germany prior to, and to facilitate, the inauguration of dictators in those countries, I would not be at all surprised. In this day of impermanence in governments, in this age of "social planning," when disastrous inroads in the liberties of the individual are perpetrated in the name of greater efficiency, a questionnaire of this kind is, to say the least, untimely. Such a departure from precedent under the guise of social planning reminds one of Professor Tugwell's words: "We begin with small unnoticed changes and end by not being able to resist vast and spectacular ones."

To compel a citizen of the United States to furnish facts about his private affairs, as above referred to, is a policy which endangers the rights of the individual and, under the restrictions placed by the Congress, it appears to me to be entirely unjustified.

I, therefore, am writing to ask that you advise me as to the disposition of the Department in this matter in light of the objections which I have raised.

Very truly yours,

CHAS. W. TOBEY.

Mr. President, I now exhibit to the Senate 1 of the sheets to be used by census enumerators. The sheet embodies 50 questions and is almost large enough to use as a blanket for a baby. With it also is the housing questionnaire, containing 31 additional questions, so there is a grand total of 81 questions. There is not a census enumerator, no matter how skilled he may be, who can go to a housewife and propound those questions and get satisfactory answers in less than an hour or an hour and a half. And for that we are paying \$8,000,000.

Mr. President, I decry the Federal Government seeking to pry into the affairs of individuals in this great inquisitorial and snooping campaign. Common sense and true Americanism rise up and cry, "Hold, enough!"

[Manifestations of applause in the galleries.]

The VICE PRESIDENT. The Chair expresses the hope that the occupants of the galleries will observe the rules of the Senate.

Mr. TOBEY. Mr. President, I ask that the questions appearing on these questionnaires be printed in the RECORD at this point.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

Location:

1. Street, avenue, road, etc.
2. House number (in cities and towns).

Household data:

3. Number of household in order of visitation.
4. Home owned (O) or rented (R).
5. Value of home, if owned, or monthly rental, if rented.
6. Does this household live on a farm? (Yes or no.)

Name:

7. Name of each person whose usual place of residence on April 1, 1940, was in this household.

Be sure to include: 1. Persons temporarily absent from household. Write "Ab" after names of such persons.
2. Children under 1 year of age. Write "Infant" if child has not been given a first name. Enter X after name of person furnishing information.

Relation:

8. Relationship of this person to the head of the household, as wife, daughter, father, mother-in-law, grandson, lodger, lodger's wife, servant, hired hand, etc.

Personal description:

9. Sex—Male (M), female (F).
10. Color or race.
11. Age at last birthday.
12. Marital status—Single (S), married (M), widowed (Wd), divorced (D).

Education:

13. Attended school or college any time since March 1, 1940? (Yes or no.)
14. Highest grade of school completed.

Place of birth:

15. If born in the United States, give State, Territory, or possession.
If foreign-born, give country in which birthplace was situated on January 1, 1937.
Distinguish Canada-French from Canada-English and Irish Free State (Eire) from Northern Ireland.

Citizenship:

16. Citizenship of the foreign-born.

Residence, April 1, 1935:

In what place did this person live on April 1, 1935?

For a person who, on April 1, 1935, was living in the same house as at present, enter in column 17, "Same house," and for one living in a different house but in the same city or town, enter "Same place," leaving columns 18, 19, and 20 blank in both instances.

For a person who lived in a different place, enter city or town, county, and State, as directed in the instructions. (Enter actual place of residence, which may differ from mail address.)

17. City, town, or village having 2,500 or more inhabitants.

Enter "R" for all other places.

18. County.

19. State (or Territory or foreign country).

20. On a farm? (Yes or no.)

Persons 14 years old and over—employment status:

21. Was this person at work for pay or profit in private or nonemergency Government work during week of March 24-30? (Yes or no.)

22. If not, was he at work on, or assigned to, public emergency work (W. P. A., N. Y. A., C. C. C., etc.) during week of March 24-30? (Yes or no.)

If neither at work nor assigned to public emergency work. ("No" in columns 21 and 22.)

23. Was this person seeking work? (Yes or no.)

24. If not seeking work, did he have a job, business, etc.? (Yes or no.)

For persons answering "No" to questions 21, 22, 23, and 24.

25. Indicate whether engaged in home housework (H), in school (S), unable to work (U), or other (Ot).

If at private or nonemergency Government work. ("Yes" in column 21.)

26. Number of hours worked during week of March 24-30, 1940.

If seeking work or assigned to public emergency work. ("Yes" in column 22 or 23.)

27. Duration of unemployment up to March 30, 1940—in weeks.

Occupation, industry, and class of worker:

For a person at work, assigned to public emergency work, or with a job ("Yes" in column 21, 22, or 24), enter present occupation, industry, and class of worker.

For a person seeking work ("Yes" in column 23): (a) If he has previous work experience, enter last occupation, industry,

and class of worker; or (b) if he does not have previous work experience, enter "New worker" in column 28, and leave columns 29 and 30 blank.

28. Occupation: Trade, profession, or particular kind of work, as frame spinner, salesman, laborer, rivet heater, music teacher.

29. Industry: Industry or business, as cotton mill, retail grocery, farm, shipyard, public school.

30. Class of worker.

31. Number of weeks worked in 1939 (equivalent full-time weeks).

Income in 1939 (12 months ending December 31, 1939):

32. Amount of money, wages, or salary received (including commissions).

33. Did this person receive income of \$50 or more from sources other than money, wages, or salary? (Yes or no.)

34. Number of farm schedule.

SUPPLEMENTARY QUESTIONS FOR PERSONS ENUMERATED ON LINES 55 AND 68

35. Name.

For persons of all ages:

Place of birth of father and mother:

If born in the United States, give State, Territory, or possession. If foreign-born, give country in which birthplace was situated on January 1, 1937. Distinguish Canada-French from Canada-English and Irish Free State (Eire) from Northern Ireland.

36. Father.

37. Mother.

Mother tongue (or native language):

38. Language spoken in home in earliest childhood.

Veterans:

Is this person a veteran of the United States military forces; or the wife, widow, or under-18-year-old child of a veteran?

39. If so, enter "Yes."

40. If child, is veteran-father dead? (Yes or No.)

41. War or military service.

For persons 14 years old and over:

Social security:

42. Does this person have a Federal social-security number? (Yes or No.)

43. Were deductions for Federal old-age insurance or railroad retirement made from this person's wages or salary in 1939? (Yes or No.)

44. If so, were deductions made from (1) all, (2) one-half or more, (3) part, but less than half, of wages or salary?

Usual occupation, industry, and class of worker:

Enter that occupation which the person regards as his usual occupation and at which he is physically able to work. If the person is unable to determine this, enter that occupation at which he has worked longest during the past 10 years and at which he is physically able to work. Enter also usual industry and usual class of worker.

For a person without previous work experience, enter "None" in column 45 and leave columns 46 and 47 blank.

45. Usual occupation.

46. Usual industry.

47. Usual class of worker.

For all women who are or have been married:

48. Has this woman been married more than once? (Yes or No.)

49. Age at first marriage.

50. Number of children ever born. (Do not include stillbirths.)

Census of housing, 1940; preliminary list of inquiries

Characteristics of structure in which dwelling unit is located:

- A. Type of structure: One-family detached, one-family attached, two-family side-by-side, other two-family, three-or-more-family structures, and structures with business by number of dwelling units.

- B. Structure originally built as: Residential structure with same number of dwelling units, with different number of dwelling units; nonresidential structure.

- C. Exterior material: Wood, brick, stucco, other.

- D. Is this structure in need of major repairs? (Yes or no.)

- E. Year structure was originally built.

- F. Located on a farm? (Yes or no.)

Characteristics of dwelling unit:

- G. Number of rooms.

- H. Water supply: In dwelling unit—running water, hand pump; within 50 feet of dwelling unit—running water, other.

- I. Toilet facilities: In structure—flush toilet for exclusive use, shared flush toilet, other; outside toilet or privy.

- J. Bathtub or shower with running water in structure: For exclusive use; shared with other households.

- K. Lighting equipment: Electric, gas, kerosene, or gasoline, other.

- L. Estimated rental value of owner-occupied or vacant non-farm dwelling.

- M. Occupancy status of vacant dwelling: For sale or rent—ordinary dwelling, seasonal dwelling; held for absent household—ordinary dwelling, seasonal dwelling.

Characteristics of occupied dwelling unit:

- N. Home tenure: Owned, rented.
- O. Color or race of head of household.
- P. Total number of persons in household.
- Q. Refrigeration equipment: Mechanical, ice, other.
- R. Is there a radio in this dwelling? (Yes or no.)
- S. Heating equipment: Central steam or hot water, piped warm air, pipeless warm air, heating stove.
- T. Fuel for heating: Gas, coal or coke, wood, fuel oil, kerosene or gasoline, other.
- U. Fuel for cooking: Electricity, gas, coal or coke, wood, kerosene or gasoline, other.
- V. Monthly rental of renter-occupied dwelling.
- W. Rental value without furniture of renter-occupied nonfarm dwelling with use of furniture included in rent.
- X. Cost of utilities and fuel paid for by nonfarm renter in addition to monthly rental.
- Y. Value of owner-occupied home.
- Z. If owner-occupied nonfarm, is property mortgaged? (Yes or no.)

Mortgage characteristics of owner-occupied nonfarm 1- to 4-family structure:

- Aa. Present amount of outstanding indebtedness on first mortgage or land contract; on junior liens.
- Bb. Frequency and amount of regular payments on first mortgage or land contract.
- Cc. Do these regular payments include principal reduction? (Yes or no.) Real-estate taxes? (Yes or no.)
- Dd. Interest rate on first mortgage or land contract.
- Ee. Type of holder of first mortgage or land contract: Building and loan association, commercial bank, savings bank, life-insurance company, mortgage company, H. O. L. C., individual, other.

INVESTIGATION RELATIVE TO WIRE TAPPING AND LISTENING DEVICES

Mr. GREEN. Mr. President, I am today submitting a resolution directing the Committee on Interstate Commerce of the Senate to make a full and complete investigation of communication services so far as they relate to wire tapping.

It seems proper for me to make a short statement as to why I have presented today this resolution directing the Senate Committee on Interstate Commerce to make an investigation of communication services so far as they relate to wire tapping, or the use of dictographs, and to report its finding to the Senate with its recommendation for the enactment of any remedial legislation it may deem necessary. I am doing this at this time because of the activities of a detective agency in New York State which has sent into Rhode Island, eastern Massachusetts, and Pennsylvania, and perhaps elsewhere, its agents to tap the wires of elected public officials and private citizens holding responsible positions in the political and business world.

Within the last 3 months it has been ascertained that the telephone wires leading to the home of the mayor of one of the largest cities in my State have been tapped, and also the wires leading to the home and to the State office and to the private law office of the attorney general of Rhode Island. These detectives have, it is reported, traveled back and forth between New York and these other places, living lavishly at hotels and in private homes while working at this business, and some of them are former Federal Government employees who were discharged from the agencies for which they formerly worked. One of them has stated that he was a member of the United States Naval Intelligence while he was working in Rhode Island.

I am informed that besides tapping wires these agents have preyed upon responsible businessmen. In one case, I understand, they assured a citizen of my State that his application for a broadcasting license could be obtained from the Federal Communications Commission for a consideration. This matter has been brought to the attention of the Commission.

I am also informed that the Department of Justice is at the present time investigating their activities, and that the United States district attorney in Rhode Island will soon present his case to the Federal grand jury.

The scandal has been widespread and has attracted much attention. A special assistant to the attorney general of my State, who, it is reported, was recommended to the attorney general by the Governor of Rhode Island, has been discharged from his office by the attorney general because he refused to inform his superior of his transactions with this detective agency.

The United States district attorney of Rhode Island has stated that the tapping of a telephone line, even in intrastate communications, is a violation of section 605 of the Federal Communications Act, provided the substance, purport, or contents of the intercepted message are made known to any person not authorized by the sender to receive the information; also that section 601 provides a penalty for such interception and divulgence, and that whether or not the substance, purport, or contents of such a message were made known, it would be a criminal offense, under the laws of the United States, for two or more persons to conspire together to tap telephone lines, intending to use the information thus obtained.

Gov. Herbert H. Lehman, of New York, in his eighth annual message to the legislature of that State, on January 3 of this year, dwelt upon wire tapping, and his reference to it is as follows:

RIGHT OF PRIVACY

A short while ago the Supreme Court of the United States repeated that wire tapping is dirty business. Particularly at this juncture in history have we reason to be keenly grateful for this decision. I for one greet with profound satisfaction the reaffirmation of the principle that a citizen's privacy in a democracy is sacred and must not be invaded without just cause.

I believe that democratic government cannot with either propriety or safety infringe its own basic law. I fought for that principle during the constitutional convention and at the last session. I shall go on fighting for it.

Law enforcement is, of course, a serious duty. But we defeat the desired end if we do not insist that our tools of law enforcement be used honestly, fairly, and without oppression.

Surely this is not a question on which Republican Party leaders should continue to differ with Democratic Party leaders. This is a simple and fundamental question. We should all agree upon preserving the sanctity of our Bill of Rights. You and I can all appreciate that faith in democracy is bound to be impaired if solemn constitutional guaranties are lightly repudiated.

It is my strong conviction that we should by law prohibit the use of evidence stealthily obtained in direct violation of the Constitution. Penalties should be provided for those who ruthlessly invade a citizen's privacy either by improper wire tapping or unlawful searches and seizures. Any other course, as the United States Supreme Court recently said, is "inconsistent with ethical standards and destructive of personal liberty."

What Governor Lehman has said to the Legislature of New York might well be said to the legislatures of other States.

The people not only of the States I have named, but of the country at large, are interested in knowing whether or not public or private funds were used and furnished this detective agency or other agencies to send investigators to the different States to interrupt and tap the communication services of elected public officials. I believe the public is also interested in having Congress pass laws which would prevent persons traveling in intrastate commerce for the purpose of violating any Federal law, including that of wire tapping.

I feel confident that a committee investigating along the lines set forth in this resolution will recommend legislation which will outlaw wire tapping and other despicable practices of this kind.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. MINTON. Does the Senator know for whom this detective agency is acting?

Mr. GREEN. I cannot say that I know, but I have very good reason to suspect for whom it is acting.

Mr. MINTON. Would the Senator feel like telling us?

Mr. GREEN. No; I think it inadvisable to name any names.

Mr. MINTON. It would not be connected with any political organization, would it?

Mr. GREEN. It might be.

Mr. MINTON. Of course, if it were, in the spirit of the junior Senator from New Hampshire, I say, "Hold! Enough!"

The resolution (S. Res. 224, submitted by Mr. GREEN) was read and referred to the Committee on Interstate Commerce, as follows:

Resolved, That the Committee on Interstate Commerce is authorized and directed to make a full and complete investigation of alleged instances of (1) interception, by means of wire tapping or otherwise, of wire communications to or from officials and employees of the Federal, State, and local governments, and (2) installation of dictographs or similar devices for the purpose of

listening to or recording conversations participated in by such officials and employees. The committee shall report to the Senate as soon as practicable the results of its investigation, together with its recommendation for the enactment of any remedial legislation it may deem necessary.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-sixth and succeeding Congresses, to employ and to call upon the executive departments for clerical and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed \$15,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

THE CALENDAR

The PRESIDING OFFICER (Mr. O'MAHONEY in the chair). Routine morning business is concluded. The calendar under rule VIII is now in order.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the Senate proceed to consider unobjectioned-to bills on the calendar, beginning with the number following the final measure considered on the last call.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky?

Mr. McNARY. Mr. President, I favor that procedure. Since the request is made for the purpose of getting the matter before the Senate, I have no objection.

The PRESIDING OFFICER. Without objection, the Senate will consider measures on the calendar beginning with order of business No. 1197, House bill 6124.

THE GOVERNMENT'S GOLD AND SILVER PURCHASING POLICY

Mr. TOWNSEND. Mr. President, I desire to occupy just a few moments of the time of the Senate, and I request that I may make my remarks without interruption.

Since last the Senate met, the newspapers have been carrying stories emanating from the Treasury and criticizing the speech on gold and silver which I delivered before the Del-Mar-Va Press Association on January 27.

Senators can get an idea of the nature of the Treasury's criticism of my speech from the newspaper headlines. Let me read a couple of them.

On January 30 the New York Times carried a Washington dispatch headed:

Morgenthau Denies Aid to Russia on Gold—Senator TOWNSEND's Charge Is Ridiculous, Secretary Says.

In presenting the Associated Press account of Mr. Morgenthau's criticism of my speech, the Washington Evening Star on January 30 carried a headline reading:

Morgenthau Answers Gold Purchase Critic.

Specifically, the Associated Press reporter wrote, in part, as follows:

Asked at his press conference whether the Treasury might discriminate against some gold sources in the future, the Secretary said:

"I doubt it."

He added he had never been able to get accurate figures of Russian gold production, but said it was ridiculous to assume that all of the Russian production was sold to the United States.

The New York Times reporter in his January 29 dispatch from Washington referred to the Secretary of the Treasury's statement, in part, as follows:

WASHINGTON, January 29.—Secretary of the Treasury Henry Morgenthau, Jr., said today it was ridiculous to say that the Treasury had been aiding Soviet Russia by purchasing Soviet gold.

The Washington Times-Herald of the same day, January 30, in a story by John Fisher, similarly quoted the Secretary directly as saying that my statement on Russian gold was ridiculous.

These are just sample excerpts from a statement which the Secretary gave out to all the country. "Ridiculous" is his word.

The Treasury is a great and powerful arm of the Government. Its head is one of the most important officials of this

Nation of more than 130,000,000 souls. The newspapers and press associations rightly assign able reporters to cover what is done and said at the Treasury. When the Secretary speaks to his assembled press conference he is at great advantage, since the entire country is eagerly listening to catch his every word. He is a most influential man. He should, therefore, be careful of what he says. The country assumes that he is.

I was not present at the Secretary's press conference. I did not personally hear his remarks. But I have sufficient confidence in the newspaper reporters who cover the Treasury to believe that they accurately conveyed to their readers the impression which the head of the Treasury wished conveyed concerning my speech on this country's present gold and silver policies.

Moreover, Mr. President, I should like to call attention to the fact that on January 31 the newspapers again quoted Secretary Morgenthau in a new statement in which he again ridiculed my gold-and-silver speech of January 27.

Not content with his quoted remarks of January 29, he "supplemented his criticism," to adopt the expression which was used by the New York Times in reporting the event.

The Secretary does honor indeed when he devotes so much attention to what he has described as a "ridiculous" statement.

Mr. President, exactly what was it that I said which brought forth such an irritated epithet as "ridiculous" from the eminent Secretary? And just what does the Secretary say are the facts of the matter?

First, my statement—what I said was this:

All of us here know that this country during recent years has received vast amounts of foreign bullion, for which foreigners have received billions of dollars in exchange. This situation, without question, has constituted a tremendous boon to the outside world. * * *

Certainly there is a queer inconsistency between our ardent desire to give embattled Finland every possible assistance and our continuous purchase of any or all gold mined in Russia, which is now the world's second largest gold-producing country. Since Russia mines about \$175,000,000 of gold a year, our policy helps Russia many times as much as we have been able to help Finland. Surely our purchasing of gold and silver from Japan is not harmonious with our \$25,000,000 loan to China or with our Japanese policy. Something is definitely screwy about such careless philanthropy.

This is only a quotation. My full speech will be found in the Appendix of the CONGRESSIONAL RECORD, pages 387 to 389.

What does the Secretary say? Let me read from the Associated Press account, as given in the Evening Star of this city:

Replying to a criticism by Senator TOWNSEND, Republican, of Delaware, against Treasury purchases of Russian gold, Secretary Morgenthau said yesterday the Treasury's policy was to buy whatever gold was offered at the fixed price of \$35 per ounce, regardless of source.

The Washington Times-Herald of January 30 reported:

There is not likely to be any discrimination against purchases of gold from Russia and Japan, Secretary of the Treasury Morgenthau indicated yesterday.

He said that there has been no discrimination in the past in the administration's gold-purchase program and doubted whether there would be in the future.

Criticism has mounted in Congress against the administration's purchase of Russian gold while at the same time pretending to be aiding Finland. Also, Morgenthau had hinted last July that the administration could take retaliatory action against Japan by refusing to buy Japanese gold and silver.

Mr. President, unless I am quite unfamiliar with the English language, what the Secretary says about our willingness to buy foreign gold regardless of origin, and what I said in my speech, are identical.

In my speech I did not say that the benefits which Russia, as one of the outstanding world gold-producing countries, receives as a result of our policy of buying all the world's gold at \$35 an ounce comes from the delivery of the Russian gold in the form of Russian bars to our Treasury. I cited the undeniable fact that we cannot buy up two or three times the world's gold and silver production, as we have been doing, without benefiting all foreign producers and all foreign sellers.

Imagine the situation in Washington if the Government should go out and lease 95 percent of all the apartment houses

here. Can anyone be expected to believe that such a situation would not confer great benefit and advantage on the owners of the remaining 5 percent of apartment houses?

Let me quote, Mr. President, from the Secretary's second broadside at my speech, the one carried in the press of January 31. I shall quote from the report carried in the New York Times of January 31. It reads in part:

WASHINGTON, January 30.—The United States Treasury bought no gold from Russia in 1939, Secretary Morgenthau said today.

Supplementing his criticism of Senator TOWNSEND's intimation that the Treasury might have bought the entire Russian gold output, which he estimated at \$176,000,000 since passage of the Gold Reserve Act, the Secretary answered inquiries today with details of recent imports of gold from Russia.

Although there were no imports of gold from Russia last year, the Secretary said that in the last 6 months of 1939 the assay office in New York received two deposits of gold bars worth \$10,500,000 bearing a Russian stamp, but which were shipped from countries other than Russia. He said no Russian bars had been bought by the Treasury so far this year.

Note, incidentally, that I have been misquoted in the statement from which I have just read. That statement attributes to me the estimate of Russia's gold production as "\$176,000,000 since passage of the Gold Reserve Act." This is a great understatement of what I said in my January 27 speech. What I then said was that Russia produces "about \$175,000,000 of gold a year"—that is, in 1 year. If we took the entire 6 years since passage of the Gold Reserve Act, the estimate would have to be several times as large.

I am very much afraid the able Secretary of the Treasury is trying to take our eye off the ball when he tells us that in 1939 the assay office received only two deposits of gold bars bearing a Russian stamp. Were such a statement given out by anyone other than the respected Secretary of the Treasury I should suspect that he was trying to quibble or joke.

Since the assay office sees so little Russian gold "bearing a Russian stamp," let me read at this point a brief and very informative United Press dispatch which appeared in the Washington Times-Herald of October 24, 1939, under the heading "Huge Buying by Soviet Seen":

LONDON, October 24 (Tuesday).—Informed quarters said today that 17½ tons of Soviet gold to be used for the purchase of goods in the United States had been shipped across Germany and is now on deposit in Netherlands banks. The outbreak of the war made it difficult for British firms to fill previously placed large orders from Russia for machinery, tools, and other manufactured products. It was believed that the Russians were seeking to make such purchases in the United States.

The United Press, which sent this dispatch, is not a branch of the Government. It is not official. It is not infallible. Perhaps it was misled in some respect in sending such a story to this country. I am not vouching for the facts in the United Press dispatch. For all I know, someone may call it ridiculous; but, as for me, I have sufficient sense to know that Russian gold can be melted in any of a dozen countries and sent here for sale, and there will be no Russian stamp on the bars.

So let us take some official figures. From page 253 of the December 1938 issue of the British Government's official Accounts Relating to Trade and Navigation of the United Kingdom, which country in 1939 supplied about two-thirds of our gold imports, I learn that the United Kingdom received from Russia gold valued at £40,367,787 sterling in 1937 and £23,326,365 sterling in 1938. Since the United Kingdom in turn sent to us very much more gold than it imported from the U. S. S. R., does it take the Secret Service to discover what became of the Russian gold?

If the Treasury's Secret Service wants any further information on this matter, I can tell them—confidentially, of course—that it is published each month in the Federal Reserve Bulletin.

I am only a small country banker, Mr. President, but I hope I am smart enough to know that when the entire outside world produces in 1 year gold which it sells for about \$1,000,000,000, and when in that same year our gold policy forces us to absorb from abroad more than \$3,000,000,000 of the metal, then every producing country is helped, aided, and subsidized by our policy.

Perhaps that will be described as ridiculous.

There is another point wherein the newspaper reporters who cover the Treasury Department seem to have obtained the impression that the Secretary of the Treasury was casting aspersions on my speech. The desired effect of these numerous stories broadcast to the press of the land seems to be to make it look as though I do not know what I am talking about.

Let me quote once again from the same newspapers. Said the Associated Press in its January 30 dispatch:

He—

The Secretary of the Treasury—

added he had never been able to get accurate figures of Russian gold production.

Hundreds of newspapers must have received that sad news.

And in New York the 532,058 readers of the New York Times, to name merely one lone newspaper, on January 31 were enabled to read the following in the dispatch which their correspondent at the Treasury sent them:

The Secretary declared yesterday that he had tried unsuccessfully ever since he had been in office to obtain accurate figures on Soviet production of gold. Even the Bank for International Settlements, it was recalled, could obtain nothing but rough approximations from Russia to include in its annual report of world production of gold.

Mr. President, the Secretary of the Treasury on December 13, 1939, reported to the House Appropriations Committee—hearings, page 10—that he has a research staff of 66 persons, which he has built up during the past few years. And he has 64 other assistants assigned to the Secretary's office. Congress has liberally provided him with able and expensive helpers and researchers. Yet the Secretary of the Treasury "ever since he has been in office" does not know where to look for information on Russia's gold production. And, I presume, his research staff is equally helpless in the matter, since he does not have the information.

Well, Mr. President, since I have no expensive research staff, being only a country banker, I do not go to the Bank for International Settlements hunting for information. I admit I may be old-fashioned, but I am willing to use as my source an annual publication which has for years enjoyed the respect of researchers.

I have here a copy of a little black book [exhibiting] which comes out of the Government Printing Office, and which, let it be noted, is published in the Treasury itself.

I refer to the annual report of the Director of the Mint, the issue of 1939. It is called Treasury Department Document No. 3103, and on page 14 carries the printed signature of Hon. Henry Morgenthau, Jr., Secretary of the Treasury.

It must be that he has never seen it. So I wish to call the Secretary's attention to page 103 of that well-known report, giving statistics on Russia's gold production in the calendar year 1938, ridiculous as it may appear.

In my speech which the Secretary criticizes I stated Russia's gold production to be \$175,000,000. Being only a country banker, I was perhaps too inexact in my remarks of January 27.

What does the mint report say about Russia's gold production? It makes no reference to the Bank for International Settlements. It says nothing about the difficulties which have confronted the Secretary of the Treasury in finding information since he assumed his present office some years ago. It simply gives the figures.

In 1938, says our Mint Bureau, Russia produced 5,235,909 ounces of gold, and at our price of \$35 an ounce the mint calculates its value at \$183,256,815—not \$175,000,000; not \$183,000,000 but \$183,256,815.

Russia benefits much more from our gold policy than my January 27 speech indicated. I greatly understated the case.

Mr. President, am I not ridiculous?

Or is it the mint which is ridiculous? Is it perhaps the Bureau of the Mint which erred in reporting Russia's gold production, when the able Director of the Mint, Mrs. Nellie Tayloe Ross, had only to walk down the hall to learn from

the Secretary of the Treasury himself that "there ain't no such animal"?

Mr. President, I am really glad that the Secretary of the Treasury has had his attention called to the gold and silver problem of this country by the reporters who cover the Treasury. For I say to him and to you, when the United States holds the largest stocks of gold and silver ever accumulated by any government in the history of mankind and keeps on buying them at high and artificial prices, then that is ridiculous.

When we have a law requiring the purchase of foreign silver with absolutely no determinable end to the purchases, when 40 percent of the huge New Deal silver purchases is at present held idle in the Treasury because there is absolutely no need for it, then that is ridiculous.

When the price of silver is dropping and no one wants the metal and our Treasury steps in and pegs the market, as it did last summer and on numerous other occasions, thereby forcing itself to pay more for foreign silver than the metal can be had for, then that is ridiculous.

When no other country will buy the flood of gold and silver, and we alone stand dumbly in the breach and pay good American dollars for it all, then that is ridiculous.

When the Secretary of the Treasury, as manager of the stabilization fund, sells silver to himself as manager of the general fund, marks up the price in the process, and then announces that the stabilization fund has made a profit, that is ridiculous.

When we have more than \$5,500,000,000 of excess reserves and the Federal Reserve System is powerless, as it tells us, to prevent a wild inflation, and yet we keep on adding to those excess reserves by purchasing unwanted foreign gold and silver at fancy prices, then that is ridiculous.

When, according to Treasury statistics, more than 32,000 ocean vessels and more than 1,600,000 freight cars cannot carry away enough real American wealth to pay for a single year's purchases of unneeded and unresalable foreign gold and silver, then that is ridiculous.

Mr. President, I could go on almost indefinitely citing the ridiculous features of our present gold and silver policies. Senators who are interested in more of these facts may find them in my speech printed in the CONGRESSIONAL RECORD of January 29, 1940, on pages 1191 to 1193, and in the Banking and Currency Committee's hearings last year on my bill, S. 785, to repeal the Silver Purchase Act of 1934.

I assure the Senate that the present gold and silver policies cannot endure, and the sooner we face the problem, the less will be the ultimate cost of repairing the damage and loss those policies have already occasioned.

I ask consent, Mr. President, that there be printed in the CONGRESSIONAL RECORD at this point a table prepared for me by the Director of the Bureau of Foreign and Domestic Commerce, from official customs figures, showing how this country week after week has been buying gold and silver it has utterly no need for.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table referred to is as follows:

Imports of gold and silver into the United States, by weeks, 1939-40

GOLD				
Week ended—	Bullion ¹		Coin ² (dollars)	Total dollars
	Ounces	Dollars		
Jan. 6, 1939	1,373,711	47,955,815		47,955,815
Jan. 13, 1939	1,069,389	37,411,715		37,411,715
Jan. 20, 1939	955,960	33,320,087	1,180	33,321,267
Jan. 27, 1939	726,627	25,400,920	400	25,401,320
Feb. 3, 1939	628,433	21,844,017		21,844,017
Feb. 10, 1939	2,383,047	83,336,565	1,817,689	85,154,254
Feb. 17, 1939	2,100,759	73,504,353	4,024	73,508,377
Feb. 24, 1939	918,565	32,017,662		32,017,662
Mar. 3, 1939	1,094,873	38,299,102	5,899	38,305,001
Mar. 10, 1939	1,632,405	57,075,282		57,075,282
Mar. 17, 1939	1,491,572	52,144,490	5,520	52,150,010
Mar. 24, 1939	1,521,964	53,009,248	15	53,009,263
Mar. 31, 1939	5,477,139	191,663,974	842,253	192,506,227
Apr. 7, 1939	3,734,505	130,703,428	752	130,704,180

¹ Ore and base bullion and refined bullion.

² United States and foreign coin.

Imports of gold and silver into the United States, by weeks, 1939-40—Continued

GOLD—continued				
Week ended—	Bullion		Coin (dollars)	Total dollars
	Ounces	Dollars		
Apr. 14, 1939	3,873,716	135,519,339		135,519,339
Apr. 21, 1939	2,942,848	102,956,723	6,122	102,962,845
Apr. 28, 1939	6,424,209	224,883,752		224,883,752
May 5, 1939	2,527,551	88,459,609		88,459,609
May 12, 1939	4,578,773	160,220,216	98,877	160,319,093
May 19, 1939	2,472,565	86,365,218		86,365,218
May 26, 1939	2,470,681	86,385,350		86,385,350
June 2, 1939	797,935	27,919,957		27,919,957
June 9, 1939	2,053,820	71,787,167	234	71,787,401
June 16, 1939	637,767	22,147,027	16,994	22,164,021
June 23, 1939	1,732,323	60,602,435		60,602,435
June 30, 1939	2,227,959	77,844,359		77,844,359
July 7, 1939	1,131,435	39,593,030	2,600	39,595,630
July 14, 1939	2,372,855	82,865,298	1,647,834	84,513,132
July 21, 1939	2,525,590	88,383,165	15,655	88,398,820
July 28, 1939	1,183,329	41,340,323		41,340,323
Aug. 4, 1939	1,743,145	60,942,950		60,942,950
Aug. 11, 1939	689,357	23,931,006		23,931,006
Aug. 18, 1939	1,449,981	50,712,187	11,636	50,723,823
Aug. 25, 1939	1,880,405	65,711,084		65,711,084
Sept. 1, 1939	3,050,834	106,900,112	10,925	106,911,037
Sept. 8, 1939	3,715,972	129,919,218	2,613	129,921,831
Sept. 15, 1939	3,322,966	116,005,612	3,370	116,009,982
Sept. 22, 1939	1,055,946	36,917,681	48,914	36,966,595
Sept. 29, 1939	492,058	17,167,616	96,008	17,263,624
Oct. 6, 1939	506,026	17,638,074	80,874	17,718,948
Oct. 13, 1939	336,458	11,684,422	164,808	11,849,230
Oct. 20, 1939	315,953	11,078,749		11,078,749
Oct. 27, 1939	443,430	15,433,803	8,119	15,441,922
Nov. 3, 1939	570,851	19,856,631	120,461	19,977,092
Nov. 8, 1939	759,893	26,540,509	517,202	27,057,711
Nov. 15, 1939	853,150	29,755,769	4,697	29,760,466
Nov. 22, 1939	365,203	12,740,885	65,918	12,806,803
Nov. 29, 1939	2,681,766	93,758,534	12,640	93,771,174
Dec. 6, 1939	4,062,703	141,989,173	7,661	141,996,834
Dec. 13, 1939	729,111	25,412,801	16,991	25,429,792
Dec. 20, 1939	5,544,392	193,781,466	130,427	193,911,893
Dec. 27, 1939	1,383,247	48,155,791	23,000	48,178,791
Jan. 3, 1940	1,650,224	57,607,107	61,513	57,668,620
Jan. 10, 1940	1,931,969	67,133,198	35,589	67,168,787
Jan. 17, 1940	1,655,420	57,860,301	32	57,860,333
Jan. 24, 1940	1,331,677	46,502,590	33,157	46,535,747

SILVER

Jan. 6, 1939	13,767,447	5,916,745	3,866	5,920,611
Jan. 13, 1939	3,662,089	1,537,817	14,425	1,552,242
Jan. 20, 1939	2,359,290	1,008,281	5,612	1,013,893
Jan. 27, 1939	3,818,147	1,596,162	7,858	1,604,020
Feb. 3, 1939	2,057,526	879,769	1,726,496	2,606,265
Feb. 10, 1939	13,827,444	5,932,915	5,306	5,938,221
Feb. 17, 1939	3,209,374	1,398,628	2,091	1,400,719
Feb. 24, 1939	3,296,196	1,389,462	3,678	1,393,140
Mar. 3, 1939	4,027,512	1,702,872	1,692	1,704,564
Mar. 10, 1939	3,685,177	1,562,830	1,671	1,564,501
Mar. 17, 1939	2,157,079	909,442	3,362	912,804
Mar. 24, 1939	3,439,562	1,451,630	1,965	1,453,595
Mar. 31, 1939	5,806,430	2,475,036	2,427	2,477,463
Apr. 7, 1939	3,780,817	1,619,336	4,030	1,623,366
Apr. 14, 1939	3,918,614	1,676,164	6,677	1,682,841
Apr. 21, 1939	4,532,076	1,926,384	8,427	1,934,811
Apr. 28, 1939	3,536,040	1,508,242	3,327	1,511,569
May 5, 1939	2,497,247	1,056,249	2,291	1,058,540
May 12, 1939	3,629,146	1,556,549	2,023	1,558,572
May 19, 1939	2,345,467	906,167	4,443	1,000,610
May 26, 1939	3,531,542	1,506,168	3,583	1,509,751
June 2, 1939	3,846,082	1,631,499	11,031	1,642,530
June 9, 1939	5,623,675	2,399,046	5,323,142	7,722,188
June 16, 1939	3,528,495	1,502,590	4,154	1,506,744
June 23, 1939	6,276,095	2,704,744	2,554	2,707,298
June 30, 1939	6,164,247	2,602,777	2,546	2,605,323
July 7, 1939	2,868,369	1,156,537	4,734	1,161,291
July 14, 1939	3,554,793	1,417,923	3,044	1,420,967
July 21, 1939	3,585,695	1,384,166	37,171	1,421,337
July 28, 1939	3,199,850	1,230,887	1,150	1,232,036
Aug. 4, 1939	2,133,325	815,971	9,798	825,769
Aug. 11, 1939	2,849,808	1,019,107	12,405	1,031,512
Aug. 18, 1939	1,933,842	703,032	4,929	707,961
Aug. 25, 1939	3,344,561	1,210,520	7,437	1,217,957
Sept. 1, 1939	2,532,694	950,201	50,109	1,000,307
Sept. 8, 1939	2,824,031	1,050,401	25,641	1,076,042
Sept. 15, 1939	2,819,523	1,016,792	10,570	1,027,362
Sept. 22, 1939	3,505,645	1,296,385	1,868	1,298,253
Sept. 29, 1939	2,767,487	1,074,343	763	1,075,103
Oct. 6, 1939	3,063,121	1,128,504	11,635	1,140,139
Oct. 13, 1939	1,704,513	651,330	5,232	656,562
Oct. 20, 1939	2,886,509	1,052,165	3,210	1,055,375
Oct. 27, 1939	2,658,653	984,728	544	985,272
Nov. 3, 1939	9,840,532	3,511,350	2,161	3,513,511
Nov. 10, 1939	2,946,009	1,059,357	1,742	1,061,099
Nov. 17, 1939	2,324,967	839,857	43,485	883,342
Nov. 24, 1939	2,229,578	782,626	1,497	784,123
Nov. 30, 1939	3,682,877	1,289,400		1,289,400
Dec. 6, 1939	1,632,359	580,146	400	580,546
Dec. 13, 1939	2,609,522	917,045	282	917,327
Dec. 20, 1939	2,900,303	1,018,982		1,018,982
Dec. 27, 1939	2,903,115	1,011,815		1,011,815
Jan. 3, 1940	3,070,076	1,076,041	700	1,076,741
Jan. 10, 1940	3,245,430	1,147,245	2,298	1,149,543
Jan. 17, 1940	3,286,188	1,144,943	234	1,145,177
Jan. 24, 1940	5,091,638	1,754,963	500	1,755,463

Source: Bureau of Foreign and Domestic Commerce, Jan. 31, 1940.

Gold movements between the United States and foreign countries—Exports, imports, and earmarking operations, by months, 1939, and by weeks, 1940

[In thousands of dollars]

Month or week	Exports	Imports	Net imports	Net gain (+) or loss (−) through earmarking operations	Net inflow of gold
1939					
January.....	81	156,427	156,346	+14,106	170,452
February.....	15	223,296	223,281	−48,553	174,728
March.....	53	365,436	365,383	+10,720	376,103
April.....	231	606,027	605,796	−114,842	490,954
May.....	36	429,440	429,404	−251,579	177,825
June.....	19	240,450	240,431	−102,596	137,835
July.....	9	278,645	278,636	−166,212	112,424
August.....	13	259,934	259,921	+152,125	412,046
September.....	15	326,089	326,074	+2,836	328,910
October.....	15	69,740	69,725	+79,516	149,241
November.....	10	167,991	167,981	+90,873	258,854
December.....	11	451,183	451,172	−200,811	250,361
Total.....	508	3,574,658	3,574,150	−534,417	3,039,733
1940					
Jan. 3.....	2	57,669	57,667	−14,374	43,293
Jan. 10.....	3	67,169	67,166	+13,116	80,282
Jan. 17.....	15	57,860	57,845	−11,770	46,075
Jan. 24.....		46,536	46,536	+23,264	69,800

Source: Bureau of Foreign and Domestic Commerce, Jan. 31, 1940.

Mr. TOWNSEND. Also I ask to have printed in the Record a table, Selected Gold Production Costs, which I have prepared, showing the low cost of gold production abroad compared with the high price we are paying for the metal.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table referred to is as follows:

Selected gold-production costs as shown by John J. Croston in the article, *World Gold Production Costs, in the Mining Journal (London), Oct. 22, 1938 (pp. 966-970)*

Mine or field	Year ended Dec. 31—	Production costs per ounce before charges or taxes			
		Sterling	Dollar ¹		
Europe:		£	s.	d.	
Sweden: Boliden.....	1937	11	19	1	9.65
Do.....	1936	12	7	0	11.68
Rumania: Mica (12 apostles).....	1937	13	16	3	18.83
Do.....	1936	13	10	8	17.56
France: Salisgne.....	1937	14	14	0	23.22
Yugoslavia: Trosnyk.....	1937 ⁷	14	13	3	23.03
Rhodesia: Globe and Phoenix.....	1937	12	8	1	11.88
Do.....	1936	12	5	9	11.37
Transvaal:					
Crown ⁸	1937	3	18	8	19.43
Do.....	1936	3	16	10	19.09
Sub Nigel.....	1937 ¹⁰	2	5	7	11.26
Rand Field total.....	1937	4	3	11	20.73
Do.....	1936	4	1	6	20.25
Gold Coast: Ashanti ¹¹	1937	1	12	1	7.92
Belgian Congo: Belgikaor.....	1936	2	11	9	12.86

¹ Pound sterling converted at \$4.97 for 1936 and \$4.94 for 1937.

² Costs are merely estimates based upon reported profits, charges, and taxes. They therefore credit production of 550,780 ounces silver; 5,942 long tons electro-copper; 65,805 long tons pyrites, as well as large tonnages of sulfur and arsenic.

³ Estimated on a similar basis to that described in footnote 2 and crediting 588,299 ounces silver; 6,639 long tons electro-copper; 37,488 long tons pyrites; 19,306 long tons sulfur, and a large tonnage of arsenic.

⁴ Not crediting 72,721 ounces silver; pyrites or coal sales.

⁵ Not crediting 68,089 ounces silver; 3,448 long tons pyrites and approximately 3,000 tons coal sold.

⁶ Costs are merely estimates based upon reported profits, charges, and taxes. They therefore credit production of 118,402 ounces silver; 430 long tons copper, as well as arsenic and bismuth. Period covered is year ended June 30, 1937.

⁷ Period covered is year ended Mar. 31, 1937.

⁸ Based on total output.

⁹ This is the largest Transvaal producer.

¹⁰ Period covered is year ended June 30, 1937.

¹¹ This is the largest Gold Coast producer.

Mr. BARKLEY. Mr. President, I wish to comment very briefly upon the address made by the Senator from Delaware [Mr. TOWNSEND] in the Senate today and also the speech he delivered a few days ago before the Del-Mar-Va Press Association.

Mr. President, I realize the interest the Senator from Delaware and all other Senators and, indeed, all other people pos-

sessing any information on the subject have in the question of the purchase of gold on the part of the United States and likewise the purchase of silver, which is a subject in which the Senator from Delaware is equally interested.

I got the impression from the news reports of the Senator's speech that he was criticizing this country for buying gold produced in Russia, because it was an aid to Russia, and anything that we might do that aided Russia was automatically an injury to Finland. I appreciate the Senator's interest in Finland and his desire to aid Finland in some way, even if it be only by withdrawing any possible or theoretical aid to Russia growing out of the purchase of gold. The Senate will have an opportunity at an early date, I hope, to pass on the question of whatever aid we can render to Finland, and I am sure the Senator from Delaware will continue to manifest his great interest in Finland when that proposed legislation reaches the floor of the Senate.

The impression might have been created that we are merely going out deliberately and buying gold from Russia and that we are engaged in a sort of indiscriminate philanthropy because of that. I am not going into the discussion of the wisdom of any further accumulation of gold on the part of the United States, but we do know that gold arrives here largely because of international trade. It comes here in payment for goods and services rendered by the people of the United States to the country which sends it here or the country which produces it, which may not always be the country which exports it into the United States.

Inasmuch as our imports are restricted, and there is a disposition in some quarters to restrict our imports still further, if we are to sell our own surpluses in the markets of the world the only way in which they can be paid for is either in money or in services of some sort. Inasmuch as we have a favorable balance of trade—by which I mean, of course, that we sell to the world more than we buy—insofar as we restrict their ability to pay for those goods by the importation of goods, and insofar as they are unable to pay for them by any services which they render, we are bound either to take payment in gold or to cease the sale of our surplus commodities to the nations of the world.

It would be of no particular damage to Russia, and no conceivable benefit to Finland, if we should cease altogether to receive gold produced in Russia, because the price which we are paying for gold is approximately the price that is being paid in many other parts of the world; and Russia could sell her gold to these other nations. It would lose its identity in transformation and in the exchange of commodities, so that we would not always know whether we were receiving, even from other countries, gold produced in Russia or Japan, inasmuch as the Senator referred to our purchase of gold and silver from Japan with the same implication—that we were thereby, if not intentionally at least in effect, aiding Russia and Japan to the injury of Finland and China. So it would not benefit either China or Finland for us to cease buying either gold or silver in exchange for our commodities, or for services that we render in the ordinary transactions of international trade and commerce.

Of course, we all know that we have accumulated in this country a very large supply of gold—more, I suppose, than any nation in history ever owned at any one time—not all of it the property of the Government, by the way. What is ultimately to become of that gold, and what use may be made of it, are matters which are open to discussion. There are numerous theories on the subject, and I am not going into any of them at this time; but I do wish to say that insofar as the direct or indirect receipt of gold by the United States from Russia or Japan or any other country is a distinct injury to the democracies—that was the theory I got in reading the newspaper reports of the Senator's speech, that it was a criticism of our policy because it was a distinct injury to China, which is battling for her life, and Finland, which is battling for her life, and a distinct benefit to Russia and Japan because of that fact—the very same gold that comes directly from Russia or Japan, the very same silver that reaches our ports or our vaults, might reach them in any other way by a

more indirect route, but they would reach us just the same, because they come in as a part of the international set-up around commerce, trade, and services and all the things that go to make international balances.

Mr. TOWNSEND. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TOWNSEND. I think the Senator is correct; we cannot distinguish where the gold or the silver come from. I agree with him fully as to that; but if he will read my speech, he will see that I used Russia and Japan as illustrations. I was referring to the policy of our country in continuing to buy gold and silver at present artificially high prices from all governments everywhere. That was my theory.

Mr. BARKLEY. Of course, the Senator knows that the Government of the United States is not buying as a government from other governments as governments all the gold which they produce. Gold arrives here in payment for things which other countries obtain from us, and it is purchased by the Government of the United States under the Gold Reserve Act, which was passed in 1933, I believe. While the wisdom of that policy is a matter about which men will debate, and the final use to which that gold will be put is a matter about which men will differ, it is my settled opinion now that if we were suddenly to cease the purchase of gold by the Treasury of the United States under the policy now in vogue it would so upset the entire international trade situation as to bring possible disaster not only upon other countries but upon ourselves and our own economy as well. That, however, is a subject which lends itself to controversy and long debate, and I do not now desire to indulge in any long discussion of the matter.

Mr. TOWNSEND. Mr. President, will the Senator yield at that point?

Mr. BARKLEY. I yield.

Mr. TOWNSEND. I agree with the Senator in many of his arguments; but this country now has 64 percent of all the gold in the world, and it is coming in at a rapid rate, and soon we shall have all the gold in the world if we continue to pay this extravagant price. I am not advocating the entire discontinuance of the purchase of gold, but I am advocating that the Congress study the problem and find the solution which will help this country most.

Mr. BARKLEY. Of course, I am sympathetic with the suggestion that Congress study the problem, and I think we are studying it. We are studying it individually, and the Committee on Banking and Currency, of which the Senator from Delaware is a member, has been authorized by the Senate to make a special study of all our monetary problems and is setting about to lay the foundation to make such a study. What that study will result in I am not at this time enough of a prophet to foresee.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from Vermont.

Mr. AUSTIN. I wonder if the Senator can tell us what the state of that committee is today. Is there anything more than a chairman of it?

Mr. BARKLEY. Why, yes. The whole committee is occupying a very live and active status. I will say to the Senator that in the committee only a week or so ago the matter came up, and it has come up on almost every occasion when the committee has been in session. The question arose as to whether the committee should immediately begin to hold hearings by promiscuously inviting men who have any views on the monetary question—and the Senator knows how numerous are the views held by numerous persons in this country—to come to the Capital and give their views to the committee; or whether the committee should first lay the foundation for its investigation by calling upon the departments of the Government which deal with the question, including the Comptroller of the Currency, the Federal Reserve bank authorities, the Federal Reserve Board, the Treasury, the Reconstruction Finance Corporation, and all other agencies which may deal with the question of our monetary policy, to submit to the committee facts with reference to it in order that the committee might first study those facts

and, based upon those facts, decide to what extent it would have public hearings on the subject of our monetary policy.

Mr. AUSTIN. Mr. President, will the Senator yield for another question?

Mr. BARKLEY. Yes; I yield.

Mr. AUSTIN. I am seeking information, because not more than 2 weeks ago my office made inquiries about the special committee, and was informed that there was not any such thing excepting a chairman. I should like to ask the Senator when the committee was made up; when its membership was filled.

Mr. BARKLEY. Of course, the Senator will recall that the resolution authorizing the investigation authorized the entire Banking and Currency Committee to make the investigation. No subcommittee was appointed to go into the matter, and I do not think a subcommittee has as yet been appointed to make the specific study; but by a very large majority of votes in the committee a week or 10 days ago it was decided to call upon these agencies first for information that might be studied, and then further action would be taken toward any hearings that might be thought wise as a result of the information gathered.

Mr. AUSTIN. Mr. President, will the Senator permit another question?

Mr. BARKLEY. Yes; I yield.

Mr. AUSTIN. Does the Senator believe that the standing committee will continue to act, or does he believe that there will be a special committee?

Mr. BARKLEY. When the information and reports come in, if the circumstances seem to justify it, I am sure the committee will decide to select a smaller subcommittee to go into the facts and to hold the hearings; but I cannot prophesy about the matter until that time arrives.

Mr. President, I wish to have inserted in the RECORD at this point certain excerpts from a lengthy letter of the Secretary of the Treasury addressed to the Senator from New York [Mr. WAGNER], dated March 22, 1939, in reply to a letter written to the Secretary of the Treasury by the Senator from New York [Mr. WAGNER] on March 14, 1939, in which the Senator asks certain specific questions with reference to our gold purchases and our gold supply. I also ask—I have them marked here, and will indicate them to the reporter—that certain excerpts from a letter written by the Secretary of the Treasury to the Senator from Michigan [Mr. VANDENBERG] on October 24, 1939, be printed in the RECORD. The Secretary of the Treasury replied to a letter written to him by the Senator from Michigan on October 17 of the same year.

I ask unanimous consent that in connection with my remarks I may include in the RECORD certain excerpts which I have indicated from these letters.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

MARCH 22, 1939.

MY DEAR SENATOR:

3. Why has so much gold come to the United States in the past 5 years?

Gold comes into the United States in settlement of the balance of international payments arising out of all transactions between the United States and all foreign countries. These international transactions include exports, imports, shipping services, tourists' expenditures, capital movements, interest payments, etc. When the demand for dollar exchange increases more rapidly than the supply of dollar exchange resulting from these transactions, the price of dollar exchange on the foreign exchange market rises. It may rise to a rate at which it becomes profitable for bankers and dealers, foreign and American, to ship gold to the United States, sell the gold to the Treasury for dollars, and then sell these dollars on the foreign exchange market.

Therefore, to answer the question why large amounts of gold flow to the United States it is necessary only to explain why United States dollar exchange is so much in demand.

A survey of our balance of payments for the last few years reveals at once that the greatly increased demand for dollar exchange which has taken place during the past 5 years is largely a consequence of the huge flow of capital to the United States and, more recently, of the large favorable trade balance. None of the other categories of items in our international transactions can be held responsible for the substantial net increase in the demand for dollar exchange

during this period. In fact, for several important categories the net demand for dollar exchange decreased. It is the flow of capital to this country, particularly before 1938, upon which our attention must be focused if we are to understand the chief reason for the large gold inflow.

The following figures show the contrast between the large recorded inflow of capital in the past 5 years and persistent and large outflow of capital in the years preceding:

Outflow	
1928-----	\$850,000,000
1929-----	217,000,000
1930-----	752,000,000
1931-----	490,000,000
1932-----	192,000,000
1933-----	336,000,000
Inflow	
1934-----	\$386,000,000
1935-----	1,537,000,000
1936-----	1,141,000,000
1937-----	800,000,000
1938-----	369,000,000

The capital inflow in the years from 1935 through 1937 was the major factor responsible for the inflow of gold, for it amounted in total to \$3,500,000,000, or 86 percent of the value of gold imported during that period.

The trade item did not become important from the point of view of gold inflows until the last quarter of 1937. From 1934 to 1937 the excess of our exports over imports averaged only \$250,000,000 a year. (Incidentally, if silver imports were included in our merchandise imports, which is the procedure followed by many countries in the world, our excess of exports over imports would have amounted to only \$80,000,000 a year in this period.) In 1938, however, the favorable trade balance greatly increased and was the dominant factor inducing the large flow of gold into the United States. The excess of exports over imports totaled \$1,134,000,000—the largest we have had in 17 years. This increased "favorable" balance of trade, together with other items, was responsible for the net inflow in that year of \$1,600,000,000 of gold.

Thus it is evident that because there was a large inflow of capital in recent years and in 1938 a large excess of exports over imports there was a great increase in the net demand for dollar exchange; and because of this large increase in the net demand for dollars there was a large inflow of gold. Therefore, in the final analysis, your question, "Why has so much gold come into the United States?" reduces itself to the questions, "Why did so much capital come to this country during the past 5 years?" and "Why did we have so large a 'favorable' trade balance in 1938?"

The answer to the first of these two questions, together with a description of the kinds of capital coming here, was given in some detail in my letter to Senator VANDENBERG of September 22, 1936, a copy of which is enclosed for your convenience.

In section 3 of that letter the causes of capital imports into the United States are set forth as follows:

"(a) Capital withdrawn from abroad by American owners because of the greater security or the more attractive field for investment offered the capital at home. The return of these funds to the United States—much of which left the country in 1930, 1931, and 1932—is, of course, an indication of the relative strength of our recovery and of the prevailing confidence in the future of American industry and American financial institutions.

"(b) Funds sent to this country by foreigners who likewise felt that American securities offered a more attractive or more secure investment opportunity than did investments available to them elsewhere.

"(c) Repurchase by foreigners of some of the foreign securities which Americans had purchased during the post-war decade and were now glad to get rid of even at low prices. This was particularly true of the securities of certain countries where nominal high exchange rates were coupled with devices whereby the nationals of these countries were encouraged to repatriate these securities at an exchange profit to themselves, or where maintenance of debt service was provided for only internally but not for foreign holders.

"(d) Need created by increasing foreign trade for larger working dollar balances to be kept in American banks by foreign banks and traders. Our international trade during 1934 and 1935 increased by one-third over the 2 years previous. It is to be expected that this greater volume of foreign trade transactions would call for larger working dollar balances.

"(e) Fear prevailing in some countries abroad of confiscation of property or of loss through inflation of their local currencies led during this period to a flight of capital from some of the countries whose economic and political situations have been threatened by disturbances with which you are doubtless familiar.

"(f) Lastly, funds sent to this country by speculators in the hope or expectation that an exchange profit will be possible if and when the currencies of their countries become depreciated in terms of the dollar.

"These are the causes which account for most of the capital inflows. Yet these capital inflows would not have resulted in such large sums being due to the United States were it not for the virtual cessation of foreign investments by Americans. Whereas in the years prior to the depression, annual foreign investments by Americans of more than a billion dollars were common, since 1931 the annual sums invested abroad have been negligible; nor does it appear that the United States will approach in the near future the predepression volume of foreign investment."

Since the above was written (September 1936), nothing has occurred to alter substantially the trend of capital movements or the reasons for them. With the exception of one 9-month period, capital has continued to flow to the United States in large volume. During that 9-month period, October 1937 to June 1938, there was a net outflow of short-term capital of over \$1,000,000,000, but the flow was reversed during the fall of 1938, and more than a billion of short-term capital has since come to the United States.

Capital will continue to flow into the United States in large amounts so long as—

(a) the opportunities for secure and profitable investment in foreign countries are not great enough to attract American capital abroad;

(b) the prospects of continued recovery here appear satisfactory to foreigners;

(c) the political situation abroad remains disturbed; and

(d) there is possibility of further depreciation of some foreign currencies.

Whether the flow of capital into the United States will continue to take the form of gold or whether it will gradually assume the form of goods and services rather than gold depends upon the rapidity with which the mechanism of adjustments of international accounts operates. In earlier decades this adjustment process operated tolerably well and with fair speed to transform international movements of net balances into movements of goods and services. This adjustment process served to keep gold movements between countries relatively small in volume. In recent years, however, this mechanism has operated badly and haltingly. Moreover, it has had to operate under sudden and large capital and trade shifts which differed from those of earlier decades not only in magnitude but in character. To put it graphically, the mechanism of adjustment has had a heavier load to carry, the road has been uphill, and the incline has grown steeper.

The reasons and nature of this change taking place in the effectiveness of the so-called adjustment process of international accounts are matters too technical to warrant discussing in this letter. Suffice to say that because the numerous obstacles to rapid adjustment still prevail in virtually all countries with free exchanges any large movement of capital to the United States in the near future will doubtless take the form largely of an inflow of gold.

The significance of this fact as an explanation of the continuing flow of gold to the United States cannot be emphasized too strongly. As compared with the decades prior to 1930, there are now different relationships between international movements of capital and of gold, changes in domestic price levels, trade changes, contraction and expansion of credit, and changes in the volume of business activity. Realization of this basic economic change is necessary to appreciate the need for treating present-day problems of gold and capital flows quite differently than was appropriate prior to 1929. Monetary experience of those years, particularly in its international aspects, does not suffice for safe guidance for present-day policy.

4. Is it true that gold comes here in large amounts because the Treasury is paying a higher price than other countries for gold, and because it buys gold at a fixed price?

This is a question we frequently hear. Unfortunately it is not wholly clear just what is meant since the phrase a "higher price for gold" may be interpreted in two quite different ways, and the answer to each of the two interpretations would be arrived at through quite different lines of reasoning.

If the question be interpreted to mean that gold comes to the United States in large amounts because we pay a higher price than other countries do in terms of a money price (i. e., in terms of dollars), then the answer is definitely "No." The United States pays the same price for gold, allowing for arbitrage and transportation costs, that any other country does—no more and no less. We do not pay any higher prices for gold than does England or France or Belgium or India.

The price of gold that is permitted to move freely in international channels of trade is, and must be, virtually the same the world over. An Englishman who sells gold in London gets the same return in pounds and shillings for it—with small variations to be explained in a moment—as he would get were he to send the same gold to New York or to Amsterdam, or to Paris or to Bombay, to be sold. Right now, for example, he would get about 148 shillings for an ounce of gold in the London gold market. If he ships that gold and sells it to the United States, he gets \$35 an ounce, less one-fourth of 1 percent. When he converts the dollar proceeds of the sale of that ounce of gold back into sterling and deducts the expenses of shipping, he gets approximately the same amount of sterling as he would have obtained had he sold the gold at home, namely, about 148 shillings. In other words, when a foreigner translates the dollars he gets from the sale of his gold back to his own currency, he finds that the price of gold is almost the same in London, Paris, Amsterdam, or Johannesburg. We pay dollars for gold, England pays sterling, Holland pays guilders, etc., but when conversion from one currency into another is made at the prevailing exchange rates, we find that an ounce of gold brings approximately the same price in one country as in another.

I say approximately the same price. There are slight relative variations in the price as between different countries, variations which inevitably result from changes in the supply of and demand for foreign exchange. Any change, no matter how slight, in the relationship of the supply of foreign exchange to the demand will bring about a change in the price for foreign exchange. The fluctuations of exchange rates, together with the fluctuations in the price of gold in terms of foreign currencies, result in the occurrence of relative differences in the price of gold in different national

money markets when computed in terms of a single currency, but these relative variations can occur only within narrow limits.

These slight relative variations in the price of gold as among various markets which make possible a profit in shipping gold from one country to another would continue whether we paid \$10 an ounce for gold, or \$50, or \$60. Slight variations in the dollar-sterling, dollar-franc, dollar-guilder rates, etc., do give dealers small profits when selling gold in one market rather than another, but those variations operate as among all countries and at all levels of prices for gold; they are not peculiar to the United States alone, nor to the \$35 price for gold. Exactly the same condition prevailed when the price of gold was \$20.67 an ounce and when other countries had a fixed price of gold. It is the normal mechanism which has always prevailed, and must inevitably prevail, so long as gold is the international medium of exchange.

To dispose briefly of another common misconception, it has been sometimes claimed that gold comes here because the United States pays a fixed price for gold, whereas other countries buy gold at varying prices. The mere fact of fixity of the price of gold in terms of any given currency has little to do with the movement of gold. For example, England does not have a fixed price for gold, and yet her net imports of gold in some of the past few years were greater than ours. Belgium has had a fixed price for gold for 2 years, yet her reported gold holdings are no higher now than they were 3 years ago. Moreover, our gold price, although fixed in terms of dollars, is not fixed in terms of other currencies. When, for example, an Englishman sells gold to the United States, the number of dollars he gets may be fixed, but the amount of sterling he gets, if he converts the dollars into sterling, is not fixed; it fluctuates with every change in the sterling-dollar exchange rate. The amount in his own currency which an Englishman or a Frenchman receives when he sells gold is not fixed, whether he sells his gold in New York, London, or Paris.

So far, in answer to this question, the discussion has been based on the interpretation of the phrase "higher price" as meaning a higher monetary price. If, however, the phrase is to be understood to mean—as is doubtless intended by many who put the question—a "higher price" in terms of money but of goods and services, then the question becomes a quite different one. It should then be phrased as follows: "Is it not true that gold comes to the United States in large amounts because we give more goods and services for a dollar (or its monetary equivalent in foreign currencies) than does any other country?"

The answer to this question is likewise "no," though less unqualifiedly so because adequate statistical data for a categorical answer are not available.

The purchasing power of the dollar in the United States in terms of goods can be compared with its purchasing power in other countries only very roughly and only with respect to those goods which do (or easily might) move from country to country. With respect to services comparison of the purchasing power of the dollar in the United States and elsewhere relates chiefly to shipping services and the expenditures by tourists.

Now it is extremely difficult to measure the differences in purchasing power of gold or currency as between different countries even with respect to such goods and services. Fortunately, for the purposes of the question we are examining, no such measurement is necessary. Were it true that an ounce of gold had a significantly higher purchasing power over American internationally traded goods than over foreign goods, indirect but definite evidence would be revealed in our trade figures. Our export excess would have so increased since 1933 that either we would have drained the outside world of all its monetary gold or we would have forced other countries to adopt strict exchange or import controls or much higher tariff schedules. No such developments have occurred. Foreign countries still have large gold holdings, many of them have not significantly heightened their barriers against imports of the world.

Convincing evidence that we do not pay a higher price for gold than do other countries in terms of goods and services is contained in the record of our balance of international payments on current account. For the years 1934 to 1937, inclusive, the balance of payments with respect to the pertinent commodity and service items was in the aggregate unfavorable by \$1,200,000,000, as far as the records show. Unfortunately, however, our international accounts, though more complete and reliable than those of other countries, are still subject to a substantial margin of error. In each year there has been a substantial residual item (i. e., unaccounted for) which during the 4 years in question totaled approximately one and one-half billion dollars due the United States. Some portion of this favorable balance must be allocated to trade and services—how much it is impossible to know. But even if we allocated the whole residual item to commodity and service items—which would be an extravagant allowance—there would result only a small balance due the United States for those items during the 4 years in question—\$400,000,000 for the 4-year period.

This constitutes too small a sum relative to the magnitudes involved in our balance of payments to justify the claim that an ounce of gold can buy more here than elsewhere.

There is little basis, therefore, for the contention that an ounce of gold could in general buy more goods and services in the United States than elsewhere from the year 1934 to 1937, inclusive. Or, to put it in simpler and more accurate terms, the United States did not achieve any special competitive advantage in international markets as a consequence of its external monetary policy. The change in the gold value of the dollar in 1933 merely helped the

United States to regain its earlier position. In 1933 the trade situation appeared to change. We did experience a sharp increase in our trade balance. Exports, as pointed out earlier, exceeded imports in 1933 by some \$800,000,000 more than in 1937. But most of this increase cannot be attributed to any changed relationship of the dollar to other currencies because the exports excess arose from a sharp decrease in imports, and not from an increase in exports. The recession in the United States, more marked and earlier than in other countries, caused a temporary decrease in our purchases from abroad greater than the simultaneous decrease in our exports. This gap may be expected to narrow as recovery proceeds.

The only sense in which it might be said that we give more for gold than other countries is that in addition to \$35 an ounce we also give peace, security, prospects of higher returns on investment, and better speculative opportunities, with the result that foreign capital funds flow here in the shape of gold. It is these values that constitute the chief factor conducive to a flow of gold to the United States.

6. Why doesn't the Treasury stop buying gold?

A simple way of stopping gold from coming into the United States would be for the Treasury to announce to the world that we will not buy any more gold for the time being. But such a step, taken unilaterally, would have disastrous effects on our economy. It would disrupt the foreign exchanges and gold-bullion markets and would very soon cause such drastic disturbances in international trade, and even in the domestic sphere, as seriously to impede the recovery of business.

Present relationships among the various leading currencies would be upset. The dollar probably would appreciate immediately in terms of other leading currencies. At present, when the demand for dollar exchange increases, foreigners need only obtain gold (either at home or on the London market), ship it here and obtain dollars in exchange. Thus an increased demand for dollar exchange relative to the supply is met. If, however, this means of securing dollar exchange were removed, dollars would rise in value indefinitely in terms of other currencies. While it is impossible to know in advance what rates of exchange would finally emerge, we can be certain of at least one thing—that no country would benefit from the ensuing international monetary disruption.

Were the United States, moreover, to declare a complete embargo on gold imports, it might deal a serious blow to the value of gold as a monetary medium. (Such action coming at a period when there was discussion of the possibility of world overabundance of gold might have repercussions which would disturb the public's confidence in the value of gold.) The leading gold-producing areas would be hard hit and some might even be involved in a major economic crisis.

A closely related question that has frequently been asked is: Should not the price of gold be reduced? Is not \$35 an ounce too high a price for gold? Possibly the simplest way to answer this question is to examine the consequences that would ensue from an increase in the gold content of the dollar (or, to phrase it another way, from a decrease in the monetary value of gold).

A reduction by Congress in the monetary value of gold would probably not be as calamitous as a complete embargo. It would limit the extent of possible depreciation of gold (or appreciation of the dollar in terms of foreign currencies) and the psychological disturbance caused by the change would not be as potent, yet it would have disadvantages serious enough to render resort to any such action most unwise. If the reduction made in the price of gold were small, our trade and service balance would not be much affected over the next year or so, nor would the inflow of capital cease. Once the drop in the price of gold was regarded by the rest of the world as definitive, the subsequent effect on capital imports would be virtually nil. Our securities would continue to be bought for the same reasons that they are bought now and dollar balances on foreign account would also continue to increase for the same reasons that they are increasing now.

But were a small decline in the price of gold to be regarded by numerous domestic and foreign investors and exchange speculators as being but the first of a series of drops, the result might well be to attract more, not less, funds to the United States and to intensify the inflow of gold—the very thing it is designed to check. Speculators would rush to buy dollars and hold them here in anticipation of the next appreciation. Thus the effect on capital movements, both long-term and short-term, might more than offset the effect on trade and service items; instead of getting less gold we would find ourselves getting more.

On the other hand, were the monetary value of gold to be cut with one stroke substantially, and definitely—say, for example, to \$25 an ounce—the effect would be quite different from that described above. Such a step might reduce the volume of gold imports and perhaps give rise to an outflow of large dimensions; but the economic effects on our economy of the change in the foreign exchange value of the dollar would be little short of disastrous. The 40-percent increase in the price of American currencies to foreigners would constitute a severe handicap upon our exports. Our exports play a role in the level of business activity much in excess of the magnitudes involved and so great an appreciation of our currency in terms of other currencies would be bound to curtail our exports seriously. In the past 6 months the dollar has appreciated in terms of other leading currencies by some 5 percent and price movements in the various countries have not been such as to offset this competitive disadvantage to us. The

appreciation of the dollar has not been due to a change in the dollar price for gold but rather to a depreciation of foreign currencies in terms of gold. You will note that our exports during January 1939 were more than 40 percent less than they were in January 1938. Although it is too soon to evaluate the full significance of the decline, it is not unreasonable to assume that the less favorable position of the dollar in terms of other currency—that is, higher prices of foreign currencies in terms of gold—contributed to the drop in exports.

Our imports, on the other hand, would, in the event of a reduction in the price of gold to \$25 an ounce, be 30 percent cheaper. Our domestic producers would then be exposed to greatly sharpened competition in the American market from foreign producers both because the prices in dollars of imports would be less and also because the numerous ad valorem duties would constitute smaller protection.

Foreigners would have a greater advantage in this market, but, unfortunately, even this would be of dubious value to them. The ability of Americans to buy goods, whether imports or domestic goods, depends chiefly upon the state of business activity here. It is chiefly for that reason that our imports during the recession of 1938 dropped to almost one-half and that our imports began to increase in the fall of 1938. Thus, though the sharp appreciation of the dollar would make foreign goods cheaper in this country, our imports might actually be less than during the previous period, and instead of benefiting the rest of the world we would be hurting world business as well as our own.

Judging from past experience, we could not expect the prices of domestic commodities and services to move either at home or abroad with sufficient rapidity to adjust quickly and fully to any substantial alteration in exchange rates. For many months, perhaps for years, the economic position of large groups of American producers, including farmers, would be worsened and there would be widespread unemployment. The combined effect on our domestic economy of a sharp drop in exports and of increasing competition in the domestic market would be keenly felt. Domestic prices would begin to fall. Many corporations would suffer loss of business and profits. In times such as the present these short-run effects—and by "short run" we mean from a few months to several years—are of paramount importance. To brush aside, as some are prone to do, these short-run effects on the ground that in the long run appropriate adjustments will take place is to ignore the unstable world in which we live and the real problems which confront us from day to day.

Moreover, were we to reduce the price of gold and were it to result in an outflow of gold, there is no reason to believe that the countries who most need gold would get it. On the contrary, were gold to leave the United States it would probably find a resting place in the very countries whose currencies would for the moment appear most secure. Certainly no gold would flow to Latin American countries in any substantial amount, nor would the Far East or the Balkans obtain more gold. The loss of gold by the United States would not correct the serious maldistribution. It would rather operate only to take away some from the United States which has too much and to add it to the holdings of other countries which likewise have too much.

Thus we are confronted with the fact that though we should like to receive less gold and even to get rid of substantial amounts of the gold we already have, there is, under the existing circumstances, no acceptable alternative to the policy we have been pursuing. In the case of all the proposals we have examined, the remedy has always been worse than the disease. The best way to reduce our gold inflow on commodity and service account is for us to have full recovery so that our imports will rise more rapidly than our exports.

7. Of what use to us is this large stock of gold? Is there any likelihood that we will get so much of the world's gold that we will get stuck with it?

Gold performs two monetary functions. First, it serves as a specie base for the monetary system. Secondly, it serves as the medium for settling international balances. These are distinct and separate functions. The present gold stock of the United States is about \$15,000,000,000. The question you ask, therefore, is, Is \$15,000,000,000 of gold more than enough to accomplish these two functions which gold now performs in our economic system?

It is doubtless true that we have more gold than we need to provide a specie base for our monetary system. Our laws require that a 40-percent reserve in gold certificates be held against Federal Reserve notes in circulation and a 35-percent reserve in gold certificates or lawful money against deposits of Federal Reserve banks. These legal-reserve requirements are based on the assumption that gold-reserve requirements operate as a control of the volume of means of payment, as a protection against excessive issue of notes and expansion of bank credit. At present, however, gold and gold-certificate holdings are so far in excess of these legal requirements that they can hardly be said to constitute a protection against undue expansion of our currency and credit. We now have enough gold to permit an enormous expansion of credit and currency even after generous allowance for the outflow of gold that might accompany such an expansion. Legal-reserve requirements do not of themselves necessarily protect us against an undue expansion of the volume of money and the monetary authorities must be prepared, when and if the occasion arises, to apply appropriate supplementary control. This is especially likely to be true when gold holdings are as great as they now are.

But it is desirable that the reserves be above the minimum required by law. Otherwise, in a period of business recovery the limitations on the expansion of notes and deposits which the gold

reserve would impose would operate to curb the rise in business activity, or an outflow of gold would tend to initiate a contraction of credit, irrespective of the legitimate needs of business. It is clear, therefore, that some excess of gold above the legal minimum is needed to protect our domestic economy against effects of fortuitous inflows and outflows of gold. We now, however, have more gold than is necessary to insure this protection.

The second and more important monetary function of gold is its employment as a means of settling international balances among nations. Gold has been used for this purpose from time immemorial, and modern governments have as yet found no satisfactory substitute; nor is there any sign that a satisfactory substitute will be found in the near future.

Important commercial countries which carry little or no gold stocks have difficulties in settling their international payments. They have to see to it that their imports and exports are maintained in a certain relationship to each other. To achieve that and to keep their foreign-exchange rates from fluctuating wildly they frequently have to maintain strict exchange controls so as to restrict merchandise imports and the movement of capital.

Small countries, which are not precluded by political and prestige considerations from holding their reserves in the form of foreign-exchange assets, can get along more or less satisfactorily without gold. But they can do so only because the countries whose currencies they hold as reserve assets do have large amounts of gold reserves.

Some countries (operating with very little gold or foreign-exchange assets) have been pointed to as illustrations of the phenomenon that countries can carry on foreign trade and settle international transactions without resort to gold, and that gold is rapidly becoming obsolete even for this monetary role. Those who make this claim completely misread the experience of these countries. These very countries do in fact need and prize gold more and seek it more anxiously than do countries that use gold freely to settle balances of international payments. It is their inability to obtain gold, which forces them to adopt a far less satisfactory alternative method of adjusting their balance of international payments, namely, the adoption of strict exchange control, of clearing agreements, of barter schemes, and the imposition of severe penalties against evasion and all the other business and liberty-destroying procedures necessary to make the system work. There is no one thing which demonstrates more effectively the superiority of gold as a means for settling international balances than the experience of these countries that have tried to get along without it.

Without either gold or exchange controls exchange rates would be very unstable. Any change in the balance of payments would have to be taken care of by international borrowing or lending or the exchange rates would have to move to the point where the sums to be paid and the sums to be received were equated. Because we have abundant gold reserves we do not have to apply exchange restrictions, and broad changes in our balance of international payments can take place without interfering with the stability of the dollar exchange.

All these points have been granted by some critics, but they maintain that to fulfill both these functions much less than \$15,000,000,000 worth of gold would suffice. There is some merit to that contention, yet the future of international political and economic relationships is much too uncertain to justify our taking the steps which would be necessary if we were determined to reduce our gold holdings.

One important factor to bear in mind in considering our gold policy is the psychological reaction of the public to a continuing loss of gold. Should a country be undergoing loss of gold over a considerable period of time, there is likely to result impaired confidence in that country's currency and in the stability of its monetary system long before it has exhausted the gold it possessed in excess of legal or traditional reserve requirements. This has happened time and again throughout the world. Without greater ability to forecast future political and economic developments than is vouchsafed us, it is impossible to say with certainty that we have too much gold. We can say with some assurance, however, that we have enough gold to meet all likely contingencies, and that we are in a strong position to defend the stability of our credit structure and of the dollar against any quick change in our international balance of payments, including any large withdrawal of foreign capital.

The danger that gold will no longer be used as a medium of international exchange is so remote as not to merit serious consideration. Other countries will surely continue to accept gold in the settlement of favorable balances of payments, because gold is as important to them as it is to us. England has over \$3,000,000,000 of gold. France has almost as much; Holland, Switzerland, and Belgium and many other countries have what are for them large holdings of gold. It is in the interest of these countries as much as it is in our own interest to continue to rely on gold as an essential part of their monetary system. Moreover, we must not overlook the fact that nations producing substantial quantities of gold have important vested interests in the continuation of gold as a monetary metal. The British Empire alone produces about half the world's gold. Even countries that produce relatively small amounts of gold find that those small amounts are an important source of national income to them.

8. Isn't it true that foreigners are getting shares of our productive industries and giving us in return gold that we have no use for?

The amount of American securities which have been recently acquired by residents of foreign countries has been much less than is generally supposed. During the past 4 years the total of net

foreign purchases of American securities amounted to only one and two-tenths billion, as follows:

1935.....	\$317,000,000
1936.....	601,000,000
1937.....	245,000,000
1938.....	49,000,000

There was, in addition, an increase in direct investments by foreigners as reported by the Department of Commerce of about \$175,000,000 during this period. Altogether, the total amount of investments by foreigners in American securities or directly in American industry during the past 4 years has been less than one-fifth of the gold sent here during these years.

The sums do not, of course, represent the total of foreign capital which has come into the United States. Short-term funds owned by residents of foreign countries increased by one and eight-tenths billion. The bulk of these were demand deposits, which do not constitute acquisitions of shares in American industry and which do not earn any interest.

The acquisition of American securities by foreigners paid for with gold represents a transaction which admittedly is, under existing circumstances, of dubious advantage to the United States. Yet, given the relatively minor importance of the problem to date, we have not been able to convince ourselves that any of the possible remedies which we have so far examined gave promise of sufficient benefit to the national economy to offset their disadvantages.

On the other hand, it should be pointed out that if foreign holders of American securities liquidate their holdings and withdraw the proceeds, either gold or goods (and services) would necessarily be the resultant medium of withdrawal. If the vehicle of transmission were gold, its loss, in view of our large gold holdings could, of course, be regarded with equanimity. If the medium of transmission were goods, either because of direct purchases with the proceeds of the funds or because of the operations of the adjustment process, the resultant increase to our exports at a time when there exists a large volume of unemployed labor and other idle resources would have favorable effects on our economy.

9. What action, if any, should be taken with respect to the gold situation? Should we, for example, return to the gold standard of pre-1933?

The maldistribution of the world's gold is a reflection of the disturbed economic situation throughout the world and the chaotic international political situation. Redistribution can come only with progress toward the solution of the basic problems confronting world international relations.

In our study of this matter we have examined literally scores of proposals directed toward possible action to redistribute the world's gold. The major conclusion we have drawn is that any measure which would take the form of restrictions on the flow of gold into this country would have, at this time, detrimental effects upon our economy.

What disadvantages may be associated with the gold inflow are fortunately only of minor magnitude, and should, moreover, be attributed to the factors causing that inflow rather than to the inflow itself. Foreign ownership of American securities may, however, serve as a source of disturbance to our security markets in times of stress; similarly with short-term foreign capital sent here. On the other hand, the third factor responsible for the gold inflow to the United States—our export excess—does yield a gain.

The large inflow of gold in recent years has been a major factor in increasing excess bank reserves. These reserves do in some degree operate to stimulate an expansion of loans by banks and to keep the interest-rate structure lower, both developments helping somewhat to promote a higher level of business activity. Nonetheless, the prospect of continued large inflows of gold has been a cause of some concern on the part of those who consider a large volume of excess reserves as constituting a potential danger of inflation, though I do not regard this problem as one of immediate import.

The only immediately disturbing aspect of the gold problem is the loss of gold by foreign countries. The countries losing gold may be adversely affected by the loss, and some of the adverse effects would impinge indirectly on us. This is to be deplored, but the factors producing this situation are external to us and beyond our control, acting alone.

With respect to the suggestion that the United States return to the gold standard of pre-1933, I must state definitely that such a move would be harmful to the American people and of no value to the people of other countries. In the first place, a return to the pre-1933 gold standard would mean a return to the \$20.67-an-ounce price for gold. This, in the absence of similar changes in the gold value of other currencies, would represent a depreciation of approximately 70 percent in all foreign currencies in terms of the dollar.

It is obvious that an increase in the cost of the dollar to the foreigner by 70 percent and a decrease in the cost of foreign currencies to the American importer by 40 percent would seriously disrupt our foreign and domestic trade. Price movements are not so general or so rapid as to adjust economic conditions quickly to changes in exchange rates, and such movements as would occur would take the form of falling prices, particularly prices of agricultural products and raw materials. From experience we know that such price movements have disastrous effects upon incomes, profits, and the level of business activity. We might be precipitated into a depression rivaling the 1930-33 experience. There can be no question, therefore, of returning to a gold dollar with the pre-

1933 content. The answer to question 6 above contains a full discussion of the foreseeable effects which would result from any substantial increase in the gold content of the dollar.

Even if what were proposed were a return not to the old gold value but to a pre-1933 gold standard with the present gold content of \$35 an ounce, such a step would be unwise at this time. Our present monetary system differs from the pre-1933 gold standard in three respects other than gold content. First, our currency is not convertible into gold coin; secondly, there are Government controls over the movement of gold in and out of the country; and, thirdly, there is Executive authority to change the gold content of the dollar.

Convertibility of currency would, in my opinion, have no substantial advantages. Virtually every country in the world has recognized this fact and has withdrawn the privilege. For in normal times there is nothing to be gained by the right to convert currency into gold, whereas at all times convertibility has the potential disadvantage of creating a possible source of internal gold drain which would come into play at the very time when it would be most injurious. Internal hoarding of specie reserves has been, in the experience of many countries, one of the most important reasons for the weakening of currencies. Though the prospect of such a contingency in the United States seems at this time remote, it would, nevertheless, always be a possibility under a convertible currency system. Moreover, in the event that there should develop an emergency situation calling for a further change in the gold content of the dollar, the existence of private gold holdings would create unnecessary difficulties.

At present the movement of gold out of the country is in effect subject only to the restriction that it must be for the purpose of settling international balances. Gold moves freely to satisfy legitimate commercial and financial needs. The present powers of control over the movement of gold provide a safeguard that can instantly be used in the contingency of an international crisis.

The power to change the gold content of the dollar should be lodged in an authority which can, in case of necessity, act swiftly and in a manner which will minimize the disturbances resulting from any change. This power should always be available; its existence contributes to the maintenance of stable exchange relationships, which makes the exercise of the power unnecessary.

It is important to realize that rumors of an impending change in the value of a currency, or any public discussion by responsible officials that such a change might be made, would in themselves be enough to induce large flows of capital either into the country or out of the country, depending upon whether the prospect is for an increase in the value of the dollar or for a decrease in the gold content of the dollar. Discussions in committees would be advance notice to speculators that such action might take place. The mere fact that it might take place would be sufficient to induce the flow of capital, because if the change did not actually occur, the speculation would have cost only the small charges attending any exchange transaction. Indeed, congressional discussion would stimulate speculators to engage in activities of a sort which would of themselves tend to force Congress to take the action which had been in contemplation, even if on its own merits and in the absence of the situation created by the operations of the speculators, a negative decision would have been in order. The liquidation of foreign holdings of American capital might, under such circumstances, easily be powerful enough to disrupt the security exchanges and to introduce a chaotic situation in markets and in business generally. Since the prospect of devaluation would arise only under circumstances which were disturbing in any case, the outflow of capital would simply make bad things worse.

It therefore appears desirable that the Executive should have the power to alter the gold content of the national currency unit, in the public interest, and within clearly prescribed limits, as it is in most of the countries in the world, so that if an emergency situation should require its exercise it could be exercised quickly and without the necessity of prior public discussion and its concomitant invitation to speculative activities.

Sincerely,

HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

HON. ROBERT L. WAGNER,
United States Senate.

OCTOBER 24, 1939.

MY DEAR SENATOR: I should like to answer in some detail the questions in your letter of October 17, so as to clarify certain aspects of problems relating to gold.

You write:

"I assume that you are continuing to purchase at \$35 an ounce all foreign gold that is offered. In view of depreciated foreign currencies, is not this equivalent to paying considerably more than \$35 an ounce so far as the foreign seller is concerned?"

I am uncertain what you mean by this question. It is subject to several different interpretations and to make certain that you obtain the information you ask I will endeavor to answer each of them separately.

1. Does the question ask whether the foreign seller of gold receives more purchasing power over goods and services here than he did prior to depreciation? If that is the sense of your question, then the answer is "No." The \$35 per ounce (less one-fourth of 1 percent) which the foreign seller of gold receives probably represents less, and certainly not more, purchasing power in terms of goods

and services in this country than it did before the depreciation of currencies in recent months. Such purchasing power of \$35 in the United States varies, of course, with changes in prices of goods and services in the United States. Since most goods and services that can be purchased here by a resident of a foreign country have risen in price during the past 2 months, it follows that the foreign seller of gold probably gets less goods and services for his \$35 now than he did a few months ago.

2. Does the question ask whether the foreigner can get more units of his own currency for gold by selling it in the United States than by selling it in his own country? If this is the sense of your question, again the answer is "No." We pay no higher price for gold (allowing for commissions, handling charges, etc.) than other countries do. After a foreign seller of gold converts the dollars he obtains for his gold into sterling, for example, he finds that he has approximately the same amount of money as he would have had if he had sold that gold in London. (For a further explanation of this I refer you to pp. 7, 8, and 9 of my letter to Senator WAGNER, dated March 22, 1939, a copy of which is enclosed for your convenience.)

3. Does the question ask whether the foreign seller of gold gets more units of his local currency for his gold now than he did before the depreciation of his currency? If this is the sense of the question, the answer is clearly "Yes." That is exactly what depreciation of a currency in terms of gold means, namely, that each unit of a depreciated currency is exchangeable for less gold.

4. Does the question ask whether the greater number of units of the depreciated currency which the foreign seller obtains for his gold can purchase more goods and services at home than could the smaller number of units he obtained for his gold before depreciation? The answer to this question is probably "Yes." Prices in the country of a depreciated currency do not usually rise as much as the currency depreciates for a considerable period of time, if at all. During that period the holder or producer of gold will get more local goods and services for an ounce of gold than he did before. But he gets more goods only if he buys goods at home; furthermore, he gets more goods for an ounce of gold not because we continue to pay \$35 an ounce for gold but because his own country gives more units of its currency for an ounce of gold.

When taken in the context of your whole letter one further possible interpretation of your question suggests itself. You may be asking whether the recent depreciation of foreign currencies will of itself lead to an increased inflow of gold. If this is the sense of your question, the answer is probably "No." It is, of course, impossible to foretell at this time the total effect of a Europe at war upon our balance of payments. The specific effect of the recent depreciations of foreign currencies, however, would clearly seem to operate in the direction of a reduction in gold offerings. Depreciation of foreign currencies vis-à-vis the dollar means that American goods and services are less attractive to the foreigner because he must give more of his own currency in exchange for a dollar's worth of merchandise than formerly. In other words, the depreciation of foreign currencies is a factor which operates in the direction of reducing our exports to and increasing our imports from the countries involved. Thus, the effect of the change will tend to reduce our favorable balance of trade and consequently such inflow of gold as may be attributable to our export surplus. It is true that price changes may in time offset the effect on the relative attractiveness of foreign and American goods initiated by the depreciation of foreign currencies. But even in normal times this adjustment usually does not take place for some time.

You ask the further question:

"If we put our foreign trade with belligerents on a strict 'cash and carry' basis, will it not be likely to substantially increase this inflow of foreign gold, perhaps to so dangerous an extent that we finally shall practically monopolize the world's gold supply?"

The prohibition of credits to belligerent governments may possibly have the effect of reducing our exports to belligerent countries. This might, in turn, reduce the value of our total exports compared with what our exports would be were the prohibition not included in the Neutrality Act. Were the belligerent governments to purchase some of their imports from the United States on credit, a portion of the payments due us might be postponed. However, whether this postponement would result even in a temporary reduction in the inflow of gold cannot be forecast because—

(1) It is not known what proportion of the dollars used for payments would be acquired from the sale to us of gold and what proportion would be acquired from other sources.

(2) It is not known whether an extension of credits to belligerents would result in greater purchases from the United States or whether there would simply be a substitution of some credit purchases for cash purchases. Only in the latter instance would it be possible for part of the inflow of gold to the United States to be postponed. In the former case it would mean that the gold inflow would be the same over the short period of time and would be greater at some subsequent time when credits were liquidated.

You ask this further question with respect to gold:

"Would this (increased inflow of gold) not seriously threaten the world's subsequent return to the use of monetary gold, and thus relatively threaten the ultimate value of our own enormous gold hoard?"

This war demonstrates, if any demonstration were needed, that gold constitutes the best form in which foreign exchange resources can be held. Even under the most difficult conditions of war, belligerent governments which possess gold can buy with it anything that is for sale.

The new situation in world trade brought about by the war in Europe will, of course, introduce some changes in the distribution

of gold among the nations of the world. Belligerent countries will probably lose gold, but numerous neutral countries, which now have little gold, may be put in a position to increase their holdings as a result of improvements in their trade balances. As a consequence, the war may well have the effect of causing a wider distribution of gold among the countries of the world. Such an increase in gold holdings by many countries would give more countries a stake in the continuation of gold as a medium of international payments. The gold-producing countries, of course—including the British Empire, which now produces half the world's gold—will continue to have a vital interest in the use of gold as a monetary metal.

These considerations, as well as others, indicate that gold will emerge from this disturbed period with added prestige as the international medium of exchange. For further discussion of the future usefulness of gold as a monetary metal, you may wish to refer to pages 16, 17, 18, and 19 of my letter to Senator WAGNER referred to above.

Your last question on gold relates to a suggested change in our monetary policy. You ask:

"Should not the purchase of foreign gold be curtailed and repriced at least for the period of the war?"

I am not clear whether by repricing gold you have in mind an increase or a decrease in the price of gold. I judge from the context of your letter, however, that you are inquiring about the effects of a reduction in the dollar price of gold.

My views with respect to the consequences of reductions in the price of gold are fully set forth in my letter to Senator WAGNER referred to above. The discussion appears on pages 13 to 16 of that letter, and I think it may be appropriately reread in connection with your inquiry.

You raise the question of the advisability of reducing the price of gold "for the period of the war." Any substantial change in the price of gold which is known to be temporary would have seriously disrupting influences on trade and international capital flows. It would introduce a still greater risk element in business relations with foreign countries and would, moreover, increase world speculation in dollar exchange.

Sincerely,

HENRY MORGENTHAU, JR.,
Secretary of the Treasury.

(Enclosures.)

HON. ARTHUR H. VANDENBERG,
United States Senate.

Mr. TOWNSEND. Mr. President, I ask unanimous consent to insert in the RECORD a statement by Mr. A. A. Berle, Jr., in which he says that United States gold may help rebuild shattered Europe, and that we may have to give it away in our own interest to soothe social unrest.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement is as follows:

BERLE SAYS UNITED STATES' GOLD MAY HELP REBUILD SHATTERED EUROPE—WE MAY HAVE TO GIVE IT AWAY IN OUR OWN INTEREST TO SOOTHE SOCIAL UNREST AFTER WAR, HE HOLDS

NEW HAVEN, CONN., January 31.—A free gift of some of America's accumulated gold and use of the resources of the Federal Reserve System to help reconstruct Europe after the war were advanced as possibilities tonight by Adolf A. Berle, Jr., Assistant Secretary of State.

When peace comes, he said, the United States will face heavy responsibility for a return of the world to economic sanity.

Predicting as a "foregone conclusion" that the present war will be followed by "a great movement of social unrest," Berle told the political union of Yale University:

"It seems fantastic today to suggest handing over some of our accumulated gold as a free gift to reestablish international currency, to let other nations set their houses in order, and thereby reestablish trade and normal life. But this may not seem nearly so fantastic a few years hence.

"It seems impossible today to think of using the enormous and yet untapped resources of the Federal Reserve System as a means of rebuilding the shattered life of another continent; but when the time actually comes and we are faced with that contingency, we may find that the idea looks more like an immediate necessity than a fairy tale.

"It may even be—strange though it seems—that by dealing with some of these problems we shall learn at length that we hold the tools in our hand to remedy many of the injustices in our own social life."

He suggested that the United States might adopt the following methods of contributing to the "reconstruction of an ordered world":

"Sending goods which we produce in abundance to places where they are needed * * * paid for or not, human suffering must be relieved.

"Helping to set up a considerable part of the world in business again. We may do this because we should hope—and I think rightly—that the result will contribute to our own economic health.

"American and foreign public-health units working side by side and not trying to assess the race, wealth, or origin of the people whom they endeavor to protect from disease.

"International lawyers endeavoring to resolve conflicts so as to reopen contact between groups and individuals.

"Transport pools designed primarily to assure that goods are promptly taken to the places where they are most needed.

"Banks and bankers pooling their resources so that the materials of life are once more everywhere available."

POLITICAL CONDITIONS IN PENNSYLVANIA

Mr. GUFFEY. Mr. President, political integrity is as essential to the preservation of our democracy as are patriotism and loyalty.

We in this Chamber are all patriotic Americans sworn to uphold the Constitution according to our best understanding. We take that as a matter of course. But above and beyond this formal, definite commitment lies a very essential obligation to play fair in politics. Once that sense of political integrity is lost, once organizations fall into the hands of unprincipled racketeers, once the political system disintegrates so that one boss controls both parties, the very fundamentals of our Government are endangered. Liberty is displaced by political dictatorship.

Pennsylvania was long afflicted by such one-party rule, with the Democratic Party a slave of its Republican masters. It was only in 1932 and 1934 that this sleeping giant broke its bonds, and a healthy two-party system was restored to the Keystone State. As a result, we made more progress toward good government in 4 years than in the previous 40 years.

Now I see an attempt to destroy all that has been accomplished. I see a sinister effort to recapture and emasculate the Democratic Party. To add to the danger, the Republican Party is now dominated and controlled by an underworld character who wants to take over the Democratic Party as well. I refer to Moses L. Annenberg, publisher of the Philadelphia Inquirer, czar of race-track information service, lately indicted for the biggest income-tax evasion on record—the amount involved being over \$5,000,000—and for bribery.

His bitter attacks on me culminated in a lead editorial in yesterday's Philadelphia Inquirer in which I am denounced as an undesirable primary candidate. But this brazen attempt of this Republican daily to dictate the Democratic candidate would be ludicrous if it were not for the character of the Inquirer ownership and its sinister purpose.

All of us believe the day is far off when ruthless and unprincipled men, with gangster morals and underworld background, will seize control of our Government. Yet we have seen it happen abroad, and I have seen it in my own State. Now—today—it threatens to extend to the National Capitol itself.

A few years ago no one would have dreamed that an associate of Chicago mobsters, armed with millions gained from an illegal racing-wire monopoly, would be able to seize control of the government of a great State such as Pennsylvania.

A few years ago all of us would have laughed at the Annenberg 4-year plan, cynically and brazenly declared when he bought the Philadelphia Inquirer in 1936, control of the Philadelphia Republican organization and municipal government, control of the Pennsylvania Republican organization and State government, and, ultimately, control of the Republican National Convention in 1940. Yet today Annenberg's word is law in Philadelphia and Pennsylvania, and he will control the Pennsylvania delegation to the Republican National Convention.

He has also boasted openly that through his underworld associations he will exercise a controlling influence with the Illinois and New York delegations, for he has extensive interests in both Chicago and New York City. This, should it materialize, would give him control of three vital delegations, which would mean that the party of Abraham Lincoln could not nominate any candidate until personally approved by Moe Annenberg.

If the Republican Party chooses to accept the leadership of this man, that is the Republican Party's business. It is my business to prevent him from wrecking the Democratic Party in my own State. It is my duty to stop him from achieving his sinister political objectives.

For weeks there have been references in the Pennsylvania Republican press, but most especially in Annenberg's journal,

to my candidacy. Unidentified "leaders" of the Democratic Party in Pennsylvania have been quoted at length in opposition to me and to the liberal New Deal principles for which I stand.

As a culmination of a series of inspired articles, manufactured special stories and features of all kinds directed against every liberal movement in America, Annenberg in his editorial of yesterday finally came into the open as the fountainhead of the opposition to my candidacy.

This editorial is marked by a bitter personal attack upon me as unfit for the high office I hold—not because of my conduct in this Chamber or in the course of my political duties, but because of my political affiliations and activities.

This so-called bible of Pennsylvania Republicanism has the unparalleled effrontery to tell the Democrats of Pennsylvania—whose leaders it was doing its utmost to put in prison only a short while ago—whom they shall or shall not nominate.

Party raiding in Pennsylvania is forbidden by law. This is an attempt to raid the Democratic Party through the press. One is illegal, the other is the most shameless violation of common decency and journalistic ethics even seen in America.

The obvious purpose of the Annenberg attack is to blitzkrieg the Democratic Party by demoralizing its leadership, by fostering suspicions and prejudices, by cajoling uncertain Democratic leaders and frightening others, by holding out veiled promises of support for those who play its game.

The object of such a campaign is clear—to reduce the Democratic Party in Pennsylvania to futility, to involve it in such internal warfare that it will not survive the battle; to leave nothing of it but an ineffectual machine controlled by the same privileged interests which support and maintain the Republican organization.

Annenberg's editorial itself gives the game away, when it says that my nomination for reelection will insure a Republican victory. Who could believe for a moment that Annenberg's newspaper, or any other bitterly partisan Republican journal, would go out of its way to stop a candidate the Republicans could lick?

Such philanthropy, such devotion to public-spirited service, such nonpartisanship, is hardly to be expected from the Philadelphia Inquirer. It presumes to tell the Democratic leaders what they should do; as if its own opposition were not the surest and most positive evidence that it fears my candidacy. And I serve notice that it has reason to fear that candidacy, for I propose to give no quarter in the fight against Annenberg and the underworld type of public morality he represents.

Annenberg's concern over the danger of my nomination arises from a single and well-founded fear, the fear—yes, the certainty—that if I am nominated Annenberg's candidate will be defeated.

I call attention to Annenberg, his Philadelphia Inquirer, and to his most recent editorial diatribe for a particular reason.

Annenberg constitutes a menace to our American institutions. Our easy-going freedom and tolerance, which he not only enjoys but exploits, make it possible for a great metropolitan daily to be perverted to serve the ends of a sinister adventurer. He diverts it from the proper functions of a free press and uses it as an instrument for the advancement of his scheme to seize power over government.

Should he succeed, the rise of his new political underworld will mark the end of decency in government, and the end of democracy as we have known it.

The Republican leadership in Pennsylvania cannot disavow Annenberg. He owns it, body and soul. No Republican leader—and many are decent, self-respecting men—dares to face the journalistic blasts and the destruction of character which would result if they were to oppose him. They know he will stop at nothing. He achieved his monopoly in the underworld by just such terroristic tactics.

But I do not propose to be intimidated. I have fought for the integrity of the Democratic Party for more than 40 years, and I am not going to be stopped now—even by the enmity of one of the most vicious characters ever to rise from the Chicago underworld.

CONFIRMATION OF JUDICIAL NOMINATIONS

Mr. GLASS. Mr. President, as in executive session I should like the Senate at this time consider and confirm two judicial nominations in Virginia.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Is there objection? The Chair hears none, and the clerk will state the first nomination referred to by the Senator from Virginia.

The legislative clerk read the nomination of Armistead M. Dobie, of Virginia, to be judge of the United States Circuit Court of Appeals for the Fourth Circuit.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Alfred D. Barksdale to be United States district judge for the western district of Virginia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. GLASS. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these two judicial nominations.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

CONTINUATION OF NEW DEAL LEGISLATION

Mr. LEE. Mr. President, wars abroad must not overshadow economic problems at home. No one will deny that the wars in Europe and Asia present serious problems, but problems of foreign policy must not cause us to lose sight of the economic condition of certain classes of our own people.

This administration, under the wise leadership of President Roosevelt, has launched a number of reforms which were long overdue. In that regard, this has been no ordinary administration with merely the normal amount of new legislation which is to be expected with the passing of 7 years. But in this administration, it has been necessary to make up for the neglect of many years past when our Government followed a policy of laissez faire while time marched on.

Mr. President, this is not merely another administration but this administration marks a new era. It has been necessary to crowd into a few years the greatest number of social and economic reforms ever attempted in the same period of time by the American Government—reforms so far reaching that the election of Franklin D. Roosevelt to the Presidency of the United States marks a new epoch in American history.

Also it was necessary to devote much of the first part of this administration to recovery before reform could be undertaken. Therefore, this administration has not had time to perfect and improve the many important measures which have been adopted during its tenure.

The serious critics of the administration have advocated amendments to much of the legislation which has been enacted, but very few, if any, of them are advocating outright repeal of these reforms.

If these reforms are to be given a fair chance, they should be amended and refined by those who initiated them in the first instance. In other words, the amending should be done by the friends of the new legislation, and in most cases, the original sponsors of this liberal legislation are themselves advocating certain changes for the purpose of improving these measures.

It is true that the smoke of battle abroad forms a dark cloud on the horizon, yet we must not lose sight of the importance of finishing the work we have begun at home. We have launched an entirely new program for social and economic betterment. There is still work to do on this program before it can withstand the shock of an after-war depression.

Those who initiated and sponsored this program are the ones who should machine down the rough spots and perfect the work which they have so well begun. Unless these measures are strengthened by friendly hands, some of them will be swept away in the rush to sell war materials abroad and many of the gains for humanity will be lost.

There are those who are already looking to the war in Europe as a means of solving our problem of unemployment. There are those who are expecting the European demand for agricultural products to solve our farm problem. It is true that wars abroad may temporarily increase the demand for our goods, but war creates only a temporary market. Any money which we receive as a result of war has been rightly referred to by President Roosevelt as "fool's gold." Any temporary prosperity which results from war can be nothing more than a fool's paradise.

Suppose we should abandon some of the reforms which lead to more permanent prosperity and should rely upon the artificial prosperity resulting from wars abroad, and then that prosperity should suddenly turn to ashes. What then? We would have frittered away the opportunity to make permanent our gains, and the second stage of our depression would be worse than the first.

The temporary demand for our goods abroad is deceiving many of our people. It has created a situation which is being seized upon by those who are opposed to the entire program of the Roosevelt administration as an opportunity to sweep away the reforms we have initiated. They argue with great persuasiveness that the need for the legislation has passed and therefore the legislation should be abandoned. The argument is so appealing that many of those most aided by these measures are being deceived by present conditions.

These conditions are artificial. These markets are temporary. After the war, what then? When the soldiers of Europe and Asia turn from fighting to farming, what will the American farmer do if he has abandoned his farm program? What will the wage earners do when the munition factories shut down, if they have no unemployment program to fall back on? We must make good the present opportunity to build an all-weather economy which can stand the strain of the backwash after war.

Certainly one of the most important problems confronting the American Congress today is that of agriculture, and the condition of the farmer is indissolubly connected with the condition of the wage earner. The problem of unemployment is blood kin to the problem of farm prices.

Mr. SCHWELLENBACH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Washington?

Mr. LEE. I yield.

Mr. SCHWELLENBACH. I wonder if the Senator would mind my interrupting him to make a suggestion. If we reach a point where our exports are largely of materials which must be used for war purposes, then when the time comes that the nations purchasing those war materials see that our economy is based upon such exports, will they not be in a position much more easily to involve us in a European conflict than they would be if we were able to maintain our war economy without specializing in the export of war materials?

Mr. LEE. I believe that is decidedly correct, and I thank the Senator for making that observation at this time.

Mr. President, our farm program today will not stand alone. If Congress should fail to appropriate money out of the Treasury for the present farm program it would collapse.

We must have a more permanent farm program. We must have a self-financing farm program. We must have a farm program that will carry its own weight. We must have a farm program that can stand the repercussions of an after-war slump.

Then again we must set up a farm-tenant program that will rehabilitate the farm tenants faster than they are being dispossessed.

Furthermore, we must adopt a self-liquidating public-works program.

We must expand and preserve our soil-conservation program.

We must establish freight-rate schedules on a basis of fairness and justice which cannot be assailed.

We must expand our old-age security program on a basis so logical that it cannot be attacked. Now is the time to make secure our gains in all these social and economic fields.

Great drives are being made in this country for donations to aid Finland. Indeed, that is a worthy cause. Such campaigns represent the generous and sympathetic attitude of America toward the distressed. I wish to add my voice of approval to such humanitarian campaigns but may I at the same time call attention to the distress and suffering among our own people?

May I point out that the increase in big-scale farming in America is sweeping tenant farmers from the land and sending them to town to seek employment on the relief rolls?

May I call attention to the deplorable condition of our sharecroppers? I can see them strung out along the highways now, as I have seen them many times—whole families of them, the father carrying some of their belongings, the mother carrying a baby, and the children trailing along behind. I have often asked myself, What will they eat for their next meal? Yes; what did they have for their last meal? Where will they spend the night? Who knows? They are just moving on. Where to? They themselves do not know.

I must remind the Senate that, in spite of the temporary upturn in business, there is still great human suffering here at home. One morning a poor, old man's frozen body is found by the side of a pile of ashes. Does not that tell the story of misery and suffering? This very night children here in America will go to bed hungry. Indeed, some of them will not have a bed in which to sleep because their fathers and mothers are unable to get employment.

Then, again, let me remind you, Mr. President, of the coal mine tragedies where the coal miners have been entombed by what I understand to be preventable disasters.

I would not minimize the seriousness of the foreign situation. I would not detract from the concern for suffering humanity abroad, but in all fairness I must call attention to these serious domestic problems.

I am willing to vote appropriations for national defense, but I am unwilling that the Congress shall adjourn until we have provided work for the unemployed. I am willing to vote appropriations to increase the Military Establishment, but I am unwilling to have Congress adjourn until we have increased and stabilized the farmer's income. I am willing to vote an increase of the naval power of the United States, but I am unwilling to have Congress adjourn until we have increased the purchasing power of the underprivileged in America.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. LEE. I yield.

Mr. CHANDLER. I understood the Senator from Oklahoma to make the statement that the mine disaster in Kentucky was caused by something that could have been prevented.

Mr. LEE. I so understand.

Mr. CHANDLER. Does the Senator know anything about the facts?

Mr. LEE. No; I do not.

Mr. CHANDLER. I do. The report of the State mine inspector showed that the explosion was caused by a man using a permissive explosive and bringing it in contact with a live wire. The man was found some distance from the point of the explosion, with his leg blown off, and almost blown in two himself. I was present a short time afterward, and made an inspection and received the report. The Senator's advice about the matter is incorrect.

Mr. LEE. I appreciate the correction from the Senator from Kentucky.

E. C. BEAVER

The PRESIDING OFFICER (Mr. CHANDLER in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 323) for the relief of E. C. Beaver, who suffered loss on account of the Lawton, Okla., fire, 1917, which were, on page 1, line 6, to strike out "Beaver as compensation in full" and insert "Beaver, of Tulsa, Okla., in full satisfaction of his claim against the United States"; and to amend the title so as to read "An act for the relief of E. C. Beaver."

Mr. THOMAS of Oklahoma. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

MISSOULA BREWING CO.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 766) for the relief of the Missoula Brewing Co., which were, on page 1, line 3, to strike out "is" and insert "be, and he is hereby"; and on page 1, lines 6 and 7, to strike out "representing the amount paid" and insert "in full settlement of all claims against the United States because of payment of said amount".

Mr. WHEELER. I move that the Senate agree to the amendments of the House.

The motion was agreed to.

ONE HUNDRED AND FIFTIETH ANNIVERSARY OF THE SUPREME COURT OF THE UNITED STATES

Mr. HATCH obtained the floor.

Mr. WILEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Wisconsin?

Mr. HATCH. I yield.

Mr. WILEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	George	Lee	Schwartz
Andrews	Gerry	Lucas	Schwellenbach
Ashurst	Gibson	Lundeen	Shipstead
Austin	Gillette	McCarran	Slattery
Barbour	Glass	McKellar	Smathers
Barkley	Green	McNary	Smith
Bridges	Guffey	Maloney	Stewart
Brown	Gurney	Mead	Taft
Bulow	Hale	Miller	Thomas, Okla.
Byrnes	Harrison	Minton	Tobey
Capper	Hatch	Murray	Townsend
Caraway	Hayden	Norris	Truman
Chandler	Herring	Nye	Tydings
Chavez	Hill	O'Mahoney	Vandenberg
Clark, Idaho	Holman	Overton	Van Nuys
Clark, Mo.	Holt	Pepper	Wagner
Davis	Hughes	Pittman	Walsh
Donahay	Johnson, Calif.	Radcliffe	Wheeler
Downey	Johnson, Colo.	Reed	White
Ellender	King	Reynolds	Wiley
Frazier	La Follette	Russell	

The PRESIDING OFFICER. Eighty-three Senators have answered to their names. A quorum is present.

ONE HUNDRED AND FIFTIETH ANNIVERSARY OF THE SUPREME COURT OF THE UNITED STATES

Mr. HATCH. Mr. President, today marks the one hundred and fiftieth anniversary of the Supreme Court of the United States. We have just returned from the Supreme Court, where appropriate ceremonies celebrating this auspicious occasion have been concluded. The Judiciary Committees of both branches of Congress attended those ceremonies, paying due and proper respect to the judicial branch of the Government. Eloquent and able addresses were delivered by the Attorney General of the United States and by Mr. Beardsley, president of the American Bar Association. The Chief Justice of the United States responded with remarks eminently befitting the dignity of the high office he occupies and the traditions and ideals of the Court. It would hardly seem proper, Mr. President, to let this day pass without some word being said on the floor of the Senate paying at least some measure of tribute to that branch of government which celebrates the anniversary of its birth today.

Fifty years ago, in speaking at the ceremonies held in the city of New York commemorating the one-hundredth anniversary of the Supreme Court, a former President of the United States, Mr. Cleveland, said:

We are accustomed to express on every fit occasion our reverence for the virtue and patriotism in which the foundations of the Republic were laid, and to rejoice in the blessings vouchsafed to us under free institutions.

As Mr. Cleveland spoke 50 years ago, so may we well speak today. We should fittingly express this day our reverence for the virtue and patriotism in which the foundations of the Republic were laid. With even greater fervor we can well

rejoice today in the blessings vouchsafed to us under the free institutions of our Government.

It was only yesterday, it seems, at the beginning of the World War, that Sir Edward Grey sadly said:

One by one the lights of civilization are being extinguished. They shall not be relighted in our generation.

Today as we look across the seas at the Old World we wonder if once more the lights of civilization are being extinguished. For a decade or more we have watched the fall of governments. We have seen liberty die in other lands. We have seen free people and free governments destroyed, and, even as I speak, a small but a brave and fearless people fight against the advancing hordes of an aggressor who would seize and destroy the right of a free country to rule and govern herself.

As we see these things we almost say, as Romain Rolland said during the years of the last World War:

A sacrilegious conflict which shows a maddened Europe ascending its funeral pyre, and, like Hercules, destroying itself with its own hands.

As these scenes unfold and as tyranny stalks abroad in other lands and free institutions are obliterated from almost every country in the world, I repeat we may well pause for a moment today and pay our reverence and respect for the "virtue and patriotism in which the foundations of the Republic were laid."

In laying those foundations of this Republic our fathers proceeded not by accident. It is no accident that freedom survives in America today. The founders of the Republic were men who understood the true science of government. Passionately they believed that powers of government must be separated. As often expressed by them, "the accumulation of all the powers of government in the same hands, whether of one, or a few, or many, and whether hereditary, self-appointed, or elected," could justly be "pronounced the very definition of tyranny." So believing, they laid out the plan upon which the structure of our Government rests today.

It was not a new plan. Students of government, they were familiar with every form and theory of government which existed in the world. In another address delivered on the occasion of the one-hundredth anniversary of the Supreme Court, it was said:

A division of the powers of government was not a political device newly invented by the statesmen who framed the Constitution of the United States. Aristotle, in the fourth book of his Politics, observes that in every polity there are three departments, the suitable form of each of which the wise lawgiver must consider, and according to the variation of which one State shall differ from another. These he describes as, first, the assembly for public affairs; second, the officers of the State, including their powers and mode of appointment; and, third, the judging or judicial department.

Following this and other plans and being ever mindful of their own mistakes and errors under the Articles of Confederation, our fathers laid the foundations of this Republic. And from their work came the Supreme Court of the United States, the anniversary of whose birth we celebrate today.

In the Supreme Court there was something new and unique in governments of men. Of course, courts of justice had long existed. The statesmen who wrote the Constitution knew well the history of the judiciary. They knew its weaknesses and they knew its strength. They knew its faults and its frailties. English courts had not always functioned according to the principles of English law, in which the colonists devoutly believed. Yet the writers of the Constitution gave birth to the most powerful court known to men, the Supreme Court of the United States, and created it as a separate and independent arm or branch of the Federal Government.

Of that Court, De Tocqueville said:

In the nations of Europe the courts of justice are called upon to try the controversies of private individuals, but the Supreme Court of the United States summons sovereign powers to its bar.

Under the authority of the Constitution but, as the president of the American Bar Association observed this morning, with "no guards, palaces, or treasures, no arms but truth and wisdom, and no splendor but the justice and publicity of its judg-

ments," the Supreme Court of the United States has pursued its course for 150 years. Not always right, of course, not divine, but very human, the Supreme Court has met the multitude of questions presented to it throughout the course of its history and has builded a body of law upon which the freedom of our institutions rests today. I can pay the Court no greater tribute than this. If I spoke for hours and voiced all the high and lofty sentiments which have been expressed throughout the years by lawyers and judges commemorating the work of the Supreme Court of the United States, I could speak no greater tribute than I have paid when I say the Supreme Court has helped to build, preserve, and keep free government for the people of the United States.

After all, is there anything else that matters? If free government ever fails here, if tyranny conquers this country, if the right of self-rule ever be denied in the United States, then will we indeed echo the words of Sir Edward Grey and with him sadly say:

One by one the lights of civilization are being extinguished.

But this, Mr. President, must not be. Somewhere in the world the lights of civilization must continue to burn. Somewhere in the world the right of men to be free must be preserved. Somewhere in the world there must be people willing to declare over and over and again with Abraham Lincoln, "Government of the people, by the people, for the people shall not perish from the earth."

This country, which gave birth to the ideals of free government, is the country where those rights must be preserved and maintained. It is the lot of this country to keep the lights of civilization from being extinguished. It is ours, Mr. President, to maintain and preserve the rights of men to be free. It is ours to hold fast to the principle that men can govern themselves.

As the ultimate repository of the rights and liberties of the people of America, the Supreme Court of the United States has the great responsibility of safeguarding democracy itself. In the years of its existence the Court, with few lapses, has done that very thing. The lights of liberty in America have been kept burning. Men have been free in the United States. Free institutions survive in America today. That men may be free tomorrow and throughout the years to come, let not justice be denied. As the Court speaks the voice of the people as expressed in the Constitution, wisdom, truth, and righteousness shall permeate its decisions. Let those decisions and opinions today speak the commendation of the Court. Let its decrees write its history. Let its judgment for others be judgment upon itself. Truly the Supreme Court is the keeper of the lights of freedom, perhaps of civilization. May those lights never be dimmed. May their bright and shining effulgence ever reflect the greatness and the glory of the Supreme Court and the greatness and glory of the United States of America.

Mr. AUSTIN. Mr. President, the Supreme Court is a unique instrument of popular sovereignty. Without power to enforce its judgments, uncrowned, unseparated, devoid of sword, or purse, or patronage, the Supreme Court of the United States for 150 years has successfully guarded the institutions which expel autocracy and animate free government.

The authority of this highest tribunal of justice consists of the moral energy springing from popular belief and confidence in, and respect for, the purity, wisdom, and independence of the Court.

The limitation upon its function, confining its judicial opinions to cases of injury litigated in due judicial course between parties having a legal interest therein, has maintained that separation of it from the executive and legislative branches of government which has been an effective barrier against concentration of sovereignty. Its judicial power cannot be extended by itself. When properly summoned it is the duty of the Court, from which it may not shrink, to exercise this power. In cases and controversies in which legal judgment can be rendered, it must declare the law. However, that declaration, to endure, must be right. Herein rests the safety of popular government.

No departure from this limitation can be suffered. Advisory opinions may not be required of the Court by either Congress or Executive. Moot cases may not be heard and decided by the Court.

The wholesome restriction, by the Constitution, of original jurisdiction to but a few cases, has not only proved to be peculiarly beneficial to a Federal system dependent upon maintenance of local State sovereignties, but it has given vigor to the principle of responsibility direct to the people.

The Supreme Court derives whatever exclusive jurisdiction it possesses, and all of its judicial power, from the people by a direct grant. It does not receive such power from Congress, as other Federal courts do. This jurisdiction cannot be enlarged nor can it be taken away save by the people themselves. This unique characteristic of the Court protects States and citizens from the Central Government and conserves for the people the prerogative of change. Appellate jurisdiction alone is subject to regulation by Congress.

The supremacy of our fundamental law—the known covenant of our rights—is peculiarly the charge of the Court. All citizens, and all officers, high and low, are bound to support the Constitution; yet this is inadequate to perpetuate our free institutions. This we know by the tragic experience of our forefathers without fixed laws to live by.

The people's law, made by themselves, for themselves and their posterity, was fixed in the Constitution. It can be changed only by the people. It cannot be changed by government. It is intended to govern government. It protects the citizen from government. Those two fortresses of their liberty—State sovereignty and decentralization of Federal rule—depend upon its sanctity. Therefore, the people established an institution with the novel power of giving stability and vitality to the people's law. The Supreme Court is particularly the people's court.

Though not expressly described in the Constitution, the right to declare statutes void for conflict with the fundamental law is clear by necessary implication and inevitable practice. This has been the rod by which the people have disciplined their government. The certainty of its use, notwithstanding the roaring of the transgressors, has punctuated the history of our remarkable progress economically, politically, and socially. Its use has been the marvel and admiration of statesmen, jurists, and historians of other countries.

It has preserved our form of government. For a century and a half it has enabled a logical development of the American system.

It has prevented a gap occurring between the limits of the powers of the Republic and those of the several States, and likewise it has prevented the overlapping of those powers. It has defined the frontiers and boundaries of jurisdiction.

When the national sovereignty was at low ebb, the Court, under Marshall, turned the tide.

When the backwash of the War between the States threatened to engulf the South, the Court, under Salmon P. Chase and other northern judges, erected a dyke against the reaction.

More recently, when the Federal Government encroached on local self-government, the Court, under Hughes, threw up the barricade of judicial protection.

The Supreme Court does not determine or change policy. Its action is but a brake on speed. In due time, change of the fundamental law can be made in conformity to the well-settled public opinion and the prescribed methods.

Its power is simply the authority to dispose of a controversy before the Court in which one citizen who is a party to a case claims rights guaranteed to him by the Constitution. It is not the absolute negating or revision of law. This was refused by the Constitutional Convention.

If public opinion should desire centralization of a power in Washington and diminution of local self-government, the negation by the Court of Congressional acts can be surmounted by amendments.

However, I believe in the principle so precisely stated by Calvin Coolidge:

No method of procedure has ever been devised by which liberty could be divorced from local self-government. No plan of centralization has ever been adopted which did not result in bureaucracy, tyranny, inflexibility, reaction, and decline. * * *

The record of the Supreme Court has been great and good. The perpetuity of our free institutions will be secure just so long as the people freely give obedience and respect to the judgments of the Court.

THE CALENDAR

The PRESIDING OFFICER. Under the order previously entered, the Senate will now proceed to the consideration of unobjected-to measures on the calendar, beginning with Order of Business No. 1197, which the clerk will state.

CESSION OF LANDS TO TEXAS

The bill (H. R. 6124) giving consent of Congress to the addition of lands to the State of Texas and ceding jurisdiction to the State of Texas over certain parcels or tracts of land heretofore acquired by the United States of America from the United Mexican States, was announced as first in order.

Mr. McNARY. Mr. President, the able leader on the Democratic side, the senior Senator from Kentucky [Mr. BARKLEY], desires to be present at this time, as do other Senators, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	George	Lee	Schwartz
Andrews	Gerry	Lucas	Schwellenbach
Ashurst	Gibson	Lundeen	Shipstead
Austin	Gillette	McCarran	S'attery
Barbour	Glass	McKellar	Smathers
Barkley	Green	McNary	Smith
Bridges	Guffey	Maloney	Stewart
Brown	Gurney	Mead	Taft
Bulow	Hale	Miller	Thomas, Okla.
Byrnes	Harrison	Minton	Tobey
Capper	Hatch	Murray	Townsend
Caraway	Hayden	Norris	Truman
Chandler	Herring	Nye	Tydings
Chavez	Hill	O'Mahoney	Vandenberg
Clark, Idaho	Holman	Overton	Van Nuys
Clark, Mo.	Holt	Pepper	Wagner
Davis	Hughes	Pittman	Walsh
Donahey	Johnson, Calif.	Radcliffe	Wheeler
Downey	Johnson, Colo.	Reed	White
Ellender	King	Reynolds	Wiley
Frazier	La Follette	Russell	

The PRESIDING OFFICER. Eighty-three Senators having answered to their names. A quorum is present.

The question is on the third reading of House bill 6124.

The bill was ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3035) authorizing certain appointments to the United States Military Academy to fill cadetships heretofore created, was announced as next in order.

SEVERAL SENATORS. Over! Over!

Mr. WALSH. Mr. President, I did not want to oppose the bill, or ask that it go over, but I did desire to have an explanation of it if it was to be acted upon.

Mr. SCHWARTZ. Mr. President, will not the Senator who objected withhold his objection?

Mr. RUSSELL. Mr. President, I was one of the Senators who objected to the consideration of the bill, and I shall be glad to withhold my objection.

Mr. KING. Three or four Senators have objected to the consideration of the bill.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

FOREST LAND IN LINCOLN COUNTY, OREG.

The Senate proceeded to consider the joint resolution (S. J. Res. 194) authorizing the Secretary of Agriculture to make a study of a tract of forest land situated in Lincoln County, State of Oregon, which had been reported by the Committee on Agriculture and Forestry with an amendment, to strike out all after the resolving clause, and to insert the following:

That the Secretary of Agriculture be, and he is hereby, authorized and directed to make or cause to be made a study of the tract of 12,731 acres of forest land situated in Lincoln County, State of

Oregon, owned or controlled by the United States Spruce Production Corporation, and described in the contract between that corporation and the Pacific Spruce Corporation dated December 17, 1920, under which the commercial timber on said tract was sold to said Pacific Spruce Corporation, and to submit to the President of the Senate a report of his findings on the following two points:

1. The volume of timber of commercial species, quality, and character which by the said contract or agreement of December 17, 1920, and by statements, prospectuses, advertisements, cruises, or other declarations issued by the United States Spruce Production Corporation prior to said date was asserted to exist upon said lands and to be subject to purchase and removal.

2. The volume of timber of commercial species, quality, and character which on December 17, 1920, actually existed on said lands, so far as that can now be determined by (a) adequate cruises of the part thereof still uncut and standing on said lands, (b) reviews and analyses of all obtainable scale books, milling, shipping, and other records of the volumes of timber actually cut and removed from said lands by the Pacific Spruce Corporation or its successor, the C. D. Johnson Lumber Co., and (c) determinations on the ground of the commercial timber which was cut but not removed or was otherwise wasted or utilized.

Mr. McNARY. Mr. President, as I have a right to do, I wish to modify the joint resolution so as to make it a simple Senate resolution. I move, therefore, to strike out the resolving clause and insert in lieu thereof "Resolved," and that the resolution be given its appropriate number.

The motion was agreed to.

Mr. McNARY. Mr. President, I think it is fair to state that this resolution does not involve an appropriation; it merely asks the Secretary of Agriculture to make a study through the Forest Service to determine the amount of timber on a certain tract of land, which land is now somewhat involved in a dispute. I have offered the resolution at the request of those concerned in arriving at a definite and accurate conclusion, and request its present consideration.

There being no objection, the resolution (S. Res. 225) was considered and agreed to, as follows:

Resolved, That the Secretary of Agriculture be, and he is hereby, authorized and directed to make or cause to be made a study of the tract of 12,731 acres of forest land situated in Lincoln County, State of Oregon, owned or controlled by the United States Spruce Production Corporation, and described in the contract between that corporation and the Pacific Spruce Corporation, dated December 17, 1920, under which the commercial timber on said tract was sold to said Pacific Spruce Corporation, and to submit to the President of the Senate a report of his findings on the following two points:

1. The volume of timber of commercial species, quality, and character which by the said contract or agreement of December 17, 1920, and by statements, prospectuses, advertisements, cruises, or other declarations issued by the United States Spruce Production Corporation prior to said date was asserted to exist upon said lands and to be subject to purchase and removal.

2. The volume of timber of commercial species, quality, and character which on December 17, 1920, actually existed on said lands, so far as that can now be determined by (a) adequate cruises of the part thereof still uncut and standing on said lands, (b) reviews and analyses of all obtainable scale books, milling, shipping, and other records of the volumes of timber actually cut and removed from said lands by the Pacific Spruce Corporation or its successor, the C. D. Johnson Lumber Co., and (c) determinations on the ground of the commercial timber which was cut but not removed or was otherwise wasted or utilized.

The PRESIDING OFFICER. Without objection, the joint resolution (S. J. Res. 194) authorizing the Secretary of Agriculture to make a study of a tract of forest land situated in Lincoln County, State of Oregon, will be indefinitely postponed.

EXTENSION OF AUTHORITY TO MAKE COMMISSIONERS LOANS

The bill (H. R. 7342) to amend the Emergency Farm Mortgage Act of 1933, as amended, was announced as next in order.

Mr. KING. Mr. President, may we have an explanation of the bill?

Mr. BARKLEY. It is a House bill which extends until 1942 the authority of the land banks to make commissioners loans. That authority expires today, and unless the bill is passed the land banks cannot continue to make commissioners loans as they have up to now, and it is very important that the bill be enacted.

Mr. ADAMS. Mr. President, I ask the Senator from Kentucky whether there is any change in the regulations or the provisions of the Emergency Farm Mortgage Act?

Mr. BARKLEY. There is no change at all. The only change in the legislation is that the bill extends the date from February 1, 1940, to June 1, 1942. That is all there is to it.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 7342) to amend the Emergency Farm Mortgage Act of 1933, as amended, was considered, ordered to a third reading, read the third time, and passed.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the Vice President be authorized to sign this bill notwithstanding the Senate may be in recess or adjournment, because in order that it may become effective without any hiatus, the President must sign it today. I should like to have consent that the Vice President may sign the measure during the adjournment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

BERYL M. M'HAM

The bill (S. 2346) for the relief of Beryl M. McHam, was announced as next in order.

Mr. KING. Mr. President, I merely invite the attention of the Senate to the fact that a measure similar to this has been passed once, possibly more than once, and the President vetoed it. Furthermore, it is strongly opposed by the Secretary of War.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 2346) for the relief of Beryl M. McHam was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Beryl M. McHam, who served in Company C, Twenty-sixth Regiment, and Company C, Eighth Regiment, United States Infantry, World War, shall hereafter be held and considered to have been honorably discharged from the military service of the United States on the 7th day of July 1920: *Provided*, That no pay, compensation, benefit, or allowance shall be held to have accrued prior to the passage of this act.

INVESTIGATION OF PHOSPHATE RESOURCES

The joint resolution (S. J. Res. 199) amending Public Resolution No. 112 of the Seventy-fifth Congress and Public Resolution No. 48 of the Seventy-sixth Congress, was announced as next in order.

Mr. VANDENBERG. Mr. President, what is the purpose of the joint resolution?

The PRESIDING OFFICER. The joint resolution will be read.

The Chief Clerk read as follows:

Resolved, etc., That the life of the committee provided for by Public Resolution No. 112 of the Seventy-fifth Congress creating a Joint Congressional Committee to Investigate the Adequacy and Use of the Phosphate Resources of the United States, and Public Resolution No. 48 of the Seventy-sixth Congress, and the time for making its final report is extended to January 15, 1941.

Mr. HATCH. Mr. President, I ask that the joint resolution be passed over.

The PRESIDING OFFICER. The joint resolution will be passed over.

ARRANGEMENTS FOR INAUGURATION OF PRESIDENT-ELECT IN 1941

The concurrent resolution (S. Con. Res. 32) authorizing the appointment of a joint committee to make arrangements for the inauguration of the President-elect of the United States in 1941, was considered and agreed to, as follows:

Resolved, by the Senate (the House of Representatives concurring), That a joint committee consisting of three Senators and three Representatives, to be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively, is authorized to make the necessary arrangements for the inauguration of the President-elect of the United States on the 20th day of January 1941.

URGENT DEFICIENCY APPROPRIATIONS, 1940

The bill (H. R. 8067) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal

year ending June 30, 1940, and for other purposes, was announced as next in order.

Mr. ADAMS. Mr. President, that is the urgent deficiency appropriation bill. I suggest that it be considered at the conclusion of the call of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be passed over until the conclusion of the call of the calendar.

COMPENSATION OF CERTAIN EMPLOYEES, PANAMA CANAL ZONE

The bill (S. 3130) relating to the citizenship and compensation of certain employees on military construction work in the Panama Canal Zone was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That every contract entered into by the Quartermaster Corps of the Army for construction and installation of buildings, flying fields, and appurtenances thereto in the Panama Canal Zone, pursuant to the provisions of the act of June 11, 1938 (Public, No. 590, 75th Cong.), the act of April 26, 1939 (Public, No. 44, 76th Cong.), the act of July 1, 1939 (Public, No. 164, 76th Cong.), and the act of August 9, 1939 (Public, No. 361, 76th Cong.), shall provide (a) that all personnel employed in such work and occupying skilled, technical, clerical, administrative, and supervisory positions shall be citizens of the United States; and (b) that the compensation of such persons shall not be lower than the compensation paid for the same or similar services to employees of the Panama Canal, as shall be predetermined by the Secretary of War.

Mr. THOMAS of Oklahoma subsequently said: Mr. President, a few moments ago Senate bill 3130 was passed. My attention was distracted from the proceedings for a moment, so I lost my opportunity to offer an amendment.

I offer an amendment to that measure at the request of my former colleague, Senator Gore. I do not ask that the amendment be considered now. I make the request that the vote by which Senate bill 3130 was passed be reconsidered, so that I may offer the amendment and have it printed and lie on the table.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the vote by which Senate bill 3130 was passed is reconsidered.

Mr. THOMAS of Oklahoma. I offer the amendment in question and ask that it be printed and lie on the table, and then at a later date those interested in this particular measure can have a chance to consider the amendment.

The PRESIDING OFFICER. Without objection, the amendment will be printed and lie on the table.

The amendment offered by Mr. THOMAS of Oklahoma is as follows:

Amendment intended to be proposed by Mr. THOMAS of Oklahoma to the bill (S. 3130) relating to the citizenship and compensation of certain employees on military construction work in the Panama Canal Zone, viz:

On page 2, line 7, change the period to a colon and add the following: "Provided, That during the calendar year 1940 only such manufactured articles, materials, and supplies as have been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured, as the case may be, in the United States shall be contracted for or acquired for such use. This proviso shall not apply if articles, materials, or supplies of the class or kind to be used or the articles, materials, or supplies from which they are manufactured are not mined, produced, or manufactured, as the case may be, in the United States in sufficient and reasonably available commercial quantities and of a satisfactory quality."

MATTIE N. COLE

The resolution (S. Res. 221) to pay a gratuity to Mattie N. Cole was considered and agreed to as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Mattie N. Cole, widow of William N. Cole, late an employee of the Senate under supervision of the Sergeant at Arms, a sum equal to 6 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

PAY OF CERTAIN EMPLOYEES OF GOVERNMENT PRINTING OFFICE

The Senate proceeded to consider the joint resolution (S. J. Res. 71) relating to pay to certain employees of the Government Printing Office for uncompensated leave earned during the fiscal year 1932, which had been reported from the

Committee on Printing with an amendment, to strike out all after the enacting clause and insert:

That in addition to any other leave of absence to which an officer or employee of the Government Printing Office may be entitled, leave of absence earned during the fiscal year 1932 which has not been taken by such officer or employee or for which he has not otherwise been compensated shall be granted (with pay at the rate to which such officer or employee was entitled at the time such leave was earned) by the Public Printer during the fiscal year ending June 30, 1941, under such rules or regulations as he shall prescribe.

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

PROVISION FOR TITLE OF LIEUTENANT GENERAL IN DEPARTMENTS OF PANAMA AND HAWAII

The bill (S. 3200) to provide for the rank and title of lieutenant general of the Regular Army in the military departments of Panama and Hawaii was announced as next in order.

Mr. KING. Mr. President, may we have an explanation of the bill?

Mr. MINTON. I can say to the Senator from Utah generally, as a member of the Military Affairs Committee, that in the Department of Panama and the Department of Hawaii the commanding officers do not have the rank and title of lieutenant general as do the commanding officers in the corps areas in continental United States. The measure is simply designed to equalize the ranks of the various commanding generals.

Mr. KING. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act entitled "An act to provide for the rank and title of lieutenant general of the Regular Army," approved August 5, 1939, is hereby amended to include the major generals of the Regular Army specifically assigned by the Secretary of War to command the Panama Canal and Hawaiian Departments.

EXCHANGE OF LANDS WITH RICHMOND FREDERICKSBURG & POTOMAC RAILROAD CO.

The bill (S. 2992) to authorize an exchange of lands between the Richmond, Fredericksburg & Potomac Railroad Co. and the United States, at Quantico, Va., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized to transfer to the Richmond, Fredericksburg & Potomac Railroad Co., a corporation of the State of Virginia, by appropriate deed of conveyance, free from all encumbrances and without cost to the Richmond, Fredericksburg & Potomac Railroad Co. all right, title, and interest of the United States in and to the following parcels of land contained within the Marine Corps Reservation at Quantico, Va., as indicated by metes and bounds descriptions on blueprint "P. W. Drawing No. 665, approved August 19, 1938," and "Right of Way and Track Map of Richmond, Fredericksburg & Potomac Railroad Co. V-1/40," both on file in the Navy Department:

Parcel 1. Strip of land approximately ten feet wide and nine hundred feet long adjacent to and along the east side of the right-of-way of the Richmond, Fredericksburg & Potomac Railroad Co., containing two thousand and sixty-six ten-thousandths of an acre, more or less; and

Parcel 4. A strip of land twenty feet wide and twelve hundred feet long adjacent to and along the east side of the right-of-way of the Richmond, Fredericksburg & Potomac Railroad Co., containing five thousand and five hundred and nine ten-thousandths of an acre, more or less; in consideration of the transfer to the United States by appropriate deed of conveyance by the Richmond, Fredericksburg & Potomac Railroad Co., free from all encumbrances, and without cost to the United States, all right, title, and interest of the Richmond, Fredericksburg & Potomac Railroad Co., to the following parcels of land:

Parcel 2. A strip of land along the west boundary of the Richmond, Fredericksburg & Potomac Railroad Co. right-of-way between the center line of the old channel of Chopawamsic Creek and the 1877 channel change, containing five and three one-hundredths acres, more or less; and

Parcel 3. A strip of land between the west boundary of the Richmond, Fredericksburg & Potomac Railroad Co. and the 1877 channel

of Chopawamsic Creek, containing nine and forty-eight one-hundredths acres, more or less.

Sec. 2. The Secretary of the Navy is further authorized to acquire on behalf of the United States by purchase, condemnation, or otherwise, all right, title, and interest in any remaining small areas adjoining parcels 2 and 3 and the 1877 channel change of Chopawamsic Creek in order to adjust the boundary line of the Marine Corps Reservation.

Sec. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

PAYMENT OF COMMUTED RATIONS OF ENLISTED MEN

The bill (S. 3012) to amend the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902 (32 Stat. 662), relative to the payment of the commuted rations of enlisted men, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902 (32 Stat. 662), insofar as the provisions thereof are embodied in section 908 of title 34 of the United States Code, is hereby amended to read as follows:

"Money accruing from the commuted rations of enlisted men legally assigned to duty with officers' or other messes, afloat or ashore, may be paid under such regulations as may be prescribed by the Secretary of the Navy."

REIMBURSEMENT FOR FIRE DAMAGES AT MARINE BARRACKS, QUANTICO, VA.

The bill (S. 3068) to provide an additional sum for the payment of a claim under the act entitled "An act to provide for the reimbursement of certain personnel or former personnel of the United States Navy and United States Marine Corps for the value of personal effects destroyed as a result of a fire at the Marine Barracks, Quantico, Va., on October 27, 1938," approved June 19, 1939, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum not to exceed \$129.75, as may be required by the Secretary of the Navy to reimburse Private (First Class) Earl S. Rogers, United States Marine Corps, after claimant shall have filed itemized statement showing actual damages sustained by proper appraisal, and under such regulations as he may prescribe pursuant to the provisions of Private Act No. 56, Seventy-sixth Congress, approved June 19, 1939, for losses of and damages to reasonable and necessary personal property resulting from the fire which occurred at the Marine Barracks, Quantico, Va., on October 27, 1938: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

LAND AT FLOYD BENNETT FIELD

The bill (S. 3174) to authorize the Secretary of the Navy to accept, without cost to the United States, a fee-simple conveyance of 16.4 acres, more or less, of land at Floyd Bennett Field in the city and State of New York was announced as next in order.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill?

Mr. WALSH. Mr. President, the purpose of the bill is to authorize the Secretary of the Navy to accept from the city of New York, without cost to the United States Government, a parcel of land containing about 16.4 acres at Floyd Bennett Field in the city of New York for use as a naval seaplane base, its more immediate need being in connection with the neutrality patrol.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Navy is authorized to accept on behalf of the United States of America, from the city of New York, free of all encumbrances, and without cost to the United

States Government, a tract of land containing 16.4 acres, more or less, at Floyd Bennett Field in the city and State of New York, for use as a naval seaplane base: *Provided,* That the title to said land shall be satisfactory to the Attorney General and that the conveyance of said land shall be made to the United States of America and shall include the right of access for wheeled vehicles to the land conveyed from the highway bordering the said Floyd Bennett Field property on the westward, known as Flatbush Avenue; also the right of access over adjoining lands of Floyd Bennett Field for the purpose of transporting dredge material to be taken from the submerged or tidal lands adjacent to lands of Floyd Bennett Field for filling the land to be conveyed to a grade conforming to present grades of the Coast Guard reservation and the said Floyd Bennett Field, and also the right to lay, construct, and maintain through the Floyd Bennett Field property water lines, electric lines, telephone lines, gas lines, and other services as the Navy Department may find necessary for its proper and convenient use of the property acquired pursuant to the provisions hereof.

SIDNEY M. BOWEN

The bill (H. R. 5634) granting 6 months' pay to Sidney M. Bowen was considered, ordered to a third reading, read the third time, and passed.

HONORABLE DISCHARGE OF MINORS FROM NAVY AND MARINE CORPS

The bill (H. R. 5734) for the relief of World War sailors and marines who were discharged from the United States Navy or United States Marine Corps because of minority or misrepresentation of age was announced as next in order.

Mr. KING. May we have an explanation of that bill?

Mr. WALSH. Mr. President, the bill seeks to make the naval law conform with the military law. The act of January 19, 1929, provides that enlisted men who enlisted in the naval service under similar circumstances between April 6, 1917, and November 11, 1918, shall, if otherwise entitled to it, be considered to have been honorably discharged.

Mr. McKELLAR. How much will the measure cost?

Mr. WALSH. There will be no cost. Under the law as originally enacted, a youth under age, who was found to have enlisted during the period of war, was dishonorably discharged. By an act of the Congress that provision for dishonorable discharge has been removed, and such a youth is assumed to be honorably discharged. So under existing law, any youth enlisting in the Army or the Navy between the breaking out of the war on April 6, 1917, and November 11, 1918, who was under age, is now assumed to be honorably discharged.

The present law does not apply to a youth who fought during the war, but who enlisted prior to the breaking out of the war. The law applying to those who enlisted in the Army provides that those enlisting under 18 years of age prior to the breaking out of the war, though that fact was discovered after the war, need not be dishonorably discharged because of their age. Under existing law they are now held to be honorably discharged.

The pending bill puts the enlisted men of the Navy in the same position with the enlisted men of the Army, so that any youth who, before the outbreak of the war, as well as during the war, and up to the time of the end of the war, was under 18 years of age, who was so zealous and enthusiastic that he wanted to fight for his country before he reached the age of 18, shall be considered to be honorably discharged, provided there has been no subsequent misconduct.

Mr. KING. I was going to ask a question as to the latter consideration.

Mr. WALSH. There is a provision that it must appear that there was no subsequent misconduct.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 7922) making appropriations for the executive office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1941, and for other purposes, was announced as next in order.

Mr. ADAMS. This measure is the independent offices appropriation bill, 1941. I understand it is agreed that the

measure is not to be considered today. I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

That concludes the calendar, with the exception of the urgent deficiency appropriations bill, which was temporarily passed over.

URGENT DEFICIENCY APPROPRIATIONS

Mr. ADAMS. I move that the Senate proceed to the consideration of Calendar No. 1205, House bill 8067, making appropriations to supply urgency deficiencies in certain appropriations for the fiscal year ending June 30, 1940, and for other purposes.

The PRESIDING OFFICER. The question is on the motion of the Senator from Colorado.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 8067) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1940, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

The first amendment of the Committee on Appropriations was, under the heading "Legislative," on page 1, after line 7, to insert:

SENATE

For payment to Mary Borah, widow of William E. Borah, late a Senator from the State of Idaho, \$10,000.

The amendment was agreed to.

The next amendment was, at the top of page 2, to insert:

For repairs, improvements, equipment, and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended from the contingent fund of the Senate, under the supervision of the Committee on Rules, United States Senate, fiscal year 1940, \$23,700.

The amendment was agreed to.

The next amendment was, on page 3, after line 15, to insert:

ARCHITECT OF THE CAPITOL

Senate Office Building: To reimburse the maintenance fund of the Senate Office Building for the fiscal year 1940 for necessary emergency expenditures for desks, chairs, stands, tables, and other equipment and supplies, for the use of the additional clerical assistants to Senators, under the provisions of Public Law No. 216, Seventy-sixth Congress, approved July 25, 1939, \$5,000.

The amendment was agreed to.

The next amendment was, at the top of page 4, to strike out:

EXECUTIVE

INDEPENDENT ESTABLISHMENTS

UNITED STATES CONSTITUTION SESQUICENTENNIAL COMMISSION

The portion of the appropriation for the Commission, contained in the Third Deficiency Appropriation Act, fiscal year 1939, which may be expended exclusively for personal services is hereby increased from \$5,000 to \$7,500.

The amendment was agreed to.

The next amendment was, under the heading "Navy Department—Replacement of naval vessels", on page 4, line 16, after the numerals "1940", to strike out "\$29,000,000" and insert "\$28,000,000", so as to read:

Armor, armament, and ammunition: For an additional amount toward the armor, armament, and ammunition for vessels heretofore authorized (and appropriated for in part), including the same objects and under the same conditions and limitations prescribed under this head in the Naval Appropriation Act for the fiscal year 1940, \$28,000,000, to continue available until expended.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. CHANDLER in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations and a convention, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

Mr. ASHURST (for Mr. NEELY), from the Committee on the Judiciary, reported favorably the nomination of Albert M. Rowe, of West Virginia, to be United States marshal for the northern district of West Virginia.

Mr. WALSH, from the Committee on Naval Affairs, reported favorably the nomination of Lewis Compton, of New Jersey, to be The Assistant Secretary of the Navy.

He also, from the same committee, reported favorably the nominations of sundry officers for appointment and promotion in the Navy.

Mr. MINTON, from the Committee on Military Affairs, reported favorably the nominations of sundry officers for appointment, by transfer, in the Regular Army, and also the nominations of several officers for appointment as general officers in the National Guard.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Calendar.

WORK PROJECTS ADMINISTRATION

The Chief Clerk read the nomination of Benjamin Marvin Casteel to be work-projects administrator for Missouri.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES DISTRICT COURTS

The Chief Clerk read the nomination of William J. Barker to be judge of the United States District Court for the Southern District of Florida.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. ANDREWS. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination of William J. Barker to be judge of the United States District Court for the Southern District of Florida. I make this request because I understand that the President is leaving for Hyde Park this afternoon, not to return until probably Tuesday; and the regular term of the United States District Court for the Southern District of Florida begins next Monday.

The PRESIDING OFFICER. Without objection, the President will be notified.

Mr. McNARY. Mr. President, on account of the noise in the Chamber I did not hear the nature of the Senator's request.

The PRESIDING OFFICER. The Senator from Florida asked that the President be notified of the confirmation of the appointment of a judge in the southern district of Florida.

Mr. McNARY. Is the name of the nominee on the Calendar?

The PRESIDING OFFICER. It is, and the nomination has been confirmed.

The clerk will state the next nomination.

The Chief Clerk read the nomination of John Patrick Hartigan to be judge of the United States District Court for the District of Rhode Island.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES ATTORNEY

The Chief Clerk read the nomination of Theron Lamar Caudle to be United States attorney for the western district of North Carolina.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES MARSHALS

The Chief Clerk read the nomination of Julius J. Wichser to be United States Marshal for the southern district of Indiana.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Edwin D. Bolger to be United States marshal for the western district of Michigan.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

NATIONAL MEDIATION BOARD

The Chief Clerk read the nomination of David J. Lewis to be a member of the National Mediation Board.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

GOVERNOR OF ALASKA

The Chief Clerk read the nomination of Ernest Gruening to be Governor of the Territory of Alaska.

Mr. VANDENBERG. Mr. President, under the prevailing practice of "carpetbagging" the Governorship of Alaska, I have no objection to Mr. Gruening as a nominee. I merely wish to assert my belief that the residents of Alaska are highly justified in insisting that there is now a sufficient civilized population in Alaska so that it ought to be permitted to have one of its own residents selected as Governor. I hope this is the last "external" Governor who will be sent in that capacity.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DISTRICT OF COLUMBIA

The Chief Clerk read the nomination of Melvin C. Hazen to be Commissioner of the District of Columbia.

Mr. BYRNES. I ask that the nomination go over.

The PRESIDING OFFICER. Without objection, the nomination will be passed over.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

That completes the calendar.

PROMOTIONS IN THE NAVY

Mr. WALSH. Mr. President, previously today I submitted a report from the Committee on Naval Affairs recommending the confirmation of various nominations for promotions in the Navy. I also submitted a report recommending the confirmation of the nomination of The Assistant Secretary of the Navy. I do not ask that the latter nomination be taken up now. I suggest that it remain on the calendar. However, with respect to the list of naval officers who are recommended for promotion, I ask that those nominations be now confirmed, only for the reason that such action will save a great amount of reprinting in the CONGRESSIONAL RECORD. The promotions referred to are matters of a perfunctory nature.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts? None is heard, and the nominations for promotions in the Navy are confirmed.

INSURANCE STUDY BY TEMPORARY NATIONAL ECONOMIC COMMITTEE

The Senate resumed legislative session.

Mr. O'MAHONEY. Mr. President, I think it is usually the case, when a committee of Congress undertakes an investigation or study of any kind, that persons who are called before the committee are sometimes inclined to feel a little apprehensive as to the purposes of the committee, and also as to the method the committee may follow.

This has been the case with respect to the study of the Temporary National Economic Committee. Certain misapprehensions of the work and purposes of the committee have been current during the past 3 or 4 months, particularly with respect to the study of insurance which has been in progress. Articles have been published attributing to the committee purposes and motives which the committee itself has never entertained. Upon numerous occasions the chairman of the committee has been at great pains to iterate and reiterate that the only object of the committee is to gather substantive facts regarding the economic situation and to present them

in such a form that they may be studied not only by the committee but by the public also.

During the past month or so several Members of Congress have received letters from persons engaged in the insurance business giving expression to some of the fears to which I have alluded. On January 22 I wrote a letter to Representative TAYLOR of Colorado, chairman of the House Appropriations Committee, to whom one of these letters had been addressed. In my communication to him I undertook to explain in detail the purpose of the committee and attempted to set at rest some of the mistaken notions as to what the committee is trying to do.

Mr. President, I ask unanimous consent that the letter which I have written to Representative TAYLOR, together with the accompanying documents, be printed in the RECORD. I do this in order that a correct statement may be available to all Members of Congress to whom such inquiries have been addressed.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I shall be glad to yield.

Mr. BYRNES. Last fall the insurance commissioner of my State and a number of insurance agents came to see me about the rumor to which the Senator has referred. I should like to know whether or not, in the letter addressed to the Representative from Colorado, the Senator from Wyoming made any statement as to whether or not the committee intends to recommend to the Congress at this session that legislation be enacted providing for Federal supervision of insurance, or for some agency of the Government going into the insurance business. Such was the statement that had been communicated to the insurance officials of my State and to persons engaged in the insurance business. If the committee has no such plan at this time, I think publicity should be given to the statement of the Senator from Wyoming, so that the insurance people will not be unduly alarmed.

Mr. O'MAHONEY. I can say without reservation or qualification of any kind that the committee has never met to consider recommendations with respect to insurance; and no member of the committee has ever suggested to the chairman that either of the policies which the Senator has just mentioned should be adopted, or that any recommendation of that character should be made.

Mr. BYRNES. Mr. President, will the Senator further yield?

Mr. O'MAHONEY. I yield.

Mr. BYRNES. Is the statement made by the Senator in accord with the statement communicated to him by Representative TAYLOR, of Colorado, to whom the Senator's letter was addressed?

Mr. O'MAHONEY. Yes.

Mr. BYRNES. Has the Senator any idea as to the origin of the statement which caused persons throughout the country to obtain the impression referred to?

Mr. O'MAHONEY. Oh, yes.

Mr. BYRNES. I shall be very glad to hear it.

Mr. O'MAHONEY. The statement originated from two principal sources. In the first place, there appeared in a recent issue of the Nation's Business, which is published by the United States Chamber of Commerce, an extensive article on insurance, and in this article certain purposes were attributed to the committee. Among those were not only those which the Senator has mentioned, but also the purpose of destroying the agency system of selling insurance. That is also a complete and utter misapprehension.

As a matter of fact, I have never heard any member of the committee indicate anything but the greatest sympathy for the agency system. Speaking for myself, I have no hesitation whatever in saying that my deepest conviction is that the solution of the Nation's economic troubles does not lie along the road of the expansion of Government activity or competition by Government with private industry. My conviction is that the best service we can render to the people of the United States is to stimulate free private enterprise. So it would be far from the chairman's thought to give support to any such proposal; and I am confident that no such proposal could

receive an affirmative vote in the committee, if, indeed, it should be suggested.

Mr. KING. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I shall be glad to yield to the Senator from Utah.

Mr. KING. Is it not a fact that the only statement made by the committee with respect to its activities was the preliminary report, which dealt largely with patents? As I understand, that is the only authorized expression by the committee of any of its opinions or conclusions reached during the hearings.

Mr. O'MAHONEY. Absolutely. Not only is that true, but I will say that I have questioned members of the committee with respect to certain published conclusions which were attributed to them, and as yet I have been unable to find any member of the committee who would assume for himself the responsibility for making any such suggestions.

I will say to the Senator from South Carolina [Mr. BYRNES], with respect to his inquiry regarding Federal supervision of life insurance, or insurance of any kind, that it is an amusing fact that strong arguments have been made by insurance companies to support Federal jurisdiction over the business. In the article which appears in the Nation's Business, two cases were cited—the case of Paul against Virginia and the case of New York Life Insurance Co. against Deer Lodge, Mont.—with both of which Senators are familiar. These cases were cited to support the conclusion that insurance is not commerce within the commerce clause of the Constitution, and therefore should not be subjected to any kind of Federal supervision. The curious fact is that both of those cases were brought by insurance companies, which entered the courts for the purpose of trying to prove that insurance is a national business and should not be regulated by the States.

In the case of Paul against Virginia, the State of Virginia had enacted a statute providing that no foreign insurance company should be permitted to sell life insurance in that State without first having obtained a license from the State. One of the requirements for securing such a license was the deposit of a certain amount of bonds with State authorities. The insurance company instructed its agent, a man by the name of Paul, to make application for a license but to refuse to file the bonds so that he might be arrested and prosecuted in order that a test case should go to the United States Supreme Court. The issue there was whether or not there should be State regulation of insurance, and this particular company was seeking legal authority to resist that sort of regulation.

The same was true in the Deer Lodge case. There the New York Life Insurance Co. was at great pains to prove that the business of insurance was so national in scope, so interstate in character, that it should be relieved of State taxation.

Mr. BYRNES. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from South Carolina?

Mr. O'MAHONEY. I yield.

Mr. BYRNES. The statement of the Senator is that not only has the committee not agreed upon any such recommendation but the chairman of the committee does not know of any member of the committee who is urging or advocating either of the two proposals to which I have referred?

Mr. O'MAHONEY. Certainly not. No such proposal has been made or urged upon the committee.

Mr. BYRNES. It seems to me that it is only one of many cases where somebody has deliberately attempted to tear down the work of the committee by arousing sentiment against it throughout the country. My hope is that in some way the statement of the Senator may be carried to the country. I do not say it is so in this instance, but sometimes such things are prompted by the desire of somebody to frighten businessmen into employing representatives to save them from the "terrible" Congress. Whether that is the case or whether there is a sincere fear underlying sugges-

tions which have been made is something we cannot pass upon, but I am accepting without any question at all the statement of the Senator from Wyoming, and it demonstrates that many able businessmen throughout the country have been imposed upon.

Mr. O'MAHONEY. Of course, I cannot pretend to forecast what recommendation the committee may eventually desire to make, but I can express my own well-founded opinion, and I do assert in the most emphatic way that somebody has been erecting a straw man for the purpose of knocking him down and at the same time perhaps of casting some impediments in the way of the committee.

May I be permitted here at this point to say that when the committee was created it was widely prophesied that the purpose of the committee was to embark upon a witch hunt? Many of the columnists who send out their interesting reports from Washington made the prediction, "This is going to be a witch hunt; an effort will be made to pillory business; an effort will be made to victimize the leaders of business." This committee has been in existence now for considerably more than a year, and it certainly ought to be significant to business leaders and to the public generally throughout the country that nobody has yet been hanged by the committee.

Mr. President, in view of the fact that this discussion has taken more time than I thought it would at the beginning, I shall modify my request and now ask that the letter and documents to which I referred be printed in the body of the RECORD in connection with the remarks of the Senator from South Carolina [Mr. BYRNES], the Senator from Utah [Mr. KING], and myself.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The letter and documents referred to are as follows:

INSURANCE INDUSTRY NOT UNDER ATTACK

UNITED STATES SENATE,
Washington, D. C., January 22, 1940.

HON. EDWARD T. TAYLOR,

House Office Building, Washington, D. C.

DEAR MR. TAYLOR: Mr. James R. Brackett, executive secretary of the Temporary National Economic Committee, has handed me your letter of January 15 with enclosures from two of your constituents commenting upon the study of insurance which has been presented to this committee by the Securities and Exchange Commission. Since both of these letters give expression to certain misapprehensions which are now current with respect to this study, I shall venture to discuss the matter in more detail than might otherwise seem necessary. I shall also take the liberty of making the letter public.

In the first place, let me say that as long ago as November 14, 1939, in response to an inquiry from Hon. George E. Allen, Commissioner of the District of Columbia, who had an engagement to speak to the Massachusetts Insurance Society the following week, I wrote him a letter with respect to these reports. In that letter I said:

"I am most happy to authorize you to say on my behalf that there isn't the slightest basis for the intimations appearing in certain insurance journals that the committee, or any member of its staff, is promoting any scheme for Government competition with the insurance industry * * *."

"As has been indicated by the message of President Roosevelt in which he recommended this economic study and by frequent statements of the chairman, statements which have never been controverted by any member of the committee or its staff, the sole objective of the committee is to promote free, private enterprise. Statements to the contrary are wholly unwarranted."

These statements are as correct today as when I wrote them. Moreover, before my letter to Mr. Allen was placed in his hands I submitted it to Commissioner Leon Henderson of the Securities and Exchange Commission and to Mr. Gerhard A. Gesell, special counsel for the Securities and Exchange Commission, who has presented the insurance study to our committee. Neither of these gentlemen offered any objection to the letter so that it may be taken not only as the expression of the chairman of the Temporary National Economic Committee, but also as the expression of those members of the committee and of its staff who are associated with the Securities and Exchange Commission.

If you will examine again the letters which you have received, you will find that like others which have been sent to other Members of Congress they rely not upon anything that has been recommended by this committee but solely upon the predictions, assumptions, suspicions, and fears of the writers as to what the committee may do. No one knows better than you how perfectly impossible it is to disprove the accuracy of a prophecy, yet practically all of the allegations which are now being circulated among Members of Congress are based upon predictions of what the committee

intends to do. I can only say to you that I have no reason whatever to place any credence in these direful predictions.

Upon investigation I find that the letters now coming to Members of Congress from persons engaged in the insurance industry and from a few State commissioners appear to have been based upon a memorandum recently distributed to the industry by Col. C. B. Robbins, manager and general counsel of the American Life Convention with offices in Chicago. Colonel Robbins was good enough to place a copy of this memorandum in my hands last Saturday. I have since read it and find in it and in the special bulletin and form letter which accompanied it at least several statements which are not substantiated by any facts which have come to my knowledge. Let me list some of them:

1. The covering letter transmitting the American Life Convention pamphlet explains its circulation with the statement:

"It was thought advisable to warn them (Members of Congress) of the desire of some members of the Temporary National Economic Committee for Federal supervision of all life insurance, together with the taking over by the Government of industrial insurance and merging it with the social-security system."

2. The letter implies that it is the purpose of the committee, or some of its members, to abolish the agency system of selling life insurance.

3. These inferences are carried throughout the pamphlet with certain additional inaccuracies as, for example, the following prophecy which, so far as I can find out, is altogether without foundation:

"Any proposal for Federal supervision and control would not emanate from policyholders—its source would be purely political—and should one of the principal purposes behind it be to secure indirect but effective dominion over the \$30,000,000,000 held in trust by the companies, its accomplishment would be a calamity."

4. The pamphlet sets forth that the insurance business "has been subjected to an injurious and unfair attack" and that "no opportunities have been given for companies to reply to insinuations in questions as to their practices, nor have the witnesses been permitted to make full statements while answering trick questions propounded to them by the counsel."

There are other inaccuracies which could be noted, as, for example, the statement in the covering letter that the Securities and Exchange Commission has 64 investigators at work among the companies while, as a matter of fact, the Securities and Exchange Commission advises me that at the present time it has only 8 investigators in the field and has never had more than 12. Let me, however, deal with these important statements which I have listed:

1. No member of the committee, or of its staff, has ever intimated to me that the Government should take over industrial insurance, nor has any suggestion ever been made to me by any person associated with this committee that industrial insurance should be merged with the social-security system. Moreover, the committee has never discussed any such proposal at any meeting and it has never made any recommendation at all.

It is true that Senator WAGNER, of New York, has been quoted in the newspapers as favoring a Federal annuity system under the Social Security Board. It should be noted that Senator WAGNER is not a member of this committee and therefore his views cannot be imputed to the committee. Moreover, his proposal has never been discussed by the committee.

2. With respect to the allegation that this committee wants to undermine the agency system, I am glad to be able to assure you that there is not the slightest foundation for any such report. I know of no member of the committee or of the staff who has even intimated such a proposal.

3. The suggestion that one of the principal purposes behind the study is to enable the Federal Government to secure domination of insurance-company reserves is utterly fantastic. Even if such a proposal were suggested, and no such suggestion has been made, I do not hesitate in expressing my opinion that this committee would never for one moment consider submitting any report or any recommendation which would in the slightest degree lend color to this assertion.

4. With respect to the charge that witnesses have been compelled to answer trick questions and that no opportunity has been given to the companies to reply to insinuations, let me say that in the insurance hearings, as in every other hearing, every witness was given full opportunity to be accompanied by his lawyer on the stand. In most cases the witnesses knew in advance the type of question that was to be submitted and the general tenor of the examination. From the very outset the committee has taken every precaution to give the fullest opportunity to every witness and to every company. It may be worth while noting that only last week, at the conclusion of the study of cartels, two very distinguished business executives, Mr. Cornelius F. Kelley, head of the Anaconda Copper Co., and Mr. E. T. Stannard, president of the Kennecott Copper Co., both publicly commented at the hearings upon the fairness with which the committee had acted and the fairness of the hearing itself.

Let me assure you that we have not been conscious of any purpose or desire to be otherwise with the representatives of the insurance industry. Several months ago this committee issued a public invitation to industry to make presentation to the committee of its own views in its own way. This invitation was accepted by the oil industry and by the steel industry. I think an examination of the record in the former case will support the statement that a more complete and authoritative study of the oil in-

dustry has never been made. I trust that the same may be true of the steel industry, the hearings upon which are still in progress.

This invitation has been open to the insurance industry. It is still open and at the next executive meeting of the committee it will be my purpose to propose that a special invitation be extended to the insurance industry to present to this committee its own story in its own way. In order that you may know the manner in which such hearings are conducted, I am attaching a copy of the procedure which the committee has laid down for such an industrial presentation.

It is just as true now as it was in the beginning of these hearings that the only purpose of the committee has been to make an objective study of our economic system. You may, with perfect confidence, thus assure all persons who make inquiry of you.

I venture to add here the opinion which I have expressed upon many occasions, that economic freedom is just as essential to the happiness and prosperity of our people as religious and political liberty, that the extreme need of our time is the elimination of all restraints upon economic opportunity, and that business itself needs the liberation of the natural person from regimentation from economic forces as well as his protection from regimentation by government. Both business and government are intended to serve people. My interest in the work of the Temporary National Economic Committee and, so far as I have been able to observe, the interest of every member of the committee has been to preserve this economic freedom.

Sincerely yours,

JOSEPH C. O'MAHONEY.

[Copy of special bulletin referred to in par. 7 of Senator O'MAHONEY'S letter]

Special bulletin, American Life Convention, Executive Offices, 230 North Michigan Ave., Chicago

December 1, 1939.

LIFE INSURANCE SHOULD BE SUPERVISED, REGULATED, AND GOVERNED BY LAW IN THE STATES

Enclosed herewith is a copy of the pamphlet just issued by the convention, prepared by a committee composed of Messrs. C. A. Craig, T. A. Phillips, and Claris Adams, working in conjunction with convention headquarters.

The pamphlet has been examined, edited, and approved by the executive committee of the convention. It is being sent to all vice presidents of the convention, together with a letter, a copy of which is enclosed with this bulletin, and which is self-explanatory.

Should you desire more copies of this pamphlet, kindly notify convention headquarters, and we will mail them to you for use by your officers and agents in the manner in which you think will be most useful.

C. B. ROBBINS,

Manager and General Counsel.

[Copy of form letter referred to in par. 7 of Senator O'MAHONEY'S letter]

AMERICAN LIFE CONVENTION,

December 1, 1939.

DEAR MR. —: A resolution was passed at the last annual meeting of the American Life Convention, directing the executive committee to prepare a vigorous and effective campaign of education for the purpose of advising Members of Congress of a possible purpose behind the present investigation by the Temporary National Economic Committee in Washington. It was thought advisable to warn them of the desire of some members of the Temporary National Economic Committee for Federal supervision of all life insurance, together with the taking over by the Government of industrial insurance, and merging it with the social-security system. During the course of the investigation savings-bank life insurance has been held up as a model institution in view of the fact that no agents' commissions are paid, and the agency system of selling life insurance has been severely criticized.

Pursuant to this resolution, the enclosed pamphlet has been prepared, and approved by the executive committee, with the thought that each State vice president of the convention would contact, through personal interviews, the Members of Congress from his State, and give them a copy of the pamphlet for their information. He could also ascertain the attitude of the Members of Congress toward the objectives of those members of the T. N. E. C. who desire Federal supervision and absorption by the Government of industrial insurance. I am sending you, under separate cover, 25 copies of the pamphlet. Should you desire any more from time to time please advise us and they will be forwarded to you promptly. Inserted in the pamphlet you will find a mimeographed copy of a recent address by Hon. James M. McCormack, commissioner of insurance and banking for the State of Tennessee.

The — companies in — are likewise members of the convention. I am sure that they will cooperate with you in this matter, and if you will contact them, asking that they see the Congressmen nearest their home offices, the work of interviewing all the Members of Congress from your State will be distributed so that your task will be considerably lessened. I am sending each company a copy of this letter so that they may be advised as to what is being done.

May I have your assurance that you will see to it that every Member of Congress and both Senators from your State are interviewed by you or by one of the executives of the member companies in your State.

We do not believe congressional members of the T. N. E. C. are in sympathy with the critical attitude of the departmental members in the investigation—criticism seems to come largely from the Securities and Exchange Commission and other departmental members of the Committee.

It will also be interesting to you to know that, at the present time, we are informed that the S. E. C. has 64 investigators among the companies, obtaining minute information as to conduct of the offices of the companies, examining files, etc. You are probably familiar with the questionnaire which was recently sent to all State insurance commissioners, inquiring closely into the conduct of the various State departments. It is our understanding that this questionnaire will be considered at the commissioners' meeting in Biloxi, Miss., December 6-9, inclusive.

Copies of the pamphlet are being sent to nonmember as well as member companies, and if you know some executives of nonmember companies in your State, I am sure they will assist in the work of contacting members of Congress.

I enclose a list of the Congressmen and Senators from your State. Will you please advise me from time to time, as you have interviewed them, what the results of your efforts have been.

If you desire further information, or if we can be of any assistance to you, please write me and I will be delighted to give you anything which the convention has on this matter.

Cordially,

C. B. ROBBINS,
Manager and General Counsel.

[Copy of pamphlet referred to in par. 7 of Senator O'MAHONEY'S letter]

LIFE INSURANCE SHOULD BE SUPERVISED, REGULATED, AND GOVERNED BY LAW IN THE STATES

(American Life Convention, executive offices, 230 North Michigan Avenue, Chicago, Ill.)

This pamphlet is issued in pursuance of a resolution of the American Life Convention, adopted at its annual meeting in Chicago, Ill., on October 4, 1939, the resolution being as follows:

"Whereas the American Life Convention did on the 5th day of December 1905 adopt the following resolution:

"Resolved, that we are opposed to any interference with State supervision and control of life-insurance companies, that Federal supervision is not expedient. * * * We endorse strict State supervision," and

"Whereas on the 10th day of October 1914, the convention did approve the following declaration:

"Inasmuch as an insurance congress is to be held at San Francisco in 1915, at which congress the subject of Federal supervision of life insurance is likely to be one of the topics under discussion, we recommend that any delegate or delegates of the American Life Convention to said insurance congress be instructed to advocate at all reasonable times the original declaration and the subsequently reiterated expressions of the American Life Convention in favor of State supervision and against Federal supervision, and to oppose all efforts to commit the insurance congress to Federal supervision, whether by constitutional amendment or otherwise," and

"Whereas, under the existing system of State supervision in the most trying times in the country's history by the faithful discharge of obligations, life-insurance benefits accruing to living insureds and beneficiaries of the deceased have unquestionably greatly relieved the economic stress and demonstrated the soundness of the institution of life insurance, and

"Whereas the record of performance of life insurance is proof of the efficiency and adequacy of State regulation;

"Now, therefore, the American Life Convention, composed of 154 life-insurance companies, with home offices in 40 States of the Union and the District of Columbia, does reaffirm its previous declarations of principle affecting examinations, favoring State supervision and opposing Federal regulation; and be it

"Resolved, That an organized effort be made to more fully inform the public, and that the executive committee of the American Life Convention be, and is hereby, authorized to take such action as by it may be deemed to be advisable to conduct a vigorous and effective campaign of education."

LIFE INSURANCE SHOULD BE SUPERVISED, REGULATED, AND GOVERNED BY LAW IN THE STATES

Life insurance is an institution serving 65,000,000 American citizens through more than 300 companies domiciled in virtually every State in the Union. Through this instrumentality the people of this country have accumulated savings of approximately \$450 per policyholder. This is the result of a century of effort through individual initiative and is an achievement of free enterprise. In many ways it is uniquely an American institution, for while there are life-insurance companies in every nation in the world, almost two-thirds of all life insurance is held by thrifty Americans.

The amazing growth in life insurance didn't just happen; it was due to a number of causes. People came to realize that the system on which it was founded provided the greatest measure of safety for those seeking economic security. This public confidence was due to strict investment laws and thorough supervision

in the various States, to the wise management of companies themselves, and to the earnest and conscientious efforts of 200,000 life underwriters who are the apostles of optimism, spreading the gospel of life insurance and its benefits to every nook and corner of the Nation.

Prior to the recent great depression life insurance had successfully weathered the disastrous effects of the crises of 1857, 1873, 1893, and 1907, meeting its obligations in full, while other financial institutions had failed in great numbers, with consequent losses to their investors and depositors. When the crisis of 1929 started the great depression, life insurance met this greatest stress of all with the same degree of reliability and solvency.

During the darkest days in the early years of the depression the life-insurance companies paid out to their policyholders \$8,360,000 per day, and for the total of this period, ending in 1938, the sum of \$23,590,268,703. They are continuing to meet their responsibilities and discharge their obligations with a full measure of financial honor. For more than half of our population, consisting of frugal and thrifty people who endeavor to provide not only for their loved ones in case of death, but for their own old age as well, life insurance is the greatest social security in the world.

While a few companies had their reserves impaired by reason of the tremendous fall in the value of securities, the total loss to policyholders by reason of liens imposed upon their reserves in companies which failed, amounted to less than two-thirds of 1 percent of the total sum entrusted to the companies by their policyholders.

It is unfortunate that this magnificent structure which has been built by the thrift and frugality of our citizens, and maintained through strict State laws, thorough supervision, and able management, should be subjected to an unjust and unfair attack.

The investigation now being carried on by the Temporary National Economic Committee was primarily authorized for the purpose of investigating monopoly in the United States. The actual investigation of life insurance as carried on through the instrumentality of the Securities and Exchange Commission has wandered far afield from this stated purpose and from the original intent of the investigation as proposed in the message of the President to the Congress suggesting an investigation, from the resolution of Congress itself authorizing it, and from the statement of William O. Douglas, then Chairman of the Securities and Exchange Commission, made on February 6, 1939, in which he defined the purpose of the investigation. Until recently it has been difficult to evaluate the motives behind the Securities and Exchange Commission investigation. After starting out with an investigation of the election of directors in mutual companies, the Committee passed to an investigation of premium rates, lapsation, agency turn-over, agency commissions, and in fact has run the gamut of nearly every phase of life-insurance activity except that which it was authorized to investigate, and the investigation itself has been critical to the extreme. No opportunities have been given for companies to reply to insinuations in questions as to their practices, nor have the witnesses been permitted to make full statements while answering trick questions propounded to them by the counsel. In fact, the tenor of the investigation is that of a prosecution rather than an impartial inquiry, and anything of a critical character has been headlined and publicized through every facility at the command of the Securities and Exchange Commission. The entire course of the investigation as conducted and the attitude of those charged with conducting it would indicate that the ultimate object of the investigation is to build up a case against State supervision and for Federal control of the business. The evidence introduced in regard to industrial life insurance would indicate an intention to recommend the introduction of a bill which has as its object the virtual elimination of all private industrial life insurance in the United States by enlarging the scope of the activities of the Social Security Board to provide for such industrial life insurance at the expense of the taxpayers of the United States.

The United States Government entered the life-insurance business during the war as a means of life-insurance protection for the men engaged in military service. The total war-risk insurance issued to 4,529,000 individuals at one time amounted to \$39,606,000,000, and the total amount of premiums paid on this insurance to September 30, 1939, is \$453,973,000, and there has been paid in death and total permanent disability claims thereunder the sum of \$2,048,000,000, and about \$218,000,000 more will be required to complete the monthly installment benefits under this insurance.

United States Government life insurance since the war has decreased to \$2,546,144,568, and has been carried on with the entire cost of administration paid from the general fund of the United States Government raised through taxation. Nevertheless the cost to policyholders is little, if any, less than that which could be obtained in a number of representative private companies.

Should the United States Government take over the business of industrial life insurance and merge it with the Social Security Act the overhead cost thereof would be borne by the people of the United States through taxation, just as the overhead cost of the present Government life insurance is borne.

The natural inquiry which comes to the mind of any impartial observer is the question as to any necessity of interfering with and upsetting the present magnificent structure of life insurance in order to have the Government of the United States, with an enormous cost to its people, further enlarge its activities in this field, and the further question as to why it is necessary for the Federal Government to endeavor to regulate, supervise, and control life insurance companies when the very record of the institution of life insurance itself speaks louder than any words can speak for the efficiency of

State regulation, and the wise protection afforded policyholders by the various laws throughout the States governing life insurance.

Let us now consider briefly the reasons why supervision of life insurance should be maintained under State jurisdiction rather than Federal jurisdiction.

ADVANTAGES OF STATE SUPERVISION

The State system of regulation by commissioners enables quick decisions on timely subjects and the decentralization of this system makes possible the application of individual attention to special circumstances within each particular locality. The exigent nature of the business demands that the offices of authority be instantly available when needed. State commissioners, being local men familiar to the community, are accessible to the policyholder, the small company, and the large company alike.

Necessary regulatory adventures in new fields, although designed to be beneficial, may be disastrous for lack of means to judge their effects. Under decentralized State supervision the consequences of these mistakes are localized and the very sine qua non of insurance—wide distribution of risk—proves its worth. By withdrawal from a State, the strength of a national structure may be saved from the well-intended but misguided requirements of a single supervisory authority. No escape would be possible from the errors of a Federal authority.

The dangers which would beset the industry should such an abundance of power and responsibility be centralized in one person's hands are manifest. Today these decisions, so vital to the security of the entire Nation, are the product of the independent observations of the commissioners of 48 States, the District of Columbia, and the Territories, brought together in the national meetings and frequent conferences of the National Association of Insurance Commissioners, to be sifted and tested by the experience of men familiar with peculiarities of each corner of the country. State supervision is good or bad, according to the merits of the best of this commissioners, whereas Federal supervision must be good or bad according to the qualities of one man, unchecked by the work of coordinate officials.

The National Association of Insurance Commissioners, which comprises within its membership the insurance governing body of every State and Territory in the Union, has its committees dealing with every phase of life insurance, and a system of coordination of laws, rules, and regulations has been built up by this body which has synchronized the general supervision of life insurance, while leaving State laws free to deal with conditions peculiar to any one State. The growth of life insurance in volume and its strength attest the efficiency of this method of supervision.

DISADVANTAGES INHERENT IN TRANSFER OF CONTROL

Transition to Federal supervision would mean the abandonment of a great body of common law which time alone can replace. Years of litigation have so thoroughly tested and interpreted the now generally standardized provisions of the State insurance codes that obligations may be undertaken with the degree of certainty which is essential to a business founded on legal relationships. Policy forms and general practices have been developed and designed to conform to these laws so construed.

Companies doing business in several States would be answerable to one authority—the Federal Government—while a company doing business entirely within its home State would be answerable to another—the State government. The competitive advantage to be had in differences between the laws governing a nationally supervised and a locally supervised company operating in the same State will foster a rivalry for legislative favoritism. A business now united in its appeal for just and nondiscriminatory legislation would be divided in a struggle for regulatory advantage.

DISADVANTAGES OF FEDERAL SUPERVISION

Federal supervision would serve only to centralize still further the power of our central government where there is already too much centralization.

There is no indication that a National Administrator of Insurance would be any more efficient than State commissioners.

The past record of Federal administration of various commercial activities, such as the railroads and the national banks, certainly has nothing to commend it by way of success.

Life insurance recognizes the need of supervision for its own good as well as in the interest of policyholders and the public. It is mostly concerned, however, in the quality of supervision and naturally shrinks from dual supervision. It does not believe that all State laws (both case and statutory) governing the relation between insurer and insured can be replaced by a body of Federal laws, and only in such case can we have Federal supervision. Supervision and regulation must derive authority from the same source whence come the laws regulating the business supervised.

It is utterly impossible to have a centralized Federal Code which could govern the investment functions of the companies' business, for the reason that conditions differ so widely in various parts of the country that what is advisable under conditions in New York, and now permitted by law there, would be inadvisable under conditions prevailing in some Western or Midwestern State and its laws.

Centralized control of life insurance by a single governmental agency naturally arouses apprehension of political tampering with the investment of trust funds of the most sacred character. We frankly fear that the power of coercion inherent in supervision by a single Federal bureau might be used to force the financing

of Federal projects, economic experiments, and pet political schemes by successive administrations.

Any proposal for Federal supervision and control would not emanate from policyholders—its source would be purely political—and should one of the principal purposes behind it be to secure indirect but effective dominion over the \$30,000,000,000 held in trust by the companies, its accomplishment would be a calamity. Few things are more important to more people in America than keeping politics out of life insurance. The decentralized nature of State supervision minimizes such a danger. The centralized character of Federal control would magnify it.

If it is proposed to superimpose Federal supervision upon State supervision, as has been vaguely hinted by some members of the Temporary National Economics Committee, you would have Federal supervision making a decision in one State which would be contrary to the decision it would have to make in another State, due to the divergence of State laws, and the whole matter of supervision would be involved in such a mass of contradictory decisions that the only result would be a continued harassing of companies who would be trying to serve two masters at the same time.

PRESENT STATUS OF LIFE INSURANCE AS DETERMINED BY THE SUPREME COURT OF THE UNITED STATES

The status of insurance as commerce was first brought before the Supreme Court of the United States in 1863, and that Court decided in the case of *Paul v. Virginia* (8 Wall. 168), that insurance contracts were not articles of commerce in any sense of the word, and the decision in that case was not questioned until 1913, when the Supreme Court in deciding the case of *New York Life Ins. Co. v. Deer Lodge County* (231 U. S. 495), held:

"The character of a policy of insurance as a personal contract is not changed by their number or the residence of the parties, by centralization of control at the home office, by employment of agents with limited authority, nor by great and frequent use of the mails," and decided that life insurance was not commerce. This line of decisions has been upheld in more than 20 cases by the Supreme Court and as recently as 1938. The Honorable Frank N. Julian, superintendent of insurance of Alabama, and then president of the National Association of Insurance Commissioners, in discussing this line of decisions, said last December:

"Shall the sound decisions of our highest courts be set aside that new powers may be taken over and lodged in centralized Federal bureaus? Shall the rights of the State be ruthlessly cast aside? Shall the supervision through State departments—a plan that for 70 years has proven its worth and aided in building the greatest insurance system in the world—be delegated to the long list of powers usurped by Federal agencies? Shall the great institution of insurance be placed beside those business enterprises that cannot develop because of red tape * * *?"

SUMMARY

To summarize, the life-insurance business is being conducted economically and with a degree of financial honor and integrity unsurpassed by any other financial institution. It has grown and prospered under State supervision until it has become the greatest financial institution of the United States and has grown because the people have confidence in it. Federal supervision at best would be an illogical and probably an unconstitutional arrogation of power to the detriment of State sovereignty and State rights.

Mr. KING. Mr. President, will the Senator from Wyoming yield to me?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Utah?

Mr. O'MAHOONEY. I am glad to yield to the Senator from Utah.

Mr. KING. It may be that representatives of some of the Government agencies that have been engaged in searching for evidence and obtaining data—and they have searched very diligently in the files of many of the corporations of the United States—have inadvertently or otherwise conveyed the idea that certain policies were adopted, or would be adopted, or ought to be adopted, by the committee. I have heard suggestions that statements which have been attributed to representatives of some of the agencies that have been investigating or making the surveys have not always been clear and fair, and that they have conveyed an erroneous idea, namely, that a department of the Government intended to take over certain activities that now belong to private endeavor.

Mr. O'MAHOONEY. Let me say in that connection that two suggestions particularly were made: First, that it was the intention of the S. E. C., which is represented upon the committee and which has been conducting the insurance study, to undermine the agency system and to provide that industrial insurance shall be taken over by the Government. I have inquired of Commissioner Leon Henderson, who has been most active in the work of the committee, and of Mr. Gerhard

Gesell, counsel for the S. E. C. in charge of this study, and both these gentlemen concur absolutely in the statement that there is no basis for either of these charges.

Mr. HARRISON. Mr. President, I am glad the Senator from Wyoming has made this explanation because in common with other Members of Congress I have had many letters regarding it.

However, I want the floor in my own right.

The PRESIDING OFFICER. The Senator from Mississippi.

PRIVATE LOANS TO FINLAND

Mr. HARRISON. I ask to have read to the Senate an editorial which appeared in the Washington Daily News of today with reference to a question about which we have heard much, namely, loans to Finland.

The PRESIDING OFFICER. Without objection, the editorial will be read as requested.

The Chief Clerk read as follows:

PRIVATE LOANS TO FINLAND

A proposal that Finland be invited and helped to sell bonds to American private citizens, using the proceeds to buy war materials, comes from Senator PAT HARRISON.

Others in Congress are said to favor it. A leading Republican, Col. Frank Knox, approved it yesterday. The administration itself, according to reports in Washington, may encourage this proposal.

We hope the reports have foundation. Finland desperately needs fighting equipment. Without that, her leaders say, she is doomed. The skill and courage which have won her America's unbounded admiration cannot prevail against Russia's overwhelming advantage in manpower and resources.

Considerations of foreign and domestic policy are raised against a United States Government war loan to Finland. These objections would not apply to a loan subscribed privately. The argument we do hear against the Harrison proposal is that private investors might be unwilling to risk their money in Finland's bonds.

That argument does no credit to the American people. They have praised Finland for paying previous debts. They have cheered Finland on to resist Russia's brutal assault. We believe that many wealthy Americans, and many not so wealthy, would gladly risk mere dollars where the Finns are risking their lives.

The wealthy, especially, should consider Finland's bonds a good investment in the best prospect that the westward push of communism may be stopped before it becomes a greater menace to our own country. And from a purely material aspect, as Senator HARRISON points out, even eventual defeat of Finland would not mean total loss to Americans who lend her private funds, since if the bonds became worthless a "bad debt" deduction could be made in income-tax returns.

If adequately assisted, Finland will not lose; and if Finland doesn't lose, neither will her creditors.

Mr. HARRISON. Mr. President, I do not know whether I will ask for its consideration—it will depend largely on the bill which is now pending in the Foreign Relations Committee—but I submit at this time a concurrent resolution and ask that it lie on the table. I request that the resolution be read.

The PRESIDING OFFICER. Without objection, the resolution will be read.

The Chief Clerk read the concurrent resolution (S. Con. Res. 37), as follows:

Resolved, That it is the sense of the Congress that the Securities and Exchange Commission should provide for and expedite the registration of any bonds, securities, or other obligations issued by the Republic of Finland, or any of its political subdivisions, upon application made to such Commission for such purpose by the Republic of Finland, or by any representative committee of citizens of the United States hereafter organized and duly authorized to act on behalf of the Republic of Finland for the purpose of obtaining funds through the sale of such bonds, securities, or other obligations.

Mr. HARRISON. Mr. President, with reference to the concurrent resolution, I may say, of course, that it is not necessary for the Congress to take any action in order that a group of citizens representing Finland may go before the Securities and Exchange Commission and apply for registration of bonds or securities for sale in the United States. That can be done without any action upon the part of Congress; but if, in the course of events that might arise, it should become desirable that some expression of the sense of the Congress be made, then I merely want the concurrent resolution to lie on the table for a subsequent vote.

The PRESIDING OFFICER. The resolution will lie on the table.

ADJOURNMENT

Mr. BARKLEY. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 14 minutes p. m.) the Senate adjourned until tomorrow, Friday, February 2, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received in the Senate February 1, 1940

DEPARTMENT OF AGRICULTURE

Claude E. Wickard, of Indiana, to be Under Secretary of the Department of Agriculture, vice Milburn L. Wilson.

FEDERAL RESERVE SYSTEM

Marriner S. Eccles, of Utah, to be a member of the Board of Governors of the Federal Reserve System for the unexpired portion of the term of the 8 years from February 1, 1936, vice Chester C. Davis.

Chester C. Davis, of Maryland, to be a member of the Board of Governors of the Federal Reserve System for a term of 14 years from February 1, 1940, vice Marriner S. Eccles.

DEPARTMENT OF COMMERCE

Grosvenor M. Jones, of Ohio, and Bruce Berckmans, of New Jersey, to be Assistant Directors, Bureau of Foreign and Domestic Commerce.

APPOINTMENTS IN THE REGULAR ARMY

MEDICAL CORPS

To be first lieutenants, with rank from date of appointment

Theodore Livingston Hart- ridge	Louis Harmon Jobe, Jr.
Oscar Peyton Moffitt, Jr.	Robert James Goldson
Harry Gladding Moseley	Alonzo Allan Towner, Jr.
Hugh Warren Jones	Jake William Hearn
Larry Allen Smith	Ephraim Bernard Cohen
Julian Rex Bernheim, Jr.	David Harry Naimark
Robert Paul Hughes	John Ward Regan
Benjamin Hardy Sullivan, Jr.	Robert Bresette Gorman
Sterling James Ritchey	Harold Frederick Funsch
Joseph Calvin Lawrence	Harry James Grossman
Philip Alexander Bergman	Don S. Wenger
David Hickman Drummond	Delmar Eichler Domke
Joseph Brown Gordon	John Joseph Chizik
Fred George Lahourcade	Harold Buffington Graves
James Edward Sams	Maurice Riordan Connolly
	James Edward Hix

PROMOTIONS IN THE REGULAR ARMY

TO BE COLONELS

Lt. Col. Paul Sorg Reinecke, Corps of Engineers, from February 1, 1940.

Lt. Col. Raymond Albert Wheeler, Corps of Engineers, from February 1, 1940.

Lt. Col. William Benjamin Hardigg, Ordnance Department, from February 1, 1940.

Lt. Col. Harry Russell Kutz, Ordnance Department, from February 1, 1940.

Lt. Col. Thompson Lawrence, Infantry, from February 1, 1940.

TO BE LIEUTENANT COLONELS

Maj. Maurice Joseph McGuire, Infantry, from February 1, 1940.

Maj. Leon Gregory Harer, Infantry, from February 1, 1940.

Maj. Chauncey Harold Hayden, Infantry, from February 1, 1940.

Maj. Erle Oden Sandlin, Infantry, from February 1, 1940.

Maj. Isaac George Walker, Cavalry, from February 1, 1940.

Maj. Walter Edward Jenkins, Field Artillery, from February 1, 1940.

Maj. William Elmer Lynd, Air Corps (temporary lieutenant colonel, Air Corps), from February 1, 1940.

TO BE MAJORS

Capt. Lucas Victor Beau, Jr., Air Corps (temporary major, Air Corps), from January 28, 1940.

Capt. Arthur Lee Shreve, Field Artillery, from February 1, 1940.

Capt. George Raymond Connor, Infantry, from February 1, 1940.

Capt. Newman Raiford Laughinghouse, Air Corps (temporary major, Air Corps), from February 1, 1940.

Capt. John Paul Dean, Corps of Engineers, from February 1, 1940.

Capt. Patrick Henry Timothy, Jr., Corps of Engineers, from February 1, 1940.

Capt. Hugh John Casey, Corps of Engineers, from February 1, 1940.

Capt. Patrick Henry Tansey, Corps of Engineers, from February 1, 1940.

Capt. Hans Kramer, Corps of Engineers, from February 1, 1940.

Capt. Albert Gordon Matthews, Corps of Engineers, from February 1, 1940.

Capt. Leland Hazelton Hewitt, Corps of Engineers, from February 1, 1940.

Capt. Michael Charles Grenata, Corps of Engineers, from February 1, 1940.

Capt. Thomas Francis Kern, Corps of Engineers, from February 1, 1940.

Capt. Ralph Edward Cruse, Corps of Engineers, from February 1, 1940.

POSTMASTERS

ARKANSAS

Edward E. Dewey to be postmaster at Decatur, Ark., in place of C. H. Northcutt. Incumbent's commission expired January 15, 1939.

Martin A. Graddy to be postmaster at Evening Shade, Ark., in place of W. F. Price. Incumbent's commission expired July 1, 1939.

Luther J. Wilkes to be postmaster at Helena, Ark., in place of C. L. Moore. Incumbent's commission expired January 15, 1939.

CALIFORNIA

Fred G. Sutherland to be postmaster at Pasadena, Calif., in place of H. B. Byron, deceased.

Ray O. Caukin to be postmaster at Sierra Madre, Calif., in place of R. O. Caukin. Incumbent's commission expired July 27, 1939.

GEORGIA

Walter R. Cannon to be postmaster at Clayton, Ga., in place of W. R. Cannon. Incumbent's commission expired June 8, 1938.

Paul L. Watson to be postmaster at Ellijay, Ga., in place of Howard Perry. Incumbent's commission expired February 19, 1939.

Fletcher N. Carlisle to be postmaster at Flowery Branch, Ga., in place of F. N. Carlisle. Incumbent's commission expired May 2, 1939.

ILLINOIS

Daniel P. Bergin to be postmaster at Chicago Heights, Ill., in place of D. P. Bergin. Incumbent's commission expired August 21, 1939.

Joseph W. Hruby to be postmaster at Lyons, Ill., in place of Bohumil Plos, removed.

Clement Jordan to be postmaster at Paxton, Ill., in place of Ernest Swanson. Incumbent's commission expired February 7, 1939.

John D. Lannon to be postmaster at Saunemin, Ill., in place of J. D. Lannon. Incumbent's commission expired August 22, 1939.

INDIANA

Stanley P. Nelson to be postmaster at Auburn, Ind., in place of S. P. Nelson. Incumbent's commission expired June 26, 1939.

Robert A. Richwine to be postmaster at North Webster, Ind. Office became Presidential July 1, 1939.

IOWA

Ruth M. Stoltz to be postmaster at Ottumwa, Iowa, in place of R. M. Stoltz. Incumbent's commission expired June 18, 1939.

KANSAS

Orville Mills to be postmaster at Medicine Lodge, Kans., in place of W. E. Stout. Incumbent's commission expired January 18, 1939.

KENTUCKY

J. Edgar Moore to be postmaster at Berea, Ky., in place of J. E. Moore. Incumbent's commission expired February 18, 1939.

Walter Clayton Thomason to be postmaster at Georgetown, Ky., in place of N. L. Blackburn, deceased.

Richard L. Frymire to be postmaster at Irvington, Ky., in place of R. L. Frymire. Incumbent's commission expired May 1, 1938.

LOUISIANA

Mrs. Willie B. Killgore to be postmaster at Lisbon, La. Office became Presidential July 1, 1938.

MASSACHUSETTS

Sylvester D. Conley to be postmaster at Ipswich, Mass., in place of S. D. Conley. Incumbent's commission expired July 10, 1939.

MINNESOTA

Harry M. Koop to be postmaster at Crosby, Minn., in place of H. M. Koop. Incumbent's commission expired August 26, 1939.

James E. Cashman to be postmaster at Owatonna, Minn., in place of O. A. Kubat. Incumbent's commission expired March 23, 1939.

Mary E. Herron to be postmaster at Watertown, Minn., in place of S. A. Nystrom. Incumbent's commission expired January 25, 1936.

MISSISSIPPI

Volney M. Crothers to be postmaster at Lambert, Miss., in place of W. E. Dreaden. Incumbent's commission expired January 30, 1938.

NEBRASKA

Tarsney H. Winfrey to be postmaster at Stella, Nebr., in place of T. H. Winfrey. Incumbent's commission expired July 1, 1939.

NEW YORK

Leonard W. Cramer to be postmaster at Cherry Valley, N. Y., in place of J. K. Oakes, removed.

Minnie Losty Smith to be postmaster at New Lebanon, N. Y., in place of M. P. Sullivan, removed.

Edgar M. Mapes to be postmaster at Patchogue, N. Y., in place of A. F. Hawkins, deceased.

Frederick L. Ritchie to be postmaster at Philmont, N. Y., in place of F. V. Palmer. Incumbent's commission expired January 27, 1936.

William J. Murray to be postmaster at Rockville Center, N. Y., in place of C. C. King, deceased.

Arthur H. Wart to be postmaster at Sandy Creek, N. Y., in place of G. J. O'Brien, deceased.

James C. McDonald to be postmaster at Schenectady, N. Y., in place of J. F. Moffett. Incumbent's commission expired June 18, 1938.

NORTH CAROLINA

Ferdinand B. Johnson to be postmaster at Clinton, N. C., in place of F. B. Johnson. Incumbent's commission expired June 5, 1939.

Paul E. Hennessee to be postmaster at Glen Alpine, N. C., in place of J. R. Giles, removed.

Eula Mae White to be postmaster at Hiwassee Dam, N. C. Office became Presidential October 1, 1938.

Thomas L. Maness to be postmaster at Star, N. C., in place of T. L. Maness. Incumbent's commission expired July 1, 1939.

NORTH DAKOTA

August M. Bruschwein to be postmaster at Driscoll, N. Dak., in place of A. M. Bruschwein. Incumbent's commission expired July 19, 1939.

Raymond E. Campion to be postmaster at Willow City, N. Dak., in place of C. C. Ryan, resigned.

OHIO

David E. Bushey to be postmaster at Shiloh, Ohio, in place of G. G. Russell. Incumbent's commission expired June 1, 1939.

OKLAHOMA

Jack W. Smyth to be postmaster at Okemah, Okla., in place of N. E. Bras. Incumbent's commission expired August 27, 1939.

George L. Watkins to be postmaster at Tulsa, Okla., in place of G. L. Watkins. Incumbent's commission expired April 2, 1938.

PENNSYLVANIA

Frank K. Myers to be postmaster at Alexandria, Pa., in place of J. R. McCrum, deceased.

Steve Latsko, Jr., to be postmaster at Allison, Pa. Office became Presidential July 1, 1937.

Frank Bertovich to be postmaster at Bentleyville, Pa., in place of B. E. Martin, removed.

James L. Lindsey to be postmaster at Bradford, Pa., in place of R. P. Habgood. Incumbent's commission expired February 24, 1936.

Edna Koehler to be postmaster at Fredericksburg, Pa. Office became Presidential July 1, 1936.

Kathleen McT. Gregg to be postmaster at Greensburg, Pa., in place of J. T. Painter, retired.

Katherine A. T. Shearer to be postmaster at Herminie, Pa., in place of K. A. T. Shearer. Incumbent's commission expired August 2, 1939.

Clifford S. Hersh to be postmaster at Lebanon, Pa., in place of D. E. Walter. Incumbent's commission expired March 18, 1939.

Marie E. Logan to be postmaster at Ludlow, Pa., in place of E. M. Phelps, deceased.

William Frederick Clevenstine to be postmaster at Mingo, Pa., in place of W. F. Clevenstine. Incumbent's commission expired July 3, 1939.

Lawrence Miles McCafferty to be postmaster at New Bethlehem, Pa., in place of L. M. McCafferty. Incumbent's commission expired August 27, 1939.

Clair A. Wamsley to be postmaster at Phoenixville, Pa., in place of C. A. Wamsley. Incumbent's commission expired June 6, 1938.

Wooda N. Carr to be postmaster at Uniontown, Pa., in place of W. N. Carr. Incumbent's commission expired April 6, 1939.

SOUTH CAROLINA

Coit M. Graves to be postmaster at Pageland, S. C., in place of C. M. Graves. Incumbent's commission expired August 6, 1939.

SOUTH DAKOTA

Leo F. Craney to be postmaster at Watertown, S. Dak., in place of H. A. Wagner, deceased.

TENNESSEE

Finley P. Curtis to be postmaster at Butler, Tenn., in place of F. P. Curtis. Incumbent's commission expired January 24, 1939.

Joseph E. McCracken to be postmaster at Cumberland City, Tenn., in place of J. E. McCracken. Incumbent's commission expired May 29, 1939.

Henry C. Johnson to be postmaster at Lafayette, Tenn., in place of H. C. Johnson. Incumbent's commission expired January 16, 1939.

Joseph McDonald Ernest to be postmaster at Oliver Springs, Tenn., in place of J. M. Ernest. Incumbent's commission expired August 12, 1939.

TEXAS

Robert C. Dooley to be postmaster at Justin, Tex., in place of L. H. Knox. Incumbent's commission expired February 12, 1939.

UTAH

William Brooks to be postmaster at St. George, Utah, in place of William Brooks. Incumbent's commission expired March 19, 1939.

VERMONT

Michael C. Mulcahy to be postmaster at Brandon, Vt., in place of M. C. Mulcahy. Incumbent's commission expired February 15, 1939.

Foster C. Parmenter to be postmaster at Chester, Vt., in place of F. C. Parmenter. Incumbent's commission expired May 13, 1939.

Thomas J. Fitzgerald to be postmaster Bellows Falls, Vt., in place of T. J. Fitzgerald. Incumbent's commission expired August 27, 1939.

Jeremiah C. Durick to be postmaster at Fair Haven, Vt., in place of J. C. Durick. Incumbent's commission expired June 18, 1939.

Oscar N. Campbell to be postmaster at Hyde Park, Vt., in place of O. N. Campbell. Incumbent's commission expired February 15, 1939.

John J. Rock to be postmaster at Ludlow, Vt., in place of J. J. Rock. Incumbent's commission expired July 12, 1939.

Carroll E. Jenkins to be postmaster at Orleans, Vt., in place of C. E. Jenkins. Incumbent's commission expired July 10, 1939.

Martha G. Kibby to be postmaster at Randolph Center, Vt., in place of M. G. Kibby. Incumbent's commission expired May 31, 1939.

Daniel F. Aher to be postmaster at Springfield, Vt., in place of D. F. Aher. Incumbent's commission expired May 13, 1939.

Irene F. Smith to be postmaster at Waitsfield, Vt., in place of I. F. Smith. Incumbent's commission expired February 15, 1939.

Clinton M. Hall to be postmaster at Wilmington, Vt., in place of C. M. Hall. Incumbent's commission expired July 10, 1939.

VIRGINIA

Isaac C. Taylor to be postmaster at Big Stone Gap, Va., in place of I. C. Taylor. Incumbent's commission expired June 26, 1939.

Florence T. Beans to be postmaster at Round Hill, Va., in place of F. T. Beans. Incumbent's commission expired July 27, 1939.

WEST VIRGINIA

Charles B. Linger to be postmaster at Terra Alta, W. Va., in place of C. B. Linger. Incumbent's commission expired January 29, 1939.

WISCONSIN

Clinton B. Immell to be postmaster at Blair, Wis., in place of C. B. Immell. Incumbent's commission expired March 22, 1938.

Leo E. Doll to be postmaster at Soldiers Grove, Wis., in place of L. E. Doll. Incumbent's commission expired February 9, 1939.

WYOMING

Hugh F. Graham to be postmaster at Newcastle, Wyo., in place of C. W. Clark. Incumbent's commission expired May 21, 1939.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 1, 1940

WORK PROJECTS ADMINISTRATION

Benjamin Marvin Casteel to be work-projects administrator for Missouri.

UNITED STATES CIRCUIT COURT OF APPEALS

Armistead M. Dobie to be judge of the United States Circuit Court of Appeals for the Fourth Circuit.

UNITED STATES DISTRICT COURTS

William J. Barker to be United States district judge of the Southern District of Florida.

John Patrick Hartigan to be United States district judge of the District of Rhode Island.

Alfred D. Barksdale, to be United States district judge of the Western District of Virginia.

UNITED STATES ATTORNEY

Theron Lamar Caudle to be United States attorney for the Western District of North Carolina.

UNITED STATES MARSHALS

Julius J. Wichser to be United States marshal for the Southern District of Indiana.

Edwin D. Bolger to be United States marshal for the Western District of Michigan.

NATIONAL MEDIATION BOARD

David J. Lewis to be a member of the National Mediation Board.

GOVERNOR OF ALASKA

Ernest Gruening to be Governor of the Territory of Alaska.

PROMOTIONS IN THE NAVY

NOTE.—The nominations of all persons named for promotion in the Navy, which were received by the Senate on the 4th day and 23d day of January 1940, were confirmed en bloc. The names of the persons confirmed today will be found in the CONGRESSIONAL RECORDS for January 4 and 23, 1940, beginning on pages 42 and 567, respectively, under the caption "Nominations."

POSTMASTERS

OKLAHOMA

Curtis M. Anthony, Marlow.

WISCONSIN

Edgar J. Peters, Juneau.

HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 1, 1940

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed Lord and Saviour, Thou who dost appeal to us from every crowded street, from every bed of pain, and from every troubled heart, do Thou inspire us to speak the brave word, do the courageous deed, and to openly confess Thee before men. Each day from Thy bountiful hand Thou dost shower blessings upon us; we thank Thee. Grant us the heart of a little child, that we may be strong to obey, quick to serve, and ready to wait. Do Thou put upon all of our hearts those who need us most, those whose grief is silent and settled, those who are living a life of evil and have never sought the beauty of the Lord. O Thou with whom power remaineth, do Thou inspire us to pour courage and strength into the lives of the weak and helpless and thus link ourselves with the kingdom of God upon earth. Bless and preserve the dignity and the honor of the traditional institution of our Republic which is honored and recognized today. Grant, O Lord God, that truth and justice may ever be the inspiration of its decisions. Like an impartial sunlight bless our whole land and Thine shall be the glory, through Christ, our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. COOPER. Mr. Speaker, on last Tuesday, January 30, I was granted unanimous consent to extend my remarks in the RECORD and to include a statement made by Hon. Edward A. O'Neal, president of the Farm Bureau Federation, before the Ways and Means Committee. I have been advised that the statement exceeds the amount fixed by regulation of the Joint Committee on Printing by an amount which I understand to be about a page and a half. Therefore I renew my unanimous-consent request that the entire statement may be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

TREASURY DECISION NO. 49682

Mr. COOPER. Mr. Speaker, I present a privileged resolution (H. Res. 361) from the Committee on Ways and Means and ask that the report may be read in lieu of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read as follows:

Mr. COOPER, from the Committee on Ways and Means, submitted the following adverse report (to accompany H. Res. 361):

The Committee on Ways and Means, to whom was referred the resolution (H. Res. 361) directing the Secretary of the Treasury to furnish the House of Representatives a copy of Treasury Decision No. 49682, together with all cognate and relevant information pertaining to its formulation, adoption, and promulgation, and certain other information relative thereto, having had the same under consideration, report it back to the House and recommend that the resolution do not pass.

The action of the committee is based upon the following report from the Acting Secretary of the Treasury:

TREASURY DEPARTMENT,

Washington, January 26, 1940.

DEAR MR. CHAIRMAN: Further reference is made to your communication of January 22, 1940, enclosing a copy of H. Res. 361, "Calling on the Secretary of the Treasury for information concerning Treasury Decision No. 49682, relating to American fisheries," and stating that your committee will be pleased to receive the Department's views on the proposed legislation.

Paragraph 1730 (a) of the Tariff Act of 1930 (U. S. C. title 19, sec. 1201, par. 1730 (a)) provides in part that "products of American fisheries, prepared or preserved by an American fishery, on the treaty coasts of Newfoundland, Magdalen Islands, and Labrador, as such coasts are defined in the Convention of 1818 between the United States and Great Britain, shall be exempt from duty." T. D. 49682, among other things not here relevant, amended article 489 (c) of the Customs Regulations of 1937 by redefining the term "American fisheries." Prior to its amendment by T. D. 49682, article 489 (c) of the Customs Regulations of 1937, issued in pursuance of paragraph 1730 (a) of the Tariff Act of 1930, defined American fisheries as follows:

"American fishery within the meaning of said paragraph is defined as a fishery operated under the American flag by American vessels in foreign waters, in which such vessels have the right, by treaty or otherwise, to take fish and other marine products."

Article 489 (c) of the Customs Regulations of 1937, as amended by T. D. 49682, now defines American fisheries as follows:

"An American fishery, within the meaning of paragraph 1730 (a), is defined as a fishing enterprise conducted under the American flag by vessels of the United States on the high seas or in foreign waters in which such vessels have the right, by treaty or otherwise, to take fish or other marine products and may include a shore station operated in conjunction with such vessels by the owner or master thereof."

It will be noted that T. D. 49682 retained the original definition of American fisheries but added thereto by specifically providing that such fisheries could include a shore station operated in conjunction with the vessels engaged in fishing.

The situation which subsequently gave rise to the amendment to article 489 (c) of the Customs Regulations of 1937 by T. D. 49682 was first brought to the attention of the Department in a communication dated February 7, 1938, from the Assistant Secretary of State, which enclosed a despatch from the American Consul General at St. Johns, Newfoundland, calling attention to a fishery venture proposed to be undertaken by the General Seafoods Corporation with the aid of the government of Newfoundland. The fishery venture, which was at the time in its formative stage, provided for the establishment by the Newfoundland government of a plant and equipment on the treaty coast to be rented to the General Seafoods Corporation, and fish taken by vessels owned by that corporation were to be processed at this plant. The proposed agreement also called for the granting by the Newfoundland government of certain special customs exemptions for machinery and equipment for the plant to be imported into Newfoundland from the United States. The Assistant Secretary of State requested the Department's views as to whether or not the products of the proposed fishery venture would be subject to countervailing duties under the provisions of section 303 of the Tariff Act of 1930 (U. S. C., title 19, sec. 1303), and whether or not such products would be entitled to free entry as products of an American fishery.

On March 23, 1938, the Assistant Secretary of State was advised that on the basis of the meager information available concerning the proposed venture, the Department was inclined to the view that no countervailing duties would be imposed on the products of such venture. The Assistant Secretary of State was further advised that the Department did not have sufficient information to render any opinion on the question of whether or not the products of the proposed venture would be entitled to be regarded as products of an American fishery. Additional information was subsequently furnished by the State Department, and a lengthy brief was filed by the General Seafoods Corporation setting forth in detail the proposed plan for the establishment of the fishery and advancing legal arguments in support of its contention that the proposed venture would constitute an American fishery within the meaning of paragraph 1730 (c) of the Tariff Act of 1930. The General Seafoods Corporation requested a ruling on the tariff status of the fish processed under the proposed plan.

An independent legal study was made by the Department of the question of whether the products of the fishery operations proposed

to be conducted by the General Seafoods Corporation would be subject to classification as products of an American fishery and thus entitled to free entry under paragraph 1730 (a) of the Tariff Act of 1930. The conclusion was reached that this question should be answered in the affirmative. This conclusion was based on decisions by the customs court in cases involving the question of products entitled to free entry as products of American fisheries. For example, in the case of *United States v. Gorton-Pew Fisheries Co.* ((1914) T. D. 34440, abstract 35520), the customs court had before it for consideration a case in which fish caught by citizens of Newfoundland were taken to the Newfoundland shores and there prepared and preserved for shipment to the United States. These operations were conducted under the supervision of an American vessel which served as a center of operations. The court held that these products were entitled to free entry as products of the American fisheries. (See also decisions by the customs court in *United States v. W. B. Redding et al.* ((1910) T. D. 31028); *United States v. Post Fish Co.* ((1914) T. D. 34188); *Geo. S. Bush & Co. (Inc.) et al. v. United States* ((1925) T. D. 40725); and *Robbins Inc. v. United States* ((1925) T. D. 40728).

In view of the conclusion reached, it was deemed advisable to redefine the term "American fisheries" so as to specifically include shore stations, and to make certain other changes not here relevant in section 489 of the Customs Regulations of 1937. Accordingly, T. D. 49682 was issued to accomplish these changes, and a copy thereof is enclosed for your information.

The foregoing has summarized briefly, but completely, all the information which this Department has on the subject of House Resolution 361. In addition, the Department will be happy to make its file on this subject available to your committee or to any Member of Congress you desire. Since this file is in active use and officers of the Department have frequent occasion to refer to it, the Department hopes you will find it agreeable to have any such inspection of the original file made at the Bureau of Customs, where the file is located. If you deem it necessary, however, the Department will make a copy of all the material in the file on this subject (which is rather extensive) and send it to you, although this will, naturally, involve some expense. The Department understands that any examination of this file will be for official use and not for general publication. Since the file contains references to data affecting international relations as well as data bearing on the business affairs of a private corporation, the Department, in accordance with its long-established practice, would not feel at liberty to make it available for publication.

Since the Department is perfectly willing to place at your disposal all the information and material on this subject contained in its files, no necessity is seen for the adoption of House Resolution 361, and the Treasury Department must, therefore, recommend against such adoption.

Very truly yours,

HERBERT E. GASTON,
Acting Secretary of the Treasury.

Hon. R. L. DOUGHTON,
*Chairman, Committee on Ways and Means,
House of Representatives*

CUSTOMS
(T. D. 49682)

Customs regulations amended—Products of American fisheries
Article 489 (b), (c), (d), and (f), Customs Regulations of 1937, amended to redefine American fisheries so as to include shore stations operated in conjunction with vessels of the United States, and for other purposes

TREASURY DEPARTMENT,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D. C.

To Collectors of Customs and Others Concerned:

Pursuant to the authority contained in section 251 of the Revised Statutes (U. S. C. title 19, sec. 66) and section 624 of the Tariff Act of 1930 (U. S. C. title 19, sec. 1624), paragraphs (b), (c), (d), and (f) of article 489 are hereby amended to read as follows:

(b) No entry is required for fish or other marine products taken on the high seas by vessels of the United States or by residents of the United States in undocumented vessels owned in the United States when such fish or other products are brought into port by the taking vessel.

(c) An American fishery, within the meaning of paragraph 1730 (a), is defined as a fishing enterprise conducted under the American flag by vessels of the United States on the high seas or in foreign waters in which such vessels have the right, by treaty or otherwise, to take fish or other marine products, and may include a shore station operated in conjunction with such vessels by the owner or master thereof.

(d) The employment of citizens of a foreign country by an American fishery is permissible, but the purchase by an American fishery of fish or other marine products taken by citizens of a foreign country on the high seas or in foreign waters will subject such fish or other marine products to treatment as foreign merchandise.

(f) Products of an American fishery will be entitled to free entry although prepared, preserved, or otherwise changed in condition, provided the work is done at sea by the master or crew of the fishery or by persons employed by and under the supervision of the master or owner of the fishery. Fish (except cod, haddock, hake, pollock, cusk, mackerel, and swordfish) the product of an American fishery, landed in a foreign country, and there not further advanced than beheaded, eviscerated, packed in ice, frozen

and with fins removed, will be entitled to free entry, whether or not such processing is done by the American fishery. Products of an American fishery prepared or preserved on the treaty coasts of Newfoundland, Magdalen Islands, or Labrador, as such coasts are defined in the convention of 1818 between the United States and Great Britain, will be entitled to free entry only if the preparation or preservation is done by an American fishery.

FRANK DOW,
Acting Commissioner of Customs.

Approved August 12, 1938:

STEPHEN B. GIBBONS,
Acting Secretary of the Treasury.

[Filed with the Division of the Federal Register August 18, 1938, 9:47 a. m.]

Mr. COOPER (interrupting the reading of the adverse report). Mr. Speaker, I ask unanimous consent that the further reading of the letter be dispensed with and that the letter, along with a copy of the regulations, be printed in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, I shall only ask brief recognition. I understand the distinguished gentleman from Maine [Mr. BREWSTER] wants to make a brief statement, and I yield to him.

Mr. BREWSTER. Mr. Speaker, I want to express my appreciation to the courtesy of the committee in granting me an opportunity to examine this report. I have no objection to the disposition proposed, but I understand this is without prejudice to any further resolution that might be introduced if it should be found that further documents would be desirable, a matter I propose to discuss with the members of the committee.

Mr. COOPER. Of course, the gentleman does not waive any rights he has under the rules of the House.

Mr. Speaker, I move that the resolution be laid on the table. The motion was agreed to.

EXTENSION OF REMARKS

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to extend my remarks by including a speech I made at a dedication of a Federal building, together with the program of the ceremonies and certain small excerpts in connection therewith.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WILLIAMS of Missouri and Mr. NELSON asked and were given permission to revise and extend their own remarks in the RECORD.

REREFERENCE OF CERTAIN BILLS

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent that the Committee on Pensions be discharged from the further consideration of the bills H. R. 6800, H. R. 6827, and H. R. 7693, and that said bills be referred to the Committee on Invalid Pensions.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, what does this do?

Mr. SMITH of Washington. I will say to the distinguished minority leader that we are simply having these bills referred to the Committee on Invalid Pensions instead of the Committee on Pensions, to which they were originally referred. They should properly go to the Invalid Pensions Committee, which has jurisdiction of the subject matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to speak for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, we are here today to consider the needs of American agriculture, and there will no doubt be discussion of the question of the price

of farm commodities. In this connection I want to read a few quotations to the House very briefly.

The first one is from the great economist Ricardo, who said:

That commodities rise or fall in proportion to the increase or diminution of money I assume as a fact that is incontrovertible.

Another one from President Andrew Jackson:

If Congress has the right under the Constitution to issue paper money, it was given them to be used by themselves, not to be delegated to individuals or to corporations.

From John Stuart Mill:

That an increase of the quantity of money raises prices and a diminution lowers them is the most elementary proposition in the theory of currency, and without it we should have no key to any of the others.

And I may add that prices of basic farm commodities respond to monetary influences much more quickly than any other commodities that we have.

W. P. A. FUNDS FOR PENNSYLVANIA

Mr. McDOWELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. McDOWELL. Mr. Speaker, Members of the House. Pennsylvania recently began a fight for justice in the matter of W. P. A. jobs for her hungry citizens, the State being away below the comparative quota of the other States. It is my very happy privilege to announce to the House this morning that late yesterday we were informed that 5,000 more jobs were allotted to Pennsylvania. These 5,000 jobs, coupled with 10,000 more jobs recently allotted to the State, raises its total quota to 165,000. We assume that there will be no question that the jobs will be filled by W. P. A. officials, and in behalf of Pennsylvania, it gives me singular pleasure to express the Keystone State's deep gratitude to those kindly officials who have brought this about, and if they do what they are indicating they will do, Pennsylvania is not going to be mad at anyone. [Applause.]

EXTENSION OF REMARKS

Mr. SANDAGER. Mr. Speaker, I ask unanimous consent to extend my own remarks, and include an editorial from the Providence Journal, commenting upon the speech of the Honorable JOSEPH W. MARTIN, JR., at Topeka, Kans.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HESS. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD an address delivered by the junior Senator from Ohio.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SECCOMBE. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD a letter from Cloyd W. Miller, president of the Hickory Clay Products Co., of Mineral City, Ohio, to Jesse Jones, of the Reconstruction Finance Corporation.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1941

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 8202) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1941, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8202, with Mr. WARREN in the chair.

The Clerk read the title of the bill.

Mr. CANNON of Missouri. Mr. Chairman, when the Committee rose last night we had read the first paragraph of the bill. I ask that the Clerk continue the reading of the bill.

Mr. PACE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. PACE. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. PACE. Mr. Chairman, for many long hours I have remained on this floor listening to the debate on this bill, hoping that those who brought it here could in some way justify their action, hoping they could explain why they expect the farmers of this Nation to continue to accept and be satisfied with a 79-cent dollar, to buy their necessities of life, while industry enjoys a \$1.22 dollar with which to buy the farmers' commodities. All I have heard is excuses and that is one thing I hate.

Those responsible for this bill, which cuts farmers' benefits 51 percent under last year, say that, "Of course, farmers are entitled to parity, but—"; that "Of course, additional funds should be appropriated for removal of surplus commodities, but—"; that "Of course, the farm-tenant program should be continued, but—."

Well, I for one want to serve notice that those of us who understand and appreciate the economic condition facing the farmers of this Nation are not going to take it lying down. We intend to ask the Members of this House to vote for amendments to provide parity payments, to provide funds for the removal of surplus agricultural commodities and for funds to continue the tenant farm purchase program. The last two have been requested by the President, and the first—parity payments—is demanded by the farmers.

There are 40 members of the Committee on Appropriations and a great many of them exclaim to the high heaven of their loyalty to the farmers. Yet I understand this bill was reported to us by a vote of 26 to 9 in that committee. A great part of the time for the last 2 days has been consumed by members of that committee bemoaning the fate and destitute condition of the farmer, and yet they bring us a bill which is entirely contrary to the sentiments they express so fervently.

I feel that the Members should today be given the opportunity to decide whether they wish to meekly follow the gentleman from New York [Mr. TABER] and the gentleman from Virginia [Mr. WOODRUM], or stand up and fight for the 32,000,000 Americans who till the soil.

We must decide today whether we shall appropriate billions for military defense against an enemy that does not exist and leave undefended the millions who must produce the food and fiber to feed and clothe the Nation.

We must decide today whether the greatest potential market on earth—the American farmer—will be given an equal opportunity to share in the prosperity and promise of this great Nation. [Applause.]

[Here the gavel fell.]

The Clerk read as follows:

Total, Office of Experiment Stations, \$7,104,735, of which amount not to exceed \$150,105 may be expended for personal services in the District of Columbia, and not to exceed \$750 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Mr. VOORHIS of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, later on in this bill an attempt will be made by an amendment offered by the gentleman from Georgia [Mr. PACE] to restore to this bill money which was approved by the Bureau of the Budget for the carrying on of the disposal of so-called surplus commodities, and therefore for a continuation and possible expansion of the so-called stamp plan which has been developed. Four hundred American communities have applied to the Surplus Commodities Corporation to have this plan put into operation in their community. I am asking to speak at this time because I do not know what the situation will be when the time comes to discuss that amendment. Neither do I know what form the

opposition to the amendment offered by the gentleman will take.

I would like to say in the first place that if the gentleman from Georgia had not offered this amendment I would have offered one, for I believe this is one of the most constructive moves that has so far been made to get at the solution of the agricultural problem. It has, so far as I know, the approval of every section of our population.

To a great extent, the objection to the agricultural program which has been in effect the last few years has been that it cut down production. This stamp plan does exactly the opposite. It enables the people of this country to apply that money in the purchase of commodities through the regular distributive channels, and the farmers to receive payment at the regular price for those commodities. The gentlemen who oppose this amendment will be doing this: They will be saying that they are opposed to seeing the people who are working on W. P. A. or even getting a smaller income than that in some cases, having $7\frac{1}{2}$ cents per meal for food instead of 5 cents. That is what this plan has meant. They will be saying that the $2\frac{1}{2}$ -cent increase for the undernourished people of this country is going to be taken away—the increase made possible through this stamp plan simply by the fact that American agriculture is as efficient as it is. Those who oppose that amendment will be opposing this increase in the consumption by our people of the most necessary foods, which results in a more decent payment to our farmers for the things they have already produced. I cannot understand opposition to this. I cannot understand how anybody can be opposed to a measure of this kind.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. TARVER. Of course, I think the gentleman knows I am as deeply interested in the appropriation for purchase of surplus commodities as any Member, but the gentleman realizes the futility of offering an amendment to a bill for an appropriation not authorized by law?

Mr. VOORHIS of California. I thank the gentleman. I do realize his interest. I am hopeful that the amendment that will be offered will not be subject to a point of order, and I do not believe it will be. Furthermore, I think legislative authorization for this program should have been passed by Congress long before this. But I am certain that over a period of time there have been a great many appropriations made which have not been technically authorized any more than this one, and I feel very deeply that the need of the Nation at this moment in this regard is a matter so close to any true definition of national defense that it ought not be opposed, and a point of order ought not be raised against it. That is the feeling I have about it.

Evidently this Congress will be confronted with other types of problems that it will be asked to act upon. I am extremely concerned about the possibility of our doing something for certain of the nations of the world that have been attacked in an unwarranted manner, but we are going to be subject to serious and entirely justifiable criticism unless we concern ourselves about so elemental a matter as enabling people whose budget for food is only 5 cents per meal to increase it to $7\frac{1}{2}$ cents by making use of farm commodities already produced. As I have said so many times before, the question of the Budget need not be involved at all if we would take sensible action with regard to our idle gold and silver or else learn what money and the credit of this great Nation really are.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. MASSINGALE. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I ask unanimous consent to address the House for an additional 10 minutes.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to address the House for an additional 10 minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Oklahoma is recognized for 15 minutes.

Mr. MASSINGALE. Mr. Chairman, it has been a difficult thing to get a little time to speak or say a word on this all-important measure from the standpoint of the farmers of America.

This bill has been severely trimmed, trimmed to the point of being absolutely and wholly unfair to the American farming class; so I want to talk to you about it just a little bit and, if I may, to make a few suggestions which seem to me to be pertinent to this inquiry.

In the first place, it is wholly unnecessary for me to state what has been stated so many dozens of times even in the last 2 days of this debate about the condition of the farmer and what is happening to him. It is a shame to this Congress that the farming class of people are reduced to an income of less than \$175 per annum, on an average, per family. We know that no man can live even halfway decently himself, let alone trying to support a family, when that kind of condition prevails. We have tolerated this condition, however, for the 6 years I have been in Congress, and an effort is now going to be made further to tolerate it. So far as I personally am concerned, I do not propose to deviate from the position I heretofore have taken. I have stood for the cost of production for the farming class of people in this country, and they are entitled to no less than this. If you give them cost of production for that portion of their goods produced on the farm and consumed in the country you are giving them no more than, and not as much as, the industrial classes of the country are getting now under the protection of the tariff and from other governmental agencies. Why should we not look after the farmer a little? True, we have made huge appropriations for agriculture, or appropriations that are supposed to be for agricultural purposes, but what is the farmer's situation? He may be a little better off right now from getting Government subsidies. He could not have gotten along without Government subsidies. Some features of this Agricultural Adjustment Act, of course, appealed to me and appealed to all of us, but on the whole this program for agriculture I believe has been a colossal failure, notwithstanding the voicing of an entirely different and opposite sentiment by my good friend the gentleman from Texas [Mr. Jones], chairman of the Committee on Agriculture. I love the gentleman from Texas. I believe he is one of the most amiable gentlemen in this House, but we ought to look at this thing properly and fairly and see if we cannot do something to relieve the most terrible condition of economics that any class of people in a free land, so far as I know, has ever been subjected to. Let us analyze this bill. What does it do? I will tell you very briefly what, in my opinion, is the legal meaning and effect of the present farm bill.

In the first place, the bill is geared only—and I believe I can say this advisedly—only to give bankrupt farm prices. How does it do it? Title III of section (a) of the 1938 act has to do with crop control and parity prices. Let us assume that farm prices of wheat, cotton, corn, rice, and tobacco should reach parity. First, under the bill there would be no parity prices for Congress to adjust or to pay. There is no authority for parity payments after a farm commodity has reached parity price. Should this condition arise, that a farm commodity reaches parity, crop control would have to be abandoned, because there would be no incentive for the farmer to submit to crop control; and there is not a farmer in America right now who would be in favor of any kind of crop control or supervision of his farm operations unless it was for the bait of a subsidy held out to him under this bill. The farmer is just like any other man, he wants to run his own business and have the Government keep its nose out of it—not particularly the Government but I would say the Department of Agriculture. If parity is ever reached, there would be no need for that portion of the law which provides for parity payments as long as prevailing farm prices are below 75 percent of parity, and the law as it stands would be a useless and meaningless lot of printed matter on the statute books. In legal effect and operation, if 75 percent of parity is ever reached, the law will have spent its force and will be useless to any person.

The same would be true in regard to loans upon crops. There is no authority under the law to make a loan if 75 per-

cent of parity price prevails on farm products mentioned in this law, the five basic crops of the country. What do you want it for if you attain parity? And listen to me: The Secretary of Agriculture has rightfully stated that under this law the American farmer can never hope for or expect either parity or cost-of-production prices. He has been begging Congress for better than a year to take this hot potato out of his own hands and put it in the laps of Members of Congress, but we have not done anything and there is a reason why we have not. This reason, in my mind, is that there are certain so-called farm organization managers or presidents in this country who do not want the law regulating loans on such crops and making parity payments to farmers under it done away with. They want to keep 108,000 or 110,000 employees in the Department of Agriculture so they will have some excuse to stay here in Washington pretending to represent the farmer, but in reality I believe the facts justify the statement that they are representing only themselves and not the farmers of the country.

The language of the law is as plain as can be that without a condition where the products of a farm must bring less than 75 percent of parity the farmer cannot get any benefit out of the law. Any man of intelligence can see that the law can certainly be of no benefit from a financial standpoint to an owner and operator of a farm or to a tenant on a farm, for these are the only instances in which either loans or parity payments are authorized under the law to be made to such owner or operator. In fact, the law itself in these respects is a deterrent and renders a distinct disservice to the farming class of people. Of course, the law does not specifically say that the prices of farm products shall never go above parity, but it does say that if the Government gives the farmer any assistance under the law it will not do so unless economic conditions are so bad that he cannot even obtain 75 percent of the parity price of his farm products when he goes to sell them.

Unhappily for the world, and particularly for the American farmer, there is in the offing what appears to be danger of war involvement to every nation on earth. The flaring up of such a holocaust as war might possibly bring temporarily higher prices for farm products, and the tendency of late, because of war conditions, is for crop prices to rise. If such a condition should be brought about, the farmer ought to be free to exercise his own judgment about when he sells and what he sells and at the price he shall sell it for. The Government of the United States ought not to try to hamper him by any loan of money that it may have made him heretofore and ought to let him get the best he can for himself out of his farm products. If the law remains in force and effect and prices of farm products soar because of war conditions or because of other conditions, nobody ought to have any authority by reason of any contract that he may have made with the Government of the United States through the Department of Agriculture or any other agency to hamstring the farmer by limiting him in the amount of any kind of crop he might want to grow. The only way, according to my notion, to be safe about it, in the best interests of the individual farmer of America, especially right now, is to turn him loose from any such obligations as quota allotments or limitation in production.

I agree with a great deal that the gentleman from Texas said in his statement yesterday. It was an appealing speech, it was a speech of sympathy in behalf of the farmers of the country—and God knows they need that sympathy—but I do not agree with all the gentleman from Texas said. Why? In his enthusiasm the gentleman from Texas made the statement that the farmer has been tremendously benefited, for instance, by the rural electrification program. That is all right, he has been; and it might be that if it had not been for the present bill the farmer would never have been able to get electricity out on his farm, but I did not know until the gentleman from Texas [Mr. JONES] gave the intimation that the Department of Agriculture claimed benefits such as he mentioned. I agree with much of what he says, but I do not believe he really thinks the Department of Agriculture is entitled to the credit of propagating Thomas A. Edison.

They have propagated nearly everything else. I did not know until the gentleman from Texas [Mr. JONES] made the statement that the Agriculture Department was entitled to the credit for propagating Mr. Edison in the world of electricity.

I would not say that the Committee on Agriculture of the House is to be censured for anything it has done. But I do say that since I have been in Congress there has been what is known as the cost-of-production bill constantly before this committee for consideration, making provision for the payment to farmers in the United States for all crops grown and consumed therein, which this committee has not seen proper to report out for consideration of the House. There is such a bill pending before the committee now, and a few months ago this committee refused to report out the bill notwithstanding that just a few weeks before their vote not to report the bill out for consideration of the House, the Senate had unanimously in its Committee on Agriculture, reported out the same and identical bill.

I have heard all the objections made to reporting out the cost-of-production bill, and I am liberal enough to concede that some of the reasons offered for not doing so are somewhat of a serious nature. One of these reasons has been that the Secretary of Agriculture in substance took the position that he did not know how to figure cost of production under the proposed bill. I believe in the fairness and sincerity of the Secretary of Agriculture and in those members of the House Committee on Agriculture who did not feel disposed to report out the cost-of-production bill; however, the Secretary of Agriculture does know how to figure parity prices because he has been at it for some length of time. Each month he gets out a bulletin showing his determination of the parity price of each agricultural product of consequence grown in the United States.

Now, the situation in regard to the farmer and his prospects of getting something done for him is so serious that all who are interested in the farm problem ought to try to compose their differences if they have any, and try to get a bill passed in Congress that will make a condition as near right as we can out of an entirely wrong and hurtful and unfair condition under which the farmer has been compelled to operate. We ought always to bear in mind that the farmer is entitled to live and support his family on his farm in about the same degree of decency that other people throughout the country enjoy. He has not been able to do this because he did not get enough out of his work and out of the products of the farm.

In order to approach this problem from a somewhat new angle, those of us who have been trying to promote the cost-of-production bill, and others who are just as seriously interested, I believe, in farm legislation as any of us, have drawn a bill which is an amendment to H. R. 2371—cost-of-production bill—which I believe will be a splendid start toward giving the farmer at least a degree of security that he has never heretofore known. We want something substantial, something permanent, something in the way of actual benefit to the American farmer enacted into law for the farmer's protection and for the protection of those dependent upon him. The amendment to which I refer is shown now in committee print under date of February 1, 1940. The main difference is the amendment and the cost-of-production bill is that the amendment uses the word "parity" price instead of the term "cost of production" price.

I wish it were possible for every farmer in America to get a copy of this committee print of the amended bill which directs the Secretary of Agriculture to ascertain on the first day of each month, parity price of every farm commodity grown in the United States and consumed in the United States, and makes it unlawful for any buyer or handler of any such product to pay to any farmer therefor less than the parity price to be promulgated each month of the year by the Secretary of Agriculture. If you give the farmer this, you give him the first substantial relief he has ever had. It is not what he is entitled to. He is, in my judgment, entitled to the full cost of production for every article grown by him.

Parity, however, is generally reputed to amount to 75 percent of the cost-of-production price. If we could start the farmer off with 75 percent of the cost-of-production price for his farm products grown in the United States and consumed in the United States, he will have an income of nearly twice as much as he is getting now for farm products. It will be a price out of which the stock gambler and manipulator cannot defraud him. There will be no stock gambler's prices on anything below that parity price. It will mean putting a price floor under each of the articles grown and produced in the United States of America and consumed in the United States of America, below which it shall be unlawful for anybody to purchase them. That means real security, even though it is not as much as cost of production.

The amended bill carries with it a provision protecting the right of the farmer to soil conservation and other payments, including crop insurance, as set forth in the following language:

Nothing in this act shall be held to repeal, amend, or modify the Soil Conservation and Domestic Allotment Act, as amended, or section 201 (relating to adjustments in freight rates), section 202 (relating to new uses and markets for farm commodities), section 204 (relating to continuation of the Federal Surplus Commodities Corporation), section 302 (relating to loans on agricultural commodities), or title V (relating to crop insurance) of the Agricultural Adjustment Act of 1938, as amended, or section 32, as amended, of the act entitled "An act to amend the Agricultural Adjustment Act, and for other purposes," approved August 24, 1935.

It is manifestly unfair for the committee reporting on this bill to cut out parity payments, particularly to the American farmer. Every farmer that pitched a crop in the United States in 1939 had the equivalent of assurance from the Congress of the United States under the law that he was going to receive parity payments if his farm products sold below 75 percent parity price. The committee has refused to recognize this agreement in the appropriation bill under consideration. It has not only done that, but it has cut out all appropriation for dry-land farming experimentation, and building tanks and ponds on farms, for land utilization, for shelterbelt, and for other items. It seems to be most inopportune that the committee has done the things they have done, and I hope that every item they have cut out will be restored, and that parity payments will be put in the bill before it is finally disposed of by the House and Senate, so that we will give the semblance at least of being behind our implied obligations to the farmers.

So far as I am personally concerned, I expect to vote for every one of these provisions to be put into this act, and up to the time I have made this address, I am happy to report that the Committee of the Whole House on the state of the Union, in consideration of the bill, put into the bill the appropriation for dry-land farming experiments, and I trust and believe that all other things eliminated by the committee should go back into the bill.

[Here the gavel fell.]

Mr. NELSON. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I am not in accord with my colleague, than whom the farmer has no better friend in Congress, that the present Agricultural Act has proved to be a colossal failure. In fact, as I look back over some other agricultural acts under which we have operated, I am inclined to think that when compared with those it has much merit.

The Roosevelt administration has not failed agriculture, as did the Coolidge and Hoover administrations. I recall that under the Coolidge administration Congress by a very large majority approved the old McNary-Haugen bill, with the equalization-fee feature, and the President vetoed it with the most vicious veto that any farm measure had ever received. That veto represented a flood of abuse and a drought of ideas. A score of expressions, such as "bureaucratic paraphernalia," "vicious devices," "profoundly repugnant," and "autocratic domination," were used to describe a measure favored by farmers and approved by both branches of the Congress. Words, words, words, all strung together like scorpions on a string.

Mr. Chairman, I recall, too, that in the spring of 1929, at which time I was a member of the Agricultural Committee, the Congress was called in special session to do two things—bring about "equality for agriculture" and to pass a "limited" tariff bill. The meeting was called for the 15th day of April. It should have been for April 1, April Fool's Day, because no other Congress attempting or pretending to do justice to the farmer did more to fool the farmer. By June 15 the Agricultural Marketing Act, without the equalization fee, became a law. Many months later a tariff bill, familiarly known as the Hawley-Smoot bill, became a law. Under the workings of these two laws farm wreck and ruin followed.

I am glad to have been one of 35 Members of the House who at that time voted against the Hoover Agricultural Marketing Act. I will say to my colleague from Oklahoma, when you talk about gigantic failures, the Hoover Farm Board Act represented the greatest, the most colossal, the most gigantic failure of any pretense at doing justice to the farmer that we ever had.

Mr. MASSINGALE. Would the gentleman mind if I said I agree with him?

Mr. NELSON. I thank the gentleman.

Mr. Chairman, President Hoover used two pens when he signed that bill. With one pen he wrote "Herbert" and with the other pen he wrote "Hoover." One of those pens was presented to the chairman of the House Committee on Agriculture and the other to the chairman of the Senate Committee on Agriculture. I recall also that on the day the Hoover Farm Board bill went into effect some prices were: Sweet cream, 44 cents; prime cattle, \$14.75; hogs, \$11.15; wheat, \$1.08; corn, 92 cents; and oats, 45 cents. I remember, also, that by 1932 prices had dropped so low that from my own farm I sold hogs at \$2.80, wheat had gone to 25 and 30 cents, corn was selling at 10 to 15 cents per bushel, oats and rye about the same or less, and other things in proportion. With the inauguration of the Roosevelt administration and the repeal of the Hoover Agricultural Marketing Act, livestock and grain prices advanced until today they are more than double the ruinous 1932 prices. Of course, they ought to be higher. The farmer is entitled to the cost of production. He has not it, but he is much nearer than under Hoover.

So, Mr. Chairman, while agricultural legislation enacted under the Roosevelt administration does not in all respects represent my views, I do not agree that the results represent a colossal failure. Far from it. [Applause.]

[Here the gavel fell.]

The Clerk read as follows:

ERADICATION OF FOOT-AND-MOUTH AND OTHER CONTAGIOUS DISEASES OF ANIMALS

In case of an emergency arising out of the existence of foot-and-mouth disease, rinderpest, contagious pleuropneumonia, or other contagious or infectious disease of animals, which, in the opinion of the Secretary of Agriculture, threatens the livestock industry of the country, he may expend in the city of Washington or elsewhere any unexpended balances of appropriations heretofore made for this purpose in the arrest and eradication of any such disease, including the payment of claims growing out of past and future purchases and destruction, in cooperation with the States, of animals affected by or exposed to, or of materials contaminated by or exposed to, any such disease, wherever found and irrespective of ownership, under like or substantially similar circumstances, when such owner has complied with all lawful quarantine regulations: *Provided*, That the payment for animals hereafter purchased may be made on appraisement based on the meat, dairy, or breeding value, but in case of appraisement based on breeding value no appraisement of any animal shall exceed three times its meat or dairy value, and, except in case of an extraordinary emergency, to be determined by the Secretary of Agriculture, the payment by the United States Government for any animals shall not exceed one-half of any such appraisements: *Provided further*, That the sum of \$5,000 of the unexpended balance of the appropriation of \$3,500,000 contained in the Second Deficiency Appropriation Act, fiscal year 1924, approved December 5, 1924, for the eradication of the foot-and-mouth disease and other contagious or infectious diseases of animals, is hereby made available during the fiscal year for which appropriations are herein made to enable the Secretary of Agriculture to control and eradicate the European fowl pest and similar diseases in poultry.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am in sympathy with the effort to reduce the expenditures of the Federal Government. I realize such efforts must be initiated by the Committee on Appropriations. However, I believe the committee has exercised rather poor judgment in seeking to make such drastic reductions on the Department of Agriculture appropriation bill. I have read and have before me the report of the committee on this bill, with particular reference to the heading "Reductions under Budget," on page 3. I have read that paragraph in the hope I might find some justification for the very drastic reductions that have been made.

As pointed out yesterday by the chairman of the House Committee on Agriculture, the gentleman from Texas [Mr. JONES], this bill carries a reduction of 51 percent of the appropriations made last year for the Department of Agriculture. I question whether the Committee on Appropriations will make such a drastic reduction in any of the other appropriation bills that will be passed by the House. I know such reductions have not yet been made in the appropriation bills passed at this session. I ask, Why, this bill dealing with the greatest of all undertakings of the Government and affecting directly 31 percent of our population and indirectly our entire population, the economy ax should be laid with such cruel force? Restoration of farm purchasing power is fundamental to national recovery. The Budget will never be balanced until the buying power of the farmer is restored, and when this is done the problems of industry and unemployment will automatically be solved.

I am also in sympathy with what the gentleman from Texas [Mr. JONES] said yesterday to the effect that the Committee on Appropriations, of course, has the right to determine and recommend the amount of appropriations; but he questioned the wisdom and authority of a committee of this House, a committee which is not the master of the House but the servant of the House, in eliminating entirely from a bill all appropriations for projects and activities which Congress, by its solemn vote, had decreed should be carried on. I believe the committee has exceeded, if not grossly abused, its authority in eliminating entirely all appropriations for projects which Congress has decreed should be carried on and which have been successfully carried on with advantageous results, not only to agriculture but to the country as well. The farm-tenant problem and other similar activities are ignored, and no appropriation is made for them whatever.

Time will not permit me to point out these various activities that have been eliminated from the bill, but I shall vote to restore many of them when amendments are offered, for they are important, not only to the farmers but for the general welfare and prosperity of the Nation.

For the moment let me recur again to that paragraph of the report of the committee attempting to justify these reductions, for which the committee gives an excuse but not a reason. I quote:

In conformity with the general policy of retrenchment of expenditures in Government establishments, this bill contains a very substantial amount of reduction under the Budget estimates.

I should say "substantial" is a rather modest word, when the reduction is 51 percent under last year's appropriation. I read further from the report:

Many functions have been eliminated in their entirety, and reductions have been effected in the greater portion of the individual items covering the Department's regular activities. It cannot be denied as to any of these cuts that they will diminish the benefits to agriculture resulting from the various activities under research of the kind which has been provided for in some instances over a period dating back almost to the beginning of the Department.

It is not only recent activities whose appropriation the committee has cut or eliminated; instead, as the committee admits in its report, some of the activities go back almost to the beginning of the Department of Agriculture.

Continuing from the report, I read:

However, it is generally conceded that if the Department were granted the full amount of the Budget covering the entire Government establishment, that useful results would be obtained through

the enlargement of the research activities of the Department. There is no appropriation that has ever been made that can be said to be wholly adequate.

True, of course. I believe that statement is academic and not subject to argument. But because you can never make an appropriation that is adequate, why throw up your hands and say, "We will not make any appropriation, we will just cut it out"? [Applause.]

[Here the gavel fell.]

The Clerk read as follows:

Dry-land agriculture: For the investigation and improvement of methods of crop production under subhumid, semiarid, or dry-land conditions, \$100,000: *Provided*, That no part of this appropriation shall be used for the establishment of any new field station.

Mr. JONES of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES of Texas: On page 31, line 20, strike out "\$100,000" and insert in lieu thereof "\$226,828."

Mr. JONES of Texas. Mr. Chairman, under the provisions of the bill, 9 of these dry-land experiment stations will be abolished, as I understand, even if the Budget estimate is accepted, but, under the provision that is in the bill, a total of 17 of these stations will be abandoned.

These stations do a very valuable work in research and in determining the nature and type of crop that is suited to the particular locality in which they are operating. In many instances I know that local people have contributed the land to the Federal Government under a cooperative agreement under the terms of which these stations are to be maintained, and the States are contributing in many instances to their maintenance. For the difference between \$100,000 and \$226,000, or \$126,000, these stations would be abandoned and the facilities which they have built up, and which have been built up by local people as well as by the States, would be done away with.

This seems to me to be a very poor type of economy. I certainly believe that when these stations have been doing such fine work and improving the type of crops it would be wise if the stations were continued, especially since the Farm Credit Administration, as well as the Farm Security Administration, have been using these stations in connection with making loans to farmers to determine whether or not loans should be made, or the amount in which the loans should be made.

Mr. Chairman, a number of Members are here who are directly interested in the various stations, and I want them to have a chance to present the various phases of the question if they desire to do so. I do not want to take up much time. I certainly believe, however, that these stations should be continued. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I wonder if we can come to some agreement on the time to be consumed in debate on this paragraph. How many Members desire to speak on this amendment? Eight Members have arisen, Mr. Chairman. I ask unanimous consent that debate on the pending amendment close in 50 minutes, 40 minutes of that time to be consumed by the gentlemen who have arisen, the remaining 10 minutes to be allotted to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CASE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in the first of my remarks I want to talk to some of my friends on the Republican side of the House. The other night the minority leader went out to Kansas and there made a speech to the people of the West, and to the people of the West the Republican leader in this House said:

Our front line for the United States is not anywhere in Europe, but is at the factory door and at the farm gate.

I do not want any action taken by the Republican Members of this House today to deny that speech or that statement which the minority leader made to the people of the

West. [Applause.] And I appreciate the applause from the other side of the House.

We are approaching now the first vote on amendments offered to this particular bill. I want the gentlemen on this side of the House when they vote today not to vote blindly, not to deny what the minority leader said, but to remember that the front line, so far as this country is concerned, is at the factory door and the farm gate.

Now, what is this amendment we have before us? The amendment proposes to continue in operation or to permit the continuation in operation of the dry-land experiment stations, some of which have been going on for 40 years, scattered throughout 15 States in the West, covering one-fifth of the area of the United States. I put the names of the stations in the RECORD yesterday. There are 2 or 3 in Montana, 1 in Nebraska, 1 in Colorado, 2 or 3 in Texas, 1 in New Mexico, 1 in Wyoming, a couple in Oklahoma, 1 in Oregon, 1 in South Dakota, and 3 in Kansas. These stations get a very small amount of money, from \$3,000 to \$9,000 a piece. They derive most of their funds from what they produce in their experimental plots. The Federal Government owns from 60 to 360 acres of land in connection with these stations, and has its investment in buildings, lands, and equipment. The bill as drawn denies them funds and will let these places go to wrack and ruin.

The subcommittee found it possible to provide money to carry on tobacco investigations, cereal-food investigations, botany, soil microbiology, and all that kind of thing, but proposes to reduce funds for dry-land stations by 53 percent and wipe out 17 of them. They did this on an argument which I think the committee did not fully understand.

The only statement that was made in opposition to the items, as I understand, was, "We are buying up some of the land out West and why should we maintain these experiment stations?" Well, suppose you are buying up some of the land out West. In my State you are buying up less than one-fiftieth of all the land in the State—considerably less than that, about one seventy-fifth—and the same thing is true in these other Western States, and just because there has been some land bought in some of these States does not mean that those States have no productive land in them. The people are not moving out, most of them are there and will continue to live there. Why not help them to have the production suited to their conditions as you do elsewhere?

These stations are the stations that for years had been building up our weather records, our production records on wheat, our records on grass, our records on trees, so that the people who are living in these States may do the best they can. These individual stations do not get over \$3,000 or \$4,000 apiece, and yet because of what they are able to produce on these stations, with a little technical help, they are able to provide guidance for the farmers and the ranchers living in the West. On this first vote do not slap the West down. Our front line is at the farm gate. Support the amendment offered by the gentleman from Texas and continue these dry-land experiment stations. [Applause.]

[Here the gavel fell.]

Mr. MAHON. Mr. Chairman, I think there should be no difference of opinion among thinking men on the question of scientific research—scientific research in industry, scientific research in the field of agricultural production and consumption. We must make the research in these experiment stations, and we are doing this work at a minimum of cost, if we are to pass on to the farmers in those communities and in the Nation the information that will enable them, under adverse conditions, to more nearly eke out an adequate income from their farming operations.

There is not a great sum of money involved in the amendment offered here. The complete sum for all 19 stations in this dry-land area, covering many States, is only \$226,000; \$226,000 spent in research in order that information may be distributed to thousands and to millions of farmers to the end that they can produce at lower cost a better product and sell it on the market and enable their farm operations to go forward.

EXPERIMENT STATION, BIG SPRING, TEX.

There can be no sense in the elimination of these stations. In my own congressional district at Big Spring, Tex., 25 years ago, at the request of the Federal Government, a donation of 130 acres was made in the outskirts of the city of Big Spring, and for 25 years the Department of Agriculture has been experimenting there with various plants, animals, and crop practices. Their experimental work in milo-maize feeding to beef cattle has been given national recognition. The experiments done in cotton culture have proven beneficial. The numerous developments in many fields at the Big Spring, Tex., station have been of untold value to thousands of farmers over a wide area and over a period of years.

It is not a great expense to operate this station. The cost is about \$7,000 a year. Now they propose to use the economy act and chop off this work in order that we may save \$7,000 a year; break the continuity of this work; deprive the Nation of a continuation of their development and experience there, in the false name of economy. It should not be done. It must not be done, and I believe it will not be done if the Members of this House will think seriously about this question at issue. Debate if you will about vast expenditures for other matters, but let us not quibble on a question so vitally important as the study of better farming methods at a minimum of expense in these 17 experiment stations over a wide area of the Nation. [Applause.]

[Here the gavel fell.]

Mr. HOPE. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I do not believe there is a single item in this great appropriation bill which can be justified to any greater extent than the item which is included in the amendment proposed by the gentleman from Texas [Mr. JONES].

I have personal knowledge of the work that these experiment stations are doing, because three of them are located in the State of Kansas, one of them in the county in which I live. I have followed their work for a great many years. For more than 25 years, in fact, I have had an opportunity to observe the work of this station in my home county. These stations are scattered throughout the Great Plains area, an area which is a problem area in this country. It is an area which has the richest soil in America. There is but one limiting factor to crop production in that area, and that is inadequate rainfall. But inadequate rainfall is not a serious handicap to farming in that area or in any other area, if we know the type of crops and the methods of farming which can be carried on successfully. That is what these stations have been doing. They have done enough work in the development of grain sorghums to pay the cost of all of these stations for 100 years, because they have developed a type of grain that can be grown successfully in that area.

Their work in that regard is not finished yet by any means, because year after year they are developing types that are disease-resistant, drought-resistant, and which are more productive. Progress can be noted year after year in what they are accomplishing through careful research in those stations. The station in my own county has done a great deal along the line of lamb feeding—the feeding of grain sorghums to lambs and other livestock in that area. That is a type of work which is very essential in that country, because it has resulted in greater diversification of agricultural activities. Other stations have done comparable work in projects which are of particular interest and benefit in the areas in which they are located.

The amount asked here is nothing as compared with the major items of this bill and as compared with the great work that is being done. These stations are now reaching the stage where their benefits are beginning to be realized, because this work is cumulative. Every year that these stations are in existence their results are verified, their experiments are extended. It takes a long period of time to work out these research problems. So that this year they are doing more and better work than they have ever done. Next year, if we give them the money to function, they will do better and more work than this year.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Texas [Mr. THOMASON] is recognized.

Mr. THOMASON. Mr. Chairman, for nearly 10 years, since I came to this House, I have always followed the leadership of my lifelong friend, the gentleman from Texas [Mr. JONES] on agricultural matters. Next to him I regard as the best authority in this body, a man who has given great study to the farm problem, our Republican friend from Kansas [Mr. HOPE], who has just spoken. Here are our two outstanding leaders who have given years of study to this special problem and here is the Legislative Committee on Agriculture that has devoted days and even months to the study of these problems, and all of them strong for this amendment in spite of the opposition of some of our friends on the Appropriations Committee who cannot know so much about the situation. So there must be merit in it.

Now, we propose to reduce appropriations 10 or 15 or 20 percent as we are doing on the balance of the appropriations that come in, but on this matter we will just kill the child while we are at it. To me that is the height of folly as well as unfairness.

I just want to take a minute or two to confirm what the gentleman from Texas [Mr. MAHON] said about the station at Big Springs, Tex. I do not have one of these stations in my district, but when I came to this House 10 years ago Big Spring was in my district, and I have personal knowledge of what those people have done down there and what has been accomplished. If you do not want to take my word for it, you ask the authorities over in the Department of Agriculture or in the extension service of Texas A. and M. College, and you will find out about the splendid work that has been done at the Big Spring station.

The people of that section gave the land for this station. Great good has been accomplished there, and I undertake to say that we are not acting in good faith with them and the people of these other communities when we absolutely abandon these experiment stations. If you want to reduce the appropriation, I shall not complain about that, because we are all yelling our heads off about economy, but when I think of some of the proposals about battleships and great Army appropriations, even from my own committee—and I am for a lot of them—and then say that an experimental station away out in the arid West, in a country like where I live, that is operating at an expense of only about \$7,000 a year and that does 10 times that much good, then I say it is unfair and unjust to abandon it. Reduce the overhead if necessary, but do not kill it.

Mr. SOUTH. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield briefly.

Mr. SOUTH. As the gentleman knows, I live in the same area in which the Big Spring station is located. I want to endorse what the gentleman has said. I would like to say briefly that we should not overlook the fact that the great industries of this country—steel, automobiles, and chemicals—are appropriating more money during recent years than they ever have before for research.

Mr. THOMASON. Everybody knows that, and now to say that these little stations out in North Dakota, South Dakota, New Mexico, Kansas, west Texas, and the arid country that are spending on an average only \$7,000 per station, to say that these are to be completely abandoned is absolutely unfair. I plead with you to restore this item. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Oklahoma [Mr. FERGUSON] is recognized for 3½ minutes.

Mr. FERGUSON. Mr. Chairman, first I want to establish in the minds of the Membership of the House beyond the realm of doubt that the actual result as stated by the Members who have talked are as they say. I hold in my hand a letter from the Chief of the Bureau of Plant Industry in which he states that every station except the regional station at Woodward and Mandan will have to be abandoned under this cut brought in by the committee. This is official from the man who administers the money. In this letter he states the amounts of money necessary to continue these

stations; for instance to pick them at random—Huntley, Mont., \$2,000; Tucumcari, under \$8,000; and on down through the little stations, none of them using as much as \$10,000 of Federal funds. Under permission granted in the House I wish to insert a letter from Dr. Auchter, Chief of the Bureau of Plant Industry, a statement of the stations that would be closed and a short summary of the work of these stations:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF PLANT INDUSTRY,

HON. PHIL FERGUSON,

Washington, January 31, 1940.

House of Representatives.

DEAR MR. FERGUSON: In accordance with the request which you made of me this morning, I am transmitting a statement showing what governmental stations will be abandoned and where cooperative work with State experiment stations will be discontinued as a result of the cut made in the dry-land agricultural appropriation of the Bureau of Plant Industry by the Bureau of the Budget, and the same information following the additional cut made by the Subcommittee on Agriculture of the House.

In addition, in accordance with your request, I am enclosing a brief statement showing some of the accomplishments of the Division of Dry-Land Agriculture and how the evidence obtained by the Division of Dry-Land Agriculture at its stations has been and is now of benefit to other Government agencies.

Very truly yours,

E. C. AUCHTER, Chief of Bureau.

Bureau of Plant Industry—Dry-land agriculture

1940 ALLOTMENT

I. Reduction of \$51,828 shown in Bureau of Budget estimate will affect the following stations as indicated:

A. Federally owned stations (discontinue all work, abandon owned land and buildings):	
Oklahoma: Lawton (160 acres owned, 60 by permit).....	\$9,250
Texas: Big Spring (130 acres owned).....	7,400
B. Federally owned station (Division of Irrigation Agriculture) (discontinue cooperative dry-land investigations):	
South Dakota: Newell (360 acres federally owned).....	4,075
C. Federally operated, on leased land:	
Wyoming: Sheridan (320 acres under indefinitely long lease).....	8,200
D. State substations (discontinue cooperative dry-land investigations):	
Kansas:	
Colby.....	3,475
Garden City (40 acres nominally leased to year 1963).....	3,000
Montana: Moccasin.....	3,350
North Dakota: Dickinson.....	4,375
Oregon: Pendleton.....	4,900
Wyoming: Archer.....	3,830

II. Further reduction of \$75,000 shown in House committee report will affect the following additional stations as indicated:

A. Federally owned stations (discontinue all work, abandon owned land and buildings):	
Colorado: Akron (66 acres owned, 320 acres leased to year 2030; 20 acres leased to year 2031).....	9,250
B. Federally owned station (Division of Irrigation Agriculture) (discontinue cooperation in dry-land agriculture):	
Montana: Huntley (360 acres federally owned).....	4,800
C. Federally operated on leased land:	
New Mexico: Tucumcari (481 acres leased to year 1999).....	8,300
Texas: Dalhart (160 acres leased to year 2007).....	8,350
D. State substations (discontinue cooperation in dry-land agriculture):	
Kansas: Hays.....	5,450
Montana: Havre.....	3,925
Nebraska: North Platte.....	5,500

III. Total reduction of \$126,828 will:

- Discontinue all work and abandon owned land and buildings at 3 federally owned stations.
- Discontinue all work at 3 federally operated stations.
- Discontinue cooperative work in dry-land agriculture at 2 Federal stations operated by the Division of Irrigation Agriculture.
- Discontinue cooperation in dry-land agriculture at 9 State substations.
- Leave only the two regional stations, one at Mandan, N. Dak., the other at Woodward, Okla. Even at these two stations the work will have to be curtailed.
- Seriously curtail all Washington services to dry-land agriculture investigations in the Great Plains.
- Discontinue services of 23 professional men, 5 clerical workers, 14 farm laborers, and 50 to 75 temporary laborers.

IV. Discontinuance of these field stations will mean that the facilities will no longer be available for cooperative investigations with other Divisions in this Bureau such as Cereal Crops and Diseases, Fruit and Vegetable Crops and Diseases, Forage Crops and Diseases, and with other Bureaus, such as Animal Industry, Dairy Industry, and Soil Conservation Service.

SOME RESEARCH ACCOMPLISHMENTS OBTAINED AT DRY-LAND AGRICULTURE STATIONS

1. Development of cultural methods and practices for the successful growing of grain and feed crops in dry-land areas.
2. Have determined methods for controlling soil erosion by wind and water in connection with successful cropping methods.
3. Have developed methods of determining in advance of seeding whether there is sufficient moisture in the soil to produce a satisfactory crop of wheat.
4. Have developed through breeding and selection practically all the present used varieties of sorghums in the dry-land areas which can be harvested with combines.
5. Have originated short-season drought-resistant varieties of tomatoes for the Great Plains area.
6. Have developed in cooperation with other divisions improved varieties of wheat adapted to the dry-land areas.
7. Have determined in cooperation with other agencies the most desirable varieties of small fruits and vegetables for the Great Plains area.
8. Have determined the value and best use of windbreaks for the protection of the home, livestock, and crop production.
9. Crested wheat grass, the most important cultivated pasture and forage grass in the northern Great Plains, was developed and introduced by the dry-land stations in cooperation with other agencies.

Many of the practices and policies developed in the dry-land areas by other agencies of the Government, such as the Soil Conservation Service, Farm Security Administration, Agricultural Adjustment Administration, and the Farm Credit Administration, are based at least in part on the research findings of dry-land agriculture. The Bureau of Plant Industry has been established for over 40 years and has been securing plant and soil data during all this time. Evidence was thus available in many cases to answer the questions which immediately confronted the newer action agencies when their work started. Since the start of these various agencies the Bureau has been and is being called upon to furnish accurate information on such things as:

- The crop-producing power of soil-types in different areas.
- The best crops and rotations to use for the most successful agriculture.
- The kinds of grasses, vines, or shrubs for use to prevent erosion.
- The producing value of land in relation to equitable loans.
- The best methods of range revegetation and grazing practices.
- The determination or classification of crops relative to their soil-depleting or soil-improving qualities.
- The determination of plants to be used and of methods to be followed in future management of lands abandoned for crop use.
- The determination of rates for crop insurance has been based upon the data accumulated in experiments conducted at the dry-land stations.
- The determination of the best shade trees and ornamental plants to plant and the best methods of planting them in the Great Plains area have been determined at these dry-land stations.

I know this House wants to be fair. After all, there are not many people living in the Great Plains area extending all the way from the Gulf of Mexico to Canada. We are, as far as votes are concerned, defenseless in this House; yet, so far as area and problems to be met are concerned we rank No. 1 in the Nation. Certainly this House cannot forget the dust that came from the Great Plains and settled even on the Capital. If you lived in that country and could view these field stations in operation, could see what they have accomplished in teaching the farmers and the ranchers how to resod that blowing land, how to terrace it, how to catch the water and bring back a stand of grass, how to grow trees, grapes, and fruit, the kind of sorghums to plant that will resist drought, in all, how to farm successfully on the plains, you would realize that to economize by cutting off this \$126,000, to close those buildings and those lands, most of the land donated by States and individuals, would be to do a great injustice to the great expanse of territory that needs aid.

We find no reduction in cotton, tobacco, rice, and sugar investigations, for control of insects and pests. Everything that has a block of votes here in the East is well taken care of, but we from the semiarid country have to suffer by this cut. Certainly our people in this area deserve the great aid from the Federal Government these stations afford. The Great Plains area is the bread basket of the Nation. It provides a

large portion of the livestock for the Nation. Certainly \$226,000 is not too much to spend for the agricultural guidance of this great territory.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. FERGUSON. I yield.

Mr. COOLEY. Does the gentleman know of any justification which has been suggested for abandoning these research laboratories?

Mr. FERGUSON. The only thing the committee said was that the States should assume the entire responsibility for maintaining these stations.

Mr. COOLEY. Has it been suggested that the activities of these laboratories might be transferred to the regional laboratories which are going to be established and opened soon?

Mr. FERGUSON. Certainly not. No such proposal has been made, to my knowledge.

Mr. COOLEY. In other words, the proposition is to abandon completely the work which has been done.

Mr. FERGUSON. Yes; completely to abandon the work. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Montana [Mr. O'CONNOR] is recognized for 3½ minutes.

Mr. O'CONNOR. Mr. Chairman, it will be impossible in 3½ minutes to add anything of importance to that which has been said in the splendid speeches that have been made upon this amendment. I simply want to call attention to the fact that three of these dry-land stations that would be eliminated if this cut is sustained, are in the district in Montana which I represent: One at Havre, which is State-owned and to which the Federal Government has been contributing about \$4,000 per year to maintain; one is at Moccasin which the State owns and to which the Federal Government has been contributing in the neighborhood of \$3,350 a year to maintain; and the third is at Huntley, in eastern Montana. This one is owned by the United States Government. The Federal Government bought the land, has leased the necessary land to carry on the experimental work in conjunction with the land it owns and has also constructed several very expensive buildings at Huntley. All of which as stated are owned by the Government. If you abandon this project now all of these buildings would go into a state of disrepair and the amounts heretofore expended by the United States Government would be entirely lost.

The people of that country living in an arid region of approximately 60,000,000 acres would be denied the splendid use that has been made of these dry-land experiment stations. They were established nearly 30 years ago and have made valuable contributions along agricultural studies of great benefit to the arid regions. I want to say to the Members that the Congress could not possibly in the light of the information that is given as to what these stations are doing and the purposes to which they are actually put, be against the amendment offered by the distinguished gentleman from Texas. I will enumerate some of the activities carried on at these stations: First, a study of the crop-producing power of soil types in different areas. Second, the best crops and rotations to use for the most successful agriculture. Third, the kind of grasses, vines or shrubs for use to prevent erosion. Fourth, the producing value of land in relation to equitable loans.

It fits in with every agency of the Government that has to do with carrying on loans, developing new sorts of grasses, insurance and all that sort of thing.

Again, the determination or classification of crops relative to their soil-depleting or soil-improving qualities.

The determination of plants to be used and of methods to be followed in future management of land abandoned for crop use.

The determination of rates for crop insurance has been based upon the data accumulated in experiments conducted at the dry-land stations.

The determination of the best shade trees and ornamental plants to plant and the best method of planting them in the Great Plains area have been determined at these dry-land stations. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Nebraska [Mr. STEFAN].

Mr. STEFAN. Mr. Chairman, I rise to join the other members of the committee who have spoken in favor of the amendment offered by the gentleman from Texas [Mr. JONES]. The House Committee on Appropriations was not unanimous in favoring all of these drastic cuts in this agriculture appropriation bill. As a member of that committee I opposed some of these cuts because I felt they were too drastic and because these cuts represented a direct attack on my agricultural district, where we need help now so badly. To me it represented a desertion of our farmyards. I am as anxious as any Member here to make reductions wherever that is possible. I am in favor of some of the reductions in this bill, but not in favor of all of them. The cut has been too deep and, in my opinion, too drastic, and, if allowed to remain, will cripple some of the good work which has been done.

I am for the retention of this item because I feel the work has helped the farmers in my district. I feel the continuation of this item will help our farmers who are faced with a plain statement from the Agriculture Department that they might as well go out of the corn-growing business and turn to the growing of a new kind of a crop. Drought has hit my district year after year. Of course, we pray that we will have rain and a good crop this year. We are not defeatists, and we appreciate the fact that the land in the Third District of Nebraska is about the richest land in the world. But we know now that a drought can come year after year, and that some grasses, sorghums, and grains will resist the drought. The people running these dry-land experimental stations can help our farmers in the growing of these new crops. So let that item stay in the bill and let these people help our farmers where help is needed right now. You see, we in Nebraska are up against some hard problems. We know how to raise corn. In my district we raise some of the best corn, grain, hogs, and cattle in the world; that is, when it rains on time and when there is no severe drought. Last year we raised only about 10 bushels of corn to the acre. Our neighbor, Iowa, raised 50 bushels to the acre. The Secretary of Agriculture tells me we have to raise some other kind of crops, some drought-resisting crops, such as sorghums. Some of our farmers know how to grow that, but maybe there are some things which these experts can suggest that is better, or they can suggest and help in making improvements. Our farmers do not want to leave that country. They know the richness of the land upon which they live. They know what it means to them if they have to be forced off the farms and go into the towns on relief or follow the crowds to the Pacific Northwest or California to take their chances on something new. They want to stay home. I feel the work of this particular branch of the Department will help them stay on their farms. It is going to rain again in my district and we are going to harvest good crops once more. The help this department will give us will just add to the strength and hope of the people who want to stay on the Nebraska farms. The amount to be spent is a drop in the bucket compared to what you are throwing into some appropriations for the Army and Navy.

The work of this department, connected with the work of the farm forestry and other meritorious programs in my district, will, in my opinion, eventually whip the drought and, in fact, will stop erosion, stop land blow-outs, and even dust storms. I appeared before the committee and asked for increased appropriations for the farm-forestry item and also the retention of the parity payments, but I want to stress the protective work that has already been accomplished by the farm-forestry people. With their work and the resodding of land by this particular department and the rest of the program in my State, we should see a great change there in the next few years. You should see some of the great trees which

are now protecting our farms as a result of the work of the farm-forestry people.

Mr. FERGUSON. Will the gentleman yield?

Mr. STEFAN. I yield to the gentleman from Oklahoma.

Mr. FERGUSON. The Woodward station for years has been putting out trees. That station developed the Chinese elm and it has over 500 cooperators. It has had trees in production for the last 10 years.

Mr. STEFAN. Mr. Chairman, I thank the gentleman from Oklahoma for his contribution. I hope that he will join me in my efforts to secure a permanent program for the farm forestry. It has proved itself so satisfactory to the farmers and all the people in my State that it should no longer depend upon uncertain funds and handouts from relief funds. It should have an independent and permanent set-up in the Department of Agriculture because there is no longer a question of the good it has accomplished and the great benefits we of Nebraska can expect from it in the future. We also are growing Chinese elm successfully in my district along with many other kinds of trees, such as the regular elm, cedar, wild plum, cottonwood, and, in fact, we have learned just what kind of trees will grow successfully in our particular kind of soil. Our trees are growing about 75 percent successfully on land where there have been no trees before. Trees planted in 1936 now are 20 and 30 feet in height and are already proving great refuges for wildlife, stopping winds and erosion, and eventually will provide wood for the farm woodlot. In fact, the farmers in my district feel that this is one of the best programs we have ever attempted.

Now, regarding the dry-land stations which I hope we will put back into this bill, I favor them now because I believe they will eventually show that the reduction philosophy of the Administration is absolutely wrong. I feel that they will eventually prove that the Secretary of Agriculture is wrong when he intimates that we in Nebraska should quit growing corn.

You know most of the farmers in my district have been successful in growing corn and hogs when climatic conditions have been good. In recent years, due to the drought, we have lost successive corn crops. We have participated in the soil-conservation program and the benefit payments are welcome. However, due to the fact that our corn crop has been a disappointment during several years past, many of our farmers have requested that I ask the Secretary of Agriculture to give some special attention to the drought areas. Many of the farmers in my district who participate in the program feel that perhaps States such as Iowa, where they raised an average of 50 bushels of corn to the acre last year, get somewhat of a preference over Nebraska where we raised an average of only 10 bushels of corn to the acre. Many of these farmers felt that the Secretary should have left our corn and grain acreage the same in 1940 as it was in 1939 until we caught up on our yield which we will eventually do. In reply to my request for some such concession the Secretary of Agriculture replied that Nebraska may have to turn away from the growing of corn and turn to drought-resisting crops, such as sorghums. The 1940 program having been made by the Department, nothing further could be done, so the farmers there must follow the program set up by the Department. However, I still am opposed to this philosophy and feel the farmers in the drought district should be given some special consideration in the acreage plantings until we catch up in our harvest yields.

All of this, of course, is beside the point, but it indicates that the dry-land stations can be of great benefit to the farmers in my district who are told by this high authority that they must turn to growing new and "other kind" of crops than they are normally familiar in growing.

In passing I wish to tell the Membership of the House of my appreciation of the new policies and new ruling of the Farm Credit Administration regarding Federal land-bank loans. I believe that these rulings will help many of

the farmers in my district to stay on their farms. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Colorado [Mr. CUMMINGS].

Mr. CUMMINGS. Mr. Chairman, I shall not take much time, but I would like to qualify as a witness on behalf of the pending amendment. I have lived on and west of the one-hundredth meridian and have farmed for more than 60 years. We have an agricultural station in my district at Akron, Colo. Three years ago I spent a day there. I saw barley growing that would yield 25 bushels to the acre, while on a plot alongside of that station there would not be returned the seed. I saw wheat that would make more than 15 bushels to the acre, while on an adjoining plot it was dead. I saw as fine trees, 12, 15, and 20 feet high, growing as you ever saw any place, while on farms adjoining, farms that had been abandoned, the trees were dead.

There were more green trees at the station in Akron, Colo., than there were on the 100,000 acres surrounding.

Mr. Chairman, there is such a thing as being penny-wise and pound-foolish. I am inclined to think this bill falls into that class. I am satisfied that the grains and the sorghums they have developed will be of benefit to the farmers. They have developed a sorghum at Akron that will mature 200 miles farther north. I am inclined to believe that the proposition of cutting out these experimental stations is being penny-wise and pound-foolish. It looks as if the sentiment here is unanimous to restore this cut, so I will not take much of your time. I do want you to know, however, that those stations are bringing back thousands of dollars for every dollar that is expended.

For the reasons set forth above, the amendment should be agreed to.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE. Mr. Chairman, for more than 20 years I was a member of the board of regents of the Agricultural College of Oregon. During most of that time I was chairman of the committee having charge of the experimental stations, and I know much about that work. I spent days and weeks studying the problem. There is no question but what this restoration ought to be made.

We have one station at Pendleton, Oreg., that will be discontinued if the pending amendment is not agreed to. This station was put in there some years ago. As a matter of fact, I helped locate it. The city and the county furnished the buildings and the land. The State, county, and city have contributed something like \$30,000. One of the objects of that station is to find some way of producing a different wheat than is produced in the Pacific Northwest. Mind you, the station at Pendleton is the only station west of the Rockies covered in this Dry Land Act. We want something different than the soft, white wheat that we now produce. That is a wheat that goes largely into the export trade. A few years ago there was a shortage on the wheat lands just east of the Rockies. We could have filled the want that existed at that time, but we did not have the right variety. Instead, the United States imported from Canada.

Our soft wheat went into export. The Government of the United States since I have been a Member of the Congress has paid more than \$25,000,000 out of the Treasury for subsidies for shipping wheat out of the country, and these subsidies have largely gone into our northwestern country, getting rid of that soft wheat.

One of the things we must learn is how to produce on the dry land a milling wheat that could be used more generally in the United States. That is one of the objects of the Oregon station.

It is certainly a serious mistake to abandon these stations. This work has been going on in these dry-land stations for some years. It is the cumulative knowledge that is valuable and that should be handed on. To stop the work now and to abandon the buildings is the worst of economy. I am for balancing the Budget, and I am for raising the money we have

to spend, but I am not for a reduction in this item. I sincerely hope the amendment will be adopted. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. JOHNSON].

Mr. JOHNSON of Oklahoma. Mr. Chairman, in my remarks on yesterday I mentioned briefly my objection to the proposal to eliminate these 17 agricultural dry-land experiment stations. I wish to point out at this time that this is not the first proposal of the Federal Budget to eliminate several of the dry-land experimental stations of the country. In 1937 and again in the 1939 bills, the Budget, for some unknown reason, eliminated or attempted to eliminate several of these stations. Heretofore when the Budget has made recommendations to eliminate some 7 of these stations members of the committee, especially those of us from districts where the stations are situated, have been permitted to appear before the committee and express our views and give testimony with reference to the advisability of retaining the stations. Today, however, we have the anomaly of this committee at one fell swoop eliminating the funds for some 17 stations, without even extending to Members of Congress the courtesy of appearing before the committee to express our opinions and our objections to such action.

Heretofore this House and this committee have overwhelmingly voted to support the stations. Just why the committee should eliminate this item of \$226,000 for these dry-land stations is a problem we are unable to solve. Of course, the cost of maintaining all of these stations would not be enough to start to build one small battleship, yet within a few days one of the committees of the House will be in here asking us for one of the biggest peacetime navies in the history of this Republic. Parity to farmers, water facilities, and other important items to farmers have been entirely eliminated. Still others have been drastically reduced. This would indicate that the farmers of the country are going to have to bear the brunt of the construction of these battleships.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from New Mexico.

Mr. DEMPSEY. I wish to call the attention of the gentleman to the fact that the Committee is eliminating only \$126,000.

Mr. JOHNSON of Oklahoma. Yes; it is only \$126,000 for the one item for dry-land stations. If the original amount of \$226,000 is restored, which I believe this Committee will do, the dry-land experiment stations will be able to continue the great work they have been doing for the several years in the past.

Yesterday I mentioned the dry-land station at Lawton, Okla., in the district I have the honor to represent in Congress. That particular station has been established for a quarter of a century. It was established by the Federal Government after much investigation and because of a serious demand for scientific information concerning dry-land farming. This particular station has perfected several drought-resistant grains—sorghums, kaffir corn, and white clover. Although the station was selected by the Government and is owned by the Government, it did not select the richest land it could find, yet year after year, in the face of the fact that we have had a terrible drought in that area, they have improved and perfected many splendid drought-resistant crops and have carried on scientific research that has been really worth while to the farmers of that section. The statement has been made that these stations are duplicating other services rendered by other Federal agencies. But they fail to tell us what other agencies are duplicating the experiments now being carried on so effectively by the various dry-land stations. The fact is, no other agency of Government could possibly do the same work. For example, the Big Springs, Tex., station, the closest to the Lawton, Okla., station on the south, is over 400 miles distant. The nearest station to Lawton on the north is at Woodward, Okla., in northwest Oklahoma. Different conditions prevail in all of these sections. So it is absurd to say that these stations are

duplicating other agencies of the Federal Government. Such argument is simply begging the question.

May I express the hope that the committee will restore the full amount of \$226,000, which will make it possible to retain each of the agricultural dry-land stations now in operation. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman, to show you how just and accurate the gentleman from Oklahoma [Mr. JOHNSON] is in his statement about whether or not the committee was courteous in hearing Members, there are 130 pages of testimony by Members of Congress in the hearings. The gentleman should not make such a statement on the floor of this House.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. No; not now.

Mr. JOHNSON of Oklahoma. The gentleman has referred to me.

Mr. DIRKSEN. Very well; the gentleman can answer it in his own time.

First, let me tell you what the situation is with respect to this item. In the 1940 appropriation bill we provided for \$226,000 for dry-land agriculture. When the Budget sent up its estimate for this year on this item the amount was \$175,000. The Budget cut off \$51,000. This is the Budget's language:

The decrease contemplates discontinuing cooperative dry-land crop investigations at six State substations in Montana, North Dakota, Wyoming, Kansas, Oregon, and South Dakota.

The committee elaborated on that cut and extended it further, and extended it substantially, to the extent of \$75,000. Why? Let us look at the purposes of this appropriation. Regrassing: We are spending \$300,000 on an item of forage crops in this bill for identic purposes. There is an item for \$76,000 for botany in this bill—for that kind of purpose. Cooperative windbreak: We have over \$400,000 in this bill for cooperative farm forestry. Do not let anybody beguile you as to how niggardly we have or have not been.

When all is said and done, there is, in this bill, over \$6,800,000 for experiment stations, and over \$3,500,000 for farm extension—almost \$19,000,000 for agricultural research.

Speaking now to the gentleman from Oklahoma, here are the figures submitted by the Budget. What does Oklahoma get under extension work? Oklahoma gets \$555,000 out of the Federal Treasury. What do they get under title I of the Bankhead-Jones Act? They get another \$59,000. In proper proportion that is true of Kansas, Nebraska, and a great many other States that are getting money out of these basic funds for agricultural research. That covers the whole program of purposes described under dry-land agriculture.

So let nobody say to you that the Congress and the committee has not been generous in dealing generally with this kind of a program. There is \$19,000,000 in the bill for experiment and for extension services, and then sundry other hundreds of thousands of dollars for identical functions.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Kansas.

Mr. HOPE. However, the gentleman does not contend that this item is a duplication of any of this other work? Is it not a separate and distinct service that is not rendered under any other appropriation?

Mr. DIRKSEN. I am quite sure I can find for the gentleman duplications of work, particularly when it comes to the matter of trees mentioned by the gentleman from Oklahoma [Mr. FERGUSON]. The Soil Conservation Service has nurseries all over the country. T. V. A. has nurseries; the Forest Service has nurseries; and they are doing all sorts of basic work in trees and in expending hundreds of thousands of dollars for that purpose, and I can find identic functions in other departments of Government that are duplications of the function represented by the dry-land agricultural program.

Mr. JOHNSON of Oklahoma. Was the gentleman's experiment-station item of \$1,000,000 eliminated or reduced a single dollar?

Mr. DIRKSEN. I will say, my good sir, I never raised my voice when the committee touched a single item in which I had any interest.

Mr. JOHNSON of Oklahoma. I do not blame the gentleman. If I am advised correctly, his own station was not disturbed.

Mr. DIRKSEN. Yes; I am willing to take my medicine, but you are not.

Mr. CASE of South Dakota. I was just wondering if there was any duplication in the research work that is to be done in Peoria stations.

Mr. DIRKSEN. Those are devoted entirely to other purposes, as outlined in the Farm Act of 1938, but I can find you lots of duplications here; and speaking about a letter from the Department, I can go to the Director of this Service and get a letter asking for a restoration of this and other items. They will always send letters to get more money, and that is one of the troubles—the pressure and the impact of those down in the departments who are sending letters up here asking for more money and for restoration, when we ought to be thinking a little in terms of economy. Make no mistake about it. We are generous to the point of almost \$20,000,000 for experimentation, for extension services, and for these other functions, many of which are identical with those that they propose to restore now. [Applause.]

Mr. KELLER. Mr. Chairman, I only want to call the attention of this body to the fact that, in my judgment, we are making the same mistake we made in 1936. In 1936, when we had been for a little more than 3 years on the upturn in the business of this country, we made the mistake of cutting our appropriations to less than \$1,000,000,000. The result was the recession and almost panic of 1937. We are doing exactly that same thing this year. We are cutting the appropriations so much that we are going to be compelled to accept another recession during this fiscal year, and we ought to know enough to realize that, and we ought to stop it.

So far as the pending amendment for a small amount for these stations is concerned, there ought not to be any question about that at all, and I hope there is none. I am going to ask permission at a later date to address this body on a subject that I cannot discuss in 2 or 3 minutes' time, and that is to point out to the Congress of the United States and to the people of this country the mistake that the Congress is making along this entire line. When I do this I hope that the gentlemen who are thinking they are practicing economy when they are cutting these appropriations will find out they are practicing parsimony instead of economy, and there is a vast difference between the two; and I am here to talk for the business of this country and not for the throttling of it. I am here to talk for the agriculture of this country and not for the paralyzation of it, and the only way we can get that is to continue along the lines that brought us success, and go back to them and bring more success, and we ought to know that what the gentleman said at the beginning of this debate is true, that this whole thing is up to the gates of the farm and the doors of the factories, and the farmers and the factory people ought to stand together on it, and that would include all the interests of the United States. [Applause.]

Mr. CANNON of Missouri. This entire subcommittee voted unanimously for this cut. We came back to Washington the first of December. We started hearings and went into this particular matter in detail, and, after exhaustive consideration the entire committee voted unanimously for this cut.

In the last few years the departments of the Government have been reaching out and growing like mushrooms. This is especially true of the Department of Agriculture and especially true of these dry-land operations. Its experiment stations have grown up all over the country, doing practically the same work under practically the same conditions. They are treading on each other's toes, studying dry-land farming. Do you know what they are studying? They are studying how to put the land back into native grasses, as explained by

one of the last speakers on this amendment. Why, if they leave it alone, it will go back to native grasses.

Then what will they do with it? I asked that question of one of those gentlemen who appeared before the committee last year. He said, "We will plow it up and put it into wheat." They want the Federal Government to put it back into grass, and then they want to plow it up and put it into wheat—land which ought never have been put into wheat in the first place—land which never should have seen a plow. Then the duststorms came and they are back in Washington again for more money to put it back in native grass.

Now, be fair about this. The committee has not asked you to do anything they would not do themselves. I have an experiment station of my own that is being wiped out along with the rest in this section. There is an experiment station just across the fence from my farm. It runs right up to the gate on my farm where I live. I have taken my medicine along with the rest of you. All that would have been necessary would have been for me to have appealed to the committee of which I am a member, or to have joined the hue and cry with the rest of these members whose beloved stations are being liquidated, and my station would have continued to bloom and blossom as a rose beside my meager acres. So do not think, gentlemen, that you have been abused or discriminated against when the Government diverts this much-needed money to better purpose.

Mr. Chairman, when we cut this bill, every cut we made in it was for a definite reason. We cut it where money was being wasted. We cut it where the United States Government was not getting value received for the expenditure. We cut it where there was unpardonable and unjustifiable duplication. Then the minute we bring it up here, there is a cry of "Save the farmer! Save the farmer!"

Mr. Chairman, every dollar of this cut would be used to ruin the farmer. What the farmer needs is a fair price for his products. Not one penny of this money will be used, or can be used, to raise farm prices. If you gentlemen really want to help the farmer, see that the Committee on Agriculture brings in a bill that will give the farmer a fair wage for his labor. If the Committee on Agriculture, instead of organizing crusades to continue, year after year, the same "experiments" in a dozen different stations, will follow the splendid example of the Committee on Labor and bring in legislation to pay the farmer for his labor—when the Committee on Agriculture puts a floor under farm prices as the Committee on Labor has put a floor under union wages—when the Committee on Agriculture brings in a bill to give the farmer a fair-trade bill to stabilize farm prices as the fair-trade law stabilized retail prices, then we will have solved the farm problem, and you will never solve it until you do that or its equivalent. Not a penny of the money which they are seeking to pry out of the United States Treasury with this amendment will be spent for any purpose which, by any stretch of the imagination, will help farm prices. On the contrary, this money is to be spent to bolster agriculture on land which neither God nor Nature ever intended to be cultivated.

It is bait to lure farmers out into the dust bowls to cultivate perennially drought-stricken submarginal lands. And all they raise will add to the burdensome surplus which is depressing prices in every farm market in the Nation.

We already have too much land in cultivation. We are paying farmers all over the United States millions of dollars every year to reduce acreage, and here you want to add acreage and undo everything we are trying to do in the agricultural adjustment program. It just does not make sense.

Mr. O'CONNOR. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. CANNON of Missouri. I know there is an experiment station in the gentleman's district that is being cut out and he is trying to get it back in order to get votes. [Laughter.]

Mr. O'CONNOR. No, no. That is not it.

Mr. CANNON of Missouri. I want to pass along some advice that Speaker Cannon gave a new Congressman who came

to ask his advice. He came to see Uncle Joe and said, "Mr. Speaker, I would like to come back for at least one more term and I want you to tell me how to do it." The Speaker, who always took great interest in the younger Members, gave him some excellent advice, too lengthy to be repeated here—some of it couched in the lurid language for which he was noted. And among other things he said, "Now don't get the idea that coming back here depends on getting a lot of pork for your district." He said, "My experience is that some of the fellows who get the most pork for their districts go back home and get beaten in the election. That didn't beat them maybe but it didn't help." He said, "You go out there on the floor and vote for the interest of the whole country. Be a statesman instead of a politician and they will send you back here, never you worry."

These dry-land stations are not worth the money we are spending on them. They are doing what ought not to be done. But we are not putting them out of business by this cut. To every State in the Union we are giving \$140,000 in this bill for this very purpose and \$100,000 additional. They ought not to have that much. We are really giving them too much, but the committee wanted to be generous. I appeal to you to vote like statesmen. Stand by your committee who have spent months preparing this bill, and who now unanimously recommend the elimination of this needless and wasteful duplication—this inconsistent effort to sabotage the farm program by putting unneeded land into cultivation and piling up ruinous surpluses. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired.

All time has expired.

The question recurs on the amendment offered by the gentleman from Texas [Mr. JONES].

The question was taken; and on a division there were ayes 100 and noes 88.

Mr. CANNON of Missouri. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. CANNON of Missouri and Mr. JONES of Texas.

The Committee again divided; and the tellers reported that there were—ayes 106, noes 96.

So the amendment was agreed to.

The Clerk read as follows:

In all, salaries and expenses, \$12,795,000; and in addition thereto there are hereby appropriated all moneys received as contributions toward cooperative work under the provisions of section 1 of the act approved March 3, 1925 (16 U. S. C. 572), which funds shall be covered into the Treasury and constitute a part of the special funds provided by the act of June 30, 1914 (16 U. S. C. 498): *Provided*, That not to exceed \$859,319 may be expended for departmental personal services in the District of Columbia: *Provided further*, That not to exceed \$1,500 may be expended for the contribution of the United States to the cost of the office of the secretariat of the International Union of Forest Research Stations and of the Department of Timber Utilization of the Comité International du Bois.

Mr. ALEXANDER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I notice that this appropriation calls for the expenditure of \$16,366,000. I rise to suggest the question whether we are really getting our money's worth out of this over \$16,000,000 investment by the Forest Service section of the Department of Agriculture? I read an article in *Fortune* magazine a short time ago in which the amazing statement was made that we are importing approximately, if I recall the figures correctly, 76 percent of our wood pulp, or pulpwood, the material out of which we make the paper on which our daily and other newspapers are printed.

Up in my State, Minnesota, as you all know—most of you probably have hunted or fished up there—we have millions of acres of cut-over land, land that has been completely denuded of its original, rich forest growth. Many of these acres are owned by the Federal Government in the great Superior and Chippewa National Forests.

Many of the people in Minnesota are asking questions as to the practicability of the expenditure of these millions of dollars which we come down to Congress and appropriate every year. One of the questions that is being asked by them is: In view of the tremendous importation of wood

pulp why does not the Federal Government through the Department of Agriculture or the Department of the Interior, whichever has charge of our forests and is endeavoring to develop our forest areas, or redevelop them, why does not the Federal Government under some arrangement start a program of having our C. C. C. boys go there, or of putting W. P. A. workers into these cut-over areas and reforest them, plant the spruce trees that produce this wood pulp that we are importing from Siberia, Scandinavia, and Canada in such large degree? This is something that would produce dollars and cents for us in a very few years. I understand it takes only from 12 to 30 years to develop such trees to production, depending on climatic and weather conditions.

I do not believe the general public objects to our spending necessary money for relief purposes or for the C. C. C., if we get something in return for the expenditure either in the way of rehabilitation of these boys, or tangible return for the money spent and profitable results from the work done by the W. P. A. workers.

Mr. FULMER. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. I yield.

Mr. FULMER. I may state to the gentleman from Minnesota that we visited the Madison Laboratory and were told by them that a program and method had been worked out to produce this pulp and paper in this country. I asked them why they did not do it now so we could get some return for the money we were expending through these laboratories and they replied that 75 percent of our newsprint comes from Canada duty-free. They said, "While you advocate the use of our own pulp for manufacturing newsprint, the newspapers of the country would not let it be done."

Let me state further to the gentleman that we produce in this country 5,700,000 tons of pulp, and we export outside of newsprint, outside of manufactured products, 2,300,000 tons of pulp. If we would do what the gentleman advocates, restore and preserve these resources for the people of his section—and we visited that section of the country, and I know the gentleman is telling the truth about conditions there—if we did what he advocated we would give employment and increased income to a very great many people in that section of our country.

Mr. ALEXANDER. I thank the gentleman for his contribution.

[Here the gavel fell.]

Mr. ALEXANDER. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN (Mr. WARREN). Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. I yield to the distinguished Member from Minnesota.

Mr. AUGUST H. ANDRESEN. I am in favor of the program advocated by my colleague, but in order for this program to be a success it seems to me it is absolutely necessary to have some protection for the domestic producers rather than to permit all this pulp produced by cheap labor in other countries to come in duty-free. Unless we give our own industry some protection, the gentleman's proposal would do very little good.

Mr. ALEXANDER. That is in line with what I wanted to speak on during these 2 minutes. I have just obtained figures from the Department of Agriculture which show that in three States alone the cut-over land under public and private control and supervision amounts to 24,304,000 acres, in Minnesota to 8,786,000 acres. Think of it! In the State of Minnesota alone nearly 9,000,000 acres lying idle, crying for use. In Michigan 8,350,000 acres. Remember, now, this is cut-over denuded land, and in most cases it is probably not returning anything to either the State or Federal Government in the way of taxes or anything else in the way of production or values. In the State of Wisconsin they have

7,168,000 acres, and so on we might go through the Western States, the Northeastern States, and the Southern States, for all have been denuded of their forests and are now waiting for us to wave the magic wand which would bring them back to maximum usefulness, as intended by the All-Wise Creator.

Now, what are we doing about the situation—of a constructive nature? It seems to me the Members of Congress have a duty to perform in this matter, and we should insist that this public money, if we are going to appropriate and expend it in these tremendous sums, should be used in a constructive way. Let us insist that some of it be used to put these acres back to work. They are producing nothing today. If we cannot compete with this foreign importation just referred to by the gentleman from Minnesota by utilizing the acres which are not producing anything, which are absolutely worthless as they lie at present, acres that have been paying no taxes for years, by replanting them and with the help of Mother Nature letting them redevelop, I should be very surprised. We can do it or I am greatly mistaken. I think we can compete with this foreign labor, but, even if we could not, I contend it would be more satisfactory than the money, labor, and land waste now worrying us all. [Applause.]

[Here the gavel fell.]

Mr. FLANNERY. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. FLANNERY: Page 42, line 23, strike out "\$135,000" and insert "\$170,000."

Mr. CANNON of Missouri. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CANNON of Missouri. Mr. Chairman, we have already passed the reading of that paragraph. We are now on page 43, line 12, and the Clerk is about to read the paragraph on "Forest-fire cooperation."

The CHAIRMAN (Mr. WARREN). The gentleman is correct. The Clerk has completed the reading of the paragraph down to line 12, on page 43. The Chair, therefore, sustains the point of order.

Mr. FLANNERY. Mr. Chairman, I ask unanimous consent to return to page 42, line 23, in order to offer an amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania [Mr. FLANNERY]?

Mr. CANNON of Missouri. Mr. Chairman, much as I regret to do so, I must object. However, I will withhold the point of order if the gentleman desires to speak on his amendment.

Mr. FLANNERY. The gentleman objects?

Mr. CANNON of Missouri. I object. I would be glad to have the gentleman discuss his amendment.

Mr. FLANNERY. Under the gentleman's objection, that would be fruitless?

Mr. CANNON of Missouri. That is true.

The Clerk read as follows:

For the acquisition of forest lands under the provisions of the act approved March 1, 1911, as amended (16 U. S. C. 513-519, 521), under sound commercial title satisfactory to the Attorney General as provided in said act, including the transfer to the Office of the Solicitor of such funds for the employment by that office of persons and means in the District of Columbia and elsewhere as may be necessary in connection with the acquisition of such lands, \$1,000,000: *Provided*, That not to exceed \$80,000 of the sum appropriated in this paragraph may be expended for departmental personal services in the District of Columbia.

Mr. CROWE. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Page 45, line 13, strike out "\$1,000,000" and insert "\$4,000,000."

Mr. CROWE. Mr. Chairman, \$4,000,000 for this one service of the Federal Government, the acquisition of lands for national forests, the conservation of natural resources, this is a very small amount to ask, particularly so when we note that this service in the last few years has been greatly increased. The number of purchased units in the last few

years has been increased to 87. Some of these are in Ohio, some in Indiana, some in Illinois, Missouri, and Iowa. These are just barely getting started. In Indiana 35,000 acres were purchased and these were scattered over some 7, 8, or 9 counties. This is true, as I understand it, in Ohio, Illinois, Missouri, Iowa, and other States.

It is penny-wise and pound-foolish to start a program, get it under way, and then let it lapse. When we are conserving our resources so far as money is concerned, I cannot see why we cannot conserve some of our natural resources. I therefore ask the members of this Committee to join with me in appropriating this small amount of money—\$4,000,000—to conserve our natural resources in the way of forests, which in turn will conserve water; it will conserve land; it will conserve fish, game, and fowl, as well as offer places of recreation, and create valuable assets to the Nation. Nothing would be of more real service to our Nation than the restoration of our forests. I hope the chairman of the Subcommittee on Appropriations will join with me in asking the Members to appropriate the sum of \$4,000,000 for this purpose.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

Mr. JENKINS of Ohio. Mr. Chairman, temporarily I shall have to object. We need more time than that. Cannot the gentleman amend his request to 25 minutes?

Mr. CANNON of Missouri. We are under the 5-minute rule and I trust the gentleman will take only 5 minutes.

Mr. CROWE. Can we not have 25 minutes?

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto close in 25 minutes, 5 minutes to be reserved for the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Chairman, while I am in favor of economy, and I believe I am favoring economy when I support this amendment, if I had been consulted, or if I had anything to say about the preparation of the pending amendment, I do not think I would have asked for the \$3,000,000 increase. Before this discussion is over, after consulting with some of the gentlemen, I may offer an amendment to this amendment cutting it down somewhat. From the standpoint of real merit, and if we were not in the midst of a campaign for economy, an increase of \$3,000,000 would not be too much. The President himself 3 or 4 years ago when he was on the giving side and when money was being distributed pretty freely in this country, asked for and received an appropriation of \$30,000,000 for this work. This money was used very advantageously, as contrasted with money spent in many other places I know of. Later this was cut down to \$10,000,000, which was a very great reduction. Last year it was cut down to \$1,000,000 by the Appropriations Committee, but put back up to \$3,000,000 in negotiations between the Senate and the House.

Mr. Chairman, the sum of \$3,000,000 was found to be inadequate. I want to state to the new Members particularly something in reference to the Forest Service. I say without fear of contradiction that the Forest Service is one of the most genteel services in the Government, especially as it is conducted in Ohio. The situation may be different in other places, but in Ohio its record is very fine. It has opened up forest activities in Ohio that it would be little short of shameful to discontinue. There is no question about it. If these purchases are discontinued in Ohio, the Government is going to lose a lot of money it has put out, and it will crush down an activity that is not only wholesome but profitable. They purchase the cheapest land that nobody else will have and that nobody else can use, the land on the ridges. They take

such land and set it to forest, and in doing so they give employment to the C. C. C. boys and other people. There is no question about it, it is going to develop into money. The Forest Service will tell you that my section of the country is the finest section in the United States for the growth of white oak, poplar, walnut, and timber of that kind. If some of you happen to live in sections that will not grow anything, I cannot help it, but since we live in such a splendid location for forest activities, you cannot blame me for advocating that the activities be continued.

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Arkansas.

Mr. TERRY. A moment ago the gentleman used the term "genteel," in saying that this is one of the most genteel services in the Government. I hope the gentleman does not mean that the Forest Service is a sort of 4-o'clock-in-the-afternoon-tea service, because in that regard I do not consider that the Forest Service is one of the most genteel services of the Government. I believe it is a he-man service. Those fellows roll up their sleeves and take off their coats and go out and do a man's job in a very essential part of the Government service.

Mr. JENKINS of Ohio. I appreciate the gentleman's contribution. I used the word "genteel" advisedly. I use it as it refers to one who has the attributes of a gentleman. I mean that in all its activities the Forest Service men know how to be gentlemen. I know the Forest Service has never indulged in some of the practices by way of getting money that some of the other departments have, and I know what I am talking about in that respect.

Mr. Chairman, I just want you to know that in your race for economy you ought not to go to work and cut down this Service 66⅔ percent, when there is many another service that has not been reduced more than 10 percent. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. SHORT].

Mr. SHORT. Mr. Chairman, I suppose some of my Republican colleagues will smile, if they do not laugh aloud right now, when I say that I wholeheartedly support the amendment that has been offered. It is so seldom that I vote for any increase in appropriations. Constantly and consistently I have spoken and voted for economy. I agree with my colleague, the gentleman from Ohio [Mr. JENKINS], that because of the cry for economy and the necessity for it the amount perhaps should not be increased \$3,000,000, but certainly we should have more than \$1,000,000 to carry on this very valuable work.

May I point out that this is not a pump-priming project, and it is not boondoggling money, either. I doubt if there is a dollar this Government spends that yields larger returns than the money that is spent for reforestation, because it not only replenishes our wasteland with timber but gives men honorable employment, aids in flood control, conserves the soil, and helps in a thousand and one ways. I do not believe any Member of this House will question that this agency has been honestly and efficiently administered. It has done its work well and has earned its hire. For these reasons, and because this really is an economic investment that will yield large dividends on the money spent, I believe the amendment offered by the gentleman from Indiana [Mr. CROWE] should be adopted.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. Is this the program referred to on page 88 of the hearings? If so, the hearings state that part of the funds previously appropriated have not been spent because there was difficulty in clearing titles.

Mr. SHORT. Down in the Ozarks where I live we would like to have more money to buy some of the land that is in three forest units in my district. I will be honest and frank now and confess that I am vitally interested in this appropriation. I should like to see the amendment carry. It is so seldom, you know, that we down in the Ozarks ever get a

dime from the Government that we do appreciate even the crumbs that might drop from the hands of a benevolent Government. I know the Democrats over here are going to vote with me and I am going to vote with them, because this should not be a party matter. The reforestation work was established years ago and has been carried on under both Republican and Democratic administrations. If we are wise, I believe we will adopt the amendment that has been offered by the gentleman from Indiana. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE. Mr. Chairman, I rise in favor of the amendment, and I wish the amount of increase were larger. I do not know of any appropriation that would do more good than an appropriation to acquire forest land for prevention of ruthless destruction of ripe timber and insuring a permanent timber crop. I am in hopes that the Joint Committee on Forestry, when it submits its report in something like a month, will suggest some method by which a department in the Reconstruction Finance Corporation will be authorized to lend money to the Forest Service so that lands can be bought in the necessary quantity and we can work out a real forest program in this country.

I presume there is \$100,000,000 worth of distress timber lands in the United States. By this I mean timber lands held by owners who must cut all or sell. In my district alone, where the ponderosa pine predominates, I presume there is \$5,000,000 worth of timber land at a low valuation, that owners have carried from 10 to 40 years on the tax rolls and are now forced to sell at any price, or to cut it and sacrifice it on an overloaded lumber market. This timber ought to belong to the Government of the United States and be carried in the cutting circles that now have mills. The ripe trees ought to be cut and the unripe trees should be kept.

The \$4,000,000 asked for in the amendment is an extremely small sum of money in view of the tremendous work this commission is doing. I had one plant in my district that 2 years ago asked for \$280,000 of the money we appropriated, and this money was applied to purchase distressed timber in that cutting circle. This mill is now running on a continuous cut, on a selective logging plant. Had we not had this Government money we could not have saved this forest for the generations to come. Now a permanent and prosperous town is built up on the sustained-yield plan of harvesting the ripe timber. No more ghost towns where the plan is in operation.

This amendment should be adopted and should be just a forerunner of a real forest law which I hope we may enact before this session adjourns so that the Forest Service may borrow money necessary to perpetuate our forests.

I hope the pending amendment will be adopted. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I hope it will not be necessary for the committee to enter into an extended defense of this particular item of the bill. We concede the importance of the acquisition of these lands. If we had an income in excess of our budget I think this committee would favor continuing the program, but at a time like this when we must retrench expenditures, and stay within the national income, if something has to be temporarily deferred, it should be the purchase of additional forest lands.

Mr. CROWE. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I much regret that I do not have time to yield.

Mr. Chairman, we are confronted with an imperative farm problem. It is a problem which involves paying the farmer a price equal in buying power to that received by industry and labor. This appropriation could not have the slightest bearing upon that problem. On the contrary, it would complicate the situation, for with every acre of land we purchase we must provide an average appropriation of 10 cents an acre in each annual appropriation bill, as long as time stands, to take care of that land, and for every

acre that we buy we must take into consideration the problem of deficiency in State, county, and municipality revenues, which will be deprived of taxes and income when these lands are deeded to the Government.

Mr. Chairman, this is an expenditure which could be dispensed with for the present and one which would add to the burdens of the Department without compensating advantages, and I trust the Committee will vote down the amendment.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. CROWE].

The question was taken; and on a division (demanded by Mr. DUNN) there were—ayes 36, noes 84.

So the amendment was rejected.

The Clerk read as follows:

For carrying out the provisions of section 23 of the Federal Highway Act approved November 9, 1921 (23 U. S. C. 23), including not to exceed \$59,500 for departmental personal services in the District of Columbia, \$7,500,000, which sum consists of the balance of the amount authorized to be appropriated for the fiscal year 1940 and \$500,000 of the amount authorized to be appropriated for the fiscal year 1941 by the act approved June 8, 1938 (52 Stat. 635), to be immediately available and to remain available until expended: *Provided*, That this appropriation shall be available for the rental, purchase, or construction of buildings necessary for the storage of equipment and supplies used for road and trail construction and maintenance, but the total cost of any such building purchased or constructed under this authorization shall not exceed \$7,500.

Mr. LEAVY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am one of the coauthors of the agricultural appropriation bill, but I am not particularly proud of that fact.

I have the highest regard and respect for all my colleagues on the Subcommittee on Appropriations for Agriculture and Forestry, but I think we have made a great many mistakes. The chairman of this subcommittee, the gentleman from Missouri [Mr. CANNON], is, in my opinion, one of the ablest men in this House, one of the hardest workers, and a real friend of the farmer. But I must take issue with him in the position he has taken in reference to forestry.

In his message of March 14, 1938, to Congress, President Roosevelt called attention to the fact that—

Forests are intimately tied into our whole social and economic life. Wages from forest industries—

He said—

support five to six million people each year. Forests give us building materials and thousands of other things in everyday use. Forest lands furnish food and shelter for much of our remaining game and healthful recreation for millions of our people. Forests help prevent erosion and floods. They conserve water and regulate its use for navigation, for power, for domestic use, and for irrigation. Woodlands occupy more acreage than any other crop on American farms and help support two and one-half million farm families * * *

By furnishing cordwood, fence posts, building materials, and supplemental cash incomes to them.

The forest problem is so serious, according to the President, as—

To cause alarm to the people of the United States and to its chosen representatives.

And yet, gentlemen, by these cuts we have crippled forestry in the United States instead of encouraging it. We have made these cuts despite the fact that forestry in the United States is one of the most important of all the Government's undertakings.

Forest reserves were first authorized by Congress in 1891. This was nearly 50 years ago. They were reserved then from public domain, which was largely in the West. In 1911 Congress authorized purchase of forest lands and adding them to national forests in order to protect the navigability of eastern, southern, and Lake States streams help prevent erosion and floods there and to help perpetuate the country's supply of timber. Today there are 158 national forests in 36 separate States, Alaska, and Puerto Rico. They are located on the flanks of the Appalachians from New Hampshire to Georgia, around the Great Lakes and headwaters of rivers like the

Mississippi and Missouri, on the Great Smokies, in southern pineries, and—between Canada and Mexico—on the slopes of the Rocky, the Cascade, the Sierra Nevada, and the coast ranges.

In the fiscal year 1931 the national forests included some 185,251,000 acres gross. They now include approximately 227,561,000 acres, of which 175,843,400 acres are Government land administered on the multiple-use principle by the Forest Service, which, as you know, is a bureau of the Department of Agriculture. Under pay permits these national forests now provide summer forage for more than six and one-half million cattle, horses, and sheep owned by more than 26,000 farmers, ranchers, and stockmen. Almost one and one-fourth billion feet of timber was harvested and used in the fiscal year 1931. The estimate for 1940 is one and three-fourths billion feet, a 43-percent increase in timber use that will involve some 22,000 individual transactions.

In 1931 there were 8,000,000 people who used the national forests for camping and other forms of recreation; in 1939 the number exceeded 20,000,000. In 1931 there were 8,466 fires on national forests. Last fiscal year there were 13,540. One lightning storm last year set 210 of these fires in northern California and southern Oregon. One of these fires was in such rough and rugged country that, even with modern organization and prompt delivery by airplane of more than 112 tons of supplies and equipment, this fire burned 34,000 acres and had to be fought for 26 days before it was put out.

In the face of such increased use, and of such increased danger by fire, this subcommittee now recommends some \$2,000,000 less for national-forest protection and administration than was made available by Congress in 1931, and a cut of two and one-half million dollars under this year's Bureau of the Budget figure for roads and trails.

Yet, since they were first put under administration the national forests have not only helped prevent erosion and floods but they have returned more than \$125,000,000 in receipts to the Federal Treasury, and for decades 25 percent of national-forest receipts have been returned to local governments in lieu of taxes.

The national forests also act as reservoirs of work. They provided 13,436 man-years of it through the W. P. A.—largely local labor—last year. Timber operations furnished an equivalent of 2,600,000 man-days of work. Owners employed some 25,000 riders and herders to care for livestock grazed under permit. Besides its permanent force of some 5,500 people the Forest Service hires more than 11,000 short-term employees—again mostly local people—during most years. In all, nearly 4,000,000 local people are supported in whole or in part through the national forests, which also provided, last year, year-long work and supervised training for some 50,000 C. C. C. boys.

In addition to responsibilities with respect to dependent families and communities inside the national forests, the Forest Service is custodian, for the Department of Agriculture, of 67 projects—many of them in the South—on which human rehabilitation "in place" is made possible through forest rehabilitation. With the appropriation cuts recommended by this subcommittee, much of this rehabilitation work will be jeopardized and the 11,000 local short-term men previously mentioned—many of whom are fire lookouts and fire guards—will have to be materially reduced.

Forest administration and management, on which families, communities, and social and economic structures depend, is faced with a huge task of reconstructing and utilizing forest resources. This cannot effectively be done except with a firm foundation of research, which helps farm and other forest owners in many ways. It provides markets, for example, largely through work of the Forest Products Laboratory. It helps the processor of forest products by pointing out ways to reduce waste and improve methods of manufacture. It helps the ultimate consumer of forest products through lower costs and improved services.

Forest research is vital to the housing problem, both urban and rural, to our plywood industry in the Northwest, to the control of stream pollution from pulp mills in the Lake States

and elsewhere. And it points the way to new jobs for the jobless. Yet in our zeal for economy this subcommittee has reduced research items for the Forest Service by some \$117,000 below the current appropriation, and \$50,000 below what was recommended by the Bureau of the Budget.

Not long ago the gentleman from South Carolina [Mr. FULMER], spoke of having seen 52 pages in a newspaper, advertising tax-delinquent land. I know that in Oregon and Washington forest lands forfeited for unpaid taxes totaled more than 1,850,000 acres in 1938, and that forest land tax delinquent for 3 years and more totaled some 5,370,000 acres. I am told that tax delinquencies of cut-over forest lands in 3 Lake States rose from 6,000,000 acres in 1929 to more than 20,000,000 acres in 1939.

The Congress in the past has helped relieve human distress on such lands as these by providing for national forest acquisition. Yet, gentlemen, funds in this bill for the purchase of forest lands are \$2,000,000 less than the amount the Forest Service received for this purpose last year, and year before last. And fire-hazard reduction on the White Mountain National Forest—a forest that was hit by the New England hurricane—is also jeopardized.

Mr. Chairman I repeat that, in my considered opinion, this committee—of which I am a member—has made mistakes with respect to forestry items in this bill. I doubt very much if it is wise economy to cut a few dollars here, and leave a resource worth billions subject to such hazards as I have mentioned. Even in our sudden drive for a balanced Budget and in our enthusiasm for economy, I doubt if we should be so short-sighted as to virtually threaten one of the most essential resources we have in this Nation.

And that, gentlemen, is what this bill is doing.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last three words.

NATIONAL FORESTS—A BUSINESS PROPOSITION

Mr. Chairman, I recognize the futility of offering an amendment at this time to increase any of the items under the general heading of the Forest Service. But I am anxious that the membership of this House shall not look upon appropriations for the Forest Service as all expense with nothing coming in. For that simply is not the truth. The gentleman from Washington has already pointed out that our forest revenues now exceed \$5,000,000 a year, and they are bound to increase from year to year.

In the national forest which has its headquarters in my home town, the Harney National Forest, the annual receipts consistently exceed the expenditures. That is true in many other forests, and is increasingly true as the Forest Service is able to establish its program of sustained yields.

Not only that, but if a balance sheet were to be made, showing an inventory of the value of our national forests at the time they have been acquired and an inventory of their present values, with a subtraction for any difference in expenditures and receipts, my conviction is that the balance would already show a tremendous profit. And this does not count the recreational and social values to the Nation in conserving these resources for enjoyment today and tomorrow.

Something of the meaning of forest values was brought home to me last fall when in another forest we had a terrible fire that destroyed 22,000 acres of timber and burned the very face of the earth. Appraisers have placed the economic loss at \$500,000,000, a tremendous figure to contemplate.

Had it not been for the controls that were established, the fire would have traveled for days under the dry conditions that prevailed. Instead of 22,000, we could have had 800,000 acres of forest destroyed. That is the consoling thought—but it is also true that, had there been proper advance warning of the adverse atmospheric conditions which let the fire crown even at night, some of that \$500,000,000 loss might have been avoided.

The national forests are a national asset, must be cared for properly to avoid loss, and, cared for properly, will yield dividends for all time to come. It is a business proposition.

Mr. HINSHAW. Mr. Chairman, I move to strike out the last three words, and I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection it is so ordered.

There was no objection.

Mr. HINSHAW. Mr. Chairman, I am deeply interested in this item of forest roads and trails. You, as the people of the United States, own some 1,200 square miles of national forests in my district. That national forest is not productive of anything except the joy and pleasure of the people who may come to it, because there is no timber in it.

However, that forest lies on mountainsides that run as high as five and ten thousand feet. The forestry growth that is there protects that watershed from sloughing off into the valleys below. There are 400,000 people in my district living below that watershed and subject to the sloughing off of soil and even great boulders whenever there is a fire which burns away the vegetable growth that holds it in place. The rains that follow in the wintertime carry that material down to cover the land below.

The appropriation for forest roads and trails is being reduced from \$10,000,000 to \$7,500,000. These roads are badly needed to enable forest fire-fighting equipment to quickly reach the scene of incipient holocausts. I recognize, too, the need for economy in the Federal Government, but I deeply deplore the fact that it has appeared advisable to the committee to choose this item to slash. Because I realize that there is no disposition on the part of the membership to restore such items as this and that therefore there is little sense in taking the time of the House in offering an amendment, I reluctantly refrain from doing so. There are not enough interested Members present to carry it. I realize that I would be fighting almost alone.

[Here the gavel fell.]

The pro forma amendments were withdrawn.

The Clerk read as follows:

Agricultural engineering investigations: For investigations, experiments, and demonstrations involving the application of engineering principles to agriculture for the investigation, development, experimental demonstration, for investigating and reporting upon the different kinds of farm power and appliances; upon farm domestic water supply and sewage disposal, upon the design and construction of farm buildings and their appurtenances and of buildings for processing and storing farm products; upon farm power and mechanical farm equipment and rural electrification; upon the engineering problems relating to the processing, transportation, and storage of perishable and other agricultural products; and upon the engineering problems involved in adapting physical characteristics of farm land to the use of modern farm machinery; for investigations of cotton ginning under the act approved April 19, 1930 (7 U. S. C., 424, 425); for giving expert advice and assistance in agricultural and chemical engineering; for collating, reporting, and illustrating the results of investigations and preparing, publishing, and distributing bulletins, plans, and reports, \$294,469.

Mr. BULWINKLE. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. BULWINKLE: On page 48, after line 22, after the word "demonstration", in line 21, insert "and application of methods for the prevention and control of dust explosions and fires during the harvesting, handling, milling, processing, fumigating, and storing of agricultural products, and of other dust explosions and resulting fires not otherwise provided for, including fires in grain mills and elevators, cotton gins, cotton-oil mills, and other structures; the heating, charring, and ignition of agricultural products; fires on farms and in rural communities and other explosions and fires in connection with farm and agricultural operations."

On page 49, line 13, strike out "\$294,469" and insert "\$324,469."

Mr. TABER. Mr. Chairman, I make the point of order against the amendment that it is not authorized by law.

The CHAIRMAN (Mr. COLE of Maryland). The Chair will be glad to hear the gentleman from North Carolina on the point of order.

Mr. BULWINKLE. At the moment I can say nothing further than that for some 20 years this language has been carried in each appropriation bill. It is my impression that it is in existing law, but if the gentleman from New York knows and says that it is not, then I can do nothing further about it at the present time.

Mr. TABER. That is my understanding.

Mr. BULWINKLE. Mr. Chairman, I have ascertained through consultation with the gentleman from Missouri, chairman of the subcommittee, that it is authorized by existing law.

The CHAIRMAN. Does the gentleman from Missouri [Mr. CANNON] desire to be heard?

Mr. CANNON of Missouri. Mr. Chairman, as the Chair is aware, it is the invariable rule that when a point of order is raised against an amendment to a bill the burden of proof of the admissibility of the amendment rests upon the proponent of the amendment.

Mr. BULWINKLE. That may be so, Mr. Chairman, but I state upon my word that the gentleman from Missouri just told me that authority for this language is to be found in existing law. I took his word for it. I cannot, however, cite the particular statute at this time. I ask the gentleman from Missouri now if authority for this language is to be found in existing law.

Mr. CANNON of Missouri. If my good friend, the gentleman from North Carolina, submits that as a personal question, I must concede that it is authorized under the basic act establishing the Department.

Mr. BULWINKLE. Will the gentleman please give me the citation.

Mr. CANNON of Missouri. Title V, section 511, of the United States Code. [Laughter.]

The CHAIRMAN. Does the gentleman from New York care to be heard further on the point of order?

Mr. TABER. The burden of proof, Mr. Chairman, is upon the proponent of the amendment.

My understanding is that the basic law does not go far enough to sustain this language, and there have never been any specific legislation authorizing it. I have not the statute in front of me and am speaking only from recollection, but it is my recollection that the basic law does not go far enough to sustain this elaborate authorization carried in the amendment.

Mr. BULWINKLE. Mr. Chairman, may I suggest that it is nearly 2 o'clock, that I understand that at 2 o'clock anniversary services on the one hundred and fiftieth anniversary of the Supreme Court are to be held. I would not want to delay these services. I suggest that this matter could be looked up during the time the services are being held.

The CHAIRMAN. The Chair is prepared to rule, and this being so, the Chair believes the gentleman from North Carolina would prefer to have the matter disposed of at this time.

The gentleman from North Carolina offers an amendment which has been read, and against this amendment the gentleman from New York [Mr. TABER] makes the point of order that it is not authorized by law. Title V of the organic law establishes the Department of Agriculture, and in section 511 is found this language:

There shall be at the seat of Government a Department of Agriculture the general design and purpose of which shall be to acquire and diffuse among the people of the United States useful information on subjects connected with agriculture.

Without further reading of the organic law to which the Chair has referred, the Chair is of opinion that the amendment is clearly within the scope of the law.

The point of order is overruled.

Mr. CANNON of Missouri. Mr. Chairman, will the gentleman from North Carolina, without losing any of his rights, yield at this time in order that the Committee may rise—rise in accordance with a program previously agreed upon?

Mr. BULWINKLE. Yes, Mr. Chairman, I yield for that purpose.

Mr. CANNON of Missouri. Mr. Chairman, I move that the Committee do now rise, for the purpose of affording the House of Representatives an opportunity to hold exercises in commemoration of the one hundred and fiftieth anniversary of the organization of the Supreme Court of the United States; and pending that motion, I may say, Mr. Chairman, that at the conclusion of the exercises, at approximately 3

o'clock, the Committee will resume its session and continue consideration of the bill.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COLE of Maryland, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 8202, the agricultural appropriation bill, 1941, had come to no resolution thereon.

ONE HUNDRED AND FIFTIETH ANNIVERSARY OF THE FIRST MEETING OF THE SUPREME COURT OF THE UNITED STATES

The SPEAKER. Members of the House of Representatives, as you are doubtless aware, this is the one hundred and fiftieth anniversary of the first convening of the Supreme Court of the United States. I understand that appropriate ceremonies befitting this anniversary have already been held in the building of the Supreme Court of the United States; however, it was thought entirely fitting and proper, inasmuch as that great Court very kindly joined the House of Representatives and the Senate some weeks ago in celebrating the one hundred and fiftieth anniversary of the convening of the first Congress of the United States that some notice should be taken of today's important historic event by the House of Representatives. Two Members of the House have kindly agreed to deliver addresses appropriate for the occasion.

It gives me very great pleasure to present to the House of Representatives the gentleman from Kansas, Mr. GUYER. [Applause.]

Mr. GUYER of Kansas. Mr. Speaker, first permit me to say that I deem it a distinguished honor to appear on this program with the beloved chairman of the Committee on the Judiciary, the gentleman from Texas, Hon. HATTON W. SUMNERS, whose greatness of heart, mind, and legal attainments eminently qualify him for a seat on the illustrious Court whose sesquicentennial we celebrate today. [Applause.]

On the one hundred and fiftieth anniversary of the first session of the Supreme Court of the United States we naturally turn to the Convention which created not only the Supreme Court but also the Government of our beloved country.

The men who assembled in Philadelphia on Friday, the 25th of May 1787, to write down upon parchment for the first time a scheme for a government for the preservation and evolution of liberty had the most overwhelming task ever placed before a group of men since the morning stars sang together, and, judged by the work they wrought, were the greatest and wisest assembly of men that ever surrounded the council tables of any nation in all the tide of time. Their wisdom is patently illustrated by the obvious fact that these wise men seemed to know more then, even about so simple a matter as the proper time to convene the Congress, than we did after 150 years of experience. The so-called "lame duck" amendment lacked a single virtue or advantage while its faults are legion—an amendment induced by the urge and itch to change the Constitution as often as possible in spite of the sage admonition of Washington concerning the "spirit of innovation."

In 1858, Abraham Lincoln, with characteristic lucidity, stated the problem that confronted these devoted patriots when he declared: "It has long been a grave question whether any government, not too strong for the liberties of the people, can be strong enough to maintain itself in a great emergency." Through that long, hot, dusty summer of 1787, that devoted company of patriots struggled to find an answer to the grave question expressed long after by Abraham Lincoln in the gathering storm clouds that enveloped him in the years just prior to 1861. On September 17, when they were ready to sign the proposed Constitution, they had created a government which was to prove not too strong even to trample upon the rights of a slave with shackles on arms and ankles, yet strong enough to maintain itself in the face of the greatest emergency that ever confronted a republic in the history of the earth.

You have seen the milky way, that mysterious belt of light flung like a silver mantle across the shoulder of night.

What is the milky way? Uncounted millions of stars larger and brighter than our sun yet so far away that their light comes to us only in those broken and shattered fragments that leave that romantic trail of light out yonder on the far horizon of the universe. All that staggering vastness of the universe, in which our earth is but a speck of dust, is held together and in perfect harmony by two forces. One pulls toward the center, the other away from it. One is centripetal, the other centrifugal.

In government there are two corresponding forces. One pulls toward the center, the other away from it. One is centripetal and the other centrifugal. One tends toward order, the other toward chaos. One toward organization, the other toward disintegration. One toward despotism and the other toward anarchy.

The task of our fathers at Philadelphia was to devise a government in which the centripetal and the centrifugal forces would be so balanced that there could be neither despotism nor anarchy, balanced so nicely like the stars and planets in the palm of the Almighty that we can predict for years in advance when there will be an eclipse of the sun or moon. The men who framed our Constitution were familiar with the history of the ages and their philosophies from Plato to Adam Smith, whose "Wealth of Nations" had just before reached America.

The stories of Babylon and Egypt, of Greece and Rome, were commonplace with them. The records of the past were searched for the dangers that would lurk in the path of a government for free men. But when these patriots had done all they could, when they had formed a plan of government with a written constitution, they had only the blueprints of a government—a skeleton without flesh and blood or the breath of life. Out of that noble plan must be evolved a government with arteries and veins, with flesh and blood—a living government. And that is just what has happened in these 150 years. Along with the other departments of the government, our judicial system with the Supreme Court as its head developed and rendered this a government of laws and not of men. The Supreme Court that John Jay found on the first day of February 1790 was without form and void. It too, like the whole scheme of our government, must develop and evolve under the Constitution and ever according to the spirit and the letter of that Constitution.

The struggle of the Supreme Court to secure its integrity is one of the most intriguing romances of the political history of the United States. The Supreme Court, in the second decade of our national life, became the center of a raging tempest of party passion not exceeded in our history. At that time the President of the United States demanded that a judge should be expelled from the Court by the request of the two houses of Congress, impatient of the process of impeachment provided by a wise Constitution. This demand by the President was in wide contrast to President Jefferson's ringing statement concerning the formation of the Commonwealth of Virginia. In his "Notes on Virginia" he declared:

The concentrating of these (the executive, legislative and judicial powers) in the same hand is precisely the definition of despotic government. An elective despotism was not the government we fought for; but one which should not only be founded on free principles, but in which the powers of government should be so divided and balanced among the several bodies of magistrates, as that no one could transcend their legal limits without being effectually checked and restrained by the others. For this reason that convention which passed the ordinance of government laid the foundation on this basis, that the legislative, executive, and judiciary departments should be separate and distinct so that no person should exercise the powers of more than one of them at a time.

That was a noble statement of the whole theory of a free government where no man would ever be permitted to trample on the rights of another be he executive, legislator, or judge. It provided a government of checks and balances in which no department could rule alone. If the executive became tyrannical the Court could call a sudden halt. If the legislature transcended the authority of the Constitution in its laws the Court could interfere. If the judge became

corrupt or brought reproach upon the judiciary he could be impeached.

A half century before the Constitution was written, Montesquieu, whom Madison termed the "Oracle of Liberty," discovered this principle of free government when he declared:

There can be no liberty when the legislative and the executive powers are united in the same person or body of magistrates because apprehension may arise lest the monarch or the senate should enact tyrannical laws to execute them in a tyrannical manner.

That, coupled with Aristotle's vague suggestion of three agencies or departments of government, was the germ of the idea that led the makers of the Constitution of Virginia, and afterward of the Constitution of the United States, to adopt the system with three independent departments, and I am sure that if Thomas Jefferson had been present when our Constitution of the United States was framed, he would have been most insistent upon adopting that kind of a government, even if, when President, he contemplated the impeachment of all the judges of the Supreme Court, including his illustrious cousin, John Marshall, in direct opposition to the theory of an independent judiciary. Thomas Jefferson was human and he permitted his partisan enthusiasm to overcome his fundamental principle of three independent departments of government. Anyway, we can forgive him, because he ignominiously failed to break the power of the Supreme Court, which John Marshall had galvanized into the greatest tribunal of justice that ever existed on earth. And because, too, that every time that illustrious Court has been assailed, and the storms of vituperation and passion have spent themselves, that Court always has emerged stronger than ever before.

Those victories were all the more satisfactory because the Court viewed the storm with characteristic silence, and without "purse or sword," employing no promoter of propaganda, no hired press agents to circularize the Nation, no largess of the people's money to dole out to purchase the public favor, no bureau of defamation to answer the assaults of demagogues, and no defense except the devotion of the people, whose rights and liberties it has sheltered and enshrined. Amid all the vindictive storm of passion and political wrath it has remained the most majestic tribunal on earth.

In that 150 years great judges have upheld the record of the Court of John Marshall and Roger B. Taney, whose combined services covered 63 years and helped to construct this majestic tribunal; but all of them could not have wrought this work and built this mighty Court alone. Back behind them at the Nation's firesides the fathers and mothers helped with their support and prayers to build its majesty—to buttress it with the resistless power and invincible strength of public opinion.

Who else built it? The pioneer out on the fringe of the desert, the pioneer out on the Santa Fe and the Oregon Trails, the most romantic trails that ever mapped the frontiers of the earth or that ever blazed the path of empire. They built it in the campfires where danger haunted their bivouac. They built it in the fields, where disappointment mocked and where gaunt famine stalked. They built it in the little red schoolhouses where the children loved their books. The soldiers built it on a hundred battlefields when they died for liberty. The mothers at the hearthstones and at the cradles built it, built it in the fathomless blue of their babies' eyes. They built it in the churches where they gathered to worship their God. John Marshall and Joseph Story built it; William Howard Taft and Charles Evans Hughes built it; Washington and Madison built it; Hamilton and Jefferson built it; Lincoln and Douglas built it; Grant and Lee built it. Victor and vanquished built it. [Applause.] Nobody was always right, but right always triumphed in the end. They all helped to build it in love of country and mankind. May God bless all who aided in shaping its stately form and its mighty destiny.

For a century and a half it has compelled the admiration of all the people of the earth as a symbol of virtue and righteousness. For there was never a time in the history of the earth, since amid the splintered lightnings of Sinai, when the beginning of all law came direct from the lips of God Himself, when the rights of the poor and the needy, the weak and the

downtrodden, were guarded with more energy and girded about with more jealous care. Thanks to our judicial system, with this illustrious Court at its head. Let no impious hand profane its record or threaten its integrity. We did not build it for today nor for tomorrow; we built it for the centuries. We commit it to the future. Its past is secure. Here may innocence always find sanctuary. Here may the weak ever find refuge. Here may law and order reign. Here may the Constitution be revered. Here may tolerance and fraternity be held sacred. Here may generations yet unborn realize their hopes and ambitions. Here may it stand like the steadfast souls of John Marshall and his fellow jurists, untarnished and unblemished by sordid avarice or unholy ambition, unshaken by weakness or fear, independent and incorruptible, let it stand like adamant for all the centuries to come, for without all this its majesty is but mockery, its strength is sand, for when—

The tumult and the shouting dies,
The captains and the kings depart;
Still stands thine ancient sacrifice,
An humble and a contrite heart.
Lord God of Hosts, be with us yet,
Lest we forget—lest we forget.

"God save the United States of America and this honorable Court."

[Applause, the Members rising.]

The SPEAKER. I now have the distinguished honor of presenting the able and beloved chairman of the House Committee on the Judiciary, the Honorable HATTON W. SUMNERS, of Texas. [Applause.]

Mr. SUMNERS of Texas. Mr. Speaker, and Members of the House of Representatives, first, may I express my very great appreciation for the generous remarks of my distinguished colleague, the gentleman from Kansas, [Mr. GUYER], to whom you have just listened. I appreciate, as I know you do, the very eloquent address which we have just heard.

I want to speak to you on this occasion in a very plain, practical sort of way; on this, the one hundred and fiftieth anniversary of the inauguration of the Supreme Court, I want to give you, if I can, the picture of our constitutional development, the place which the Supreme Court holds in that scheme, and particularly the responsibility that rests upon you and me in this the one hundred and fiftieth year after the inauguration of the last of the three great departments which constitute the functioning machinery of this Government. The first President had been elected, of course; the first Congress had convened on March 4 of the preceding year. On the next day after Congress convened a Committee on the Judiciary was appointed. The Judiciary Act was approved by Washington on September 24, 1789. John Jay, of New York, was nominated to be Chief Justice; Rutledge, of South Carolina; Cushing, of Massachusetts; Harrison, of Maryland; Wilson, of Pennsylvania; and Blair, of Virginia, to be Associate Justices. Harrison declined to serve and James Iredell, of North Carolina, was appointed in his stead. Thus was inaugurated the last of the three departments of the Federal Government. It was an independent judiciary. The independence of the judiciary had been secured by two provisions of the Federal Constitution. One is that "Judges shall hold their office during good behavior," the other provides that they "Shall at stated times receive for their services a compensation which shall not be diminished during their continuance in office."

ORIGIN OF INDEPENDENCE OF JUDICIARY

The notion of an independent judiciary did not originate with the Federal Constitutional Convention, however; the origin and evolution of the chief of these provisions securing the independence of the judiciary is typical of most of the provisions in our written constitutional structure. They each originated in necessity and practically all of them had been tested by experience for a long time before the beginning of our independent governmental existence.

For a long time prior to the coming of William and Mary to the British throne there had been much complaint and bitter resentment over the fact that the Kings of England, who appointed the judges, and especially during the regime of the Stuarts, either directly or indirectly controlled their

judgments. Public opinion condemned that practice and public purpose set about its correction. In the Acts of Settlement of the Succession with William and Mary in 1701 it was provided that judges "shall hold office as long as they behave themselves well." This provision originated out of the necessity to correct a definite, well-recognized maladjustment of the machinery of government. But it did not complete the correction. Later it was discovered that the tenure of the judges terminated with the demise of the King. So, when George III came to the throne some 59 years afterward in 1760, to correct that condition, it was provided, as one of the first, if not the first act, of his reign, that judges should hold office as long as they behaved themselves well, notwithstanding the demise of the King.

As indicating the trend of constitutional development on that side of the Atlantic, moving power away from its centralization in the King, later on, in the reign of King George it became an axiom of the British Constitution that in the event of a disagreement between the Parliament and the King, any appeal taken to the people through the medium of an election should be made by the ministry and not by the King. This was consummated 5 or 6 years after the adoption of our Federal Constitution. Internally they were decentralizing. They had long been a nation. Internally we were centralizing; we had not yet become a nation. In order to have the whole picture of those times it is well to have in mind that there were then approximately half as many people in the Colonies as in England, in round numbers 8,000,000 people in England and 4,000,000 on this side of the Atlantic.

CONSTITUTION DEVELOPING ON BOTH SIDES OF THE ATLANTIC

During the period of colonization, while we were bargaining with the British Crown, it to induce us to emigrate to America and we, for sufficient privileges and liberties to induce us to emigrate, and were writing the resultant negotiations into the terms of the royal charters of the Colonies, things equally as important bearing directly upon our own constitutional structure and the place of our Supreme Court in our structure of government were taking place on the other side. Our own Constitution was being shaped at the same time on both sides of the Atlantic. As we have seen, the independence of the Court which we inaugurated 150 years ago was fixed in our Constitution by our ancestors in 1701 in the Acts of Settlement.

At the time this provision of the Constitution, establishing the independence of the judiciary, was being presented to, and accepted by William and Mary, there was also presented to them the Bill of Rights, which was accepted. It contained the following provisions which were later incorporated into our written constitutional structure:

That levying money for or to the use of the crown, by pretense or prerogative, without grant of parliament, for longer time or in other manner than the same is or shall be granted, is illegal. That it is the right of the subjects to petition the king and all commitments and prosecutions for such petitioning are illegal. That the raising or keeping a standing army within the kingdom in time of peace, unless it be with the consent of parliament, is against law. That elections of members of parliament ought to be free. That the freedom of speech, and debates or procedure in parliament, ought not to be impeached or questioned in any court or place out of parliament. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. That jurors ought to be duly empanelled and returned and jurors which pass upon men in trials for high treason ought to be freeholders. That all grants and promises of fines and forfeitures of particular persons before conviction are illegal and void. And that for redress of all grievances, and for the amending, the strengthening, and preserving of the laws, parliament ought to be held frequently. And they do claim, demand, and insist upon all and singular the premises, as their undoubted rights and liberties.

ORIGIN OF CONSTITUTION

If I could do only one thing in America, I would have it understood, and it is the truth, that while the men who met in the Constitutional Convention at Philadelphia were great men, they did not create the Constitution of this Government. I want to emphasize that. The Constitution of this Government has a higher authority than the words of men to support it. It came from a source higher than the source of any convention.

Your Constitution and mine existed in the very nature of things before there was any positive precept. It is perfectly evident when you examine life that the Almighty God intended that men should be free. I want you to think about that a minute. In God Almighty's economy He does not attempt to protect human beings against difficulties. In fact, He creates difficulties. The difficulties which we experience in operating a system of free government constitute a part of the gymnastic paraphernalia provided by God Almighty for the development of people. The development of people is the central objective of Nature.

The love for liberty, the ambition to be free, the aspiration to be free, have not been given to us in order that we may merely enjoy the blessings of liberty but in order that we first may struggle to be free and gain strength by the struggle; second, that we may discharge the duties incident to freedom and gain strength by their discharge. That is the plan which God Almighty has intended. That is our plan. It is susceptible of proof. It could be proven before any jury on earth. Therein lies the security of our Constitution and the certainty that it cannot successfully be attacked by those whom we call the "reds" if we but understand it and do not forget that "eternal vigilance is the price of liberty."

Its provisions did not come from the speculations of political philosophers or the deliberations of conventions. They originated out of necessity and they were tried by experience among a people peculiarly gifted with the genius for self-government before we ever came to the responsibility of writing our State and Federal Constitutions. Therefore, our Constitution has supporting it human authority, the men who met in conventions, and in addition to that it is supported by the fact that it has stood the test of the ages.

It is not something that just came from the creative genius of some men, although human beings have helped.

The notion of a fundamental, natural law, supreme and dominant in the social and governmental relations of men, had taken firm root in the philosophy of thinkers as far back as Aristotle. Perhaps men have held to that conviction as far back as men have observed correctly and thought clearly and analytically. Cicero distinguished between *summa lex*, which existed according to his philosophy always before governments or written law, and *lex scripta*, written laws of man's making, which were to be regarded as void if they were contrary to the laws of nature.

In the Middle Ages such great jurists as Baden of France and Suarez of Spain agreed with these views but went further and held that God had planted a consciousness of these laws in the mind and conscience of man, from which one's understanding of natural rights was derived, and held further that a statute which was contrary to natural justice was *ipso facto* void. Grotius was in general agreement with this philosophy. Coke, Fortescue, and Blackstone agreed. Blackstone held, however, that there was no power to prevent Parliament from violating the supreme law. However, he did not go so far as some of our American commentators have gone who say that the Constitution is what the Supreme Court says it is or so far as some of the commentators on the British Constitution go who say that the British Constitution may be changed by the British Parliament. Neither of these statements is correct.

VITALITY OF CONSTITUTIONS

There is no power to prevent the British Parliament from enacting a law contrary to the British Constitution but that violation of the British Constitution does not change the constitution. It is true there is no power to prevent an ignorant or venal supreme court, if there should come to be such a court, from falsely interpreting or falsely applying the provisions of the constitution but the constitution would remain unchanged. We should merely have to await a happier day when the powers which had been abused and the trusts which had been betrayed should pass to fitter hands.

On both sides of the Atlantic, but chiefly on the other side, due to its longer history, the history of this people is replete with the record of great occasions and great achievements when the people, who had for a time been negligent, have aroused themselves and rescued their constitution and revitalized and reestablished it as the supreme law of the land.

One of these instances was the reestablishment of the independence of the judiciary to which I have referred, and while they were doing that they assembled into a documentary statement certain of their fundamental rights, which they had long claimed as a part of their constitution, but which by the power of the kings and the construction of the judiciary which the kings controlled, had been denied to the English people. But these rights still lived.

When we came to write our Federal Constitution we brought forward into the written documents not only the provision with regard to the judiciary to which I have referred but the Bill of Rights as well. We did not borrow that Bill of Rights from the British Constitution or the provision with reference to the tenure of the judges from the British Constitution, as our commentators sometimes erroneously state. They belonged to us as much as they belonged to the people on the other side.

This seeming digression is in fact not a digression. It gives us a more comprehensive, though imperfect view, of our general constitutional development, moving us toward the creation of our Supreme Court and the establishment in that Court of the powers which the Constitution assigns to it.

Obviously we can go no further into an examination of our constitutional development which took place on the other side of the Atlantic; neither shall we be able to examine the philosophy of Paine and others asserting the non-supremacy of kings and parliaments and judges and human government as against the inalienable, natural rights of men, asserting the inherent limitation upon the fashion and power of governments and the discretion of governments and of their agents. We shall not be able, either, to examine the Colonial Charters, the forerunners of our State and Federal Constitutions, and in many respects the most interesting and most important part of our written constitutional development. In passing may I recommend especially an examination of the charter of Rhode Island granted in 1663. Everything considered, that charter of the little colony of Rhode Island, granted 277 years ago, is one of the greatest state documents of all time.

It is known, of course, that the State constitutions preceded the Federal Constitution and contained all the basic provisions later incorporated in the Federal Constitution and many of its less important provisions as well.

FEDERAL GOVERNMENTAL DEVELOPMENT

Our Federal governmental development, in the scheme of which the Supreme Court has so large a place, both in its natural position and in the result of its decisions, began, no doubt, soon after the establishment of the American Colonies. The facts of common interest among the people of the Colonies, the influence of common origin, in the main, the same language, similar institutions, the same governmental instincts, community of interest, common dangers, and later joint achievements in behalf of the common interests, began early to draw and to press this homogeneous people back upon themselves into greater and greater solidarity and unity.

The articles of "Firm and Perpetual League of Friendship," entered into in 1643 between the jurisdictions of Massachusetts, Plymouth, Connecticut, and New Haven, have so many provisions and characteristics common to both the Articles of Confederation and the Federal Constitution as to leave no doubt of their close relationship. Just as the meeting called by Simon de Montford in the thirteenth century was the forerunner of the British Parliament this meeting and its resolutions were the forerunners of the Continental Congress, the Articles of Confederation, and of the Constitution of the United States.

We often hear the statement that the Revolutionary War was fought under the Articles of Confederation. The fact is that the Articles of Confederation were not ratified until the spring of 1781, and Cornwallis surrendered in the fall of that year. There is another erroneous statement, that when the Federal Constitutional Convention met, the Articles of Confederation were, figuratively speaking, thrown out the window. A comparison of the provisions of the

Articles of Confederation and those of the Constitution and the weight of probabilities make that statement absurd.

SUPREME COURT ORIGIN

The Supreme Court was not the first to function as such a court in this country. Prior to the adoption of the Articles of Confederation, the Continental Congress made of itself a semivoluntary Supreme Court in certain matters of the then inchoate and embryonic Federal Government. From their membership they created what they first called a committee, and later on they called it a court to which it was directed that appeals should lie from proceedings with reference to captured vessels. These vessels were being claimed as prizes of war. All sorts of conflicting interests and claims were growing out of these transactions. In some instances the citizens of foreign nations and foreign governments were involved. During the siege of Boston, Washington was compelled to give much time to the adjustment of these controversies. He wrote a letter to the Continental Congress asking that something be done about it. In response, Congress requested that the colonies erect courts, where they did not already exist, to try issues arising out of such captures, and to allow juries in all cases, and that all appeals be to the Congress. Not only was this class of cases appealed to, and adjudicated by the tribunal created out of the personnel of the Continental Congress, but a serious dispute between Pennsylvania and Connecticut over their boundary line was adjudicated. A great practical lesson was learned by those experiences and later it became fixed in the Federal Constitution that there should be a Supreme Court of the United States, and that its judges should have jurisdiction of the class of cases adjudicated by this voluntary Federal tribunal.

Controversies, conditions, and the helpful services of a tribunal authorized to adjudicate such controversies, and the need for a governmental agency strong enough to enforce the judgments of such a tribunal, helped to impress the necessity of a "more perfect union," with a court clothed with such judicial powers as were later given to the Supreme Court by the Constitution.

SUPREME COURT DECIDES CONSTITUTIONAL LIMITATIONS

While the independence of the judiciary had already been established, it remained to be determined in this country whether the Supreme Court of the United States has the power to declare void an act of any Federal agency, or of the States, which it deemed to be in violation of the Federal Constitution.

The great controversy with reference to the Supreme Court, which arose out of the decisions of *Marbury v. Madison* (2 L. Ed. 60, 1803), of *McCulloch v. Maryland* (4 L. Ed. 579, 1819), and *Dartmouth College v. Woodward* (4 L. Ed. 629, 1819), and so forth, brought definitely to issue whether the Supreme Court had authority to declare an act of Congress and an act of a State unconstitutional.

We are all familiar with these great, far-reaching decisions. Jefferson challenged the authority of the Supreme Court to declare an act of Congress, or an act of the States unconstitutional, contending, in substance, that the other two departments of the Federal Government and the States are each charged with a responsibility to the people of acting within their respective constitutional limitations; that our constitutional system provides an adequate remedy and practical machinery for its enforcement—popular elections. He felt that to give to the Supreme Court the power to declare the acts of agencies of the Federal Government and of the States void, and also to be the sole judge of its own constitutional power was so incompatible with the nature of a democracy that it would destroy the Government.

Judge Roan, of Virginia, led the people of Virginia in their attack on Marshall. Marshall was very much aroused. He seems to have written many letters; he urged the necessity of the friends of the Government to arouse themselves; he considered that there was danger of a reaction toward the old Government under the Articles of Confederation. The thing which seemed to have affected him most is indicated by the following quotations from one of his letters:

I cannot describe the surprise and mortification I have felt that Mr. Madison has embraced them—

Referring to Virginia's contentions, insisted upon by Mr. Jefferson.

SUPREME COURT NOT THE FIRST TO DECIDE CONSTITUTIONAL LIMITATIONS

It is an interesting fact that Marshall, however, was not the first to claim the right and the duty of the judiciary to pass upon the constitutionality of legislative and administrative acts. In an opinion by the Supreme Court of New Jersey, *Holmes against Walton*, 1780, though the record is not to be had, it seems clear that it was held that an act of the legislature providing for a trial by a jury of six men was void because it was violative of the New Jersey Constitution.

There was much controversy in the following session of the legislature with reference to this and other similar decisions. In the case of *Commonwealth of Virginia against Caton*, decided in 1782, the court gave the opinion that it had the power to determine the constitutionality of an act of the legislature and to declare those acts void which were contrary to the Constitution. Prior to 1814, there were numerous other State court holdings to the same effect in New York, Connecticut, North Carolina, South Carolina, Pennsylvania, Ohio, and Vermont.

Mr. Gerry, of Massachusetts, in the Federal Constitutional Convention in 1787 said:

In some States the judges had actually set aside laws as being against the Constitution. This was done too with general approbation.

While there was much criticism of the decisions of Marshall, particularly in Virginia, Kentucky, and Ohio, there probably was fairly general approbation throughout the country.

In *Worcester v. Georgia* (8 L. ed. 483), decided in 1832, the Supreme Court of the United States held that an act of the Georgia Legislature, undertaking to regulate missionaries among the Indians, was unconstitutional. The State of Georgia ignored this decision. The executive branch of the Federal Government refused to lend itself to the enforcement of this judgment. Finally, the matter ended by the missionary's being released after some 18 months' confinement. This was perhaps the most severe blow which Marshall received during his long judicial career.

It is an interesting coincidence that Georgia had figured in another very important decision by the Supreme Court (*Chisholm v. Georgia*, 1 L. Ed. 440). Jay was then Chief Justice. It involved an action for debt by a citizen of another State against the State of Georgia. The decision, rendered in 1793, held that a State could be sued in the Federal courts at the instance of a citizen of another State. Two days after its rendition the eleventh amendment to the Constitution was proposed in Congress and the following December it was submitted. Ratification was not completed until the beginning of 1798. No action seems to have been taken in the matter, however. There were several suits similar to that of *Chisholm* against Georgia already pending. But before the first of these pending cases (*Hollingsworth v. Virginia*, 1 L. Ed. 644, 1798) reached the Supreme Court, the eleventh amendment had been ratified and the court in a unanimous opinion held, in view of its phraseology, that the judicial power of the United States "shall not be construed to extend," instead simply that it "shall not extend" to any suit in law or equity commenced or prosecuted against one of the United States by citizens of another State, or by citizens, or subjects of any foreign state, that the amendment had a retroactive effect, and thus the Court would renounce jurisdiction in any case of this nature, past or present.

It is worthy of note that when the judgment against the State of Georgia was affirmed, Georgia responded by a statute prescribing the death penalty against anyone who would undertake by any process to enforce the judgment within the State.

LESSENING JUDICIAL RESTRAINT UPON OTHER GOVERNMENTAL AGENCIES

With the election of Jackson in 1828, the fight on the policies of Marshall was renewed with great vigor. Chief Justice Taney, who had been in Jackson's Cabinet, was a great influence in the Supreme Court in lessening the restraint which that Court had exercised upon the States and departments of the Federal Government.

It is not at all improbable, if we had time to examine beneath the surface of developments as they are given to us by the historian, we might discover that one of the reasons for the change in the policy of the Supreme Court might have been the fact that union among the States at the time of the change had by natural processes made considerable progress. It is not improbable that it was a natural thing that the Supreme Court should have been instrumental in helping to concentrate governmental power at the point where this union was taking place. Public opinion, the arbiter in disputes affecting the public interest probably helped determine the matter. As when a broken bone is being healed or the parts of plants are being engrafted upon each other, nature seems to move its energies to the point of weakness, to strengthen it by what means it can, until the unifying fibers by natural processes shall have done their work.

It may be also that Marshall was so absorbed by his concern for the establishment and preservation of a strong central government, that he overlooked or underestimated the importance of preserving the efficiency and virility and fundamental sovereignty of the several State democracies which had created the Federal organization as their agent to do for them certain things which individually they were not able to do and to act as the repository of certain governmental powers which they each surrendered to the others.

On the other hand, Jefferson and Jackson and their associates may have underestimated the necessity at that time of permitting governmental strength to move to the points in the governmental structure where union among the States was being effected by natural processes, but had not yet become an actuality. These observations are not so fantastic as at first consideration they may appear.

MOVEMENT OF GOVERNMENTAL POWER DURING NATIONAL FORMATIVE PERIOD

In the whole process of national development, when tribes are blended into principalities and principalities into petty governments and these petty governments into a great nation, it is a historical fact that governmental power moves up from the people and from the smaller units of government to the point where union among the newly associated peoples and territories is being effected. That always happens. It seems to be in response to natural law. Clearly the adoption by the States of the Federal Constitution did not unite the people of the States; it did not constitute of them a nation.

I do not believe there is anything more interesting than the history of our own Union—the history of how we came to be a nation—the history of how we got into the big row in 1861. I think it is perfectly clear as we look back at it now. An examination of the debates in this Congress discloses the different stages of the growing together of these States. The Constitution was like the tape wrapped around plants being grafted. If there be proper adjustment, if there be kinship in those plants, Nature gets to work—Nature did get to work. If we had the time, I would like to direct your attention to significant utterances on the floor of this House and in the other Chamber in the different crises of the country, showing clearly the relative stage of the development in our becoming a nation.

I will mention, however, one example. John Quincy Adams and 12 of his associates, when Texas was about to be admitted, issued an address to the people of the country in which they said that the admission of Texas would amount to a dissolution of the Union, and the non-slave-owning States would not, and should not, submit. Just across the river here was a gentleman—Wise, of Virginia, who was in this House—and it made him very angry—the idea of these Yankees uttering these treasonable things right here in the Hall of Congress—and he moved to expel them. Seventeen years after that Wise was the head of a Confederate regiment trying to put into effect the doctrine which Adams had declared, and the Adams crowd were having conniption fits about these things that Wise and his people were doing. If it were not so closely associated with that great tragedy, it would be an amusing thing.

STRUCTURAL REASON OF WAR BETWEEN STATES

We do not have time to examine the details of that development. It is sufficient for us to note at this time that we have come to be a nation. We were overlong in arriving at our nationalization, due primarily to the fact that in the beginning the institution of slavery as a foreign substance was left in the Constitution lying between the two great sections, North and South, and soon there was added to it the policy of the protective tariff. The States of the two sections had long been united.

Each of the great sections, when in control of the Federal organization, used that organization to promote and protect its interests with regard to these two issues. Lying side by side, these two issues were too thick for the fibers of union to penetrate. As a result, under the increasing strain, in 1861, we broke at this point of weakness. The Southern States which theretofore had denounced the doctrine of secession which had come from Northern States, having lost control of the Federal organization, pulled apart, seceded. The Southern States seceded because they had lost control of the Federal Government. The Northern States did not secede because no one secedes from that which he controls.

As a result of the War between the States, one of these foreign elements was removed, and as a result of economic developments the protective tariff has been largely absorbed into the general economic and political body of the two sections. We are now a Nation united.

GOVERNMENTAL PROGRESS IN A DEMOCRACY

We have been a nation, probably since the Spanish-American War, certainly since the World War. When a people, operating our sort of government, have reached that stage in their national development, it is historically established fact, and one with which reason has no difficulty in agreeing, that from that time forward all progress in such a government must be in that direction which moves governmental power away from the central organization to which it was moved at the time when the processes of unification were taking place or great emergencies were being dealt with, back into the smaller units of government which are the natural instruments for the functioning of a democracy. Democracy is a government by the people. In order for the people to govern and to continue to develop their capacity to govern they must have the power to govern and the necessity to govern as close to them as it is practical to place it, and there must be provided for their use governmental machinery adapted to the exercise of these functions by the people.

For too long a time we have overemphasized the Federal organization in our scheme of government. We ought to have been moving this overallocation of power and governmental responsibility away from it long ago. Just as Nature moves strength to the point of union when union is being effected, when union has been effected it requires of peoples operating systems of free government to move that power back into their democratic governmental organization, or pay the penalty which Nature inflicts upon a people who have had an opportunity to cooperate with the plan of Nature and refuse to do it. That is something for the statesmen of America to think about. If the people will not do it voluntarily, they are driven by the lash of tyranny to the performance of their neglected duty. I challenge anybody of any political philosophy to contradict the statement that it is a historically established fact and in harmony with reason that after the formative period of a democratic nation there can be no progress in that system except in that direction which moves the power and necessity to govern away from the center and back toward the people, who are the government.

We are not dealing with an academic thing. We are not dealing with a speculative thing. We are dealing with something that is supported by history and to which common sense must agree, because in a democracy there are no governors except the people.

THE STATES' GOVERNMENTAL MACHINERY ADAPTED TO REQUIREMENTS OF DEMOCRACY

Fortunately for us, the States, not too large territorially and which function in the main through smaller units of

government, the chief officers of which are chosen by the people, afford the opportunity and the machinery for the functioning and development of democratic institutions, and for the development of the governmental capacity of the people, who are the governors in a democracy.

In our whole governmental history all commentators, insofar as I know, agree that the Habeas Corpus Act, the Magna Carta, the Petition of Rights, the Bill of Rights, and our own Declaration of Independence made great epochs in governmental history, because their effect was to decentralize governmental power and move it back toward the people. On the other hand, no great monument comparable to these can be found along the road which democracy has traveled, marking the place where governmental power and responsibility have been moved away from the people toward the central governmental agency. That is not progress in a democracy.

The Federal organization is a necessary agency of these States to do the things for them which it was created by them to do, but it was never intended to be and never can be the functioning machinery through which the people can discharge the general responsibility of government. It is too big, too far away; the total of its general responsibilities too vast. Its machinery is not adapted to that service. Out of an executive personnel which has now grown to the enormous number of 987,538 persons as of the month of December 1939, at an annual salary as of that month of \$1,827,678,708, only one of this approximately 1,000,000 people is elected. There cannot be any possibility of popular control of such an organization.

EFFECT UPON DEMOCRACY OF LOSS OF STATE SOVEREIGNTY

The States must resume the status of the responsible sovereign agencies of general government or democracy cannot live in America. What is the use in trying to deceive ourselves about that?

When we relieve the States of governmental responsibilities which are within their governmental capacity, the power to do the things of which they have been relieved departs from the States. Nature will not permit any power to remain where it is not used. Every time that happens the total governmental strength of the States is lessened and they are left with less and less ability to discharge their remaining duties.

There can be no uncertainty as to the effect of that policy upon the States, especially, when, in addition to that, we tap the sources of State revenue; bring to Washington the money required by the States to discharge their governmental duties; send a part of that money back to the States as loans and gifts from the Federal Government to the subdivisions of the States, their counties, their cities, their school districts, private businesses, and private citizens, and thereby, in these matters attach them directly to the Federal Government and bring them directly under the operation of the Federal governmental power.

By this process we are not only weakening the States but are actually dissolving them. At the same time, we are destroying the self-reliance, the courage, the stamina, and the governmental capacity of their subdivisions and of the people—the most deadly thing that can be done to a democracy. When we do all these things, we do what the declared enemies of our democracy could not do to the structure of our Government and to the governmental capacity of the people, upon whose capacity to govern our democracy absolutely depends.

It is axiomatic in our system of government—and I think it is axiomatic everywhere—that he who controls the purse strings controls the government. This was demonstrated when the House of Commons got control of the purse strings in England. It took a long time, but now the Commons are supreme because they never turned loose the purse strings.

We are making a similar demonstration in this country, except that it is in exactly the opposite direction. As we increase State and local governmental dependence upon the Federal Treasury, dispensing money which has been got from the people of the States, the Federal bureaucracy tightens its grip upon the purse strings and increases its governmental control.

We have turned back on the course of democratic progress. Progress is not fast. We are going very fast. Progress is uphill. We are going downhill. That is the easy way.

Democrats, Republicans, people of the Nation today celebrating a great occasion, we talk about what these men have done in the days gone by. What are we doing? How well are we doing it? No foreign foe has put his foot on American soil in a hundred years. We have everything in this country that God could give to make a people happy, prosperous, and contented—plenty of material for food, clothing, and shelter; plenty of railroads; plenty of money; plenty of means; plenty of everything—plenty of everything except the intelligence and patriotism required to operate a system of free government. Yet we strut around here and expect people to call us honorable. Shame upon us in America! Shame upon the statesmanship of America! We are all responsible. I take my share and you can take yours.

When we destroy the independent governmental responsibility of the States, the sovereignty of the State is destroyed and the possibility of the preservation of democracy is practically gone. What I am saying is fundamental. I am talking about things that are fundamental, vital things, as important to me and to you as the love for liberty. I am not talking about anyone, I am talking about a situation; I am talking about the result of the operation of the laws of cause and effect.

As it was the responsibility of our people 150 years ago to establish the Federal organization, in just as definite a sense it is our responsibility to preserve this democracy, not only for the sake of the democracy but for the sake of the Federal organization as well. There can be but one end to a policy of continuing to weaken the structure of the underlying States and at the same time continuing to increase the Federal overload.

This is not a partisan matter; it is not a sectional matter; it is not that of any department. None are free from responsibility. It is the concern and business of all the people, of all the parties, and of all the officials of all the departments of government, Federal and State.

Whether you agree with me or not, I hope that what I have said will be received in the spirit in which it is spoken, and that it will be provocative of thought and of an examination of the facts.

You and I are in responsibility at the high peak of human history, charged with a duty different from that which Madison confronted, different from that which Marshall confronted. They and the statesmen of that time were confronted with the responsibility of helping to hold these States together until they could grow together and form a nation. It was their business to preserve this Nation. It is our business to preserve this democracy.

No greater challenge ever came to any people of any age than the challenge which comes to you and me at this time. It is well for us on this, the one hundred and fiftieth anniversary of the inauguration of the Supreme Court, celebrating as we do a great event in the history of our Government, to be conscious of the fact that we are in responsibility at a time when deliberate persons of sound judgment are deeply concerned for the future of this country. Only a people humbled by the sense of great responsibility, earnestly desiring to know the truth, candid enough to face it, whatever it may be, and courageous enough to do what duty requires, whatever the sacrifice, can make certain the preservation of this democracy.

EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include therein an address by the Honorable Charles Evans Hughes, Chief Justice of the United States, at the exercises commemorative of the one hundred and fiftieth anniversary of the first session of the Supreme Court of the United States, in the Supreme Court Chamber; also the addresses delivered upon the same occasion by the Honorable Robert H. Jackson, Attorney General of the United States, and by the Honorable

Charles A. Beardsley, president of the American Bar Association.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill H. R. 1674 and to include therein a few excerpts from letters.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made this afternoon in the Committee of the Whole and to include therein some telegrams I received with reference to the work of the dry-land stations.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HENNINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the St. Louis Post Dispatch.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in the Committee of the Whole this afternoon and to insert therein in connection with the acreage of cut-over lands in the United States a table showing the cut-over areas in the various States.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein a radio address I shall make this evening.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOPE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered by the gentleman from Massachusetts, Mr. JOSEPH W. MARTIN, at Topeka, Kans., on January 29.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article on certain phases of the Philippine situation as it relates to the United States.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. CRAWFORD]?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein transcript of a radio program last night containing speeches by Senator ADAMS, the gentleman from Oregon, Congressman ANGELL, and me.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota [Mr. MUNDT]?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. St. Claire, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 7342. An act to amend the Emergency Farm Mortgage Act of 1933, as amended.

AGRICULTURAL DEPARTMENT APPROPRIATION BILL FOR 1941

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for further consideration of the bill H. R. 8202, the Department of Agriculture appropriation bill for the fiscal year 1941.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8202, with Mr. COLE of Maryland in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. The gentleman from North Carolina [Mr. BULWINKLE] is recognized.

Mr. TABER. Mr. Chairman, I ask unanimous consent that the amendment may again be reported by the Clerk, so that the Committee will know just what it is.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. TABER]?

There was no objection.

The Clerk again reported the Bulwinkle amendment.

Mr. BULWINKLE. Mr. Chairman, on page 8 of the report of the Committee on Appropriations there appears this statement:

BUREAU OF AGRICULTURAL CHEMISTRY AND ENGINEERING

The Budget estimate of \$120,300 includes a reduction of \$56,575 to be transferred to the four research laboratories. The committee believes that the entire activity should be taken over at once, beginning July 1, by the research laboratories and that the amount of \$3,200,000 for the latter is sufficient to absorb the reduction resulting from the elimination of this item from the bill.

Agricultural engineering investigations: The Budget estimate of \$349,669 includes an allotment of \$30,000 for dust explosions for the prevention of dust and farm fires. This project has been in the bill for a great many years and the committee have annually examined the results obtained from the expenditures for this activity. In former years it has reluctantly retained the item. In the present bill the project has been eliminated in its entirety for the reason the committee is convinced that the results do not justify the outlay.

The committee has not studied the full proposition and what this division has accomplished. I could give you pamphlet after pamphlet here showing that this division has investigated numerous fires and reported on them from all over the United States. In Texas when there was a gas explosion in a school down there several years ago they called for an investigation by the Department of Agriculture. This group made the examination and made a report. Let me give you briefly some of the accomplishments of this group.

IMPORTANCE OF THE WORK

Dust explosions and fires in plants handling or processing products of agricultural origin cause heavy losses of life and property.

In 660 explosions investigated by the Chemical Engineering Research Division 485 persons have been killed, more than 1,000 injured, and the property loss has exceeded \$50,000,000.

In one grain-elevator explosion and fire at Chicago in 1939 nine lives were lost and the property damage amounted to about \$3,500,000.

The grain destroyed in that explosion and fire would be sufficient to provide bread rations for an army of 500,000 men for an entire year. This indicates the importance of research work on this project and shows its close relation to a national emergency.

The dust-explosion hazard exists in practically all grain-handling plants such as grain elevators, flour and feed mills, and plants engaged in the processing of agricultural products such as the preparation of starch, sugar, powdered milk, and other food products.

The losses from fires on farms in the United States amount to approximately \$100,000,000 annually, with a loss of about 3,500 lives. Of this loss at least \$15,000,000 annually is the result of the spontaneous combustion of hay. If the losses from other fires in rural communities of 2,500 population and under are considered, the above fire loss will be more than doubled.

RESULTS OBTAINED IN THE WORK

Dust-explosion losses for the last 10 years, 1929 to 1938, inclusive, have been \$8,000,000 less than for the previous 10-year period, 1919 to 1928, inclusive, which would amount to an average annual reduction of \$800,000.

The adoption of protective measures recommended to industrial plants following research work by the Chemical Engineering Research Division has resulted in reduced insurance rates. There has been a reduction of approximately 74 percent in insurance rates on starch factories and in some cases as high as 93-percent reduction in insurance rates for terminal grain elevators.

The adoption of new types of construction in dust-producing industries which incorporate venting equipment for

the release of explosion pressure will no doubt reduce still further the dust-explosion losses in such industries. Recommendations covering the amount of venting area necessary in different plants are based on the research work of the Chemical Engineering Research Division at the Arlington Farm Testing Station.

New developments in the utilization of agricultural products make it necessary to work out new methods for protection from dust explosions and fires. Special attention is being given to the development of safety codes for the prevention of dust explosions in new industries.

The investigation of the spontaneous combustion of hay has included laboratory research, large scale storage experiments and field surveys during harvesting seasons. Eleven large scale storage experiments have been carried out, and these tests, in conjunction with the laboratory work, have contributed materially to determining the conditions for the safe storage of hay, particularly with respect to the proper curing of hay before storage and the questions of proper ventilation and size of mows in storage. A better understanding of the fundamental causes of spontaneous heating and ignition also has been acquired.

Specifications and recommended practices have been worked out for protection from fires on the farm and in rural communities. This information covers construction of farm buildings, fire-fighting equipment, the storage of flammable liquids, and the prevention of spontaneous combustion.

EFFECT OF REDUCTION ON THE WORK

Because of the reductions in the amount of the appropriation for this work, it has been necessary to curtail the research carried on by this Division. Last year work at the dust explosion testing station at Arlington Farm was suspended, and this year the work on farm fires has been discontinued, including both laboratory and large scale field tests on the spontaneous heating and ignition of hay. In consequence it has become impossible to obtain the necessary information for the prevention of dust explosions during fire-fighting operations and in the operation of grain-handling plants, and it has ended the development of methods for the prevention of spoilage and fires in hay storage.

The activities of this Bureau of Agricultural Chemistry and Engineering have resulted in decreased insurance rates. There has been a reduction of approximately 74 percent in the insurance rates on starch factories and in some cases as high as a 93-percent reduction in the insurance rates on terminal grain elevators. I could speak at length on what this division has accomplished. Here are a number of bulletins that have been issued. They have been used and various addresses have been made to the Fire Chiefs' Association and other organizations in the United States.

Mr. Chairman, I ask support for my amendment.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, it is always a pleasure and privilege to go along with the distinguished gentleman from North Carolina. I am always particularly glad to follow him in matters of agricultural legislation.

But this item has a peculiar and a rather interesting history. Many years ago an explosion occurred and somebody in the House thought it would be a good idea if Congress would investigate the cause and see if a remedy could not be found to prevent future explosions. So an item was included in the agricultural appropriation bill for this purpose and we have been appropriating for it ever since. They put the item in and forgot about it.

Like the snuffboxes in the Senate and the quill pens in the Supreme Court, it has been carried along year after year with practically no returns to the country whatever. We still have explosions when sparks meet combustible material, and houses still burn when lightning strikes a dry roof, and there has been no appreciable diminution in either. The Texas explosion, to which the gentleman has referred, was not within the jurisdiction of this item. As a matter of fact, they were severely reprimanded for stepping outside of their jurisdiction, as their functions are exclusively restricted to agricultural explosions.

This item has been in the agricultural appropriation bills all these years largely by sufferance. Now, when the pinch comes, and it is necessary to cut out some of the dead timber in the bill, this was one of the first items which attracted the attention of the committee. The committee unanimously recommends that the item be stricken from the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

The amendment was rejected.

Mr. WOODRUM of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WOODRUM of Virginia. Mr. Chairman, I am sure that every Member of the House who was privileged to stay today during the interesting ceremonies just completed was encouraged and inspired by the splendid remarks of the gentleman from Kansas [Mr. GUYER] and the distinguished and able gentleman from Texas [Mr. SUMNERS]. Certainly they inspired us to have great faith in the perpetuity of our democratic institutions and our free government. I hope that inspiration may be translated into a very practical effect, coming happily as it did right at this crucial moment. In that connection, I am tempted to advert for just a moment, if I may with propriety, to an Associated Press article carried in today's paper in which it is stated:

Secretary Wallace yesterday assailed the House committee action with a statement that the proposed \$154,000,000 reduction under Budget estimates would inflict "a grave injustice" on farmers and would impair industrial activity and employment.

Then quoting the Secretary directly, it has him say this:

I want to put the farmer on guard against attempts of some Congressmen to scuttle the farm program.

Further quoting the Secretary—

I would ask the farmers this question when they went to vote, "Which way are you most likely to be taken care of in 1941?"

With restraint, I merely observe that in my judgment an observation of this sort by a Cabinet Member, while a measure having regard to his own Department was under consideration in the House of Representatives, is in most questionable taste. [Applause.] The Committee on Appropriations were fully aware of the sentiments of the Secretary of Agriculture. Inasmuch as he has adverted to what the farmers might do in 1940 on account of the agricultural program, I am just wondering whether someone is getting ready to have an alibi.

If there has been a failure—and I do not say there has; whether or not this agricultural program has been all that it should be something that you gentlemen who know agriculture, and I do not, can say, but I can say this—if there has been a failure it is not because Congress has not provided adequate funds for the Department of Agriculture. [Applause.] Rising from a sum of about a half a billion dollars in 1933, this year we give the Department of Agriculture from all sources more than a billion dollars to spend for the farmer, yet there are those who say that the problem has not been solved.

I deprecate the statement of a Cabinet officer made, if not for the purpose, certainly with the effect of turning the heat on the legislative branch of the Government. I believe the House of Representatives and the Senate in their ultimate good judgment will just about come as near knowing what is good for the agricultural population of the United States as Mr. Wallace. [Applause.]

Mr. Chairman, I am as anxious as any Member of this body to see agriculture rehabilitated. The American farmer has had a hard time. I have time and again voted for measures and funds to try to help him. I do, however, refuse to admit that the limit of our ability to help him is to continue all sorts of benefit payments.

The Secretary makes mention of what the farmer may do in November. I deprecate the fact that it is suggested that we are here legislating for ballots in November. Maybe it is true that we are, but certainly I deprecate the suggestion that that is what is motivating us in what we do. I hope we are trying to do what is for the best interests of our country, and not doing it simply and solely and purely for the purpose of trying to get the farmers' vote in November. Unhappily, we have done too much of that. Unhappily, we have hopped the farmer up with dope just before election every time.

Maybe some of these days the agricultural population of the country will awaken from the stupor produced by feeding them so much dope in the form of benefit payments and come to find out that after all we were not doing them a service, a real service, when we continued to give them an inoculation of this sort every once in awhile. If we can do it, I should like to see us approach a real, fundamental solution of the agricultural problem, and not every year have to be giving out subsidies and gratuities. I do not believe the American farmers want that. I think they want to see parity, and to have an opportunity to earn on their farms a living just as the businessmen and the laborers are able to do. I think if we can direct our attention in that regard we will then really be getting nearer a solution. I rose principally, however, for the purpose of saying that I thought it was unfortunate that the Secretary of Agriculture should inject himself into this situation, and do it with a threat. [Applause.]

[Here the gavel fell.]

Mr. COOLEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there any objection to the request from the gentleman from North Carolina?

There was no objection.

Mr. COOLEY. Mr. Chairman, I do not approve of the statement of Secretary Wallace to which the distinguished gentleman from Virginia has just referred. I do not like, any more than the gentleman from Virginia likes, the idea of a Cabinet officer trying to coerce or intimidate Members of this House. Neither do I like to see our Committee on Appropriations setting itself up as a superlegislative committee. The Appropriations Committee is offering the American farmer as the first sacrifice upon the altar of false economy. [Applause.] The committee is apparently now dominated by the ideas of the gentleman from Virginia [Mr. WOODRUM]. I am sure you will recall that the gentleman from Virginia tried to do away with the Farm Security Administration in a one-man fight which he led the last time that this matter was before the House and yet the House approved the appropriation for farm tenancy. He has likewise opposed parity payments.

This committee is seeking by this bill to nullify the deliberate judgment of the House of Representatives and the Senate of the United States. We approved the farm-tenancy program as an experiment and I, for one, would like to continue it for a sufficient length of time to demonstrate its true worth and success. Unfortunately, every time we ask for an appropriation for the purpose of carrying on the experiment, we are not only called upon to discuss the amount involved, but we are forced to again sell the fundamentals of the program to the Members of the House. I still regard the program as an experiment and I believe that we should continue it as such. I thought that our committee and Congress fully understood and appreciated the character of the program upon which we embarked a few years ago. Now, the Appropriations Committee wants to stop the program, abandon it, and nullify everything that has been done in behalf of an unfortunate group of our people.

In the light of the information furnished to the House on yesterday by the distinguished chairman of the Committee on Agriculture, to the effect that more than 95 percent of

tenants being assisted under the land-purchase program have been able to meet their payments and in many cases to pay more than the amount currently due, and to the effect that these payments amount to 159 percent of the sum due by these tenants who are being aided by the Government in becoming home owners, it seems to me that we have before us concrete and convincing evidence that we are making headway with the program.

We have heard members of the Appropriations Committee criticize and ridicule the Committee on Agriculture but the fact remains that much has been accomplished through the farm programs undertaken during the present administration, criticism to the contrary notwithstanding.

I know that there are many farmers in Virginia who are in great distress at this hour. I know that the farmers of Virginia start into this year with great uncertainty. I know this because the farmers in Virginia are engaged in producing the same crops that are produced in my own district and in my own State, and I know what this administration, through legislation enacted by Congress, has been able to do for the farmers of Virginia, of North Carolina, and of other sections of the country.

We are embarking upon a huge program of national defense and we are spending millions and billions for relief and for other causes but we have no right to offer the American farmer as a sacrifice upon the altar of national defense or false economy. A prosperous and contented agriculture is the best national defense this Nation can have. When we destroy the "bold peasantry" of this Nation, our Government will not long survive. [Applause.]

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I move to strike out the last two words and ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I am very sorry to see two good friends on the majority side engaging in a controversy. I am sure, however, that it is refreshing to all of us that they have opened up this subject about the distinguished member of their party who happens to be the Secretary of Agriculture. I did intend to say something about his statement accusing Congress of scuttling agricultural appropriations.

The Secretary says that Congress is scuttling the ship for agriculture. Does he really mean that? Just how far has the Secretary of Agriculture gone with the President of the United States in his attempt to secure parity payments? Is it Congress that is responsible for scuttling the agricultural appropriations or is it the President and the Secretary?

The President has not asked the Congress to appropriate parity payments and I therefore assume that the Secretary made no request of him for the necessary sum. Therefore it appears that the Secretary of Agriculture is trying to take the responsibility away from the President of the United States and himself and pass it on to Congress.

Mr. FERGUSON. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I am sorry, I do not have the time.

Last year when this bill was under consideration Mr. Wallace blamed the Republicans in the House of Representatives for attempting to scuttle the appropriations for the Department of Agriculture. This year he takes in the whole Congress, irrespective of party affiliations, and seeks to put the blame on all, when the responsibility belongs on himself and the President of the United States.

Let us see what Mr. Wallace has done in his help for the farmers. He says he wants to give them parity prices, but when he is telling them that he is going to furnish them with parity prices, he demands of the Ways and Means Committee the continuance of the "free trade" reciprocity law which the farmers know will mean lower tariff duties and an additional flood of cheaply produced competitive imports into the United States to further depress the market on our farm products. [Applause.] He seems to think

that when he is ordering the taking of 40,000,000 acres of good farm land out of production in this country, he has the right to give foreign farmers the full benefit of his scarcity program.

The New Deal slogan seems to be, "Mr. Foreign Farmer, go ahead and produce a million or more acres of competitive farm products and ship them into this country. We will take care of you." Oh, he says the amount which the foreigners ship in here is a small amount of our domestic consumption and it does not make any difference. But I can show you time and again when a cargo of New Zealand or Australian butter has come into the port of Philadelphia, Baltimore, or New York the price of butterfat has been depressed 1 and 2 cents a pound to the farmers of Minnesota. It makes no difference as to the amount of the commodity that comes in; it has a detrimental effect upon the price level received by American farmers.

Those of us who believe in protecting the honest toil of American agriculture and labor feel that we are right when we demand this consideration for our fellow Americans.

What a pathetic thing it is for Members of Congress, for American citizens, to be compelled to fight with one group of our citizens and ask them to help us protect American citizens. That is all we are doing in this so-called reciprocal-trade fight. We want to maintain American life for our American citizens.

Therefore I think the responsibility in this issue which has been injected by the gentleman from Virginia [Mr. WOODRUM] and the gentleman from North Carolina, belongs with the Secretary of Agriculture himself and with the President of the United States, who has failed to ask the Congress for proper appropriations to bring parity prices.

I do not know how many of you people are aware of the fact that last year the Treasury of the United States made a present to foreign producers of gold—an outright gift—of nearly \$1,400,000,000. We purchased last year from the countries of the world \$3,574,000,000 worth of gold, for which we paid \$35 an ounce. A couple of days ago we celebrated the President's birthday. We all wished him well, a lot of happiness, and many more birthdays to come. Yesterday we celebrated the gold policy of this administration to give away something from the American people to foreign producers.

The reciprocal-trade program, the monetary policy, this free-trade policy of the administration, is all ruining American labor, agriculture, and industry. If we want to continue such a policy, then we must do what Mr. Wallace and Mr. Hull and Mr. Roosevelt tell us to do. If we are for American citizens, then we should scuttle their ship and get back to earth again and provide something sound for American citizens, so that they may make a profitable living without the necessity of continuing on doles and injections from the United States Treasury.

I hope that when these additional provisions come up we will have sense enough to legislate as we see it should be done for the best interests of our country rather than to follow the political utterances of the Secretary of Agriculture or any other Cabinet member. [Applause.]

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I hold no brief for the Secretary of Agriculture. I think an examination of the hearings had upon this bill will disclose that I was somewhat critical of the actions of his Department with respect to the administration of several items of the appropriation bill for the present fiscal year. I do believe, however, that the Secretary of Agriculture is an able and conscientious man.

That, however, is aside from the subject I want to discuss now. I want to do something, if I can, to keep the Record straight, in view of the remarks which were made by the gentleman from Minnesota [Mr. ANDRESEN]. The newspaper article to which reference was made by the gentleman from Virginia [Mr. WOODRUM], in his remarks did not quote the Secretary of Agriculture as having criticized the Appropriations Committee of the House of Representatives for failure

to make appropriation for parity payments. What was said in that alleged quotation from the statement made by the Secretary had relation entirely to the cut of \$154,000,000 plus, under Budget estimates; and as has been pointed out, parity payments were not included in the Budget estimates. Therefore nothing that the Secretary of Agriculture may have said could possibly have been construed as criticism of the Appropriations Committee for failure to exceed the Budget and provide parity payments above Budget estimates.

The subcommittee handling agricultural appropriations always calls the Secretary of Agriculture when it begins its hearings on the agricultural appropriation bill, and the committee hears him at length and asks his advice. It feels that because of his position and his experience in the actual handling of these appropriations he is in position to give advice of very great value to the subcommittee. I can conceive of no reason why he should be pilloried because of his attempt to make some suggestions to the Congress as a whole with regard to the actions which it should take concerning the estimates for appropriations submitted for the next fiscal year. These estimates were prepared in his Department under his supervision.

In fairness to the Secretary, I want to point out that if you will read his statement before our subcommittee you will find that he did not ask us to make provision for an appropriation for parity payments. He was specifically asked whether or not he recommended that parity payments be provided for in the bill, and he declined to submit any recommendation even to the subcommittee. So he cannot be justly criticized here today upon the ground stated by the gentleman from Minnesota [Mr. ANDRESEN] that he is asking Congress to do something that his Chief, the President of the United States, has failed to ask the Congress to do, by the submission of a Budget estimate for parity payments, because he has not done that, either before our subcommittee or in the newspaper article to which exception is taken. [Applause.]

Mr. FLANNAGAN. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I believe I voice the sentiment of the great majority of the people in this country when I state that it is not right, it is not fair, to make the farmer the victim of this economy drive that is going on today. Why single out the farmer and cut the appropriations made to the agricultural interests of this country in 1 year over half a billion dollars? I want someone to tell me why the farmer should be singled out in this economy drive.

The gentleman from Minnesota said that the policy pursued by our Secretary of Agriculture, Mr. Wallace, is not only detrimental to the farmers but that it is ruining the labor population of our country. I challenge both statements. I know when I came to this Congress back in 1932 the total income of all the farmers of America was something under \$4,000,000,000; and I know now that their income has gone up until it is around \$8,000,000,000 or \$9,000,000,000. We have made, to say the least, some progress. I am not here to say that we have not made mistakes, but I am here to say that this administration has dealt justly with agriculture and is the best friend the farmers of America ever had, and I believe has the backing of 90 percent of the farmers of America. [Applause.]

Let me say this with reference to labor: I am glad labor is back of the farm program. I am glad to see labor recognize the farm problem as their problem, and I believe the farmers feel the same way toward labor. Their problems are common. Anything that adversely affects the farmers adversely affects labor. And, conversely, anything that adversely affects labor adversely affects the farmers. I hold in my hand a letter from Mr. Oliver, president of Labor's Nonpartisan League, endorsing the Wallace program and asking those in Congress from urban and industrial areas to join hands in the fight to put back upon the statute books those items that have been taken out by the subcommittee on agricultural appropriations.

The letter is as follows:

LABOR'S NONPARTISAN LEAGUE,
Washington, D. C., February 1, 1940.

HON. JOHN W. FLANNAGAN, JR.,
House Office Building, Washington, D. C.

DEAR CONGRESSMAN FLANNAGAN: Labor's Nonpartisan League regards it as most important that the severe cuts made in the appropriations for the various agricultural functions of the Government be restored. It is to labor's interests as well as to the interest of the rest of the American people, that American farmers have security and prosperity.

We wish to put especial emphasis on the restoration of the amounts of the Farm Security Administration and food-stamp plan. The Congress of Industrial Organizations at its national convention went on record for the expansion of both of these very important Government functions. Many State and local units of Labor's Nonpartisan League have expressed themselves similarly. The establishment and extension of the stamp plan, for example, has brought hope to hundreds of thousands of workers and has received the enthusiastic support of the retail industry.

Labor's Nonpartisan League wishes to urge especially that in the common interest those who represent urban and industrial areas join to restore the appropriations necessary to the welfare of the American farmers.

Sincerely yours,

E. L. OLIVER,
Executive Vice President.

Mr. FLANNAGAN. Mr. Chairman, let us look at this question in a sensible way. We all know that this 50-percent cut is going to seriously cripple agriculture, and that when we undermine agriculture we are tearing away the foundation from under our economic structure. Then why do this foolish thing in the name of economy? I know that right now economy seems to be a mighty popular word, but do not get it into your head that it will act as a shield to protect you while you rape the farmer. I have noticed that most of the applause on the floor today in response to statements derogatory of the Department of Agriculture and the farm program came from the left. I did not hear the Democrats over here on the right applaud the onslaught that has been going on against the farmers of America, and I am here to tell my Republican brethren that they had better take heed of Mr. Wallace's warning or they will pay the penalty next November, for they need not think their Republican constituents are going to send them back to make the farmers of America the goat of an economy drive. [Applause.] They will not stand for it. [Applause.]

Mr. HOOK. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. HOOK. Mr. Chairman, I ask unanimous consent to proceed out of order.

Mr. CANNON of Missouri. Mr. Chairman, reserving the right to object, can the gentleman conclude his remarks in 5 minutes?

Mr. HOOK. Yes; I can.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOOK. Mr. Chairman, on yesterday afternoon certain remarks were made on the floor and printed in the CONGRESSIONAL RECORD. I shall not read those remarks or refer to them further than to read a letter dated January 29 from the Attorney General. It reads as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., January 29, 1940.

HON. FRANK E. HOOK,
House of Representatives, Washington, D. C.

MY DEAR MR. CONGRESSMAN: This acknowledges receipt of your letter of January 22, 1940, enclosing a copy of an affidavit of David DuBois Mayne, together with photostatic copies of certain letters allegedly signed by William Dudley Pelley, which you referred to in your remarks in the CONGRESSIONAL RECORD.

I shall be very glad to give this matter consideration.

With kind regards,

Sincerely yours,

ROBERT H. JACKSON,
Attorney General.

Mr. Chairman, at the proper time, and within the next couple of days, I intend to rise to a question of personal privilege. At that time I expect to give to the House a chrono-

logical story in narrative form from the beginning of this episode with regard to the Pelley letters and others right down to the present day. I will not do this today.

Yesterday afternoon when it was brought to my attention that Mr. David Mayne made the statement that the letters were a forgery, I had in my possession, and have had, an affidavit sworn to by Mr. Mayne before a very reputable notary public in the city of Washington that he was well acquainted with the signature of Pelley, that he saw him write his signature, and that the signatures were authentic and genuine on the instruments attached to that affidavit. There was grave doubt in my mind after the report made that this gentleman said he committed forgery, that those were forged. I therefore took the instruments that I had, and which were placed in the CONGRESSIONAL RECORD, together with all other letters signed by Pelley that were in my possession, to the Department of Justice and asked them to examine them very minutely and give me a full and complete report with regard to the matter.

The statement I want to make here now is that many men on the floor of this House have made statements that later they asked to have withdrawn. In view of the fact that there is some doubt as to the authenticity of these letters—and I am not at this time at liberty to say they are not authentic until I get that report—I am going to ask at the proper time leave to withdraw the Pelley letters and the statements with regard to the Pelley letters.

Mr. COX. Will the gentleman yield?

Mr. HOOK. I cannot yield.

The statement made was based on much information that the House does not have but should have. Other information in connection with this whole episode has been sent to the Department of Justice.

I may have transcended the rules of this House in presenting those letters, but many other Congressmen have done that. However, deep down in my blood and my body I feel that, far above any office that I hold, far above any office that any man holds in this Nation, are the fundamental principles of democracy, and if I have to violate the rules of the House to bring forth things that I think might in any way stain those foundations, I would do it. It is unfortunate that a real American citizen who loves his Nation should be placed in a bad light through documents claimed to be forged by a person who was in the employ of the so-called Dies committee. Certain Members here claim to have inside information with regard to these documents. If that is so, then, of course, the committee must have had that knowledge. I hope that is not true, because if it is, then, of course, no Member of this House will be safe in presenting any evidence to this House without taking the chance of being framed through trickery of employees of investigating committees. This would be a very vicious thing in a free nation, close to the methods of the Gestapo. God forbid that should ever come to pass here. At the present time I am saying that I feel I am going to ask at the proper time to have those remarks withdrawn.

[Here the gavel fell.]

The Clerk read as follows:

Total, salaries and expenses, Bureau of Agricultural Chemistry and Engineering, \$868,775, of which amount not to exceed \$457,602 may be expended for personal services in the District of Columbia, and not to exceed \$3,725 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Mr. ALEXANDER. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. ALEXANDER: On page 50, line 1, after "Columbia", insert "of which amount not less than \$25,000 nor more than \$50,000 shall be used for the investigation and development of methods for the manufacture and utilization of starches from cull potatoes and surplus crops."

Mr. CANNON of Missouri. Mr. Chairman, the amendment is, of course, subject to a point of order, but if the gentleman wishes to discuss it, I shall reserve the point of order.

Mr. ALEXANDER. Mr. Chairman, I have offered this amendment in order to call attention to the need in the

producing areas of the Nation for the establishment by the Department of Agriculture of exactly what my amendment calls for; that is, a study of means to utilize starches taken from cull potatoes and other surplus crops.

In this bill we have already appropriated for several different items which would, it seems to me, give the Secretary of Agriculture plenty of funds with which to do something constructive. As I have already said today, the people of my district are asking what our Government officials are doing with all these tremendous sums of money. I have before me four items in this bill from which we might use some money along the lines I am suggesting in my amendment. Under the "Office of foreign agricultural relations" we are appropriating \$196,396. I will touch on that in a moment. Under a "special research fund" we appropriate \$1,400,000. Under this section, the Bureau of Agricultural Chemistry and Engineering, we are about to appropriate, after amendments, upward of \$1,000,000, the committee's recommendation being \$868,775. Under the "Bureau of Agricultural Economics" we have a recommendation for another \$838,900.

In my remarks before the House exactly 1 year ago today I called attention to the fact that we are shipping into the United States a tremendous amount of starch, principally in the form of sago and tapioca, which comes in in competition with cull potatoes or the starch that might be taken from them and from corn, from wheat, and from rice. I assume most of the Members of the House are interested in some one or more of these farm products and the surpluses we have in them and the low prices the farmers receive for same.

Mr. Chairman, I shall insert in the RECORD at this point a chart showing the importations of tapioca, sago, and other starches which resulted, in 1939, in a total of four hundred seventeen million, six hundred thousand-odd pounds of starch being shipped into this country—and duty-free, mind you, because there is no duty on this sort of commodity; and in 1937, the total all-time high of 466,327,683 pounds was shipped in—in competition with the farm products of our country:

Imports of tapioca and sago into the United States, fiscal years 1900 and 1910 and calendar years 1920-37

Year ended June 30—	Pounds
1900.....	16,846,056
1910.....	49,144,386
Year ended Dec. 31—	Pounds
1920.....	104,098,137
1925.....	124,737,274
1930.....	114,049,999
1931.....	149,526,124
1932.....	139,476,880
1933.....	202,718,852
1934.....	188,870,639
1935.....	226,918,332
1936 ¹	305,938,103
1937.....	466,327,683

¹ The Netherland trade agreement became effective Feb. 1, 1936.

Compiled from Foreign Commerce and Navigation of the United States, Department of Commerce.

Starch, sago, and tapioca imports into the United States for the calendar years 1938 and 1939

Item	Quantity	Value
Starch:		
Potato:	Pounds	
1938.....	6,746,251	\$154,738
1939.....	10,983,533	245,600
Other:		
1938.....	849,905	30,399
1939.....	1,024,056	34,831
Tapioca:		
1938.....	230,879,183	3,880,055
1939.....	382,802,971	5,520,593
Sago:		
1938.....	11,803,499	149,724
1939.....	22,807,408	291,581

Source: U. S. Bureau of Foreign and Domestic Commerce. Monthly summary of foreign commerce of the United States, December 1938, pp. 20 and 22, figures for 1938.

Mr. Chairman, in my district in Minnesota we have a couple of plants which were set up to extract the starch from cull and defective potatoes, but those plants today are

not being operated. They are out of commission. They are standing there idle. The product one of them manufactured last year is still unsold because of the tremendous competition from foreign starch. In the entire State of Minnesota we had 17 such plants, which are now closed, all but the one in my own district at Dalbo. In the State of Maine we had a similar number of plants, 23 to be exact, and in the State of Idaho others, and so on around the Nation we had these plants set up, organized, and doing business, until this tremendous amount of foreign competition put them out of business.

Now, the point I want to make, and the reason I suggest this amendment, is that we should have an allotment or earmarking of from \$25,000 to \$50,000 for the use of the Department of Agriculture, with an instruction and order from us to use it for this purpose, namely, to help these plants which have been set up and are ready to go, to get on a competitive basis, where they can manufacture starch out of these waste products which are now lying around this country, and rejuvenate and aid these plants so they can produce, as it were, in competition with the starch which is being shipped in from foreign nations. [Applause.]

I wish also to suggest to the proper committee of the House that they immediately take steps to investigate with the idea of so reducing by tariff imposition or otherwise as to prevent the further dumping here of sago and tapioca starch, which in 1937 amounted to the enormous sum of 466,327,683 pounds, or nearly 40 percent of this country's total starch consumption.

This means direct and destructive competition with Maine, New York, Minnesota, Montana, and Idaho potatoes; competition with Ohio, Indiana, Illinois, Iowa, and Minnesota corn; with our wheat; and our Southland's rice; and a continual reduction or depression of farm prices in general because we cannot hope to compete with this duty-free, cheap, tropical-labor production and retain our high standard of living or civilization.

No doubt you appreciate the fact that a fair proportion of several important agricultural crops are converted into starch, either for sale as such or as derivatives of starch, such as sirup and sugars. In the case of corn about one-third of all the corn grain shipped to the primary markets is converted into cornstarch, or into one of a multitude of its derivatives. In short crop years the proportion is even greater. The corn-refining industry consists of 14 plants, which have processed in recent years from 58,000,000 bushels in 1935 to 87,000,000 bushels—in 1926 and also 1929—of shelled corn annually. Over 68,000,000 bushels were processed in 1937. The corn-refining industry in recent years has paid the United States farmers more money annually than they have received from any one of 68 different crops, and there are only 78 important crops. This industry paid out more money for corn in either 1936 or 1937 than the farmers received from the sale of their corn grain in 46 out of the 48 States.

The United States potato-starch industry is large in Maine, where from 1,000,000 to 5,000,000 bushels of potatoes have been processed annually since 1927–28. Some potato starch is produced in Minnesota. About 15,000,000 pounds of wheat starch and approximately 1,000,000 pounds of rich starch are produced annually.

These industries are primarily American, using domestic labor, capital, and equipment. The corn-refining industry is a heavy-goods industry. The United States starch industries are liberal consumers of goods and services of other industries. Extensive use is made of paper and cotton bags. Chemicals and coal are an important item. The transportation of, first, the raw agricultural products to the plants and the accumulation of supplies, and then the shipment of the starches, their derivatives, and the byproducts to consuming centers are reasonably important sources of revenue to the railroads.

A severe competitive situation exists in the starch industry. Every starch-producing product, every kind of starch, and

every product competing with any starch is subject to a tariff, except tapioca and sago, two tropical starches which enter the United States free of duty. According to the Tariff Act of 1930, all starches are subject to an import duty. However, the Tariff Act of 1930 classifies tapioca and sago as "flour," although in various publications the Tariff Commission and the Department of Agriculture refer to them as starches. In addition they have been bound to the free list by the Netherlands Trade Agreement.

In binding tapioca and sago to the free list, through the medium of the Netherlands Trade Agreement, the Department of State caused United States agriculture, particularly the Potato, Rice, Wheat, and Corn Belt farmers, to lose an important outlet for cash crops. To date the only manner by which the Department of State will permit agriculture to meet the competition from the duty-free starches is on a price basis. To effectively compete with the imported starches, corn as a raw material for cornstarch production would have to decline below the current level of prices, which, from the Corn Belt farmers' standpoint, is generally considered unsatisfactory to the maintenance of a reasonable income and standard of living.

THE PROBLEM OF CULL POTATOES IN MINNESOTA

A few years ago Minnesota supported a potato-starch and flour industry. There were 17 plants for the manufacture of high-grade potato starch and flour that helped the farmers by returning to them some profit on the small or defective potatoes that were graded out to maintain the size and quality required for table stock. Only one plant, at Dalbo, is now in operation. Plants at Cambridge and Princeton are still usable but have not operated for several years. The plant at Dalbo still has unsold its last year's production of 100 tons of fine-food quality starch. Close grading, if again established, will again yield a sufficient quantity of low-grade stock to reestablish this industry and give employment to Minnesota labor.

The potato-starch industry in Maine operated 23 plants with aid from the Government to farmers for diverting potatoes. Idaho operated 4 factories for their cull stock. Starch and potato flour were sold to the Surplus Commodities Corporation and given to the relief administration for distribution. One hundred and seventy-five thousand pounds were shipped into Minnesota to relief clients and the flour was well liked. It is used for gravies, fish balls, frying, potato bread, and it makes good mashed potato. This competed with the Minnesota plant at Dalbo, that received no governmental support.

The United States is the only country that produces starch that does not protect its producers by an import tax.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD and include therein some of my own remarks which I placed in the RECORD a year ago today.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, I insist on the point of order.

The CHAIRMAN. The gentleman from Missouri makes a point of order against the amendment offered by the gentleman from Minnesota, the amendment providing for the investigation and development of methods for the manufacture and utilization of starches. Unless the gentleman from Minnesota can present some authority in law for the appropriation, which has not been called to the attention of the Chair, the Chair is prepared to rule. Does the gentleman from Minnesota desire to be heard on the point of order?

Mr. ALEXANDER. I will concede the point of order, Mr. Chairman.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Japanese beetle control: For the control and prevention of spread of the Japanese beetle, \$395,000.

Mr. BENDER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BENDER: On page 51, line 13, after the comma, strike out "\$395,000" and insert in lieu thereof "\$50,000."

Mr. BENDER. Mr. Chairman, I ask unanimous consent that I may be given 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Chairman, when you consider the entire amount of this bill, this is relatively a small item, and yet I feel it is an important one.

I do not know how many of you have taken the trouble to learn more of the work of the Bureau of Entomology. Last year at this time I called attention to this item, and because I was new here I did not press the amendment. Since that time I have acquired some knowledge of this Bureau and have read considerably regarding its work. I have no criticism to make of its work generally, and I think pretty generally it is doing a fine job, but this item interests me because I have yet to find where the Department has done any constructive work in connection with the eradication or the elimination of the Japanese beetle.

The Japanese beetle, I understand, is to be found in the eastern part of the country and in the Middle Western States, such as Ohio, and in western Pennsylvania, and also in the State of Virginia.

I have inquired of the Department head regarding his work. I have asked for information as to what has been accomplished over the past 25 years in doing something about this particular insect. I have gotten pages of one- and two-dollar words that are meaningless, but I have not received anything from the Department to indicate that the money has been spent to advantage. Each year we appropriate approximately \$395,000 for the fight on the Japanese beetle, and the next year we are asked to appropriate a similar sum without being given any information regarding the result of this effort on the part of the Bureau of Entomology. Incidentally, the reason it has come to my attention is because I drive a motor car and on the highways near my home city are several of these quarantine stations. Here you find two inspectors and they have a little house. I do not know what they use that little house for, but they have a lot of lanterns along the road and they stop every motorist, and as the motorist stops they mumble some words. If you ask them the second time what they want, they ask you if you have any plants or any vegetables in your motorcar. As a matter of fact, they never stop to look and they do not investigate. Most of the motorcars now have trunks on the rear of them that they could open and lift up and see if you had plants or shrubs, but they never take the trouble to investigate.

In a letter I received today from the Acting Chief of the Bureau, Mr. Avery S. Hoyt, he states this regarding the habits of the Japanese beetle:

The adult of the Japanese beetle is a very strong flier and can travel considerable distances by natural means.

He is not a hitchhiker at all. He travels by "natural means." How many of these Japanese beetles have ever gotten into the motorcars of the citizens along the highways?

I am asking that the money be eliminated from the bill that is spent for these fellows along the highways that annoy the citizens of the country in asking them if they have any Japanese beetles or mumbling words that are not understandable by the average citizen. At times I have known motorists to be in line for half an hour, and when their turn came these fellows simply mumbled a few words to them.

I am willing that \$50,000 remain in the appropriation, and my amendment so provides, but I am asking to cut out of the appropriation \$340,000, most of which is used for the purpose of annoying our people without doing them any good.

The Acting Chief of the Bureau makes this further statement:

Its gradual spread from the known infested areas has been very largely by this method—

That is, by flying. And here we are making a hitchhiker of him. [Laughter.]

Frankly, I am appealing to your common sense and your good judgment. Incidentally, I read a book by an American entomologist in which he pays his respects to the Members of Congress.

In this book I read that he considers Congressmen a lot of numbskulls. I can readily understand why he feels that way about Members of Congress when they will pass appropriations of this kind and vote hundreds of thousands of dollars year after year for such purposes. This has been going on ever since 1916. Let us give it to some of these poor farmers or to somebody else who needs the money, but for God's sake do not give it to these inspectors on the highways.

When this measure came up in committee I noticed the only gentleman who asked him a question was the gentleman from Missouri [Mr. CANNON]. He said, "Are you controlling the spread where you are using it?" and Dr. Annand said, "We have not gone far enough to know. That is one of the hopes we have."

On a hope we are spending millions of dollars, and we have spent millions of dollars. Now, let us stop this foolishness. If we can get rid of this beetle, let us use the \$50,000 and let them show what good they are doing with it. You might just as well throw the money down the sewer as to spend it on these quarantines along the road.

A previous Congress got rid of the corn-borer inspector in the same way. They got rid of them because they knew they could not do anything about it in that way. Let us get rid of these quarantines along the highway and use the money to better advantage. [Applause.]

[Here the gavel fell.]

Mr. FADDIS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, in order to reach a proper understanding regarding the control or any attempt at control of any of the injurious insects, it is necessary that the members of the committee know something about the history of the insect.

The Japanese beetle which we are trying so hard to combat in the United States is dangerous because it is an imported pest. When, by some means or other, we have imported a pest from some foreign country, it becomes particularly dangerous because we do not, as a usual thing, import the natural enemy of the pest. Each and every destructive insect or bird or animal, in its own proper native locality, has there the natural enemy of that destructive agent, which naturally keeps it in a controlled state where it is not destructive. But when it is imported into some other section, the enemy of the pest is not imported, and then it becomes particularly dangerous. Under conditions of that kind it is incumbent upon the Government of the United States in order to protect the farmer and all others who are interested, to supplement by artificial means the destructiveness of the natural enemy of the bird or insect or pest.

In the control of the Japanese beetle it is necessary that plants and shrubs in transit be inspected, insofar as possible. I call the attention of the gentleman from Ohio [Mr. BENDER] to the fact that when they are inspecting plants and shrubs they are not looking for the adult beetle. They are looking for the eggs or the larvae, because that is when the beetle will distribute its kind over an area wide enough to cause extreme damage.

The gentleman from Ohio says he has been unable to see anything that the Bureau of Entomology has been doing to control this pest. I call his attention to the fact that all over the area affected by the Japanese beetle are to be found Japanese beetle traps. I know from experience from looking into them that they are exceedingly effective in catching a great many of the adult beetles. Of course it is impossible to catch all of them, but I do not see how we could afford to allow a pest like this to proceed with its devastating work all over the country and not take some steps to try to combat it. Everything of that kind is a matter of public concern

and unless natural agencies are supplemented in some respect, these insects which we have imported will soon overrun us and destroy all of our agricultural products.

I also call attention to this fact, that there are in the United States 6,500 nurseries and greenhouses in the regulated area. There are 6,500 nurseries and greenhouses, and the stock that goes out from those nurseries all over the country must be inspected before it goes out, in order to prevent this pest from being further scattered. The gentleman's own State of Ohio is being protected from the infected area of Pennsylvania by these Japanese beetle-inspection stations, which are doing the best they can to prevent the beetle from moving westward. I am satisfied that they are not working 100 percent. I am satisfied that there are men in that service who do not examine everything a citizen has, but if they go into all the cars passing and try to dig into every package there would be a howl go up about snooping by agents of the Federal Government. So I think the committee should leave this item in the bill in order that we may try as best we can in our feeble way to control this destructive insect, and in order that we may carry on the research work necessary to reach a higher state of efficiency along this line. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, we carry in this bill money for the control of a large variety of insect pests from the gypsy moth in New England, the Dutch elm disease in Massachusetts, the boll weevil in the South, the Mexican fruitfly in Texas, the blister rust in the West, and an infinite variety of pests of this character infesting every State in the Union.

We can eliminate all of these, or any one of them, and the country would still go along. I may say, however, that the Japanese beetle is probably the most generally destructive of any of these pests because it attacks every farm of vegetation—not only the garden crops, field crops, truck crops, but grasses, shrubbery, and trees themselves. The most serious results that would follow the elimination of this fund, however, is the fact that it would in effect erect a barrier against commerce in nursery stock at every State line.

Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. BENDER].

The question was taken; and on a division (demanded by Mr. BENDER) there were—ayes 42, noes 43.

So the amendment was rejected.

The Clerk read as follows:

Gypsy and brown-tail moth control: For the control and prevention of spread of the gypsy and brown-tail moths, \$375,000.

Mr. BOREN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BOREN: Page 52, line 18, strike out the paragraph beginning in line 18 on page 52 and ending with line 6 on page 53.

Mr. LUCE. Mr. Chairman, I make the point of order that the paragraph has not yet been reached.

The CHAIRMAN. The gentleman is correct; the paragraph has not yet been reached. The point of order is sustained.

Mr. LUCE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do this not to criticize and not to make suggestions, but for information, if it is to be had.

About 40 years ago a naturalist living within a mile of my house imported some gypsy moths and allowed them to escape. The result was that within a very short time my neighborhood was devastated. The matter came to the general court, as we call our legislature, and an appropriation was made to wipe out, if possible, that pest. After a year or possibly two there was a revolt against that program in the legislature and those who criticized succeeded in preventing further appropriation. A year or two more passed and that pest had traveled through Massachusetts, was working over into New Hampshire and Maine, and its de-

struction had become formidable. Appropriation was renewed and as far as I know my State is still spending money to care for this matter.

I would like to know from the chairman of the committee, if possible, whether this expenditure by the National Government is likely to continue through the lives of all of us and until kingdom come, or whether any progress at all is being made in wiping out this pest.

Mr. CANNON of Missouri. In response to the gentleman's inquiry, the testimony before the committee was that while we are controlling the spread of the pest, there is little likelihood we shall ever be able to exterminate it. Unquestionably Congress will be asked year after year to continue this appropriation.

[Here the gavel fell.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

Dutch elm disease eradication: For determining and applying methods of eradication, control, and prevention of spread of the disease of elm trees known as Dutch elm disease and of a virus disease of elm trees prevalent in the Ohio Valley, \$400,000, to be immediately available: *Provided*, That, in the discretion of the Secretary of Agriculture, no expenditures from this appropriation shall be made for these purposes until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by State, county, or local authorities, or by individuals, or organizations concerned: *Provided further*, That no part of this appropriation shall be used to pay the cost or value of trees or other property injured or destroyed.

Mr. BOREN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. BOREN: Page 52, beginning in line 18, strike out the paragraph, ending on page 53, line 6.

Mr. BOREN. Mr. Chairman, I feel that this item is a fair test of the wish on both sides of the aisle to economize so far as unnecessary expenditures are concerned. I am in full accord with the movement on the part of a group of Members here to increase the expenditures for such programs as the surplus food stamps and soil conservation, but here we have an item of \$400,000, and in this great document of 1,593 pages a half page was devoted to consideration of the item. There is not one word, not one line, not one single point that would justify the expenditure of this \$400,000.

The chairman of the distinguished subcommittee asked the question which sums up the argument. What is being done? For 6 years they have been appropriating \$400,000 and in 6 years they have gotten exactly nowhere. They have done nothing except spend \$400,000 a year to pay unnecessary salaries and to pay individual farmers for cutting down trees on their own farms. They have done absolutely nothing about the purposes for which this appropriation was made. If the Members of the House are in good faith, if they are interested in economy, here is a place for the wise use of the ax of economy.

Mr. SOUTH. Will the gentleman yield?

Mr. BOREN. I yield to the gentleman from Texas.

Mr. SOUTH. A year or two ago I took occasion to consult the hearings and the records at that time. Witnesses who appeared on behalf of this appropriation stated that they knew no more about the cause and cure of this pest than they did when they started and admitted in effect that all of this vast amount of money that had been spent over a period of years had amounted to nothing thus far.

Mr. BOREN. I think the gentleman is right. This is not a bug or beetle to be quarantined in this tree disease. They propose here to attack the fungus growth that attaches itself to individual trees. Thus far they have been paying the farmers a part of this \$400,000 a year to cut down trees on their own land. The larger portion of this money has been spent for maintenance of personnel that apparently have been doing nothing. I have carefully examined the record of the hearings on this matter. On page 357 the testimony will bear out that absolutely nothing has been accomplished in the last 6 years to stop the spread of this disease. Again on page 579 of the hearings it is ad-

mitted by Department officials that nothing will be done next year to stop the spread of this disease. Again we are asked for \$400,000, that, according to past records, accomplishes nothing, and will accomplish nothing. Great shades of bureaucracy! Will we give \$400,000 to the Bureau which they admit is to be spent for exactly nothing so far as accomplishment is concerned?

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

Mr. MILLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I was rather surprised at the amendment just offered which would strike from this bill an item of \$400,000 for Dutch elm disease eradication. There are many items carried in this bill for the elimination of such pests as the Mexican fruitfly, blister rust, and the cotton boll weevil. I do not pretend to know anything about those things, and I do not know what has been accomplished so far as blister rust is concerned, and I do not know what you are doing for the cotton growers; but I am willing to go along with the gentlemen in those parts of the country who do appreciate the need for this money and who vote these appropriations. We expect the same treatment from those parts of the country that do not realize the importance of the elm trees to the eastern part of the United States.

Mr. Chairman, to say that nothing has been accomplished, except going on the land of private individuals and cutting down trees, is a definite misstatement of fact which I can attest from my own observation. I can assure the gentlemen from those parts of the country that have not the good fortune to have elm trees that we have many elm trees on private property, on the main streets, and on the beautiful greens of New England which add hundreds of thousands of dollars to the value of the property. If anyone had doubted that statement, they could have gone up into New England after the hurricane and they could have seen the way the valuation of property had been destroyed because the beautiful old elms were stricken down during the hurricane. In my own home town of Wethersfield we have one of the largest elms in the United States. Our local chamber of commerce will tell you it is the largest elm in the United States. The people of that community willingly and gladly vote appropriations each year to keep that tree alive, to bring in experts to plaster up its joints, and keep it going for posterity.

Mr. Chairman, I hope the members of this committee in their desire for economy will not vote to strike this item from the bill, unless they are willing to be consistent and strike from the bill every appropriation for the eradication of any of the pests listed in the bill.

Mr. BOREN. Will the gentleman yield?

Mr. MILLER. I yield to the gentleman from Oklahoma.

Mr. BOREN. Has any method been found in the 6 years that we have been appropriating the \$400,000?

Mr. MILLER. Certainly a method has been found.

Mr. BOREN. That is contrary to the statement in the hearings. Testimony appears on pages 357 and 358 of the hearings showing that they had not yet been able to find any way to control this Dutch elm disease.

Mr. MILLER. It depends on what you call control. By the same token we have been appropriating for the gypsy and the brown-tail moth for 32 years and have not eliminated those pests, but we have been keeping them in check.

Mr. SOUTH. Will the gentleman yield?

Mr. MILLER. I yield to the gentleman from Texas.

Mr. SOUTH. The hearings show that the tree specialists do not know the cause or the cure of this Dutch-elm disease. The money is being spent in destroying and cutting down trees.

Mr. MILLER. We know the cause. It is caused by a bug. Why it was born, I do not know.

Mr. SMITH of Connecticut. Will the gentleman yield?

Mr. MILLER. I yield to the gentleman.

Mr. SMITH of Connecticut. As a matter of fact, it is known that the virus of the disease is carried by this bug. The measures which have been taken for the control of this insect have been effective in its elimination. It has protected several hundred million dollars of elm trees in the north-eastern section of the country.

Mr. MILLER. That is the sworn information given to me by the Department concerned.

Mr. KEEFE. Will the gentleman yield?

Mr. MILLER. I yield to the gentleman from Wisconsin.

Mr. KEEFE. I call the gentleman's attention to the hearings upon this question which are found beginning on page 577 and ending on page 583, in which there is a very substantial justification for this appropriation and in which it is stated by the experts of the Department of Agriculture that the method of eradication is the same as used in Florida in connection with the fruit canker and the success they are having is comparable with the success they had in Florida.

Mr. MILLER. And I might point out that, with one exception, this is the only insect-control project which calls for a dollar-for-dollar matching appropriation from the State before the funds from the Federal Government are available.

I thank the gentleman. I intend to ask permission when we get back in the House to insert in the RECORD three or four of the pertinent paragraphs of the statement referred to by my colleague the gentleman from Michigan.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. EATON].

Mr. EATON. Mr. Chairman, those of us who live in the elm-tree section, and that comprises a very large proportion of the States of this Union, know that the elm tree has an enormous value as timber, and in addition it has a value beyond computation as an ornamental tree.

The center of this evil began, as so many other evils do, around New York. This lumber was introduced from Holland for the purpose of making veneer, and it brought over with it the Dutch elm beetle. Pretty soon we found in our section that the elm trees were dying. The results of the work of our Department of Agriculture have been manifest in this last year in cutting the number of diseased trees in two. While in 1938 we had some 18,000 or 19,000 diseased trees, this year the number has been reduced to 10,000.

This is one of the most remarkable diseases ever introduced into tree life. The bug carries a spore, an infection, the same as a typhoid germ. This germ enters the life stream of the tree, which is exactly like the life stream of the human body. It infects the tree and the tree dies. There is no way of getting rid of that tree as a carrier of infection unless you destroy it root and branch, and that is what is being done.

I am grateful to see that in spite of the necessity for economy in this election year there has been left \$400,000 in this item. I beseech the distinguished chairman of this committee, the gentleman from Missouri, who has an obsession on this subject, to become sane enough and friendly enough to my district and my section of the country to let this item go through, as he did last year. When he is in his right mind on the elm tree disease he is a wonderful chap, and I hope he will be that way now. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. CANNON].

Mr. CANNON of Missouri. Mr. Chairman, our committee reluctantly appropriated \$400,000 for the purpose.

We have spent in all over \$17,000,000 of Federal funds for this purpose but I regret to say we have never cured a single tree after it was once infected. We have never been able to stop the spread of the disease. It covers a wider area each year. They say the number of infected trees has been reduced, but that is because of the removal of the dead trees. All they have ever accomplished is to cut the trees and save the owners the expense of cutting and removal.

Apparently there is only one way to stop the disease, and that is for the States under their police power to cut the elm trees in the exposed zone. The disease can attack

only within a certain distance. If they cut all the trees within that distance, leaving no trees to be infected, the disease will be stopped. No other practical remedy has been suggested.

We reluctantly reported an amount below the Budget estimate to show a desire to cooperate. If they will adopt effective control methods which promise results the committee will be glad to recommend the appropriation of any reasonable amount they feel is necessary to meet the situation.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The amendment was rejected.

Mr. CANNON of Missouri. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. THOMASON] having resumed the chair, Mr. COLE of Maryland reported that the Committee, having had under consideration the bill (H. R. 8202) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1941, and for other purposes, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent to extend the remarks I made on the floor this afternoon and to include therein a letter received from Labor's Non-partisan League, referred to in my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. TERRY. Mr. Speaker, I ask unanimous consent to extend my remarks in the appendix and to include therein a letter addressed by Edward O'Neal to the gentleman from Illinois [Mr. DIRKSEN].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. TARVER. Mr. Speaker, the gentleman from Texas [Mr. SUMNERS] has requested me to ask that he may have unanimous consent to revise and extend the remarks made by him in the House today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. MASSINGALE, Mr. BOREN, and Mr. MURDOCK of Arizona asked and were given permission to revise and extend their own remarks in the RECORD.

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a short editorial by William Allen White, of Emporia, Kans.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. FERGUSON. Mr. Speaker, I ask unanimous consent to extend my remarks made in Committee of the Whole and to include therein a letter and a table from the Bureau of Plant Industry.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MILLER. Mr. Speaker, I ask unanimous consent to extend my remarks that I made this afternoon and a second request to extend my remarks by including a letter from the finance commissioner of the State of Connecticut.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

CORRECTION OF THE RECORD

Mr. HOOK. Mr. Speaker, I ask unanimous consent that I be allowed to withdraw my remarks of January 23; that is, all letters pertaining to the so-called Pelley letters and all remarks referring to those letters.

Mr. KEEFE. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman if in making this unanimous-consent request he will state at this time whether he has any mental reservations as to the authenticity of the letters which were incorporated in his remarks.

Mr. HOOK. I have submitted all those letters to the Department of Justice, asking for a full and complete report, and the gentleman, in his former capacity as prosecuting attorney, even though it may have been a small town, knows that that is the proper thing to do—to find out from the Department of Justice, and if the gentleman wants to object to my unanimous-consent request, go ahead and object to it. I call for the regular order.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to withdraw certain letters appearing in the CONGRESSIONAL RECORD on the date mentioned by him. Is there objection?

Mr. KEEFE. Further reserving the right to object, Mr. Speaker, I would like to have the RECORD show that the request of the gentleman to expunge his remarks from the RECORD is not accompanied by any concession or admission as to the untruthfulness of those statements, and until that question is determined I shall object to any effort to clear the matter at this time, because I propose to address the House as soon as I can get time.

I will bring proof to this House that is uncontroverted that will disclose definitely to every Member of this House that these letters were forged and that those statements were untrue. I do not propose to leave this record stand and have word go out to the country that this record has been expunged, but that there is still doubt as to a conspiracy and as to the untruth of those remarks contained in the gentleman's speech.

Mr. HOOK. Mr. Speaker, I ask that the gentleman's remarks be taken down on the question of conspiracy.

The SPEAKER pro tempore. The Clerk will report the words objected to.

The Clerk read as follows:

I do not propose to leave this record stand and have word go out to the country that this record has been expunged but that there is still doubt as to a conspiracy and as to the untruth of these remarks contained in the gentleman's speech.

Mr. HOOK. There was more than that; there was reference made to a conspiracy.

Mr. MARTIN of Massachusetts. Mr. Speaker, all we know is what the RECORD says.

Mr. RAYBURN. Mr. Speaker, will the gentleman from Wisconsin yield that I may interrogate him?

Mr. KEEFE. Yes; I shall be very happy to.

Mr. RAYBURN. The gentleman in his remarks referred to a conspiracy. I assume and presume he was not making a blanket accusation of conspiracy on the part of the gentleman from Michigan.

Mr. KEEFE. I do not quite understand what the gentleman from Texas means by the term "blanket conspiracy."

Mr. RAYBURN. Or a conspiracy of any sort on the part of the gentleman from Michigan.

Mr. KEEFE. I did not say that he conspired. I said that there was a conspiracy.

Mr. RAYBURN. I was asking the gentleman a specific question—if he were accusing the gentleman from Michigan of conspiracy.

Mr. KEEFE. No; I am not accusing him of conspiracy. I stand on the record, the words as stated.

The SPEAKER pro tempore. Inasmuch as the gentleman from Wisconsin has said that he did not refer to the gentleman from Michigan as being a conspirator, or did not accuse him of being a part of a conspiracy, the Chair rules that the words objected to are not out of order.

Is there objection to the request of the gentleman from Michigan?

Mr. KEEFE. Yes, Mr. Speaker; I object.

Mr. HOOK. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

Mr. SECCOMBE. Mr. Speaker, reserving the right to object, will the gentleman yield during that 5 minutes?

Mr. HOOK. I will not.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOOK. Mr. Speaker, all is not gold that glitters. Ever since January 23 the gentleman from Wisconsin has been making remarks with regard to matter I placed in the RECORD. I have this afternoon asked unanimous consent for leave to withdraw the letters and all matters pertaining to the Pelley letters from those remarks. He objects and refers to the fact that I should come out and make a positive, definite statement that the letters were a forgery. Probably the gentleman could under the circumstances make such a statement. I cannot.

I believe that officers appointed by the District of Columbia, which is a part of the Federal Government, have a certain duty to perform. They are clothed with a certain amount of authority. A notary public by the name of Wayne Birdsel, one of the finest gentlemen in the District of Columbia, a notary public, put this man Mayne under oath. On January 12, 1940, Mayne raised his right hand, and under solemn oath swore that the letters were authentic, that they were signed by Pelley and that he knew Pelley's signature, and that they came to him in the ordinary course of correspondence. We should be able to rely on that statement. I understand, however, that later this very gentleman appeared before the Dies committee and under oath stated that the letters were not authentic but that he forged the letters.

When are we to believe this man? Are we to believe that he perjured himself before the courts of this country, or are we to believe that he perjured himself before the Dies committee? Where did he perjure himself? Is he a forger? I do not know. The best place I could think of to find an authentic signature of Pelley was in the Department of Justice. About the only place I know of that we could rely on for an authentic signature would be the Internal Revenue Bureau where his income-tax returns are filed. I have no chance of examining those returns, but the Department of Justice has.

These letters have been given to the Department of Justice. When the Department of Justice reports to me, I will have confidence enough in their judgment to believe their examination.

[Here the gavel fell.]

Mr. HOOK. Mr. Speaker, I ask unanimous consent to proceed for 2 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. Hook]?

There was no objection.

Mr. HOOK. Mr. Speaker, I will present to this House the report of the Department of Justice. If the Department of Justice says those letters are not authentic, I am ready and willing to accept that statement. But let me say this with regard to the statement of the gentleman from Wisconsin: I will defy him to waive his immunity on the question of conspiracy and make that statement openly, outside of and off the floor of this House, whether it refers to me, whether it refers to Mr. Weisberg, or whether it refers to Mr. Jackson. I would like to have the gentleman waive his immunity. I hope he does. Will the gentleman do it?

Mr. DEMPSEY. Will the gentleman yield?

Mr. HOOK. I would like to have an answer.

Mr. KEEFE. I expect to take the floor in a few minutes, with the consent of the Members of the House, and I will answer the gentleman then.

Mr. HOOK. Will the gentleman waive his immunity? The gentleman will not waive his immunity, will he? I yield to the gentleman from New Mexico.

Mr. DEMPSEY. The gentleman has stated that he has great confidence in the notary who notarized the affidavit he now possesses.

Mr. HOOK. Yes.

Mr. DEMPSEY. What would the gentleman from Michigan say if the notary states he never swore Mr. Mayne at all?

Mr. HOOK. I do not know.

Mr. DEMPSEY. I am asking the gentleman, what would he say then?

Mr. HOOK. It states right on there over the notary public's seal. Will he deny his writing?

Mr. DEMPSEY. The notary states he never did swear him.

Mr. HOOK. Yes.

Mr. DEMPSEY. And the F. B. I. tells us this afternoon it was Mr. Mayne's own typewriter that the letters were written on. Would the gentleman have any doubt then?

Mr. HOOK. Which letters?

Mr. DEMPSEY. The letters you put in the RECORD.

[Here the gavel fell.]

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KEEFE. Mr. Speaker, in the remarks which I made to this House yesterday, referring to the speech made by the gentleman from Michigan [Mr. Hook], I thought I was charitable to the gentleman. I trusted he would come before this House and ask to have that speech expunged and apologize to the House. He has elected to seek to have that speech expunged with reservations, which leads to the conclusion he still harbors in his mind the thought that while he has asked to have that speech expunged, he still believes in the truth of the statements therein contained, which I very viciously and bitterly complained about because of the implication, the innuendos, and aspersions cast upon the gentleman from Texas [Mr. Dies] and upon the Dies committee.

Mr. Speaker, I have before me the original statement given by the gentleman from Michigan to the press, apparently after he had learned of my statement.

I may say to the gentleman from Michigan that I had my office call him twice out of deference to him as a Member of the House to advise him that I intended to make the remarks which I made yesterday.

Mr. HOOK. Will the gentleman yield?

Mr. KEEFE. But at neither time was my office able to contact him.

Mr. HOOK. I was at the Department of Justice.

Mr. KEEFE. You may have been in the Department of Justice. You seem to be spending a lot of time down there.

Mr. HOOK. That is the proper place.

Mr. KEEFE. Mr. Speaker, I have the original statement given to the press, or at least one of them, by the gentleman from Michigan, which evidently must have been given after the statement I made on the floor of the House. In this statement he says:

I have the affidavit of David Mayne under oath that all the signatures are genuine Pelley signatures, written by Pelley. This, under oath, in contradistinction to a statement not under oath dragged out of him by the Dies committee in executive session.

If there should be any question of forgery, then the Dies committee is guilty of conspiracy to bribe a person to commit forgery to cover up their past nefarious acts.

It is typical Dies committee smearing to befog the real issue of collaboration with those closely connected with the Christian Front. The committee nor anyone else has ever denied, nor can they deny, the facts set forth in my first statement with regard to the Christian Front.

There was only one real effort made to overthrow the Government of the United States, and that came from below the Mason-Dixon line. It looks as if another effort is coming from that source.

That was a statement given the press by the gentleman from Michigan after he had knowledge of the fact that I as a Member of this House, on my oath as a Member, stated that those letters which he put into the RECORD were forgeries, and I repeat it—they are frauds of the worst character.

Mr. HOOK. Will the gentleman yield?

Mr. KEEFE. I do not intend to yield.

Mr. HOOK. I yielded to the gentleman.

Mr. KEEFE. The gentleman did not yield to me.

Let me show you one of them. Here is one of the original letters. Look at it. You see that: "The Silver Shirt Legion of America. Office of the national commander."

You see it pasted on there.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. KEEFE. No; I cannot yield.

Mr. HOOK. That is not one of the original letters.

Mr. KEEFE. Oh, yes.

Mr. HOOK. It is not one of the original letters.

Mr. KEEFE. The Dies committee have produced these and will produce them in their report.

Mr. HOOK. Does the gentleman get access to the records of the Dies committee?

Mr. KEEFE. I have. Mr. Speaker, I decline to yield to the gentleman.

There they are. There is the photostatic copy and here is the letter from which the gentleman quotes in his speech. Look at it. There is the original, a piece of typewriting upon which is pasted a letterhead, clipped off from the letterhead of Mr. Pelley, apparently, and then put under a photostating machine to produce this photostat to make it appear that they got a real piece of literature. Look at it. Why, the simplest individual in the world could look at that instrument or this one and see that there was something phony about it.

I also call your attention to the fact that there was not even the slightest effort to inspect this situation, because if you will look at the signature you will see that the signature is spelled "Pelly," not "Pelley." The testimony of Mr. Mayne before the Dies committee was to the effect that he had purposely and deliberately misspelled the name of Pelley so there would not be any question about their being forgeries and being fakes.

If the gentleman wants fakes, I will give him the rest of the photostats of the originals that the gentleman claims he has and from which he quotes. Here they are, all of them, and every single one of these letters has been testified to by Mr. Mayne as being a letter which he produced as a result of his own fertile imagination upon his own typewriter.

The Dies committee, despite the innuendoes to the contrary, have been pretty careful about this thing, so they have brought before the committee the typewriter of Mr. Mayne and had these letters examined by comparison with the typewriter of Mr. Mayne, which they subpoenaed. This afternoon, before the Dies committee, Mr. Charles Appel, special agent in charge of laboratories of the Department of Justice—

Mr. HOOK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. Does the gentleman yield for a parliamentary inquiry?

Mr. KEEFE. I do not.

Mr. HOOK. A point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOOK. The gentleman is quoting testimony taken before an executive meeting. The point of order is that this is out of order and the gentleman has no right to quote testimony taken in an executive meeting of a committee.

The SPEAKER pro tempore. If the gentleman from Wisconsin purports to discuss the executive proceedings of a committee it will not be in order.

Mr. KEEFE. I am not discussing the executive proceedings.

The SPEAKER pro tempore. But if he is just quoting on his own responsibility—

Mr. HOOK. He has referred to the testimony.

Mr. KEEFE. I am quoting on my own responsibility.

The SPEAKER pro tempore. Does the gentleman purport to quote the proceedings of a committee in executive session?

Mr. KEEFE. No.

The SPEAKER pro tempore. If that is what the gentleman undertakes to do, the point of order will be sustained.

Mr. HOOK. Mr. Speaker, a point of order. I will have to ask, then, that the remarks, if any, referring to the testimony taken in the executive meeting be stricken.

The SPEAKER pro tempore. All the Chair knows is that the gentleman says he is not purporting to quote the proceedings of an executive session of a committee of this House. If that be true, the point of order is overruled.

Mr. KEEFE. Let me say to the Members of this House that it seems rather strange that when I am endeavoring to bring out truth and fact I should be continually interrupted.

I am making these statements to you on my honor and my oath as a Member of this House, and I know whereof I speak. When I tell you that Mr. Appel, special agent of the Department of Justice in charge of laboratories, examined the typewriter of Mr. Mayne and compared it with these letters, and states that that typewriter wrote those letters, it ought to be pretty good proof to any sane individual, in connection with everything else, that the statement Mr. Mayne gave to the Dies committee that these letters were forgeries was the truth, despite the alleged affidavit which the gentleman spoke about and concerning which a member of the committee, the gentleman from New Mexico [Mr. DEMPSEY], in interrogating the gentleman from Michigan, stated that the notary public who took that acknowledgment testified that he did not swear Mr. Mayne.

Mr. DEMPSEY. Mr. Speaker, will the gentleman yield?

Mr. KEEFE. Yes.

Mr. DEMPSEY. He testified he did not even know Mr. Mayne.

Mr. KEEFE. I am willing to go this far, and say that one of the alleged affidavits was drawn in December and was not sworn to until January 12.

[Here the gavel fell.]

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to proceed for 2 additional minutes.

Mr. HOOK. Reserving the right to object, Mr. Speaker, is the gentleman prepared to say, if he is so well acquainted with the affidavits, that the affidavit signed on January 12, 1940, did not state in there that Mr. Mayne was duly sworn?

Mr. KEEFE. I think the affidavit did so state.

Mr. HOOK. That is right.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin to proceed for 2 additional minutes?

There was no objection.

Mr. KEEFE. But even though I am just a small country lawyer, I have had 30 years' experience at the bar, and in all the courts of this country, and I want to say that my experience is similar to that of every other lawyer here, and that is that affidavits of that character are not sufficient to be used to besmirch the character of any man from coast to coast in the United States without further investigation. [Applause.] Even though I am a small lawyer and a small prosecutor, as the gentleman said a few moments ago, I would not dare to use a document of that kind for that purpose without further investigation.

Now, I want to say to the gentleman from Michigan that this matter has gone from coast to coast. The charges which he made were emblazoned upon newspapers all over this country; articles were written in magazines; one of them prepared and written by one of the gentlemen who is a party to this thing, Mr. Jackson, and appears in The Nation; and there in that article is an alleged photostatic copy of this very letter which I showed to you, appearing in that article and telling the people of America that here is proof that Dies is connected with Pelley and the Silver Shirts and the Christian Front, and here is the affidavit. Oh, but that picture in The Nation does not show this clipped-off letterhead such as appears here. It is taken from this doctored photostat which was made so that you would not be able to see that they had stuck this letterhead upon this phoney letter, prepared and written by this man, Mayne.

Now, I ask you in all fairness, Members of this House—I did not want to object to the gentleman's request—

[Here the gavel fell.]

Mr. KEEFE. Mr. Speaker, may I have just 1 more minute? The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KEEFE. I did not want to object to the gentleman's unanimous-consent request, but in view of the statement which he gave to the press, which I read to you, after the statement which I made yesterday on the floor, and in view of the statement which he made in the Committee of the Whole prefacing his request, I cannot permit that speech to be expunged from the RECORD until there has been a full and complete determination of the facts, and the people of this Nation are apprised of the facts, and until they are told that at least a grievous wrong has been done to the members of this committee and to its chairman, the gentleman from Texas, MARTIN DIES. [Applause.]

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, will the gentleman from New York yield?

Mr. MARCANTONIO. I yield.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that all Members who have spoken in Committee of the Whole today may have 5 days within which to extend their own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, I rise solely for one purpose at this time and that is to call the attention of the House to an article that appears in the New York Sun of yesterday's date. Nobody can charge the New York Sun with even being liberal, or in any manner connected with any movement that is for progress. The New York Sun is a pro-Dies newspaper because it has supported the continuance of the Dies committee. I do hope that what is stated in this article is not true, because I refuse to believe that Members who are opposed to the continuance of this committee are subject to the type of trickery that this article describes. In fact, I do fervently pray and hope that it is not true; but in view of the fact that this statement is contained in the New York Sun, a paper which is well established in the city of New York, I submit that the House should pause and give thought to the information that this statement contains. In fact, I submit that these statements contained in this article should either be investigated by the House or repudiated by the members of the committee. In all fairness to the members of the committee, I make no charges against them, and I repeat I hope that what is contained here is not true.

I am not going to quote the whole article. I will put it in the RECORD, and I ask unanimous consent to put the whole article in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MARCANTONIO. I am going to quote from that portion which I believe to be entirely relevant to the proceedings here this afternoon, that is, I believe that these portions are relevant as charged, but I do not take responsibility for what is contained in this news article. The New York Sun says, and I now read from a special dispatch to the New York Sun by Glen Perry:

So far as the committee is concerned—

Referring to the Dies committee—

the Sun learned its first information regarding the plot to smear Mr. DIES came in the middle of December, when Mayne came to Rhea Whitley, then counsel for the committee, and told him that such a plan was afoot and that, although the original intention had been to work on J. B. Matthews, committee investigator, it had been decided to switch the attack on Mr. DIES himself.

As evidence of his credibility, Mayne told Mr. Whitley that on the following Sunday a Washington broadcast would make an attack on Mr. Matthews. The attack came along on schedule.

He also told Mr. Whitley that a speech smearing Chairman DIES was being written, and that it would be made by a Member of Congress—

Mr. Whitley, incidentally, was the attorney for the Dies committee. He no longer is. I understand he has resigned.

The article continues—

and that it would be made by a Member of Congress not then selected. In this regard the committee has information that the speech was offered to and refused by another Congressman before Mr. Hook introduced it.

From that time on Mayne was making reports to the Dies committee on what was happening in the other camp. Thus the speech of January 22, in which Mr. DIES was attacked, came as no surprise to the committee, which had its counterattack in preparation.

Now, I submit that if Mr. Whitley had information and had been dealing with Mr. Mayne and knew what Mr. Mayne was leading these people into, and that he was selling to these people spurious and forged documents, then I say if this statement is true—and I am not saying it is; the New York Sun is saying it—if this statement is true, then the counsel of this committee engaged in this conspiracy just as much as Mr. Mayne. You cannot get away from that.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARCANTONIO. Now, I am not making these charges. It is the New York Sun that is reciting this story, and I hope that it is not true.

Now, continuing the article—the article then goes on after a statement by Mr. Gardner Jackson. It says:

The statement of what the committee had learned, made public by Representative JOE STARNES, acting chairman, did not confine itself to the matter of the Pelley letters. Mr. STARNES announced that the committee has affidavits showing that "certain parties in New York City had offered large sums of money to the affiliates for the purpose of obtaining documentary evidence showing a connection or collusion between Chairman DIES and the Christian Front."

In this respect the Sun learned that on Thursday night representatives of the Dies committee, working with private detectives, arranged a "plant" in New York City, in which \$4,000 was offered by a magazine editor for such documents.

Now, get this:

The committee representatives had with them false papers to be turned over in exchange for the money. Dictaphones recorded what was said, while the hidden detectives observed what was done.

I again say I hope this is not true. I refuse to believe that agents of a congressional committee of this House would employ private detectives to sell false documents to anybody who seeks information about a committee. Let us bear in mind what the essential question is here. This committee is not a sacred cow. Anybody has a right to fight this committee. Anybody has a right to obtain truthful information if such truthful information exists. But the committee has no right—and I do not say that the committee has done it; the New York Sun says it has learned that it has done it—it is between the New York Sun and the committee—the committee has no right, if what the New York Sun says is true, to get its agents to sell false documents so that somebody can be "let out on a limb" and then be crucified on the floor of the House of Representatives. That is the issue that is involved. That is the real issue before us. I do not take responsibility for the statements made in the New York Sun. The New York Sun made those statements. The New York Sun and the committee will have to thrash it out. We have here a question of veracity between the committee and the New York Sun. The House should be told the truth, as this is a most serious matter.

Since Members of this House have been charged with conduct which is not proper, since this issue has been raised, I think the integrity of the House is at stake and that an investigation of this matter should be made and be made now. Otherwise, no Member of this House is safe in disagreeing with, attacking, or attempting to obtain by proper means,

truthful information against the committee which that Member is fighting.

[From the New York Sun]

LIGHT SOUGHT ON OPPOSITION TO DIES WORK—HOUSE GROUP TO FOLLOW UP CHARGES MADE BY FORMER PELLEY AID—LETTER FORGERY ADMITTED—DETAILS OF PRELIMINARIES TO PLOT TO SMEAR CHAIRMAN ARE REVEALED AT CAPITAL

(By Glen Perry)

The House committee investigating un-American activities was today making plans to hear testimony from two men accused of heading a group seeking to block continuation of the committee's work by smearing Representative MARTIN DIES, of Texas, its chairman. The charges were made in an executive session yesterday by David Mayne, who formerly was the representative in Washington of William Dudley Pelley, head of the Silver Shirts.

Mayne testified that letters from which excerpts were recently placed in the CONGRESSIONAL RECORD linking Mr. Dies with the Pelley organization, had been forged by himself, for which he received \$100 and a promise of a job in the Department of Agriculture. He said that he was approached about 2 months ago by Harold Weisberg, who, he said, works under Gardner Jackson, legislative representative of Labor's Non-Partisan League, and told that a group headed by Weisberg and Jackson wanted information that would show collusion between Mr. Dies and the Silver Shirts and other so-called American Fascist groups.

Robert E. Stripling, secretary of the committee, said that two meetings might be held late today to question witnesses. Both Jackson and Weisberg, Mr. Stripling said, have informed the committee of their willingness to appear, and they will probably be heard at once. A subpoena has been issued for a third man, John Mitchell Henshaw, said by Mayne to have introduced him to Weisberg, but it has not yet been served.

Desiring, he explained to the committee, to put the plotters "out on a limb," Mayne agreed to produce the evidence, and then forged the letters. Excerpts from them appeared in a speech which was put into the CONGRESSIONAL RECORD by Representative FRANK HOOK, of Michigan. Although Mr. HOOK, in answer to a question put to him on the floor of the House of Representatives by Representative KEEFE, of Wisconsin, claimed authorship of the speech, Mayne testified that Weisberg said he himself had written it.

TWO ISSUE STATEMENTS

Both Weisberg and Jackson have issued statements, Jackson defending his connection with the group opposing the Dies committee and accusing the committee of seeking to distract attention from the Hook charges, while Weisberg denounced what he called "a one-sided and inaccurate attack on me, based entirely on the remarks of a self-confessed forger."

Mr. HOOK was asked to be present at yesterday's meeting, but refused to appear, saying that he would not come before the committee in the absence of its chairman, who is ill at his home at Orange, Tex., and is not expected to be in Washington until the end of this week.

So far as the committee is concerned, the Sun learned, its first information regarding the plot to smear Mr. Dies came in the middle of December, when Mayne came to Rhea Whitley, then counsel for the committee, and told him that such a plan was afoot and that, although the original intention had been to work on J. B. Matthews, committee investigator, it had been decided to switch the attack to Mr. Dies himself.

As evidence of his credibility Mayne told Mr. Whitley that on the following Sunday a Washington broadcast would make an attack on Mr. Matthews. The attack came along on schedule. He also told Mr. Whitley that a speech smearing Chairman DIES was being written and that it would be made by a Member of Congress, not then selected. In this regard the committee has information that the speech was offered to and refused by another Congressman before Mr. HOOK introduced it.

From that time on Mayne was making reports to the Dies committee on what was happening in the other camp. Thus the speech of January 22, in which Mr. DIES was attacked, came as no surprise to the committee, which had its counterattack in preparation.

JACKSON'S STATEMENT

Both Jackson and Weisberg said they were perfectly willing to appear before the committee, and stigmatized the statement made public yesterday as typical of the smearing tactics of the committee. Jackson said that he did not know Mayne and that his backing of Weisberg was "the natural outcome of our mutual, deep concern over the un-American procedure indulged in by Congressman DIES and some of his committee associates, in such sharp contrast to the procedures followed by Senators THOMAS and LA FOLLETTE on the Civil Liberties Committee."

The statement of what the committee had learned, made public by Representative JOE STARNES, acting chairman, did not confine itself to the matter of the Pelley letters. Mr. STARNES announced that the committee has affidavits showing that "certain parties in New York City had offered large sums of money to the affiants for the purpose of obtaining documentary evidence showing a connection or a collusion between Chairman DIES and the Christian Front."

In this respect the Sun learned that on Thursday night representatives of the Dies committee, working with private detectives, arranged a "plant" in New York City, in which \$4,000 was offered by a magazine editor for such documents. The committee repre-

sentatives had with them false papers to be turned over in exchange for the money. Dictaphones recorded what was said, while the hidden detectives observed what was done.

"The affiants further stated," the Starnes statement continued, "that this testimony (the documents) was to be used to discredit Chairman DIES and the committee, and that they intended to furnish the information to Congressman HOOK."

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 6 minutes.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, the first thing I want to say is that I long for the time when it will be possible for the House of Representatives to pay some attention to the basic problems of the United States. The second thing I want to say is that my own position as a member of the Dies committee, which I have tried to fill honorably, has been one of the most difficult jobs I have ever had. I am not going to tell you that I am going to tell the truth, I am just going to do it.

In the first place there can be no question of doubt in these United States about the right of any American citizen to be as bitterly opposed to this committee as he wants to be opposed to it; and I said once publicly, in the public press, that I felt that when the time came that people who opposed this committee were accused of being friendly to communism, or nazi-ism, or fascism, that we were in a very dangerous situation—and I do feel that way.

There is no doubt in my mind whatsoever but that the letters which appeared in the RECORD purporting to come from Mr. Pelley were rank forgeries perpetrated by Mr. Mayne. I am speaking personally. That is what I believe definitely established. In all fairness let me say that there is no evidence of anybody's having purchased from Mr. Mayne known forged documents, nor is there any evidence that anybody except Mr. Mayne had the slightest knowledge that those documents were forged. I think the record should be plain on this point.

Mr. THOMAS of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. THOMAS of New Jersey. As I understand the gentleman's statement it is not at all in accord with my version, because it is my recollection that the sum of \$105 was paid to Mr. Mayne.

Mr. VOORHIS of California. Let me explain to the gentleman that I think he is correct. The point I was trying to drive home was that there was no evidence that anybody knowing the documents were forged, or were unauthentic, had secured those documents and used them; that the people who used those documents were under the impression that the documents were genuine at the time.

Mr. THOMAS of New Jersey. Mr. Speaker, will the gentleman yield further?

Mr. VOORHIS of California. I yield.

Mr. THOMAS of New Jersey. Does not the gentleman think that if the gentleman who used the documents—

Mr. VOORHIS of California. I was going to come to that if the gentleman will let me proceed.

Mr. THOMAS of New Jersey. If the gentleman who used the documents had made any kind of examination at all, he would naturally have come to the conclusion that they were forged.

Mr. VOORHIS of California. I believe that a great deal more care should have been spent in that direction. Such things obviously ought never to be used until the persons using them are positive about them. I think there is no question about that. I think that great care should be used by anybody, including the Dies committee, when they have under consideration important matters having to do with the reputations of people.

Now, I am going to do a selfish thing, I am going to point out that if the brief, plain rules of procedure about which I spoke when the continuation of the committee was under consideration, and which we should have had in effect all the time, if these rules had been in effect we would not have

had to spend any time on a lot of these things. It would have helped tremendously, at any rate.

I come now to what the gentleman from New York had to say of the article in the New York Sun. I am only one member of the committee, and I do not by any means know everything about it, but so far as I know, no member of the Dies committee, nor anybody connected with the Dies committee, had the slightest knowledge of anything concerning the letters purported to have come from Mr. Pelley which were included in the statement of the gentleman from Michigan until they were presented in that statement. Am I correct about that? Is there any other member of the committee who would like to answer?

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. HOOK. They were brought before the Committee on Rules the morning before the statement.

Mr. VOORHIS of California. I beg the gentleman's pardon. I meant until they were mentioned before the Rules Committee.

Mr. STARNES of Alabama. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. STARNES of Alabama. Just to refresh the gentleman's recollection, there was some testimony with reference to these documents presented at another meeting at which Members of Congress were present prior to the Rules Committee meeting.

Mr. VOORHIS of California. I had no knowledge of that.

Mr. STARNES of Alabama. The gentleman had no knowledge of that. The gentleman's position is, then, he had no knowledge of it until he received word at some time to that effect?

Mr. VOORHIS of California. Yes. What I mean is this: The article in the New York Sun, which the gentleman from New York [Mr. MARCANTONIO] read, at least the interpretation which he endeavored to put on that article, was to the effect that Mr. Whitley at any rate obtained from Mr. Mayne information about these letters. So far as I know, no member of the Dies committee or its staff had any knowledge about these purported Pelley letters until such time as they were presented before the Rules Committee.

[Here the gavel fell.]

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

Mr. STARNES of Alabama. Since I understand the gentleman's statement, so far as I am concerned, it is correct. The first intimation I had of any of this was when the gentleman from Michigan [Mr. Hook] made the statement before the Rules Committee.

Mr. MARCANTONIO. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from New York.

Mr. MARCANTONIO. May I ask a question for information? Does the gentleman from California or any of the other gentlemen of the committee know how many times Mr. Mayne conferred with Mr. Whitley during the month of December 1939?

Mr. VOORHIS of California. I would like to speak of that in just a moment.

Mr. DEMPSEY. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from New Mexico.

Mr. DEMPSEY. I may say to the gentleman from California that his statement insofar as I am concerned is absolutely accurate. I had no information about the letters nor did I have any information about Mr. Mayne until the gentleman from Michigan [Mr. Hook] appeared before the Rules Committee.

Mr. THOMAS of New Jersey. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from New Jersey.

Mr. THOMAS of New Jersey. In view of the decision made today by the Dies committee to make this whole matter public, the sooner we make the record public, the clearer the picture will be. I understand that making it public has been delayed a little while. I want to say to the House I think it would be to the advantage of the House and to the advantage of the Dies committee to make these executive sessions that we have had public just as quickly as we can and I am for doing it right now.

Mr. DEMPSEY. I am unalterably opposed to releasing a transcript of that record at this time, because many people's names have been mentioned who demand an opportunity to be heard before that record is released.

Mr. THOMAS of New Jersey. The gentleman knows we voted today to make the record public.

Mr. DEMPSEY. Had I been there I would have voted against it until these people are given an opportunity to be heard.

Mr. THOMAS of New Jersey. We voted to make the record public. In view of that vote, it should be made public.

Mr. DEMPSEY. I would like to ask the gentleman from New Jersey if he knew at that time that Members of the House of Representatives had been accused of certain things and desired an opportunity to be heard? Notwithstanding that he would release that record without giving them that opportunity?

Mr. THOMAS of New Jersey. I understand that we all agreed this morning to make the whole thing public.

Mr. DEMPSEY. I did not agree.

Mr. THOMAS of New Jersey. Everyone who was in the room at the time did.

Mr. DEMPSEY. I do not know what time you made that agreement.

Mr. THOMAS of New Jersey. Did not the gentleman from New Mexico know that we were going to make that decision today and that this matter was coming up?

Mr. DEMPSEY. I came over here on account of the farm bill.

Mr. THOMAS of New Jersey. I am asking the gentleman, did he not know the matter was coming up?

Mr. DEMPSEY. I understood you were going to take some action, but I would like to have the gentleman answer my question.

Mr. VOORHIS of California. Mr. Speaker, I would like to proceed.

Mr. HOOK. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Michigan.

Mr. HOOK. Will the gentleman state to the House whether or not this man Mayne was ever employed by the committee or any member of the committee?

Mr. VOORHIS of California. If the gentleman will let me proceed for about 3½ minutes I will get to all those things.

Mr. Speaker, in my association with Mr. Whitley, who is counsel for the Dies committee, I have never known anybody in all my life that I felt was any more honorable and upstanding an individual than is Mr. Whitley. About the first of December I was appointed on a subcommittee of this committee to try to find William Dudley Pelley and bring him before the committee to be examined. I was chairman of the subcommittee—worse luck.

I was very anxious to bring Mr. William Dudley Pelley before the committee in open hearing and hoped we might be able to get at the bottom of some of the things that have been done by Mr. Pelley and some of his organizations. In connection with that, one thing that occurred to me was to request the cooperation of the Department of Justice, which I did. Mr. Mayne presented himself and said he would bring Mr. Pelley in and wanting to take every possible chance of getting Mr. Pelley and feeling that in spite of grave misgivings regarding Mr. Mayne, that nothing could be lost by trying this. Mr. Mayne was dispatched to North Carolina for the purpose of securing information as to Mr. Pelley's whereabouts.

[Here the gavel fell.]

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, that is the only connection Mr. Mayne had with the committee. His expenses were paid for that trip.

Mr. BRADLEY of Pennsylvania. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Pennsylvania.

Mr. BRADLEY of Pennsylvania. His expenses were paid by the Dies committee?

Mr. VOORHIS of California. That is right.

Mr. BRADLEY of Pennsylvania. That is the gentleman we are hearing all this about?

Mr. VOORHIS of California. That is right, for the purpose of attempting to bring in Mr. William Dudley Pelley. May I say further that the original suggestion that Mr. Mayne might be helpful in bringing Mr. Pelley to the committee and in giving information regarding Mr. Pelley was made by a certain very prominent individual in Washington, whom I will not mention. I do not think the gentleman would like to have me express it at this time. Suffice it to say that this gentleman is a liberal if there ever was one.

I was trying to get Mr. Pelley and do the best I could. That is all I have to say about that. I thought that was part of what we were asked to do. I am informed that Mr. Mayne later came to Mr. Whitley and in an attempt, apparently, to play both ends against the middle, talked to Mr. Whitley about the fact that there was some kind of a plan on foot to bring up things against the committee. That is all I know about that. I am quite sure that he did that. I am equally certain that in the course of anything he may have told him there was no reference whatever to anything having to do with these letters that are under question, for had there been Mr. Whitley would most certainly have told the committee about it, and he never did so.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield at this point?

Mr. VOORHIS of California. I yield.

Mr. MARCANTONIO. Was the gentleman present when Mr. Mayne and Mr. Whitley conferred?

Mr. VOORHIS of California. Not when Mr. Mayne did that. I was present on the occasions when Mr. Mayne was telling us how he could get hold of Mr. Pelley for us.

I should like to say that we never felt that Mr. Mayne was any paragon of virtue, but we were clutching at straws and hoping that in some way we might accomplish this purpose.

As far as I know, those are the main facts having to do with this sad and difficult tale. I should like to say this much further in general. I believe in a thorough investigation of the activities of any groups in this country which are fundamentally opposed to our constitutional democracy, and particularly if those groups are directed and controlled by a foreign power. Such an investigation is inevitably charged with dynamite. We have examples before us now in all of this debate that has taken place here the last few days of how easy it is to take an association of people and say that because a man made a speech to a certain group that contained certain people that were connected with certain organizations, therefore, that man is some way or another connected with that organization of people. That does not follow. A man ought to be judged by what he says and what he works and strives for, and he ought to be so judged whether his politics are on the right or whether they are on the left. [Applause.] He ought to be so judged even though he be a liberal, even though he be a progressive, even though he be an individual that believes it is necessary to take certain progressive economic steps to solve the problems of America, such as the problem of unemployment or farm tenancy or protection of small competitive business against monopoly.

I wish to say in conclusion that I resent deeply anything that may be said through the spoken or printed word by anybody which implies that because a man believes it is necessary to go forward to the solution of the economic problems of America or because he is concerned with the plight of people, therefore, he is contributing in some way or another to un-American activities and to a coming Communist revolution. [Applause.]

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. Yes; I yield.

Mr. HOFFMAN. How about a fellow who thinks it is all right to stay where we are? Has he a right to think that, too?

Mr. VOORHIS of California. He certainly does.

Mr. HOFFMAN. I thought so.

Mr. VOORHIS of California. I have no more sympathy with calling a man like that a Fascist or a Nazi or a friend of Hitler than I have for accusing a progressive of being a Communist. One result of the Dies committee, if its work is done properly, should be to paint in bold outline exactly what the very essential difference is between progressives and Communists and between conservatives and Fascists.

Mr. HOFFMAN. How about a reactionary?

Mr. VOORHIS of California. That is different. I reserve the right to call the gentleman a reactionary if he calls me a radical. As long as the gentleman calls me a progressive I will call him a conservative. [Laughter and applause.]

[Here the gavel fell.]

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 1 additional minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, we have a job to do. The Dies committee has a job to do. It is supposed to investigate the kind of subversive activities that I described a moment ago. It ought to stick religiously to that job. As far as I am concerned, I hope it will and will continue to strive to that end. But we, all of us, have a greater duty to perform and that duty is to resolve here and now that we are going to join hands with every person whose fundamental loyalty is to the United States, every person who regardless of his belief would live and die for the preservation of the constitutional democracy of this country, and that we are going to be done with any type of political campaigning on the basis of unsubstantiated accusations or name calling. We have the religious faith of our people, the freedom of ourselves, the opportunity for full development for our children to protect. And we cannot do it if we are divided into suspicious warring camps.

Now, I am taking the wind out of a long speech I wanted to make some day. I am making it now. But I have given you as nearly as I know how an accurate account of these matters, and I hope I may have straightened some of them out. [Applause.]

[Here the gavel fell.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. KRAMER for the balance of this week on account of illness.

EXTENSION OF REMARKS

Mr. KITCHENS asked and was given permission to extend his own remarks in the Record.

Mr. LYNDON B. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein a short article by Raymond Clapper.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

GARDNER JACKSON AND THE ATTEMPT TO SMEAR THE DIES COMMITTEE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, yesterday the gentleman from Wisconsin [Mr. KEEFE] on the floor related that testimony before the Dies committee showed that Mr. Mayne testified he had been paid \$100 and promised a job in the Department of Agriculture in return for certain documents which he, Mayne, had forged, and the tendency of which was to reflect upon the Dies committee. At that time the majority leader [Mr. RAYBURN] made the statement that the man who "is supposed to have promised him, Mayne, a job in the Department of Agriculture has no official status there."

I assume that the statement of the gentleman from Texas [Mr. RAYBURN] is correct. That the man to whom reference is made, Gardner Jackson, whom the gentleman from Wisconsin [Mr. SCHAFER] yesterday characterized as "the legislative lobbyist on the Hill for Labor's Nonpartisan League," the political organization created and dominated by John L. Lewis is not now in Government service.

From the CONGRESSIONAL RECORD of January 28, 1935, at page 1108, I find this statement then made by the gentleman from New York, HAMILTON FISH, on the floor of the House, from which I quote a part as follows:

Mr. Chairman, a week ago I stated in the House that I would present certain evidence that Federal officeholders were contributing to a Communist veterans' organization, with its headquarters in the city of Washington. * * * I have in my pocket photostatic copies of the receipts for these contributions which I will be glad to show to any Member of the House. They were given to me unsolicited * * *. In accordance with the statement I made in the House of Representatives a week ago I am presenting photostatic copies of receipts from donations received by the Veterans Rank and File Committee, signed by Harold Hickerson, a prominent Communist, from Federal officeholders for the purpose of instigating a bonus march of Communists on Washington.

It is my understanding that this organization was staging a bonus march on Washington in opposition to the payment of the bonus.

After giving a number of names, together with the amounts of the contributions, the gentleman from New York [Mr. FISH] continued; I quote:

Another Federal officeholder who contributed to the Veterans' Rank and File Committee is Gardner Jackson, senior administrative counsel, Consumers Division, A. A. A., who made eight separate donations, according to photostatic copies of receipts, dating from September 19, 1934, to December 27, 1934, in sums of \$5, with the exception of one donation of \$10 on November 12, 1934. It is not surprising to find that Mr. Gardner Jackson is employed as counsel in the Consumers Division of the A. A. A., of which Dr. Frederic Howe, formerly on the National Committee of the A. C. L. U. and correspondent of the Federated Press, which spread revolutionary propaganda through the Communist press, is the chief counsel.

If this statement made in January of '35 by the gentleman from New York [Mr. FISH] is accurate—and I have no reason to doubt its correctness—and the gentleman from New York [Mr. FISH] asked me to call the attention of the House to it today, it discloses one of the slimiest sources from which comes the attack on the Dies committee, which is making communism so unpopular in these United States. Knowing the source, we have some measure of the purpose behind the attack.

ENROLLED BILL SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 7342. An act to amend the Emergency Farm Mortgage Act of 1933, as amended.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 51 minutes p. m.) the House adjourned until tomorrow, Friday, February 2, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON MILITARY AFFAIRS

There will be a meeting of the Committee on Military Affairs of the House in room 1310, New House Office Build-

ing, at 10:30 a. m., Friday, February 2, 1940, for the consideration of all bills pending before the committee relative to taxation of Tennessee Valley Authority properties.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will hold public hearings in the committee room, 356 House Office Building, Saturday, February 3, 1940, at 10 a. m.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Hearings will begin Monday, February 5, 1940, at 10 a. m., before the Petroleum Subcommittee of the Committee on Interstate and Foreign Commerce. State regulatory bodies will be heard first.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matters named:

Tuesday, February 6, 1940:

H. R. 7527, to make effective the provisions of the Minimum Age (sea) Convention (revised), 1936, and for other purposes.

Wednesday, February 7, 1940:

Hearings will be continued Wednesday, February 7, 1940, at 10 a. m., on H. R. 6130, to provide for mandatory or compulsory inspection and permissive or voluntary grading of fish, fishery products, fishery byproducts, shellfish, crustacea, seaweeds, and all other aquatic forms of animal and vegetable life, and the products and byproducts thereof, and for other purposes.

Tuesday, February 13, 1940:

H. R. 1780, to amend section 7 of the act of June 19, 1886, as amended (U. S. C., 1934 ed., Supp. III, title 46, sec. 319), relative to penalties on certain undocumented vessels and cargoes engaging in the coastwise trade or the fisheries, and for other purposes.

H. R. 5837, to amend section 221 of the Shipping Act, barring certain aliens from participating in the benefits thereof.

H. R. 6770, to amend Revised Statutes 4311 (U. S. C. 251).

H. R. 7694, to amend Section 4311 of the Revised Statutes of the United States.

H. R. 8180, to require that not less than 75 percent of the crew of any fishing vessel of the United States be citizens of the United States.

Tuesday, February 20, 1940:

H. R. 4079, to amend sections 4353 and 4355 of the Revised Statutes of the United States.

H. R. 6751, to repeal certain laws with respect to manifests and vessel permits.

H. R. 5788, to amend the present law relating to the delivery of ships' manifests to collector of customs by excluding Sundays and holidays from the time within which such delivery may be made by the master.

H. R. 5789, to amend the present law relating to the delivery of ships' manifests to collectors of customs by excluding Sundays and holidays from the time within which such delivery may be made by the master.

Friday, February 23, 1940:

H. R. 7639, to provide for the examination of civilian nautical schools and for the inspection of vessels used in connection therewith, and for other purposes.

COMMITTEE ON THE JUDICIARY

On Wednesday, February 14, 1940, at 10 a. m., there will be a hearing before the Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary on the bill (H. R. 8016) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto (municipal compositions). The hearing will be held in room 346, House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1348. A letter, from the chairman, District of Columbia Unemployment Compensation Board, transmitting the Fourth

Annual Report of the District of Columbia Unemployment Board for the calendar year ending December 31, 1939; to the Committee on the District of Columbia.

1349. A letter from the president, Board of Commissioners, District of Columbia, transmitting the draft of a proposed bill to amend sections 16 and 17 of chapter II of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia"; to the Committee on the District of Columbia.

1350. A letter from the Administrator, United States Housing Authority, transmitting the report for the fiscal year ending June 30, 1939, with supplementary data on activities of the United States Housing Authority (H. Doc. No. 609); to the Committee on Banking and Currency and ordered to be printed, with illustrations.

1351. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment, United States House of Representatives, for the fiscal year 1941, in the amount of \$30,000 (H. Doc. No. 608); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. SMITH of Washington: Committee on Pensions. H. R. 7147. A bill to amend the service pension acts pertaining to the War with Spain, Philippine Insurrection, and the China relief expedition to include certain continuous service; with amendment (Rept. No. 1559). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. WINTER: Committee on Claims. H. R. 658. A bill for the relief of Dr. B. L. Pursifull, Grace Pursifull, Eugene Pursifull, Ralph Pursifull, Bobby Pursifull, and Dora Little; with amendment (Rept. No. 1560). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 1435. A bill for the relief of A. S. Tait; with amendment (Rept. No. 1561). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 1798. A bill for the relief of the Board of County Commissioners of Brevard County, Fla.; with amendment (Rept. No. 1562). Referred to the Committee of the Whole House.

Mr. EBERHARTER: Committee on Claims. H. R. 3963. A bill for the relief of John H. Durnil; with amendment (Rept. No. 1563). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 4561. A bill for the relief of Mrs. George C. Hamilton; with amendment (Rept. No. 1564). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 4756. A bill for the relief of Edd Nevins; with amendment (Rept. No. 1565). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 5866. A bill for the relief of Howard Daury; with amendment (Rept. No. 1566). Referred to the Committee of the Whole House.

Mr. POAGE: Committee on Claims. H. R. 5928. A bill for the relief of Ella Ragotski; with amendment (Rept. No. 1567). Referred to the Committee of the Whole House.

Mr. LEONARD W. HALL: Committee on Claims. H. R. 6919. A bill for the relief of R. E. Rule; with amendment (Rept. No. 1568). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 7855. A bill for the relief of Morrison-Knudsen Co., Inc., and W. C. Cole; with amendment (Rept. No. 1569). Referred to the Committee of the Whole House.

Mr. LEONARD W. HALL: Committee on Claims. S. 263. An act for the relief of George R. Morris; with amendment

(Rept. No. 1570). Referred to the Committee of the Whole House.

Mr. FENTON: Committee on Claims. S. 2276. An act for the relief of the R. G. Schreck Lumber Co.; with amendment (Rept. No. 1571). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. S. 2500. An act authorizing the Comptroller General of the United States to settle and adjust the claims of Mary Pierce and John K. Quackenbush; without amendment (Rept. No. 1572). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. S. 2607. An act authorizing the Comptroller General of the United States to settle and adjust the claim of Edith Easton and Alma E. Gates; without amendment (Rept. No. 1573). Referred to the Committee of the Whole House.

ADVERSE REPORTS

Under clause 2 of rule XIII,

Mr. COOPER: Committee on Ways and Means. House Resolution 361. Resolution calling on the Secretary of the Treasury for information concerning Treasury Decision No. 49682 relating to American fisheries (Rept. No. 1558). Laid on the table.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 8253) granting a pension to Lula Davis, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BUCKLER of Minnesota:

H. R. 8256. A bill for the benefit of the Chippewa Indians of Minnesota; to the Committee on Indian Affairs.

By Mr. HEALEY:

H. R. 8257. A bill to repeal section 16 (b) of the joint resolution entitled, "Emergency Relief Appropriation Act of 1939," approved June 30, 1939; to the Committee on Appropriations.

By Mr. KEOGH:

H. R. 8258. A bill for the marking, care, and maintenance of the Mount of Victory plot in the Cypress Hills Cemetery, in Brooklyn, N. Y.; to the Committee on Military Affairs.

By Mr. MAGNUSON:

H. R. 8259. A bill relating to the removal or reduction in rank of postal employees in the classified civil service; to the Committee on the Post Office and Post Roads.

By Mr. GREEN:

H. R. 8260. A bill to promote industrial prosperity, to increase industrial employment, and to develop and conserve the natural resources by aiding and promoting research in the engineering experiment stations connected with colleges and schools of engineering in the several State and Territorial universities and colleges, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. VINSON of Georgia:

H. R. 8261. A bill to authorize the Secretary of the Navy to sell equipment and supplies to and perform work for the Commonwealth of the Philippine Islands; to the Committee on Naval Affairs.

By Mr. RANDOLPH:

H. R. 8262. A bill to regulate, in the District of Columbia, the disposal of certain refuse, and for other purposes; to the Committee on the District of Columbia.

By Mr. O'BRIEN:

H. R. 8263. A bill to reduce the amount of damages for infringement of copyright of musical compositions in certain hotels and other places; to the Committee on Patents.

By Mr. HENDRICKS:

H. R. 8264. A bill to provide for national recovery by raising revenue and retiring citizens past 60 years of age from

gainful employment and provide for the general welfare of all the people of the United States, and for other purposes; to the Committee on Ways and Means.

H. R. 8265. A bill to provide for an appropriation for the Welaka Fish Hatchery, Welaka, Fla.; to the Committee on Appropriations.

By Mr. MOUTON:

H. R. 8266. A bill to amend section 301 (a) of the Sugar Act of 1937; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATES of Kentucky:

H. R. 8267. A bill granting a pension to James S. Landrum; to the Committee on Pensions.

By Mr. GORE:

H. R. 8268. A bill for the relief of the heirs of William Young; to the Committee on Claims.

By Mr. HARTER of New York:

H. R. 8269. A bill to correct the naval record of Daniel D. Dolan; to the Committee on Naval Affairs.

By Mr. HEALEY:

H. R. 8270. A bill for the relief of Daniel Joseph Hartie; to the Committee on Naval Affairs.

By Mr. HENDRICKS:

H. R. 8271. A bill to authorize the appointment of John Easter Harris as a major, Corps of Engineers, Regular Army; to the Committee on Military Affairs.

H. R. 8272. A bill for the relief of Eugene E. Lee; to the Committee on Military Affairs.

By Mr. LUDLOW:

H. R. 8273. A bill for the relief of James R. Noonan; to the Committee on Claims.

By Mr. MAGNUSON:

H. R. 8274. A bill for the relief of Pearl Welch; to the Committee on Claims.

H. R. 8275. A bill for the relief of David C. Shelby; to the Committee on World War Veterans' Legislation.

By Mr. SHERIDAN:

H. R. 8276. A bill for the relief of Joseph Taylor; to the Committee on Military Affairs.

By Mr. SMITH of West Virginia:

H. R. 8277. A bill for the relief of Clark Wiley; to the Committee on War Claims.

By Mr. WHELCHER:

H. R. 8278. A bill for the relief of the heirs of Donald Crump and Mrs. John N. Crump and for the relief of Emma Jane Crump and Mildred Lounedah Crump; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6336. By Mr. BOLLES: Petition of the Woman's Christian Temperance Union of Evansville, Wis., expressing their approval of the passage of Senate bill 280, the Neely motion-picture bill, by the Senate, and urging its passage by the House of Representatives; to the Committee on Interstate and Foreign Commerce.

6337. Also, petition of the Ladies' Aid Society, Elkhorn Methodist Church, Elkhorn, Wis., protesting against the shipment of war supplies to Japan from the United States and expressing their desire that legislation be enacted to curb such practice; to the Committee on Foreign Affairs.

6338. Also, petition of the Young Women's Foreign Missionary Society, Elkhorn Methodist Church, Elkhorn, Wis., protesting against the shipment of war supplies to Japan from the United States and expressing their desire that legislation be enacted to curb such practice; to the Committee on Foreign Affairs.

6339. By Mr. ELSTON: Petition of the Hilker & Bletsch Co. and 63 residents of Cincinnati, Ohio, protesting against the levying of excise or any other form of processing taxes

on bread and other everyday indispensable necessities of life; to the Committee on Ways and Means.

6340. By Mr. FULMER: Resolution submitted by F. E. Hatchell, secretary-treasurer, South Carolina Federation of Labor, Columbia, S. C., that the executive board of the South Carolina Federation of Labor, in session this 28th day of January 1940, endorse the Mead longevity bill (S. 487) and urge that our Senators and Congressman from this State lend their support to this end; to the Committee on the Post Office and Post Roads.

6341. By Mr. LUDLOW: Petitions of sundry residents of Springfield, Northampton, Chicope, Longmeadow, and many other cities of the State of Massachusetts, favoring the consideration of the proposal providing for a referendum before participation by the United States in wars overseas; to the Committee on the Judiciary.

6342. By Mr. KEOGH: Petition of the Employees' Committee to Maintain Brooklyn's Cane Sugar Refining Industry, concerning the Sugar Act of 1934 and 1937; to the Committee on Foreign Affairs.

6343. Also, petition of the Dairymen's League Cooperative Association, New York City, requesting that the Forest Service remain in the Department of Agriculture and not be transferred to the Department of the Interior; to the Committee on Agriculture.

6344. Also, petition of the College of the City of New York, office of the acting president, concerning the National Youth Administration; to the Committee on Appropriations.

6345. By Mr. SCHIFFLER: Petition of S. J. Hyman, president, West Virginia Managers Association, Huntington, W. Va., opposing the Neely "block booking" bill; to the Committee on Interstate and Foreign Commerce.

6346. By the SPEAKER: Petition of the Women's State Republican Club of New Jersey, Inc., Trenton, N. J., petitioning consideration of their resolution with reference to the Wagner health bill; to the Committee on Interstate and Foreign Commerce.

6347. Also, petition of the Michigan Federation of Post Office Clerks, Detroit, Mich., petitioning consideration of their resolution with reference to House bill 3649, to establish a system of longevity pay for postal employees; to the Committee on the Post Office and Post Roads.

6348. By Mr. SHAFER of Michigan: Petition of S. R. Bevier, of Jackson, Mich., and 800 other citizens in various parts of Michigan, Florida, and New York, asking for enactment of House bill 5237; to the Committee on the Civil Service.

6349. By Mr. WOODRUFF of Michigan: Petition of John Marquardt, of Bay City, and L. R. Shear, of Farwell, Mich., favoring the enactment of House bill 1, known as the chain-store tax bill; to the Committee on Ways and Means.

SENATE

FRIDAY, FEBRUARY 2, 1940

The Chaplain, Rev. Zebarny T. Phillips, D. D., offered the following prayer:

Dear Lord and Father of us all, who hast placed within our hands the strands of life, whose issues are eternal: As we bow in prayer before Thee, let Thy calm possess our souls, and may our hearts reflect Thy love as the sleeping sea reflects the sky. May truth be disentangled in our mind, and light shine through its untroubled depth as our restless thoughts give up their fruitless quests. Once more we ask for guidance on our way; and, though we cannot understand the meaning of the shattered hopes of men, the enmity of nations, the destruction of peaceful homes by instruments of death, as we stand again before a lonely cross whereon One died, despised and rejected of men, help us to learn anew that disappointment, pain, and death do not defeat Thy purposes and hold no contradiction of Thy love. Grant unto us, therefore, with heart and mind attuned to the fulfillment of Thy will, that today we may not spurn to do the simple kindly thing, lest this should be the day of Thy visitation and

we miss the things belonging to our peace. We ask it in the name of Him for the beauty of whose life we thank Thee, Jesus Christ Thy Son our Lord. Amen.

THE JOURNAL

On motion of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 1, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

ENROLLED BILL SIGNED DURING ADJOURNMENT

Under authority of the order of the 1st instant,

The VICE PRESIDENT announced that, during adjournment of the Senate, he had affixed his signature to the enrolled bill (H. R. 7342) to amend the Emergency Farm Mortgage Act of 1933, as amended, which had been signed previously by the Speaker of the House of Representatives.

FRANKING PRIVILEGE FOR PAN AMERICAN SANITARY BUREAU

The VICE PRESIDENT laid before the Senate a letter from the Secretary of State, transmitting a draft of proposed legislation to extend the franking privilege to the Pan American Sanitary Bureau, together with a report in regard thereto, which, with the accompanying papers, was referred to the Committee on Post Offices and Post Roads.

REPORT OF THE SOCIAL SECURITY BOARD

The VICE PRESIDENT laid before the Senate a letter from the Administrator of the Federal Security Agency, transmitting, pursuant to law, the Annual Report of the Social Security Board for the fiscal year ended June 30, 1939, with supplementary data for July 1, 1939, to October 31, 1939, which, with the accompanying report, was referred to the Committee on Finance.

MONTHLY REPORT OF RECONSTRUCTION FINANCE CORPORATION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Reconstruction Finance Corporation, transmitting, pursuant to law, a report of the Corporation's activities and expenditures for the month of December 1939, which, with the accompanying report, was referred to the Committee on Banking and Currency.

REPORT OF WASHINGTON RAILWAY & ELECTRIC CO.

The VICE PRESIDENT laid before the Senate a letter from the vice president of the Washington Railway & Electric Co., of the District of Columbia, transmitting, pursuant to law, the report of that company for the year ended December 31, 1939, which, with the accompanying report, was referred to the Committee on the District of Columbia.

REPORT OF POTOMAC ELECTRIC POWER CO.

The VICE PRESIDENT laid before the Senate a letter from the president of the Potomac Electric Power Co., of the District of Columbia, transmitting, pursuant to law, the report of that company for the year ended December 31, 1939, which, with the accompanying report, was referred to the Committee on the District of Columbia.

PETITIONS

The VICE PRESIDENT laid before the Senate the following joint resolution of the General Assembly of the State of Virginia, which was referred to the Committee on Finance:

House joint resolution to memorialize Congress to reduce excise taxes on tobacco and tobacco products

Whereas the production of tobacco and the manufacture of tobacco products constitute agricultural and industrial activities of major economic importance to the United States and to the Commonwealth of Virginia in particular; and

Whereas the heavy excise taxes imposed by Congress upon manufactured tobacco and tobacco products tend to burden and suppress the industry and thus to result in far-reaching ill effect upon the economy of the Nation, particularly upon that of Virginia and other neighboring Southern States, and especially upon that of farmers engaged in raising tobacco; and

Whereas it is to the interest of the United States, and of the Commonwealth of Virginia in particular, that this depressing influence upon the industry be removed as far as possible and in such

a way as to ensure that the farmers engaged in raising tobacco will reap the benefit of such reduction: Now, therefore, be it

1. *Resolved by the house of delegates (the senate concurring),* That the Congress of the United States be, and it is hereby, memorialized to take appropriate action to effect a reduction in the Federal excise taxes upon manufactured tobacco and tobacco products in such manner as to provide that the farmers engaged in the production and marketing of tobacco will receive the benefit of such reduction by way of increased return for their product; be it further

2. *Resolved,* That copies of these resolutions be transmitted by the clerk of the house of delegates to the presiding officers of the United States Senate and of the House of Representatives, respectively, and to each Member of the Virginia delegation in the Congress of the United States.

January 31, 1940: Agreed to by the house of delegates.

E. GRIFFITH DODSON,

Clerk, House of Delegates.

January 31, 1940: Agreed to by the senate.

E. R. COMBS, Clerk of Senate.

The above is a true copy:

E. GRIFFITH DODSON,

Clerk of the House of Delegates.

Mr. AUSTIN. Mr. President, I present petitions from many distinguished citizens of Vermont, the body of one of which I should like to have printed in the RECORD, and then have the petitions referred to the Committee on Foreign Relations. They bear upon a question pending at this time before the committee.

The VICE PRESIDENT. The petitions will be received and referred to the Committee on Foreign Relations; and, without objection, the body of one of the petitions will be printed in the RECORD.

The petition, without the signatures, is as follows:

The Honorable WARREN R. AUSTIN.

The Honorable ERNEST W. GIBSON.

My DEAR SENATORS: Whereas Japan has constantly violated the Kellogg Pact and the Nine Power Treaty, to which both she and the United States are signatory, we, the undersigned, urge you to do all in your power to oppose the renewal of the trade treaty expiring January 26 and to sponsor such legislation as will stop the flow of war supplies to Japan.

Mr. GREEN. Mr. President, I present a resolution adopted by the General Assembly of the State of Rhode Island, requesting the Department of the Navy to name one of any new battleships under construction or to be constructed in the near future "Rhode Island" in recognition of the outstanding part Rhode Island has played in the establishment and development of the United States Navy.

The VICE PRESIDENT. The resolution will be received, printed in the RECORD under the rule, and referred to the Committee on Naval Affairs.

The resolution is as follows:

Resolution requesting the United States Department of the Navy to name one of any new battleships under construction or to be constructed in the near future "Rhode Island," in recognition of the outstanding part Rhode Island has played in the establishment and development of the United States Navy

Whereas the first official action to establish an American Navy was taken by a Rhode Island General Assembly at its session in Providence, R. I., on the third Monday in August 1775; and

Whereas the first naval force established by the Continental Congress was placed under command of Esek Hopkins, a Rhode Islander, with Rhode Island seamen commanding one-half the total force of the fleet, and this same Esek Hopkins was also the only American naval officer ever to hold the title of commander in chief.

From this beginning of the American Navy to the present time, Rhode Island has played a large part in its development and has furnished to the Navy and to the Nation a long and brilliant line of officers and a large and patriotic force of men.

Oliver Hazard Perry was one of these, whose ringing words, "We have met the enemy, and they are ours," in reporting his famous victory on Lake Erie, September 10, 1813, the first notable success in our second war with Great Britain, have inspired generations of Americans.

Matthew Calbraith Perry was another. He opened Japan to the western world. Under his direction the first steam vessel of the Navy was built and under his command the utility of steam vessels for Navy purposes was proved. He originated the naval apprentice system, represented by the Newport Naval Training Station; developed the present United States Lighthouse Service; and performed other notably outstanding service for the Navy of the United States through war and peace.

Rhode Island has at Newport the finest naval anchorage in America, as well as the first naval torpedo station and the first naval training station for our Navy.

Rhode Island was one of the Original Thirteen English Colonies in America and the first to declare her independence, May 4, 1776.

No battleship of the United States Navy has borne the name of this State since 1907, at which time the citizens of this State presented that *Rhode Island* with a large silver service. That ship has been ordered out of commission. This silver service is now retained at the Rhode Island State House at Providence waiting opportunity for another presentation: Now, therefore, be it

Resolved, That this General Assembly of the State of Rhode Island and Providence Plantations does hereby respectfully request of the United States Department of the Navy that one of any new battleships under construction, not yet named, or to be constructed in the near future for the United States Navy, shall be named "Rhode Island" in recognition of the brilliant part this State has played in the establishment and development of the United States Navy, and directs the secretary of state to transmit to the Secretary of the Navy a duly certified copy of this resolution; and be it further

Resolved, That copies of this resolution be transmitted by the secretary of state to the Senators and Representatives from Rhode Island in the Congress of the United States, respectfully requesting them to take all necessary steps to accomplish the purpose of this resolution.

ENROLLED BILL PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on February 1, 1940, that committee presented to the President of the United States the enrolled bill (S. 1820) to provide for the transfer of certain land owned by the United States to the State of Texas and certain other land to the county of Galveston, Tex.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mrs. CARAWAY:

S. 3253. A bill for the relief of Malcolm S. Brown; to the Committee on Claims.

S. 3254. A bill to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.; to the Committee on Commerce.

By Mr. DOWNEY:

S. 3255. A bill to provide for national recovery by raising revenue and retiring citizens past 60 years of age from gainful employment and provide for the general welfare of all the people of the United States, and for other purposes; to the Committee on Finance.

By Mr. SCHWELLENBACH:

S. 3256. A bill to enable Sadao Tanaka to remain permanently in the United States; to the Committee on Immigration.

By Mr. McNARY:

S. 3257. A bill granting a pension to Mrs. Richard Collier; to the Committee on Pensions.

By Mr. LA FOLLETTE:

S. 3258. A bill for the relief of James McKee; to the Committee on Military Affairs.

S. 3259. A bill for the relief of Fred J. Young; to the Committee on Naval Affairs.

By Mr. PEPPER:

S. 3260. A bill to amend the Federal Crop Insurance Act; to the Committee on Agriculture and Forestry.

By Mr. MURRAY:

S. 3261. A bill to amend section 211 of the Criminal Code, as amended (relating to certain nonmaillable matter); to the Committee on the Judiciary.

S. 3262. A bill to authorize the Secretary of the Interior to grant a right-of-way to the Highway Commission of the State of Montana; to the Committee on Public Lands and Surveys.

By Mr. HAYDEN:

S. 3263. A bill to authorize the participation of States and counties in revenues from national parks, national monuments, and other areas under the administrative jurisdiction of the National Park Service; to the Committee on Public Lands and Surveys.

DOMESTIC PRODUCTION AND IMPORTATION OF WOOD PULP OR PULPWOOD

Mr. McNARY submitted the following resolution (S. Res. 226), which was referred to the Committee on Finance:

Resolved, That the United States Tariff Commission, under authority conferred by section 332 of the Tariff Act of 1930, is directed to investigate and report to the Senate all facts relating to wood

pulp or pulpwood, showing the volume of importations compared with domestic production and the conditions, causes, and effects relating to foreign competition, and all other facts showing the differences in, or which affect competition between, the production of wood pulp or pulpwood in the United States or that imported in the principal markets of the United States; such report to cover the period up to July 1, 1939, and to be made to the Senate not later than May 15, 1940.

ADDRESS BY SENATOR WHEELER AT RICHMOND, VA.

[Mr. BYRD asked and obtained leave to have printed in the RECORD the address delivered by Senator WHEELER on January 27, 1940, at Richmond, Va., which appears in the Appendix.]

ADDRESS BY SENATOR DAVIS AT HARRISBURG, PA.

[Mr. DAVIS asked and obtained leave to have printed in the RECORD an address delivered by him on February 1, 1940, at Harrisburg, Pa., before the Pembroke Republican Club, which appears in the Appendix.]

INTERVIEW WITH SENATOR GREEN ON AMERICA'S RELATIONS WITH JAPAN

[Mr. CHANDLER asked and obtained leave to have printed in the RECORD a radiophone interview with Senator GREEN by Mainichi, a newspaper of Osaka, Japan, from Washington, on Wednesday evening, January 4, 1940, which appears in the Appendix.]

TRIBUTE TO THE LATE SENATOR BORAH

[Mr. CLARK of Idaho asked and obtained leave to have printed in the RECORD a poem by Kenneth Stuart McKenzie, of Idaho Falls, Idaho, written on the occasion of the death of Senator Borah, which appears in the Appendix.]

"AMERICA'S BIGGEST DITCH"—ARTICLE BY RICHARD L. NEUBERGER

[Mr. CLARK of Idaho asked and obtained leave to have printed in the RECORD an article entitled "America's Biggest Ditch," by Richard L. Neuberger, published in the Coast magazine for December, which appears in the Appendix.]

INDIAN FISHING GROUND

[Mr. CLARK of Idaho asked and obtained leave to have printed in the RECORD an article entitled "Unhappy Fishing Ground," written by Richard L. Neuberger and published in Collier's magazine for October 21, 1939, which appears in the Appendix.]

WORK PROJECTS ADMINISTRATION PROGRAM IN PENNSYLVANIA

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD a letter from Col. F. C. Harrington, Commissioner of the Work Projects Administration, giving information concerning the Work Projects Administration program in Pennsylvania, which appears in the Appendix.]

THE NEGRO IN AMERICAN POLITICS—ADDRESS BY EARL W. MANN

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD a radio address delivered by Lt. Earl W. Mann on the subject The Negro in American Politics, which appears in the Appendix.]

LAND OWNERSHIP

Mr. LEE. Mr. President, I wish to read a portion of an editorial from the Washington Times-Herald of January 26, published under the heading "Love of the land":

LOVE OF THE LAND

William C. Bullitt, former Ambassador to Russia, tells this story: He attended a dinner a few years back in Moscow with some of the old Bolsheviks who subsequently were purged—Zinovieff, Kameneff, and Bukharin. They were talking about the early days of bolshevism, when Communist Russia was struggling for its existence. They were conferring with Lenin about the menacing drive of the White Russian armies when he surprised them by saying that he believed the peasants ought to be allowed to own their farms, just as in capitalist countries. Several of the old Bolsheviks present replied: "Oh, no. We couldn't vote for that. It would be contrary to orthodox Marxism."

Whereupon Lenin retorted: "You fools, don't you understand? Let the peasants feel the land; hold it; run it through their hands. Then they will fight for it against the returning landlords, and win. Afterward we can take it away from them and communize it." Which is just what Lenin did. The peasants, fighting for their own land, put up a magnificent battle. The Whites were driven back, and out. The allied expeditionary forces in Siberia were stopped dead. Russia became a great power. Whereupon the farms were collectivized.

The Finnish-Russian war presents a parallel today. The Finns are fighting for their own land. Wise legislation, dating back some years, broke up most of the great Finnish estates and distributed the land among the peasants.

The Russians are fighting for their collectives, and, consequently, fighting with a remarkable lack of zeal.

The love of Americans for the land is one of our great national traits. Witness such plays as Tobacco Road and such motion pictures as *The Grapes of Wrath*.

Mr. President, I have not as yet read the *Grapes of Wrath*, though I understand California got the grapes, and Oklahoma got the wrath.

But to speak seriously, love of the land is inherent with mankind. In the springtime it is just as natural for a man to want to dig in the soil as it is for heavy bodies to gravitate toward the center of the earth. There is a strong desire in almost every human soul to own some land. There is nothing that gives quite the feeling of security that the owner of land has when he feels the soil under his feet. There used to be a kind of ceremony when land passed from the ownership of one person to another. This was the sod and twig ceremony in which the new owner was given a piece of sod to feel in his hands and a twig from a tree that grew on the land, as visible attestations of his ownership of the land. The Chinese have long recognized this love of land as indicated in Pearl Buck's famous book, *Good Earth*.

There is something inspiring and majestic about the feel of ownership. As a man walks on his own soil and gets the feeling that there is something firm and substantial under him, it makes a man of him, willing to die if need be for that small plot of earth, but which is even more important, it makes him willing to live, work, suffer, and sacrifice in order that he may continue to own that land.

This desire to own land is one of the most powerful motivating influences inherent in humanity. Because of it, America was settled in an unbelievably short time. This urge to own land pushed our frontier farther and farther west at a rapid pace. This desire to own land caused pioneers to face the dangers and hardships of frontier life.

The news of the opening of a new frontier spread like wildfire, and almost overnight hordes of land-hungry people were pouring into the new territory. Fifty years ago teeming thousands of land-hungry people waited the signal on the Kansas-Oklahoma border. They waited the signal that would open new land to settlement in the Territory of Oklahoma.

Every one of these new settlers had dreams of an empire and that empire was 160 acres of land, and the ruler of that empire was the settler himself. As these settlers became homesteaders, the feeling of ownership was strong upon them. They became rooted to the soil. They became part of the community. They lived on little and did without much. Their sacrifice was cheerfully made because of the hope of full and complete ownership of that tract of land. No matter whether the soil was rich, fertile alluvial bottom land or whether it was thin, unproductive hill country, that pride of ownership, that feeling of possession was the same. The owner was willing to live heroically in order that he might be lord of all he surveyed so far as that plot of ground was concerned. Yes, he was even willing to die, as many did, in defense of his undisputed ownership of that land.

Show me a community where the inhabitants are not the owners, and I will show you a community that is run down at the heels. But show me a community of home owners, and I will show you a community where the people are interested in schools and churches, and all other civic improvements.

In the pioneer days of America's development, farm ownership was increasing, but today it is decreasing. Forty-two percent of the farmers of America do not own the soil they till. Sixty-one and two-tenths percent of the farmers of Oklahoma do not own the land they farm. It seems that in the light of all of the plain lessons of history, we should recognize the wisdom of allowing our people to own their own farms. If we want to keep the system of private ownership of property in America, we should allow more people an opportunity to own property. Then they will want to retain the system in order to keep their property.

Mr. SMITH. Mr. President, will the Senator yield?

Mr. LEE. I yield.

Mr. SMITH. May I ask the Senator what he means by saying we should allow people to own land?

Mr. LEE. We should allow them the opportunity. Provide the opportunity for them to own land is a better phrase.

Mr. SMITH. I was merely wondering what was meant by "allow." I know that that is a proper word, but I wanted to hear the Senator's explanation.

Mr. LEE. "Provide" is a better word, and I thank the Senator for his suggestion, because I am sure that he is also desirous that we establish a program which will provide an opportunity for farmers to own the land which they till.

I wish to announce here and now that it is my intention to resist with all the vigor I have any effort to cut down appropriations for the farm program. It is my intention to exert every effort in support of parity payments and a complete soil-conservation program.

It is my firm conviction that the low income of the farmer is the beginning of our economic ills, because when the farmer has money the merchant has a customer and the factory has a market.

Furthermore, we must increase the farmer's income if we are ever to solve the farm-tenant problem. It is of no use to provide means whereby farm tenants can become farm owners unless we increase and stabilize the farmers' income, because they would only lose their farms again.

The security of our Nation itself depends upon the ownership of land by the people, and the ownership of that land depends upon fair farm prices.

The owners of land make the best citizens in times of peace because they have more to live for. The owners of land make the best soldiers in times of war because they have more to die for. It is easy to understand how the gallant, home-owning, home-loving soldiers of Finland have put to rout the poor, ignorant, homeless, landless peasants of Russia. Now is an opportune time for America to take advantage of this dominating incentive to own land and set up a program that will bring the homeless man to the homeless land and not only rehabilitate the abandoned homesteads but rehabilitate the men themselves by providing for them the opportunity to become owners of the soil.

ORDER DISPENSING WITH CALL OF CALENDAR

The VICE PRESIDENT. The routine morning business is concluded. The calendar under rule VIII is in order.

Mr. BARKLEY. I ask unanimous consent that the call of the calendar be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. BARKLEY. Mr. President, it had been hoped that the Senate might proceed today to the consideration of the independent offices appropriation bill; but on account of the unavoidable absence of two or three Members of the Senate who are vitally interested in certain items of the bill it will be impossible to take up the bill today. It is, therefore, my purpose to move that the Senate adjourn until next Tuesday. The National Democratic Committee will be in session in this city on Monday to decide the time and place at which the next President of the United States will be nominated. A number of Senators are members of the National Democratic Committee, and in order that they may attend the meeting of the committee it has been suggested that the Senate not have a session on Monday. In view of the condition of the calendar, I think no time will be lost by adjourning until Tuesday.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from New Hampshire.

Mr. TOBEY. Mr. President, the Senator from Kentucky has just made a statement—inadvertently, I assume—which is manifestly incorrect. He stated that a meeting of the Democratic National Committee was to be held here in Washington next Monday to decide on the date and meeting place of their convention which would nominate the "next President of the United States." That last clause is incorrect. It is an unwarranted assumption.

Let me remind the Senator that there are two national committees that will meet on different dates here in Washington to decide on a date and place of holding their respective national conventions, the purpose of these meetings being identical. I cannot let his statement go unchallenged.

His wish is father to his thought; but, happily, the people will determine the election.

Mr. BARKLEY. I desire to say to my friend from New Hampshire that my remark on that subject was not inadvertent, but was deliberate.

Unless there is some further matter to come before the session, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations on the calendar.

DISTRICT OF COLUMBIA

The legislative clerk read the nomination of Melvin C. Hazen to be Commissioner of the District of Columbia.

Mr. BARKLEY. Mr. President, the Senator from South Carolina [Mr. BYRNES] asked that that nomination go over. He is not present.

The VICE PRESIDENT. Without objection, the nomination will be passed over.

THE JUDICIARY

The legislative clerk read the nomination of Albert M. Rowe to be United States marshal for the northern district of West Virginia.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

NAVY DEPARTMENT

The legislative clerk read the nomination of Lewis Compton to be The Assistant Secretary of the Navy.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the nominations are confirmed en bloc.

IN THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. MINTON. I ask unanimous consent that the nominations in the Army be confirmed en bloc.

The VICE PRESIDENT. Without objection the Army nominations are confirmed en bloc.

That completes the Executive Calendar.

ADJOURNMENT TO TUESDAY

Mr. BARKLEY. As in legislative session, I move that the Senate adjourn until Tuesday next.

The motion was agreed to; and (at 12 o'clock and 15 minutes p. m.) the Senate adjourned until Tuesday, February 6, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 2, 1940

UNITED STATES ATTORNEY

John B. Tansil, of Montana, to be United States attorney for the district of Montana. (Mr. Tansil is now serving in this office under an appointment which expired June 20, 1939.)

UNITED STATES MARSHAL

Raymond E. Thomason, of Alabama, to be United States marshal for the northern district of Alabama, vice Alex Smith, resigned.

COLLECTOR OF CUSTOMS

Joseph T. Sylvester, of Portland, Maine, to be collector of customs for customs collection district No. 1, with headquarters at Portland, Maine, to fill an existing vacancy.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 2, 1940

NAVY DEPARTMENT

Lewis Compton to be The Assistant Secretary of the Navy.

UNITED STATES MARSHAL

Albert M. Rowe to be United States marshal for the northern district of West Virginia.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

Capt. Charlie Quillian Lifsey to Quartermaster Corps.

Second Lt. Alfred Allen Maybach to Coast Artillery Corps.

PROMOTIONS IN THE REGULAR ARMY

Robert Leland Schock to be chaplain, with the rank of captain.

John Oscar Woods to be chaplain, with the rank of captain.

James Rhea McDowell to be lieutenant colonel, Medical Corps.

John Brancato to be captain, Medical Corps.

Eldred La Monte Gann to be captain, Medical Corps.

Thayne Foster McManis to be captain, Dental Corps.

Francis Emmett Cummings to be captain, Dental Corps.

Don Lee Mace to be captain, Veterinary Corps.

Paul Bertram Rupp to be chaplain with the rank of lieutenant colonel.

APPOINTMENTS IN THE NATIONAL GUARD OF THE UNITED STATES

Charles Francis Bowen to be brigadier general, Adjutant General's Department, National Guard of the United States.

John Francis Williams to be major general, National Guard of the United States.

POSTMASTERS

ILLINOIS

Charles C. Klauser, Shelbyville.

LOUISIANA

Charles Hugh McGowen, Jeanerette.

John A. Burleigh, Port Barre.

James W. Melvin, Trout.

MASSACHUSETTS

Sylvester D. Conley, Ipswich.

NORTH DAKOTA

August M. Bruschwein, Driscoll.

Raymond E. Campion, Willow City.

OKLAHOMA

Eva E. Curry, Chandler.

WEST VIRGINIA

Franklin J. Maxwell, Clarksburg.

Hugh Dunn, Richwood.

Oliver C. Barkwell, St. Marys.

Charles B. McCray, Webster Springs.

HOUSE OF REPRESENTATIVES

FRIDAY, FEBRUARY 2, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father, to whom our lives are bound with ties that death cannot break, Thou who art the God of our fathers, we praise Thy name. For Thy boundless gifts, for friendships near and far, and for the blessed triumphs of the cross we give Thee thanks. We pray that the power of Christian truth may be the inspiration of men, that they may learn contentment and use all things which Thou has created without abusing them. O Thou who art a merciful high priest, touched with a feeling of our infirmities yet without sin, separate our sins from us as far as the east is from the west, for as the heavens are high above the earth, so great is Thy mercy toward them that fear Thee. Let the words of our mouths and the meditations of our hearts be acceptable in Thy sight, O Lord, our strength and our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 5634. An act granting 6 months' pay to Sidney M. Bowen;

H. R. 5734. An act for the relief of World War sailors and marines who were discharged from the United States Navy or United States Marine Corps because of minority or misrepresentation of age; and

H. R. 6124. An act giving the consent of Congress to the addition of lands to the State of Texas and ceding jurisdiction to the State of Texas over certain parcels or tracts of land heretofore acquired by the United States of America from the United Mexican States.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 8067. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1940, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 323. An act for the relief of E. C. Beaver, who suffered loss on account of the Lawton, Okla., fire, 1917; and

S. 766. An act for the relief of the Missoula Brewing Co.

The message also announced that the Senate had passed bills, a joint resolution, and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 2346. An act for the relief of Beryl M. McHam;

S. 2992. An act to authorize an exchange of lands between the Richmond, Fredericksburg & Potomac Railroad Co. and the United States, at Quantico, Va.;

S. 3012. An act to amend the act entitled "An act making appropriations for the Naval Service for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902 (32 Stat. 662), relative to the payment of the commuted rations of enlisted men;

S. 3068. An act to provide an additional sum for the payment of a claim under the act entitled "An act to provide for the reimbursement of certain personnel or former personnel of the United States Navy and United States Marine Corps for the value of personal effects destroyed as a result of a fire at the Marine Barracks, Quantico, Va., on October 27, 1938," approved June 19, 1939;

S. 3174. An act to authorize the Secretary of the Navy to accept, without cost to the United States, a fee-simple conveyance of 16.4 acres, more or less, of land at Floyd Bennett Field in the city and State of New York;

S. 3200. An act to provide for the rank and title of lieutenant general of the Regular Army in the military departments of Panama and Hawaii;

S. J. Res. 71. Joint resolution relating to pay to certain employees of the Government Printing Office for uncompensated leave earned during the fiscal year 1932; and

S. Con. Res. 32. Concurrent resolution authorizing the appointment of a joint committee to make arrangements for the inauguration of the President-elect of the United States in 1941.

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. GIBSON members of the Joint Select Committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of executive papers in the following departments and agency:

First. Department of Agriculture.

Second. Department of the Interior.

Third. Department of Labor.

Fourth. Department of the Navy.

Fifth. Department of the Treasury.

Sixth. General Accounting Office.

PERMISSION TO ADDRESS THE HOUSE

Mr. KLEBERG. Mr. Speaker, I ask unanimous consent to speak for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KLEBERG. Mr. Speaker, on Monday next at half past 9 a conference will be held in the House Committee on Agriculture room to which Members representing cotton-growing States are invited. A large group from several States will be up here to discuss the matter of obtaining sufficient funds to carry on control efforts looking to the prevention of an invasion by the pink bollworm into the Cotton Belt.

I sincerely hope that all Members from cotton-growing States will take time out and be on hand Monday morning at 9:30 o'clock in the House Committee on Agriculture room.

[Here the gavel fell.]

LEAVE OF ABSENCE

Mr. LUDLOW. Mr. Speaker, my colleague the gentleman from Indiana [Mr. BOEHNE] is indisposed, and I ask unanimous consent of the House that he may be excused from today's session of the House.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

EXTENSION OF REMARKS

Mr. BOLLES. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a United Press dispatch having to do with the withdrawal of the Ambassador of Great Britain from Russia. It is very short.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PIERCE. Mr. Speaker, Henry A. Wallace, Secretary of Agriculture, needs no defense from me, because his place in the hearts of our farm people is fixed and secure. In the more than 6,000,000 farm homes of America his name is known and honored. In the vast majority of those homes the work he has performed is understood and appreciated. He has made an indelible impression. The President was fortunate, indeed, to find such an able, fearless representative of the

farmers of America to preside over the vast number of agencies known as the Department of Agriculture.

In March 1933, when Secretary Wallace took office as a member of the Cabinet, the farmers of America were moving rapidly toward penury and peasantry. In my own section there was an extremely small percentage of the farmers who were solvent. They were hopeless; they were helpless; they knew not which way to turn. We who met in the Congress at that extraordinary session will never forget those conditions we faced—banks gone everywhere; farm-mortgage foreclosures taking place; pitchfork brigades on the roads and gatherings before county courthouses; wheat, 25 cents a bushel; cotton, 5 cents; corn, 10 cents; despair everywhere.

It was under the guidance—it was under the unequalled generalship of Secretary Wallace that the old A. A. A. was passed and put into operation. The plan was thrillingly democratic. Nonpartisan committees were organized from ocean to ocean to carry into effect the laws enacted by that Seventy-third Congress, the first Congress in the history of our country to prove itself a real and wise friend and helper of the tiller of the soil. That original A. A. A. Act was based on the fundamental truth that consumers ought to pay for farm commodities a sufficient amount to give the farmer a reasonable cost of production. Yes; the processing tax was enacted, and no more just or fairer law was ever put upon the statute books. Under it the men who till the acres, who work through long hours, the men who raise the crops, the men who feed the workers in offices and industry have regained hope and courage and confidence in our Government.

When consternation again reigned after the Supreme Court decision of January 1936, the one place to which those of us deeply interested in the farmers' problems could turn for leadership was the office of the Secretary in the Department of Agriculture. It is to be regretted that a reactionary Supreme Court gave such a setback and dealt a blow almost fatal to the movement to keep agricultural America from sinking to peasantry.

The great Secretary pointed the way to the conservation program, which was soon enacted. The Conservation Act, unfortunately, calls for a direct appropriation from the Treasury, and it is probable that, through the years, such contribution from the National Treasury must be made in order to conserve the soil and the resources of America. Such appropriation is wholly justified, as are appropriations to protect and conserve the rivers, harbors, and forests. In all this struggle for economic stability and for justice the leader was the Secretary of Agriculture, who never lost faith.

When the Congress saw fit to make an appropriation for partial parity payments on leading agricultural commodities, the Secretary of Agriculture again led the way and arranged the distribution of appropriated funds. With all the millions of dollars that have gone out of the Treasury of the United States to the farm homes of our land—payments ranging from a few dollars to many hundreds—there never has been a question of scandal raised. The committees which have made the distribution have been nonpartisan, selected without reference to their religion or their politics. The success has been due to the management and high character of Henry A. Wallace, the greatest Secretary of Agriculture that America has ever seen, the strongest and wisest friend of the farmer ever to fill that high position.

It is to be regretted that any minor incident or any remark made in the heat of the battle to maintain farm security should have been seized upon as a basis for criticism, by one of the ablest men of this House to whom we look for leadership in appropriation matters. I think it is true that if a blow is dealt our agricultural population at this time and by this House, it will be bitterly resented and that resentment will be shown in the good old American method—by the vote. Fear of an adverse vote should not and will not be the determining factor in our action. I feel most deeply that, in seeking to hold important appropriations for agriculture we are but doing justice and giving permanence and stability to the most valuable program initiated by our Government. Cessation of these activities will be unwise and extravagant because the

program, if discontinued through false economy, must be revived. What will the Nation think of an economy program beginning and ending with the farmer?

Secretary Wallace will be remembered as a man who put farm welfare above party allegiance. Can we not all do the same and now demonstrate our sincere and deep concern for those struggling to maintain our basic and fundamental industry—agriculture? [Applause.]

MEETING OF COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute to make an announcement.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, I want to say to the veterans of the World War who are Members of the House that tomorrow morning we are going to have the national commanders of the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, and other veterans' organizations with us in the World War Veterans' Committee room, 356 old House Office Building.

I wish to invite the World War veterans who are Members of the House to come over and meet these commanders at 10 o'clock tomorrow, Saturday, morning.

EXTENSION OF REMARKS

Mr. THORKE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record, and to include excerpts from the origin of the Balfour declaration, and from a book entitled "Democracy and the World Dominions."

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record in regard to the Bonneville project, and to include therein a brief statement from the United States News.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HARE. Mr. Speaker, on day before yesterday I made some remarks that were predicated on a table furnished me by the State Department and, inadvertently, I failed to include that in the remarks as published in the Record. I therefore ask unanimous consent, Mr. Speaker, that the remarks may be reprinted and the table inserted in order that the remarks may be reasonably intelligible.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record, and to include two speeches made at the dedication of the Madison (Conn.) Post Office last Saturday.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

CALL OF THE HOUSE

Mr. SPRINGER. Mr. Speaker, I make the point of order that there is not a quorum present.

The SPEAKER. Evidently there is not a quorum present.

Mr. RAYBURN. Mr. Speaker, I move a call of the House. A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 16]

Allen, Pa.	Cole, N. Y.	Fay	Holmes
Anderson, Mo.	Culkin	Fernandez	Hook
Barry	Darden	Fish	Jarrett
Beam	Darrow	Fitzpatrick	Jones, Ohio
Bell	Delaney	Folger	Kelly
Boehne	Dickstein	Ford, Thomas	Kennedy, Martin
Buck	Dies	Fries	Kennedy, Michael
Buckley, N. Y.	Disney	Gavagan	Kirwan
Burdick	Dondero	Geyer, Calif.	Kramer
Byrne, N. Y.	Douglas	Gifford	Landis
Cartwright	Dowell	Gille	Lanham
Celler	Elliott	Gross	McAndrews
Chapman	Faddis	Havener	McGranery

McLean	Sabath	Smith, Ohio	Tinkham
Maas	Sacks	Snyder	Weaver
Merritt	Sasser	Somers, N. Y.	White, Idaho
Mouton	Satterfield	Steagall	White, Ohio
Murdock, Utah	Schwert	Stearns, N. H.	Winter
Myers	Secrest	Sullivan	
Pfeifer	Sheridan	Sweeney	
Reece, Tenn.	Smith, Ill.	Taylor	

The SPEAKER. Three hundred and forty-one Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include two certain tables which I have prepared myself and one brief table from the Treasury report of the United States Treasury.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

By unanimous consent, Mr. LEMKE was granted permission to revise and extend his own remarks in the RECORD.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1941

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 8202) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1941, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8202, with Mr. COLE of Maryland in the chair.

The Clerk read the title of the bill.

The Clerk read as follows:

Phony peach and peach mosaic eradication: For determining and applying such methods of eradication, control, and prevention of spread of the diseases of peach trees known as phony peach and peach mosaic as in the judgment of the Secretary of Agriculture may be necessary, including cooperation with such authorities of the States concerned, organizations of growers, or individuals, as he may deem necessary to accomplish such purposes, including the certification of products out of the infested areas to meet the requirements of State quarantines, \$89,800: *Provided*, That no part of the money herein appropriated shall be used to pay the cost or value of trees or other property injured or destroyed.

Mr. WOODRUM of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, on yesterday my very good friend the distinguished gentleman from North Carolina [Mr. COOLEY], in addressing the House, made this statement, referring to the Appropriations Committee and its action on the Department of Agriculture bill:

The committee is apparently now dominated by the ideas of the gentleman from Virginia [Mr. WOODRUM].—

And so forth. Now, Mr. Chairman, I wish I might accept the compliment paid to me by my good friend from North Carolina and take credit for the serious effort which the Appropriations Committee is putting forth in trying to reduce appropriations.

Let me say this: The Appropriations Committee is the servant of the House. It has taken no action and can take no action that is not subject to review by this body and change at your pleasure. I certainly speak for myself, and I believe I speak for the gentleman from Missouri [Mr. CANNON], in saying that I have always accepted, I hope with good grace, whatever the ultimate judgment of the House may be on any action taken by our committee. But if the Appropriations Committee is trying to cut down expenditures, trying to balance the Federal Budget, trying to save the financial structure of our Nation, let us see whose idea it is.

Mr. ZIMMERMAN. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I only have 5 minutes, but I yield to the gentleman.

Mr. ZIMMERMAN. I will ask the gentleman from Virginia, if, as a member of the Appropriations Committee, he does not feel and believe that it is the duty of this committee to try to carry into effect the action of this Congress—the expressed will of this Congress in legislation passed?

Mr. WOODRUM of Virginia. It always does that without exception.

Mr. ZIMMERMAN. Now, I will ask my friend if the Appropriations Committee has not ignored the express will of Congress, namely, that the farmers of this country should have parity, or that an effort should be made to give the farmer parity for his products, and if this committee has not deliberately ignored and tried to set aside that legislative mandate and action of this Congress?

Mr. WOODRUM of Virginia. Mr. Chairman, that is a splendid question. May I have 5 additional minutes, because I want to try to answer the question.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia that he may have 5 additional minutes?

There was no objection.

Mr. WOODRUM of Virginia. Now, my distinguished and learned friend asks a very proper and a very pertinent question. The answer to that question is "No."

The gentleman asked me whether the committee, in not giving the farmer parity, had not ignored the action of Congress. I say to you that the Congress last session, in overriding the action of the Appropriations Committee, and writing parity appropriations into the law, when they did not raise the taxes as the 1938 agricultural bill required them to do, took action over and above the Budget and against the recommendation of the President of the United States. The 1938 agricultural bill, for which I voted, provides a system by which parity may be put into effect, but it also provides that if and when that is called into effect the Congress should levy a processing tax or some sort of a tax to raise the revenue.

Mr. PACE. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. PACE. Does the gentleman mean to say that the Agricultural Adjustment Act conveys language of that kind?

Mr. WOODRUM of Virginia. I did not mean to state just that. I said the act provided for parity, which the President signed. The President signed it with reservations, and he said if parity was to be put into effect we ought to raise the required funds by new taxes. Last year we put in parity, and we did not raise the taxes.

Now, if the gentleman is thinking that by not bringing in funds for parity we ignored the law, I will say that funds for parity was not recommended by the Budget this year to the Congress. We had no Budget estimate for parity payments, and, as I understand, that is not involved here now. But on the farm-tenancy question the Appropriations Committee did not bring in the item of \$25,000,000.

Let me say this to you: There are some several billions of dollars' worth of authorizations which this Congress has made that the Appropriations Committee has never brought in appropriations for. If we would bring in to you an appropriation bill providing for everything that Congress has authorized, then there would be chaos and confusion.

Now, before the time runs on me, I want to go back to the proposition which I took the floor to speak about. Whose idea is it that we ought to try to cut down public expenditures and put reason and logic and sanity into our appropriation work? I want to read what the President of the United States said about the subject, speaking of deficit financing and unbalanced budgets:

With the utmost seriousness I point out to the Congress the profound effect of this fact upon our national economy. It has contributed to the recent collapse of our banking structure. It has accentuated the stagnation of the economic life of our people. It has added to the ranks of the unemployed. Our Government's house is not in order, and for many reasons no effective action has been taken to restore it to order.

Upon the unimpaired credit of the United States Government rest the safety of deposits, the security of insurance policies, the

activity of industrial enterprises, the value of our agricultural products, and the availability of employment. The credit of the United States Government definitely affects these fundamental human values. It therefore becomes our first concern to make secure the foundation. National recovery depends upon it.

Too often in recent history liberal governments have been wrecked on rocks of loose fiscal policy. We must avoid the danger.

It is too late for a leisurely approach to this problem. We must not wait to act several months hence. The emergency is accentuated by the necessity of meeting great refunding operations this spring.

We must move with a direct and resolute purpose now. The Members of the Congress and I are pledged to immediate economy.

Mr. KELLER. What was the date of that speech?

Mr. WOODRUM of Virginia. The date of that was 7 years ago.

Mr. KELLER. Oh, I see.

Mr. WOODRUM of Virginia. What was true 7 years ago is doubly true now, because the national debt is higher. We are up against the ceiling of the national debt. The President of the United States recognizes that it is true, because he has brought a Budget here and asked the Congress to help him to reduce the deficit this year \$2,000,000,000. The President knows it is necessary to do this. If it was true in 1933 that an unimpaired credit of this Nation was the lifeblood of the Nation, it is still true in 1940. The effort to reduce expenditures now being attempted by the Appropriations Committee of this House, whatever may be your ultimate pleasure, is certainly the action we are taking in line with every pledge and every policy that our party, which is in power, has given to the American people in the last 7 years.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes; I yield to the distinguished gentleman from Kentucky.

Mr. MAY. The gentleman made the statement on yesterday that in 1933, when we were in the very depths of the depression, appropriations for the farm program were about \$500,000,000. In this bill the committee brings in \$1,185,115,315. In view of this, regardless of what conditions are, I do not believe the committee should be subject to criticism or charged with stinginess.

Mr. WOODRUM of Virginia. I do not believe there is a Member of this House who does not want to do all that he can to help this situation. The Budget for relief is cut almost 50 percent. That will come a little later. The President's Budget calls for \$1,125,000,000 as against \$1,475,000,000 for the current fiscal year. In view of this it is not right to say that all the cut is being put upon agriculture. There have been no cuts in this bill that are going to seriously affect the fundamental problem of agriculture we ought to be dealing with, and that is to try to put agriculture on an economically sound basis.

Mr. FLANNAGAN. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to my colleague from Virginia.

Mr. FLANNAGAN. As I recall, the gentleman stated that the Agricultural Adjustment Act provides that in the event Congress makes appropriation for parity payments, the revenue shall be raised by a processing tax.

Mr. WOODRUM of Virginia. No; I did not mean to say that if I said it. My recollection is that the President said that when he signed the bill.

Mr. FLANNAGAN. But that is not in the Agricultural Adjustment Act.

Mr. WOODRUM of Virginia. The gentleman is correct. My recollection is that the President hesitated about signing that bill and that when he did sign it he did so with the statement that if parity was called into effect it should be provided for by taxation; and that it was stated last year by the President in press conferences that if Congress provided parity they ought to provide a tax to take care of it. [Applause.]

[Here the gavel fell.]

The Clerk read as follows:

Barberry eradication: For the eradication of the common barberry and for applying such other methods of eradication, control, and prevention of spread of cereal rusts as in the judgment of the

Secretary of Agriculture may be necessary to accomplish such purposes, \$150,000: *Provided*, That, in the discretion of the Secretary of Agriculture, no expenditures from this appropriation shall be made for these purposes until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by States, counties, or local authorities, or by individuals or organizations for the accomplishment of such purposes: *Provided further*, That no part of the money herein appropriated shall be used to pay the cost or value of property injured or destroyed.

Mr. KELLER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I want to call the attention of the gentleman from Virginia and the members of this committee to the fact that immediately after the message from which he quoted was written, the President of the United States signed a bill appropriating \$4,800,000,000, because when he had analyzed the situation facing this country he knew it was necessary to do that. He has gone on doing that and he has pointed out that we are in no danger from lack of balancing our Budget at all. He pointed out what I have been saying over and over again in this House that at the end of the Civil War this country owed 17½ percent of its total national wealth. At the present time it owes less than 9 percent. Yet we paid that 17½ percent without difficulty; and if we had to pay three times 17½ today, we could do it as easily as we paid the original 17½, because at the present moment every man in America when he is at work is producing three times as much wealth as his ancestors were doing at the time of the Civil War. Therefore we can produce just three times the amount of wealth now that we could then.

Mr. TABER. Will the gentleman yield?

Mr. KELLER. I yield to the gentleman from New York.

Mr. TABER. When does the gentleman propose that we begin to pay up on the debt?

Mr. KELLER. I am glad the gentleman asked that question. I am going to answer it for him. Our national income had fallen below \$40,000,000,000 for the calendar year 1933.

We had fallen at that time below \$40,000,000,000. By Government spending for public improvements the national income began to go up and up and up. For 3½ years, by making appropriations from the National Treasury, we kept on until we reached a national income of nearly \$70,000,000,000 for the fiscal year 1937.

Mr. TABER. Was that a good time to begin cutting?

Mr. KELLER. If we had known enough to have gone on and increased expenditures, instead of cutting them to the bone, as we did in 1936, which brought on the recession of 1937, we could have brought our national income up to \$100,000,000,000 a year within the next 3 years. With our present rate of taxation we could then take \$5,000,000,000 a year—sufficient to keep every man at work and at the same time begin paying off what we owe. At the same time, I repeat, we could keep every man at work in the United States who wants to work. That is what we are going to do when we open our eyes to the facts.

Mr. RANKIN. Will the gentleman yield?

Mr. KELLER. I yield to the gentleman from Mississippi.

Mr. RANKIN. May I say to the gentleman from New York [Mr. TABER] that you are never going to even begin to balance the Budget until you restore the purchasing power of the American farmer.

Mr. KELLER. That is true.

Mr. TABER. And you are not going to restore purchasing power until you balance the Budget.

Mr. RANKIN. You never have restored anybody's purchasing power by balancing the National Budget; you must restore his purchasing power first.

Mr. TABER. Oh, yes; we have.

Mr. RANKIN. If you are going to balance the Budget, you have first got to restore the purchasing power of the American farmer by raising the prices of the farmers' crops.

Mr. KELLER. You can only restore purchasing power by raising the national income. That is where we are making our great mistake. We have to raise our national income. That is the only solution of the question. Any man who studies the matter seriously will agree with that statement.

Mr. SCHAFFER of Wisconsin. Will the gentleman yield?

Mr. KELLER. I yield to the gentleman from Wisconsin.

Mr. SCHAFFER of Wisconsin. Is the gentleman endeavoring to increase our national income in this manner? Should the Federal Government go into bankruptcy and into inflation, the national annual income will be many hundred billion dollars, as it was in Germany during inflation.

Mr. KELLER. If the gentleman had listened to what I said in reference to percentage of our indebtedness at the end of the Civil War, he would know a better answer than he asks for, because he can think when he really tries real hard to do so. All we have to do is raise our national income. Taxes do not hurt anybody when money is being made. It is the fellows who do not have money with which to pay taxes who get hurt. Whenever they are making money, you do not hear anything about paying taxes. I am going to present this entire subject in an address in the near future and submit the official figures in support of my position in this whole matter.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I am very much interested in seeing the Members of the House so interested in raising the national income. I want to quote from a speech made by the President of the United States on October 19, 1932, at Pittsburgh in Pennsylvania, and I might add that the President made many fine prelection pledges to the American people and he uttered some statements that should be reiterated today by him and should be heeded by him and by the Congress.

I quote from the President's speech:

The credit of the family depends chiefly upon whether that family is living within its income. And that is equally true of the Nation. If the Nation is living within its income, its credit is good.

If Government lives beyond its income for a year or two, it can usually borrow temporarily at reasonable rates. But if, like a spendthrift, it throws discretion to the winds and is willing to make no sacrifice at all in spending; if it extends its taxing to the limit of the people's power to pay and continues to pile up deficits, then it is on the road to bankruptcy.

No truer statements were ever made by any man. It is very discouraging, it seems to me, to have Members of Congress get up here and say that all we have to do is spend, spend, spend, but I want to tell you that a man who says that never had a dollar of his own that he could pile up to pay any obligations he was going to have to meet, because after a while he would be just one step ahead of the sheriff and then pretty soon the sheriff would get him. The Members of Congress who are always talking about spend, spend, spend, never met a pay roll.

Mr. KELLER. Mr. Chairman, will the gentleman yield for a question?

Mr. RICH. I do not have time.

Mr. KELLER. Will the gentleman permit me to suggest since he has thrown that accusation at me, that the gentleman is entirely mistaken. I have gone out and made more money than the gentleman ever did, and that money was not given to me, and I always met my pay rolls.

Mr. RICH. I am glad of that. We talk in such large figures here that it almost paralyzes me. I should like to see the gentleman's pay roll and I should like to see some of that money he has. I am sure I am not in that class and it would be nice to look in on such a large amount of money. I am sure I never have had any quantity of money given to me.

Mr. KELLER. I can show it to the gentleman.

Mr. RICH. If the gentleman will pay his share of the Government's debt, that is all right. And he should for I believe the more a man makes the more he should pay for Government upkeep.

Mr. KELLER. I am doing it.

Mr. RICH. The trouble is that the poor fellow does not have anything, and he is the fellow we are trying to help now. We want to equalize our wealth on merit and in a sound manner.

I have heard some Members of Congress in the last 2 or 3 years say that we do not intend to pay the national debt. I have heard men that have spoken on the floor of the House

today make that very statement. I tell you it is a pretty serious situation in which we find ourselves when Members of Congress say we do not intend to pay our national debt.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. Would the gentleman suggest that our distinguished colleague from Illinois might be made Secretary of the Treasury so he could put into operation some of the wonderful policies by which he did so well?

Mr. KELLER. That might be a good suggestion.

Mr. RICH. It would be a good thing to have somebody in the Treasury that would stop the spending. The gentleman from Illinois would be a misfit in my judgment as Secretary of the Treasury; he wants to spend, spend, spend. What are we doing for the farmers? That is our problem now.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. RICH. I shall not yield any more now. If the gentleman will get me more time, then I shall yield.

What are you doing for the farmers? I want to help the farmers. I am interested in the farmers in Pennsylvania and in the Nation. Let me show you the way we have been operating the Department of Agriculture and what we have spent since 1932 for agriculture.

In 1932 we appropriated \$102,207,029. In 1933, \$185,290,670; 1934, \$504,438,295; 1935, \$857,152,312; 1936, \$656,806,055—just watch the agriculture appropriation grow—1937, \$669,580,887; 1938, \$693,241,142; 1939, \$1,161,987,200; 1940, \$1,274,582,302.

In 9 years the appropriations for the Department of Agriculture have increased over 1,200 percent.

What are we doing for the farmers of this country? Let me tell you that if you get the leeches off the Department of Agriculture that are sucking away from the farmers the money that we appropriate, and if you give the money to the farmers, you will be doing better. The trouble is you have too many hangers-on in the Department of Agriculture. Let us take care of the farmer who farms and not the politician who is paid the money the farmer should get. [Applause.]

[Here the gavel fell.]

Mr. SOUTH. Mr. Chairman, I am not used to dealing in high finance like the gentleman from Illinois and the gentleman from Pennsylvania and, therefore, I am speaking about an item involving a comparatively small amount of money, namely, the restoration of the farm purchase item of \$25,000,000, under the farm-tenancy program.

Something was said the other day about a program that was instituted some years ago in South Dakota, and I wish the gentleman from Illinois [Mr. DIRKSEN], if he is present, to listen to what I have to say on this subject. I have made some investigation of the matter and I find that in South Dakota they did not have in truth and in fact a farm-purchase program. They put on a program in that State largely for the purpose of bailing out some banks and some finance companies. A good part of the money was spent for purposes other than the purchase of farms. The treasurer of the institution absconded with some \$235,000 of the company's money, and this is a matter of record. I wish to call attention to this further difference, that that program provided for an interest rate of from 5½ to 6 percent and provided that the time for repayment should be from 5 to 30 years, whereas under the present program the interest rate is 3 percent and the time for repayment is 40 years.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. SOUTH. I yield to the gentleman from Virginia.

Mr. WOODRUM of Virginia. The gentleman has given a good deal of thought to this subject. The statement was made by someone yesterday in debate that these farm tenants, after the Government has bought farms for them and set them up and given them special training, are self-sustaining. Is that the gentleman's understanding?

Mr. SOUTH. Absolutely, as it applies to the present program, but not the South Dakota case to which I referred.

Mr. WOODRUM of Virginia. Yes. After the farm tenant has bought the farm, the Government sets him up and gives him special training and instruction, and then he is self-sustaining?

Mr. SOUTH. Yes; and I can substantiate that statement.

Mr. WOODRUM of Virginia. If that is true and if the Government can take a farm tenant who has bought such land and make him self-sustaining, why can they not take the same farmer who already owns the land and make him self-sustaining?

Mr. SOUTH. If the gentleman will listen to my reply—does the gentleman want the information, or did he just want to take up my time?

Mr. WOODRUM of Virginia. No; I did not want to take up the gentleman's time.

Mr. SOUTH. As proof that it is self-sustaining, I will say to the gentleman from Virginia there is now only 2-percent delinquency. As further proof that it is self-sustaining, those farmers have paid back to the Government 50 percent more than is due; many of them are several payments ahead. Does the gentleman challenge either of these statements?

Mr. WOODRUM of Virginia. That is with respect to payment for the land, but I am talking about what he can do after he gets the land. Are you setting him up in a business where he can sustain himself?

Mr. SOUTH. The best answer, I will say to the gentleman, is the fact that he is doing it. There is now only 2 percent delinquency and they have now paid back into the Treasury more than 50 percent in excess of what is due.

Mr. WOODRUM of Virginia. Will the gentleman now answer my question? If the farm tenant can make a living for himself on the farm after the Government has trained him, why cannot the people who already own farms be given that secret formula whereby they can be made self-sustaining?

Mr. SOUTH. If the gentleman will get me more time, I will attempt to enlighten him on that; but I want to say again that the proof of the pudding is in the eating, and the fact they are paying it back demonstrates beyond any reasonable doubt that they can pay it back.

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. SOUTH. I yield to the gentleman from Arkansas.

Mr. TERRY. I think one answer to the question of the gentleman from Virginia is that these local committees, that are organized for the purpose of handling the administration of these farms and in selecting the tenants, select the best tenant they can find to turn these farms over to.

Mr. SOUTH. That is right.

Mr. TERRY. And in that way they get a very superior class of tenant farmers.

Mr. SOUTH. That is correct.

Mr. TERRY. It seems to me that is one answer to the gentleman's question.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. SOUTH. I yield.

Mr. JONES of Texas. I would like to make just this statement: A good many of the farmers have been self-sustaining, but the trouble is that the interest rates have been high and there have been a lot of accumulated charges; but even if the gentleman's statement were true, according to his argument, we ought to abolish the R. F. C., which makes loans to business, when it has protection of the tariff, the burden of which the farmer carries.

Mr. SOUTH. I thank the gentleman for his contribution.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

Mr. SOUTH. I yield to the gentleman.

Mr. ALEXANDER. I think the observation made by the gentleman from Arkansas [Mr. TERRY] is valuable in this connection, but I want to call the attention of the Members to the fact that the appropriations that are being made here for agriculture are for the cotton farmers, the wheat farmers, and so on. As I understand it, under this tenancy program, they are setting up men to carry on diversified farming and,

as you say, on good land, and they are taking them off of relief and making them self-sustaining. Is not that the distinction?

Mr. SOUTH. That is absolutely correct.

[Here the gavel fell.]

Mr. SOUTH. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HOBBS. Mr. Chairman, will the gentleman yield?

Mr. SOUTH. I will have to decline to yield just at this time. I hope I shall have time to yield later. I want to make this brief statement in connection with what the distinguished gentleman from Virginia said yesterday. It is not necessary for me to say to this House that the gentleman from Virginia is one of the ablest and one of the most valuable Members of this Congress. He goes wrong here sometimes, just like the rest of us, as he has done in this case, I think, because he becomes so imbued with the necessity of balancing the Budget that he forgets some of the fundamental problems that this Congress is dealing with and some of the fundamental problems that the Government is going to have to meet; and I may say to my good friend that the remarks he made yesterday, in effect, that the farm program is a failure, is as good a springboard as the Republicans need or want to launch the attack which they are going to make upon the Democratic Party in the coming campaign. He did not make it for that purpose, but, most assuredly, it will serve that purpose and serve it well.

Mr. WOODRUM of Virginia. If the gentleman will permit, I would like to correct the gentleman. I did not make any such statement as that.

Mr. SOUTH. I do not want to be unfair to the gentleman, and if he did not make it, then, of course, this does not apply. You had as well say that because there are patients in the Walter Reed Hospital who have been there 15 years and are still sick men, we should go in and tear down the building, discharge the doctors and the nurses, and do away with the medicine. Why? Because the patients who have been treated there are still sick. However, I submit to you that that would be harsh, that that would be cruel, that that would be inhuman, that that would be unwise, and that that would be unsound.

I say to my friends who are attacking the farm program simply because it has not done everything we would like to have it do, you are not justified in saying it has failed. Neither should you seek to tear down and do away with what we have done.

I want to say to my friends on the Republican side of the aisle that your party in the platform of 1936 had this to say:

The farm problem is an economic and social, not partisan, problem, and we propose to treat it accordingly.

Well, the votes here will answer whether that is being done or not. And further:

We propose to provide for ample farm credit at rates as low as those enjoyed by other industries, including commodity and livestock loans, and preference in land loans to farmers acquiring or refinancing a home.

I want to talk about the farmer that you are going to help acquire a home. This little item of \$25,000,000 is not a gift. It is a loan bearing 3 percent interest. Will it be paid back? Yes. The figures now show that there is 2 percent delinquency. Do you know of any group of borrowers with a record better than that? I say to you that in my section of the country, although there are only a few men benefited by it, the county committees select men known to be progressive. They examine their credit rating. They examine the farming they have been doing. They have their health examined. Therefore, they are able to select the very best men. Those men can, will, and are, paying for their homes. But you say, "It is slow." Of course it is slow. Let me say to my Democratic colleagues one of the mistakes we have made in this Congress during recent years in trying to deal with the

economic problem with which we are faced is that we have tried to move too rapidly. We have not been satisfied with a proposition that is fundamentally and basically sound if it requires a little time to do the job. We have tried to reach up into thin air and snatch down some panacea, some cure-all, that will do the job next week.

I submit to you that of all the money the Federal Government has spent in trying to rehabilitate the farmers of this Nation, the soundest and most satisfactory item is this little item involving \$25,000,000 to lend to the farmers. It ought to be continued. [Applause.]

[Here the gavel fell.]

Mr. HOBBS. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I simply rise to make this observation, that in this program the most intelligent agricultural minds of the Nation have, in a measure, control over the tenants and their farming agenda, whereas with the farmers who are not in the program, all that can be done is to give them advice, which they need not follow unless they care to do so, and which they, notoriously, have failed to follow. That, I think, is the answer to the question asked by the distinguished gentleman from Virginia [Mr. Woodrum]. We can show the way. We can advise all farmers to take it, but if they do not care to, then their blood must be upon their own heads. But in this program, after these tenants have been rehabilitated, there is a measure of control, and that advice must be followed, or else they go off of the program. Therefore they are self-sustaining, because they follow expert advice and the best farming practices.

The point may be illustrated from the observation of each one of us in the rearing of children. Take children to church and the preacher will give them the best advice possible. Some will heed, most will not. But when you have wise, prudent, moral parents in the home, they can see to it that the children follow moral admonition to some extent, and the children's conduct will reflect parental precept and example, because it is backed by parental authority. This program succeeds because of its parent-like interest in, and authority over, the carefully selected beneficiaries.

Mr. GILCHRIST. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I yield gladly to the gentleman from Iowa.

Mr. GILCHRIST. Is it not also true that these farm tenants, being a selected class of tenants, have been getting parity and the other payments that are taken out of this present bill, and that helps them to be economically sound and pay their debts because they have been getting these things?

Mr. HOBBS. Certainly.

Now, just this one word further and I will yield back the balance of my time. It seems to me that the problem here casts the burden upon the distinguished gentleman from Virginia [Mr. Woodrum] and those who follow his school of thought. They should preach to the farmers of America who are not in this program, and who may not be self-sustaining, that they follow the enlightened plan which has been worked out for these tenants and under which these tenants are making good. Our problem is not to progress by coming to a sudden, dead stop, but to go on with this intelligent program which is succeeding, and let the gentleman from Virginia educate the other farmers, who he says are not self-sustaining, to emulate the example of these who are succeeding in making farming pay.

Mr. SOUTH. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I am always glad to yield to the gentleman from Texas.

Mr. SOUTH. Does not the gentleman think it would be disastrous to absolutely abolish this program, now that the machinery has been set up to carry it on; and would it not make it extremely difficult at some future time when we have more money, if that time ever comes, to go back and reinstate it, because they would say it has failed and has been abandoned? As a matter of fact, it has not failed, has it?

Mr. HOBBS. It has succeeded more abundantly than even the advocacy of its authors had prophesied. The gentleman is correct in his thought that it would be far more difficult to reinstate this program than to continue it.

Not only has its wisdom been justified, but it is not costing the Federal Treasury or the taxpayers of America one dime. If you can show me a better investment, one that tops this investment, then there is not a dog in Georgia or a flea on one in Alabama. [Laughter.] This self-liquidating investment builds character and patriotism.

Mr. SOUTH. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. Certainly.

Mr. SOUTH. In a united movement to cut down expenses, the friends of this item have agreed to take a cut of \$15,000,000. It was \$40,000,000 last year. We ask for only \$25,000,000 this year. This represents a substantial cut and, I submit, as great a cut as we ought to be asked to take.

Mr. HOBBS. Certainly; that is true.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I shall be happy to yield to the gentleman from Michigan.

Mr. CRAWFORD. I am interested in getting the gentleman's view on this thought: To what degree does the gentleman attribute the success of these rehabilitated tenant farmers to the close supervision of these families that is exercised in educating them, in training them, in coaching them, and encouraging them?

Mr. HOBBS. I would say 50 percent, and the other 50 percent is attributable to careful selection of the beneficiaries, plus a wise, balanced farming program.

Mr. CRAWFORD. For the particular family?

Mr. HOBBS. Which is worked out not only for the particular family but for any family who wants to make a living on a farm.

Mr. CRAWFORD. What I mean by family is the family in a given locality.

Mr. HOBBS. That is right.

[Here the gavel fell.]

Mr. JONES of Texas. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I want to say just one word in reference to a statement made by my good friend, the gentleman from Virginia. I have great admiration for him, but he states some very striking things sometimes that do not always bear analyzing. He inquired: Why finance the purchase of homes when some of the farmers who already have homes cannot make a go of it? I answer the gentleman's question by hurling a question back at him: Why should the R. F. C. lend billions of dollars to industry when present industry cannot get along without it? It is important sometimes in an emergency to do financing, it is important for some industries to be financed which cannot otherwise be financed. Some farmers are making a go of it. Other agencies are making loans to farmers whose credit is good, who can buy the necessary supplies to carry them along, but this is more, much more, than simply the financing of the current operation of a farm; it is the financing of a method by which he may gain a home. If there is any man here who has visited, as I have, some of the counties where these farm tenant operations are going on, I would like for him to stand up, if he says they are not successful. Here is my good friend, the gentleman from Iowa [Mr. Gilchrist], who just recently went to some of these projects in one county in Iowa. He said he was surprised at the success which the program is making. Am I correct? I ask my colleague.

Mr. GILCHRIST. That is quite true.

Mr. JONES of Texas. Has anybody else actually visited the operations where they are making home owners which will contribute so much to the stability of this Nation? Who says that he has visited such a project and found it not successful? Let him stand up and say where it is.

[Here the gavel fell.]

Mr. LAMBERTSON. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, my greatest objection to this program today, as it has been from the beginning, is the fact that if it is to be comprehensive it has to be on such a large scale that the Federal Treasury could not stand the drain. It is true there are 3 of these rehabilitated tenant farmers in my district, but there are only 21 in the entire State of Kansas.

The harm this program does is that while it helps these few isolated individuals, it is only tantalizing to the many thousands in equal need who are not helped. They see the few favored over themselves; they feel and know that given like opportunities they could have like success, yet they realize the hopelessness of their own situation.

To carry out this program on a scale sufficient to come anywhere near solving the problem would take many billions of dollars, and we know this money is not available and cannot be made available. If we cannot extend the benefits of this program in some degree to all who need it and can qualify for its benefits, we should stop. Let us treat all alike. The results to be attained by the program carried out on the scale as it has been are not sufficient to be more than tantalizing to those who cannot enjoy its benefits.

Mr. SOUTH. Mr. Chairman, will the gentleman yield right there?

Mr. LAMBERTSON. I yield.

Mr. SOUTH. The gentleman does not contend, does he, that it is going to cost the Government any money to carry on this program?

Mr. LAMBERTSON. If it is going to be comprehensive and extended, it certainly will cost the Government a large sum of money.

Mr. SOUTH. Are not the farmers paying it back?

Mr. LAMBERTSON. They get all the other benefits, too—soil-conservation payments, parity payments—they are getting all the other benefits the rest of the farmers get, and this in addition. As I say, the present program is not sufficiently extensive to be more than tantalizing to those tenant farmers who cannot be benefited. To pick out a man here and another man 100 miles away to receive these benefits seems to me a bad policy.

Mr. SOUTH. Mr. Chairman, will the gentleman yield?

Mr. LAMBERTSON. I yield.

Mr. SOUTH. Whose fault is it that the amount of money is not larger? Is it not the fault of the farmers or those who originated the program. Why was it not launched on a larger scale?

Mr. LAMBERTSON. This is a project that was started when we were panacea-minded.

Mr. TABER. Will the gentleman yield?

Mr. LAMBERTSON. I yield to the gentleman from New York.

Mr. TABER. We have heard that these things were paying back large amounts. The total appropriations have been somewhere around fifty or sixty million dollars. The collections, appearing on page 963, have been \$150,319.

Mr. SOUTH. Will the gentleman yield?

Mr. LAMBERTSON. I yield to the gentleman from Texas.

Mr. SOUTH. The gentleman does not contend that the statement made a while ago that there has been more money paid back into the Treasury than actually due is not a correct statement?

Mr. TABER. The amount due was \$94,278, and the amount paid back was \$150,319, as against fifty to sixty million dollars expended. That does not mean much.

Mr. JONES of Texas. Now, the gentleman is too well informed to make such a statement.

Mr. TABER. No.

Mr. JONES of Texas. Those figures were for the first 2 years. The \$40,000,000 appropriated last year is not included in that report; so it is not fifty or sixty million dollars. It was \$10,000,000 the first year and \$25,000,000 the second year.

Mr. TABER. The collections through 1939 are in there.

Mr. JONES of Texas. The last \$40,000,000 is not included.

Mr. TABER. Well, only \$35,000,000 as against \$150,000,

Mr. JONES of Texas. The gentleman said fifty or sixty million dollars. He is on the Appropriations Committee and I am sure wants to stick to the facts.

Mr. SOUTH. According to the gentleman's own statement, more has been paid back than is due.

Mr. JONES of Texas. The gentleman approves of the rural free delivery mail, does he not?

Mr. LAMBERTSON. Yes.

Mr. JONES of Texas. The first appropriation was \$10,000; the second year's appropriation was so small they did not carry on at all; and the third appropriation was \$30,000. It took them 4 years to get 82 routes established.

Mr. LAMBERTSON. And everybody is getting their mail now. If every tenant gets this, where are we going to be? We all get the mail now.

Mr. JONES of Texas. No. If the program keeps up as at present outlined it will not cost the Government one cent. If it does cost anything, it will be very little.

Mr. SOUTH. I want to emphasize the fact that the gentleman from New York stated that more has been paid back than is due. These loans run for 40 years. The gentleman would not expect it all to be paid back at this time, would he? [Here the gavel fell.]

Mr. GIFFORD. Mr. Chairman, I rise to strike out the last half dozen words.

Mr. Chairman, yesterday, when the gentleman from Texas [Mr. JONES] was speaking, I injected myself into the discussion. I want to take a minute or two to explain myself more fully. I stated at that time I feared the gentleman from Texas because of his great ability as a pleader. He pleads so emotionally for the farmers that I often am inclined to reach for my handkerchief. If he represented my industrial district, and if he should take the floor for those people, with his appealing power, we would need two handkerchiefs.

The point I wanted to bring out the other day was the same as the gentleman from Kansas [Mr. LAMBERTSON] just presented. In spite of the fact a few people were interviewed and said they did not feel tantalized, as the gentleman from Kansas put it, because one of their neighbors had been so especially favored, anyone knows that when you pick out one particular family as a favorite selection you must make hundreds of others dissatisfied. Human nature cannot be pictured to me any other way. Of course, that particular family succeeds. It is so carefully selected. Only the ones that are sure to succeed are approved. This family is furnished with real supervision from the Agricultural Department. The county and Federal agents will always be at his doorstep to advise him. A renewal will always be granted if he is behind. They will seldom be in default. The program must of necessity be successful. That is the method this administration has also adopted in connection with other matters. They have been simply renewed or carried along and no defaults claimed. The truth of failure will not be known for a long time. If you think I do not sympathize with the farm-tenant situation, I am sorry, but it is utterly ridiculous to tell me that you can pick out a favorite family, give them \$5,000, let hundreds of others watch that proceeding, and claim they will not be dissatisfied. The picture drawn was that if we wanted to stop communism in this Nation, we had better adopt this program. If you make one satisfied customer and tantalize hundreds of others, we will not make any such progress.

Mr. GILCHRIST. Will the gentleman yield?

Mr. GIFFORD. I want to.

Mr. GILCHRIST. Can the gentleman give me the name of any farmer in the United States who has been tantalized because of the farm-tenancy program, which has been successful?

Mr. GIFFORD. Of course, I cannot. There are no such favorites in my district that I know of.

Mr. GILCHRIST. No; the gentleman cannot.

Mr. GIFFORD. I am simply using the only common-sense judgment I have; that is all. You cannot convince me that because you have interviewed three or four families, human

nature is not exactly as I have pictured it. In any event, why make a favorite of 1 family, or 21 favorites, in the whole State of Kansas? From my viewpoint, the gentleman from Kansas is right. That is the real objection I have. I think all citizens should be treated alike. In connection with everything else we have done, all have had equal opportunity to qualify. Here you have only 1 particular family selected by some special committee. That is favoritism in the highest possible degree, which this Nation has tried to avoid in the past.

I rose to state, and I want to make it emphatic, if the gentleman from Texas could only represent my people, how appealing he could be. I think he could get quite a little for us from the Treasury.

Mr. HILL. Will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Washington.

Mr. HILL. Would the gentleman be willing, then, to vote for an appropriation to take care of all of them? We want this appropriation for only a few. Would the gentleman vote for an appropriation large enough to take care of all of them? All of this money will be paid back.

Mr. GIFFORD. I must vote "no," because we have not any money. I might vote for it if we had the money. I might vote for a large appropriation where everybody could compete on a sort of civil-service examination. Some sort of plan should prevail that all have equal opportunity of receiving any benefits from the General Treasury.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, all this debate is very interesting and all of it pertains to the bill, but none of it is in order. I would not want to have to make the point of order and insist that the gentleman moving to strike out the last word speak to the amendment, but time is moving along, it is getting toward 2 o'clock now, and we would like to dispose of this bill this afternoon. May I earnestly suggest that Members not speak on pro forma amendments? We shall be glad to have you take all the time you need on legitimate amendments, but we should appreciate it if you will let us get along as rapidly as possible now and confine remarks to the pending amendment.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, can the gentleman give us some idea when the farm-tenant amendment will be up for consideration?

Mr. CANNON of Missouri. It is one of the last amendments in the bill.

May I ask, Mr. Chairman, that the Clerk read?

The Clerk read as follows:

Pink bollworm and *Thurberia weevil* control: For the control and prevention of spread of the *Thurberia weevil* and the pink bollworm, including the establishment of such cotton-free areas as may be necessary to stamp out any infestation, and for necessary surveys and control operations in Mexico in cooperation with the Mexican Government or local Mexican authorities, \$526,800.

Mr. KLEBERG. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KLEBERG: On page 56, line 2, after the word "authorities", strike out "\$526,800" and insert "\$1,326,800."

Mr. KLEBERG. Mr. Chairman, I feel very much like a south Texas cowboy who back in 1916 one afternoon when the day's work was over went into town with others of the camp. One of them, walking across a plaza in front of the courthouse, raised his voice in a cheerful cowboy yell, "Yip-yip-yow! I am a wolf with a barbed-wire tail and this is my night to howl." At about that time about 7 feet of ex-Texas Ranger, at that time chief of police, slapped his hand on the cowboy's shoulder and said, "You will have to do your howling in jail." Just at that moment the cowboy to whom I liken myself let out just a little bit of a yip. The sheriff whirled and caught him by the shoulder and said, "What kind of a wolf are you, my friend?" He looked up at the sheriff and said, "Me? I'm just a little old coyote."

So I feel very much like that cowboy in confronting the great mental genius, the lung power, and other evidences of interest that have been shown here, with one side defending economies and another side insisting on greater ex-

penditures, while here I come with a little amendment asking for \$800,000 additional for the purpose of exterminating a little bug—a bug so light, so feathery, so flimsy, and so helpless that it does not even have the means of directing its own flight. When it emerges into the moth stage it must wait for some passing breeze or wind to waft it on its way.

Despite the fact that members of the Department of Agriculture, in its various bureaus and branches, have been referred to as all the way from highwaymen to dishwashers, housemakers, and the like, not one single Department head or underling has asked me to come before this House and make this request for \$800,000 additional for the extermination and control of the pink bollworm.

The pink bollworm is strategically located in a section of my State and is found in very small numbers in my own district, so why do I ask this increase? The increase I am asking is for the purpose of attempting to defend the American cotton industry and all the allied lines of human endeavor which would be affected were the cotton industry to be destroyed or seriously impaired, as unquestionably it will be if the pink bollworm makes a successful invasion of the Cotton Belt.

Members of the Committee on Appropriations gave me a very attentive hearing, and at the conclusion of my best effort to lay the matter before them in an intelligible way I was confronted with this question:

Mr. KLEBERG, the Department says that they have concluded the clean-up work in the Rio Grande. Why do you need more money if they have concluded the work?

[Here the gavel fell.]

Mr. KLEBERG. Mr. Chairman, I ask unanimous consent to proceed for 10 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KLEBERG. It so happens that a question such as the one I have just referred to indicates a misunderstanding or considerable misinformation concerning the facts and need for the additional money I am asking. It is equally true, Mr. Chairman, that every Member of this House who has served for at least one full term knows that cotton is planted every year, save only wild cotton, which by comparison to the domestic variety is of little or no value.

Since 1917 this question has been presented to the Congress, and members of the Committee on Appropriations who have been on that committee since that time know that much has been learned concerning the factual and practical advance looking toward eradication and control of the pink bollworm.

The clean-up process is one of the main avenues of defense against a successful invasion by this, the most destructive of all the cotton pests. The clean-up program must go forward each and every year at the conclusion of the cotton-harvesting season. Therefore the question, Why more money if the Department says they have completed their work? is one which of itself shows a lack of knowledge concerning the practical proposition or much misinformation.

If the pink bollworm gets into the cotton-growing area of the United States those engaged in various lines of industry different from cotton production will feel an immediate and direct impact from the failure of the American cotton producer to produce cotton, due to the additional cost and the destruction of the grade and staple of the cotton he sells, because the United States will go out of the cotton business. Forty out of every one hundred men gainfully employed in industry in 1935 were employed by industries that utilize cotton as an essential and vitally necessary part of their finished manufactured product.

An analysis of what a noncotton zone would mean is the best indication of what the Government of the United States might be called upon to do in this country if it were to bear the financial needs of meeting such a situation in almost any section of the South. This may be developed by an examination into possible definite and conclusive evidence that school teachers, doctors, gas-filling-station men, drygoodsmen, dentists, in short, almost every line of human endeavor would im-

mediately be affected were no cotton produced in any section of the South, with the consequent loss of that essential—money—which comes each season when the crop is harvested. So I hope no Member will think that my request here for additional funds to the extent of \$800,000 is a request purely for what might be termed "farm relief."

I hope my distinguished and able colleague from Virginia, whom I much respect and whom I consider as a beloved friend, will grant me at least the point that this appropriation that I am requesting be increased, is one affecting a fundamental and basic purpose. There are numbers of appropriations in this bill for good and valid purposes, but I say to you, with all of the seriousness at my disposal and mustering every bit of emphasis which I can put behind the statement, that there is no dollar spent in the bill under consideration that is of more essential or vital importance if, and God forbid it should ever come—the pink boll weevil reached the heart of the cotton-producing area of these United States. The results of that invasion are far more imminent than any invasion which we might fear by a foreign foe.

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. KLEBERG. I yield to the gentleman from Arkansas.

Mr. TERRY. I am very much interested in the statement of the gentleman and I am wondering if he will discuss the question of what cooperation has been received from the Mexican Government. I understand that this infestation occurs over and over again in the Mexican territory whence these bugs come, and unless that is got rid of, we really cannot do any effective work in the United States.

Mr. KLEBERG. I am delighted that my friend has asked me that question, because I want to bring that out in the concluding part of my remarks.

First of all, the problem involved is an international problem. It is a problem which has nothing on earth to do with any one particular State. The invasion I referred to earlier in my remarks, comes from Mexico and it comes, in the main, through the air lanes and, God willing, up to date, we have had no prevailing winds, such as occasionally occur, from a suitable direction to take this insect into the interior producing areas of the United States.

Of course, the Congress is aware, inasmuch as it passed a bill last year for this purpose, that conferences are going forward between representatives of the Mexican Government and of the Government of the United States, looking toward ways and means of finally eradicating the pink bollworm in Mexico. Of course, until the pink bollworm is eradicated in Mexico we cannot expect to find ourselves able to cease our fight to prevent his making a successful invasion into the United States of America. Of course, the control provided, in effect, by the Department of Agriculture and the experts of the Bureau of Entomology provide, first of all, for a retardation of the planting season, so there will be no ripe cotton and no green bolls or ripe cotton fruit, squares, or any other form of the fruit in existence at the time the boll weevil emerges into the moth stage. At the time the bollworm emerges into the moth stage he lives for a comparatively short period of time—a few days—and failing to find fruit upon which to subsist, he dies in that period and consequently is not able to procreate himself.

The propagation period in the life of that bug occurs at the time he emerges from the moth stage. So by the retardation of planting, the moth that comes out early in May, finding no green cotton bolls, no squares, and no flower, finds no host and passes the stage during which he can procreate himself in an aimless search for food. I shall not attempt to go into the scientific details while occupying the floor, but will ask unanimous consent at the conclusion of my remarks to insert in the RECORD a complete history of the program and the definite reasons why, from my own personal study, this additional fund is asked for by me.

[Here the gavel fell.]

Mr. KLEBERG. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KLEBERG. I have been charged by the Texas delegation, as chairman of a committee created for the purpose of trying to prevent this invasion, with this duty. The statement I am making here today is upon my own responsibility, not at any urgent requirement of any department, but is at the instance of repeated requests from great numbers of cotton growers—from many of the cotton-producing States.

Now, Mr. Chairman, in summation, may I present to you the appropriations and expenditures for pink bollworm control work for the fiscal years 1913 through 1940?

Appropriations and expenditures for pink-bollworm control work for fiscal years 1917 through 1940

	Appropriated	Expended
1917.....	\$50,000.00	\$49,862
1918.....	250,000.00	244,934
1919.....	500,000.00	305,566
1920.....	595,000.00	545,623
1921.....	573,560.00	527,395
1922.....	604,840.00	569,582
1923.....	622,810.00	498,447
1924.....	411,400.00	342,856
1925.....	401,670.00	259,664
1926.....	300,000.00	238,853
1927.....	265,000.00	249,253
1928 ¹	435,500.96	434,778
1929 ²	400,999.04	398,872
1930.....	552,120.00	521,199
1931 ³	499,360.00	437,513
1932.....	483,000.00	362,054
1933.....	375,000.00	355,471
1934.....	379,804.00	306,955
1935.....	268,734.00	262,852
1936.....	276,839.00	275,570
1937.....	324,800.00	321,717
1938.....	446,800.00	-----
1939.....	446,800.00	-----
1940.....	906,800.00	-----

¹ In 1928 \$5,000,000 was appropriated for noncotton zones of which none was spent.

² In 1929 \$19,805 was appropriated for research work of which \$19,370 was spent.

³ In 1931 there was appropriated \$675,000 in Arizona for noncotton zones of which \$635,982 was spent.

I do this in order that you may know that, despite the considerable sums which have been appropriated, that not all have been expended, but, notwithstanding this, the most dangerous pest affecting cotton has not gained a real foothold in the cotton-producing area of the United States.

Dr. R. E. McDonald, in charge of the pink bollworm control work in the affected areas in Texas, speaking before a great meeting called by Dr. Strong, Chief of the Bureau of Entomology, in San Antonio, Tex., on Friday, December 15, 1939, made the following statement in the matter of the status of the pink bollworm in cotton in the United States:

Mr. Chairman, gentlemen, the pink bollworm came to this continent about 25 years ago and to the United States some 20 years ago. At that time not as much was known about it as now, but even then it caused great anxiety among those persons who were informed about the true character of this plague. Now the information about the severity of this insect is much more widely disseminated. Practically everybody engaged in the cotton business, as a grower, handler, or otherwise, is now fully informed about the possible consequences of a spread of the pink bollworm over the Cotton Belt of the United States. During the past few years the cotton industry in the United States has met with a number of handicaps, among these being the boll weevil and other insect pests, soil depletion, and foreign competition. It now seems to be the consensus of opinion among those people best able to judge of such matters that the pink bollworm would probably be an additional burden of such nature that cotton production in many areas in the United States would ultimately be abandoned.

The scientists of the world have been studying the pink bollworm for many years and up to this time nobody has found a method whereby a farmer can apply any system of culture, insecticide, or what not, with any hope of substantially reducing his damage. The insect, as a flying moth, can travel from field to field with such ease that it does not seem to be worth the effort of an individual farmer to take the pains to destroy the insects on his own farm, if all the neighbors do not do likewise. Furthermore, during the growing season when the insects are in the field, there is no known means of killing them without complete destruction of the crop.

There have been developed some methods of repression that can be practiced with beneficial results when carried out over a wide area without exceptions, although they are somewhat costly. These consist in the sterilization of all seed, the burning of all trash coming from the gins, the cleaning of points of concentration, the cleaning of fields, and regulating the planting dates. Where such measures are practiced diligently by everybody losses may be reduced, at least in some localities. It should be understood, however, that the application of such measures can only be carried out

by laws rigidly enforced. Measures to control the pink bollworm to the point to bring reduction in damage must be complete in a given area, and that cannot be done if it is left to voluntary compliance, because all the people never agree about anything. Besides, there are always providential hindrances to handicap a program of this kind. It must be admitted that such a law is objectionable, in that it is an imposition upon personal liberty, and it would probably be resorted to by the States and areas only after all other measures have proved entirely useless.

Such measures applied in other countries have not eliminated the damage entirely, and they cannot be applied without considerable cost, and that in itself will increase the cost of production. Therefore it can be predicted with certainty that if the pink bollworm spreads over the Cotton Belt the per acre cost of producing cotton will be increased, the acre yield will be decreased, the quality of the lint lowered, and whether we will stay in the cotton business can be answered only after we learn definitely how much the cost of production will be increased, how much the yield will be decreased, and how much the quality will be lowered.

So it is that the pink bollworm is greatly feared in the United States, as well as in our neighboring Republic to the south, Mexico. It is on account of the desire of the people to avoid these prospective losses that we are discussing this problem. During the last 20 years of this fight against the pink bollworm we have followed the belief that prevention is better than cure, and wherever isolated infestations have sprung up we have applied repressive measures, sometimes radical. By careful attention to details, these isolated infestations in the years past have been eradicated. By that means we have at least gained a stay of execution for the cotton industry; although in the past there have been times when the situation looked rather hopeless and perhaps a pessimistic attitude would have been defensible.

We now have a situation which, without any fear of contradiction, can be said to be the worst we have ever faced. The pink bollworm was first discovered in the lower Rio Grande Valley in August 1936. That year there were only a few, but in 1937 there were a few more—still not alarming. Repressive measures were applied which included the cleaning of fields in the fall by the farmers themselves. A fair job for a cooperative program was done, but it was not by any means perfect. In 1938 there were more worms in that area, considerably more. In that year they spread up to the coastal-bend area; possibly the moths were blown there. In that year the farmers, including those in the coastal bend, again cooperated in a splendid way on both sides of the river, cleaning their fields as best they could, and it had every appearance of being a good job.

In the spring of 1939, to be exact, on the 10th of May, pink bollworms were found near the river, a little west of Brownsville, in the first cotton blooms. They increased rapidly in those fields near to the river, beginning on the bolls as soon as they began to mature, increasing up to as much as 40 percent infestation by the end of the season.

Early in the fall, through the examination of trash from the gins, these insects were found in other parts of Cameron County and in Hidalgo, Willacy, and Starr. Then from August 7 to 15 they were discovered in Brooks, Kleberg, and Jim Wells Counties. On August 16 and 17 others were found in Brooks, Kleberg, and Jim Wells; also in Nueces, Jim Hogg, and Duval. Still later on they were found in Zapata, Webb, Maverick, and La Salle Counties and in the Don Martin area of Mexico. This gives every appearance of spread during the growing season of 1939 from this initial infestation along the river to all these other places, and probably through the medium of winds. Furthermore, it appears that the infestation which existed in some four of these counties in the 1938 crop was probably eradicated by the clean-up of that year and came back in the fall of 1939 from the same source as before.

In the fall of 1939 there was available the sum of \$460,000 that had been appropriated by Congress to help these farmers destroy the pink bollworms in their fields after harvest. A better job was done than in 1938, not only on the American side but on the Mexican side, where the farmers did the work without any help from the Government. The results of this job in the fall of 1939 as to its control of the pink bollworm cannot be accurately determined until the crop season of 1940.

We can very well see that the control measures in this locality up to now have succeeded in preventing a more rapid increase and consequently a more widespread infestation. While the pink-bollworm population has been increasing in spite of these efforts, it has not increased anything like it would have had nothing been done. Therefore, had no measures been applied, undoubtedly the whole State of Texas and perhaps other States would now have become infested. Up to this moment the success of these suppressive measures is that we have gained a little more time—perhaps not much—in which to work out and execute better plans.

Therefore, we should consider most carefully any additional measures which might be taken to eradicate or further repress this insect. It has been said that we cannot accurately judge the results of the 1939 efforts until we can examine the 1940 crop. Shall we wait until then to make plans? Wherever we can find a fruiting stalk of cotton in the lower Rio Grande Valley, either in Mexico or in the United States, we can find living pink bollworms today. We have been finding the insect right along on okra. Therefore, we know positively that it has not been completely eradicated by this year's efforts.

There can be no doubt, whatsoever, but that by the application of these measures in the fall of 1939 the population has been reduced, possibly as much as 99 percent, possibly not so much. But

some are still there, and there will be an infestation in that area in the crop of 1940 unless we can apply additional measures; whether that infestation will be less than, as much as, or more than the 1939 infestation nobody knows. As was pointed out, it appears that the infestation in the 1939 crop in some of the upper localities was eradicated by the suppressive measures of that year. If that is the case, we can hope for the same from the suppressive measures for 1939 for these same localities; but it does not appear that we should stop without making an effort at further suppression looking to complete eradication at the danger spot along the river, because it seems that if we wait to determine the results of what has already been done, then we will not have any time to prepare plans, or we may have missed an opportunity to deal the insect a finishing blow.

A conference was held in the city of Washington a short time ago and this question was thoroughly discussed. After the most careful consideration, it was concluded that the best thing to do now to insure eradication in this locality would be to suppress the growing of cotton entirely for the crop season of 1940 in all the lower Rio Grande Valley, on both sides of the river, and including the area adjacent to the river on both sides as far up as Eagle Pass, and intensify the efforts farther away from the river in areas which had incipient infestations this year.

To carry into effect such plan would mean that the State of Texas and the Republic of Mexico would have to exercise the necessary authority to prohibit the growing of cotton in these areas, and that funds would have to be provided to compensate the citizens for the losses that they might sustain. It has now been determined that such noncotton zones cannot be carried out, at least, at this time.

Another plan was discussed in Washington as a possible substitute for the foregoing, consisting of making a barrier zone between the infested area of the lower Rio Grande Valley of Mexico and the main Cotton Belt. This barrier zone would include nearly all, or all, of the lower Rio Grande Valley counties, then all the counties up to the Nueces River, in which the growing of cotton would be prohibited for such time as might be necessary for the completion of arrangements to effect complete eradication from this general locality.

This would be an attempt to create a noncotton zone of a width sufficient to prevent moths from flying over. Even with a cotton-free zone of this width we might expect some infestations from year to year beyond such a barrier zone. Therefore, there would have to be arrangements made to apply repressive measures to these areas that might become infested by moths spreading across the barrier zone. It was pointed out that if it were necessary to apply repressive measures to incipient infestations which may occur outside of such barrier zone then it might be as well not to have such barrier zone, free of cotton, at all, but let cotton be grown in the so-called barrier zone and apply more rigid control measures therein.

This suggestion has other objectionable features in addition to its weakness of possibly not being wide enough to prevent spread across. One of the first questions with reference to a recommendation of this sort is, "How long will it be necessary to maintain a noncotton zone?" That question cannot well be answered. Hence, the effect of it will be putting a very large area out of the cotton business for an indefinite period. Considering these weaknesses of this plan and the large costs for compensation to growers and others in such a large area, it is altogether improbable that financial arrangements could be made to carry forward such scheme. Certainly there is not time enough to arrange these finances prior to planting time. Therefore, both of these plans, one for a noncotton zone on both sides of the river and the other for a barrier zone on the Texas side, for the moment might as well be left out of consideration as impossible of accomplishment before planting time of 1940.

It was further discussed and agreed that in the event measures cannot be undertaken looking to complete eradication in this locality at this time, as heretofore discussed, then we should continue as heretofore, intensifying and improving in every particular possible. Some improvements can probably be made in the fall destruction of stalks, by improved methods of procedure. In addition to that, we considered a retarded planting date in the spring. This is of great importance and will be more fully discussed further on.

There is no chance to destroy the pink bollworm in green cotton without destroying the cotton, but we can kill these worms in large numbers in the cottonseed, after ginning, and by burning the gin trash which contains many worms, and by destroying the crop remnants left in the fields after picking. This cuts down the population that might live through the winter in a resting stage, to deplete upon the following crop. In addition, in this southern locality cotton is picked before cold weather sets in, and at the time cotton picking is finished many of the pink bollworms are not ready to go into the resting stage for the purpose of passing over the winter.

Therefore, in that locality we have a favorable period in this insect's existence in which to attack it, which is to cut off its food as quickly as we can after the picking season by killing the green cotton plants. This has been done; but due to the difficulty of quickly killing cotton plants in this subtropical locality, it is not so easy as it might seem and cannot be accomplished as quickly as in a locality where cotton does not sprout so readily.

If the stalks are cut off, even a distance underground, in the short space of 2 weeks sprouts are again squaring. One plowing will not kill all the cotton. Often it takes four plowings and the use of hand tools to get all the cotton. Over and above the neces-

sary farm operations, it costs about \$1.75 per acre to kill the cotton plants after picking. There are about 150,000 acres in Mexico and about 250,000 acres in the United States—in the valley proper. In the rest of the infested area in south Texas there are about 300,000 acres of cotton. Here the cost, over and above the necessary farm operations, will be about \$1.50 per acre to kill the cotton plants. These costs for killing the plants include hand labor used in grubbing out stub plants which come up from the roots.

But there is another place in this insect's existence where we can attack it. In the spring the pink bollworms which have passed through the winter in a sleeping condition emerge as moths. This little moth, which is very small and flies around at night, only lives a few days and the function of this state of the insect is to lay eggs on the green cotton, or it may use okra for that purpose. If it can find no green cotton fruit—squares, blooms, or bolls—then it wastes its few days of life flying about hunting for these things and will die without propagating itself. Therefore, if we plant cotton early, that cotton is found to have fruit on it when the pink bollworm comes out from its winter quarters—thus, we have an ideal condition for its propagation—thus, we start the year by giving aid to all emerging moths and they reproduce themselves every 25 or 30 days from then on.

In this lower Rio Grande Valley cotton is planted along from January to May, according as it rains. Therefore, the spring-emerging moths have no difficulty in finding plenty of cotton fruit on which to place eggs. A substantial delay in the planting date would result in a great increase in the suicidal emergence, and this delay should be sufficient so that there will be no cotton fruit of any character before the latter part of May, which would be beyond the period of maximum emergence of the moths. Such plan, on account of the irregularity of the rainfall, is not as easy of accomplishment in this locality as in some others.

However, such a plan can certainly be put into practice in the area near the river on both sides for the year 1940, where infestation in the year of 1939 was most heavy and where the lands are more conducive to rank-growing cotton and thus more susceptible to pink bollworm attack. In this area trap plots can be planted so as to induce the moths not to fly out of that spot where conditions of humidity naturally cause them to congregate early in the season, and the fruit from these trap plots picked off daily and burned.

It can be stated for this plan that it has proven its worth, beyond a doubt, in some other areas. In the Salt River Valley of Arizona there was a heavy infestation in the 1929 crop. That part of the Salt River Valley then found to be substantially infested was placed under a noncotton zone for the year 1930, but in that year light infestations were found in various other places in the valley. These were not placed under a noncotton zone, but the fields were cleaned during the winter of 1930-31, and planting of cotton was delayed in the spring of 1930. That fall there were still a few infestations, but reduced in number and intensity. The same plan of delayed planting for cotton in the spring of 1932 in the Salt River Valley of Arizona was repeated, with the result of complete eradication.

In the Big Bend of Texas, where the insect was estimated by the farmers to have taken at least 50 percent of the crop in 1938, an early fall clean-up of fields and a late planting date in 1939 resulted in a great reduction. It is possible that this plan of fall destruction and delayed planting, if kept up awhile, would bring about eradication were it not for the fact that the Big Bend is subject to reinfestation. Certainly, if we can prevent a build-up of the infestation each year, the damage to the cotton crop of the Big Bend will continue to be negligible, as was the case this year.

Conditions for reinfestation in the lower Rio Grande Valley are not nearly so favorable as for the Big Bend. This statement is based on the fact that infestation spread from the Laguna of Mexico to the Big Bend of Texas many years ago. As a matter of fact, the pink bollworm was widely distributed over the Big Bend in 1918; whereas, it was not until 1936 that pink bollworm infestation was found to be present in the lower Rio Grande Valley.

Consequently, if we can reduce the infestation year by year in the lower Rio Grande Valley, soon the infestation will reach the vanishing point. We know from our experience in the Big Bend and in Arizona that a combination of fall clean-up and delayed planting in the spring, coupled with the maintenance of a host-free period subsequent to fall clean-up and prior to the delayed planting, offers the best hope for control, second only to a one- or two-year host-free period over the infested areas. Unfavorable weather conditions often prevent early completion of the fall clean-up, resulting in many pink bollworms going into hibernation.

It seems clear that in order to prevent the dissemination of the pink bollworm over the Cotton Belt, with its disastrous results, the infestation in south Texas must be eradicated or controlled.

Consideration might well be given to a continuation and improvement of the measures heretofore in effect; namely, the sterilization of seed, burning of cotton waste, and the cleaning of fields as soon as possible after picking, and to retarding the planting date in the spring.

Since the infestation is centered near the river a special zone might be set up embracing this heavily infested area on both sides of the river, and more rigid measures of control applied therein which would include as much delay in planting as possible. Also, careful attention should be given to okra to the end that this plant does not serve to breed the pink bollworm during the period when there is no cotton in fruit. The above measures have been discussed with the officials of the Republic of Mexico and they are in full agreement and will cooperate with us to the best of their ability in carrying them out.

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I want to point to these maps and merely indicate what is meant here. This is a map of Florida where the pink bollworm has existed on wild cotton. We commenced to destroy that wild cotton in 1932. This line emphasizes an area that was covered at that time with wild cotton found as far north, almost, as Tampa. Now no pink bollworms are found except a very few in the very southern part of Florida, so that work is pretty well in hand.

This map is a representation of the cotton industry. Each dot represents 1,000 bales of cotton and shows where and how much cotton is produced in the United States. These areas enclosed by yellow pins indicate areas where pink bollworm in past years has been introduced and has been completely eradicated.

I mentioned that pink bollworm had been eradicated from the Salt River Valley. That is true, but recently the pink bollworm has been reintroduced so we cannot surround it by yellow pins as we did a year or two ago.

These lines cover an area in the United States where infestation is now known to exist—Arizona to New Mexico and western Texas and southern Texas. This is the Laguna and Don Martin area of Mexico. As I pointed out, our greatest fear now is from this area. This area remains pretty much today as it has for several years.

This map is a map of southern Texas and undertakes to show you something about how the pink bollworm spread from this focus of infestation from Brownsville in the year 1939 to these other spots. You will notice it takes a northwesterly direction. Its direction spreads up around near Alice. Then we pass through areas where no cotton was produced in 1939.

I have noticed the weather records that year. The winds have been more northwesterly. Sometimes they are more northerly and perchance may be more easterly, and then if the condition is down there at that time, say, as it was in 1939, in the fall, it will just be too bad, because it will get up here and strike continuous cotton fields from then on to all the northern limit of the Cotton Belt. I thank you. [Applause.]

Dr. McDonald is by practical experience as well as scientific training together with recently applied practice probably the best acquainted and informed man concerning pink bollworm and methods looking toward its control in this or any other country. I hope my distinguished friend the gentleman from Arkansas [Mr. TERRY] will find an answer to his interrogation concerning the situation in Mexico in what Dr. McDonald has to say.

The simple facts are once a knowledge of the dangers contained in the possibilities of the pink bollworm gaining a foothold in the Cotton Belt of the United States that Members of Congress who failed to expend the paltry sum I request in defense of cotton production in the United States would find themselves convicted in their own minds of the serious offense of being utterly recreant to the major trust reposed in them looking toward not only the general but the continued welfare of our country.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes, 5 minutes to be reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANKIN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Texas [Mr. KLEBERG].

The pink bollworm is one of the greatest dangers that has ever threatened the cotton-growing sections of the United States. Do not get it confused with the boll weevil. The boll weevil flies long distances. We have learned to combat it, but we have never learned to successfully combat the pink bollworm, which spreads gradually and absolutely exterminates the cotton crop and prevents reproduction on the lands it infests.

Remember that America's balance of foreign trade depends upon her cotton. Wherever the pink bollworm moves and destroys the production of cotton something else must be substituted. You Members from other sections, who are already complaining at the competition, remember that if the pink bollworm should destroy the cotton crop and prevent its growth in certain areas in the Southern States those farmers will immediately begin to compete with you in the production of wheat, hay, corn, dairy products, cattle, hogs, and so forth.

Mr. HOFFMAN. They are already doing it.

Mr. RANKIN. They are already doing it, but they will do more of it.

During the Sixty-seventh Congress we had a debate on this floor, and I remember a gentleman from West Virginia confused the pink bollworm with the boll weevil. I find a great many Members do that today. At that time the Department of Agriculture was shipping small bags of cottonseed throughout the South. I pointed out then that if they should happen to send one that had the germ of the pink bollworm in it, and the farmer plants it in the middle of his field, he might destroy his land as far as cotton production is concerned.

This is much more important than a great many other things we are doing, even in the very areas where these bollworms are threatening. So I sincerely trust that this amendment will be adopted, and that you will aid us to keep down the spread of this pest until such arrangement can be made with the Mexican Government, if possible, as will result in its extermination throughout that country. Frankly, I doubt if that is done. I think we are in a battle from now on to prevent this pink bollworm from destroying the cotton crop throughout the entire South. If you let it get started, it will spread like a forest fire. The farther it goes, the more dangerous it is, and the greater destruction it will bring.

Mr. ZIMMERMAN. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. ZIMMERMAN. I agree with what my distinguished colleague from Mississippi has said. This fall I had the opportunity to go into the great State of Alabama—into what is known as the black lands. One of my friends had moved from Missouri down to Alabama and had gone into the cattle business in that State. They drove me over a large section of that country formerly renowned as a cotton country, but now useless for that purpose because of the boll weevil. Now, they are going to Texas and buying cattle and going into the cattle business on a large scale because the boll weevil had driven the cotton farmers out of business. If this pink bollworm gets a foothold in America and does what experience has shown it can do, and will do, then the people of Wisconsin and Minnesota had better look out for a real rival in the dairy and stock business—not only these people but the people of the West will feel the effects of this competition in the years to come.

Mr. RANKIN. I thank the gentleman from Missouri. He is entirely right. We can check this thing now. We can do it with a very small expenditure, compared with what we are expending on other things.

The gentleman from Texas [Mr. KLEBERG] has given this question a great deal of study. He lives down there where the danger is acute. We are not asking for an unreasonable appropriation but for a few hundred thousand dollars that will probably save the farmers of this country millions or hundreds of millions of dollars in the years to come. [Applause.]

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I rise in opposition to the amendment.

I once knew a gentleman who was so ingenious and agile of mind that he proved to his own satisfaction that the Civil War was started because this country had never adopted the metric system. I think my good friend from Mississippi [Mr. RANKIN] is equally agile in indicating all the danger that will result unless this amendment is adopted, but he entirely misses the point. So now let us disperse some of that by fact.

We appropriated \$906,800 in 1940. When the Budget figures came to us this year it was \$527,000 for pink-bollworm control. This is not eradication. This is not investigation. This is control. That is the language of the bill. Now, why did the Budget cut it from \$906,800 to \$527,000? Here is the language of the Budget:

The decrease is due to completion of the field clean-up for suppression of pink bollworm in the lower Rio Grande Valley.

That is the language of the Budget. Here is additional language, and I quote:

To intensify the clean-up in Texas and get the work done shortly after harvest, \$460,000 was appropriated for the current fiscal year.

That was extra money in this year's bill.

This work has been completed. With the cooperation of the Texas State department of agriculture the fields in south Texas were cleaned as promptly as possible after harvest, and crop residues were destroyed.

I am not unmindful of the fact that this is a problem, but there are \$527,000 in this bill for control of the pink bollworm, and the Budget, with the recommendation and endorsement of the President, said that in their judgment that was enough.

You are not going to eradicate the boll weevil with this money, because the Budget sends us this statement, and this comes from the Department:

It is not believed possible that the insect can be eradicated from the infested areas in sections adjacent to sources of infestation in Mexico by action taken by this country alone.

If these conversations are going on down in the State Department which are designed to secure a measure of cooperation from Mexico, we have not had that cooperation thus far; yet here our friend from Texas is asking \$800,000 more for this purpose.

Must I remind you that this control has been going on for 10 years? I remind you that we have appropriated \$4,200,000 for this purpose. When the Bureau of the Budget and the President say to us that the clean-up work for which the extra money was inserted in the bill for 1940 has been completed in Texas, it is the best judgment of the committee, the judgment of the Budget Bureau, and apparently the judgment of the Department of Agriculture—because it is their justification—that \$526,800 is enough for this purpose. Consequently, there would be no virtue in writing another \$800,000 into this bill for this purpose. Be not misled that we have cut it out or that we are insensitive to the aggravation of the pink bollworm. The work will go on. In addition, there are other appropriations in this bill for investigatory work.

Mr. Chairman, I hope the amendment will not be adopted.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. RANKIN. According to the gentleman's own statement, we are not getting favorable reaction from Mexico. This is all the more reason for guarding against infestation from across the border.

Mr. DIRKSEN. I am going by the statement of the Department of Agriculture that the work for which this extra money was appropriated has been completed.

Mr. RANKIN. Those of us who live in that country, who come in contact with the pink bollworm, know the extent of its devastation. Besides, there are other areas which have been found to be infested—Louisiana, I think, and probably southern Alabama. It is going to take eternal vigilance to keep this thing from spreading in various areas and ultimately destroying the cotton-growing industry of America.

Mr. DIRKSEN. What has the gentleman to say of the statement of the Department of Agriculture that the clean-up job there has been completed? That is the answer.

Mr. RANKIN. Yes; that is what they have done, but they have got to keep at it from now on. Unless they get this cooperation from the Government of Mexico, what they have done will be of no avail. The gentleman from Texas, like myself, is not willing to depend on what the Government of Mexico may do. We have got to continue this job ourselves.

Mr. DIRKSEN. I would say to my friend from Mississippi that while I have the highest regard for his judgment on this matter, I would rather take the judgment of the bug specialists in the Department of Agriculture whose business it is to know about this item.

Mr. RANKIN. Do not listen to too many bugs.

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Illinois has expired; all time has expired.

The question is on the amendment offered by the gentleman from Texas [Mr. KLEBERG].

The question was taken; and on a division (demanded by Mr. RANKIN) there were—ayes 47, noes 68.

So the amendment was rejected.

The Clerk read as follows:

Control investigations: For developing equipment or apparatus to aid in enforcing plant quarantines, eradication and control of plant pests, determining methods of disinfecting plants and plant products to eliminate injurious pests, determining the toxicity of insecticides, and related phases of insect-pest control, \$72,518, of which not less than \$10,000 shall be used for methyl-bromide investigations.

Mr. HOFFMAN. Mr. Chairman, I offer a motion which is at the desk.

The Clerk read as follows:

Mr. HOFFMAN moves that the Committee do now rise and report the bill back to the House with instructions that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. HOFFMAN. Mr. Chairman, I shall withdraw the motion as soon as I have spoken, but with a prima donna in charge over here on the minority side I have not been able to get any time before, so take this method.

I have no doubt but that the gentleman from Texas [Mr. KLEBERG] knows more about this bug business than is bothering cotton growers than they do down in the Department of Agriculture. I know also that the gentleman from Mississippi [Mr. RANKIN] has been treated fairly well on his T. V. A. by the House and some of us on the other side. I know, too, that we would be more willing to go along on this bug extermination business if the gentleman from Texas and the gentleman from Mississippi would help us a little once in a while, when we are trying to maintain the right of women and men to work without paying tribute. Perhaps that suggestion smacks of what they call logrolling and is said to be improper, but I do understand from private confidential sources that it is practiced at times.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. In just a moment. The gentleman from Mississippi lives over in the same building I live in, over here in the Methodist Building. He is a good Methodist and I am a Lutheran, but to get into that building he is walking through a picket line. I am not talking about bugs and worms; I am talking about the girls over in that building who want to work in the dining room where he eats—the girls who want to work without being required to pay for the exercise of that right.

Mr. RANKIN. If the gentleman will yield, I keep house.

Mr. HOFFMAN. Well, I saw the gentleman there last night with another Member of the House. Maybe the gentleman was not eating. I do not say the gentleman was drinking. If he was, it was tea or milk. [Laughter.] But he was sitting at a table with food before him and his friend.

Those girls want to work. The woman who is operating that dining room is having a hard time. She took over a losing business and made a success of it to the extent that, making but little more than expenses, she is able to meet the pay roll, and until the organizer came along the employees—some have been with her for years—were satisfied. But here comes Mr. Mink—Mr. Mink from downtown. Is he interested in the wages paid the girls or is he interested in the dues he can collect if he forces them into the union? The place is being picketed to force all the employees to join the union. What does Mr. Mink care about the financial condition of Mrs. Miller, who is trying to keep the business alive? If he ruins her, the jobs are gone. Will he or his union give those who work there other jobs equally good? Will he?

I understand that some of the girls working there joined his union, and that he wants the woman who is operating the place where the gentleman from Mississippi [Mr. RANKIN] eats, at times, to fire all the rest of these girls who did not want to join the union. Mr. Mink may be a pretty good-sized fat fellow. He wants those girls working in there to pay his union for the privilege of earning a livelihood. That lady over there raised the pay of those girls in July and in January, as is her custom, and when she gave them a raise not long ago Miss Faris, of the Labor Board, told her—and this is a Labor Board ruling—that increasing the wage is an unfair labor practice because she did not consult Mr. Mink or the union first. The only object Mr. Mink can have in

wanting to know about the proposed raise in pay would be so Mr. Mink would get the credit for the increase.

I hope my good Christian friend will join me in the attempt to protect these employees. He certainly is a good Christian. He has talked to me about things I should not have done. [Laughter and applause.] I hope that my good friend will see his way clear to devote a little of his time; take a little time off from his T. V. A. campaign, that is now a big, swollen, prosperous giant, and help out this poor woman and those poor girls over there who are trying to make a living; help them get out from under the clutches of Mr. Mink. [Applause.]

Mr. Chairman, I ask unanimous consent to withdraw the motion.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN. Mr. Chairman, the gentleman from Michigan says I have talked religion to him. I believe he might have said that I prayed for him, too. I hope it takes, for I am fond of the gentleman from Michigan.

Mr. HOFFMAN. I do, too.

Mr. RANKIN. I was sincere. The place he is talking about, the Methodist Building, where we happen to have apartments, has a dining room downstairs. I live in that building; we have an apartment, but sometimes we do go down to the dining room to eat. I did not know these strikers were after the gentleman from Michigan. I have not seen them, but I take his word for it that the C. I. O. or some union had attempted to organize the waitresses in that dining room. The few times I have been down there we have received excellent service. I do not know anything about the wage scale. That is not my business. Unfortunately, I have to work pretty late sometimes, and if there was a picket line there last night when I went home I did not see it. There was none when I left there this morning.

Mr. HOFFMAN. They do not serve breakfast over there.

Mr. RANKIN. We eat breakfast in our apartment. If the gentleman will come by sometime, I will give him a breakfast of Mississippi ham that was cured in a cooperative cold-storage plant that is operated with T. V. A. power. It will make him forget all about picket lines.

These matters between the laborers, their organizations, and the employers in the District of Columbia are not particularly the personal charges of the gentleman from Michigan or me. They made no particular appeal to me. I do not know whether they made any to the Labor Board or to the District authorities or not. So far as I am individually concerned, as I previously stated, we have received excellent service in the Methodist Building, and I trust that they will not stir up a strike there and put that lady out of business. She serves meals not only to the people who live in the building but also to those who reside in that area.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. When you invite the gentleman from Michigan [Mr. HOFFMAN] to eat some of that Mississippi ham, when he does so, perhaps you two can then iron out the differences.

Mr. RANKIN. I certainly will not give him any Milwaukee beer. [Laughter and applause.]

[Here the gavel fell.]

Mr. WADSWORTH. Mr. Chairman, I move to strike out the last two words to ask a question of the gentleman from Missouri [Mr. CANNON], in charge of the bill, to satisfy my insatiable curiosity.

I call his attention to the language on page 56, line 23, and particularly to the appropriation of \$72,518, "of which not less than \$10,000 shall be used for methyl bromide investigations." How does the Committee on Appropriations get into that frame of mind? If \$9,000 is sufficient, must they spend the remaining \$1,000?

Mr. CANNON of Missouri. This is the third year funds have been provided for this purpose. Commissioners of agriculture from States as far west as California personally called on the committee and asked that it be included.

Mr. WADSWORTH. Cannot the Department of Agriculture be trusted to expend from the \$72,000 the amount that it regards sufficient?

Mr. CANNON of Missouri. The original amount was \$10,000. Last year the Budget cut it down to \$5,000. This year, in accordance with the showing made to the committee, we provided for the full \$10,000.

Mr. WADSWORTH. The Department of Agriculture, I assume, did not ask for this mandate, did it? This is a mandate on the Department to spend not less than \$10,000.

Mr. CANNON of Missouri. That is right. The Department of Agriculture approved of the investigations and the amount.

Mr. WADSWORTH. I may say, Mr. Chairman, the item has a distrustful appearance. Someone is distrusted by the committee. I abandon any further attempt.

Mr. CANNON of Missouri. Items are frequently earmarked in this manner.

[Here the gavel fell.]

Mr. GILCHRIST. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, this morning I received a letter from the secretary of agriculture of Iowa, who is greatly disturbed about the chinch-bug situation. I desire to ask a question and I shall be glad if the chairman of the subcommittee will answer it.

I know the chairman of the subcommittee has a great infestation of chinch bugs in his district and State, and we have it in our State. We are greatly exercised. I have a letter here from the secretary of agriculture of Iowa about it.

There is an authorization in this bill for cereal- and forage-insect control. Heretofore the chinch bugs have been taken care of by a deficiency bill whenever an emergency arose. Is that the purpose now?

Mr. CANNON of Missouri. That has been the practice heretofore. There is a very excellent reason for it. As a rule, this bill does not reach final action until late in the spring, entirely too late to be effective against the chinch bugs. If the money is to be effective it must be applied in time. We now have a deficiency estimate just received under date of January 27 for \$3,550,000, which will be taken up in the deficiency bill.

Mr. GILCHRIST. I thank the chairman of the committee. The chinch bug is a menace to crops throughout a great section of this country, and it ought to be taken care of.

[Here the gavel fell.]

The pro forma amendments were withdrawn.

The Clerk read as follows:

Market news service: For collecting, publishing, and distributing, by telegraph, mail, or otherwise, timely information on the market supply and demand, commercial movement, location, disposition, quality, condition, and market prices of livestock, meats, fish, and animal products, dairy and poultry products, fruits and vegetables, peanuts and their products, grain, hay, feeds, cottonseed, and seeds, and other agricultural products, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, and person engaged in the production, transportation, marketing, and distribution of farm and food products, \$1,100,000.

Mr. BOREN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BOREN: On page 13, line 14, after "products", strike out "\$1,100,000" and insert in lieu thereof "\$600,000."

Mr. BOREN. Mr. Chairman, once more I rise to test the sentiment of the Members on their willingness to cut out useless appropriations and to save money for reappropriation to items that are essential to the farm program and actually helping the farmers of America.

I have carefully read these hearings, and I find that approximately \$500,000 is spent in this program for leasing 7,500 miles of telegraph wire. I have examined the newspapers to discover just what information this organization has disseminated by that method. I have been a farmer and have lived on a farm most of my life. I have made frequent trips to the market. As a farmer I never once found any use for this information. I do not say this information is not of

assistance to those who play the central markets, and I do not say this information is not of assistance to the big dealer in the basic commodities, but I do say that it is of no benefit to the real dirt farmer. Any farmer who wants this information about the market where he sells will get his daily paper and see what cattle or other products are selling for at the market he is going to sell on that day, and he will go to that market on the basis of the price that is quoted. There are 7,500 miles of telegraph wires leased and paid for by the Government for service that the newspapers would give daily anyway if there were any demand for it.

Mr. FERGUSON. Mr. Chairman, will the gentleman yield?

Mr. BOREN. I yield to the gentleman from Oklahoma.

Mr. FERGUSON. I may say that all the livestock forecasts on cattle, sheep, and hogs, prospective receipts, and the trend of the market are furnished to radio stations and to the newspapers by this service. The gentleman says the little fellow does not benefit. The farmer never packs up his five or six hogs in his pick-up truck and takes them in to the market until he gets the forecast the day before. Regardless of the size of the livestock operator, he depends on this service for his market information.

Mr. BOREN. Yes; daily, not hourly. This money is for hourly reports for the big man.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. BOREN. I yield to the gentleman from Mississippi.

Mr. RANKIN. If it were not for this service the little farmer could not get this information until it would be too late for him to use it.

Mr. FERGUSON. The gentleman is absolutely right.

Mr. BOREN. Both the gentlemen are incorrect, in that they take the position that this information would not be offered if it were not paid for by the Federal Government. Any man who uses this information is a big enough buyer and seller to pay for his own telegraph service. I want to see some money saved here and paid down for the use of the little farmer. Let us see it go right down to the grass roots. I have seen thousands and thousands and thousands of dollars voted for the control of sweetpotato weevils, yet I have grown potatoes, and I have never seen or heard of one. Other thousands of dollars are appropriated for various causes which the average farmer of America never heard of and does not know are in existence. And the little farmer never caught a Government agent trying to help him control his crop pests.

Mr. RANKIN. Mr. Chairman, will the gentleman yield further?

Mr. BOREN. I yield.

Mr. RANKIN. The gentleman talks about the big users.

Mr. BOREN. That is right.

Mr. RANKIN. They could have a private wire, that is true, but the small farmer about whom the gentleman from Oklahoma [Mr. FERGUSON] spoke a moment ago would not get this information if the Government did not offer its services. The big dealers could get it, and then they could have a sweet monopoly.

Mr. BOREN. If there is a farmer in the United States Congress today who ever made use of this information—and I challenge any of you to go out here to the newspaper racks and check it—if there is one here today who ever made use of this information who does not sell in large quantities, I would be pleased to have him stand up and make it known.

Mr. RANKIN. I may say to the gentleman from Oklahoma that there are hundreds of small farmers, thousands of them, literally thousands of small farmers, who use it, but they do not all come to Congress. We are supposed to legislate for them. They use this service and get the benefit of this information. Men have come here clamoring for abolishing this information. If they did, they would turn the wires over to a few private concerns and they would raise the prices. This service trickles down to and reaches the little fellow who has only a few hogs or a few head of cattle to sell. He is the one it reaches. Of course, he is not here to answer the gentleman's challenge, but he gets the benefit of this service.

Mr. BOREN. I may say to the gentleman from Mississippi that he is absolutely wrong if there is any information on the

market for which there is a demand, agents of the press such as these sitting above my head will see that this information is put in the daily press. I believe every penny of this money is spent solely for the benefit of the fellows who can pay for it themselves. Another case where the big boy gets the gravy and the little boy is forgotten. Let us do something for the little fellow. This money given to the telegraph companies to help the farmers? Why do we not put the money in the empty pocket of the small farmer? By the eternal, I am tired of voting great gifts to the bureaucrats under the guise of helping dirt farmers. This is an atrocious outrage in which the farmer is made the victim of a vicious farce.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 1 minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. BOREN].

The question was taken; and on a division (demanded by Mr. CANNON of Missouri) there were—ayes 68, noes 67.

Mr. CANNON of Missouri. Mr. Chairman, I demand tellers.

Tellers were ordered and the Chair appointed as tellers, Mr. BOREN and Mr. CANNON of Missouri.

The Committee again divided; and the tellers reported that there were—ayes 98, noes 102.

So the amendment was rejected.

The Clerk read as follows:

United States Warehouse Act: To enable the Secretary of Agriculture to carry into effect the provisions of the United States Warehouse Act, \$450,000.

Mr. REES of Kansas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REES of Kansas: On page 65, line 8, strike out \$450,000 and insert \$400,000.

Mr. REES of Kansas. Mr. Chairman, I realize that an item of \$50,000 is a comparatively small amount, but let me direct your attention to the extremely small amount of evidence that appears in the record on behalf of this increase of \$50,000.

We have been spending around \$400,000 just for warehouse inspection. I realize just as well as you do that careful warehouse inspection is necessary, but do you know that warehouse inspection is carried on in practically every State of the Union where it is necessary? In our own State of Kansas we have had a warehouse law that has been in effect for more than 20 years. We have out there about 400 licensed warehouses, 360 of the 400 being under State license and 40 under Federal license. Neither the owner of the grain nor anyone else interested has lost a dollar under the Kansas warehouse law.

We have in our own State-inspected warehouses practically 60 percent of the grain in the State. We are right there with our own organization on the ground and we can give better and more efficient service under State warehouse inspection at less expense.

I call your attention to the fact that a representative, not only of our own organization, but a representative of a group of those interested in this very proposition, appeared before the committees. The Departments of Agriculture of California, Iowa, Idaho, Oklahoma, and other places, telling this committee through their letters that an increase in this appropriation is unfounded and unnecessary.

Oh, I know they will call your attention to the necessity of inspection of certain wool growers' warehouses, but you will find upon careful investigation, if you want to take the time to make such an investigation, that even the \$400,000 is unwarranted and unnecessary. It is just one more case where the Federal Government is going out and not only duplicating but taking charge of a service that is adequately rendered by the State.

I do hope you will see fit to support my amendment and return this figure at least to \$400,000, and I am sure you will find that is plenty and adequate in every respect.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. RANKIN. Of course, in a great many warehouses cotton is stored on which the Government has a loan, and, as a matter of fact, there is no comparison between the care that must be given to a cotton warehouse and a grain warehouse, because cotton is almost as explosive as gunpowder. Extreme care is required to protect such warehouses from fire. In many States there is no State protection, and for that reason it is necessary for the Government to exercise this care.

Mr. REES of Kansas. I appreciate what the gentleman says, but if he will examine the record he will find there is not more cotton in the warehouses now than there was 2 years ago. So we do not require any more money for the inspection of cotton warehouses.

The gentleman will also appreciate the fact that his own State does not have a satisfactory warehouse law. This ought to be provided. It does not have an adequate law, and that is true of some other States where cotton is raised, and such a law ought to be enacted; but what I am saying to you now is that the amount of \$400,000 is adequate for this work. We inspect all of the wheat in Kansas for \$40,000, and we collect it back in fees, so the State does not lose a thing in connection with it; but even at that we do not charge any more than the Federal Government is charging for its service. So I say to you that this additional \$50,000 is just like a lot of other things we do on the floor of the House. We start out with a certain appropriation, and then we continue to increase it, and never once stop to think about cutting such appropriations down. If you will examine this record, you will find very little evidence in support of this additional appropriation; in fact, you will not find anywhere that it states it is necessary, except for the statement of someone from the Department who sends down a written statement on the matter.

Mr. FERGUSON. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. FERGUSON. I find that several of my grain elevators have been denied Federal licenses due to the fact that the warehouse fund has been exhausted. Without these licenses how can the farmer avail himself of the loan features provided in our agricultural program?

Mr. REES of Kansas. About the only thing I could do, if I had the time, would be to call your attention to a letter that comes from your own department of agriculture in Oklahoma, directed to the committee, with reference to that very proposition, wherein they say that it is unnecessary; and to the gentleman from California, I direct attention to a letter under date of January 4, 1940, signed by the Department of Agriculture, Division of Grain Inspection, with the signature of Mr. C. W. Wright, division chief of that State.

[Here the gavel fell.]

Mr. TARVER rose.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto be concluded in 7 minutes, to be consumed by the gentleman from Georgia.

Mr. LAMBERTSON. I object to that, Mr. Chairman.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 20 minutes, 7 minutes of the time to be used by the gentleman from Georgia.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. TARVER. Mr. Chairman, I rise in opposition to the amendment.

The gentleman from Kansas [Mr. REES] is apparently proceeding on the idea that he is trying to cut this appropriation back to what it was for the present fiscal year, but in that he is mistaken. The appropriation for the present fiscal year

is not \$400,000, but \$417,500. The regular appropriation was \$400,000, but a deficiency appropriation of \$17,500 was made, making the total for this year \$417,500. So that the effect of the gentleman's amendment, instead of restoring the amount in the bill to the amount which was had in the present fiscal year, would reduce that amount by \$17,500 below the amount for the present fiscal year.

This question did not arise in the subcommittee until after the conclusion of the hearing of departmental officials, when the chief grain inspector from the State of Kansas, with the chief warehouse examiner, came in and made these attacks upon the United States Warehousing Division. If the State of Kansas does not desire this service from the Federal Government, I should have no objection to the inclusion of a provision in the bill that none of the money herein provided shall be expended in the State of Kansas. But I know of no reason why, because of a difference of opinion that has arisen between the grain-inspection service in Kansas and the United States warehousing service, the rest of the country should be penalized, especially citizens of the country who are engaged in the production or warehousing of cotton or wool.

Let me say this: After I heard this rather startling evidence from the officials of the State of Kansas I took up this matter with the officials engaged in the carrying out of the provisions of the United States Warehousing Act. They told me this, and I have given this information to one of the gentlemen from Kansas who is interested in this matter, and if he is in a position to deny it of his own knowledge, I assume he will do it. They say this head man in Kansas has been trying for some time to get a job with the United States Warehousing Division and that he has been unsuccessful in his efforts. They attribute part of his animus in endeavoring to destroy and curtail the work of the division to the fact that he was unsuccessful in his efforts to secure employment under their jurisdiction.

Now, what is this State warehouse inspection work in Kansas? They talk about doing it for \$40,000. Do you know how many employees they have? They have, as I am informed, this head man, chief inspector, and they have two warehouse inspectors under him. It is true they have 260 grain inspectors in the State, but they have only 2 warehouse inspectors under that head official, and that constitutes the department which is allegedly doing such efficient work.

I want you to read the justification in the hearings on page 713 and following pages. That shows the absolute necessity for the appropriation of the small additional amount carried in this bill for the adequate discharge of the responsibilities of this division. I hope that the House will not permit a service which has proven satisfactory to at least a major portion of the remainder of the country—certainly to the South insofar as cotton warehouse inspection activities are concerned—to be crippled because of this difference which appears to have arisen between the officials of the State of Kansas and the officials of the Federal Warehousing Division. If the gentleman from Kansas does not want any of this money spent in his State, if he wants the grain farmers of the State to be compelled to rely entirely upon the protection accorded them by the State organization, let him propose an amendment to this provision which will cut out any Federal service whatever for the grain farmers of the State of Kansas. I should reluctantly support it if the Representative from that State thought it was the proper thing to do.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. RANKIN. Would that not prevent the grain farmers from getting Federal loans on their grain under the present law?

Mr. REES of Kansas. I will be glad to answer that question.

Mr. TARVER. The question was not addressed to the gentleman. The gentleman from Kansas, I will say, insists that the certificates issued by their State warehouse officials are equally satisfactory with the certificates issued upon the basis of inspection made by Federal inspectors, but that is not the insistence of our officials of the Federal Warehousing Division. They say the question asked by the gentleman

from Mississippi should be answered in the affirmative—at least in part—and that a great deal of trouble would accrue to the wheat farmers of Kansas in the event they are deprived of the benefit of Federal licensing and inspection of grain warehouses. Of course, no warehouseman is obliged to apply for Federal license.

But, however that may be, if these gentlemen from Kansas want to get rid of the Federal service, let them limit their efforts to that service insofar as it affects the grain farmers of Kansas, and not try to deprive the cotton farmers, the wool farmers, and the grain farmers of other sections of the United States of a service which appears to them to be entirely satisfactory.

[Here the gavel fell.]

The CHAIRMAN (Mr. McCORMACK). The gentleman from Kansas [Mr. LAMBERTSON] is recognized for 5 minutes.

Mr. LAMBERTSON. Mr. Chairman, in answer to my colleague, the gentleman from Georgia [Mr. TARVER] said it only came at the end of the hearings. Nobody can be heard in the hearings proper until the Bureau and departments are through, but I gave notice when they first came before us that the Kansas grain inspector and warehousemen wanted to be heard, and they were assured they would be heard.

The head of the Kansas warehousing is national chairman of that group. The gentleman from Georgia [Mr. TARVER] entirely overlooks that fact. Mr. Bateman inserted in the hearings statements from various and numerous State warehouse heads substantiating his view. He is the national president. The gentleman from Georgia saw fit to get a transcription of the testimony of the Kansas men before the committee to the Department of Agriculture, contrary to ethics, and had them make a complete reply to the Kansas men's testimony, and tried to have it inserted in the hearings; and in his remarks today made a personal attack on Mr. Bateman on information received entirely outside the hearings.

I deleted the matter because it was within my purview entirely where there was not any question about it. I told the Department—

Mr. TARVER. Mr. Chairman, will the gentleman yield? In view of the fact that he has made a statement that does not comport with the facts, will not the gentleman yield?

Mr. LAMBERTSON. The gentleman from Georgia has had his 5 minutes.

Mr. TARVER. But the gentleman is making a statement that is untrue.

Mr. LAMBERTSON. It is not untrue.

Mr. TARVER. It is untrue.

Mr. LAMBERTSON. It is absolutely true.

Mr. TARVER. It is absolutely false.

Mr. LAMBERTSON. Now, you sit down.

The CHAIRMAN (Mr. McCORMACK). The gentleman from Kansas will suspend.

The gentleman declines to yield.

The gentleman from Kansas will proceed.

Mr. LAMBERTSON. I notified the Department men before the hearings were closed, told them they could come in at the end of the testimony by these Kansas men and testify themselves, but they did not. There is not any outside testimony in the hearings against the testimony of the Kansas men, not at all.

Mr. THOMAS F. FORD. Mr. Chairman, will the gentleman yield?

Mr. LAMBERTSON. No, I do not yield.

They tried, however, to slip into the hearings a complete answer, a detailed answer to the testimony of the Kansas men. It was only by accident that I discovered it and deleted it. There was not an argument or any evidence before the committee that answered the Kansas men or the testimony of the president of the national association. Kansas certificates are accepted in full by the Federal Government.

Mr. THOMAS F. FORD. Mr. Chairman, will the gentleman yield at that point?

Mr. LAMBERTSON. Just briefly; yes, I yield.

Mr. THOMAS F. FORD. If Kansas certificates are accepted at full value what is the gentleman howling about?

Mr. LAMBERTSON. What do I want two inspections for at increased expense when the cost is high enough now? Answer that.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. LAMBERTSON. I yield.

Mr. JONES of Texas. There are many States that do not have a State warehouse system.

Mr. LAMBERTSON. They ought to have.

Mr. JONES of Texas. And if loans are to be made on these various commodities by the Federal Government this service must be continued.

Mr. LAMBERTSON. It is only an effort on the part of several individuals to make Federal inspection compulsory in order to increase bureaucracy; that is all. There is no need for the double inspection.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. LAMBERTSON. I yield.

Mr. REES of Kansas. The gentleman will understand that there is still \$400,000 left in the bill to take care of Federal inspections.

Mr. LAMBERTSON. The gentleman is correct. If we did what some of us would like to, we would strike it all out; but in order to be fair, we thought the thing should be continued on that basis for further study.

Mr. TARVER. Mr. Chairman, will the gentleman yield to me now, in view of the fact that he has yielded to other gentlemen since he declined to yield to me?

Mr. LAMBERTSON. I will yield to the gentleman for a very brief question, not for a speech.

Mr. TARVER. I do not want to make a speech. The gentleman's statement is the first information I have had that the division had submitted any statement to the committee or that the gentleman from Kansas had assumed authority to delete it, which he should not have done.

Mr. LAMBERTSON. Yes. I saw that there was something being put in there purporting to be in direct answer. There was only one man who showed any interest in the Bureau's side, only one man; yet they had a complete typewritten transcription of everything that was purported to have been said, and it attempted to answer minutely the testimony of these men. They brought it up here and put it into the hearings, but I discovered it. Nobody else on the subcommittee showed any interest in the Federal side of it but the gentleman from Georgia. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. THOMAS F. FORD] for 2 minutes.

Mr. THOMAS F. FORD. Mr. Chairman, last year, prior to the special session, we had a warehouse problem before the House. At the present time \$450,000 is being appropriated for the purpose of carrying out the thought we had in mind at that time. We all know that the warehouses not bonded are not included in this particular category. In my judgment, the present appropriation is adequate and should be passed, because the experts who know what they are talking about have approved it. I do not know whether or not they know all the facts, but I assume they do. It is my judgment the appropriation set up in this bill ought to be accepted and that no amendment seeking to reduce it should be agreed to.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. DIRKSEN] for 3 minutes.

Mr. DIRKSEN. Mr. Chairman, I doubt whether the real issue involved here has been stated as yet. There is involved here a controversy between State and Federal warehousing. The situation can best be explained by an example. All through the Western States—Kansas, Oklahoma, Nebraska, and the rest of them—are small elevators and warehouses. If they expect to issue warehouse receipts they must be licensed under the State law. To procure such license they must give a bond, that bond costing approximately \$50. If they want to secure a Federal license they must also give a bond. So you

have a total expenditure that falls upon many of these small warehouses and elevators. That is one issue involved.

The people who are the proponents of this amendment object to a further extension of warehousing and believe there ought to be a line of demarcation between Federal and State activities. The thing is more important than it seems, for the reason that you have the Commodity Credit Corporation, you have the Crop Insurance Act on the books, millions of bushels of whose grain is to be stored, and if the Federal warehousing goes further and discriminates between State and Federal elevators, between State licensed and federally licensed elevators, there is a great power for discrimination.

My notion about the solution is not in this amendment particularly, although I do not object to it. I think we ought to make this service stand on its own bottom by collecting a fee so that the \$400,000 plus involved here is raised in the form of fees paid to the Federal Government in order that this service might become a self-liquidating function. They had \$400,000 last year. An increase was provided for 1940, and the amendment proposes to cut it back to the figure for 1940. I have no objection.

This involves more than Kansas. It involves the rest of the Western States in which grain is raised. The issue is one of possible discrimination and the burden on small country elevators and warehouses throughout the Western States.

[Here the gavel fell.]

The CHAIRMAN (Mr. McCORMACK). All time has expired. The question is on the amendment offered by the gentleman from Kansas [Mr. REES].

The question was taken; and on a division (demanded by Mr. LAMBERTSON), there were—yeas 57, nays 81.

So the amendment was rejected.

The Clerk read as follows:

Soil and moisture conservation and land-use operations, demonstrations, and information: For carrying out preventive measures to conserve soil and moisture, including such special measures as may be necessary to prevent floods and the siltation of reservoirs, and including the improvement of farm irrigation and land drainage, the establishment and operation of erosion nurseries, the making of conservation plans and surveys, and the dissemination of information, \$17,965,750.

Mr. FERGUSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FERGUSON: On page 74, line 11, strike out "\$17,965,750" and insert "\$20,965,750, of which \$3,000,000 shall be available only for expenditure in the field."

Mr. FERGUSON. Mr. Chairman, certainly, of all the services that have been rendered by the Department of Agriculture soil conservation has been acclaimed by both parties as a service that has contributed more to the national wealth than any other service in existence. The question resolves itself at this time into whether the Congress merely wants to render lip service and make political promises, or whether we want to actually deliver and make this service as effective as it might be with this increase.

This is not a case of a bureau or a department coming to the Congress and asking for an extension of its service. This increase is made necessary by the new soil-conservation districts created under State laws. The Federal Government said to the States, if you will pass legislation authorizing the creation of soil conservation districts within your State, we will furnish the technical advice and service necessary to carry on this work. As a result, 26 States have passed soil-conservation laws. A large amount of territory is included in these soil-conservation districts.

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. FERGUSON. I yield to the gentleman from Arkansas.

Mr. TERRY. Thirty-six States have passed such laws, rather than 26.

Mr. FERGUSON. I am pleased to have the correction.

Two hundred and seventeen districts are already organized, embracing an area of approximately 120,000,000 acres, under the care of farmers who have been interested enough to vote themselves under the restrictions of each soil-conservation district, and who are asking for the technical service to guide them in protecting the productivity of their land for future generations.

Certainly this Nation has done a better job of destroying its land than any other nation in the history of the world. We have had power machinery, we have had every modern science to help destroy the productivity of our land, until the Soil Conservation Service came into effect, when an intelligent effort was made to stop this destruction by erosion and by bad farming methods.

In spite of all the appropriations we make for insect control, in spite of all the appropriations we make for improvement in seeds, and so forth, in spite of all the improvements we have made in the technical methods of farming, in spite of the fact that we are being forced to abandon 200,000 acres every year because this land has been ruined, thus increasing the fertility of the balance of the land—in spite of these modern agencies to help improve crop production in this country in the last 60 years, agriculture has not increased the per-acre yield of a single product. With all modern science at our disposal, we are fighting a losing battle because we are taking a natural resource from the soil that cannot be replaced artificially. It is all right to talk about the use of fertilizer. Farmers were driven to it on our seaboard because they destroyed the fertility of their soil all through the southern part of this country, in the Carolinas and in the South, by poor farming methods, and they have had to go to the use of commercial fertilizer; but commercial fertilizer cannot restore the vegetative matter that it took a million years to put into the land.

For the first time in history not only do we have a Federal agency attacking this problem, but that agency has succeeded in selling to 36 States the idea of cooperating. We talk a lot about how the States should do it. That is one of the big battle cries on the left, "Let the States do it." Here we have a program that has 36 States interested enough to pass a law concerning it, and 217 districts, embracing these 120,000,000 acres, under State supervision, with only the Federal agency supplying the technical advice and knowledge necessary to terrace these lands and to restore the fertility by proper planting methods.

I hope when the vote comes on my amendment to increase this amount \$3,000,000, which is still below the Budget estimate last year, in spite of the fact that many additional districts have been created, that both sides of the aisle will come to the support of this amendment. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in the period of time necessary to allow 5 minutes for each gentleman standing, with an additional 10 minutes for the committee to close.

Mr. RAYBURN. Reserving the right to object, Mr. Chairman, I see that between 12 and 15 Members have risen, which would mean that an hour and fifteen minutes would be consumed. It is desired to complete the consideration of this bill tonight and adjourn over until Monday. A great many Members have plans for tomorrow. However, the program for next week is such that if we cannot finish this bill today we must have a session for its completion tomorrow.

Mr. CANNON of Missouri. Mr. Chairman, we have been very liberal in debate on this bill, both in general debate and in debate under the 5-minute rule. Whatever extensions of time have been asked for have been granted in full. No one has been denied recognition, and no one has been denied all the time he desired. There has been an unusual amount of debate on this bill, an extraordinary amount considering the fact that we have always heretofore passed this bill in 3 days. Therefore, Mr. Chairman, I modify my request and ask unanimous consent that all gentlemen standing be allowed 2 minutes each, and that the committee have 5 minutes to close.

The CHAIRMAN. The Chair observes that the Members who have risen are Mr. POAGE, Mr. MONRONEY, Mr. KLEBERG, Mr. MAHON, Mr. JOHNSON of Oklahoma, Mr. BOREN, Mr. BROOKS, Mr. PATRICK, Mr. MASSINGALE, Mr. VOORHIS of California, Mr. CASE of South Dakota, Mr. MUNDT, and Mr. RANKIN.

Mr. CANNON of Missouri. Mr. Chairman, the gentleman from Arkansas [Mr. TERRY] reminds me that he has an amendment which he desires to offer. I should like to include in my request 5 minutes for the gentleman from Arkansas.

Mr. TERRY. I should like to take up my amendment after the pending amendment has been disposed of, Mr. Chairman.

The CHAIRMAN. Does the gentleman from Arkansas [Mr. TERRY] desire to have his name included in the list?

Mr. TERRY. Mr. Chairman, I have a separate amendment on the desk. As I understood, the chairman of the committee stated that my amendment would be taken up separately and asked that I might have 5 minutes to speak on it.

Mr. MUNDT. Mr. Chairman, reserving the right to object, I would like to ask the Chairman whether I may have 5 minutes within which to offer and discuss amendments at this point following the gentleman from Arkansas [Mr. TERRY].

The CHAIRMAN. The Chair will be very glad to recognize the gentleman for the same amount of time as everyone else.

Mr. MUNDT. I wish 5 minutes instead of 2 minutes.

The CHAIRMAN. The Chair will be pleased to recognize the gentleman for 2 minutes.

Mr. CASE of South Dakota. I object, Mr. Chairman, to the request of the gentleman from Missouri [Mr. CANNON].

Mr. CANNON of Missouri. Then, Mr. Chairman, I move that all debate on this paragraph and all amendments thereto close in 40 minutes.

The question was taken; and on a division (demanded by Mr. CANNON of Missouri) there were—ayes 74, noes 45.

So, the motion was agreed to.

Mr. CANNON of Missouri. Mr. Chairman, I may say for the information of the Members that we expect to conclude the consideration of the bill tonight, and there is a possibility of several roll calls. We will appreciate expedition and cooperation in the consideration of the bill.

Mr. MUNDT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MUNDT. I would like to know whether by the previous vote, Mr. Chairman, a Member is deprived of his right under the 5-minute rule to offer an amendment and speak 5 minutes thereon.

The CHAIRMAN. The Chair will state that the motion just agreed to limits debate on the pending paragraph and all amendments thereto to 40 minutes. If the 40 minutes expires, the gentleman can offer his amendment, but the amendment will not be debatable. The gentleman may debate his amendment if debate on the pending amendment does not consume the 40 minutes agreed to by the Committee.

Mr. CASE of South Dakota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CASE of South Dakota. Mr. Chairman, my colleague the gentleman from South Dakota was on his feet and was among those assigned 2 minutes. I was also listed for 2 minutes. Would it not be possible for the Chair to recognize my colleague for 4 minutes if I yield my 2 minutes?

The CHAIRMAN. May the Chair ask the gentleman whether his amendment is to the amendment that is now pending?

Mr. MUNDT. It is an amendment following the amendment of the gentleman from Arkansas [Mr. TERRY].

The CHAIRMAN. It is a separate amendment from the one that is now pending?

Mr. MUNDT. That is right. As I understand, under the rules of the House, a Member has 5 minutes to speak on an amendment.

The CHAIRMAN. If there is time for debate remaining, of course, the gentleman can offer his amendment and discuss it in the time allotted to him, but the Chair has no control over that situation.

Mr. MUNDT. In other words, it is the opinion of the Chair that this motion deprives me of my right to speak for 5 minutes on my amendment?

The CHAIRMAN. The Chair cannot answer that question. It depends on whether or not all time is consumed on the

pending amendment. Insofar as the present occupant of the Chair is concerned, the present occupant will place the gentleman at the end of the list in the hope that if all the time is not consumed the gentleman may have an opportunity of not only presenting his amendment but having at least 2 minutes to discuss it.

Mr. MUNDT. I thank the Chair, and I shall wait and hope and see what happens.

Mr. SCHAFFER of Wisconsin. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SCHAFFER of Wisconsin. Is it not a fact that there is no agreement to recognize the Members who stood up and asked for 2 minutes? Unanimous consent was not given to an allotment of 2 minutes' time to each one of those Members. A motion was adopted to close debate and limit the debate to 40 minutes, and, therefore, we are now operating under the 5-minute rule, and 5 minutes is allowable to those recognized.

The CHAIRMAN. In answer to the question raised by the gentleman's parliamentary inquiry, in the opinion of the Chair, the statement of the gentleman is correct. The Chair, however, in an effort to try to see that the time is equitably distributed, will, if there is no objection, recognize Members for 2 minutes each, with the exception of the gentleman from Arkansas [Mr. TERRY], who will be recognized for 5 minutes, and the gentleman from Missouri [Mr. CANNON] for 5 minutes.

Mr. SCHAFFER of Wisconsin. I reserve the right to object in view of the fact that nearly all of those rising under the proposed 2-minute arrangement are from the other side and the gag rule has now been applied. I am going to object so that we can operate under the rules of the House and the gag rule which the Committee has just voted at the request of the gentleman from Missouri.

The CHAIRMAN. Objection is heard. The gentleman from Texas [Mr. POAGE] is recognized for 5 minutes.

Mr. POAGE. Mr. Chairman, I shall attempt not to trespass upon the time of other Members. Even though I have been recognized for 5 minutes, I realize that were I to take that amount of time others who desire to be heard would get no time at all. I had hoped I might have 5 minutes on this most important subject. Several days ago I sought to be assured that I would receive full time on this one particular amendment. I regret that circumstances have arisen that make it impossible for me to take the time I so much desired without doing injustice to others.

I do not think there is an amendment to come before this House that will be as important, in proportion to the amount involved, as the amendment now before us. This soil-conservation work probably contributes more for the money expended than any other expenditure in this bill. I want to call to the careful consideration of the House a fact which I think has escaped our attention entirely. That is the fact that on the increase of this soil-conservation appropriation depends the ability of the people all over this Nation to take advantage of the newly created soil-conservation districts which have been created by 36 States in response to the insistent demand of the Federal Government. Our States have created these soil-conservation districts in direct response to the invitation and request of the Federal Government. We authorized them. We encouraged them. We promised the States that if they would establish these districts that we would aid—that we would supply the trained technical personnel which can only be supplied through the Soil Conservation Service.

Let me further direct your attention to the vital fact that under existing law these soil-conservation districts can secure W. P. A. labor to carry on soil-conserving practices whenever they can secure technical supervision at the hands of the Soil Conservation Service. To my mind this is the most equitable and the most effective system of using W. P. A. labor yet suggested. This plan is as helpful to the W. P. A. as it is to the Soil Conservation Service. It means as much to the W. P. A. laborer as it does to the farmer. It provides work for the laborer. It provides protection for the soil. It enables hundreds of districts that now feel that they cannot sponsor

and do not now sponsor any W. P. A. projects to sponsor and carry on W. P. A. soil-conservation work. But this work can only be carried on; these projects can only be sponsored, these needy workers can only be employed where there is a Soil Conservation man to supervise the work. I offered the provision of the W. P. A. act to which I refer myself as an amendment to the deficiency bill on this floor almost exactly a year ago this month. My amendment provided that the W. P. A. might and should approve and carry out these soil-conserving works where supervised by the Soil Conservation Service and that they might be sponsored by any governmental agency.

The chairman of the committee at that time in charge of the bill stated that he did not want to establish any new programs in the deficiency bill, but stated that he would be glad to insert the proposal in the regular W. P. A. appropriation bill. This he did with only slight changes. The committee changed the wording so as to require not simply sponsorship by a governmental agency but instead required that the project should be sponsored by a soil-conservatory agency, meaning only a soil-conservation district set up by a State as heretofore urged by the Federal Government.

So that today, unless you provide a sufficient technical staff for the Soil Conservation Service, you have destroyed the efficiency of every soil-conservation district that has been created in the United States. You have destroyed the opportunity of the W. P. A. to carry on this work. You keep needy men idle. You allow valuable soils to wash and blow away. You break faith with the farmers of America and you create a distrust of the Federal Government that will take years to erase.

To my mind, this \$3,000,000 will go farther than \$30,000,000 spent in many activities for which appropriations are made in this bill.

Mr. Chairman, I yield back the balance of my time in order that I may be fair with other Members who want to speak.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. POAGE. Yes; I will yield to my distinguished colleague from Texas.

Mr. LUTHER A. JOHNSON. I want to express full approval of the observations made by the gentleman, and to ask, Is there any other work that the Department has done that has been more helpful?

Mr. POAGE. None whatever.

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to my friend from Arkansas.

Mr. TERRY. The gentleman knows that this year there are 188 of these soil districts, and next year there will be 400 of them.

Mr. POAGE. That is right. There is not enough money in the whole \$20,000,000 to provide the technical supervision that we need to keep these soil-conservation districts serving the Nation or to keep the unemployed on the W. P. A. engaged in profitable pursuits, rather than in leaf raking.

I yield back the balance of my time, Mr. Chairman, in order that other interested Members may be heard. [Applause.]

The CHAIRMAN. The gentleman yields back 1 minute.

The Chair recognizes the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Chairman, there are many Members who want to speak and I am not going to use the full 5 minutes so that some of the 40 minutes will be left for some of the others.

I want to repeat some of the things I said during general debate, because several Members were not present at that time.

The Soil Conservation Service is at the present time cooperating with approximately 190 soil-conservation districts that have been organized voluntarily by farmers throughout the country. There are other applications pending, so that by the end of this fiscal year they will be cooperating with something over 200 districts. The rate of formation of soil-conservation districts is cut so that during the coming fiscal

year it is anticipated that at least 400 of those soil-conservation districts would be organized throughout the country, looking to the Soil Conservation Service for the type of technical service and help that has been given to districts already organized, and those set up under the purposes of the act.

The amendment offered by the gentleman from Oklahoma merely restores approximately the amount of money that is available during the present fiscal year. It will not permit the Soil Conservation Service to meet the full demands upon it, but it will allow it to carry on at about its present rate of activity.

For that reason, those of you who have any appreciation of the importance of soil-conservation work should support this pending amendment.

I yield back the balance of my time, Mr. Chairman. [Applause.]

The CHAIRMAN. The gentleman yields back 3 minutes. The Chair recognizes the gentleman from Oklahoma [Mr. MONRONEY].

Mr. MONRONEY. Mr. Chairman, this amendment is simply to enable the Soil Conservation Service to continue at its last year's level in field services alone.

It represents more than three and one-half million dollars less than the Soil Conservation Service says is needed to do the job. It represents about three million more than the Budget estimate.

The Budget has reduced this appropriation by three and one-half million below last year's figures. This is in spite of the fact that the work of soil conservation in the various States is just now getting well under way.

The Department was allowed twenty-one and one-half million dollars last year to service soil-conservation camps of the C. C. C., operate demonstration projects in erosion regions, and to cooperate with less than 200 State organized soil-conservation districts. The number to be served this year is double, 400.

These districts, many including several countries in 36 States, were organized at the instance and suggestion of the Federal Government to obtain State cooperation on this work of saving the soil of the Nation. The law of April 1935 provided for them and for the Federal assistance in technical help in planning.

Farmers want to cooperate. And so the new soil conservation districts that Congress invited them to organize are coming in at the rate of 15 a month. The Department estimates that for the coming year 400 will have to be serviced. When these farmers organize, agree to cooperate—they expect technicians to be furnished to show them how best to save their soil. Almost no money is spent on materials—this money goes for civil engineering and planning to hold the soil on the land.

Simply, the work of soil conservation is to hold the water on the fields where it falls—to prevent it from running off, destroying the fertility and carrying the topsoil with it to silt up the beds of bigger rivers.

It is good business and economy to do this. It is tenfold cheaper here to meet the flood-control problem than it is after the rainfall has swept through fertile areas and rushed wildly down the larger streams carrying millions of dollars in topsoil with it. If moisture is held where it falls through soil conservation—the problem of flood control, millions for dykes, levees, dams, and even irrigation will not be needed.

I know that this three and one-half million asked is not in the Budget. That is the only argument voiced against passing this amendment. No one will question that the money is not needed—it just is not in the Budget.

But in a budget bureau providing for eight thousand million dollars' worth of governmental expenditures—it would be possible, I am sure, for this badly needed three and one-half million to have been pushed aside—to have been overlooked—to not have received due consideration as to its true worth.

I am sure that this administration would not want intentionally to cripple this rapidly increasing work of preserving America's most valuable resource, our topsoil.

The effect of this reduction will be to tell the farmers of America, who after so many years of effort have been awakened to the value of soil-conservation practices—that the Federal Government just is not much interested in continuing or expanding this valuable work.

But even with a full appropriation as asked, the job that remains to be done is tremendous. So far only 120,000,000 acres have been taken into soil-conservation districts. There remain outside more than 650,000,000 acres.

Even with full resources available to those districts already organized, it will take nearly 40 years to complete the work begun. It is a continuing fight against the most destructive force of nature—erosion. I hope this Congress in seeking economy will not bring it at the expense of the 800,000,000 acres of land now eroding away.

Economy at the expense of continuing destruction of America's greatest resource, her topsoil, is short-sighted.

Far better to abolish any service of the Department of Agriculture than to make this reduction. For once lost, the fertile topsoil can never be replaced. Damage to growing things can be replaced, but our topsoil is gone forever when nature wreaks its havoc.

The House has voted more than six million for control of bugs, which probably is badly needed. But how much greater is the need for stopping now our disappearing soil.

Economy is fine. But few Members of this House would drive to the Capitol with a flat tire rather than spend 50 cents or \$1 to have it repaired. Do not let us ruin the tires of agriculture—the topsoil—by refusing an appropriation equal only to that available last year. [Applause.]

Mr. Chairman, I hope the Members will see fit to increase this appropriation by the \$3,000,000 asked in the amendment offered by the gentleman from Oklahoma.

Mr. MONRONEY. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. Chairman and members of the Committee, I want, first of all, to say that I regret sincerely that after listening to debate on almost every subject in the world except the farm problem during this general debate it should be felt necessary by the leadership of this House to limit by gag rule to 40 minutes the discussion of one of the fundamental farm problems of America. I am sure that the farmers of this country are more interested in soil conservation than they are in the fact that this body can recess from Friday night until Monday morning. [Applause.]

However, since the gag has been once again imposed by the inevitable majority, I can do nothing but utilize the time that I have now to discuss the amendment which I shall subsequently propose when it is no longer possible to discuss the amendment then in hand.

First, I want to talk to the gentleman from Virginia [Mr. WOODRUM] and the gentleman from New York [Mr. TABER] and other economy-minded Members of this body, and I am proud to associate myself among that group, because I think this country needs men of their type, fearless in preaching the doctrine of economy. I want to suggest, first of all, however, that this is one of the most economy-minded amendments that has been before this body for a long while. There is more, if you please, to the resources of the country than its financial resources.

When you are talking about wrecking the country from the standpoint of its Budget, we must consider along with financial resources such problems as fundamental natural resources as well as the human resources of that country. When you propose to save a measly little \$3,000,000 at the cost of permitting the soils of America to erode without proper attention, that is certainly not economy. That, if you please, is scuttling the National Budget. That, if you please, is scuttling this ship of state instead of defending it as wise economists should.

I urge you, therefore, to vote for this \$3,000,000, first of all as an economy measure, because by so doing we are helping

to increase the flow of finances which will eventually well up in this country to balance the National Budget.

The second reason I want you to vote for this measure is from the standpoint of national defense.

Before long we are going to hear some of you Members ask the farmers to vote a large sum of money for \$110,000,000 battleships, to be authorized by this same Congress. One-fortieth of the cost of one ship will give the farmers of America what they need to help conserve the basic soil and the basic resources of this country. This, too, is a matter of national defense. Napoleon once said that an army marches on its stomach first of all. The army marches on its stomach, but that stomach marches on what it has been able to secure from the fertile soil of the country. If we stop the army, if you please, by stopping the source of the food that feeds the army's stomach, we are scuttling our national defense as well as scuttling our national economy because we can make the headlines by saving \$3,000,000 in some particular instance; because too many Members blindly vote for a false economy.

I urge upon you that this is not economy. I am proud of the gentleman from Virginia [Mr. WOODRUM] and of the gentleman from New York [Mr. TABER] for the fight they are making against great odds to economize in this Congress, but I urge you to support a wise economy measure by voting to retain the soil resources of America. Those interested in forests have wisely said that if the Nation will save the trees, the trees will save the Nation. Let me paraphrase that by saying that if a nation will save its soils, its soils will save the nation.

Wars are being fought now to get fertile soils for countries that lack adequate means of producing farm products. So let us use this small additional appropriation to give this Soil Conservation Service the support so greatly needed to carry on the splendid work now being conducted.

In my amendment I refer to work being conducted by the C. C. C. camps in connection with the Soil Conservation Service, thereby linking the conservation of human resources, the conservation of natural resources, to that of the financial resources of America so we can begin to approximate something resembling a balanced budget.

Mr. FERGUSON. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I cannot yield. I have scarcely time to talk as it is under this gag-rule dictatorship of the majority. I want to say this: If my amendment can be adopted, we will be helping with a very sensible form of conservation which contributes to the national wealth and social security of the Nation by protecting and rebuilding the soil resources of this country which, after all, are the basis of all our national wealth, the source of our national income, and the foundation of our national defense. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. JOHNSON] for 5 minutes.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask unanimous consent that the amendment may be again read, out of my time, for I think it might be worth while to call attention to the fact that every dollar of the money proposed to be expended will be spent in the field and not behind mahogany desks here in Washington.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FERGUSON: On page 75, line 11, strike out "\$17,965,750" and insert "\$20,965,750, of which \$3,000,000 shall be available only for expenditure in the field."

Mr. JOHNSON of Oklahoma. In the brief time that is mine I would like to call the attention of the members of the Committee to the last proviso of the Ferguson amendment. You will observe that under its provisions the extra \$3,000,000 provided herein must be spent in the field. This will preclude a dollar of this extra money as provided in the Ferguson amendment being spent in the Washington office. Some of you will recall that when this measure was being considered

here a year ago I endeavored to require by an amendment that more funds for the Soil Conservation Service be actually expended in the field. At that time I called attention to the fact that an entirely too large portion of the appropriation for the Soil Conservation Service was used in conserving soil in Washington, or at least conserving jobs here. I am still very much of the opinion that more funds for the Soil Conservation Service should be actually used in assisting farmers of America to conserve their precious soil. This amendment, if adopted, will actually accomplish that very thing. This simple amendment speaks for itself. It is short and to the point. It could not be misconstrued or misunderstood. If adopted, it will go far in actually securing technical and scientific information for the regularly organized soil-conservation districts throughout the country, many of which will be unable to operate unless Federal funds are forthcoming.

Here is an opportunity for Members to have this comparatively small sum go into many of the States and communities where it belongs, rather than is too often the custom of creating additional jobs for various departments, some of which are already topheavy. This proposal to add \$3,000,000 funds would assist over 400 soil-conservation districts in many States of this Union.

May I not call attention further to the fact that the soil-conservation districts sought to be aided by the pending amendment are all organized under State laws? They are not Federal set-ups but are organized under your own State laws. They have local committees, and the districts are being operated by local citizens. All over the Nation farmers are organizing and demanding assistance in combating soil erosion, which they have come to realize as one of the real enemies of the American farmer for the conservation of the soil.

Much has been said during this session of Congress in support of national defense. It is not difficult to secure hundreds of millions for battleships. One can wave a flag, talk national defense, and secure fabulous sums of money from this Congress. But I submit in all seriousness that this amendment, small as it is as compared with the cost of even one battleship, constitutes real, practical, national defense. [Applause.]

Mr. NICHOLS. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. NICHOLS. May I not point out to my friend that this amount of money is only \$1,500,000 in excess of the amount of money that was allowed last year. Under an act of Congress there are now 423 districts in the United States asking to cooperate with the soil-conservation program for 1941.

Mr. JOHNSON of Oklahoma. That is correct.

Mr. NICHOLS. If we do not give them some additional sum over what they had last year, not a single one of these 423 districts that have been organized can go into operation in 1941.

Mr. JOHNSON of Oklahoma. I thank my colleague from Oklahoma for his valuable contribution. That is the point I was endeavoring to make. To assist farmers in conserving their soil would not make the country poorer but richer. It would not involve waste or extravagance, but the sum requested by the pending amendment would be a wise, practical investment. For my part, I prefer investing in soil conservation than in constructing huge, clumsy battleships that will take from 2 to 4 years to construct and then within a few years more will be out of date and practically useless. [Applause.]

[Here the gavel fell.]

The CHAIRMAN (Mr. McCORMACK). The Chair will state that there are 21 minutes remaining. Outside of the gentleman from Missouri [Mr. CANNON] and the gentleman from Arkansas [Mr. TERRY] there are eight Members on the list now before the Chair. If there is no objection, the Chair will recognize each one of the eight Members, outside of the gentleman from Arkansas [Mr. TERRY] and the gentleman from Missouri [Mr. CANNON], for a proportionate part of the 11 minutes. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Chairman, reserving the right to object, in view of the fact that the House voted for the gag motion of 40 minutes, I shall object. Let us follow the gag rule, which was voted for by some of the Members who have to take 2 minutes' time.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Chairman, I shall only take a minute. I do not believe there is a businessman or farmer, on the farm or off the farm, who would not be in favor of this amendment if he really understood the significance of it, because the only purpose of the appropriation for this particular item is to enable the States to cooperate with districts, with farmers, with counties, or parts of counties in saving, preserving, and using scientific methods in connection with utilization of the soil. It is fundamentally sound. If any man, no matter how high his tax bill may be, fully understood this amendment, he would vote for it, because he would realize it would increase the income of the Nation and contribute to the stability of our Nation for generations to come.

Let me reiterate the urgent necessity of revising this bill so that it will include adequate provision for soil conservation, the water-facilities program, the farm-tenant purchase program, and parity payments.

Mr. NICHOLS. Will the gentleman yield?

Mr. MAHON. Briefly.

Mr. NICHOLS. I want to point out that by previous acts of Congress and by previous appropriations we have appropriated large sums of money with which agencies of the Department of Agriculture might convince the farmers of the necessity of practicing on their farms soil conservation. After we finally got them sold on the idea, after we have set up a permanent department of Government which would show them how to do the job that we first asked them to do, now we come along, when the department that wants to do the job asks for enough money to do it, and take the money away from them. Do not let us do this thing simply to save \$3,000,000.

Mr. MAHON. I thank the gentleman for his contribution and I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. KLEBERG.]

Mr. KLEBERG. Mr. Chairman, I desire merely to pay my respects to the system used this afternoon and in the immediate past in expending the Nation's money for vital national interests. My hat is off to the combination of the Director of the Budget and the committee in charge of the bill in performing this function. The Congress will now take a back seat.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. BOREN].

Mr. BOREN. Already in the United States 50,000,000 acres of farm land have been completely ruined for practical and profitable cultivation. This means 320,000 farms of 156-acre average have been permanently abandoned and those farm families formerly occupying them added to unemployment. Another 150,000,000 acres have been depleted to the border line of abandonment. Three hundred thousand acres of land are abandoned in the United States annually because of soil erosion. This means that 28 farm families every day are forced to abandon farms. The eventual outcome is that that many more people are unemployed.

Despite improved farming methods, improved seed, improved methods of fertilization, the per-acre yield per family is seriously reduced annually. Soil erosion from wind and water displaces 3,000,000,000 tons of soil each year, causes 750,000,000 tons of soil to be dumped in the Gulf of Mexico annually. And yet it takes nature, under a protective cover of vegetation, some 300 to 1,000 years to build 1 inch of top soil.

At the present time we have organized operative districts for soil conservation pretty generally throughout the United States, with a very small appropriation given this gigantic task. Only skeletonized technical staffs are available in a

small percentage of the districts. Soil-conservation work necessarily requires long-range planning. Under the present set-up a 30-year program should be the least we could expect for over-all results for the Nation.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama [Mr. PATRICK].

Mr. PATRICK. Mr. Chairman, I live in a nonagricultural Alabama district, where land all around frequently washes away, leaving farms impoverished; then those people come to us, and we have to take care of them in some way.

I have a little vagabond verse here illustrating a case in point, and I would like to read it:

WHO LEFT THE FARM?

The boll weevils et my cotton;
The blue jays et my corn—
That's only two of the reasons why
I left where I was born.
The turtles et my goslings;
The foxes et my geese;
My hogs left home and went hog wild
An' left me short on grease.
The hoot owls caught my chickens;
My only cow went dry.
The sheriff came an' took my farm,
An' my hoss laid down to die.
Then you ask me why I left the farm;
Why did I run away?
My friend, who left and who left who?
Where could I, should I, stay?

If we do not have strengthened soil conservation to keep these folks from washing away and starving to death, they will continue to gang up on the cities. Money spent making a farmer do more and live better at home is really economy. I therefore fully support the amendment offered by the gentleman from Oklahoma. I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS. Mr. Chairman, may I say that the testimony shows that the Soil Conservation Service recommends the sum of \$27,000,000 as being necessary for this work. Instead of appropriating that amount, the committee has reduced the Budget estimate of \$20,195,000 down to \$20,095,000.

I do not want to take the full time allotted me, but may I say that this is a service that will permit the farmers to do the work. It is a service that will furnish a supervision to the work now being done by the farmers. The farmers are ready, willing and anxious to voluntarily do the work of building up their soil. All that they ask from this Congress is enough money to furnish the direction in the handling of the work. I submit in connection with this great work, which has not been criticized on the floor of the House of Representatives, that they are entitled to the full amount requested by the amendment, to voluntarily perform and carry to a completion the work that has been so ably begun by the Soil Conservation Service.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. TERRY].

Mr. TERRY. Mr. Chairman, I offered an amendment to be disposed of after the amendment offered by the gentleman from Oklahoma [Mr. FERGUSON] had been passed on. His amendment calls for an increase of \$3,000,000 in the appropriation, and is not confined to the soil-conservation districts. The amendment I offer is to increase the Budget item \$1,500,000, and make it apply exclusively to the soil-conservation districts that have been described to you by the speakers who have preceded me.

I am very much interested in the soil-conservation program. I believe Dr. H. H. Bennett, head of the soil-conservation program, has done more for agriculture than any other one man, because he has made the United States soil-conscious.

We have heard a great deal about Gone With the Wind lately, the play that is showing downtown now, but I say to you that one of the tragedies of America is the passing away of the topsoil of the country which has gone with the winds and the floodwaters of this country.

Mr. NICHOLS. Mr. Chairman, will the gentleman yield?

Mr. TERRY. Briefly.

Mr. NICHOLS. The gentleman is not attempting to tell the Committee that he wants it to vote down the Ferguson amendment in order to get to his amendment?

Mr. TERRY. I certainly do not. I told the Committee a moment ago that I was in favor of the \$3,000,000 amendment, but that if that amendment is voted down I want the Committee to take favorable action on my amendment to increase the amount only \$1,500,000, which will only bring it up to what the appropriation for 1940 is. It does not increase it over what we have for the current year, but only brings it up to that sum.

The present Federal law gives authority to the various States in the Union to pass legislation to organize these soil-conservation districts upon the vote of the farmers of the areas affected. Out of the 48 States in the Union, 36 of them have taken advantage of that program, and this year we have 200 soil-conservation districts. Next year we will have over 400 soil-conservation districts. These districts are under the immediate supervision of the State soil-conservation committees. The farmers of the various areas of the States have the right to petition the State committee to authorize soil-conservation districts in their respective areas for the purpose of having an election to determine whether they wish to organize a conservation district.

This is most democratic. We heard a splendid address here yesterday on preserving States' rights and letting localities attend to their own business. Under this soil-conservation district legislation that democratic principle of local self-government is fully carried out.

The soil-conservation district legislation is one of the most popular measures among the farmers all over the United States, from the East to the West and the North to the South. This is not a southern measure; it covers all the States. I am going to read you the names of the States that have adopted this program, as of November 15, 1939:

Alabama, Arkansas, California, Colorado, Florida, Georgia, Idaho, Indiana, Illinois, Iowa, Kansas, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Jersey, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, and Wisconsin.

I urge you to adopt the amendment offered by the gentleman from Oklahoma [Mr. FERGUSON], but if you do not do that, I ask that you adopt my amendment for \$1,500,000. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair will state that 7 minutes remain, with 5 minutes of that time to be reserved for the chairman of the committee.

The Chair recognizes the gentleman from Oklahoma [Mr. MASSINGALE] for 2 minutes.

Mr. MASSINGALE. Mr. Chairman, I am glad of the fact that every Member from Oklahoma has either made a speech or attempted to make a speech in behalf of the Ferguson amendment. I make this statement, and I believe it is correct, that any man who knows anything about dry farming would not have the temerity to get up here and vote in favor of no appropriation for experimental purposes in dry farming and for a continuation of soil-conservation work.

Let me give you this just as an object lesson. You do not have to live in Oklahoma to get it. You can start out on a drive from Oklahoma to Washington and you can see the necessity for this kind of legislation almost as soon as you cross the Mississippi River. You get over in this part of the country, about Tennessee, and you will see the little mountains, which are cone-shaped. The farmers begin planting corn at the top of these cones and drive their mules around them laterally, so there is no soil on any cone that washes away. They raise corn to the tiptop of those cones. Such cannot be done where we have spasmodic rains, coming oftentimes in a period of a few minutes and in such tremendous volume as to amount to a waterspout. When this kind of a

rain comes it washes holes in the ground and literally tears down the hillsides and where any of these hills are in cultivation neither the land itself nor anything growing on them can withstand the force of the water. These sudden rains, of such destructive force, are unknown to other sections of the country. Simply because members of the Agriculture Appropriations Committee know nothing of such conditions throughout the Middle West is no reason or justification for the committee to summarily put an end to appropriations for conserving the soil that is washed away in the West. I trust that this committee will vote this amendment to the end that the great service of soil conservation will not have to be suspended.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. CANNON] for 5 minutes.

Mr. CANNON of Missouri. Mr. Chairman, really only 1 minute is necessary to answer these arguments, as they seem to be based on a misconception of the program. Originally, when this system was started, \$25,000,000 was provided, with the understanding that the Federal Government would establish these projects in cooperation with the States because the original provision contemplated organization by the States of their own soil-conservation work, and in connection with the States they should carry along these projects, gradually shifting them, year by year, to the States. The original plan—and the plan which has been followed—was that each year the amount appropriated by the Federal Government should be reduced seriatim. As explained to the committee, they should gradually taper off so that this reduction, Mr. Chairman, is not only in consonance with the original plan but, more than that, it is \$3,000,000 above the Budget estimate.

I yield to the gentleman from Illinois [Mr. DIRKSEN].

Mr. NICHOLS. It is not \$3,000,000 above the Budget estimate?

Mr. CANNON of Missouri. Yes; \$3,000,000 above the Budget estimate.

Mr. DIRKSEN. There are various reasons why this amendment should not be adopted. The first one. Look at the form of this amendment: "Strike out \$17,965,750 and insert \$20,965,150, of which \$3,000,000 shall be available only for expenditure in the field."

Mr. SCHAFER of Wisconsin. Mr. Chairman, I make a point of order that the gentleman is speaking out of order. The gentleman from Missouri [Mr. CANNON], a parliamentarian and an expert on the rules, knows that under the 5-minute rule of the House he has no right to yield the balance of his time to any other Member.

Mr. CANNON of Missouri. I yielded to the gentleman for a question and he is now answering. [Laughter.]

The CHAIRMAN. The gentleman from Wisconsin has made a point of order. The gentleman from Missouri has explained that he had yielded to the gentleman from Illinois for a question, which clarifies the situation [laughter], and for that reason the Chair is constrained to overrule the point of order.

Mr. SCHAFER of Wisconsin. Mr. Chairman, a further point of order. The gentleman from Missouri yielded the balance of his time to the gentleman from Illinois [Mr. DIRKSEN], and then he sat down in his seat and therefore did not have any time to yield for a question.

The CHAIRMAN. The Chair's recollection is that the gentleman from Missouri yielded to the gentleman from Illinois. It is true the gentleman sat down, from which the gentleman from Wisconsin might well draw the inference upon which he bases his point of order, but the gentleman from Missouri corrected the situation, so the Chair overrules the point of order.

Mr. CANNON of Missouri. I would be pleased if the gentleman from Illinois would answer the question a little more fully.

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from Illinois?

Mr. CANNON of Missouri. I yield to the gentleman from Illinois.

Mr. DIRKSEN. If the gentleman from Missouri will yield for a question [laughter], is it not true that this amendment will be entirely abortive inasmuch as it provides that \$3,000,000 shall be available only for expenditure in the field, leaving \$17,000,000 for expenditure in Washington, D. C.?

Mr. CANNON of Missouri. Exactly.

Mr. DIRKSEN. Is it not true also that in this expenditure they are asking for \$1,068,000 for the maintenance of erosion nurseries, with which we can dispense, at least for a time?

Mr. CANNON of Missouri. That is the testimony of the Department.

Mr. DIRKSEN. Is it not true also—

Mr. TABER. Mr. Chairman, will the gentleman from Missouri yield for a question?

Mr. CANNON of Missouri. When the gentleman from Illinois has concluded his questions.

Mr. TABER. I was wondering if this was not designed to protect the bureaucrats in the District of Columbia.

Mr. CANNON of Missouri. That might very well be inferred.

Mr. DIRKSEN. And is it not true also that the amount carried herein of over two and a half million dollars is for operations on lands owned or controlled by the Government, and is it not true that this will be \$3,000,000 above the Budget figures? What more does it take to defeat this amendment?

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. CASE of South Dakota. Is there anything in the amendment that would place any limitation on the \$17,000,000 or upon how any portion of that amount could be used in the field?

Mr. CANNON of Missouri. It is permissive, not mandatory.

Mr. NICHOLS. If the gentleman will yield, in the gentleman's own bill it was only permissible. It was not mandatory that anything be done with the \$17,000,000, and this definitely places a limitation of \$3,000,000 and does not change any of the provisions of the bill that the gentleman brought here.

Mr. CANNON of Missouri. If the gentleman will examine the amendment, he will find it provides that most of this money is not to be used in the field, but is to be dispensed here, which is impracticable.

Mr. NICHOLS. Does not the gentleman know that the gentleman from Oklahoma [Mr. FERGUSON], in preparing this amendment, discussed this thing with the gentleman and other Members of the House; and the purpose was to avoid this very thing that they are now talking about—to compel the expenditure of this \$3,000,000 when it was added to the appropriation in the field, and not to affect any of the other appropriations. Did not the gentleman understand that?

Mr. CANNON of Missouri. We must be governed by the text of the amendment as drawn. It provides that this sum of money be spent in the District of Columbia.

Mr. NICHOLS. Oh, I never saw the gentleman unfair before in my life.

Mr. CANNON of Missouri. Mr. Chairman, this is in keeping with the program—

The CHAIRMAN. The time of the gentleman from Missouri has expired. All time has expired.

Mr. RANKIN. Mr. Chairman, may we have the amendment read again?

The CHAIRMAN. Without objection, the Clerk will again report the amendment offered by the gentleman from Oklahoma [Mr. FERGUSON].

There was no objection, and the Clerk again reported the amendment offered by the gentleman from Oklahoma [Mr. FERGUSON].

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Oklahoma [Mr. FERGUSON].

The question was taken; and on a division (demanded by Mr. FERGUSON) there were ayes 82 and noes 93.

Mr. NICHOLS. Mr. Chairman, I ask for tellers.

Tellers were ordered; and the Chair appointed Mr. CANNON of Missouri and Mr. FERGUSON to act as tellers.

The Committee again divided; and the tellers reported there were ayes 105 and noes 109.

So the amendment was rejected.

Mr. TERRY. Mr. Chairman, I ask unanimous consent that my amendment may be read again, which amendment is in perfect legal form and only raises the amount \$1,500,000.

The CHAIRMAN. The Chair understood the gentleman from South Dakota [Mr. MUNDT] to offer an amendment.

Mr. MUNDT. I offered my amendment to be read after the amendment offered by the gentleman from Arkansas [Mr. TERRY].

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Arkansas [Mr. TERRY].

The Clerk read as follows:

Amendment offered by Mr. TERRY: On page 74, line 11, strike out "\$17,965,750" and insert "\$19,465,750, of which not to exceed \$7,791,307 shall be for cooperation with soil-conservation districts established under State laws."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas [Mr. TERRY].

The question was taken; and on a division (demanded by Mr. TERRY) there were ayes 78 and noes 112.

So the amendment was rejected.

Mr. MUNDT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MUNDT: On page 74, line 11, strike out "\$17,965,750" and insert "\$18,240,750, provided that \$273,406 of this appropriation shall be expended for technical cooperation with C. C. C. camps in soil and water conservation."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from South Dakota.

Mr. MUNDT. Mr. Chairman, I ask unanimous consent to proceed for 1 minute.

The CHAIRMAN. Is there objection?

Mr. CANNON of Missouri. Mr. Chairman, I much regret, I would be glad to yield, but we must get along with this bill, and I will have to object.

Mr. MUNDT. I offer a preferential motion, Mr. Chairman.

Mr. CANNON of Missouri. Mr. Chairman, I withdraw the objection.

The CHAIRMAN. Without objection, the gentleman from South Dakota is recognized for 1 minute.

There was no objection.

Mr. MUNDT. Mr. Chairman, I simply wanted to say that my amendment provides for an additional \$247,000 for this soil-conservation purpose, which will permit the continuation of present cooperation between the Soil Conservation Service and the C. C. C. camps, so that we can accomplish what at least a substantial minority wants to accomplish, and to do it most economically.

I hope that everybody in this House who is interested either in economy or the farmer will vote for the amendment. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. MUNDT].

The question was taken; and on a division (demanded by Mr. MUNDT) there were—ayes 73 and noes 122.

So the amendment was rejected.

The Clerk read as follows:

Total, salaries and expenses, Soil Conservation Service, \$20,090,750, of which not to exceed \$1,724,174 may be expended for personal services in the District of Columbia, and not to exceed \$200,000 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Mr. NICHOLS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this is the sixth session that I have been a Member of this body. During that time I have taken part in many contests. I have supported many amendments which have been defeated and have supported many bills which have been defeated. I have been against many prop-

sitions which have been carried. I doubt that anyone in this House is able to say that I was not always willing to take defeat, if defeat I must take, courageously. A thing happened this afternoon which I know is bad practice and bad taste. It happened to a proposition that I and great sections of the United States are tremendously interested in. I will take a fair licking any time and never squall, but I am not going to be defeated by misstatements of fact without at least calling it to the attention of this body.

When the Ferguson amendment was pending, the distinguished gentleman from Missouri [Mr. CANNON] was asked by the gentleman from Illinois [Mr. DIRKSEN] if it was not a fact that under the Ferguson amendment only \$3,000,000 of the \$20,000,000 could be spent in the field, that the other \$17,000,000 would have to be spent in the District of Columbia; and the distinguished gentleman from Missouri, to my great astonishment, answered: "That is true." I am confident the distinguished gentleman from Missouri must have misunderstood the question asked by the gentleman from Illinois [Mr. DIRKSEN], and I now ask the gentleman from Missouri whether or not he understood the question of the gentleman from Illinois when he made that reply.

Mr. CANNON of Missouri. Mr. Chairman, I have the highest regard for the gentleman from Oklahoma. He is one of my warm personal friends.

The amendment carried language that \$3,000,000 only should be expended in the field. Under ordinary circumstances that would be interpreted by the Department which allocates this fund as inferential direction that the rest should be spent elsewhere.

Mr. NICHOLS. The gentleman knows, as I thought he agreed with me a minute ago, that the amendment read that \$3,000,000 could be spent only in the field.

Mr. CANNON of Missouri. Mr. Chairman, I have explained to my good friend from Oklahoma my views on it and he has explained his views.

Mr. NICHOLS. Does the gentleman still contend for his interpretation of the Ferguson amendment that \$3,000,000 only was to be spent in the field and that the other \$17,000,000 could not be spent in the field?

Mr. CANNON of Missouri. My statement was as explained.

Mr. NICHOLS. Will the gentleman answer that?

Mr. CANNON of Missouri. I am merely calling attention to the fact that it is customary in the Bureau to read an inferential direction into these words and as they could undoubtedly interpret it that the rest was to be spent elsewhere, and, of course, "elsewhere" must be the District of Columbia.

Mr. NICHOLS. I do not yield further to the gentleman, Mr. Chairman; my time is going fast.

I am more surprised by the gentleman now than I was in the first place. There is not a more intelligent man in the House of Representatives than the gentleman from Missouri. He is one of the best parliamentarians in this House, and, regardless of whether he wants to admit it, I know that he knows better than he is now trying to tell this House; and I know that he knew better at the time; and that is what I object to.

[Here the gavel fell.]

The Clerk read as follows:

To enable the Secretary of Agriculture to carry into effect the provisions of sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, approved February 29, 1936, as amended (16 U. S. C. 590g-590q), and the provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1281-1407) (except the making of payments pursuant to sections 303 and 381 and the provisions of titles IV and V), including the employment of persons and means in the District of Columbia and elsewhere; rent in the District of Columbia; not to exceed \$50,000 for the preparation and display of exhibits, including such displays at State, interstate, and international fairs within the United States; purchase of lawbooks, books of reference, periodicals, newspapers, \$498,560,000, to remain available until June 30, 1942, for compliances under said act of February 29, 1936, as amended, pursuant to the provisions of the 1940 programs carried out during the period September 1, 1939, to December 31, 1940, inclusive; *Provided*, That no part of such amount shall be available for carrying out the provisions of section 202 (f) of the Agricultural Adjustment Act of 1938, and not to exceed \$3,000,000 shall be available under the provisions of section 202 (a) to 202 (e), inclusive, of said act, including research on food products

of farm commodities: *Provided further*, That no part of such amount shall be available after June 30, 1941, for salaries and other administrative expenses except for payment of obligations therefor incurred prior to July 1, 1941: *Provided further*, That such amount shall be available for salaries and other administrative expenses in connection with the formulation and administration of the 1941 programs or plans now or hereafter authorized under section 7 or 8, or both, of said act of February 29, 1936, or under said provisions of the Agricultural Adjustment Act of 1938: *Provided further*, That the Secretary of Agriculture may, in his discretion, from time to time transfer to the General Accounting Office such sums as may be necessary to pay administrative expenses of the General Accounting Office in auditing payments under this item: *Provided further*, That such amount shall be available for the purchase of seeds, fertilizers, lime, trees, or any other farming materials and making grants thereof to agricultural producers to aid them in carrying out farming practices approved by the Secretary of Agriculture in the 1940 and 1941 programs under said act of February 29, 1936, as amended; for the reimbursement of the Tennessee Valley Authority or any other Government agency for fertilizers, seeds, lime, trees, or other farming materials furnished by such agency; and for the payment of all expenses necessary in making such grants, including all or part of the costs incident to the delivery thereof: *And provided further*, That the funds provided by section 32 of the act entitled "An act to amend the Agricultural Adjustment Act, and for other purposes," approved August 24, 1935 (7 U. S. C. 612c), shall be available during the fiscal year 1941 for administrative expenses, in accordance with the provisions of section 392 of the Agricultural Adjustment Act of 1938, in carrying out the provisions of said section 32, including the employment of persons and means in the District of Columbia and elsewhere, in accordance with the provisions of law applicable to the employment of persons and means by the Agricultural Adjustment Administration: *Provided further*, That the funds appropriated under the head "Parity payments, Department of Agriculture," for the fiscal year 1940 shall remain available until June 30, 1942.

Mr. CANNON of Missouri. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Amendment offered by Mr. CANNON of Missouri: On page 76, line 4, after the colon insert the following: "*Provided further*, That such amounts as may be necessary of this appropriation shall be immediately available to reimburse the appropriation under this head for 1940 on account of obligations created against said appropriation in connection with the 1940 grant-of-aid program, advances for the 1940 crop-insurance program, and county association expenses for the 1940 agricultural-conservation program."

Mr. CANNON of Missouri. Mr. Chairman, this amendment is offered to remedy a clerical error. Through inadvertence, this paragraph, usually incorporated in the bill, was omitted.

In response to my good friend the gentleman from Oklahoma [Mr. NICHOLS], may I say I have given him my interpretation of the amendment. I do not insist that it is the correct interpretation. I lay no claim to infallibility; but certainly there was no intention to mislead. As a matter of fact, the interpretation of this phase of the amendment is wholly incidental. It was in nowise basic to the proposition, and it certainly was not the issue upon which the question was decided. The issue on which the amendment was defeated was that this additional amount was wholly outside the Budget and the program.

At the time this activity was established, \$25,000,000 was appropriated with the understanding that the Federal Government would establish these demonstrational projects and then would gradually turn them over to the States. It was contemplated that at intervals there would be a reduction in the amount in order to comply with that program; and, of course, this item accepted its cut along with the rest of the bill.

The real issue, on which the House decided the question, was that they did not feel justified in increasing this one item of the bill \$3,000,000 over the Budget estimate when we had denied item after item, just as meritorious, increases of \$5,000 or \$10,000.

That was the issue on which it was decided. I do not think it is material at all, but I assure my good friend from Oklahoma, and I assure the House, there was no intention whatever of giving any misinformation.

[Here the gavel fell.]

The CHAIRMAN (Mr. COLE of Maryland). The question is on the committee amendment offered by the gentleman from Missouri [Mr. CANNON].

The committee amendment was agreed to.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. AUGUST H. ANDRESEN: Page 76, line 7, after the colon, insert "Provided, further, That no total payment in excess of \$1,000 shall be made to any person, firm, or corporation from the amount herein appropriated for soil-conservation payments."

Mr. JONES of Texas. Mr. Chairman, I reserve a point of order on that. Does this refer to soil conservation?

Mr. AUGUST H. ANDRESEN. Mr. Chairman, this is the same question that was settled in last year's appropriation bill. It places a limitation upon the size of the payments that may be made under this appropriation to any beneficiary. The matter was ruled on a year ago and held to be germane.

Mr. JONES of Texas. Mr. Chairman, I reserve a point of order until I see the amendment.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, the purpose of this amendment is to limit the benefit payments under the Soil Conservation Act to \$1,000 which may be paid in any year under this appropriation to any farmer, firm, or corporation complying with the provisions of the act. At the present time a maximum payment of \$10,000 is permitted under soil conservation and parity payments to any one farmer. This amendment reduces the maximum amount from \$10,000 to \$1,000 so that there can be no misunderstanding as to what each farmer will receive.

At the present time when we analyze the farm sections of the country we find there are over 6,000,000 farmers. The larger percentage of these farmers operate family-size farms or smaller units than the regular commercial farmer. We want this \$498,000,000 soil-conservation appropriation to go just as far as it can to supplement the income of the small farmers of the United States. The small farmers are now receiving not more than \$100 on an average, while there are scores of farmers receiving \$10,000, the maximum amount allowed by existing law. I feel it is our duty to supplement the income of the small farmers of the country, and I have therefore offered this reasonable amendment which will give a maximum payment of \$1,000 to any farmer, thereby distributing a larger percentage of the appropriation over the country.

Mr. GILCHRIST. Will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Iowa.

Mr. GILCHRIST. What does the gentleman say about a case where there are tenants on a farm and the tenants join with the landlord to receive these payments? For example, a landlord may have a farm that would pay him \$2,000, but he has three tenants and he wants to divide that with them. Under the gentleman's amendment he could not do that.

Mr. AUGUST H. ANDRESEN. That would be a very simple matter. If he has three tenants on 2,000 acres of land, that could be fixed so that each tenant would receive his proportionate share of the money.

Mr. GILCHRIST. But the gentleman's amendment would only allow the owner to get a thousand dollars instead of \$2,000?

Mr. AUGUST H. ANDRESEN. No; it would not. At the present time the law allows the amount of \$10,000 to be distributed. Prior to the restriction put in the last appropriation bill there was no limitation upon the amount a farmer might receive.

Mr. GILCHRIST. I would like to go along with the gentleman if he will show me that the tenant in the case I have cited would be able to get his share of the money.

Mr. AUGUST H. ANDRESEN. So there might be no misunderstanding about that, if my amendment is agreed to, and I expect it to be, the matter can be clarified either in conference or in the Senate, so there will be no question about it. This amendment will give to the farmers who should receive this supplemental income because of compliance with the Soil Conservation Act their proportionate share of the amount to which they are entitled.

Mr. STEFAN. Will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Nebraska.

Mr. STEFAN. In the case of these insurance companies that have multiple ownership of farms and cannot come under this program, the tenant of those farms cannot participate; is that correct?

Mr. AUGUST H. ANDRESEN. I think the tenant can, because he is operating on either a cash-payment basis or on a definite-share contract and he would get his proportionate share.

Mr. STEFAN. How would that help the insurance companies that are now precluded?

Mr. AUGUST H. ANDRESEN. I am not interested in helping the big corporations who own a lot of farms. I am interested in helping the small farmers in this country who are in a majority and who are entitled to a supplement in their income.

Mr. STEFAN. How about the small operator who is renting a farm from an insurance company?

Mr. AUGUST H. ANDRESEN. The small operator can be taken care of. We will make it the congressional intent that he must be taken care of.

Mr. O'CONNOR. Will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Montana.

Mr. O'CONNOR. I am in sympathy with the gentleman's amendment, but I would like to have him explain this: We will assume there is a landlord who has several tenants. This landlord may have thousands of acres. Would the landlord be limited to the thousand dollars for his proportionate share under the soil-conservation plan?

Mr. AUGUST H. ANDRESEN. The landlord could not receive more than \$1,000.

Mr. O'CONNOR. Regardless of his acreage?

Mr. AUGUST H. ANDRESEN. Regardless of his acreage he could not receive more than \$1,000.

Mr. Chairman, I hope my amendment will be agreed to.

[Here the gavel fell.]

Mr. JONES of Texas. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. Does the gentleman from Texas withdraw his point of order?

Mr. JONES of Texas. Yes.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 14 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

Mr. REES of Kansas. Reserving the right to object, how many minutes does the gentleman allow each Member?

Mr. CANNON of Missouri. Mr. Chairman, I modify my request and make it 19 minutes because I want to allow 5 minutes for the gentleman from Texas and 2 minutes to the other Members. I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 19 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

Mr. CALDWELL. Mr. Chairman, I object to that limitation.

Mr. CANNON of Missouri. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto close in 20 minutes.

The question was taken; and on a division (demanded by Mr. CALDWELL) there were—yeas 139, noes 21.

So the motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. JONES] for 5 minutes.

Mr. JONES of Texas. Mr. Chairman, the unfortunate thing is that the amendment offered by the gentleman from Minnesota, if adopted, would accomplish just exactly the opposite of what he intends. We have some unfortunate kinks in our land system in America, but these cannot be corrected overnight. We have 2,800,000 tenants in America.

and many of them would be driven from the land if this amendment were adopted.

I am thoroughly in favor of limitation. That has to be carefully thought out if you are not to wreck things. At the present time we have a \$10,000 limitation. We had a more stringent one in the bill as it passed the House, but that is the best we could get the Senate to agree to at the time. Since that time we have worked out an amendment which reduces all payments above \$1,000 by 25 percent, all above \$2,000 by 50 percent, and imposes a \$5,000 absolute limitation, with this provision, that if the landowner operates through a tenant and takes the division which the law requires; that is, 25 percent of the payment in the case of cotton and a third in the case of wheat usually depending on the contract of tenancy, that part of the payment is exempted from the limitation. If such a safeguard is not provided, a number of these large tracts of land that are operated through tenants, a practice we want to encourage, will be changed, and the tenants will be driven to relief. Then you will have machine farming, and you will have a tremendous problem.

Let us work this out in an orderly way, and let us work it out in a just way. This House has passed the provision that sets up a limitation of \$1,000 plus a reduction graduated up to \$5,000, and it is properly safeguarded. That is pending before the Senate Committee on Agriculture. Senator SMITH was not here at the time. I have the promise that they are going to take up that amendment and try to work the thing out on a sound basis.

You can do things in a brash moment that will do great injury. We do not have a right to say who shall own the land or who shall not; that is a State matter. We can refrain from offering inducements. In this kind of a proposition, however, you run into grave danger of doing just the opposite of what you intend. For instance, we placed a provision in the Triple A act of 1938. We made an absolute rule that the division should not be more than a certain percentage. It was intended to help the tenant. Unfortunately, this caused some tenants to be forced off the land, and the provision needs a little modification. It is a problem that needs to be worked out carefully.

I am thoroughly in favor of limitations. I do not believe in the large payments. However, you have to remain within the realm of reason if you are going to function properly. I believe my friend from Minnesota, who has always taken an interest in this matter—and he knows that I have, also—should let us work this thing out. If we had the House bill which we have already passed and which is pending, I believe he would admit that it would go a long way toward correcting the trouble.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. I thank the gentleman for his compliment about my being interested in this matter, but the gentleman has already conceded that the bill we passed in the House was to be subject to revision over in the Senate so as to get it right. Why can we not do the same thing through this amendment?

Mr. JONES of Texas. An appropriation, I know; but this is a legislative matter and it is the business of the legislative committee in the Senate. The bill has not yet been taken up for consideration in the Senate. I have hopes that they will accept the House provision this time. I do know that if the House writes this sort of a provision in the bill you will drive a great many tenants from the land, and I know that the gentleman from Minnesota does not want to do that.

I live in the country, as do some of my friends here. We know that on some of those large tracts there are a great many tenants. On a number of tracts there are four, five, or six tenants. You cannot make the landowner come into a program. You cannot make him keep that tenant on the land. Do you want to adopt an amendment that will drive these poor tenants off the land and onto the relief rolls? I

ask that you use your judgment and good sense in this matter and let us work it out in an orderly way. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. There are 15 minutes of debate remaining, under the limitation. The Chair has the names of the Members who were on their feet when the unanimous-consent request was objected to. If they desire recognition, the Chair is prepared to recognize them. These Members are Mr. CASE of South Dakota, Mr. REES of Kansas, Mr. WHITTINGTON, Mr. STEFAN, Mr. MURRAY, and Mr. GATHINGS. Five minutes of this time is reserved for the committee to close. With that understanding, the Chair will recognize these gentlemen for 2 minutes.

The Chair now recognizes the gentleman from South Dakota [Mr. CASE] for 2 minutes.

Mr. GILCHRIST. Mr. Chairman, I rose to my feet at the time and asked the chairman of the subcommittee to be allowed to argue this amendment.

Mr. STEFAN. Mr. Chairman, the gentleman from Iowa may have my time if he so desires.

Mr. SCHAFER of Wisconsin. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SCHAFER of Wisconsin. A motion was made to close debate and a time limit was incorporated in the motion. Therefore, under the rules of the House, we should proceed under the 5-minute rule, with each Member being allowed 5 minutes for debate. I cannot see any provision in the rules under which Members can be recognized under the 5-minute rule for 2 minutes.

The CHAIRMAN. Of course, the gentleman is technically correct. The Chair is trying to accommodate all gentlemen who want to be recognized. It is within the discretion of the Members to submit to the 2 minutes allotted them if they desire to do so, and they will be recognized for that time.

The gentleman from South Dakota is recognized.

Mr. CASE of South Dakota. Mr. Chairman, I think with most of the Members of this House that the purpose of this amendment is good, but the trouble is that the amendment does defeat its purpose.

It is aimed at the large operator, but it hits the tenant farmer, and the reason is that if the owner's income is dependent at all upon the farm's income, under the law and under the interpretation given by the lawyers downtown, he is then, too, an operator. It does not hit the tenant farmer if the tenant farmer can pay cash for his rent, but if the tenant farmer cannot pay cash for his rent, it hits him through the operator whose farms will be out of compliance by his noncompliance. That is the reason that the objection raised by the gentleman from Texas [Mr. JONES] to the pending amendment is absolutely sound.

This is a concrete problem in my State. We have a great many major multiple farm owners there, insurance companies, and banks. We have this much-discussed rural credits board, with 7,000 tenant farmers in my State who cannot pay cash rent in advance. If this amendment goes through it will throw out of compliance those renters who are unable to pay cash rent, unless the State rural credits board is willing to waive all the income it might expect from these farms out of these benefit payments.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I have only 2 minutes, and the gentleman had 5 minutes on his amendment.

Mr. AUGUST H. ANDRESEN. This will give them the cash rent to rent the farms.

Mr. CASE of South Dakota. This will not give them the cash rent, because they do not have it in advance to pay, and if they cannot pay rent cash in advance they share with the owner and, consequently, the owner is the operator, and so the gentleman's amendment hits the tenant farmer who has not the cash to pay. [Applause.]

Mr. WHITTINGTON. Mr. Chairman, the purpose of agricultural legislation is to assist both the owner and the tenant.

The contracts for all the sharecroppers of the country—and I speak from personal knowledge of the Cotton Belt—are made in the name of the landlord. If the landlord does not make the contract, not a sharecropper on his plantation will participate in this program.

If you want to injure the sharecroppers of the Nation, adopt this amendment. If you want to promote the good that the soil-conservation program is doing for the landlord and the tenants, follow the course suggested by the chairman of the Committee on Agriculture. He has called our attention to the fact that there is a legislative bill already adopted by the House and now pending in the Senate that provides for justice between the landlord and the tenant with respect to the limitation of the payments, but if this amendment is adopted it provides that the total payment shall not exceed \$1,000, and the landlord with sharecroppers or tenants simply will not sign up for the program, and the result will be that the tenants or the sharecroppers in the Cotton Belt will be denied soil conservation.

There is a difference between a limitation on the soil-conservation payments and on the parity payments. In my judgment, the adoption of this amendment would defeat the program of soil conservation and would result in great injustice to the sharecroppers and tenants as well as the landowners.

In extension of my remarks I remind the Committee that the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] is proposing an amendment similar to the one that was defeated a year ago. The amendment is provincial; it might be suited to soil conservation in dairying—sharecroppers and crop tenants do not abound. Soil conservation, however, is needed where the soil-depleting crops like cotton, corn, and wheat are raised. All must participate in the program or the program will fail.

Under the act the tenants and sharecroppers now receive more than 50 percent of the soil-conservation payments. Many millions of dollars are set aside so as to increase the smaller payments. A definite yardstick then prevails for the payment of other benefits.

The purpose of the payments is to control crop production as well as to provide for soil conservation. If the owner of large operations is denied benefits such an owner will not cooperate. Sharecroppers and renters will obtain no benefits unless the landlord cooperates. After all, a large plantation or a large operator is nothing more nor less than an aggregation of small farmers for tenants and sharecroppers can only raise so much cotton and so much corn. If the owner of the plantation refuses to cooperate his tenants will receive no benefits.

All should be treated alike, whether landlords or tenants. The large operator and the small operator are entitled to equivalent benefits. It might as well be argued that because a day laborer works for \$3 a day no executive of a large institution should receive a larger compensation.

The adoption of the amendment would destroy the Soil Conservation Act.

If the gentleman from Minnesota who has opposed the Agricultural Adjustment Act were consistent, he would insist that the aggregate tariffs to no one manufacturer should exceed \$1,000. If there is to be a limitation on the large farmer, there should be a limitation on the large manufacturer.

[Here the gavel fell.]

Mr. GILCHRIST. Mr. Chairman, when I came down here a year ago I introduced an amendment which would take care of the tenants as well as the landlords on this proposition.

The statement of the last two gentlemen and of the chairman of the committee is absolutely correct—namely, a landlord will not go into this program if he can get only the \$1,000, and therefore his tenants will not be permitted to go into the program. The landlord will simply say, "No," and instead of being tenants they will be sharecroppers, and he will get all the money that will be allowed or he will stay out of it.

This amendment, as was stated by the last gentleman, defeats its own purpose. What we want to do is to protect the small man—protect the tenant by allowing the landlord to go in and then the tenant will get to go in and get his share. For example, we have insurance companies that have as many as 100 farms in my State. They could not go into the agricultural program under this amendment, but if they could rent the farm in family-sized farms under proposals that have been made and are pending in the Senate, then the landlord would go into the program and his tenant, the poor fellow, could get the benefit of the soil conservation; but this amendment absolutely forecloses this. It says that no man can get more than \$1,000 in any event; so the larger landlords will not participate, and his tenants will not be permitted to.

The distinguished gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] said, in answer to my question, "Well, let the Senate fix it; let the committee fix it"; and that is what will have to be done if this House passes this amendment.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. GILCHRIST. Certainly.

Mr. AUGUST H. ANDRESEN. I said the Senate should fix it up if there is any doubt in the gentleman's mind that it would not take care of the situation, and it can be fixed up in the Senate. They fixed it up last year.

Mr. GILCHRIST. They have not passed the law yet, my dear friend, and they have not fixed it at all; but it is pending there now. This is a dangerous amendment. It despoils and robs tenants, not landlords. [Applause.]

Mr. STEFAN. Will the gentleman yield?

Mr. GILCHRIST. Certainly.

Mr. STEFAN. I am very much interested in this matter of multiple ownership from the standpoint of the small operator and the renter. I know that the gentleman from Iowa has always fought the battles on this floor for the real dirt farmer and is as interested as I am in getting money distributed so that the real farmer gets his rightful share. I have many letters from farmers in my district on this subject of the \$10,000 limitation, and I am glad that the gentleman from Texas [Mr. JONES], chairman of the Committee on Agriculture, of which my friend the gentleman from Iowa [Mr. GILCHRIST] is also a member, assures us that the committee is working out this problem so that the real farm operator and real farmer will be taken care of. In working out this problem I hope you gentlemen will look into the matter of the cash rents our renters must pay for pasture and the ground on which the home is located, which sometimes results in cutting down the amount of benefit payments actually received by tenants or renters. I have many complaints about this item and hope it can be straightened out.

Mr. GILCHRIST. I thank the gentleman for his contribution.

The CHAIRMAN. The gentleman from Wisconsin [Mr. MURRAY] is recognized for 2 minutes.

Mr. MURRAY. Mr. Chairman, the way I look at this proposition there is not anyone in the world who will get hurt except the big farmers—the big corporation farmers. We sit here day after day and we hear about the family size farms, and what time we are not talking about the family size farms we are talking about tenants. I have come to the conclusion that that is about the only class of people we think about—the tenants on the farms. If we are not careful with our agricultural problems, we will have 6,000,000 of them.

There are many sections in which we have family size farms where a man owns and operates it himself. He should have some consideration and is entitled to more of these funds. It seems to me that \$1,000 is a pretty good price to pay any one individual or any corporation for carrying on a farming operation that he ought to know enough to carry on without getting paid for it.

I yield back the balance of my time.

The CHAIRMAN. The gentleman from Kansas [Mr. REES] is recognized.

Mr. REES of Kansas. Mr. Chairman, I rise in support of the amendment to limit the payment to any one person, firm, or corporation to \$1,000. I rise more especially in behalf of that great group of farmers who, in my opinion, have not received their fair share of the benefits, as was in the first place intended. You will hear plenty of oratory on behalf of the big operator—and I want him accorded fair treatment—but you will hear little said for the farmer who operates his own farm and is trying to work out a living for his family and himself.

Let us admit that, after all, the payments under the Soil Conservation Act are really for the purpose largely of assisting farmers who do not receive fair prices for their crops as compared with the prices they are required to pay for the things they buy, as well as to help them through crop failures. At the same time it does a lot of good in providing conservation of the soil. It has done little in the way of regulation of surpluses. So many other factors enter into that proposition. The question of climate, rainfall, floods, droughts. I believe that, generally speaking, farmers want these payments by reason of adverse conditions. It is a fact that the American farmer has not had a square deal in the matter of his income. I want now to direct your attention to a situation that I do not believe is justifiable. Under this act you are appropriating about the same amount as was allowed last year. If it is handled about as it was in 1938, here is about the way it will work out: Under the 1938 program it took, in round numbers, \$48,000,000 to administer the act. That includes the expenses through the Department direct as well as that spent in the various counties. I do not claim that the farmers on the county committees were overpaid. I do think the machinery required for administering the act from top to bottom is unnecessarily extravagant.

Now, let me direct your attention to some figures for just a moment. In 1938 we appropriated \$500,000,000 for the soil-conservation program. It is estimated that \$418,630,202 was paid to farmers. It is estimated that it took about \$48,000,000 to pay for administering the act. Now, then, listen to this: Five million two hundred and thirty-one thousand three hundred and twenty-four farmers participated. Of this number, 1,252,186 farmers got less than \$20 each; 1,182,387 got between \$20 and \$40 each. In other words, 2,434,575 farmers in this country got just about \$48,000,000. One-half of our farmers got just about as much as it took to pay for administering the act. Do you really think that is fair, in view of your statement that you really want to help the farmer? We might go on just a little further. I am sorry I do not have time to place all these figures in the RECORD. Eight hundred and forty-two thousand two hundred and forty-seven of our farmers got between \$40 and \$60; 889,413 received between \$60 and \$100. In other words, you pay 4,166,233, or about four-fifths of our farmers, on an average of probably less than \$50 apiece, and then you pay the rest of it to the other one-fifth who do not need it. If you think there is a surplus, is it not that other one-fifth, the big operator, who makes such surplus?

Mr. Chairman, it just is not right. If you will stop and think about it just a little, and use your common sense, you will admit that it is not right to levy taxes to raise these millions of dollars, and the farmer will have to pay his share of these taxes, and then expend a large part to those who do not need it.

We need the thing that I have advocated many times on this floor—that is to see that the farmer who operates his own land, his family-sized farm, if you please—is given decent and fair protection; allow him reasonable payments for the actual conservation of his soil during the times of depression and drought; and give less attention to the large operators of this country who are now receiving payments in the thousands of dollars—money paid by the taxpayers of this country.

There are estimated to be approximately 2,800,000—approximately 40 percent—tenant farmers in this country. Of course, we need more home owners and fewer tenants. I do not think the farmers of this country want subsidies if it can be prevented. They want fair prices for their products

in comparison with the price they have to pay for the things they buy. Our farmers want to make a fair and decent living for their families and themselves. The farmer wants and is entitled to supply the American market so long as he can do it on a fair and reasonable basis. While we are talking about the farmer, he just cannot get along if he is expected to pay from 25 to 30 percent of his income for taxes.

You are going to defeat this amendment. You have the votes to do it. I do hope the committee will, before the close of this session, see to it that legislation is proposed that gives the farmer a fairer deal than is provided in this bill. I regret that we were not given more time to discuss this very important matter. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Texas [Mr. THOMASON] is recognized for 2 minutes.

Mr. THOMASON. Mr. Chairman, I hope this amendment is not adopted. There should be a fair and reasonable limitation on benefit payments, but this is not the way to do it. This House has nearly always, at least a majority of it, followed the advice and suggestions of the chairman of the House Committee on Agriculture, the gentleman from Texas, Hon. MARVIN JONES. I think we have done it with safety and with good judgment. The results have proved that he knows his business. Now he gives us his personal assurance that the legislative Committee on Agriculture is working out this problem. So I say it would be unfair and unwise to attach a rider like this on an appropriation bill.

As has already been stated by several of the speakers, the amendment would defeat its own purpose. I am sure this would be true in my part of the country. You would drive tenants from the farm rather than attract them to the farm. In addition to that, there is not 1 percent of the tenants of the country who could pay cash rent under any circumstances. But, more than that, in my section of the country, where the farming is nearly all done by irrigation, those farm owners have to pay high ad valorem taxes. They have to pay high water taxes. They have to pay a great many other charges. The land is of high value, and it requires intensive and scientific farming. There are few tenant farmers in that kind of a country. I appeal to all those from irrigated sections to oppose this amendment. Most farms in an irrigated section must of necessity be operated by owners on more or less of a day-labor basis. In the irrigated valley where I live I have heard no objection to the treatment accorded to the men who rent or work by day labor on the farms. Much of the work has to be done by seasonal labor. Tenants cannot buy that high-priced land, neither can they buy the expensive machinery necessary to farm it. It requires capital or credit to operate that kind of farming. The average tenant cannot meet the requirements. To say that a man who owns an expensive farm such as we find in the irrigated country where the value is three or four times what it would be in a nonirrigated country is to be penalized, is unfair and unjust. Let us work out some fair legislation on this subject and not act in haste.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Missouri [Mr. CANNON] is recognized.

Mr. CANNON of Missouri. Mr. Chairman, I yield my time to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, I thank the gentleman. I just want to ask the distinguished chairman of the Committee on Agriculture, the gentleman from Texas [Mr. JONES], a question or two.

For instance, in my own State, participation in the agricultural-adjustment program and soil-conservation program, according to my information, is from 95 to 98 percent of the farmers. We have in that State the large farm units. The way the owners of those large tracts are operating is through tenants.

Mr. JONES of Texas. Through tenants or hired labor. Some operate through hired labor and machinery. Under the legislation we are working out, that would take away from the man who operates through machinery or hired labor.

Mr. O'CONNOR. Here is what I am getting at—the gentleman made the statement—and I have as high regard for the gentleman's capacity along the line of handling farm problems as any Member of this House—I respect his judgment very highly—but does the gentleman feel that if this amendment were to be adopted, that it would cause the owners of these large tracts of land to let the land remain idle rather than rent it and not enjoy the full participation in soil-conservation payments? Would they not take their chance on getting what they could rather than leave the land idle?

Mr. JONES of Texas. I am not familiar with conditions in the gentleman's State. I am familiar only with conditions in my own section of the country where they have great numbers of tenants. This would absolutely drive the tenants from the land, in my judgment, in practically all the large areas. Some operators who used to have a great many tenants have gone in for tractor and machine farming. If you deny the others the benefits of the soil-conservation program they, of course, will be inclined to go into machine farming even more extensively, in my judgment.

Mr. O'CONNOR. The gentleman feels that the large farmers would hire help rather than have tenants?

Mr. JONES of Texas. I believe they would.

Mr. O'CONNOR. That they would do away with the tenants?

Mr. JONES of Texas. In most instances.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. AUGUST H. ANDRESEN. I may say to the gentleman that if a corporation or an insurance company owned 100 farms and made 100 contracts with 100 tenants, on all those contracts the insurance company would not get a total of more than \$1,000, but every tenant would get his proportionate share of the crop under contract.

Mr. JONES of Texas. The fact remains I have on my desk petitions signed by hundreds of tenants protesting even the rigid division between landlord and tenant that we have in the present law and saying that they are being driven from the farm.

Mr. AUGUST H. ANDRESEN. They are being driven from the farms down through the large plantation sections where the owners had sharecroppers. It is not due to any hiring of day labor.

Mr. JONES of Texas. It is not the large plantations only, but they apply to a great many where they have three, four, and five tenants.

Mr. O'CONNOR. I am not in favor of large payments going to individual owners of great tracts of land. These payments should be cut down.

Mr. JONES of Texas. I believe the House has already passed a bill that does the job very well. I believe it passed at the last regular session.

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Montana has expired; all time has expired.

The question is on the amendment offered by the gentleman from Minnesota.

The question was taken; and on a division (demanded by Mr. AUGUST H. ANDRESEN) there were—ayes 93, noes 98.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. AUGUST H. ANDRESEN and Mr. CANNON of Missouri.

The Committee again divided; and the tellers reported that there were—ayes 104, noes 110.

So the amendment was rejected.

Mr. JONES of Texas. Mr. Chairman, I ask unanimous consent to proceed for 1 minute to ask the gentleman from Missouri a question.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. JONES of Texas. I am wondering if the gentleman intends to finish this bill this evening. A great many Members have spoken to me about it. Many of us are tired and hungry.

Mr. CANNON of Missouri. I take for granted the gentleman was absent when the announcement was made a little earlier in the afternoon. It is the intention of the Committee to complete the bill tonight. The Members who have discussed the matter with me prefer to stay a little later tonight rather than to come back tomorrow.

Mr. FADDIS. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion of the gentleman from Pennsylvania.

The question was taken; and on a division (demanded by Mr. FADDIS) there were—ayes 12, noes 95.

So the motion was rejected.

Mr. PACE. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. PACE: On page 77, at the end of line 19, add a new paragraph, as follows:

"To enable the Secretary of Agriculture to market agricultural commodities for domestic consumption and for export as authorized by the Agricultural Adjustment Act of 1938 and the declared policy of the Congress as set forth in said act; to enable the Secretary of Agriculture to purchase and distribute surplus agricultural commodities for relief purposes as provided in section 204 of said act; to enable the Secretary of Agriculture to make 'other payments' authorized by section 391 of said act, that is, payments in assisting consumers to obtain an adequate and steady supply of such commodities; and to enable the Secretary of Agriculture to administer and carry out the purposes of said act and the declared policy of the Congress in the enactment thereof, \$72,678,812: *Provided*, That not in excess of 25 percent of the funds herein made available may be devoted to any one agricultural commodity."

Mr. CANNON of Missouri. Mr. Chairman, I make a point of order against the amendment. It is clearly without authorization of law.

The CHAIRMAN. Does the gentleman from Georgia [Mr. PACE] desire to be heard?

Mr. PACE. Mr. Chairman, may I say that this is not an amendment in language similar to the appropriation for surplus commodities carried in the 1940 appropriation bill. That amendment carried \$113,000,000 as an expansion of section 32, with which we are all familiar, and would probably be subject to a point of order. May I say further, Mr. Chairman, that in my opinion and in the opinion of a great many Members of the House this item is one of the most important and necessary items carried in this legislation.

In determining the point of order the Chair should consider the purpose of the Congress in enacting the Agricultural Adjustment Act of 1938 and the language used in said act. I submit that the authority for this amendment, the authorization for it, is contained not in section 32, which is not a part of the Agricultural Adjustment Act itself, but is expressly contained in the language of the Agricultural Adjustment Act of 1938. In determining that question, Mr. Chairman, it is necessary for me to refer briefly to the purposes of the Agricultural Adjustment Act of 1938. That is, the condition that existed prior to the enactment of the act of 1938 and the remedy that the Congress adopted to correct that condition.

Very briefly, the condition that brought about the enactment of the Agricultural Adjustment Act was this: We had had an enormous crop in 1937. The season had been good. In the wheat fields of the West, the crop was so enormous that there were not sufficient storage facilities available for the storage of the wheat. In the Southland there had been produced the greatest cotton crop in the history of the world, approximately 19,000,000 bales, or 7,000,000 bales more than a normal crop. While there was this enormous surplus, it was found that farmers were facing bankruptcy and there were millions of people in this Nation, some of them living within sight of the wheat fields, others living within sight of the cotton fields, who did not have enough food to eat or sufficient clothing to wear. In the face of this situation the Congress was convened by the President of the United States in special session on November 15, 1937, to correct this condition. We labored here until December 20, we adjourned for the Christmas season, returned in early January, and finally on February 16, 1938, the President affixed his signature to the act which was passed to correct this condition. It was enacted to

reduce the surpluses and to make those surpluses available for the needy of this Nation who lived in sight of plenty, yet did not have clothing to wear nor food to eat.

That, I submit, Mr. Chairman, was the purpose of the Congress in the enactment of the Agricultural Adjustment Act. I call the Chair's attention to the purpose or policy of the Congress as set out in the act itself. Among others, the Congress declared that the purpose of this act is to assist in the marketing of agricultural commodities for domestic consumption and export, and assist consumers to obtain an adequate and steady supply of such commodities at fair prices.

To show that it was the purpose of the Congress to provide funds identical with what this amendment is offered for—that is, to distribute surplus commodities among those on relief and to those in need—I call the Chair's attention to page 9 of the act, section 204, where this Congress, carrying out its declared purpose, extended the act of June 28, 1937, which was enacted for the purpose of distributing surplus agricultural commodities for relief purposes, and to continue the Federal Surplus Commodity Corporation. That, I submit, Mr. Chairman, is clear evidence that the Congress intended this act to set up machinery to aid the farmers in disposing of their surplus commodities and to aid those in need in order that the commodities might be distributed among them.

Mr. Chairman, then what did the Congress do? It provided an authorization for such funds on page 43 of the A. A. A., and I would like to read that authorization.

The CHAIRMAN. Section 391?

Mr. PACE. Section 391 (a). Here is the language of the authorization:

There is hereby authorized to be appropriated for the administration of this act—

That is one thing—

for the payments of soil-conservation payments—

That is a second thing—

and other payments, such sums as Congress may determine.

The claim might be made by the gentleman who makes the point of order that this is broad language. I respectfully submit it is broad and it is all comprehensive. I do not know that the Congress knew what it was doing when it wrote that language. Some of the Members did, and the language is in the law. It was put there, I respectfully submit, for the purpose of carrying out the purposes of the act. That is, to authorize the Congress in its discretion, as the terms of the section state, to appropriate such funds as might be necessary to carry out the act.

Mr. Chairman, as a further authority I want to cite the Chair to a ruling made on yesterday.

I sat here and watched with interest and listened with much comfort to the ruling of the Chair on the amendment offered by the distinguished gentleman from North Carolina [Mr. BULWINKLE]. The gentleman from North Carolina offered an amendment to appropriate \$30,000 for the application of methods for the prevention of dust explosions. The gentleman from New York [Mr. TABER] made the point of order that it was not authorized by law. I also listened with much comfort to the admission of the distinguished gentleman from Missouri, who now makes this point of order, that that appropriation was authorized by the organic law.

Mr. Chairman, I wish to read the organic law which authorized, in the view of this Chair and in the view of the distinguished gentleman from Missouri, an appropriation of \$30,000 for the prevention of fires in grain elevators. This is the organic law the Chair cited as authority for holding the amendment was not subject to the point of order:

There shall be at the seat of government a Department of Agriculture, the general design and purpose of which shall be to acquire and diffuse among the people of the United States useful information on subjects connected with agriculture.

Mr. Chairman, it was under that section that the Chair ruled—and the gentleman from Missouri admitted that it was correct—that there was authorization for an appropriation of \$30,000, not to diffuse information, as mentioned in this

section, but for the application of modern methods of preventing fires in grain elevators.

I submit that I am making an effort here to secure funds for two purposes. One is the reduction of the enormous surpluses that exist on the farm—of wheat, of lard, of citrus fruit, of cotton, and of corn—in order that we may reduce the surplus available on the market and thereby increase the farmer's price. The second purpose is to take those commodities and distribute them under the system adopted by the Secretary of Agriculture to those who are without sufficient food to eat or clothes to wear.

Certainly neither this Chair nor the Congress would want to be put in the position of holding that under the organic law, which was passed at a time when an elevator fire had never been heard of, very probably, this Congress can appropriate \$30,000 to increase the profits of an elevator operator, but that under an act that was drawn and passed for the sole and single purpose of doing exactly what this amendment seeks to do there is no authorization for such an appropriation.

I submit, Mr. Chairman, that neither the Congress itself nor the gentleman who makes this point of order would want to be put in the position of making such an unreasonable, unfair, and unjust interpretation of these two respective laws. We have a law here that was enacted for a particular purpose. Its purpose is declared. We have a law here that was enacted to correct a certain evil. The evil is described. We have the authorization in express terms of the law itself to make such appropriations as the Congress may determine are necessary to meet that situation.

I respectfully submit, Mr. Chairman, that, while the point of order would lie to an amendment to section 32, under the declared purposes of the Congress under the Agricultural Adjustment Act of 1938, under the language of that act itself, there is ample and abundant and compelling authority that will justify this amendment being held in order at this time, and I respectfully invoke that ruling of the Chair. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, the gentleman from Georgia, an experienced parliamentarian, has submitted a very able argument. The gentleman bases his contention that this amendment is authorized by law on several provisions of law, but I believe we may dispose of all of them, with the exception of the citation to section 391, under the long-established doctrine that an authorization of an appropriation or law must be construed strictly, and where there is any legitimate doubt that doubt must be resolved in the negative.

This leaves the citation to part 2 of the act of 1935, and the gentleman refers to this phrase in section 391, subtitle A, "and other payments." The gentleman's contention is that "other payments" may include a payment for the purchase of surplus commodities; but, Mr. Chairman, that is a familiar phrase, and it has been repeatedly construed.

If the gentleman's contention were sustained that the words "and other payments" would admit his amendment, it would invite chaos. There is no appropriation that could be suggested that would not be admissible under that interpretation of the phrase. We could include in this bill under that interpretation of section 391 an appropriation in defense of Finland or to free Ireland.

Mr. PACE. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Georgia.

Mr. PACE. Does the gentleman believe that is even a reasonable interpretation, when it is clear that the "other payments" refers to matters covered by the title and purpose of this act? Under no construction could you go outside the act, but as long as you stay within the act it is within the discretion of the Congress. Do not carry me across the water; I have enough trouble right here. Here is where the people are.

Mr. CANNON of Missouri. The gentleman takes himself across the water, and very deep water at that, for this phrase has been often construed and has always been held to mean "other payments" as provided in this act. Of course, that

excludes any such appropriation as that proposed in the pending amendment.

I submit, therefore, Mr. Chairman, that the amendment is not authorized by law.

The CHAIRMAN. The Chair is prepared to rule.

Fortunately for the Chair, this proposition was presented to him on yesterday, and he has had an opportunity to thoroughly consider and study the matter. For this privilege the Chair thanks the gentleman from Georgia.

The gentleman from Georgia offers an amendment which has been reported by the Clerk and to which the gentleman from Missouri [Mr. CANNON] has raised a point of order on the ground that the appropriation for the activity contained in the amendment is not authorized by law. It has been suggested to the Chair that by reason of section 204 of the Agriculture Adjustment Act of 1938 the activities of the Federal Surplus Commodities Corporation has been continued until June 30, 1942, and that, therefore, an appropriation for the purchase and distribution of surplus agricultural commodities is thereby authorized. It will be observed, however, that the act of June 28, 1937, which was continued by section 204, in turn had amended and continued some provisions of section 32 of the act of 1935. Upon examination of section 32 of the act of 1935 it will be found that the only money made available for the purposes of that section is provided for by a so-called permanent appropriation mathematically fixed in the section itself. It does not appear from the original act—that is, section 32 of the act of 1935, nor the act of June 28, 1937, nor section 204 of the Agriculture Adjustment Act of 1938—that any additional appropriation is authorized.

Attention should also be directed to the language of the amendment wherein the appropriation is stated to be for the purpose of carrying out the "declared policy of Congress" as set forth in the Agriculture Adjustment Act of 1938. The Chair does not think that it can be seriously contended that a declaration of policy set forth in an act of Congress specifically authorizes an appropriation therefor.

The contention has been made that section 391 of the Agriculture Adjustment Act of 1938 is a blanket authorization for any appropriation that Congress may see fit to make. The Chair will read the pertinent provisions of that section, and they are as follows:

SEC. 391. (a) Beginning with the fiscal year ending June 30, 1938, there is hereby authorized to be appropriated, for each fiscal year for the administration of this act and for the making of soil conservation and other payments such sums as Congress may determine, in addition to any amount made available pursuant to section 15 of the Soil Conservation and Domestic Allotment Act, as amended.

It has been urged upon the Chair that the words "and other payments" in the section just read is sufficient authorization for the appropriation provided in the pending amendment. The Chair, however, does not believe that these words could possibly be construed in such a broad sense. Certainly if the Chair did place such a construction upon them those words could be interpreted as authorizing appropriations for any activities of the Government that the fertile imagination of man could think of. It would not be limited to the Department of Agriculture or its activities, but would apply to all activities that the Federal Government might possibly enter into. Indeed, if such a construction were placed upon those words it would be unnecessary for any of the legislative committees of the House to ever bring in an authorizing act. It seems to the Chair that it will be readily apparent to all Members that there was no such intent to do that when the Congress passed the Agriculture Adjustment Act in 1938. The Chair thinks that this paragraph should be construed in the light of the custom and practice of the House in years past. It seems to the Chair that the meaning of the words "and other payments" contemplates only such payments as are authorized in the act itself. In other words, the Chair thinks that the words "and other payments" are limited solely to those payments authorized in the act. Upon further examination of the act, the Chair finds that in section 303 specific authorization is made for parity payments, and the Chair is compelled to conclude that the words "and other payments"

occurring in section 391 have reference to the payments authorized under section 303 and similar payments if authorized in the act.

For the reasons stated, the Chair therefore thinks that the appropriation contained in the amendment is not authorized by law, and the Chair sustains the point of order.

The Clerk read as follows:

COMMODITY CREDIT CORPORATION

Salaries and administrative expenses: Not to exceed \$2,000,000 of the funds of the Commodity Credit Corporation, established as an agency of the Government by Executive Order No. 6340, dated October 16, 1933, and continued as such agency to June 30, 1941, by the act of March 4, 1939 (53 Stat. 510), shall be available during the fiscal year 1941 for administrative expenses of the Corporation, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the act of June 3, 1926, as amended (5 U. S. C. 821-833); printing and binding; lawbooks and books of reference; not to exceed \$250 for periodicals, maps, and newspapers; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including legal and special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Corporation or in which it has an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That the Secretary of Agriculture may make allotments from this appropriation, subject to the approval of the Director of the Bureau of the Budget, to the offices and divisions of the office of the Secretary for the performance of departmental services for the Commodity Credit Corporation: *Provided further*, That none of the fund made available by this paragraph shall be obligated or expended unless and until an appropriate appropriation account shall have been established therefor pursuant to an appropriation warrant or a covering warrant, and all such expenditures shall be accounted for and audited in accordance with the Budget and Accounting Act of 1921, as amended.

Mr. CANNON of Missouri. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CANNON of Missouri: Page 79, after line 9, insert a new paragraph, as follows:

"THE SUGAR ACT OF 1937

"To enable the Secretary of Agriculture to carry into effect the provisions, other than those specifically relating to the Philippine Islands, of the Sugar Act of 1937, approved September 1, 1937 (7 U. S. C. 1100-1183), and the employment of persons and means, in the District of Columbia and elsewhere, as authorized by said act, \$47,500,000: *Provided*, That conditional payments in connection with the 1940 sugar program shall not be made if, by proclamation under section 509 of said act, title II or title III shall have been suspended and shall remain suspended until July 1, 1940."

Mr. CALDWELL. Mr. Chairman, may I reserve a point of order against the amendment?

The CHAIRMAN. The gentleman from Florida reserves the point of order.

Mr. CANNON of Missouri. Mr. Chairman, this merely restores to the bill the provision which has been carried for several years. It was removed by the subcommittee and by the whole committee under a misapprehension at the hearings when no one appeared in behalf of the provision and the fact that at the time of the departmental hearings it was under consideration in the committee and the quotas had been suspended. Only those who favored the elimination of this item appeared before the committee. Both the producers and the consumers seemed to think it ought to be taken out of the bill, and in view of the fact that the quotas were suspended at the time and everybody appeared to be very happy over that fact. Furthermore, the committee thought that it would not be necessary—could yield to the sentiment adduced in the evidence—in view of the fact that the law authorizing the appropriation expired this year.

However, since that time, Mr. Chairman, the quotas have been restored, and as under this law \$67,000,000 is being collected from the sugar producers and even the full payment of the quota involves a matter of only \$48,000,000, the committee, on reconsideration, authorizes me to submit the pending amendment and to recommend that it be again included in the bill as in former years.

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Florida.

Mr. CALDWELL. I am not sure I understood the gentleman from Missouri. Did I hear him say that the committee on reconsideration had authorized the gentleman to offer the amendment?

Mr. CANNON of Missouri. That is correct. The subcommittee held an informal conference and they authorized me to offer the amendment as indicated.

Mr. CALDWELL. Mr. Chairman, I withdraw the reservation of the point of order.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 12 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. CALDWELL. Reserving the right to object, Mr. Chairman—

Mr. CANNON of Missouri. I amend the request to make it 18 minutes, Mr. Chairman.

Mr. CALDWELL. Reserving the right to object—

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri, as modified?

Mr. CALDWELL. Reserving the right to object, Mr. Chairman, I do not think we can discuss this question in 18 minutes.

Mr. CANNON of Missouri. Mr. Chairman, I think the gentleman from Florida is right in his contention. The time is wholly insufficient to discuss this question, but in view of the fact that we will give them an opportunity to extend their remarks, I should greatly appreciate it if each Member will be content with the 2 minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that all debate on this paragraph and all amendments thereto close in 18 minutes. Is there objection?

Mr. HENDRICKS. Mr. Chairman, I object.

Mr. CANNON of Missouri. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto close in 20 minutes.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. PETERSON].

Mr. CANNON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. PETERSON of Florida. Mr. Chairman, I dislike to oppose any appropriation to any agricultural group, but this sugar system is wrong.

We operate under a quota system, which in Florida does not allow us to raise as much sugar as we use in Florida. I am appealing to those Members who represent consumers. I bring to your attention this fact, that the Secretary of Agriculture has officially stated that it cost the consumers of the United States last year \$350,000,000 above the world market to subsidize the sugar industry. If you will examine the benefit payments, you will find that those payments did not go to the small farmer or the family sized farmer. You will find benefits running into hundreds of thousands of dollars, benefit payments running into approximately millions of dollars, benefit payments to Hawaii and Puerto Rico with many payments running into hundreds of thousands of dollars; and the consumers of this country paid it.

The Secretary of State estimated at current prices American consumers are obliged to pay more than \$350,000,000 above the world market in a single year.

[Here the gavel fell.]

Mr. PETERSON of Florida. Mr. Chairman, I ask unanimous consent that I may have the minute and one-half that may be yielded to me by my colleague the gentleman from Florida [Mr. HENDRICKS].

Mr. HENDRICKS. If I may do so, I will be glad to yield my time to the gentleman.

The CHAIRMAN. The gentleman is recognized for an additional minute and a half.

Mr. PETERSON of Florida. This is equivalent to a tax of approximately \$2.70 per capita on a population of 129,000,000. It means on an average a levy of more than \$10 per family, including that one-third of the Nation which is ill-nourished, and it represents an amount of purchasing power equal to more than 50 quarts of milk and 50 loaves of bread for each family in the United States.

We are not asking for subsidies in Florida. We are asking for the right to raise sugar. We are interested not only that the American market may belong to the American producer but that the American consumer may have a fair deal.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. PETERSON of Florida. I yield.

Mr. COOLEY. Does the gentleman think it is right to keep this tax on the sugar producers and repeal the benefits provided in the act?

Mr. PETERSON of Florida. If the benefits are not paid, the tax will fall, because it will not be continued.

Mr. COOLEY. Is it not a fact that they will be receiving millions of dollars off of the producers of sugar in this country, in the off-shore possessions, and retaining it in the Treasury of the United States?

Mr. PETERSON of Florida. This is the last year of the processing tax. In Colorado, Hawaii, Puerto Rico, California, and other sections it is not going to the family sized farmer. It is going to the big farmer, the corporate farmer. Every congressional district in the United States is paying the bill.

I appeal on behalf of American labor, the American farmer, and the American consumer. That is where it hits each and every one of you. There is no need to pay that benefit payment. There is no need for that subsidy.

Vast areas in Florida and in the reclamation projects of the West are available to raise sugar. Yet they cannot get the desired quotas.

Here is your chance to economize to the tune of nearly \$50,000,000. I hope you will vote this amendment down. The iniquity of this thing is the quota system, a quota system placed when the American producer is not raising sufficient for the American consumers. If you analyze this statement which I read to you coming from the Secretary of Agriculture it shows that from the \$350,000,000 which we are paying above the world market we receive no benefit. Any quota system which denies the right of American labor and the American farmer to produce goods which can be used in this country, where production is less than consumption, is wrong.

I hope you will vote the amendment down. [Applause.]

The CHAIRMAN. The gentleman from Nebraska [Mr. COFFEE] is recognized for 1½ minutes.

Mr. COFFEE of Nebraska. Mr. Chairman, I want first to thank the chairman of the Subcommittee on Agricultural Appropriations for offering this amendment to carry out the obligation of the Government to the domestic sugar-beet and cane growers. Florida is the only sugar-producing State opposing this amendment. I am sure you recognize the justice of this amendment.

Answering my friend, the gentleman from Florida, let me say that the consumers of the United States have been getting the lowest-priced sugar during the last 3 years that they have had during any 3-year period in history. The excise tax on sugar became effective September 1, 1937. During the 18 months previous to the imposition of the excise tax, the retail price of sugar was 5.6 cents per pound. During 1938 the average price was 5.3 cents per pound and during the first 6 months of 1939 it was 5.2 cents per pound—within one-tenth of a cent per pound of the all-time low figure reached in 1932. This shows conclusively that the tax was not passed on to the consumer but was borne by the sugar industry itself.

Under the law, all sugar processed before June 30, 1941, is subject to the excise tax of 50 cents per hundred. The producers and processors have paid this tax which must be returned to the growers unless you want to destroy the sugar industry in this country. The bill that carried the tax carried the obligation of the Government to make the payments to the growers.

[Here the gavel fell.]

Mr. O'CONNOR. Mr. Chairman, I yield 1 minute of my time to the gentleman from Nebraska.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I make the point of order that the gentleman has no minute to yield, under the rules of the House.

The CHAIRMAN. In this instance we are operating under a unanimous-consent agreement.

The point of order is overruled.

The Chair recognizes the gentleman from Nebraska for 1 additional minute.

Mr. COFFEE of Nebraska. Mr. Chairman, the Federal Government is collecting about \$68,000,000 a year by virtue of this processing tax on sugar and the total amount that is to be paid back to the growers, as estimated and recommended by the Budget, is \$47,975,000—the amount involved in this amendment. This leaves a net revenue to the Federal Treasury of over \$10,000,000 after the tax on Philippine sugar is refunded.

While the Sugar Act is not perfect and needs amending to provide for an expansion of the domestic sugar industry, the program is on a self-sustaining basis. The sugar industry, like many other industries in this country, cannot survive without protection. The tariff alone will not do the job. It is necessary to have a combination tariff and quota. The excise tax and payments to growers are essential in maintaining quotas.

I am sure the consumers in this country have not forgotten the experience during the last World War when they were at the mercy of foreign combinations and had to pay 20 cents and 25 cents a pound for sugar. A healthy expansion of our domestic sugar industry is the only way to protect the American consumer against unreasonable price demands in the future.

The Federal Treasury is in need of this revenue. The growers are entitled to this money. Support this amendment in the interest of economy and fairness to our domestic producers. [Applause.]

The CHAIRMAN. The Chair recognizes the Delegate from Hawaii [Mr. KING] for 1½ minutes.

Mr. KING. Mr. Chairman, of all the various benefits extended to agriculture, the conditional payment to the producers of sugar beets and sugarcane is the only one that comes from the industry itself. The processing taxes collected from the processors of sugar and, in part at least, deducted from the payments made by such processors to the producers greatly exceed the amount of the conditional payments made to the producers, leaving a very substantial sum in the Treasury of the United States.

Payments to growers of sugar beets or sugarcane under the Sugar Act of 1937 are made upon the basis of compliance with certain conditions set forth in the law. They are not gratuities but are earned by compliance with conditions deemed to be in the public interest and essential to the success of the sugar program. Large-scale producers have a greater number of units of compliance and hence receive larger aggregate payments, although at a lesser rate per unit due to the schedule of reductions incorporated in the act.

The cost of the sugar program is borne by the producers and is not a tax upon consumers. The following table illustrates this point by statistics for years when the processing or excise tax was in effect compared with years when there was no such tax:

[Cents per pound]

Years	Average 1909-13	1935	1936	1938	1939
Price of raw sugar ¹	4.1	3.2	3.6	2.94	2.98
Processing or excise tax.....		.5		.50	.50
Refiners' and retailers' charges.....	1.85	2.0	2.0	1.86	1.92
Retail price of refined sugar ²	5.95	5.7	5.6	5.30	5.40

¹ Bureau of Agricultural Economics, U. S. Dept. of Agriculture.

² Bureau of Labor Statistics, U. S. Dept. of Labor.

The Bureau of Agricultural Economics, in a report published in 1937, said:

Since the total quota for sugar was completely filled each year, the quota system definitely limited the quantity of sugar made available for sale in the United States, regardless of the processing tax. Consumers would pay only a given price and aggregate amount for such a quantity, depending upon the existing state of demand, which is largely influenced by consumer purchasing power. Therefore, the tax did not affect the retail price in any way, at least over any appreciable period of time, and so could not have been passed on to consumers. (P. 67, "An analysis of the effects of the processing taxes levied under the Agricultural Adjustment Act," published 1937.)

Since the tax was not borne by consumers or by refiners or distributors of cane sugar, and apparently was not borne by the manufacturers of raw sugar, it follows that the grower of cane sugar, as the residual element in the situation, did bear the burden of the tax as such. (Idem, p. 70.)

The Secretary of Agriculture said in 1937:

One is likely to assume that excise taxes increase prices under all conditions; but an excise tax on sugar, within certain limits, under a quota system is one of the exceptions. (Statement on Sugar, by Secretary Wallace, March 15, 1937.)

Payments to sugar producers are made upon proof of compliance with conditions set forth in the act and determinations made pursuant thereto by the Secretary. Among these conditions are the following:

Prohibition of child labor.

Payment of not less than prescribed minimum wages.

Marketing or processing sugar beets or sugarcane not in excess of the proportionate share for the producer.

Payment at not less than prescribed minimum rates for sugar beets or sugarcane purchased by a producer who is also a processor.

Performance of soil-conserving practices.

A producer who has complied with the prescribed conditions is entitled to, and by right should, receive, whether he is a small grower or a large-scale producer, the payment he has thus earned under a self-supporting program. The reduction in the proceeds of sale of the raw product due to the effect of the tax makes it necessary for the agricultural producer to qualify for and receive the conditional payment in order to realize a normal return for his production.

Under the economic operation of the tax-quota-payment program the tax is taken out of the normal gross proceeds of sale of sugar and principally reduces the income of the raw producer, who then receives the remainder of his normal proceeds in the form of the conditional payment. The total proceeds—sales price and conditional payment—return to the raw producer his normal share of the aggregate income of the domestic sugar industry. As long as the tax remains in effect denial of conditional payments to any group of domestic producers, large or small, or any drastic curtailment of payments, would mean potential ruin for the producers thus deprived of an important part of their just return. The conditional payment under the sugar program is not a gratuity or a relief payment from public funds. The conditional payment is a legitimate and necessary part of the total amount received by the raw producer for his product, and he earns it by compliance with specific conditions.

Large-scale producers under the schedule of reductions incorporated in the Sugar Act receive in conditional payments considerably less than the amount contributed through the tax paid on account of the sugar they produce.

Large-scale producers certainly contribute much toward the success of the program by their compliance with its conditions. They are equitably entitled to receive the payments they have earned. Some large producers make little profit, and some make more. The same is true of small producers. Those who make large profits—and they are scarce under the sugar prices which have prevailed for the past 2 years—pay large income taxes, and this is the equitable way to deal with the situation.

Sugar production in the Territory of Hawaii has necessarily been developed upon the basis of large-scale farming. Sugar producers in Hawaii were required to make drastic reductions in areas and production in compliance with sugar-quota legislation, and they have complied with the spirit and the letter of the Sugar Act. They employ large numbers of men on a year-round basis at good wages. The wage determinations made pursuant to the Sugar Act are

matters of public record, and show that the wages determined for sugarcane workers in Hawaii are higher than the wages similarly determined for any other sugarcane-producing area. The Secretary of Agriculture, in his annual report for the year 1939 (p. 108), said:

Hawaiian sugar producers have worked out a system, not found in any other domestic sugar-producing area, which makes it possible for their laborers to work the year round, while the value of the perquisites furnished these workers is relatively high.

The plantation producers in Hawaii have borne the entire reduction in production on account of the quota system, without any reduction in the areas cultivated by more than 3,000 small growers.

Under all of these circumstances sugar producers in the Territory of Hawaii who have borne every burden of compliance with the program and who have, by reason of large-scale production, qualified for payments based upon a relatively large number of units of contribution to the program, are, in all justice and equity, entitled to the payments thus earned.

The economy of Hawaii is based practically from 60 percent to 75 percent on the sugar industry. Taxes collected on the sugar produced in the Territory exceed the conditional payment disbursed to the Hawaiian producers. This difference accrues to the Federal Treasury. Together with receipts from other sources, the difference between the taxes collected and the conditional payments made is used to carry the cost of administering the Sugar Act of 1937 and to make payments to small producers, mostly in the beet-sugar areas, in excess of the taxes collected on the amount of sugar they produce. If the conditional payments were withheld, the entire economy of the Territory of Hawaii would be greatly endangered.

The "proof of the pudding is in the eating," and the argument sometimes made that the protection extended to domestic sugar producers is a subsidy borne by the consumers cannot be justified by the facts. The retail price of refined sugar, per pound, in the United States, in cents, as reported by the Bureau of Labor Statistics over a period of 11 years is as follows: 1929, 6.4; 1930, 6.1; 1931, 5.9; 1932, 5; 1933, 5.3; 1934, 5.5; 1935, 5.7; 1936, 5.6; 1937, 5.6; 1938, 5.4. These figures compare favorably with the prices paid in other countries. The Bureau of Foreign and Domestic Commerce has compiled the retail price of refined sugar, as of May 1, 1939, for a number of countries, as per the table below, which shows that the United States pays less for its sugar than most of the nations of the world.

Retail price of refined sugar in selected countries (on or nearest May 1, 1939)

[Compiled in the Foodstuffs Division of the Bureau of Foreign and Domestic Commerce from reports submitted by the Foreign Service officers of the United States Government]

Per pound (United States cents)

Exporting:	
Brazil.....	2.95
British Guiana.....	9.75
Cuba.....	3.84

Percentages of sugar distributed for consumption in the United States supplied by the principal producing areas

	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939
	Percent	Percent	Percent	Percent	Percent	Percent	Percent	Percent	Percent	Percent	Percent
Louisiana and Florida.....	2.7	2.9	3.1	2.6	5.0	4.1	4.8	6.8	7.3	8.2	9.2
United States beet.....	14.7	17.0	20.5	21.1	21.6	25.1	22.1	22.1	18.2	21.0	24.7
Hawaii.....	13.3	12.0	14.7	16.4	15.7	14.5	15.5	14.0	14.3	13.2	13.2
Puerto Rico.....	6.6	11.6	11.4	14.6	12.5	13.6	12.8	13.2	13.4	12.8	13.9
Philippine Islands.....	10.4	12.0	12.4	16.7	19.7	18.0	14.0	14.0	14.3	14.4	12.3
Cuba.....	51.9	43.9	37.2	28.2	25.3	24.6	30.7	29.8	30.0	29.9	24.9

Source: Consumption figures Willett and Gray.

Prior to 1934 the American sugar industry was not limited in its expansion except through natural economic causes. It was protected against foreign competition by the tariff, but otherwise was under no restrictions as to the quantity each unit or area might produce. Beginning with the Jones-Costigan Act, a quota system was substituted for the tariff. By the

Retail price of refined sugar in selected countries (on or nearest May 1, 1939—Continued)

Dominican Republic.....	6.00
Peru.....	2.40
Hungary.....	9.60
Australia.....	6.21
Philippine Islands.....	3.52
Netherlands Indies.....	3.38
Union of South Africa.....	6.27
Principally self-supplying:	
Argentina.....	4.75
Ecuador.....	2.71
Guatemala.....	4.00
Mexico.....	2.88
Panama.....	7.50
India.....	6.01
Japan.....	5.56
Bulgaria.....	12.49
France.....	7.68
Germany.....	13.64
Italy.....	15.62
Netherlands.....	11.19
Rumania.....	10.25
Sweden.....	5.47
Yugoslavia.....	13.86
Importing:	
Chile.....	4.52
Honduras.....	3.92
Uruguay.....	3.58
China.....	3.70
Finland.....	8.43
Ireland.....	5.85
Norway.....	7.69
Portugal.....	8.49
Switzerland.....	4.74
Turkey.....	9.44
United Kingdom.....	5.36
Canada.....	6.30
United States.....	5.10

On the few occasions when domestic sugar producers were unable to meet the requirements of the American market, foreign producers took advantage of the opportunity to demand exorbitant prices. The theory that foreign sugars would bring lower prices to the American consumers has never worked out in practice.

For over 100 years Hawaii has produced sugar as its principal exportable crop, and with the revenue obtained from the sale of this crop has developed a stable internal economy. In 1875 a reciprocity treaty between the United States and the then Kingdom of Hawaii encouraged the further development of the sugar industry in the islands to meet the requirements of the American market. Since annexation, when Hawaii came under the American flag, it has continued to be one of the principal sources of sugar for the American people. However, the expansion of the Hawaiian sugar industry has never displaced any other domestic producer. Other domestic areas have increased their total production and proportionate share of the American market substantially, but the following table shows that for the past 11 years Hawaii's share of the American market has varied very slightly and has averaged 14 1/4 percent of America's total consumption:

principles of this act each unit of the domestic-sugar industry was assigned a quota based on the historic record of production of that unit. Quotas were also assigned to foreign producers. To implement the act an excise tax was levied, and benefit payments to offset this tax were made to the producers who complied with the law. The purpose of the act was to

stabilize the sugar industry for the benefit of all those engaged in it by requiring each producing area to reduce its potential production proportionately.

Hawaii's cooperation in this effort is fully covered in a letter from the Secretary of Agriculture dated June 19, 1936, which was published in Senate Document 274, Seventy-fourth Congress, second session, which I quote in part as follows:

By the terms of the Hawaiian sugar production adjustment contract, the plantation producers agreed that they would make the necessary reduction on plantation land and not on that of the 5,002 small adherent planters who were paid a share of the benefit payments by the plantation producers. A total area of 24,238 acres of plantation sugarcane land, or 10.8 percent of the 255,077 acres of land on which cane was grown under plantation administration, was fallowed, and thereby taken out of production, in the course of reduction of the quantity of sugar produced. No reduction for the purpose of restriction of production was made in the area of 32,909 acres on which the 3,002 adherent planters grow sugarcane. During the 2 years of 1934 and 1935, the total areas of adherent planter lands which were withdrawn from sugarcane production due to various natural causes amounted to only 88 acres, or one-quarter of 1 percent.

The 39 plantation producers also agreed that they would bring about "reduction in production required by the contract in such a manner as to cause the least labor, economic, and social disturbance," and, pursuant to this agreement, they did not discharge or lay off any of the workers employed on the several plantations by reason of such reduction of production, or because of any provision of the production-adjustment contract. In addition, the contract included labor provisions which prohibited the employment of children under 14 years of age, limited labor of children between 14 and 16 years of age to 8 hours a day, and called for compliance with any minimum-wage or maximum-hour determinations by the Secretary of Agriculture. It also provided that the Secretary might adjudicate labor and contract disputes.

The plantation producers, on November 1, 1935, inaugurated a new bonus system by which the employees receive a larger share of the returns from higher prices of sugar, including for the purposes of this bonus benefit payments as part of the price of sugar. The total payments under the bonus plan for the period of 6 months—November 1935 to April 1936—is estimated at \$1,101,326. It is also estimated that such bonus payments would have amounted to between \$2,500,000 and \$3,000,000 per annum had benefit payments been continued.

Under the 2-year crop cycle on which sugarcane is grown in the Territory of Hawaii, the reduction in production already effectuated pursuant to the contract affects the 1935, 1936, and 1937 crops to the extent of a total estimated reduction of 522,625 tons of sugar.

It will be noted that the Jones-Costigan Act required a very material curtailment of Hawaiian sugar production, which represented a very substantial sacrifice to the industry. When the Sugar Act of 1937 superseded the Jones-Costigan Act a further curtailment in Hawaiian production was required, but the new act did fix Hawaii's quota on a more equitable basis. The exhaustive hearings which preceded the passage of the Sugar Act of 1937 resulted in establishing for each producing unit a definite percentage of the American sugar market. The figure for Hawaii fixed in this act represents a serious cut in the amount which Hawaii had been producing over a period of years, and should certainly be the minimum proportion allocated to Hawaii. Any further increases or decreases of domestic production should be shared among all domestic producers in accordance with the percentages now established.

If the quota excise tax conditional payment system is to be retained as preferable to the former method of tariff protection, then certainly it must rest on an equitable basis. Every unit of the domestic-sugar industry should receive exactly equal treatment, with no preference to any specific area based on political potency or geography. Payments made to producers who have accepted the law in good faith, and who have cooperated to the fullest extent in making the quota system a success, should not be denied on any theory of discriminating between producers because of size. I hope, therefore, that the Committee will support the recommendations of the Subcommittee on Agricultural Appropriations and pass the amendment offered by the distinguished chairman of that committee.

The CHAIRMAN. The gentleman from Kansas [Mr. HOPE] is recognized for 2 minutes.

Mr. HOPE. Mr. Chairman, it seems to me it is very essential and very important that we adopt this amendment, because, unless we do, the sugar producers of this country, who in some sections are now planting their crop and in other

sections plowing their land and making their preparations for next year's crop, will have no way of knowing what they can depend upon for this year.

As has already been stated, these producers are going to be taxed. They are going to pay the tax, and unless we make this money available at this time they will have no assurance that at the end of the year they are going to receive the money back in the form of benefit payments. This is an important matter, because approximately one-third of the amount they will receive as revenue from their crops comes in the form of these payments.

I want to appeal especially to those on my left who are friendly to the sugar industry of this country. I know many Republicans of this House have often expressed the thought that we ought to produce in this country those things of which we have no surplus; in other words, deficit crops. Sugar is definitely a deficit crop. Here is an opportunity to assist in producing a crop of which we do not have a surplus.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. Is it not a fact that we must restore the former duty on sugar in order to protect our producers or continue making these benefit payments?

Mr. HOPE. There is no question about that. If we do not make these payments we are going to ruin the sugar industry of this country.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Wyoming [Mr. HORTON].

Mr. HORTON. Mr. Chairman, I am going to take only a minute to say that if the Committee does not adopt the pending amendment, it will destroy the sugar industry of this country. There are those of you who remember that back during the World War No. 1 the price of sugar rose to \$32 a hundred, because sugar production passed into the hands of foreign countries. We may face that condition again, and if we do, the consumer will pay many times more than the one-half cent per pound which this tax may possibly impose. The price of sugar is lower today than it has ever been in this country with the exception of 1932. Certainly this tax, which is now operating, has not increased the cost of sugar to the consumer and that has been the history from the start of this program.

Mr. COFFEE of Nebraska. Will the gentleman yield?

Mr. HORTON. I yield to the gentleman from Nebraska.

Mr. COFFEE of Nebraska. Is it not a fact that all of these payments go back to the sugar producers?

Mr. HORTON. That is correct. It is a tax in the industry and is redistributed to those in the industry who need it—the men who grow the beets.

Mr. COFFEE of Nebraska. Does the gentleman know of any other State, of the 21 States in the Union that produce sugar beets and sugar cane, opposing this, with the exception of Florida?

Mr. HORTON. I do not. Florida makes the statement, as I understand it, that she can compete with any offshore country in the production of sugar. If that is so, then they must have lower wages and lower living conditions than the rest of the States. My State cannot pay a 30- to 40-percent increase in cost of production without a redistribution of this tax within the industry.

Mr. COOLEY. Will the gentleman yield?

Mr. HORTON. I yield to the gentleman from North Carolina.

Mr. COOLEY. Is it not a fact this tax was imposed and predicated upon the idea that the money would be refunded to the producers?

Mr. HORTON. That is correct; yes.

Mr. COOLEY. Would it be fair to retain that tax in the Treasury?

Mr. HORTON. Absolutely not. Such procedure would be breaking faith with the grower. If this tax continues to be collected and it will be, it must be, returned to the industry which pays it for the benefit of that industry. By virtue of this tax the Government is at least \$20,000,000 ahead of the game. The tax yields about \$68,000,000 and the payments

amount to about \$48,000,000. As a matter of fact the entire tax should be returned for redistribution within the industry for the very good reason that the industry pays all of the tax.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE. Mr. Chairman, I cannot conceive how our friends from Florida can fight so bitterly against the pending amendment. It is just and right that sugar-beet growers should have this money. It was collected for what purpose? To pay this bounty to sugar-beet growers. After the Supreme Court decision of January 1936 we could not levy a processing tax, so this method was adopted. In California farmers have planted their beets in good faith, believing they would get this bounty, and they are soon ready to plant in the country to the north. They are paying the wages which the Government expects them to pay. They are living up to their part of the agreement. The money has been collected. It is in the National Treasury. I ask our friends from Florida by what right do you want to confiscate this money that was clearly destined for the sugar-beet growers? You could not do a more unjust act in your life than to kill this honest amendment which has been offered by the chairman of the Subcommittee on Appropriations.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, the Sugar Act of 1937, Public No. 414 of the Seventy-fifth Congress, specifically imposed an excise tax on the manufacture of sugar of approximately 53 cents per hundred pounds. The same act under the additional payments to farmers provides that the benefit payments shall go to the farmer on the basis of 60 cents per hundred pounds for the recoverable sugar in the beet or the sugarcane which the farmer delivers to the factory.

I hold in my hand a sugar-beet contract which runs between the factory and the grower. While the tax is imposed on the factory at point of processing, the contract between the factory and the grower provides that the farmer shall bear his share of all taxes whatsoever imposed upon the processing, production, ownership, handling, possession, or sale of sugar which is hereafter imposed by the United States or any governmental agency or authority. At a later date I shall submit to the House information relative to the retail price of sugar to the consumer before the application of the tax and since it began to operate. Those interested will find that the retail price has not been increased by the amount of the tax imposed. A careful analysis of the situation will support the contention that the tax has been absorbed by the industry, and this is in line with the contentions made by the President at the time he recommended the sugar legislation of 1937. In view of the fact the tax is being imposed on the industry, the money is going into the United States Treasury, and the farmer-growers are bearing their share of the tax burden, I contend that this appropriation should be made. I congratulate the Chairman of the Committee in reaching his decision to offer the amendment restoring the appropriation to the bill and I hope the amendment will be accepted.

Here is a clean-cut case where the tax comes specifically from the industry. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman, I presume I am the one member on the Agricultural Appropriations Subcommittee who is really opposed to the restoration of this item in the bill. I am opposed to it, first of all, because I am opposed to the Sugar Act of 1937. I am opposed to an act that will give 30 out of every 100 pounds of sugar consumed in the United States to the Cubans, where they can put babies in perambulators in the fields, if they like, and violate all the provisions of the 1937 act that are imposed on the domestic producer.

Secondly, I am against it because Dr. Bernhardt, the chief of the sugar section, when he came before the committee on December 11, had this to say, and it appears at page 83 of the hearings:

It is the intention, as I understand it, of the Congressmen representing certain sugar areas to bring up new legislation. Just the other day in California the National Beet Growers Association adopted certain resolutions requesting Congress to take early action for new sugar legislation. In the event that legislation should become effective, either by joint resolution or in the form of other legislation, then payments under the new act would be required.

If there is to be new legislation in this Congress, and this is the chief of the sugar section speaking, then why restore this item now? Why not wait until we get a look at it? Why not wait until we look at the amendments? Since there is money enough to pay up to the 1st of July, you are not doing anything effective with this amendment. That is the best answer I know of, to wait until this new legislation comes along in this Congress, and then we can reevaluate this whole Sugar Act and see what the Congress ought to do.

Mr. CUMMINGS. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Colorado.

Mr. CUMMINGS. The reason we are proposing new legislation is that the new legislation will go into effect when the present act expires at the end of 1940.

Mr. DIRKSEN. Yes; this act expires in December of 1940, and there is no hurry about including this item in the bill. We will then get a real act for the Sugar Act of 1940. [Applause.]

Recently I took a gentleman from my State to see the Secretary of Agriculture about a check for sugar benefits which had been withheld because of an alleged infraction of the Sugar Act. The Secretary was very kindly and sympathetic and even expressed the belief that the facts which were presented warranted some modification of a labor provision in the existing law. It was this experience which directed my attention to the Sugar Act of 1937, and since that time I have made a considerable examination of the matter.

First, I find that the act authorizes the Secretary of Agriculture to determine the sugar requirements of this country for the year ahead. In round figures this amounts to about 6,800,000 tons.

Secondly, he is empowered to apportion marketings and importation as between domestic and foreign areas. This is done under a formula in the law whereby about 55 percent of our sugar consumption is allotted to domestic areas and 45 percent to foreign countries. These two divisions are in turn further divided among domestic beet, mainland cane, Hawaii, Puerto Rico, the Virgin Islands, Cuba, Philippines, and other sugar areas.

The net effect of this formula is to give our own beet growers about 23 percent of the market while Louisiana gets about 5½ percent, Florida less than 1 percent, while Cuba is given nearly 29 percent of the American market.

Now the Sugar Act of 1937 provides that if our growers comply with the quotas, they will be entitled to conditional benefit payments.

As a condition for these payments, they must not hire child labor under 14. They must pay fair and reasonable wages as determined by the Secretary. They must not market in excess of their allotted share and they must follow certain soil-fertility practices. It is manifest that the Sugar Act is, therefore, the perfect example of complete regimentation.

Funds with which to make benefit payments are obtained by a tax on the manufacturer and the importation of sugar, which tax will run roughly about one-half cent per pound.

Now, the amazing thing about this whole act is that it gives Cuba nearly 30 percent of the American market. Cuban producers may employ child labor and fail to comply with other provisions of the act except as to quotas and yet retain a market of almost 30 pounds out of every 100 pounds of the sugar consumed in the United States. Our own producers must strictly comply with the provisions laid down by the Secretary of Agriculture, but Cuba may ignore these with impunity and still retain the big end of the American market.

How does his whole program square away with the oft-repeated argument that the American market should be kept for the American farmers?

Further than this, we are giving Cuba a huge gratuity in the form of a lowered tariff, which, in aggregate amount, is probably more than the value of the goods which we sell to Cuba under the provisions of the reciprocal-trade treaties.

By the Tariff Act of 1930 the duty on Cuban sugar was 2½ cents per pound less 20 percent by the terms of reciprocity arrangement. In May of 1934 this duty was reduced to 1½ cents per pound. Later, under the trade agreement with Cuba, it was reduced to 90 cents per hundred, or less than 1 cent per pound.

Now, let us take 1935 for an example. We sold to Cuba about \$60,000,000 worth of merchandise. In return for that we lost duties of \$40,000,000 and in addition paid \$1.19 per hundred over the world price for Cuban sugar. This excess price accounts for another \$43,000,000, so that in reality we paid \$83,000,000 for the glorious privilege of selling Cuba \$60,000,000 worth of goods.

Frankly, I do not understand the logic of this arrangement under which we set out to restrict the production of sugar in our own country and hand 30 percent of our market to Cuba in such form that it amounts to an irrevocable gift under the act of 1937.

This is one reason why I favored striking the whole sugar section from the pending appropriation bill until such time as the Congress could make a meticulous examination of the whole sugar situation and revamp it in the interest of the American farmer.

The CHAIRMAN. The Chair recognizes the gentleman from Colorado [Mr. CUMMINGS].

Mr. CUMMINGS. Mr. Chairman, I am really surprised at the statements that are made at times regarding sugar. Someone said that this would cost the taxpayers \$300,000,000. Just what has been the price of sugar since this law went into effect? In 1935 the price was \$4.85; the next year, \$4.69; the next year, \$4.72; and the next, \$4.481, or about \$4.50 per hundred. Why, if you took off all of it except the tariff it would not cost you that much.

A gentleman made the remark today that sugar was high in the United States. What is the truth about it? Here is a chart showing 27 of the leading nations of the world. Here is the United States. Italy starts down here with a little over 15 cents. Then there are those up here over 10 cents. These are over 15. When you get up to the United States it is about 5. But you can buy sugar in Washington today for \$4.75 a hundred. If you notice the nations above this red line, they are all what I term "brechclout nations," except two, and by brechclout nations I mean nations that grow sugar in the Tropics, and it is crazy to talk about competing with them.

This gentleman wanted to know why we wanted this money now. You have to have it to pay for the beets that are going to be planted in 1940 and grown in 1940. This law will leave in the Treasury over \$18,000,000, besides paying for it.

Mr. KLEBERG. Mr. Chairman, will the gentleman yield?

Mr. CUMMINGS. I yield to the gentleman from Texas.

Mr. KLEBERG. I should like to ask the distinguished gentleman from Colorado if the suggestion made by the gentleman from Illinois [Mr. DIRKSEN] was not a recommendation, in fact, that the Government of the United States go back on its commitment with reference to meeting its obligations under the act accepted by both Houses.

Mr. CUMMINGS. You would just be stealing 60 cents a hundred from every man that grows sugar. As I said, this leaves money in the Treasury. I do not believe this Congress is going to vote to do anything of that kind. The trouble with those people down in Florida, who are the only ones opposing it, is that they want to grow all the sugar they want. What is the truth about sugar? The people that grow sugar in the United States last year grew over 8,000,000 tons of sugar and we used 6,500,000 tons. If it were not for the quota, Florida would not be growing any sugar. In 1933 the people who grew 90 percent of the sugar in the United States met in convention and adopted a quota. [Applause.]

[Here the gavel fell.]

Mr. CALDWELL. Mr. Chairman, this sugar situation comes nearer a national disgrace than any one thing I know. The gentleman from Hawaii [Mr. KING] spoke a few moments ago and I want to call your attention to a release of the Department of Agriculture in which it is shown that individual companies in Hawaii received in benefit payments enormous sums of money. Let me read the list furnished by the Secretary of Agriculture:

Waialea Mill Co.	\$37,407.81
Wailea Milling Co., Ltd.	17,272.32
The Olaa Sugar Co., Ltd.	161,756.18
Hilo Sugar Co.	70,337.13
Kohala Sugar Co.	155,776.80
Hamakua Mill Co.	71,980.49
Peepee Sugar Co.	39,456.92
Hakalau Plantation Co.	67,821.99
Onomea Sugar Co.	91,422.34
Laupahoehoe Sugar Co.	68,791.12
Kaikiwi Sugar Co., Ltd.	55,595.60
Hawaiian Agricultural Co.	134,484.12
Hutchinson Sugar Plantation Co.	78,496.73
Hononkaa Sugar Co.	117,555.60
Honolulu Sugar Co.	29,592.90
Pauha Sugar Plantation Co.	55,029.31
Grove Farm Co., Ltd.	42,989.51
Gay and Robinson	25,506.21
Waimea Sugar Mill Co., Ltd.	19,414.67
Kilauea Sugar Plantation	35,541.05
William Hyde Rice, Ltd.	16,055.18
The Lihue Plantation Co., Ltd.	184,678.32
Hawaiian Sugar Co.	106,982.45
The Koloa Sugar Co.	88,260.58
McBryde Sugar Co., Ltd.	79,753.70
Hawaiian Commercial & Sugar Co., Ltd.	340,525.58
Kaeleku Sugar Co., Ltd.	28,733.15
Maui Agric. Co., Ltd.	149,400.59
Pioneer Mill Co., Ltd.	164,858.38
Walluku Sugar Co.	146,535.73
Kahuku Plantation Co.	86,934.50
Ewa Plantation Co.	283,888.97
Honolulu Plantation Co.	141,321.83
Oahu Sugar Co., Ltd.	262,357.45
Waialua Agric. Co., Ltd.	253,320.94
Waianae Co.	34,020.95
Waimanalo Sugar Co.	61,150.05
Kekaha Sugar Co., Ltd.	179,020.68

Mr. KING. Mr. Chairman, will the gentleman yield? The gentleman is referring to me, and as a matter of courtesy the gentleman ought to yield.

Mr. CALDWELL. I will be glad to yield after I have concluded.

Then, I want to call your attention to the situation in Puerto Rico where individual firms were paid around \$48,000,000 of the American consumers' money. The list of payments over \$10,000 follows:

Geronimo Vallechillo	\$14,240.10
Buena Vista Agricultural & Dairy Co.	20,717.00
Finlay Bros. & Waymouth Trading Co.	105,039.00
Nevares Hermanos	20,961.65
Compania Azucarera Del Toa	124,234.00
William Rodriguez Garzon	11,302.00
Faustine Fernandez	10,755.30
Rafael Torrech Rios	10,538.60
Asociacion Agricola de Bayamon	46,908.20
Jaime Fonalledas Cordova	43,068.35
Clara E. Livingston	11,067.70
Felix E. Tio	12,173.20
Rubert Hermanos, Inc.	163,147.75
Central Vannina, Inc.	102,927.00
Pinero Hermanos	13,356.80
Central Victoria, Inc.	71,135.00
Luis Cerra Becerril	19,821.35
Nicolas Iturregui	11,072.10
Nicolas Cartagena	10,338.40
Antonio Longo	10,555.10
Miguel Figuerola	13,975.00
Rafael Calderon	30,484.10
Leoncio Velazquez	30,084.05
Cipriano Manrique	14,847.30
Eastern Sugar Associates	469,796.00
Behn Bros. Association	22,235.30
The Fajardo Sugar Growers Association	565,610.60
Mariano Arroyo, trustee	11,560.50
Efren Rotger Santiago	12,180.90
Antonion Mendez	14,455.70
Rafael Ma. Gonzalez	13,615.30
Ramon L. Berrios	10,142.60
Francisco Gardona	10,574.90
Juan Avalo Garcia	13,961.80

Faustino Fernandez	\$22,046.30
Domingo Quintana Colon	12,314.00
J. B. Carrion, trustee	332,885.00
Luis Toro Perez	10,148.10
Luis Villa Santana	10,626.60
Alberto Esteves	28,208.75
Central Coloso Ind	149,222.65
Diego G. Gonzalez	10,811.40
Rafael H. Lopez	18,142.40
A. Guillemard, trustee	81,169.00
Alfredo Ramirez de Arellano, executor	36,270.65
Alfredo Ramirez Rosell	96,549.00
Ubaldo Ramirez de Arellano	17,346.50
Miguel A. Garcia Mendez	14,486.50
Mayaguez Sugar Co., Inc	73,313.00
J. L. P. Valdivieso	15,595.30
Eduardo Mendez, Jr., trustee	18,892.66
Plata Sugar Co., Inc.	49,608.80
Jayuya Development Co.	22,549.25
Antonio Marques Arbona	42,271.40
Defin Rodriguez Carlo	10,756.40
A. Guillemard, trustee	20,833.55
Russell and Co., successors	365,228.60
Jose J. Fas	12,431.70
Juan Angel Tio	20,619.35
J. Otilio Milan	13,080.70
Santiago Sambolin Becchi	10,772.90
Ernesto Quinones Salazar	11,650.70
Jacobo L. Cabassa	47,333.45
Juan Lugo Ramirez	13,613.10
Mario Mercado E. Hijos	103,752.00
Carlos Padorani Georgetty	11,948.80
Felix Gonzalez Perez	10,880.70
Manuel Gonzalez Martinez	149,548.30
Luce & Co. S. en C.	665,211.20
Jesus Stella	11,630.90
Godreau & Co. S. en C.	29,436.20
Sucs. De Elias Godreau & Co.	34,642.10
Rafael Sauri	11,795.90
Suers De Jose Gonzalez Y Co. S. en C.	95,619.00
Genar Cautino	30,210.05
Nido & Co.	11,760.70
Cooperativas Agricolas	59,257.25
Sucesion J. Serralles	247,281.59
Wirshing & Co. S. en C.	116,367.81
Central Alianza, Inc	26,458.40
Aldea Agricultural Corporation	14,517.30
Central Cambalache, Inc.	169,166.00
Rafael Capo	10,055.70
Antonio Valdes Rios	10,538.60
Compania Georgetti S. Enc.	195,319.50
Angel Quintero	11,054.50
Quintero and Davila	39,302.00

Similar payments were made to American producers. And let no one tell you the producers pay the processing tax from which these enormous subsidies are taken. Those taxes are paid by the consumers of this country. Listen to a portion of what Secretary Wallace wrote Senator PRENTISS BROWN April 6, 1938:

I know that you will also appreciate the difficulty from the standpoint of the public interest in finding adequate justification for a policy of charging American consumers higher prices for sugar. In my letter to Senator Bulkley, referred to above, attention was called to the fact that "it is estimated that at current prices American consumers are obliged to pay more than \$350,000,000 per annum in excess of the value, at world prices, of their annual sugar supply (without allowance for the estimated net revenue of approximately \$47,000,000 represented by the difference between disbursements under the Sugar Act of 1937 and receipts from the tariff and the 50-cent tax on sugar, or for the possible increase in world price that might result from changed conditions). This is equivalent to a tax of approximately \$2.70 per capita on a population of 129,000,000 persons. It means on the average a levy of more than \$10 per family, including that one-third of the Nation which is ill nourished, and it represents an amount of purchasing power equal to more than 50 quarts of milk and 50 loaves of bread for each family in the United States."

That is the Secretary of Agriculture speaking, and think of those who are poorly fed and ill-clad when you vote on this question. Evidence, if any is needed, is that in August 1937 the sugar price was 4.06. The Sugar Act became effective September 1 of that year and the sugar price immediately went to 4.996. Actual, pertinent, immediate evidence that the people of this country are paying a tremendous and unjust subsidy to sugar planters.

Of course, Florida is opposed to it. We do not want a subsidy. We want an opportunity to grow sugar and sell it to the American people. That is all we want and that is all we need, and we do not like the thought of being made victims

of the present vicious system. I sincerely hope the House will stand with the full Committee on Appropriations and the recommendation it brought here. [Applause.]

Mr. O'CONNOR. Mr. Chairman, I want to congratulate the chairman of the committee in proposing this amendment and giving the Congress the right here to carry out a commitment of the Federal Government. It is the processors who pay this tax. It goes to the producers. They are entitled to it. In my State we raise about 85,000 acres of sugar beets and if we did not get these benefit payments, our sugar-beet producers would have to quit and our sugar factories would have to close down, and then you would have to appropriate money to take care of a greater relief roll than you are taking care of now. I hope you support the amendment. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. CANNON].

The question was taken; and on a division (demanded by Mr. PETERSON of Florida) there were—ayes 85, noes 45.

So the amendment was agreed to.

The Clerk read as follows:

International production control committees.

Mr. JONES of Texas. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman from Missouri [Mr. CANNON] a question.

I appreciate the gentleman's desire not to meet tomorrow and the desire of a number of the other Members, but this bill will probably not be passed in the Senate for a great many weeks and I am wondering why, in view of the fact we have already passed several of the appropriation bills, we should not adjourn over until Monday and take the rest of this bill up for consideration at that time. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, this bill has ordinarily passed in 3 days.

Mr. JONES of Texas. This is an extraordinary cut.

Mr. CANNON of Missouri. Continuing through the fourth day is unusual, but in order to give the most liberal debate and recognize everyone, both in general debate and under the 5-minute rule, consumed a rather unprecedented amount of time. The schoolmaster tells us we must complete the bill this week. If we do not finish tonight we will have to finish tomorrow, and those who have discussed the matter with the committee would rather stay tonight than come back tomorrow.

Mr. JONES of Texas. I am not talking about coming back tomorrow. I am talking about going over until Monday to finish the bill. Will not the schoolmaster permit us to have a vacation on Saturday—that is usual in schools?

Mr. CANNON of Missouri. Yes; but we do our chores.

Mr. JONES of Texas. Now, seriously, there is not anything pressing for Monday or Tuesday, for that matter.

Mr. CANNON of Missouri. We took a plebiscite on the question when the motion to rise was voted on. The majority in favoring of staying was so overwhelming I would hesitate to broach the subject again at this time.

Mr. JONES of Texas. I am not trying to delay matters. I am perfectly willing to trust the judgment of this House, but the Members are tired and there is no reason for crowding this matter tonight that I can see. Why not wait until Monday or Tuesday or whenever it is convenient to take it up? We can finish it in 2 or 3 hours, and that seems to make sense to me. [Applause.]

Mr. CANNON of Missouri. It is immaterial to me, of course, until otherwise directed. I must follow the instructions of the House.

Mr. JONES of Texas. Well, we have worked hard here all week, and there has not been any filibustering.

The regular order was demanded.

Mr. CANNON of Missouri. Down in Texas when it is necessary to get the harvest in, I do not think they quit at half past 6 o'clock.

Mr. JONES of Texas. The gentleman from Missouri is always willing to work.

Mr. CANNON of Missouri. Was the regular order demanded, Mr. Chairman?

Mr. JONES of Texas. I ask the floor leader and I ask the Speaker if they are not willing to have this bill go over.

Mr. WOODRUM of Virginia. Mr. Chairman, I demand the regular order.

Mr. CANNON of Missouri. There is an orderly way of reaching this. A motion to rise would be in order.

Mr. JONES of Texas. Let me ask the gentleman this question: If I move that the Committee rise, will the gentleman agree that he will make no objection to our adjourning over until Monday when we adjourn?

The CHAIRMAN. The Chair desires to make a statement. The regular order has been demanded from all points. The gentleman from Texas [Mr. JONES] is properly on the floor, recognized by the Chair on a motion to strike out the last word. On that recognition the gentleman has the floor and his time has not yet expired.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. I yield.

Mr. CALDWELL. Mr. Chairman, I make a point of order.

Mr. RAYBURN. The gentleman from Texas has yielded to me and I do not yield for a point of order.

I have this problem with every committee in this House. When the Committee on Agriculture comes before the House with a bill I am supposed to stand by the committee. When the Committee on the Judiciary or any other committee of the House comes in with a bill, the leader is supposed to stand by the committee. I have talked to the members of this committee on both sides of the aisle and they are unanimous in wanting to go ahead and fulfill the program. We have a program for next week. I am charged with the responsibility of fixing the programs for the week and trying to see that they are carried out. Now, as the gentleman from Missouri [Mr. CANNON] has said, we have devoted one more day to this bill than is usual on a bill of this sort. I do not see any reason why we could not sit here for an hour or an hour and a half longer and pass this bill tonight.

Mr. JONES of Texas. If the Committee rises, will the gentleman offer any objection to preferring a unanimous-consent request to adjourn over until Monday?

Mr. RAYBURN. That would be objected to. I know it would be objected to.

Mr. JONES of Texas. Even if we would agree to meet at 11 o'clock?

Mr. RAYBURN. At any time. I am sure that a motion to put this bill over until Monday would be objected to.

Mr. JONES of Texas. Of course the House could adjourn again tomorrow. I am not trying to delay the matter.

Mr. RAYBURN. The House can do anything it wants to, Mr. Chairman.

Mr. JONES of Texas. I am sure the gentleman will agree that I have not tried to filibuster.

Mr. RAYBURN. Oh, no; of course not.

Mr. JONES of Texas. I think that when a bill is cut in two, the parties are entitled to a hearing when they are not driven into a pocket.

The CHAIRMAN. The time of the gentleman from Texas [Mr. JONES] has expired.

The Clerk read as follows:

During the fiscal year 1941 the Secretary of Agriculture may expend not to exceed \$17,500 from the funds available to the Agricultural Adjustment Administration for the share of the United States as a member of the International Wheat Advisory Committee, the International Sugar Council, or like events or bodies concerned with the reduction of agricultural surpluses or with other objectives of the Agricultural Adjustment Administration, together with traveling and other necessary expenses relating thereto.

Mr. NICHOLS. Mr. Chairman, I move that the Committee do now rise.

The question was taken; and on a division (demanded by Mr. NICHOLS) there were—ayes 60, noes 104.

So the motion was rejected.

Mr. PACE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it has been my plan and intention to offer at this time, and at this point in the bill, the following amendment:

To enable the Secretary of Agriculture to make parity payments to producers of wheat, cotton, corn (in the commercial corn-producing area), rice, and tobacco, pursuant to the provisions of section 303 of the Agricultural Adjustment Act of 1933, \$607,000,000, which sum shall be apportioned to these commodities in proportion to the amount by which each fails to reach the parity income.

Yesterday morning I gave notice in this House of my intention to offer an amendment to include in this bill an appropriation for parity payments to the farmers of this Nation. Since then I have been approached by a great many Members of the House, particularly by members of the Appropriations Committee and those in positions of leadership, and they have all advised against offering such amendment at this time. They include the chairman of the subcommittee in charge of this bill, the individual members of the subcommittee, the majority and minority leaders of the House, the chairman of the Committee on Agriculture. Most, if not all, of these appear to be interested in securing an appropriation for parity payments at the present session of Congress. They say they are, but they all advise me that this is not the time and place to make the fight. These leaders whose good faith I accept and whose positions of influence I respect, say that inasmuch as neither the subcommittee nor the full Committee on Appropriations recommended any amount for parity, inasmuch as the present sentiment of the House membership appears to be opposed to any item which was not recommended by the President in his Budget message, and parity payments were not so recommended, and inasmuch as unfavorable action here today might reduce the chances of having a parity-payment amendment agreed upon later in the session, they feel that it would be unwise for my amendment to be proposed. They go so far as to say that in their best judgment I would hurt rather than help the cause by offering my amendment and might contribute to the ultimate defeat of our efforts to secure funds to insure our farmers 100-percent parity.

Naturally, considering its source, I cannot disregard or lightly pass over this advice and these requests. Of course, I regret that they have taken this course. Instead of this attitude, I wish they could have rallied behind my amendment and helped me secure its adoption. Practically every Member of this House has either declared himself in favor of parity for the farmers of this Nation or has recognized its fairness and justice.

The last thing I want to do is to hurt or retard the final results of our efforts to get funds to pay 100-percent parity. These leaders and advisers seem to think I would by offering this amendment. I certainly do not know it all, I am a comparatively new Member of this body, and, with the greatest reluctance, I am yielding to the counsel of age and experience, and am, therefore, withholding my amendment.

Mr. COOLEY. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I ask for recognition at this time merely for the purpose of bringing to the attention of the House the great advantage and benefit that the tobacco farmers of this country received last year from funds which we had made available to the Commodity Credit Corporation and to express the hope that the permanent appropriation for the Commodity Credit Corporation will be supplemented in line with the recommendations of the Budget.

The tobacco farmers were the first casualties of the European conflict. In the midst of marketing our last year's tobacco the British buyers withdrew from the market. Our warehouses were closed, sales were stopped, and business in all eastern North Carolina was completely paralyzed. British buyers usually purchase approximately 35 percent of the flue-cured tobacco crop and when they withdrew from the market it was perfectly apparent that the flue-cured tobacco farmers were facing immediate financial disaster. Fortunately, we had provided the machinery and the funds necessary to afford relief in this great emergency. No new legisla-

tion was needed. Money was available. At the time the British buyers withdrew from the market they had purchased approximately one-third of their normal requirements. The Commodity Credit Corporation and the officials of the Department of Agriculture, appreciating the importance of the acute situation, entered into agreements with British buyers under which the buyers returned to the market and continued to purchase their usual requirements, thus preventing a complete collapse of prices. Under these agreements the Commodity Credit Corporation provided \$38,000,000, taking title to the tobacco purchased and holding it under an option which was by the agreements given to the British buyers, which they may exercise at any time between now and July 1, 1941.

Our situation is now aggravated by the imposition of an embargo by the British Government upon American-grown tobacco. If the embargo is not lifted and our tobacco is not permitted to enter the United Kingdom there is grave uncertainty as to whether or not British companies will be interested in making in 1940 agreements with the Commodity Credit Corporation similar to the agreements of 1939. If the Commodity Credit Corporation is handicapped on account of a lack of sufficient funds it is plain to see that bankruptcy and distress will envelop those of us who live in the tobacco country.

Although a point of order prevented the appropriation of the amount recommended by the Budget for the disposal of surplus products and for other purposes for which the Commodity Credit Corporation was created, I desire to express an earnest hope that some way may be found in the Senate to provide sufficient funds, for unless sufficient funds are available the Federal Government will not be able to aid the large group of citizens engaged in the production of the one farm commodity upon which the Government annually collects an enormous amount of revenue. [Applause.]

(By unanimous consent, the pro forma amendment was withdrawn.)

The Clerk read as follows:

Administrative and operating expenses: For operating and administrative expenses under the Federal Crop Insurance Act, approved February 16, 1938, as amended (7 U. S. C. 1501-1518), \$5,523,200, together with a reappropriation of not to exceed \$100,000 of the unexpended balance of the funds available for this purpose for the fiscal year 1940, to be allotted by the Secretary of Agriculture (a) to the Federal Crop Insurance Corporation, as authorized by section 516 (a) of such Act, and (b) to bureaus and offices of the Department of Agriculture or for transfer to other agencies of State and Federal Governments, as authorized by section 507 (d) of such Act; and such parts as the Secretary allots under clause (b) hereof shall be available for the employment of persons and means in the District of Columbia and elsewhere, rent in the District of Columbia, purchase of lawbooks, books of reference, periodicals, and newspapers.

Mr. CANNON of Missouri. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CANNON of Missouri: Page 80, line 2, strike out "\$5,523,200" and insert in lieu thereof "\$5,423,200".

Mr. CANNON of Missouri. Mr. Chairman, this amendment is offered to correct a typographical error. The amount agreed upon by the committee was the amount indicated in the amendment but through a typographical error the "4" was changed to a "5."

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. JONES of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES of Texas: Page 80, after line 15, insert a caption and a new paragraph as follows:

"FARM TENANCY

"To enable the Secretary of Agriculture to carry out the provisions of title I of the Bankhead-Jones Farm Tenant Act approved July 22, 1937 (7 U. S. C. 1000-1006), including the employment of persons and means in the District of Columbia, and elsewhere, exclusive of printing and binding, as authorized by said act, \$25,000,000, together with the unexpended balance of the appropriation made in said act for the fiscal year 1940."

The CHAIRMAN. The gentleman from Texas [Mr. JONES], is recognized for 5 minutes.

Mr. JONES of Texas. Mr. Chairman, I ask unanimous consent that I may proceed for 3 additional minutes, making 8 minutes in all.

Mr. CANNON of Missouri. Mr. Chairman, reserving the right to object, perhaps the Members of the Committee would like to reach some agreement as to time. This is possibly the last controversial item in the bill, and if there could be some agreement as to time it would give us all a better idea of when we might hope to get away. If the gentleman will permit, we might reach some agreement as to time.

Mr. JONES of Texas. What time does the gentleman think we should have?

Mr. CANNON of Missouri. Various suggestions have been made ranging from 20 minutes to an hour. What would the gentleman suggest?

Mr. JONES of Texas. It depends a good deal on how much fight is going to be made on the amendment. I would like the debate to run a few minutes, and then have an agreement.

I do not want to impose on the good will of the Committee, but I am more interested in this legislation than any I have ever handled in my service in the Congress. I do not want to be disagreeable, but I think it is our most important, our No. 1 national problem, probably.

Mr. CANNON of Missouri. What would the gentleman say by way of suggestion?

Mr. JONES of Texas. I would rather that we let the debate run on a little while and then perhaps agree on 30 minutes a side after we have run a little while.

The regular order was demanded.

The CHAIRMAN. The regular order is demanded. The regular order is, Is there objection to the request of the gentleman from Texas?

Mr. CANNON of Missouri. Mr. Chairman, the Committee must object, unless we can reach some agreement as to time.

The CHAIRMAN. The gentleman from Missouri objects. The gentleman from Texas is recognized for 5 minutes.

Mr. JONES of Texas. Mr. Chairman—

Mr. CANNON of Missouri. Mr. Chairman, let me say I have no objection to the gentleman from Texas having more time if he wants it, and as much as he requires, but we ought to reach some general agreement as to the time to be consumed on this amendment to permit Members to make their arrangements.

I repeat that I have no objection to the gentleman having all the time he wants.

Mr. JONES of Texas. If the gentleman will allow me to have 10 minutes and then have 30 minutes a side in addition to that, I would not object.

Mr. CANNON of Missouri. The gentleman to take 10 minutes and I to take 10 minutes, and that 30 minutes a side. Is that agreeable?

Mr. MASSINGALE. Mr. Chairman, reserving the right to object, that is not agreeable to me. I want to register my objection to that.

Mr. WOODRUM of Virginia. Mr. Chairman, I ask unanimous consent that the gentleman from Texas [Mr. JONES] may be permitted to proceed for 3 additional minutes.

Mr. RANKIN. Mr. Chairman, I ask unanimous consent that the gentleman may be permitted to proceed for 5 additional minutes.

Mr. SCHAFER of Wisconsin. Mr. Chairman, the gentleman from Texas [Mr. JONES] is supposed to have the floor, but it appears that five or six other Members have the floor. I do not think he yielded for the unanimous-consent request; therefore I object.

Mr. JONES of Texas. Mr. Chairman, I ask unanimous consent that I may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. JONES]?

There was no objection.

Mr. JONES of Texas. Mr. Chairman, I have handled many bills in the House, involving many questions. But I am

impressed with the thought that this amendment undertakes to make provision for the most important measure which it has ever been my privilege to support.

The advantages of a home-owning citizenship cannot be overestimated. In the breast of practically every American citizen is the longing for a home. That sentiment is the key to patriotism and the basis of our hope for national stability. No one denies this fact.

The program has been assaulted on two grounds: First, that there is no use to try to encourage home ownership until better prices prevail for farm commodities. In other words, since some of the farmers cannot make a go of it, why encourage others to try? Second, that the amount is not sufficient to solve the entire problem and therefore should not be undertaken.

As a matter of fact there are many farm owners that are making a go of it. Nearly 60 percent of the farms of the United States are unmortgaged. Evidently in some way these farm homes are being maintained. The chief difficulty has been that a great many of these farms are owned in too large tracts. The ownership is in the hands of too few people.

I am very anxious for better prices for farm products. They are and have been entirely too low. They have been greatly helped by the various wings of the present farm program, but not to a sufficient degree. The trouble in this connection is that whenever the prices for farm products have been increased land speculation has ensued, tract ownerships have increased, and the tenant problem intensified.

This is no argument against increased farm prices, but it is an argument that both wings of the program should be carried on at the same time. In other words, to increase farm prices and not at the same time to increase the home ownership of family sized farms is neglecting one part of a well-rounded program.

As to the other complaint about the small amount that this amendment would provide, I call attention to the fact that practically all undertakings, both public and private, are on a modest scale at first. Practically all the great industrial institutions of America began in a small way.

Mr. Chairman, what is the thing that has made these countries that have home ownership great countries? What is the basis of their strength? If you will read the history of those countries, I think you will reach but one conclusion.

While, of course, there were other causes, one of the chief sources of the trouble that England and Ireland had for hundreds of years was the vicious land system with absentee landlordism. England finally has undertaken to solve that by having home purchases on 60 years' time instead of 40 years, at 3 percent interest.

A good many of you have heard of the story called the Good Earth. I wondered why it was interesting to so many people. It is the simple story of a Chinaman's life, but you will find that running through it is the great truth that contact with the land builds character, and every time those people came back to the land they would get renewed strength. That is true of national life as well as individual life.

I am going to read you an individual case. I want to read you about the case of Walter Collins, who lives in the district represented by my able colleague the gentleman from Texas [Mr. PATMAN].

Walter Collins, who lives 17 miles northwest of Paris, Tex., is now 2 years ahead of his repayment schedule, although the loan is only a year old. He received his farm-purchase loan in December 1938 and paid his first installment last June. Last September he sold some young livestock and made another full year's payment.

His plan of diversified farming brings him an income all the time, so he saved up and made a third annual payment on January 2, only 13 months after receiving the loan.

Although Collins is considered one of the best farmers in Lamar County he was unable in 17 years as a tenant to buy a farm of his own. When Congress made available money for the Farm Security Administration to lend to farmers to buy their own farms, he made application for a loan, and early in 1939 became owner of the 195-acre place he and his family had farmed as tenants for 5 years.

His loan bears only 3-percent interest and payments are amortized over 40 years. Since the first years are the hardest, and Collins has already made 3 years' payments the first year, indications are that he will pay off the loan long before the 40 years are up.

Mr. Chairman, that is an individual case. But what is it that makes America great? What is the divine note that swells the Union and makes of this a mighty Nation respected throughout the world? Up amid the hills of New England, out on the prairies of the West, where they grow corn and wheat and dairy products, and down in the South where cotton is king, are just plain, honest, homespun folks, who deal justly, who serve their country in peace and in war. In those people may be found the foundation stone of our national life and strength.

If you want to find whether a nation will long endure, you will not find it here in Washington where we sometimes have superheated arguments. The Congress and the courts are but the products of the character of a people, the evidence of their progress. But go into the homes of the people; find out how they think, what they do, what they love, what they respect, and you will find the source of that nation's strength.

I would like to be present a few years from now when Walter Collins burns the mortgage on that farm and is a real home owner. I hope the program may be continued until we have a great many more of that type of citizen.

Mr. Chairman, 75 years ago Denmark, realizing what the home ownership of family sized farms meant, began a program like this. She did not solve it the first year; she did not solve it the first 10 years; she did not solve it the first 20 years; but in 75 years she has reached as near a solution as possible, in that more than 95 percent of her people are home owners. New ones are coming along every year and the program has to be continuous. But the strength of those countries is their home-owning, home-loving, home-building people.

There are States in the American Union in which 70 percent are tenants, people who do not have the anchoring strength of a real home. Forty-two percent of the farmers the Nation over are tenants. Can we neglect so grave a problem?

What is the secret of the strength of that great Scandinavian country? Many years ago her people tied on to the land. They began the encouragement of the ownership of small family sized farms. They have builded their nation on home ownership. They have grown strong in that sturdy development.

In the light of their experience, what an opportunity is ours. Search the whole world over and show me a great nation that is inherently strong where the people do not own the land.

We are lending millions to various types of business. We are but making loans to these people. Most of it will be repaid.

We grow used to the precious things of life and they seem commonplace to us. We differ about many things, but we should not differ about fundamental things. I am encouraged by the fact that no one who has spoken against this program has failed to say that he would like to see home ownership increased.

Mr. BANKHEAD. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BANKHEAD. Mr. Chairman, I am doing a rather unusual thing, but this is an important issue. I think the chairman of the great Committee on Agriculture is entitled to be heard by all the Members of this Committee. I make the point of order, Mr. Chairman, that the Committee is not in order.

The CHAIRMAN. The point of order is well taken. The Committee will be in order.

Mr. JONES of Texas. Mr. Chairman, I do not blame the Members of the Committee. We have been here long hours. I would not impose on them if I did not feel so deeply about this matter. But if I am remembered for anything I have done during my service in the House, I hope it will be this legislation. I think it is of great importance, and I hope when we are trying to work out some legislation in the Committee to broaden this and put it on a different basis you will permit the machinery to go on.

I beg the Committee's pardon. [Applause, Members rising.]

Mr. WOODRUM of Virginia. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WOODRUM of Virginia. Mr. Chairman, I appreciate, as I am sure every Member of this House appreciates, the almost consecrated effort that the gentleman from Texas, MARVIN JONES, the great chairman of the Committee on Agriculture, has made and always makes in the interest of the American farmer or any cause in which he may enlist. [Applause.] I have almost an unbroken record in following him, with the exception, perhaps, of this one thing. He has never brought a measure before this House for the relief of agriculture that I have not supported. Almost without exception he has never advocated action on appropriation items that I have not followed him.

I appreciate also the very deep interest that our beloved Speaker has in this subject. It is a matter that strikes close to him not only because of his great humanitarian impulses, but because of the great need along this line in the particular part of the country from which our Speaker comes.

But, Mr. Chairman, there are other people in the United States who are in distressed circumstances besides the tenant farmers of America. The Budget now being considered by the Congress makes drastic reductions in items that have for their purpose the giving of bread and meat and clothes to hungry American citizens. So necessary is it for us to conserve our national resources and try to reduce appropriations that our great President has said to us that it is necessary to curtail and cut relief appropriations drastically.

All sentiment aside, what is the farm-tenant situation? It is purely a social experiment. It is not relief for distressed agriculture. Not one farthing of this \$25,000,000 will go to relieve any distressed and hungry farm tenant who marches in that unhappy band that Steinbeck depicts in *The Grapes of Wrath*. Not a nickel out of this amount will go to that kind of people.

This program contemplates that the Department of Agriculture go out into 1,290-some counties out of the 3,000 counties in America, with one project in each. In my own district I have 8 agricultural counties, and in my district they contemplate 3 projects, one in each of 3 counties out of my 8 counties.

The gentleman from Texas referred to one Walter Collins. There are many other Walter Collinses in those counties who are toiling and laboring in their effort to eke out a living upon their farms, who do not have a benevolent Federal Government to come and buy a farm and give it to them.

Mr. JONES of Texas. We do not give it to them.

Mr. RANKIN. They pay every nickel of it back.

Mr. WOODRUM of Virginia. They pay every nickel of it back—maybe. What is the situation? Of course, it is desirable that people should be home owners. I wish that tonight every man and woman could have a vine and fig tree that he could call his own. But when your laboring man in your industrial district, and when all the other men besides Walter Collins in that county, want a farm or a home, what do they have to do? When my railroad men or my factory men or my industrial people or my business and professional people want to be home owners, they must go to the Federal Housing Administration or the Home Owners' Loan Corporation and apply for a loan, and they do not get the loan unless they can produce satisfactory evidence that they have a job or an income out of which there is a reasonable prospect they can pay for it. And yet what are we asked to do here? At a time when there are hundreds of thousands of farm owners going back down into the farm-tenant class because they cannot make a living on the farm we come with a little program of this kind, purely a social experiment, and undertake to pick

a very few, a very small and insignificant number of favored people and set them up, lend them the money, finance them, and give them expert training, in each county in your districts, in competition with every other farmer there who does not have those privileges.

Mr. SOUTH. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. The gentleman will excuse me.

Mr. SOUTH. The gentleman will remember that I yielded to him at length this morning.

Mr. WOODRUM of Virginia. I yield to the gentleman.

Mr. SOUTH. Is it not true that the farmer makes the same showing, and he will be able to pay as much money back, as the city dweller the gentleman mentioned?

Mr. WOODRUM of Virginia. He makes that showing because he is taken under the tutelage and under the patronage and under the protecting wing of the Department of Agriculture.

I will say to the gentleman that if this Government were financially able to do so—if we had any money, and we do not have any money; if we could borrow any, and we cannot borrow any money unless you raise the national-debt limit—such a social experiment might be highly desirable.

It might be very well to go forward with that, but my good friend from North Carolina [Mr. COOLEY] admitted in his argument yesterday that this is a social experiment, the program is so small, and yet this \$25,000,000 in the hands of the Farm Security Administration or W. P. A. would relieve actual distress that does actually exist. I do not see how the Congress can justify going forward with a pure experiment of this kind when there are destitute farmers in America actually in need of meat and bread and shelter and clothing.

My friend from North Carolina asked yesterday if it was not a fact that the farmers of Virginia were having some difficulty. Yes; they are having difficulties, like the farmers everywhere are having difficulties; but the farmers of Virginia, as I know them, long to see the time when they do not have to come asking subsidies from the Federal Government. They long for the day when my good friend from Texas [Mr. JONES] will be able to come to us and make further suggestions as to how we can reach the basic ills of agriculture, how we can stabilize the farmers, if that be possible, so that the farmers may own their farms and may earn their living upon their farms just as the industrial people, the laborers, and the textile workers and the other citizens of the United States.

So I say to you, as desirable, as humanitarian, as philanthropic as this program may be, as much as it may appeal to our sentiments, the time has come when we should not only talk about the old, homespun philosophy of having people own their homes, but there is another homespun philosophy, that old, homespun philosophy—and addressing myself to my democratic colleagues over here particularly—that you and I have boasted of, that men are supposed to support the Government rather than be always looking to have the Government support the men. [Applause.]

Mr. MITCHELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this is a very important subject to the large group that I belong to, and I am going to ask unanimous consent to proceed an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MITCHELL. Mr. Chairman and Members of the Committee, to begin with and to be in line with many others I have heard speak on this subject, I think I should say that I am greatly surprised at this time that the Appropriations Committee would cut the agricultural appropriation or the appropriation which has for its purpose to produce the very sustenance of life upon which all of us must live.

The committee reminds me of a story I have heard of a man who went to buy a pair of trousers. He used money his wife had asked him to use for other purposes and when he returned home and announced he had bought these trousers

and that they did not quite fit because they were 2 inches too long, he asked his wife to make the alterations. She was greatly incensed because he had done this and she refused to make the alterations. They had a considerable quarrel about it and he went on to bed and so did she, quite angry at each other. Later in the evening the daughter, who had heard this quarrel, came in and altered the trousers as the husband had requested his wife to do. The mother of the buyer of the trousers, who also had heard the quarrel, and felt her son was being mistreated by his wife, came in, and not knowing about the alteration which the daughter had done, she too proceeded to cut off 2 inches of the trousers, and then the wife, later in the night, when she thought more soberly on what she had said and done, decided she would not be so harsh toward her husband and so she got up and in the quietude of the night, cut off 2 inches of the trousers. Imagine the predicament the gentleman found himself in the next morning when he got up and began to dress himself to go to church. He found his trousers barely touching his knees. [Laughter and applause.] It seems to me this is what the committee has done to our appropriations for agriculture.

Now, why am I so deeply interested in this particular phase of our legislation? I want to say to you that after all has been said and done, the farm holds out to the Negro not only the best chance, but his only chance in the face of the prevailing conditions. The Negroes are not permitted to participate in the manufacturing industries and activities of this country. Between 70 and 80 percent of the 15,000,000 Negroes in this country are on the farms in the South, and I want to tell you that our chances on the farm until recently have been almost hopeless.

Since we have had this new agricultural program I have visited many of the farm resettlement projects in the South. I have visited those sections where farmers have been helped—I mean the members of my own group—and I bring you some figures. I talked with the Secretary of Agriculture about this thing for an hour and a quarter not many weeks ago, and he said to me, "What you are saying is absolutely correct, but" he said, "you cannot persuade the Congress of the United States to make the appropriations so that we can take care of these citizens."

I say again that the hope of 15,000,000 of our citizens is on the farm. It is the duty of this Government that gave us our liberty some 75 years ago and gave us no means by which to go forward and equip ourselves with the other necessities of American citizenship, to look soberly at this matter that we have before us now, before we again close the door in the face of these millions of people of my race who must live on the farms in the South, and if they leave those farms in large numbers they bring to the North a problem that is more aggravating than the problem we have in the South. [Applause.]

Last year when I was making my study of these conditions in the South, I went into seven of the Southern States. I visited Texas. I visited the Carolinas. While other Members of Congress were away on ships making investigations of our interests in other countries, I was in the South making an investigation of the interests of my group particularly. I visited those farm projects. I visited those farmers who have been helped by this program, and I want to tell you what I found on one project in Alabama. It is in the district of the gentleman from Alabama [Mr. STEAGALL]. I visited a little tract of land that had been bought by this Government and sold to 34 families of Negroes. The average number of acres sold those families was 58. This project is now 5 years old. When those families went on this project 5 years ago the average worth per family was \$4.03. This is absolutely the fact. I have the reports here before me. Four years before I made this investigation the average worth of these 34 families on this farm project was \$4.03. When I visited this farm project the average worth per family was more than \$1,600. [Applause.] This had been made possible by selecting those families. They were not the ones who had money. The average worth was \$4.03 per family, but they were people who wanted an opportunity to work. They have

been working under expert farm supervision. They have houses that were erected by funds furnished by the Government. Now they are no longer charges on their communities. They have been established as a definite part of that community in which they live. They are law-abiding citizens. No arrest of any kind had been made on that tract during the 4 years it had existed prior to my visit to that project.

I could name any number of instances where these funds for which we are now asking you have been used to help the farmers in the South, particularly where my group of people live, and in every case where I visited, the farmers have made good. They were paying back the money as it fell due. If we are paying back the money as it falls due, if we are paying some of it back that has not yet fallen due, if we have increased the purchasing power of these people from \$4.03 to over \$1,600, are you going to say that this is a failure? Are you going to say to my group that has no other source to which it can look for employment, where we can make our own living honestly, "We are going to close the door of hope in your face"? Are you going to balance the Budget no matter how badly it unbalances the lives and closes the door of opportunity to millions of our deserving citizens?

That is the question I want to address to this committee. I have heard arguments made here and I do not take kindly to any of them, that we would balance the Budget at the expense of human misery and suffering. [Applause.]

I hope we will pass this amendment that has been asked for. It is a very modest amendment that has been asked by the chairman of this committee. I hope that we will look carefully to what we are about to do to a large number of our citizens.

Mr. PATRICK. Mr. Chairman, will the gentleman yield? Mr. MITCHELL. I yield.

Mr. PATRICK. Does it not occur to the excellent representative of his race on this floor that if the people really wish to help the needy Negro in America, instead of passing a meaningless antilynch bill, they will give him some substance, something that will feed the stomach and put clothes on him and help sustain him if he lives, and they will do inestimably more good than making some gesture toward an antilynch bill with no bread behind it?

Mr. MITCHELL. I do not want to discuss the antilynch bill now, because that is not pending. But I say if this Congress wants to do something that will help my group of people, there is nothing you could do to help us more than to give us this opportunity to go forward and become useful and helpful and self-supporting citizens in our communities. [Applause.] Then we will stop rushing to New York and to Chicago and Cleveland and Detroit and Washington and becoming objects of charity. Give us a chance on the farm and we will make good. [Prolonged applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we have been hearing for the last 3 or 4 years that the farming business was a losing business, that the farmers, in order to maintain themselves, must be granted subsidies. If this be true, and it seems to be, why buy more farms and put more men into a losing business? Why do it?

Mr. SOUTH. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. SOUTH. I would say that one of the reasons the farmer has had such difficult sledding in my section of the country—

Mr. HOFFMAN. I yielded just for a question, not for a speech.

Mr. SOUTH. First, he has to pay a high rate of interest. The gentleman asked why he was in a losing business and I merely undertook to answer the gentleman's question. I will be brief.

In the first place he has to pay too high a rate of interest. In the second place he has not been given sufficient time in which to pay for his farm. Because of these factors he has been unable to be a home owner.

Mr. HOFFMAN. Conceding that to be true, the fact still remains that farming is a losing business, and Secretary Wallace testified before the Committee on Agriculture that 40,000 farmers were made tenants every year. Why buy more farms and put more men into a losing business when the men owning farms to the number of 40,000 are each year losing their farms because they cannot make expenses?

Mr. JOHNSON of Texas. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. Not now.

Another thing. We have been told that the farmers of the Northwest are trying to remedy the situation by getting parity prices. We have been told that the farmers are not able to sell the crops they now raise at the cost of production. This Congress has appropriated money to buy surplus commodities, surplus crops. Now, if we must use Government money to buy the surplus that the farms already are producing, why put more men on farms to produce more surpluses unless the object be to appropriate more money to buy those surplus crops? Create a vicious circle? A losing business. Putting more men on more farms to raise more and larger crops when already we have to buy the surplus the farms produce because there is no market for what we now produce. Does that make sense? It does not. Why not learn and remove the cause or causes that put farmers out of business each year before we buy more farms on which other men must fail?

Mr. Chairman, I yield back the balance of my time.

Mr. TERRY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the amendment we are now considering is offered under a bill of which my beloved and distinguished friend, the gentleman from Texas [Mr. JONES] is the father, and authorized for the first year an appropriation not to exceed \$10,000,000. For the second year, it provided that there could be appropriated not to exceed \$25,000,000, and after that, \$50,000,000 a year. Acting under this authorization, the Congress in 1938 appropriated \$10,000,000; in 1939, \$25,000,000, and in 1940 we appropriated \$40,000,000. This means that we have appropriated \$75,000,000 out of a total of \$135,000,000 authorized.

It was intimated a while ago by the gentleman from Virginia that if we passed this appropriation of \$25,000,000 we would really be going against the President's program; that we would not be balancing the Budget. I remind you, however, that the Bureau of the Budget approved the item of \$25,000,000 which the subcommittee of which I am a member put in the bill, but which was taken out by action of the full committee after about 2 minutes' debate. I say that after this House, having had full discussion of the authorization bill passed the legislation, and when the Budget reduced the appropriation of last year from \$40,000,000 to \$25,000,000, and when the subcommittee approved the \$25,000,000 and placed it in the bill, it seems to me that for the full committee to snatch that item out of the bill was a ruthless action indeed and should be reversed by the Committee of the Whole.

The argument has been made that this legislation is an experiment. Well, if it is an experiment it is one that was entered upon after due consideration and approval by the Congress of the United States. [Applause.]

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. TERRY. I yield.

Mr. VOORHIS of California. And one that has been eminently successful to date.

Mr. TERRY. This program has been as successful as any program that we have had up to date. It has been said time and time again in this debate that of the money that has been lent thus far in this program, 150 percent of the amount due has been returned, in other words, the farm purchasers are paying back the loan before the installments fall due.

The argument has been made that we can never give farms to all the tenants. We cannot, of course, provide farms for all the tenants, but I call attention to the percentage of increase in the farm tenants of the country. It has been said

that farm tenancy is increasing more and more. In 1830 we had a farm tenancy of 25 percent; in 1890, 28 percent; in 1900, 31 percent; in 1910, 37 percent; in 1920, 38 percent; in 1930, the percentage of farm tenants was 42.4 percent. In 1935, it was 42.1 percent. Mr. Chairman, the percentage of farm tenancy is now going down, as is shown by the tables on page 940 of the hearings. At least the percentage of increase has slowed down very materially.

Mr. SOUTH. Mr. Chairman, will the gentleman yield?

Mr. TERRY. I yield.

Mr. SOUTH. I may say to the gentleman that I read all of the testimony given before the gentleman's committee and did not see where one witness appeared in opposition. Is that correct?

Mr. TERRY. That is correct.

Mr. Chairman, I hope this committee will adopt this amendment and put back in the bill the \$25,000,000 which the Congress has expressly authorized and approved, which was approved by the Budget, and which was placed in the bill by the Subcommittee on Agriculture which had this bill in charge. [Applause.]

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

Mr. AUGUST H. ANDRESEN. Mr. Chairman, no one is more interested in providing homes for farmers and other citizens than I am, but the futility of this entire program of providing homes for farm tenants goes beyond all stretch of my imagination.

The program referred to by the gentleman from Illinois [Mr. MITCHELL] a few moments ago as being so eminently satisfactory to a certain group of people was not a program under the farm tenant plan. It was under the Resettlement Administration started by Mr. Tugwell some years ago and it has been thoroughly abandoned and discredited. Even Dr. Alexander, head of the present Farm Security organization, repudiates virtually everything that has been done under the Tugwell resettlement program.

Under the present program 7,000 farm tenants have been taken care of in the United States. That is 7,000 in the last 3 years, during the time the program has been in operation; 7,000 out of 133,000 applications.

The gentleman from Iowa this afternoon asked the question of some one here if the Government was tantalizing the farmers of the country in connection with this program. Yes; I would say the Government is tantalizing 126,000 people who did not secure farms and who had made applications to get in on this free program. There are 126,000 who were not taken care of and we have only provided for 7,000 farm tenants with total appropriations of \$75,000,000, all of which will be used up by the end of this present fiscal year.

Mr. NICHOLS. Will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I decline to yield.

Mr. NICHOLS. The gentleman wants to be fair.

Mr. AUGUST H. ANDRESEN. I decline to yield. The gentleman from Oklahoma generally secures all the time he wants to lecture and scold Members of the majority and minority sides. He may speak in his own time, and I shall be glad to listen to him.

Out of the 7,000 who came in under this program, the payments for only 600 have become due. Sixty-four hundred are not obligated as yet to make any payments. This is taken from the testimony of Dr. Alexander, head of the agency having charge of this program. He said that out of the 600 who have become obligated to make payments this year only 3 percent are delinquent.

Some of the gentlemen who state this program has been a huge success by way of repayments are basing their opinions on a relatively few payments made this year and only a very small amount of them.

Someone asked the question in our committee in the consideration of this legislation about the popularity of the entire program. Why should it not be popular when you can come to the Federal Government, have the Federal Government buy you a farm, put on a new building, fence it, provide you with livestock and cattle so that you can be set up

in the farm business without paying 1 red cent down? Why should it not be a popular program?

Mr. THOMAS F. FORD. Will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I decline to yield. I am sure the gentleman from California and every other man who has a desire to go farming will put in his application if he can get a farm free and that is what the program provides. That is why so many people want to get in on it. One hundred and thirty-three thousand people have made applications to get in on the program and only a measly 7,000 have been selected to go on these Government farms.

I want to call your attention to another operation of our Government which is driving farm owners from their homes—making tenants out of them or forcing them on relief. Since January 1, 1934, the Farm Credit Administration has foreclosed on and taken possession of about 85,000 farms, driven these home owners from their homes—made tenants out of them. What is being done for this destitute group of home-loving Americans? Nothing. Our first obligation is to help these fellow citizens retain their homes before we embark upon other experimental programs, however meritorious and beneficial to a few.

Mr. CANNON of Missouri. Mr. Chairman, I think the Members of the House would probably like to agree on time. I am in no hurry. I am perfectly willing to stay here and let this debate run along. We would like to have the consensus of opinion of the Members as to the time to be consumed in debate. I have no personal interest one way or the other.

If agreeable, I will ask unanimous consent that all debate on this amendment close in 30 minutes—10 minutes to be allotted by the Chairman to that side of the aisle, 10 minutes to this side of the aisle, and 10 minutes to the Committee to close.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

Mr. NICHOLS. Mr. Chairman, reserving the right to object, the chairman of the subcommittee at the moment is tremendously interested in getting away. Motions have been made that the Committee rise. A very distinguished Member of this House this afternoon has been repeatedly pleading with the chairman of the subcommittee that we quit before we test and wear out the temper of the House, and go over until Monday. The distinguished gentleman from Missouri has repeatedly refused to agree to such an arrangement. I see many Members on the floor of the House standing at this time, and I presume they want to be heard on this amendment. I also presume, Mr. Chairman, that they have equal rights in the House of Representatives to those of the distinguished gentleman from Missouri, the chairman of the Subcommittee on Appropriations.

Mr. RAYBURN. Mr. Chairman, I demand the regular order. The gentleman from Oklahoma is not in order.

The CHAIRMAN. The regular order is demanded. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

Mr. CANNON of Missouri. Mr. Chairman, I withdraw my request. I shall be glad to stay as long as anybody desires to talk.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama [Mr. STARNES].

Mr. STARNES of Alabama. Mr. Chairman, I seldom find myself in disagreement with the distinguished gentleman from Virginia [Mr. WOODRUM], whom I believe to be one of the ablest Members of this Congress. I subscribe wholeheartedly to the doctrine he announced a moment ago, that the people themselves should support their Government. I subscribe wholeheartedly to the theory we should adopt and put into practice a sound fiscal policy for this Nation, but I also subscribe to the doctrine that the Government of the United States was established for the purpose of giving protection to the weak and to provide for the general welfare. While it is the duty of those of us who are able to give it support by paying taxes and by bearing arms to do so, it is also the duty of the Government to give support to the needy, the

distressed, the weak, and the defenseless who are not able to care for themselves. [Applause.]

I am deeply interested in the welfare of the underprivileged and the low-income groups of America. I am anxious that insofar as it is possible for us to do so we shall provide for their general welfare and promote a better and a happier citizenship by increasing their income. If we can lend money to the railroads to carry on legitimate business enterprises, if we can subsidize a merchant marine, and we are doing it under our present Budget to the tune of millions of dollars, I say that we can also lend money upon proper security and good character to men who are worthy of becoming home owners and taxpayers, as is provided under the Farm Tenant Act. I, therefore, rise at this time to support the amendment of the gentleman from Texas [Mr. JONES].

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. STARNES of Alabama. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. This is not a gift but a loan which has proven sound in that the payments have been made. It is not a gift of any kind.

Mr. STARNES of Alabama. Absolutely. This is not a gift but a loan upon security, land security and character security, and the loan will eventually be paid back to the Federal Government.

This is a deserving program. This is a program which cares for a deserving class of people in the United States. If we are to balance the Budget, and we must, let us find items that are less deserving than this. Let us look into and carefully scrutinize other expenditures and make our cuts in Budget items where they will not work harm to the low-income group of America, or work harm to legitimate enterprise, or to a program that will promote love for home and country and build a better and a more stable citizenship.

Mr. SOUTH. Mr. Chairman, will the gentleman yield?

Mr. STARNES of Alabama. I yield to the gentleman from Texas.

Mr. SOUTH. Is it not a fact that a sound loan will not put the Budget further out of balance? This is a loan, not an outright gift or grant.

Mr. STARNES of Alabama. The gentleman is correct, and that is one of the reasons why I am supporting the amendment offered by the gentleman from Texas [Mr. JONES].

I take great pride in the fact that the first bill I introduced as a Member of this House was a farm-tenant bill, in 1935, and that I took some small part in the passage of the farm-tenant bill which is now on the statute books.

I sincerely hope that the Members of this House will give further encouragement to this splendid long-range program to eradicate farm tenancy which will eventually convert us from a country of tenants and sharecroppers to a land of home owners, free, happy, and self-sustaining. [Applause.]

[Here the gavel fell.]

Mr. JOHNS. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I do not know whether or not you realize it but in my district I have some of the tenants that you of the South are speaking about. I do not know who is to blame because they have not received these loans but I will say to you, frankly, that although we had an allotment of over \$337,000 to the State of Wisconsin, only 42 loans were made there in 1939, and none in my district.

I have in my district two counties, in one of which over 30 percent of the people are on relief, and in the other over 60 percent of them are on relief. The Government has gone in and bought property in these counties and made it into a forest, and left the balance of the citizens of the county to pay the taxes to run the government of these counties and also to take care of the bonds on the good roads the Government found when they took over the land.

Something has been said here about lending money to the farmers. I listened yesterday to what I think was one of the most profound addresses I have ever listened to in my life, delivered by the distinguished gentleman from Texas. Ever since I have been here in this House I have been con-

scious of one thing, and that is that we are centralizing government here in Washington. Anyone who wants anything any place in the United States has to come to Washington to get it. That is all wrong.

They talk about money for business.

That is fine, but you know we have in the bank today \$5,590,000,000 in reserves that the people of this country can borrow back home if you can select the borrowers like you are selecting them under this present law. I do not think there is any bank that would refuse any of these good farmers a loan provided, of course, they were properly selected as they have been under this law and put on farms.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. JOHNS. I cannot yield because I have only 5 minutes and the gentleman is going to talk, anyway.

There is no reason for people in any community not being able to borrow money, because the banks are full of money. They are trying to find loans for good people and, of course, if you can pick out the best tenant in the county who may have lost his farm because he was foolish enough to buy it at a time when he had to pay high prices for it and then lost it under a mortgage, he can go back to the same county and find plenty of farms to buy in that community on which the Government has loaned money. I have one in mind particularly where the Government made a loan of \$10,000. The taxes and the interest accumulated until they amounted to \$13,000. The Government then sold it for \$3,000 and lost \$10,000 on the loan. That man, of course, could go if you selected him, and had somebody tell him just what to do and succeed, but the people in each community that need these loans are people that do not know very much about farming and those people you have to help, and you have that situation in many communities today, but you cannot go around with \$29,000,000, and make the farmers of this country prosperous.

I have listened to the talks here about helping the farmers. I want you gentlemen on this floor to understand that I think I know something about the farmers, especially in my State, and if anybody sits around here and thinks that you are fooling them with this handout to them, I tell you you are all wrong, because you are not fooling them. I said to these people last fall in visiting with them. "You take every dollar that the Government will give you, because it is probably the last handout you are going to get, and you are going to have to help pay this back," and that is the truth.

I want to tell you right now it is time we quit this handout to the farmer and let him go back to where he can run his own farm and take care of himself and then give him some protection from imports of foreign farm products which he can produce himself from being imported into this country. Then he will get along all right. [Applause.]

[Here the gavel fell.]

Mr. O'NEAL. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I have not engaged in the debate on this bill, although I have served on the Appropriations Committee. I think every man is entitled to his point of view, and I do not question the point of view of any other man, or his sincerity. Everything in life is a matter of relative importance, and I desire to speak frankly to this Committee today, not questioning the value of the Farm Tenancy Act, not questioning many of the good things in the bill, but merely from my own standpoint to try to put them in the place where I think they belong.

We have appropriated in this bill \$785,000,000 for the farmer. There is certainly no lack of interest in that group when we have made such a liberal contribution.

Someday soon America must be told the truth in plain language so that it will be understood. Unless we learn to live within our income, national disaster, in my opinion, is inevitable. We are closing our eyes to this fact and we are cajoling ourselves with hope and an unwillingness to look the situation in the eye. In my opinion we must deal now with realities before it is too late. You cannot solve the approach-

ing crisis by ignoring it. Our country must understand quickly that the only way to avoid a national catastrophe and loss of that which has made America the last barrier of liberty in this world is to deny ourselves even to the point of suffering. We are spoiled in this country by a lavish extravagance. It is better now to endure a little than to fail to face the facts and suffer a thousand times more in the future, and I believe this very sincerely.

Who can foretell the human misery and the effect upon our way of living if uncontrolled inflation comes? What would happen tomorrow if lack of faith in our capacity to govern ourselves would be evident to a majority of our people; if Government bonds would drop to 85; if our monetary system were to be thrown into confusion, and our media of exchange would be of doubtful value? The answer would be an iron hand directing a strong, centralized force, or what is worse, chaos. In either case, democracy and liberty would be "gone with the wind"; and this disaster is not only a probable result of our failure to govern ourselves by not living within our means, but it is almost inevitable unless Congress will now lead the people to sacrifice many governmental benefactions. I do not believe it is too late if we are willing to tell the truth to our people and call upon them to assist in a public duty to sacrifice for our country. Self-denial and courage can save us intense suffering in the future and the people must be made to understand the true situation now. In the interest of our children, that they may live in the America we have known, we should do this now.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that the gentleman from Kentucky may have 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. O'NEAL. I appreciate that very much.

We cannot avert disaster simply by trimming appropriations. We must go further than just to reduce unnecessary expenditures. Even this year, with all the trimming that has been done by the Budget, we are almost \$2,000,000,000 beyond our income. We the people must want less, accept less, from our Government, and we as Members of Congress must dare to abolish many governmental activities which may be good and serve a useful purpose, but are not imperatively required for the very essentials of life.

I wish it were possible, personally, to have a 5-year moratorium on spending, where only the direst necessities would be appropriated for. But this year, in this and in all appropriation bills, let us reduce expenditures by unprecedented amounts, and when we tell our people why I have confidence that they will approve. If we do not begin now to cut to the bone, some day in the not too distant future we will be forced to vote reductions that will make these cuts seem to be very small indeed. We cannot afford to postpone the day for action. We must proceed with the greatest of economy. In this bill, with almost \$800,000,000 for the farmer, there is nothing in the way of emergency in this amendment. There is nothing that will cause suffering if we do not vote for it. We should recognize this as a good thing, but something that can be deferred and put off to a brighter day. If we can place our country again on a sound foundation we have benefited in the finest way the farmer and all the people.

I trust that when we vote on every measure in this bill, and on all bills, we will be honest and recognize the condition of our country, and cut out not only the things that are not necessary, but many good things we can do without. [Applause.]

[Here the gavel fell.]

Mr. HINSHAW. Mr. Chairman, I move to strike out the next word.

Mr. Chairman, I do not intend to take more than a minute. I find on page 962 of the hearings the number of farm tenants that there are in the United States. That number is 2,865,155. By the simple process of arithmetic, multiplying that by \$5,000, you will find that the total loanable amount to all farm tenants is \$14,325,775,000. That is the total

amount that would be loaned if all tenants were to be loaned \$5,000 each toward the purchase of a farm.

It seems to me that this program, if it is going to be a program of the Federal Government, had better be something a bit different than a drop in the bucket like \$25,000,000. You had better go in for something like three or four billion dollars and really put on a program.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. AUGUST H. ANDRESEN. Let me add to what the gentleman has said, that it would take \$14,000,000,000 to take care of all the tenants in this country. Furthermore, since January 1, 1934, the Farm Credit Administration, a Federal institution, has foreclosed and taken 85,000 farms from the farm home owners in this country, and they are attempting to solve the problem in this program where they have only taken care of 7,000 in the past 3 years.

Mr. HINSHAW. Mr. Chairman, I thank the gentleman for his contribution.

Mr. Chairman, in the several years this program has been in effect, 6,180 loans have been made. In California only 39 loans have been made and these 39 loans average \$8,127. Three of these loans were for more than \$10,000 each. That is pretty good going but the first thing to do is to correct things so that farmers who are having a hard time to hang on can succeed.

[Here the gavel fell.]

Mr. GILCHRIST. Mr. Chairman, I ask unanimous consent to extend the remarks I made today and include therein a contribution from the gentleman from Nebraska, Congressman STEFAN, who resigned his time to me.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The gentleman from California [Mr. VOORHIS] is recognized for 5 minutes.

Mr. VOORHIS of California. Mr. Chairman, any consideration of this farm-tenant program which approaches the question from the standpoint of balancing the Budget is, in my opinion, on entirely false grounds. I say that not because I do not believe in balancing the Budget, but I say it because if a bank makes a sound loan to a borrower, the bank does not conceive that its "budget" has been unbalanced thereby. I submit that any system of bookkeeping that causes a Government lending agency to have to look upon a sound loan that it makes from a different standpoint from what a private bank would look upon it, has something wrong with it. As a matter of fact, what we are considering here is simply the question whether we want to continue on a very small scale a program of turning farm tenants into farm owners or whether we do not. Now, the gentleman from Texas [Mr. JONES] made this remark. He said he had hoped the time would come when this program might be of sufficient scope to really solve this problem. Most of the Members have heard me speak before on this same subject, but I am simply going to say this: The question of the reserves in the banks was mentioned. The reserves of the United States Government are far greater than those reserves; and if the day ever comes when this Nation becomes free to use its credit on the basis of its reserves, then we could make possible loans to farm tenants on proper assurance of repayment of many times \$25,000,000, and we would know when we did it that we were not unbalancing the Budget by a single dime.

Now, the question has been raised about centralization of power in Washington.

This program is administered by local committees and local communities, and they are the people who really make the decisions. I believe this is right. Certainly it is not centralization of power.

The point has been made also this afternoon that the Government should not support the people but that the people should support the Government. I agree, of course, but I want to point out to you that it is nations like those of Scandinavia and like France, nations with the greatest number of independent family farm owners, which are today the nations

with probably the most admirable civilization in all the world save only our own. And who, may I ask, supports the Government half so sturdily as the farm owners of the Nation? I ask you to remember that if there was one factor more important than any other in the destruction of the civilization of Rome and of the many other great empires of the past, that factor was the destruction of the small farmer and the fact that the nation stood idly by and watched him lose his independence and lose the ownership of the land that he worked. What we are trying to do here is stem that tide in America and turn it in the other direction.

The trouble with this amendment is that it provides only \$25,000,000 of loans at 3 percent to farmers. I believe every farm loan in America ought to be refinanced at not more than 3 percent interest.

Mr. Chairman, we are going to be asked from time to time to authorize—indeed we already have authorized—vast amounts in the form of loans to industrial enterprises, and nobody even raises a question about the Budget. We may be asked to make loans to foreign countries, and nobody will raise a question about the Budget. We will be told that these are loans, not expenditures. Why, then, is it not possible for loans to farm tenants to be handled on the same basis? That is the real question. And may I point out this also, Mr. Chairman, that you must remember that in the case of loans where the repayment results have been as excellent as in this case, that to a certain extent if you fail to make available this money for these loans you then cut the income of the Government in future, and there is no reason, with a rational view of what the credit of the United States really is, why you should not make loans at 3 percent, or at 2 percent, to worthy farmers for these purposes and more than balance the account. [Applause.]

[Here the gavel fell.]

Mr. MURRAY. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I want to spend a few minutes this evening talking about the real agricultural problem.

THE REAL AGRICULTURAL PROBLEM

The objects of this program are desirable. The most important and the most pathetic agriculture picture today is not the tenant farmer, but the farmer and the farm family that has worked and slaved to obtain a farm, get it partly paid for, and then lose it through adverse weather conditions and low farm prices. This is the class of people that should be given every opportunity to have reappraisals and other necessary measures to help him keep his farm and his home. Do you know how many farmers have lost farms in your district through foreclosures?

Why should the present farm owner lose his farm, be pushed onto the W. P. A. and relief rolls, without having consideration before any program that makes farm owners out of non farm owners with a 100-percent subsidy of the United States Treasury? In other words, we cannot set up new farm owners without providing funds to take care of the present landowners.

I believe in a program that will increase the number of farm owners.

I also believe in a set-up that gives each man equal opportunities.

If one more dollar is appropriated to help farm credit situations, let us begin, first, by having all farm mortgages carry equal interest rates, otherwise we will scuttle the Federal Land Bank. We cannot in fairness continue to have some mortgages with 3 percent for 40 years, with a 100-percent loan; and others with 4- to 6-percent interest, for 10, 20, or 30 years, and only a 50-percent loan.

Second. Let us quit foreclosing distress loans and taking farms from people who are in distress due to low agricultural prices and adverse weather conditions.

Third. Let us quit buying big tracts of land, subdividing them, building costly new buildings, as long as a family-sized farm that will support a farmer and family under normal agricultural conditions can be bought for less than the cost of new buildings.

Fourth. Let us quit buying hundreds of \$10,000 to \$12,000 farms for nonfarm owners, when this money will take care of double the number of farms.

Fifth. Let us quit buying special farms costing up to \$225 per acre, and obtain more farms that cost from \$3,000 to \$4,000 at the present time.

Sixth. Let us forget the Russia-like community programs, with the paternalistic spirit that accompanies it, and carry on this program on a common-sense family-sized farm as a unit.

Seventh. Let us see that the first 50 percent of any moneys appropriated is used first to give immediate help to the farm owner of today who is in distress through low farm prices and adverse weather conditions.

Eighth. I sympathize with the Members here that live in districts with 60 percent tenants, but in fairness and justice, you must give just consideration to the present farm owners of America. As long as the farmer has a 79-cent dollar, it is futile to start up new farms. Let us wait until the present farmers get parity before we put more men in competition with him. The question, gentlemen, is not only whether we are going to turn tenants into farm owners, but whether we should adopt a program that keeps us from making tenants out of farm owners. [Applause.]

Mr. RANKIN. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman from Mississippi rise?

Mr. RANKIN. To speak on this amendment.

The CHAIRMAN. The gentleman from Mississippi is recognized for 5 minutes.

Mr. RANKIN. Mr. Chairman, I desire to speak particularly to the gentlemen on the Republican side. You are continuously expressing concern about the destiny of this Republic and about the dangers that threaten it. The greatest thing that we can do to save this Republic is to rebuild the rural homes of America and to make it possible for the farmers to own them.

You would think, to hear some Member speak, that this is a dole; that this is money given to the tenant farmers. This is money lent to them at reasonable rates of interest that they may buy homes and gradually pay for them.

Some people would have you believe that all tenant farmers in the South are Negroes, or that they are a shiftless class of people who do not want to own anything. That is a mistake. There are thousands, there are millions, of good white people throughout the country who, if they could do so, would own their homes.

You gentlemen are always praising the great founder of your party, Abraham Lincoln. His parents never owned a home. They were tenant farmers. He lived as a farm tenant and had to go from place to place in order to get land to work or work to do. We are trying to make it possible for everyone in America who wants to do so, who has the get-up, the industry, and the determination to own a home, to be able to buy one and pay for it.

For the first time in the history of our country we are now able to carry to the farm home the same conveniences that we have in the city. Our rural-electrification program is tying farmers to their homes and enabling them to live there with a greater degree of satisfaction and contentment than they have ever known before.

You may defeat this amendment, but if you do, then do not go out and parade among the farmers as the friends of the people who till the soil.

This program, if carried out, will build homes in America. It will build farm homes, in which these men may live, men on whom the future of this Republic must depend. There may be some things that have gone wrong, but you have not shown where there was a single nickel lost on a single one of these farms that have been purchased by a man who wanted to own his own home. I know some farmers are losing their homes. Why? Because they are overcharged in interest rates, and they are not given the proper consideration when they meet with adversity.

This is the only program that has ever afforded those people money at an interest rate they could afford to pay. It is a program for the rebuilding of America. If you want to vote

this down and take the money and give it to men who do not want to own their own homes, as was suggested, then you may do so. But when it is spent it will be gone and he will have nothing to show for it.

What we are trying to do is encourage men with pride, men with industry and self-respect to purchase and own their own homes in which to rear the future citizens of America. There is not a provision in this bill that is of more importance than this Jones amendment. It will bring permanent, lasting benefits to these people and add to the wealth as well as the strength of the Nation. I sincerely trust that you will vote for the pending amendment. Let us carry on this program to provide homes for the future farmers of America. [Applause.]

[Here the gavel fell.]

The CHAIRMAN (Mr. COLE of Maryland). The gentleman from Texas [Mr. POAGE] is recognized.

Mr. POAGE. Mr. Chairman, may I direct your attention to the inconsistent attitude of this House. We report out something, pass something, tell the farmers of the Nation that we are going to do great things for them; then just when they reach the time when they can reasonably expect to have delivery on those promises that we made, we come into this House and say, "Oh, no; it is true we promised that years ago, but we cannot fulfill our promises—not to the farmer."

Did it ever occur to the Members of this House that an obligation you make in the name of the United States Government should be just as binding on you as an obligation that you make in your own name? Did it ever occur to you that as a representative of a great government it does not improve the standing of our Government with the people at home, who make up the Government, when we turn around and fail to carry out these obligations? Do you think for one moment that the struggling farmer back home will ever accept your logic when you tell him, "No; I could not make this appropriation for which I voted an authorization a few years ago."

I want to pause right here to observe that there are Members on the Republican side of the aisle who voted for these authorizations right along, who voted for the Agricultural Adjustment Act holding out hope to the farmers of America that they would be given a constructive program and that they would receive something approaching parity. You now come along and say: "Oh, no; I cannot do that. I cannot carry out the program I supported because the Democratic President and the Democratic Budget committee does not recommend it."

Are you bound by those recommendations? And I want to ask the Members on this Democratic side of the House, Are you bound by the recommendations of the President? Are you the Congressman elected from your district or is your district represented by a clerk down in the Budget Bureau? Who is to determine what is good for your people? "Oh," you say, "I must follow the Budget." I have heard that all afternoon.

I heard the distinguished gentleman from Virginia talking about how we must follow the Budget. I heard that discussion when we were called upon to deny the farmers of America anything approaching a parity price. Oh, yes, it is true that after promising our farmers great things, large increases in prices if they would reduce their acreage, we are now telling them: "You have reduced your acres, it is true but we cannot appropriate a dollar to make the payments we promised you, because the Budget did not recommend it." That may be fine, but I do not follow the idea. I do not feel obligated to do what the Budget tells me to do. I believe it is well to go along and have a cooperative administration as far as possible, but I do not believe that anybody else is charged with the duty of legislating for the Eleventh District of Texas. I am the only Representative elected from that district, and you are the only Representative elected from your district, and the responsibility is yours and mine.

However, you say, "I must follow the Budget." All right, Mr. Chairman, if we must follow the Budget, then let us follow it. Let us follow it all the way through. Let us not

go along with the President and the Budget only a part of the way. If we are to hide behind someone else, let us go all the way. Have my friends read the Budget recommendation of \$25,000,000 for this Jones-Bankhead tenancy work? Have my friends read the recommendation of the President of the United States? Have my friends read the President's message this afternoon? Do the members of this committee realize that the Budget Bureau recommended the appropriation contained in this amendment? Do you know that within the last few hours the President of the United States has expressed the belief that the Appropriations Committee had made a very serious mistake in cutting this bill below \$900,000,000? Such, my friends, is the statement carried in today's late afternoon paper.

The appropriation contained in this amendment is approved by the President; it is carried in the Budget; the policy has been approved by this House time and again; the money has been promised to the tenant farmers of the country; it is needed; it is a loan, not a gift. Let us keep faith and vote for this amendment. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. COOLEY].

Mr. RAYBURN. Will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Texas.

Mr. RAYBURN. I wonder if we cannot get an agreement at this time on the length of this debate?

Various Members rose.

Mr. RAYBURN. How many Members have asked for time?

The CHAIRMAN. The Chair has on his list 12 names now.

Mr. RAYBURN. Mr. Chairman, I withdraw my remarks.

Mr. COOLEY. Mr. Chairman, on yesterday the distinguished gentleman from Virginia criticized the statement issued to the press by the Secretary of Agriculture. Today, in an effort to defeat farm tenancy, during the course of his address he pointed to the fact that the President was economy-minded and thought that governmental expenditures should be curtailed.

If the gentleman from Virginia may be pardoned for his reference to the President, I hope I may likewise be pardoned for my reference to a statement which he today issued in Hyde Park, not with regard to general expenditures by the Government but with regard to the particular bill now under discussion.

I have in my hand the 5:30 issue of the Evening Star, and under a date line from Hyde Park the following appears:

President Roosevelt told reporters in firm tones today he was standing on his Budget and a \$900,000,000 agricultural appropriation for the year beginning July 1.

He said the House Appropriations Committee, which slashed the farm appropriations bill 20 percent below Budget estimates, had made perfectly terrific cuts. The bill is pending in the House.

Volunteering to discuss the agricultural appropriation at a press conference in the library of his home here, Mr. Roosevelt said he saw no reason why some excerpts from his Budget address should not be reprinted.

He had some excerpts typed out, and he read them to newsmen. They said:

"I have carefully checked the individual estimates under these broad categories, and I am satisfied that no lower figures can be attained except at the expense of impairing the efficiency with which laws are administered or of working undue hardship upon individuals or economic groups. I refuse to accept the responsibility of adopting either alternative."

Another quotation:

We must not only guard the gains we have made, but we must press on to obtain full employment by those who have been displaced by machines, as well as for the 5,000,000 net addition to the labor force since 1929.

This is the language of the President—

We must therefore avoid the danger of too drastic or too sudden a curtailment of Government support.

President Roosevelt made this further statement:

I do not believe that the majority of people feel that the agricultural program should be reduced below the figure of \$900,000,000, because this figure, in itself a large reduction below the current year, will be barely sufficient to carry out soil-protection and surplus-removal operations.

In view of that statement by the President, in view of the recommendation by the Budget Bureau, and in view of the fact that the House, the Senate, and the President have gone on record time and again favoring a farm-tenancy program, I appeal to the members of the Committee not to repudiate this program at this time.

I regard this program as an experiment, a noble and a worthy experiment. I do not feel that that group of citizens, the tenant farmers of this country, who are helpless, who are unorganized, who have no one to speak for them other than their duly elected Representatives in this Congress, should be sacrificed and this experiment now be cast into the dump heap. [Applause.]

[Here the gavel fell.]

Mr. NICHOLS. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, although the hour is late, and although I know Members would like to get away, I feel it impossible for me to apologize for taking this time, because I was one of those who were willing to quit earlier this afternoon and take this matter up on Monday morning. Too, I take very little of the time of the House in debate on this floor, despite the statement of my distinguished friend the gentleman from Minnesota [Mr. ANDRESEN] to the contrary notwithstanding.

I doubt that it is necessary to appeal to the Members of the House who are familiar with the tenant problem in this country. I am sure it is necessary to convince gentlemen who represent urban districts that this is a worthy cause, and I should like to call their attention to the fact that in the same session of Congress that we appropriated \$10,000,000 to start the tenant program as an experiment, if it must be that, we appropriated \$700,000,000 for slum clearance in the United States.

If there be those among you who doubt that we have slums off the pavement and at the forks of the creek, the same as you have in the cities, then I say to you that you are wrong. It just so happens, too, that the men and the women who are attempting to take a living from the soil in rural sections of the United States, tenants though they be, are American citizens. They contribute as much to the growth of this Nation as do your constituents who reside on the pavement and in the alleys this Congress has so generously appropriated money to clear and clean out.

I wish I could take you with me down into Oklahoma and other States like Oklahoma and show you the condition that exists there. Maybe this is the wrong tack. Maybe, as is proposed by bills now pending before the Committee on Agriculture, of one of which I am the author, we will have to transfer the basic principles of the Federal Housing Administration to a rural program. I believe that is the solution, to use private funds and public credit. But it is just as important that this job be done, if only in a small way, for the farmer as it is that you do the job, if only in a small way, for the slum dweller in the city.

This appropriation will not break the Government and the Budget. Why, the Budget is the thing that flew up and hit me in the face a few minutes ago when I was attempting to get \$3,000,000 to carry on and make operative the soil conservation program.

The chairman of the subcommittee who is handling this bill said, "Why, the gentleman from Oklahoma does not want to go against the wishes of the Budget, does he?" Well, I did at the moment. Now I find the chairman of the same committee willing to throw out of the window and count for nought the opinion of the Budget because the Budget placed in this bill \$25,000,000 for this purpose which the Appropriations Committee cut out, and I want to point out another thing, when we gave you \$700,000,000 for slum clearance, we also gave you a subsidy. [Applause.]

[Here the gavel fell.]

Mr. SOUTH. Mr. Chairman, to any of you who are somewhat impatient, I would like to remind you that we are not here at this late hour because we want to be, but it is the only opportunity we have to discuss a problem that we consider very vital.

I grew up, in a measure, with the farm-tenancy proposition. I think I know something about it. I advocated a farm-purchase program before I came to Congress and before this law was ever passed. I have seen the Government during the past few years shovel money into various States and communities when I realized that it was not anything more than a shot in the arm. I have hoped and prayed that some program would be adopted which would finally prove to be a sound solution of the farm problem. I am sincere when I say to you that I do not know of any approach which we have made thus far except the present farm program.

Let us analyze it briefly. There now exists in this country from 60 to 70 percent farm tenancy. The present program has been to buy farms averaging 134 acres each at a cost of \$5,395 each. There is only 2 percent delinquency at this time. There has been paid back to the Federal Government approximately 50 percent more money than is due up to this time. To those of you who talk so much about a balanced Budget, why do you not jump on the items of a half a billion or a billion dollars outright appropriations instead of a mere little \$25,000,000 loan?

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. SOUTH. I yield.

Mr. JONES of Texas. I would like to call attention to the fact that both parties in the platform of 1936 proposed this kind of legislation. I will read from the Republican platform:

We propose to provide for ample farm credit at rates as low as those enjoyed by other industries, and preference in land loans to the farmers acquiring or refinancing a farm as a home.

Mr. SOUTH. I thank the gentleman for his contribution. I want to say to the gentleman from South Dakota [Mr. CASE] I do not blame him for not yielding when he was discussing that case. I want to ask the gentleman if it is not a fact that those loans bore 5½ and 6 percent interest, and if some of them were not callable in as short a time as 5 years?

Mr. CASE of South Dakota. They had longer terms to run, but the interest ran up to 4½ and 5 percent.

Mr. SOUTH. And did not the treasurer also abscond with \$235,000 of that money?

Mr. CASE of South Dakota. Yes.

Mr. SOUTH. I want to ask the gentleman also if the money was not used for various and sundry other purposes than the purchase of farm homes?

Mr. CASE of South Dakota. No. It was used for the refinancing of farm loans.

Mr. SOUTH. It was used for refinancing, but not for purchasing. That is not the same thing. It was not used for purchases.

Mr. CASE of South Dakota. Some refinancing.

Mr. SOUTH. And is it not a further fact that a lot of it was used to bail out some banks, and it was not an honest-to-goodness farm-purchase program? Does not the gentleman think this is a better program than the South Dakota program?

Mr. CASE of South Dakota. I think there are some safeguards in the selection of the risks, but at the same time the first letter I had in support of this program came from a banker who wanted to sell a farm.

Mr. SOUTH. I do not yield any further.

In closing I would like to say the President of the United States is for this. The Budget is for it. The subcommittee which heard the testimony is for it. The Department of Agriculture wants it. The farmers of this country need it. Now, who is opposed to it?

I do not understand how you can cry out about an unbalanced budget when you are dealing with a \$25,000,000 loan. You same men are going to vote over \$2,000,000,000 appropriation for armaments. Perhaps we need it, but that is what puts the Budget out of balance. It is not the \$25,000,000 that you are lending the little farmer that he may take his young wife and baby into a home that he can call his own and be self-supporting. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, without denying anyone all the time he desires for debate, I wonder how long it will be before the Committee is ready to vote?

The CHAIRMAN. The Chair will state that the Chair has nine names remaining on the list.

The gentleman from Oregon [Mr. PIERCE] is recognized for 5 minutes.

Mr. PIERCE. Mr. Chairman, I know the hour is late, and I will take but a very few minutes.

A few days ago it was reliably reported to me that a recent sale of 3-percent long-term bonds of the Farm Credit Administration brought enough premium so that the buyers of the bonds would realize less than 1½-percent interest. Money is cheap when credit is highly rated. There are, however, millions of farm people who cannot get any credit because they cannot establish such rating.

I have for some time been convinced that this Congress ought to devise some way to take the burden of at least three Government activities from the Appropriations Committee, making them recipients of Federal loans furnished their operating agencies on the security which their operations make it possible to give. I have reference to the Farm Tenant Act as administered by the Farm Security Administration, the Rural Electrification Administration, and the purchase of timber lands by the Forest Reservation Commission. It has seemed to me that this Congress ought to provide for the organization of a department in the Reconstruction Finance Corporation which would furnish money for these three governmental activities the same as money is furnished for the railroads.

The day of cheap interest is here, and it is our duty to see that it is passed on to such worthy enterprises as rural electrification, purchase of land for tenants so they may become permanent landowners, and completion of cutting circles for our lumber mills so their operations may become permanent on the selective-logging plan. With 1½-percent interest prevailing, it looks as if this Government ought to furnish these three activities all the money that can be used, at even less than 3 percent, and have a sufficient margin to cover all losses. I would give money to these agencies at the same rate the railroads are paying, which, I understand, is 2¼ percent annual interest.

I am truly alarmed at the constant necessity of selling Government bonds to take up the excessive spending far above amounts collected by the Government. We are soon going to reach a time when Government bonds will fall, and if they fall in price it will seriously threaten our whole economic fabric. I distinctly remember when I sold Government bonds for 85 cents on the dollar. I believe that if Government bonds should fall to that price today, it would break many banks and bring economic chaos worse than that of March 1933. It has been stated that under the present "managed plan" the bonds of the Government of the United States will not fall in price. Acting under what is called open-market operations, the Federal Reserve Board buys Government bonds, paying for them with currency. To me this is a doubtful and dangerous method of supporting Government credit. Certainly there can be no objection to removing every danger of strain upon the Federal Treasury and upon our national credit.

This amendment for \$25,000,000 is a relatively small matter in comparison to the total. It is not going to solve the farm problem—just rubbing a little more salve on a serious wound—just another shot in the arm. We can do something really constructive by transferring the financing of these activities from the Treasury and supplying money through the sale of long-term bonds of the Reconstruction Finance Corporation. Behind such bonds will be the security of all the farm lands sold. The Treasury would then be relieved of the strain of direct appropriations.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. SCHAFER] for 5 minutes.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I am very happy to follow the distinguished Democrat, the gentleman from Oregon [Mr. PIERCE], who made a wonderful speech in opposition to this pending amendment. I remember, with a

national debt of \$25,000,000 when we returned from fighting the World War, which we were told was to make the world safe for democracy, that the 4½-percent Government bonds which we purchased out of our \$1.25 a day overseas pay in an unsupported, unpegged market brought but 84 cents on the dollar. Now we have a rapidly mounting national debt which has almost reached \$42,000,000,000 and, in addition, about \$6,000,000,000 of other obligations which the Government of the United States has guaranteed. We have also had a several-billion-dollar annual deficit for many years. The Federal Government has been spending \$2 for every dollar of revenue collected. The portfolios of the insurance companies, the banks, and various trust funds are now loaded far beyond the saturation point with low-interest-bearing Government bonds. Most of these bonds carry 2 percent and 3 percent interest rates instead of the 4½-percent rate of the bonds which brought only 84 cents on the dollar when our national debt was but \$25,000,000,000. If we continue this drunken New Deal orgy of spending \$2 for every \$1 collected in revenues much longer, the time will soon be at hand when the Federal Government will be bankrupt and our people will suffer from the devastating effects of resulting inflation.

Our American dollar will then be about as worthless as the many billions of inflated German marks and Russian rubles which I have. Mr. Chairman, if you study the history of those nations which were plunged into bankruptcy and inflation by reason of loose fiscal policies such as those followed by the New Deal for 7 long years you will find that inflation brings almost as much suffering, misery, distress, despair, and chaos as does a major war of invasion.

The expenditures provided in this amendment are asked in the name of the distressed farmer. Several hundred thousand farmers are being forced off their farms each year. Each year the New Deal forecloses and takes away the farms of many thousand farmers. The \$25,000,000 carried in this amendment, to use your own figures, will provide farms for only 5,000 favored people, and many millions of tenant farmers, so far as hoping to receive benefits from this bill are concerned, have about as much chance of receiving them as they would have of winning a dollar if they bought an Irish sweepstakes ticket. This bill will not even take care of a small percentage of the farmers whose loans were foreclosed and farms taken away from them by the New Deal.

Mr. KELLER. Mr. Chairman, will the gentleman yield?

Mr. SCHAFER of Wisconsin. I must respectfully decline to yield, because I have so little time.

We were reminded this afternoon that the President of the United States back in 1932 talked about the dangers of a loose fiscal policy when he bitterly denounced and condemned the expenditures of the Federal Government, which totaled less than \$4,500,000,000. For the past 7 years the President and his New Deal tribe have spent more than \$9,000,000,000 a year. We hear the President quoted on the floor of the House today in favor of the pending amendment. A message to Congress from the President is not quoted, but a newspaper release from his palatial Hyde Park, N. Y., mansion.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. SCHAFER of Wisconsin. In just a moment.

If there are so many million people who need farms in America, why take a paltry \$25,000,000 to provide farms for only 5,000 and antagonize the rest of the 3,000,000 farmers, who will want you to explain why you did not give them a farm and \$5,000 to operate it? I would suggest that if the President wants this amendment in order to play Santa Claus to 5,000 farmers, that he subdivide the many-thousand-acre plantation he owns in Georgia and give farms to those who want them, and ask his many multimillionaire New Deal liberals, such as Barney Baruch, Mr. Morgenthau, Secretary of the Interior Mr. Harold Ickes, and the fattest calf of them all, multimillionaire Jimmy "Doris Duke" Cromwell, to lend the money to stock the farms in the farm-security way.

Mr. Chairman, I hope that the pending amendment will be defeated, because it is unsound and discriminatory and will put an additional \$25,000,000 burden on our almost bankrupt Federal Treasury.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that when debate is concluded the committee may have 10 minutes in which to close.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. MASSINGALE].

Mr. MASSINGALE. Mr. Chairman, it is a great pleasure to address this political convention. [Laughter.] I think I am entitled to a careful hearing because this afternoon when I was given a half minute through the generosity of the pilots of this bill I yielded back part of that time.

I do not know whether I can use the superlative in classifying this bill as the most important bill that will be presented for the consideration of this Congress or not, but I do believe it is one of the most important bills. In fact, I know it is from the standpoint of the common man down in the southwest Plains region.

A great deal has been said here by Members who are just as conscientious and probably more so than I am about the danger of inflation and about undermining the confidence of this Government and its finances if we go ahead and build up some farm homes. I do not take much stock in the fellow who is always wanting to tear out and run to a bank for advice when a question of this kind comes up. We have got to work for something more than a banker. I have no objection to bankers, railroad men, or anybody else, but I will tell you what I do insist on. I think the man who tills the soil, digs down into the ground, and tries to make the food and fiber to feed and clothe America, who is trying to take care of his family, ought not to be kicked out of the window. [Applause.]

Is it necessary and would it be a good thing for this Congress to carry on this appropriation with which to buy homes for people throughout the Union? Do we need them? I want to give it to you as my best opinion from my observation that if there was ever a time in the history of this Republic when we needed to establish homes throughout the length and breadth of this land, now is the time. When you establish homes you build an altar. Do you think we need those altars? Religion has almost disappeared from the face of the earth, and when you take it from under the foundation of this country you have not got so very much left. Not only do you build that altar which is the only fit place as a repository for the ark of the covenant of this Republic of free people, but you also build in it a citadel for the protection of our own Government and of its institutions.

Why do you not want to build them? Why do you not want to give assistance to those people if you expect this Government to continue to go forward and to remain a great Nation as it is today? Why should we not do it? Why should we let the bugaboo of cheap money keep us from doing those things which we know we should do? [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I move that debate on this amendment and all amendments thereto close in 10 minutes.

The motion was agreed to.

Mr. DUNN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DUNN. Mr. Chairman, a few minutes ago there was a motion made to limit debate and the question was asked how many Members desired to speak? I know I spoke loud enough in stating I wanted to speak.

The CHAIRMAN. The gentleman is correct. The Chair has the gentleman's name very conspicuously on his list.

Mr. DUNN. A motion was made. I thought it was a unanimous-consent request, and now I find out it is a motion. Does that deprive me of the right to speak?

The CHAIRMAN. The debate has been limited to 10 minutes.

Mr. McCORMACK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McCORMACK. The gentleman from Missouri a few minutes ago submitted a unanimous-consent request that the Committee be given 10 minutes at the termination of all debate. Now he makes a motion that debate close in 10 minutes. My parliamentary inquiry is this: Does his later motion supersede the unanimous-consent request?

The CHAIRMAN. The Chair thinks that under the parliamentary situation debate is limited to 10 minutes, and under the unanimous-consent request the gentleman from Missouri is entitled to 10 minutes.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent to modify the motion I made by allowing 5 minutes to the gentleman from Pennsylvania [Mr. DUNN], 5 minutes to the gentleman from Massachusetts [Mr. McCORMACK], and 5 minutes to the gentleman from Alabama [Mr. PATRICK], in addition to the 10 minutes which has been allowed to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. The gentleman from Alabama [Mr. PATRICK] is recognized for 5 minutes.

Mr. PATRICK. Mr. Chairman, I am delighted that the bursting charitable heart of the gentleman in control of the bill has just led him against his better judgment to let us speak a few words this evening. I am not mad. I have been kicked around before. I remember moving backward and forward from one farm to another when I was just a kid.

As I have said before, I do not represent an agricultural district. I represent others than farmers. But I want to say to all you fellow candidates for Congress for 1941 and 1942—and, by the way, this is a very elucidating discussion. We can just tell from the position you take on this issue what platform you are running on back home.

It is all right to be economical. It is a great thing; but if we are going in for this kind of economy we are getting off the main high road.

I remember that we of the Democratic Party announced that we had a great inspiration. We got dramatic. The Democrats came to the people of America and said, "We are going to remember the forgotten man." Those folks took that seriously. We have no fault to pick with the Republican Party. They did not sell this idea to the folks. We sold it to them. They are only dealing in faith, with what they have held to all the time. It is a different story with us. We told the people of the United States that we were going to remember the forgotten man, that we were going to deliver to him who had never been delivered to before; and he believed that, the general run of folks voted with us, so that Negroes who had never dared vote for the Democrats came up and voted in a phalanx, and poor folks, farmers all over the United States, came and voted for the New Deal.

Every State but two marched under the banner of the party of Jefferson to a belief in a brighter and better day for the forgotten man, for the man that needed something done for him. [Applause.] So, since they have done that, if the Democratic Party does let the folks down when they marched up and placed their faith and confidence and heard our call and believed our advice, if we let them down now, we do not deserve to have charge of the activities of the Government at Washington, D. C. [Applause.]

I have a good mind to applaud myself on that remark. It is one of the best I ever made. [Laughter and applause.]

So here we come, and the folks are looking for something. This is mighty poor economy. There are places where you can economize; but anything the Government puts out money for that will pay dividends, even if that time is remote, should not be called a subsidy; it may properly be called a loan, but not a subsidy. The folks that have had what has been called "substance" could get loans, and nobody got excited; but when the man who has helped to build this country, the man who is a part of the maintenance of this Government, comes along, but who has never been a man of substance, because he, who was never figured in before, was to be con-

sidered, they get scared and push him away when he tries to get a chance to do something in this life.

The people of Finland are standing up as long as there is a drop of blood in their veins, and are fighting against the overwhelming marching hordes of the Soviet Army today because they have their feet on their own soil, something that is theirs. This is the same thing. I do not care if it takes 40, 50, or 60 years for it to culminate, we have started in the right direction. It has been weighed in the balance and found not wanting. We have seen the bright light of a new day, we have seen the sunburst on a new horizon, we have gone in the right direction and have seen that it is right. Let us now stand firm. This committee has made an arbitrary and unjustified slash in this appropriation, a terrific slash, and every man here who is a Democrat ought to stand right up and help beat down this effort to go back on our promise to the whole people of this country. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. DUNN].

Mr. DUNN. Mr. Chairman, like the gentleman from Alabama [Mr. PATRICK], I represent an industrial district—in fact, mine is one of the largest coal and steel sections in the United States. I realize, however, that if it were not for the farmers the people employed in the industries would have very little work. It is also true that the farmers must depend on the men who work in the industries.

Someone made a statement about me being blind. The remarks was made in a friendly way. I wish to state that all those who can see cannot always believe what they see. [Applause.] No one is so blind as he who has eyes and does not see. [Applause.]

I feel that the legislation we are now considering—the Jones amendment—is progressive and humane.

It is my opinion that we can solve any problem that confronts us if we will be actuated by humanitarian motives. There should not be such a thing as poverty in our country or in any other country in the world. The great God of the universe has put on this earth an abundance of everything that is necessary for the welfare of mankind. Unfortunately most of the world's wealth is possessed by a few people. As long as this condition prevails there will be wars and poverty which are responsible for the human misery that mankind is compelled to endure. There is not any statement in the Old or New Testament or in any other great book written by man—man who is supposed to be inspired by God—where it says that most of the wealth of the world should be owned by the few.

Let us pass legislation which will benefit the farmers, laborers, ex-service men, the aged, and all those who, because of a disability, are unable to provide for themselves.

I have been a Member of this House for about 8 years. I do not remember ever having voted for a legislative measure that would be a detriment to the farmer or the laboring man, and I am proud of that record. [Applause.]

Mr. McCORMACK. Mr. Chairman, while I have no farms in my district, representing as I do purely a city district, I am moved to express the reasons why I am going to vote in support of the amendment offered by the gentleman from Texas [Mr. JONES].

We all come from different parts of this great country of ours—the North, the East, the South, and the West. I come from New England, and we are all products of our environment. We are quite prone to look at our own districts as of the greatest importance and as being paramount in the national welfare. There are times when we cannot resist that influence. I feel its influence on many occasions, despite my efforts to resist it. I am human enough to admit that I feel the influence of sectional environment the same as I feel the influence of other environments that surround me in my journey through life. However, living in Boston as I do, I hope the day will never come when my mind will be beclouded wholly and solely by the influences of the section that I live in, so that I cannot view and appreciate and evaluate the problems of the people of other sections of the United States. [Applause.]

Why am I supporting this amendment? On the one hand we have the argument of the \$25,000,000 appropriation. I recognize the power of that argument in these days. On the other hand, we have compelling reasons which prompt me to take the position that I do on this occasion.

I see an evil existing which is a national disgrace. I see that evil as the result of a historical development of a certain part of our country. I see an evil existing which had its origin in the very reasons which prompted the colonization of a certain part of our country, an evil that existed during the colonial days and during the 150 years of constitutional government in our country. I see in a great area of our country human beings, mothers and fathers, just the same as they are in New England, living in other sections of the country and coming within the so-called group of the tenant farmer. I see them with their hopes and their aspirations. I see them with their ambitions. I see the mother and the father, probably, with the greatest ambition that any parent can possess, next to the salvation of their souls, a desire to give their children a little better education than they received in order that their children might better bear the strain of the journey through life.

As I look over the great South, as I look over other sections of our country wherein this is a problem, coming from New England, trying to look at our problems from a national angle, I feel that it is my duty to vote for legislation that will gradually eliminate this evil, the continuance of which will constitute a national disgrace.

What does this legislation do? This legislation strengthens the family life of those affected. Family life is the basis of society and of government. Government could disappear, but the family would continue. Even with government becoming chaotic, the family, the basis of society, would enable mankind, in its chaotic condition, to continue until out of chaos was resurrected again some form of government.

Family life under this legislation is strengthened. This legislation goes one step further. It is an attempt on the part of government, using the functions of our Government, to preserve a private system by extending private ownership in the United States. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, through inadvertence I neglected to include the gentleman from Illinois [Mr. DIRKSEN]. I ask unanimous consent that he be included in the list for 5 minutes.

The CHAIRMAN. Is there objection to the request that the gentleman from Illinois will be recognized for 5 minutes in addition to the 10 minutes remaining?

There was no objection.

Mr. DIRKSEN. Mr. Chairman, may I address myself to my good friend the gentleman from Oklahoma [Mr. MASSINGALE]? Sam, I wish you were down here in front. I hope you will let me violate the rules to use your first name, because I have a deep and reverent affection for you. I want to ask Sam this, since he is so interested in farm tenancy. Sam has been sponsoring the cost-of-production bill, and he has asked us a number of times to go up and sign the discharge petition. Sam, I know you are interested in cost of production, and so am I, because I think you appreciate and I think you agree that our farm program has not been a success. The reason the cost-of-production petition is on the desk now is because in your judgment and in mine the farmers are not getting cost of production.

Now, are you willing to take this program and put more people on the farm when you have admitted to us, and you have so assiduously crusaded in behalf of cost of production, that we do not have today? Would you not say it was something of a paradox, something of an anomaly, to put more people on the farm under this bill when we do not have cost of production now?

Mr. MASSINGALE. I will answer the gentleman by stating that I am in favor of cost of production, of parity prices for the farmers, and I am in favor of this legislation.

Mr. DIRKSEN. But it does not just stand up in the light of cold logic.

Mr. MASSINGALE. Does that answer your question?

Mr. DIRKSEN. Let me address myself—

Mr. JONES of Texas. May I say this does not put more people on the farms.

Mr. DIRKSEN. Now, let me address myself to the gentleman from Texas. Here is the Farm Act of 1938. It represents a tremendous amount of work and we wanted to go along, and I think you deserve such high credit and commendation for trying to work out a solution. Now, in this act you wrote a provision that we are trying to get parity prices, which goes back to 1909-14. That is the period in which the income of the farmer and the outgo more nearly balanced than at any other time. So it is back in the 1910 period. Now, look at these figures. In 1880, 25 out of every 100 farmers were tenants. In 1898 it went up to 28 out of every 100. In 1900 it went to 35. In 1910, the period we are trying to achieve in this bill that you brought to us and that we passed, it went up to 37. Since this bill is here it has been going up. So that in the last 60 years farm tenancy has gone from 25 out of every 100 to 42 out of every 100 farmers. Mr. Alexander, the Administrator, was asked, on page 948 of the hearings, this question by the chairman:

Can farm tenancy be cured at low prices?

Mr. Alexander, who is expected to administer this Farm Tenancy Act, said, "No."

Gentlemen, what more do you want to oppose the amendment that is on the desk at the present time? I share your desire to do something in this field, but we must first cure farm prices.

Now, one other thing before I conclude.

Mr. JONES of Texas. Will the gentleman yield?

Mr. DIRKSEN. In just a moment.

Mr. JONES of Texas. You have asked me a question. Will you let me answer it?

Mr. DIRKSEN. In just a moment I will yield.

We have 2,800,000 tenant farmers. The average price paid per farm for 3 years under the tenancy program has been \$5,000 a farm. You can solve it mathematically. At the rate we are going it will take 560 years to articulate that program. That is the answer, gentlemen, and I hope you will vote down the amendment now pending on the desk.

I yield to the gentleman from Texas.

Mr. JONES of Texas. I would like to make this statement, that the trouble with trying to solve the problem through one bill is that when farm prices go up the land speculators get hold of the land and the purchasers have to pay more. This is the reason tenancy has increased at a greater rate when land prices were high than when they were low. So let us take the farm bill with which 5,800,000 farmers are complying, the highest percentage that ever complied, and yoke up with it a bill that brings up the other wings of the program side by side.

Mr. DIRKSEN. Yes; but the gentleman from Texas has a bill in his committee now asking for \$350,000,000 for 3 years to handle mortgages and insured loans.

Mr. JONES of Texas. We had the slum-clearance problem before Congress and passed legislation to take care of it. This is simply parallel legislation to the Federal Housing Act. This just broadens the farm policy.

Mr. DIRKSEN. But here is the Administrator of Farm Credit who said you cannot cure farm tenancy until low prices are overcome.

The CHAIRMAN. The gentleman from Missouri [Mr. CANNON] is recognized for 10 minutes.

Mr. CANNON of Missouri. Fortunately, Mr. Chairman, the committee reporting this bill have thick hides and thick heads. It requires both to bring a bill like this on the floor and escape being lynched by our otherwise good friends whose pet projects are eliminated or curtailed. But one of the many compensations, Mr. Chairman, of membership in this body is association with great-souled men who can differ violently on the floor, and then walk down the corridor arm in arm, the best friends we have in the world. Now, this is especially true of my good friend the gentleman from Texas, MARVIN JONES. He is a man of many parts, a word

painter, a golden-throated orator who plays upon the emotions of the House as a master musician plays upon the keys of a mighty organ. And, as usual, he delivered a masterly address on this amendment. But you know we should be frank in the discussion of the vital matters which come up in the course of legislation. And there was one startling omission in that speech. He did not offer any argument in favor of this amendment.

He talked about the importance of home ownership, the beneficent influence of attachment to the land. Of course, we all agree with that. Everybody agrees to those copy-book axioms without a dissenting voice. But that is not the question. The question here is, Will this bill solve the tenant problem and put the tenant farmers of America in possession of their homes and give the American tillers of the soil land of their own? That phase of the question is not mentioned in the gentleman's speech. In all his discussion of the amendment there is no proof that giving one farm to a county a year will eliminate or even appreciably reduce farm tenancy.

Mr. Chairman, what are the facts in the case? This panacea is worthless. It does not accomplish the purpose for which it was designed. The expenditure of the millions of dollars to date has been ineffective, and farm tenancy, instead of being controlled, is increasing at a rapid rate. We have more tenants in America today than we have ever had since Columbus discovered America. Now, that is not a mere estimate. The Department of Agriculture reports that farm tenancy is increasing at the rate of 40,000 a year. And to expect to cope with that flood of homeless and landless farmers by giving farms to a dozen or two in each State has as much hope of success as extinguishing a forest fire with an atomizer.

Mr. Chairman, there is one cure for tenancy, and only one. And that is to raise farm prices to a point where farmers will make enough to buy a farm—and if they already have a farm, make enough to stand off the sheriff. It is a simple but infallible remedy. All that is necessary is for the Committee on Agriculture to bring in a bill giving the farmer a wage for his labor and a price for his produce; nothing else in the world will do it. Prices are the only thing that count and the only factor that affects the farm situation or solves the farm problem. All others are window dressing.

I recall a noted statement made by Speaker Clark, which very well illustrates the principle.

In speaking of emoluments he said, "I have never worked for money in itself. I stay in Congress because I like the service of the House because I feel I can accomplish something worth while. If the salary was reduced to \$5,000 I would still stay. If it was reduced to \$3,500 I would still desire to be returned. And if it was reduced to nothing, as in the English Parliament, I would still serve until starved out." And that is the position of the farmer. He loves the soil. He feels he is rendering a real service to humanity. He wants to stay on the farm. And he stays when he gets parity for his work. He stays when he gets three-fourths of parity as he does today under the present farm program. He stayed when he got half of parity and he will continue to stay until starved out.

Now you object, Mr. Chairman, that to give the farmer a decent wage and a fair return on his farm would increase the price of land to a point where no tenant could buy. Unfortunately the experience of many years does not bear out that conclusion. When hogs were selling at \$24 a hundred there was not a hungry child in America. And when hogs were selling at \$2 a hundred bread lines formed in every city in the Nation. That is also true of land. Look up the real-estate transfers in your home county, and you will find that when land sold at \$300 an acre more men owned farms than when it sold for \$10 an acre.

But they insist this appropriation will, in the end, cost the Government nothing. "It is paying its way." They are paying the money back—that is, most of them." That has a familiar echo. We heard that report with all its embellishments when the Home Owners' Loan Corporation was getting started, and that was what they said when the Federal farm

loans were getting under way. You will recall the rosy reports which spilled from their duplicating machines in those early and halcyon days when the new broom was sweeping clean. But today, as a sequel to these activities, the United States Government is the owner, or the potential owner, of more depreciated real estate than any Government has ever possessed since Joseph traded corn for all the lands of Egypt.

And again they plead with us that we must be patient. All they need, they say, is a little time. Why, Mr. Chairman, this Arabian Nights entertainment scheme would not solve the tenant problem in a million years, and that statement is based on the testimony of the Department. The slogan, "A Government loan for every tenant farmer," is akin to the old slogan, "40 acres and a mule," and it is similar to that historical rallying cry in more respects than one. It will not solve the tenant problem. It will not even approach the solution of the tenant problem. Then why does not the Committee on Agriculture bring out a bill that will cure tenancy and at the same time redeem the pledges made by all political parties for the last 20 years?

The tenancy program is an alibi to cover up the fact that the Committee on Agriculture is not considering and has not considered for years, and does not propose to consider, a bill to stabilize farm prices? That may account for the unusual activity of the Committee on Agriculture sponsoring meetings in its committee rooms mornings and evenings in an organized drive to dismember this bill—the best agricultural appropriation bill reported to this House in 10 years. They cannot afford to lose their alibi. It would leave them speechless when asked what they were doing to solve the farm problem.

And while we are discussing alibis, let me pay my respects to another class of gentlemen who are always ready to give three cheers for the farmer but never pay him for the food they mooch off of him at subparity prices. Of all the two-timing, double-dealing apologists who are trying to hood-wink the farmer, the worst and the most transparent is the one who is always ready to tell you how much higher farm prices are today than they were under Hoover. He may claim to be a statesman, but you know him at once for a cheap politician when he begins to cite Hoover prices and fall into ecstasies over the fact that the American farmer today is receiving three-fourths of parity.

If you dropped into a well and that fellow came along, he would pull you up until you were within a quarter of the top of the water and leave you there. And when someone came by and saw you drowning and asked, "Why don't you pull that man out of the well?" they would say: "Yes; but look how far he is up. He is three-fourths of the way up from the Hoover bottom." Why, Mr. Chairman, the Committee on Labor has already pulled their man up out of the water and clear out of the well. They have put a floor under him and a ceiling over him. Why has not the Committee on Agriculture done as much for the farmer?

The average income of the farmers of many sections of the country is \$500 a year. The Committee on Agriculture says: "We only take \$125 of his \$500. We leave him \$375. The farmer ought to be satisfied with that."

Do you suppose the Committee on Labor would stand by and permit the laboring man to be robbed of one-fourth of his pay every Saturday night as the farmer is? Why, bless your soul, if you attempted to take 25 percent out of the pay of labor, the Committee on Labor would be meeting day and night. If necessary, they would bring out legislation by petition to stop it. That is exactly what they did do. Can you imagine the Committee on Agriculture bringing in a petition to help the farmer?

But the most serious phase of the situation before us today is the fact that we are drifting straight toward the danger which followed the close of the last war. This war in Europe will eventually end. Every man on this floor remembers when the war ended in 1918. You saw wheat drop from \$2.40 to 35 cents. You saw cotton drop from 20 cents to 8 cents. You saw corn drop from \$1.50 to 10 cents. You saw hogs drop from \$18 to \$2. What precautions have you taken to

avoid that situation at the end of this war? Have you done anything at all?

Are you depending on the present system? Do you not know that since September, hogs have dropped from \$10 to \$5? You talk about this committee cutting the agricultural appropriation bill in half. Why, the bill has cut hogs in half. When hogs dropped from \$10 to \$5, did wages drop? Oh, no. Wages today are higher than they were in September. Did the price of farm machinery and fertilizer drop? Oh, no. Since the 1st day of January wheat has fallen 11 cents a bushel and the fertilizer to grow that wheat has gone from \$7.50 up to \$8.50.

What is the system doing for us? If this system is failing to maintain the farmers' prices, when we have subsidies running into the millions of dollars, when we have a war over on the other side, when we have a drought in a large part of the country, what do you suppose is going to happen when this war closes?

Mr. Chairman, if the Committee on Agriculture does not bring in a bill here and this Congress adjourns and goes home, and the war closes, and farm prices again go to perdition, the farmers of this country will have a pitchfork under the coattails of every member of the Committee on Agriculture who sat idly by and let it happen. [Applause.]

[Here the gavel fell.]

Mr. BANKHEAD. Mr. Chairman, notwithstanding the previous agreement, I ask unanimous consent that the time of the gentleman from Missouri [Mr. CANNON] may be extended 4 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama [Mr. BANKHEAD]?

There was no objection.

Mr. CANNON of Missouri. I yield with pleasure to my distinguished Speaker.

Mr. BANKHEAD. The gentleman from Missouri, as well as all Members of the House, well know what my attitude is upon this question of farm tenancy. I think the gentleman from Missouri will agree to the proposition that in a large sense the Committee on Appropriations, as well as all of the other legislative committees of the House, is the servant of the House in a way. The gentleman agrees to that proposition, does he not?

Mr. CANNON of Missouri. Certainly.

Mr. BANKHEAD. The fact is that with regard to this proposition, it has been a contested issue before the Congress of the United States in three sessions of Congress. It has been declared the will of the Congress of the United States in both branches and approved by the President of the United States that the Farm Tenant Act shall be adopted as a governmental policy.

Does the gentleman feel that the Committee on Appropriations—and I have the highest respect and regard for the chairman of the subcommittee and all the other members of it—has the moral legislative right to repeal the deliberate will of the Congress of the United States on a great, progressive, social question of this sort by refusing to appropriate one farthing to carry out the will of the Congress of the United States? [Applause.]

Mr. CANNON of Missouri. I am very glad our distinguished Speaker asks that question, because the last time this bill was in the House we voted on increasing the appropriation for farm tenancy and voted it down, and I am glad today to again yield to the expressed will of the House on farm-tenancy appropriation. [Applause.]

I will ask my good friend, the Speaker, what he expects to happen to the price of cotton and corn and hogs when the war ends. What does he suggest in that contingency? Let me say, Mr. Chairman, that when this war ends, the situation will be worse than before, because in 1920 we lent the people of Europe \$10,000,000,000.

The prosperity we enjoyed following the war, and the temporary stabilized price of farm products was due to the fact that we were consuming our own money. We lent that money to be spent in the United States.

Mr. Chairman, you can be very certain we are not going to lend them money this time. They will get no money from

the United States. As a result, there will be an immediate collapse of prices that will bring such a terrific reaction as we have never seen before, not even in 1932. I plead with the Committee on Agriculture to at least meet and express some willingness to consider a bill. There are half a dozen measures offered—they can take their choice—but they ought at least to meet and consider a bill. We are waiting on them. The farmer is waiting. The country is waiting. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired; all time has expired.

The question is on the amendment offered by the gentleman from Texas [Mr. JONES].

The question was taken.

Mr. McCORMACK. Mr. Chairman, I demand tellers. We will have to have a teller vote anyway, and we may as well have it now.

Tellers were ordered, and the Chairman appointed as tellers Mr. JONES of Texas and Mr. CANNON of Missouri.

The Committee divided; and the tellers reported that there were—ayes 135, noes 149.

So the amendment was rejected.

The Clerk read as follows:

Total, Farm Tenant Act, \$3,600,000.

Mr. JONES of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES of Texas: On page 81, after line 11, insert a caption and a new paragraph, as follows:

"WATER FACILITIES, ARID AND SEMIARID AREAS

"To enable the Secretary of Agriculture to carry into effect the provisions of the act entitled 'An act to promote conservation in the arid and semiarid areas of the United States by aiding in the development of facilities for water storage and utilization, and for other purposes,' approved August 28, 1937 (16 U. S. C. 590r-590x), including the employment of persons and means in the District of Columbia and elsewhere; printing and binding; the purchase, exchange, operation, and maintenance of passenger-carrying vehicles and rent in the District of Columbia and elsewhere, \$500,000, of which not to exceed \$25,000 may be expended for personal services in the District of Columbia: *Provided*, That not to exceed \$50,000 of this appropriation shall be available for expenditure for any one project designed in whole or in part to benefit lands by the irrigation thereof and all project facilities and appurtenances which depend for their utility in whole or in part upon each other or upon any common facility shall be deemed one project, and the authority contained in said act shall not be deemed to authorize the construction of any project not in accord with this limitation."

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Texas. Mr. Chairman, I first want to thank the House for its extreme patience in listening to the argument on the subject which has just closed. I am persuaded to believe that when the House has had full time to study that question it may change its mind. I know that the Members voted their honest convictions, and that is all I ever ask. I am encouraged by the fact that the subcommittee which went into this thoroughly reported the \$25,000,000 which the House did not see fit to adopt. I understand the Appropriations Committee took up this agricultural bill at 10:30 last Tuesday, just before it was taken up in the House, and only had an hour and a half to give to this bill, which had 1,500 pages of hearings. They have a tremendous number of things to see after, and I feel that if they had had an opportunity to go through more thoroughly the various implications of this subject the action might have been different; but I am not discouraged. I am so thoroughly convinced of the merits of the movement that I have every faith that it will live.

This particular subject is a matter that is of great interest to the dry-land areas. It is to conserve the water supply and to enable individual farmers in those areas to install pumping equipment, ponds, and small reservoirs, and to use the water and conserve it where it falls.

The Budget approved the amount which we have asked for in this amendment. The Department, as I understand, asked for some \$5,000,000, but the Budget saw fit to only allow \$500,000. It is a comparatively new proposition. It is a matter that the whole plains area is very greatly interested in. I cannot think of anything that will do more to further those great areas and the interests of those areas than a proper utilization of the water. In the projects which they have undertaken of individual help they have given the farmers in practically all these instances loans for the purpose of securing the equipment, and it has proven very popular and very successful.

I do not know what the mood of the House will be, but I hope they will see fit to adopt the amendment.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. I yield to my colleague.

Mr. MAHON. I wish to say that I agree with the gentleman. I do not want to take the time of the House, but I know from personal observation that the plan is working successfully, and in view of the fact that the Budget has approved it and the amount is small, I hope the amendment will be adopted.

Mr. JONES of Texas. I understand, too, may I say in this connection, that the subcommittee which studied this matter reported a provision for the \$500,000, but the main committee did not see fit—I am in error on that proposition. My information was not correct and I am sorry. However, the Budget did approve it and it came to the committee.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. I yield to the gentleman.

Mr. STEFAN. I would like to say to the gentleman from Texas that the amount he has in his amendment is not half enough.

Mr. JONES of Texas. I think that is true.

Mr. STEFAN. I want to support the gentleman's amendment and simply tell the membership of the House that the amount the gentleman is asking in his amendment will barely scratch the surface. The farmers in my district could use all of that amount with a great deal of profit.

Mr. JONES of Texas. I thank the gentleman very much and I wish it was more, but I felt we should not ask for more than the Budget had recommended.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. I yield.

Mr. JOHNSON of Oklahoma. Yesterday, during the course of my remarks, the gentleman from Illinois made the statement that this item had been transferred to another agency. Is that the fact?

Mr. JONES of Texas. That is not correct. Another agency has the building of the larger irrigation projects, but this particular thing has not been transferred. It is still authorized and it is still in the Department of Agriculture.

[Here the gavel fell.]

Mr. MURDOCK of Arizona. Mr. Chairman, I am wholeheartedly behind this amendment. I agree with my friend over here who states that it is not enough. I wish we might have the \$5,000,000 instead of the \$500,000 which the Budget has recommended.

Down in the far Southwest, in the State which I represent, we have a great deal of arid country, country which at one time was occupied by a prehistoric people who farmed the land and built up a high type of civilization, but those people have perished. They have been swallowed up by the desert. Modern men through hydraulic engineering have converted those rich alluvial river plains into the most productive acres in America by means of large-scale irrigation. However, many more homes could be established with water facilities.

Some years ago on a Southern Pacific train I made a railroad trip between Phoenix and Yuma, and on that same trip was a young Hebrew who had just returned from the Holy Land. As we looked out the window on that desert country the young man remarked, "This is much like the land my people are trying to reclaim, the land of Abraham."

Then my mind went back to an account in Genesis, where it speaks of Isaac following in the steps of Abraham. It says the servants of Isaac dug a well which had been dug by Abraham and filled up by the enemy. All this was in a land where to dig a well was greater than to found a city. Further on in this account it says, "There they established altars and dug their wells." I want to have you think of the connection between digging a well and establishing homes and altars.

I listened to the debate on the preceding amendment with much solicitude. I am sorry our great leader in agriculture was unable earlier this evening adequately to express himself, choked as he was, not only by limitation of time but by overwhelming emotions. I felt those same emotions. We are dealing with vital matters here. Generations unborn will be affected by what we do.

I want to say to you that down in my country water, water, water is the essential—more essential than land and as essential as air. That land which formerly had a teeming population of prehistorics could, with engineering projects large and small, be made to support a far greater population of our people than those who now occupy it or those who formerly occupied it.

In this same connection, may I say that when I was home at Christmas I talked with a young Negro, a former student of mine.

He said, "There is a group of our colored folks down there on the desert. We have some good land, rich as the valley of the Nile, but we have no water. If you can manage through some act of the Government to get us water, 25 or 30 families who have been on relief will become self-supporting."

At the same time, about Christmas, three pioneer white men came from northern Arizona, and they said, "Our wells are dried up. If we had \$25,000 we could salvage a community. We could reestablish ourselves on land which the Mormon settlers conquered from the wilderness back in 1876." I know of several such places where these industrious, frugal tillers of the earth and lovers of the soil could reestablish themselves through just such aid as this amendment would give them. I urge its adoption.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Texas [Mr. GOSSETT] is recognized.

Mr. GOSSETT. Mr. Chairman, the land-utilization program carried on by the Soil Conservation Service operates under title III of the Bankhead-Jones Farm Tenant Act. Its object as expressed in the language of the act is "to develop a program of land conservation and land utilization, including the retirement of lands which are submarginal or not primarily suitable for cultivation, in order, thereby, to correct maladjustments in land use, and thus assist in controlling soil erosion, protecting the watersheds of navigable streams, and protecting the public lands, health, safety, and welfare." Under this program a total of 48 projects have been established in all parts of the United States. During the past fiscal year 29 new projects were set up. To date, approximately 1,700,000 acres of submarginal land has been purchased at the average cost of \$3.88 per acre.

I am sure that the worth and workings of this program can be no better illustrated than a few facts concerning the Cross Timbers land-utilization project in my own district, with which I am familiar. This project was established in Wise County in 1938. It was designed to prevent floods, stop erosion, and rehabilitate thousands of acres of destroyed land in the upper Trinity watershed known as the Cross Timbers, covering parts of Wise, Montague, Parker, Jack, and Tarrant Counties, Tex.

Wise was once one of the most fertile and prosperous counties of Texas. Since 1900 she has lost 41 percent of her population, 59 percent of her farmers. Since 1909 she has lost 57 percent of her cultivated acreage. The value of her crops in 1919 was 286 percent greater than in 1929, her factory wages 232 percent greater. Since 1910 more than 1,200 farms have been abandoned in this county, and cotton production has fallen from a normal yield 25,000 bales to a normal yield of 7,000 bales. Trained and competent men advise that

through the soil-conservation and land-utilization program planned and now under way in this area this county can be largely restored to its original fertility with little ultimate expense to the Government. The annual flood loss on three small creeks in this area amounts to \$195,000, while flood damage in the Trinity watershed, substantially contributed to by the unimpeded flow from the Cross Timbers belt, amounts to approximately \$2,300,000 annually.

The above-mentioned losses are by no means the whole of the evil wrought by unbridled erosion in the above-mentioned Cross Timbers. The cities of Fort Worth and Dallas are not in my district, but I can speak for more than a half million people living in these two metropolitan areas in saying that they are going to be seriously injured by the curtailment of the soil-conservation and land-utilization programs in the Trinity watershed, and especially by the almost total elimination of the Cross Timbers project which will result from the drastic reduction proposed in the land-utilization appropriation of this bill.

Dallas and Fort Worth have many millions of dollars invested in a number of lakes from which they obtain their water supply. Fort Worth officials advise that 70 percent of the silt entering the Trinity River comes from the eroded land in the Cross Timbers area, and that their lakes are being filled by erosion that would be largely stopped with the completion of the Government's soil-conservation and land-utilization program.

What, you ask, have we been spending on this land-utilization program? Upon inquiry I find that the Soil Conservation Service requested of the departmental committee as a minimum to properly carry on this work the sum of \$13,491,675. The departmental committee requested of the Bureau of the Budget as a minimum sum to properly carry on this land-utilization work the sum of \$10,100,719. The Bureau of the Budget reduced this amount to the sum of \$1,102,500, and the amount recommended in this bill by the Appropriations Committee is the sum of \$2,100,000.

The direct appropriation for the current fiscal year was the sum \$4,978,330. To this amount, however, there was added the sum of \$2,445,000, which amount was available because of a reapportionment of an unexpended balance of the 1939 appropriation. This makes a total of \$7,423,330 available for the current fiscal year to carry on the land-utilization program. This sum will be fully expended with the expiration of the current year, and the projects now under way will be only partially completed. The amount suggested in this bill is, roughly, 15 percent of the sum thought necessary by the Soil Conservation officials to carry on this work. The bill would appropriate less than 29 percent of the amount of money wisely expended on this great program in the current fiscal year.

In most of these projects scattered farms have been purchased, with options taken on other farms. The acceptance of these options is necessary to the completion of these projects. The acceptance of these options and the completion of these projects is a moral obligation of the Government. It is the duty of this Congress to appropriate at least enough money to keep the skeleton work going. To this end, Mr. Chairman, I suggest an increase in the land-utilization appropriation from \$2,100,000 to the sum of \$5,000,000, which would still be less than 50 percent of the amount which the Department of Agriculture says is necessary to carry on the program already begun without any expansions or enlargements. This sum is necessary to prevent gross waste and loss in the money already invested in these undertakings.

How does this project operate, you ask? It buys worn-out and destroyed farms, many of which have been abandoned. Such land is retired from cultivation, the gullies and ravines are filled up, erosion is stopped, and the land is subjected to soil-conserving and soil-rebuilding practices that in time will restore its fertility and usefulness. Its value will be increased many fold and eventually the Government will in all probability get its money back, while at the same time vastly contributing to the total national wealth and well-being in this discharge of its duty to its citizens.

To date some 12,000 acres of land have been purchased in the Cross Timbers project. By June 1 it is estimated that 17,000 acres will have been purchased. For the current fiscal year this project has received \$65,264. To do a complete job in this area will require the eventual purchase of 175,000 acres of land. At present there is only a crazy quilt of scattered farms purchased by the Cross Timbers project. If the amount of this appropriation is not substantially increased, this work will have to stop. Each session this Congress has been appropriating \$40,000,000 and \$50,000,000 and similar large amounts to build additional dams on rivers in the Tennessee Valley because, we are told, it is necessary to complete the whole program there and to finish the job, so to speak. Now we ask for only \$5,000,000 to continue 48 vital land-utilization projects in all parts of the Union. To sacrifice these projects at this time is like leaving a house half completed. Architects' plans have been accepted. Carpenters have begun their work, the foundation is laid. Some of the material is on the ground. Now, will we sacrifice plans, material, and training in the completion of these authorized projects which we have already begun?

A paint advertiser made famous the slogan "Save the surface and you save all." This might well be the slogan of the Soil Conservation Service, whose work should have been started a hundred years ago.

It is the duty of government to perform for its citizens those useful and necessary services which they cannot perform for themselves. No private individual or association can possibly do this work. It can only be done by the Government. This money is not a loan, a gift, or a subsidy. It is an investment. To conserve and rebuild the soil is not only our right, it is also our duty to ourselves and to our posterity.

In the name of real conservation, of sound economy, and of good judgment, let us increase this appropriation to at least 50 percent of the amount requested by the Department of Agriculture. [Applause.]

THE CHAIRMAN. The gentleman from Montana [Mr. O'CONNOR] is recognized.

Mr. O'CONNOR. Mr. Chairman, I am going to speak to my good friends on the Republican side of the House, because it is to those Members I want to talk. We hear a lot about economy on that side of the aisle, particularly where agriculture is concerned. I do not have to tell you that the future of this country depends upon people owning their own homes. The home is really the foundation of our Government and of our civilization. I want to say that the amount which the gentleman from Texas [Mr. JONES] has asked for could be used in any one county in the district that I come from, and establish homes for a lot of people who are today on relief that the Federal Government is putting up the money to furnish with jobs.

We have the water. We have the land. The water comes out of the mountains, down through the little streams, trickling down, down the sides of the mountains to the larger streams, and then finds its way to the big rivers, and from there into the Gulf of Mexico, doing flood damages as they go along, and doing no one any good. Those waters may be impounded by the construction of small and inexpensive dams, and when you impound those waters, then you create a place where a man can make a home and raise a family, educate his children, and become a part of civilization.

The great trouble in this country today is that we are not paying sufficient attention to such matters as this. We better look toward establishing homes for the American people. Otherwise, the time may come when there will not be such a thing as private ownership of land.

I hope that this amendment will be agreed to. I know my Republican friends are economy-minded. I know you are sincere about it; but do not take it out of the hides of the farmers and the needy. We are going too far when we do this.

Mr. HAWKS. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. HAWKS. Would it not be proper for this particular item to go through the committee on which the gentleman from Montana and I serve?

Mr. O'CONNOR. We would like to have it from that committee, but let us not take any chance. Let us vote it in here. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Kansas [Mr. HOPE] is recognized.

Mr. HOPE. Mr. Chairman, this amendment directly concerns the States in the Great Plains and mountain regions, but indirectly, at least, it concerns everyone, because the problem it seeks to solve is a national problem. You know the Dust Bowl and the condition that has prevailed in some of the Great Plains States for a number of years. This is a sound, economic attempt to solve that problem by enabling people who live in those areas and who will continue to live there to utilize the water resources which are there. This is not anything in the way of a subsidy. These are loans. Most of them will be repaid, and they will enable those people who have heroically lived through 8 or 9 years of adverse weather conditions to utilize the natural advantages which the country has and to engage in the type of farming which will enable them to hold the soil and to make a living and to cultivate that soil.

I understand, in talking with members of the committee, that there was not any idea on the part of the committee that this was not a proper solution of the problem or that the work was not worth while or that the money was not being well expended, but that they had in mind that possibly it should be handled through the Reclamation Service. In that I disagree. This is not work along the line that the Reclamation Service has been doing. It is being done very well by the Department of Agriculture on individual projects. It is work that has never been handled by the Bureau of Reclamation, and which cannot be done by that Bureau if it follows the policy it has followed in the past.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield.

Mr. CASE of South Dakota. I would like to ask the gentleman, is not the average size of these loans five or six hundred dollars?

Mr. HOPE. That is my understanding. That is true in Kansas, I know. They are individual loans, not of the type carried on by the Reclamation Service.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Oklahoma [Mr. FERGUSON] is recognized.

Mr. FERGUSON. Mr. Chairman, this program is functioning in 21 States, starting with the Great Plains and including the Rocky Mountains. Last year 580 projects were installed, involving 887 families, and placing under irrigation 18,000 acres. This \$500,000 will permit the installation of small irrigation projects that will take care of 1,000 families. These are small well and pond developments that certainly are not within the realm of the Reclamation Bureau, which constructs only large structures after thorough and careful investigation. It takes care of only the family unit.

If you want to take care of the economic life of the thousands of families in the entire West you can do it with this small \$500,000 appropriation.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri.

Mr. CANNON of Missouri. Mr. Chairman, the time allotted to the Committee will be consumed by the gentleman from Illinois [Mr. DIRKSEN].

The CHAIRMAN. The gentleman from Illinois [Mr. DIRKSEN] is recognized for 5 minutes.

Mr. DIRKSEN. Mr. Chairman, I hope the amendment will not be adopted for some very good and persuasive reasons.

This function was authorized by law in 1937 and it was expected that it would get along with a modest amount. Now, let us see exactly what happened. In addition to the regular appropriation for this function, they received \$1,100,000 in relief funds in 1939, and they received over \$3,000,000

in relief funds in 1940. So a new function is like a snowball moving downhill—as it gathers momentum, it gets larger.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I cannot yield.

Mr. JONES of Texas. I question the gentleman's statement there. They were not relief funds.

Mr. DIRKSEN. Emergency funds, let us call them.

Mr. JONES of Texas. That is quite different. If it had been intended to take it out of relief funds as a relief measure, it would have been in the relief bill.

Mr. DIRKSEN. It is substantially the same thing so far as appropriations are concerned. They were emergency funds. They got an extra million in 1939 and an extra \$5,000,000 in 1940.

Mr. FERGUSON. The total amount in 1939 was only \$1,000,000.

Mr. DIRKSEN. It has been the opinion of the committee that if this function is to be continued it should be consolidated with the Reclamation Service. They say to us it handles only larger projects. There is not anything to prevent them from handling this type of project, and since they are out in the Great Plains and Rock Mountain area, where the Reclamation Bureau is functioning, where it is equipped with engineers and trained personnel—and the same applies to the Southwest and the work in the field of irrigation and water facilities, an organization which is best performing this function with efficiency—if we would let this item go over into the Reclamation Service that represents the best judgment of the committee after taking testimony on it.

It represents their best judgment in feeling that it can be properly coordinated in the Department of the Interior; and since it subserves the interest of efficiency of government it should be transferred to an agency already equipped with engineers. I deem it, therefore, in the best interest of all concerned to let this go over. I hope, therefore, that the Committee will not adopt the pending amendment.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. HOPE. Is it not true that the only authority under law by which this work can be done lodges the administration in the Department of Agriculture? And if you put it under the Bureau of Reclamation will it not take additional substantive legislation?

Mr. DIRKSEN. There will be very little difficulty in getting it into the Reclamation Service. I believe it will not be worth bothering about.

Mr. HAWKS. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. HAWKS. Is not this particular item better placed under Reclamation than it is in the Department of Agriculture?

Mr. DIRKSEN. Yes; that is the feeling of the committee.

Mr. HOPE. Mr. Chairman, will the gentleman yield further there?

Mr. DIRKSEN. I yield.

Mr. HOPE. Does not this fall in line with efforts to control water loss by the building of ponds and such things that do not come under the Reclamation Service?

Mr. DIRKSEN. This is but one phase of the whole subject of geology with which the Reclamation Service is dealing today.

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Illinois has expired; all time on this amendment has expired.

The question is on the amendment offered by the gentleman from Texas [Mr. JONES].

The question was taken; and on a division (demanded by Mr. THOMAS F. FORD and Mr. STEFAN) there were—ayes 87, noes 121.

So the amendment was rejected.

The Clerk read as follows:

To enable the Secretary of Agriculture to carry into effect the provisions of the Cooperative Farm Forestry Act, approved May 18, 1937 (16 U. S. C. 568b) (not to exceed \$300,000), and the provisions of sections 4 (not to exceed \$100,000) and 5 (not to exceed

\$77,898) of the act entitled "An act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor," approved June 7, 1924 (16 U. S. C. 567-568), and acts supplementary thereto, including the employment of persons and means in the District of Columbia and elsewhere; printing and binding; not to exceed \$7,700 for the purchase of passenger-carrying vehicles; the purchase of reference books and technical journals; not to exceed \$30,000 for the construction or purchase of necessary buildings, and other improvements; in all, not to exceed \$400,000: *Provided*, That no part of this appropriation shall be expended in any State or Territory unless the State or Territory, or local subdivision thereof, or individuals, or associations contribute a sum equal to that to be allotted by the Government or make contributions other than money deemed by the Secretary of Agriculture to be the value equivalent thereof: *Provided further*, That in carrying into effect the provisions of the Cooperative Farm Forestry Act, no part of this appropriation shall be used to establish new nurseries or to acquire land for the establishment of such new nurseries.

Mr. H. CARL ANDERSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not believe I need apologize for taking these 5 minutes as it is the first time I have spoken on this appropriation bill. I feel that a man who comes directly from the farm to the House of Representatives has at least the right to the floor for that length of time when considering the agricultural appropriation bill. So I am requesting this of you and ask you to listen to me as I have listened courteously to each and every Member who has spoken for the last 4 days. I want to bring out only one thing in these few minutes—a matter of great consequence to the millions of farmers who today receive less than cost of production for their commodities.

In the 4-day discussion of this bill I feel we have not paid any attention whatsoever to what in my opinion is the most important part of the bill, and that is the appropriation for parity, which is conspicuous by its absence.

Mr. FERGUSON. Mr. Chairman, will the gentleman yield?

Mr. H. CARL ANDERSEN. If I can secure time when I have finished my remarks I shall be pleased to yield. I regret, Mr. Chairman, I must be forced to decline to yield to the very good friend of the farmer the gentleman from Oklahoma.

It seems strange to me, Mr. Chairman, as I stand here giving the attitude of a farmer who for years himself worried as to whether or not he could get enough out of what he was trying to produce from the farm to break even—it seems to me very strange, I repeat, to realize that the Secretary of Agriculture, Mr. Wallace, has not demanded that the \$200,000,000 for parity payments be included in this measure. Surely, the Secretary knows that the failure of such an appropriation means taking out of the pockets of 4,000,000 farmers the sum of \$50 each on an average.

Fifty dollars may not seem like much to you Members here today. To me it means, however, that every farmer in my district, the Seventh of Minnesota, can use this much needed, justly needed payment to pay his personal-property tax which comes due this month. The farmer eventually pays the bulk of the taxes in our country, either direct or indirect.

Surely this Congress remembers that it promised the farmers of America parity payments to bring up to three-quarters of parity the price of corn, wheat, cotton, tobacco, and rice. Shall we redeem that promise or will this great body turn its back on our farmers and say to them, "No; we can spend \$2,000,000,000 for national defense this year, but 10 percent of that money is too much to give to you for producing food for the Nation at a loss?"

It also seems to me very strange, Mr. Chairman, that the President of the United States in the first place has refused to even put into the Budget this all-important \$200,000,000 for parity, for justice to agriculture. In other words, I consider that when that Budget was written, then the cut was made—hundreds of millions were slashed right there—and as if that were not sufficient, the Appropriations Committee comes in and further knocks down the appropriation for the one basic industry of America. I know economy is necessary, but it does appear unjust that each year when the agricultural appropriation bill comes before the House for consideration a great cry for economy rises from the Chamber.

The newspapers of the cities harp about the great expenditures for the farmer, forgetting that 31 percent of the people in America live on farms and certainly should receive from the Government as much consideration as any other department. There is not a farmer in Minnesota who is not willing to take whatever cut is necessary to balance the Budget. The average farmer is fair. The farmers of America do not object to taking their just proportion of such a reduction in order to give our National Treasury an opportunity to break even. No farmer wants a continuation of this huge piling up of our national debt. But here you are asking us to take at least a 30-percent cut or more and the huge appropriation bills for the Independent Offices, the Treasury, and Post Office Departments slide through this House with less than a 10-percent deduction, and no cry at all from the city dailies for economy. I do not call that justice and that is what I am personally objecting to, my fellow Members. I am perfectly willing to take a cut of 30 or 40 percent for agriculture if you will do the same thing all the way down the line in the other appropriation bills. Every farmer would agree to this. [Applause.]

It is not a subsidy that agriculture is asking in these parity payments. It is simply justice. I feel that we are entitled to them, and consequently I have upon the Clerk's desk right now a motion to recommit this bill. In that motion to recommit, I demand of the House that this appropriation bill be sent back to committee with instructions to insert in the bill two hundred millions for parity payments.

Seeing the rather surprising attitude of the Members here today that parity should be forgotten for the present and to depend on the Senate to include that provision. Noticing this short-sighted trend, I have cast about for a method of forcing a roll call today on this issue.

I know now that my motion to recommit will not be given consideration by the House as the parliamentary situation gives the Appropriations Committee priority in offering such a motion, and only one such motion is permissible.

This motion to recommit and include parity in the bill will never reach the floor; I realize that, and consequently I am addressing these few remarks to you. However, I want to tell you that, inasmuch as the New Deal has seen fit to give away the American market to foreigners, if you please, through so-called trade agreements, that we, the farmers, are not asking for anything but justice when we request parity payments. [Applause.]

I feel that if we could get down to business in this House and in the Congress and put a 3-percent interest rate on all farm mortgages we would be doing something for the farmers. I feel if we would take off of their necks these feed and seed loans that have been clamped there for years, way back from the time of dire distress in the drought year of 1934, we should accomplish much good.

If there is anything detestible, in my opinion, it is to see our Government—yours and mine—making life miserable for thousands of farmers who are trying to do their best to stay off of W. P. A. Why in God's name should one department of our Government try to rehabilitate farmers through farm-tenancy loans and another department make thousands of new tenants and renters each year by applying the technique of a Shylock in their collection methods? Surely our paid servants could remember that a little leniency here and there would be preferable to squeezing this poor farmer and that poor renter for feed loans that should have been considered relief long ago. I intend to request of this House at an early date at least partial cancelation of these old feed and seed loans. In conclusion, fellow Members, since the farmer of America is feeding this country and not even receiving day wages for it, I do not think we are asking for anything but justice for the farmers of America in demanding this parity appropriation. Surely this House should be big enough to take up the issue right today instead of waiting to see what the Senate is going to do as far as parity is concerned. [Applause.]

[Here the gavel fell.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

Salaries and expenses: For administrative expenses and expenses of studies, investigations, publications, and reports, including the salary of the Administrator, Rural Electrification Administration, and other personal services in the District of Columbia and elsewhere; rentals, including buildings and parts of buildings and garages, in the District of Columbia and elsewhere; purchase and exchange of books, law books, books of reference, directories, and periodicals; not to exceed \$200 for newspapers and press clippings; financial and credit reports; and all other expenses necessary to administer said act, \$3,075,000, of which amount not to exceed \$1,350 shall be available for the purchase of motor-propelled passenger-carrying vehicles necessary in the conduct of work in the District of Columbia and elsewhere: *Provided*, That no part of this appropriation shall be used to pay the salary of any person who received as many as three steps of administrative within-grade promotion in all positions occupied by such person during the fiscal year 1939, at a rate of pay in excess of the salary resulting from the first two steps of such promotion; but this proviso shall not preclude the payment of the minimum salary of the grade to any person transferred, under standard regulations, to such grade: *Provided further*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not be construed to apply to any purchase or service rendered for the Rural Electrification Administration when the aggregate amount involved does not exceed \$100: *Provided further*, That the Secretary of Agriculture may make allotments from this appropriation, subject to the approval of the Director of the Bureau of the Budget, to the offices and divisions of the Office of the Secretary for the performance of departmental services for the Rural Electrification Administration.

Mr. COLLINS. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. COLLINS: Strike out on page 83 the proviso beginning in line 10 and ending at the end of line 17.

Mr. COLLINS. Mr. Chairman, this is another of the several amendments proposed by the gentleman from Illinois [Mr. DIRKSEN] and adopted by the full Committee on Appropriations. This amendment does two things. It denies salaries during the fiscal year 1941 to all persons in the Rural Electrification Agency who have had more than three promotions during or since 1939 and, second, it eliminates \$25,000 from the appropriation in order to take care of these reductions in salaries. It is an effort to strike indirectly at rural electrification by denying salary increases to the worthy employees of that organization that has done so much to promote the electrification of the farms of this country.

The direct effect of the amendment is to take away an average of \$125 each from 96 unclassified employees of the R. E. A. and 112 classified employees. I would be in favor of the amendment if the salaries of Rural Electrification employees were larger on the average than the salaries of other comparable organizations in the Government. There are five other comparable lending organizations—the Reconstruction Finance Corporation, Farm Credit Administration, Farm Security Administration, the Securities and Exchange Commission, and Federal Power Commission—all employing high-type attorneys, engineers, and experts, as does R. E. A. Looking at the salary averages of these five agencies as submitted in the President's Budget, we find that the Rural Electrification Administration employees receive an average wage of \$2,342, the employees of the Federal Power Commission an average of \$2,655, Securities and Exchange Commission, \$2,635; Farm Security Administration, \$2,710; Farm Credit Administration, \$2,585, and Reconstruction Finance Corporation, \$2,693.

The Rural Electrification employees, even with the increases which the gentleman from Illinois is trying to take away from them are receiving an average of more than \$300 per year less in salaries than the employees of the other five comparable organizations doing the same types of work.

Furthermore, Mr. Chairman, this organization has lent about \$315,000,000, and the total administrative expenses are less than 1 percent.

I submit this is a record of achievement that we should be proud of, and I know they are. We ought not to do something to strike at the fine work they are doing. And certainly the destruction of these people's morale is just the beginning of an effort to strike directly at R. E. A.

The first appropriations of consequence for rural electrification were provided for the fiscal year 1937 and amounted to \$50,000,000. In 1938 \$30,000,000 was appropriated; in 1939 \$140,000,000; and in 1940 \$40,000,000. The present bill for 1941 carries \$40,000,000. It will be noted that appropriations for the fiscal year 1939 for rural electrification provided an increase of approximately 360 percent over the amount available for 1938. At the same time the increase in the appropriation for administrative expenses to take care of this increased program was only approximately 50 percent. In order to administer effectively a 360 percent increase in the loan program with 50 percent increase in administrative expenses, a heavily increased responsibility was imposed upon most persons in the organization and particularly upon those in the technical and nonclassified positions. As a matter of sound administrative policy this increased responsibility was imposed as far as possible upon persons already employed who were familiar with the work, rather than upon new personnel. The relatively small sum expended in salary increases of more than two steps could have been utilized in the employment of additional persons but it seemed a better policy to impose the increased responsibilities upon the existing staff with a resulting financial recognition.

I submit that the efforts of the gentleman from Illinois and his Republican colleagues are imposing an unusual hardship upon the 198 persons whose salaries they are seeking to reduce by an average of \$125 per year. Especially is this true when it is apparent that the average salaries of these employees are approximately \$300 per year less than the average salaries of other Federal agencies employing the same types of personnel.

I submit therefore that the amendment should be defeated.

Mr. DIRKSEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, if, as my ingenious and solicitous friend from Mississippi indicates, I were anxious to cripple rural electrification, I would move to reduce the \$40,000,000 in loans or make a point of order against the way they are getting their money from the Reconstruction Finance Corporation in this bill; but that was not my desire in offering this amendment relative to promotions, which was adopted in the committee by a vote of 25 to 9. I approve of the R. E. A., but I want to see it proceed in a proper and orderly fashion.

If the gentleman from Mississippi wanted to make a comparison, why not compare the Rural Electrification Administration with the other agencies in the Department of Agriculture? Out of the 13 agencies, its salary sufficiency is the highest. For another comparison, it is the third in 32 agencies of the Government, and it is the youngest agency.

The reason for the amendment, however, is this: They have flagrantly abused the privilege of promotion—73 percent of the R. E. A. employees received promotions. How many in the Department of Agriculture over all? Only 25 percent. Sixty-one percent received two-step promotions; in the whole Department, only 10 percent. Thirty-five percent received three-step promotions; in the whole Department, only 1.7 percent.

I would not have kicked about that, but sometimes you develop a long memory. Last year I served downstairs in the independent offices hearings when rural electrification was in that bill. Mr. Craig came before us. He was the Assistant Administrator at that time. I remember that he did not have any money for administrative promotions. When they came upstairs before the Department of Agriculture subcommittee this year I said to Mr. Craig, and it is so recorded on page 1133:

There was no provision made in 1939 and no provision made in 1940 for administrative promotions?

Mr. Craig said:

That is right.

If as stated, no funds for promotions were available in 1939 and 1940, does not the very fact of promotions constitute a breach of faith?

Where did they get the money? Where did they get the money for five-step promotions, for six-step promotions, for

scores of four-step and three-step promotions? It is a scandal and a shame. That is the reason that amendment is in there. You have to discipline some of these governmental departments, and this is a good place to start. [Applause.]

They have been calling me on the telephone anonymously, offering to come up and give me the dirt as to what is going on. They do not have to give it to me. I made them insert in the record the names of everybody who got a six-step promotion. I made them admit that when the President fabricated the reorganization plan which was effective about the 9th of May they piled on promotion after promotion from the 9th of May to the 1st of July, to beat the salary freeze and to violate the law. Do not be misled by the red herring drawn across the trail by my friend from Mississippi. There are 947,000 people on the pay roll, and if we do not start disciplining them, if we do not start assuming congressional control over salaries and flagrant abuses, they are going to eat up and destroy this Government. So I ask you to vote down the amendment that is on the desk at the present time.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Missouri.

Mr. SHORT. Has not the same thing occurred under Social Security, that illegal promotions have been made?

Mr. DIRKSEN. It has gotten pretty rank in Government, and this is the first step. I have spent days and days gathering this material. I have had a great time. It has taken all sorts of calls to get the information I wanted.

I have here a letter from the Assistant Administrator in which he said that he verifies the data I am giving to you and that was in the record. You cannot laugh that off, so vote the amendment down. [Applause.]

To document this whole matter fully, so that there can be no question about it, let me submit the following data:

The following table is consolidated from the data which appears in the hearings and shows number of promotions, number of steps of promotion, ratings of those promoted, and the total number of employees in Rural Electrification Administration.

This table shows both civil-service and non-civil-service personnel and consolidates the promotions for the fiscal year 1939.

Number of steps promoted within grade during fiscal year 1939	Number of employees					Total number of employees	Total number steps of promotion granted
	Efficiency rating groups						
	Excel- lent	Very good	Good ¹	Be- low good	Not sub- ject ¹		
Group I (1- and 2-step promo- tions):							
1 step.....	39	53	14	-----	110	216	216
2 steps.....	55	58	12	-----	19	144	288
Total, group I.....	94	111	26	-----	129	360	504
Group II (3- to 6-step promo- tions):							
3 steps.....	41	27	5	-----	33	106	318
4 steps.....	15	14	3	-----	3	35	140
5 steps.....	9	9	-----	-----	24	42	210
6 steps.....	6	4	1	-----	3	14	84
Total, group II.....	71	54	9	-----	63	197	752
Total, groups I and II.....	165	165	25	-----	192	557	1,256
Not promoted.....	3	4	4	47	149	207	-----
Grand total.....	168	169	39	47	341	764	1,256

¹ "Below good" includes ratings of "fair" and "unsatisfactory."

² "Not subject" includes employees in grades above CAF-12 and P-5 and those not in service when ratings were made.

PROMOTIONS PENDING RECLASSIFICATION

There were 43 promotions "pending anticipated reclassification" reported by R. E. A. among the class receiving 3 or more steps of promotion.

This means that as soon as a position is submitted to the Civil Service Commission with a request for reclassification, which, of course, may or may not be approved by the Civil Service Commission, the R. E. A. gives the action immediate effect with respect to increase of compensation by a promotion of one or more steps within the grade. Then, if the Civil Service Commission denies the reallocation, the employee already has the increase of pay as a result of the within-grade promotion, which, after all, is the primary objective.

In the absence of any statement to the contrary on the part of R. E. A., it is to be presumed that where a request for reallocation is denied by the Civil Service Commission, the R. E. A. did not vacate its promotion action in such case, although the anticipated reallocation was the only ground assigned for such promotion.

This type of promotion certainly was not contemplated by Congress when it passed the Classification Act. Promotions were to be based upon the employee's efficiency rating and were to have no relation whatever to any action to reallocate the position to a higher grade.

The following tabulation shows promotions in Rural Electrification Administration as compared with other bureaus in the Department of Agriculture and is derived from data furnished by the Director of Personnel for the Department of Agriculture. These figures cover the fiscal year 1939:

Percentage of personnel promoted:	
Rural Electrification Administration.....	73
All other bureaus combined.....	25
Average number of steps to each employee promoted:	
Rural Electrification Administration.....	2.25
All other bureaus combined.....	1.13
Percentage of promotions of 2 or more steps:	
Rural Electrification Administration.....	61
All other bureaus combined.....	10
Percentage of promotions of 3 or more steps:	
Rural Electrification Administration.....	35
All other bureaus combined.....	1.7

FACTS RELATING TO RURAL ELECTRIFICATION ADMINISTRATION ONLY

Average amount in money of a 1-step promotion.....	\$71.14
Total number of steps of promotion in Rural Electrification Administration in 1939.....	1,256
Amount by which Rural Electrification Administration 1939 promotions increased annual salary load.....	\$89,350
Amount of savings if none had received more than 1 step.....	\$49,725
Amount of savings if those receiving more than 2 steps had been given only 2 steps.....	\$25,468

PROMOTIONS IN R. E. A. TO BEAT THE "PAY FREEZE"

The Reorganization Act contains a provision the effect of which is to prevent any administrative promotions or change in classification of personnel during the present fiscal year in agencies transferred under either of the two reorganization plans.

On May 9, 1939, reorganization plan No. II, under which R. E. A. was transferred to the Department of Agriculture, was sent to Congress. From that date the R. E. A. had knowledge that, beginning July 1, no administrative promotions could be put into effect for an entire year. It is interesting to note what the R. E. A. did in the premises.

The following statement shows promotions for the year before May 9, a period of more than 10 months, and those from May 9 to the end of the year, a period of less than 2 months:

	Promotions made—	
	Before May 9	May 9 and after
Civil-service personnel.....	298	179
Non-civil-service personnel.....	100	123
Total.....	398	302

The above speaks for itself.

Presumably conscience-stricken by its own record, the R. E. A. supplied a statement, which had not been requested, in justification of the promotions made after the submission

of the reorganization plan, revealed that they were approaching a year of famine with respect to promotions. Being already gorged from 398 promotion actions earlier in the year, many of them of 3-, 4-, and 5-step measure, R. E. A. instituted, from May 9 to the 1st of July following, an additional 302 promotion actions, of which there were 44 two-step promotions, 45 three-step promotions, 5 four-step promotions, and 4 six-step promotions.

The following justification for these wholesale promotions in the face of the impending pay freeze was gratuitously supplied by the R. E. A.:

These promotions were made in accordance with administrative decisions fairly early in the fiscal year to make such promotions as soon as budgetary savings would be revealed toward the close of the year. They were made during the month of May in accordance with such policy adopted earlier because budgetary savings were not revealed until that month.

Apparently promotions in R. E. A. are not confined to those financed from ordinary lapses in salary funds, which occur with a degree of regularity throughout the year, but include large numbers which are financed from budgetary savings of a different character.

Now, the Appropriations Committee has been told by Budget Bureau and departmental representatives that promotions were being financed from savings in the funds set up for personal services by reason of lapses therein of the following character, known as turn-over lapses:

First. Lapse of time between the vacating of a position and the filling of the vacancy.

Second. Savings resulting from filling vacancy at the entrance salary where the outgoing employee had been receiving a salary one or more steps above the entrance salary.

Third. Savings resulting from reorganization of the personnel set-up of a bureau or unit, there being no change in the function, as a result of which some positions are abolished, with a net reduction in obligation for salaries.

There is a more or less even flow throughout the year of events of the kind above noted from which increases in pay can be granted to various individuals without any increased cost to the appropriation.

Lapses which are not legitimate to use for promotions are:

First. Those due to part-year employment where the appropriation provides money for additional personnel and the bureau is not able to fill the positions until sometime after the beginning of the fiscal year.

Second. Lapses accruing on account of leave without pay.

It is patent that R. E. A. could not have financed its 1939 program of promotions from turn-over lapses alone. Indeed, the Bureau of the Budget estimates that lapses of every kind will not ordinarily exceed 3 percent of the annual salary base; and applying this maximum percentage to the 1939 salary base of \$1,578,149, as shown in the current Budget for R. E. A., we have somewhat less than \$50,000, whereas R. E. A. promotions during 1939 amounted to approximately \$100,000.

It is evident that the R. E. A. 1939 promotion program, in addition to being far out of line with promotions in general throughout the Government service, were financed by means which, if within the law, are not within sound policy nor within the tenets of good faith with Congress.

The following table indicates that of 32 governmental agencies R. E. A. rates third in sufficiency of available appropriations to bring below-average salaries to the average of grades as of June 30, 1939:

Percentage of sufficiency

Department or agency:	
1. Post Office Department.....	97.75
2. Executive Office (White House, Budget Bureau, etc.).....	97.19
3. Rural Electrification Administration.....	96.32
4. United States Maritime Commission.....	95.85
5. Federal Trade Commission.....	95.74
6. Securities and Exchange Commission.....	95.32
7. National Advisory Committee for Aeronautics.....	95.03
8. Bureau of Mines.....	94.97
9. Federal Loan Agency.....	94.94
10. Federal Works Agency.....	94.70
11. Department of State.....	94.65

Department or agency—Continued.

12. Department of Justice.....	94.35
13. Geological Survey.....	94.03
14. National Labor Relations Board.....	93.92
15. Federal Power Commission.....	93.83
16. Department of Commerce.....	93.65
17. Treasury Department.....	93.53
18. Government as a whole (executive branch).....	93.45
19. War Department.....	93.40
20. Veterans' Administration.....	93.35
21. Department of Agriculture.....	93.14
22. Department of the Interior.....	93.13
23. Navy Department.....	92.91
24. Federal Communications Commission.....	92.34
25. Social Security Board.....	92.18
26. Department of Labor.....	92.09
27. Railroad Retirement Board.....	91.92
28. General Accounting Office.....	91.72
29. Employees' Compensation Commission.....	91.68
30. Federal Security Agency.....	91.46
31. Civil Aeronautics Authority.....	91.31
32. Civil Service Commission.....	91.26

The following table indicates that out of 13 bureaus in the Department of Agriculture, R. E. A. stands first in percentage of sufficiency of available appropriations to bring below-average salaries to the average of the grade as of June 30, 1939. These computations were made from data supplied to the Committee on Appropriations by the Bureau of the Budget:

Percentage of sufficiency

Bureau:	
1. Rural Electrification Administration.....	96.32
2. Plant Industry.....	96.00
3. Entomology and Plant Quarantine.....	94.99
4. Food and Drug Administration.....	94.86
5. Agricultural Marketing Service.....	94.75
6. Animal Industry.....	93.74
7. Forest Service.....	93.52
8. Department of Agriculture (as a whole).....	93.14
9. Agricultural Adjustment Administration.....	92.17
10. Weather.....	91.75
11. Soil Conservation Service.....	91.02
12. Land Utilization and Purchase of Submarginal Land.....	90.83
13. Federal Crop Insurance.....	90.83

The following language is quoted from page 1133 of the hearings on the Agriculture Department appropriation bill for 1941:

Mr. DIRKSEN. If I remember, Mr. Craig, when you were before the subcommittee downstairs last year there were no administrative promotions for 1940.

Mr. CRAIG. 1939.

Mr. DIRKSEN. There was no provision made in 1939 and no provision made in 1940.

Mr. CRAIG. That is right.

The following table is in the nature of a report on the changes in status of non-civil-service employees—not subject to the Classification Act—in the departmental service:

FOR FISCAL YEAR ENDING JUNE 30, 1939

[NOTE.—Promotions shown were given because the duties and responsibilities were deemed to have so increased in importance that reallocations would have been proposed, rather than administrative promotions, had the positions been subject to the Classification Act. The promotions shown represent the equivalent in salary increase which would have resulted from such reallocation.]

Number of steps promoted	Number of employees	Efficiency ratings (given May 15, 1938)				
		Excellent	Very good	Good	Below good	Not subject to ratings
Number promoted 1 step due to change in status.....	9	4	4			1
Number promoted 2 steps due to change in status.....	7	4	3			
Number promoted 3 steps due to change in status.....	48	6	12	3		27
Number promoted 4 steps due to change in status.....	14	7	4			3
Number promoted 6 steps due to change in status.....	12	3	4			5
Total.....	90	24	27	3		36

JULY 1, 1938, TO MAY 9, 1939

Number of steps promoted	Number of employees	Efficiency ratings (given May 15, 1938)				
		Excellent	Very good	Good	Below good	Not subject to ratings
Number promoted 1 step due to change in status	5	2	2			1
Number promoted 2 steps due to change in status	5	4	1			
Number promoted 3 steps due to change in status	41	4	11	1		25
Number promoted 4 steps due to change in status	17	6	9			2
Number promoted 5 steps due to change in status	2					2
Number promoted 6 steps due to change in status	3		1			2
Total	73	16	24	1		32

MAY 9 TO JUNE 30, 1939

Number promoted 1 step due to change in status	3	1	2			
Number promoted 2 steps due to change in status	4	1	3			
Number promoted 3 steps due to change in status	37	7	4			26

(Although positions shown are not subject to the Classification Act, they have been adapted to the Classification Act schedules for purposes of this statement)

Name	Grade	Entrance salary of grade	Title	Efficiency rating	Number steps promoted	Justification ¹
Beall, Robert T.	P-4	\$3,800	Economist (expert)	Excellent	3	1
Lee, Hoburg B.	P-2	2,600	Associate engineer	do	3	6
Long, George D.	P-5	4,600	Senior engineer	do	3	1
Oeltjen, Walter O.	P-2	2,600	Associate engineer	do	3	4
Pyles, Julius W.	P-5	4,600	Wiring engineer	do	3	1
Taylor, John K.	P-2	2,600	Associate engineer	do	3	4
Vardy, Allen F.	CAF-11	3,800	Cost specialist (expert)	do	3	1
Wise, William C.	P-5	4,600	Senior attorney	do	3	1
Flanagan, John W.	P-2	\$2,600	Assistant engineer	Very good	3	4
Harms, Herman	P-2	2,600	do	do	3	4
Hoyt, Margaret C.	P-2	2,600	Assistant attorney	do	3	1
Huff, Leean L.	P-2	2,600	Assistant engineer	do	3	4
Irion, H. Gifford	P-2	2,600	Assistant attorney	do	3	1
Lake, Chester H.	P-5	4,600	Senior engineer	do	3	6
Moore, Allen	P-6	5,600	Head attorney	do	3	5
Tilton, McLane	P-5	4,600	Senior attorney	do	3	6
Van Hoose, James E.	P-5	4,600	Senior engineer	do	3	5
Wehrung, Malcolm	P-3	3,200	Associate attorney	do	3	1
McCutchen, James M.	P-2	2,600	Assistant engineer	Good	3	4
McWhorter, Kinsley	P-3	3,200	Engineer	do	3	6
Baldinger, Milton I.	P-3	3,200	Associate engineer	Not subject	3	1
Blakeney, Alfred M.	P-3	3,200	Wiring engineer	do	3	1
Bosman, Ivan A.	P-3	3,200	Associate engineer	do	3	1
Chase, Milton	P-3	3,200	Associate engineer	do	3	4
Cohen, David	P-3	3,000	Associate attorney	do	3	1
Coppinger, Walter P.	CAF-9	3,200	Utilization representative (expert)	do	3	1
Dillon, George E.	CAF-9	3,200	do	do	3	1
Gerber, Albert B.	P-3	3,200	Associate attorney	do	3	1
Gorlin, Louis	P-4	3,800	Senior attorney	do	3	1
Hurson, Frank J.	P-1	2,000	Assistant engineer	do	3	4
Jonsson, Elmer E.	CAF-9	3,200	Utilization representative	do	3	6
Lay, Houston S.	P-2	2,600	Assistant attorney	do	3	1
Piper, George A.	P-3	3,200	Associate attorney	do	3	1
Plotka, Norman L.	P-2	2,600	Assistant attorney	do	3	1
Rall, Udo	CAF-9	3,800	Consultant in cooperative organization and management (expert)	do	3	6
Smith, Ralph W.	P-3	3,200	Associate engineer	do	3	1
Watkins, Bruce O.	P-2	2,600	do	do	3	4
Winokur, Arnold	P-3	3,200	Associate attorney	do	3	1
Briden, Osborne W.	P-3	3,200	Engineer	Excellent	4	1
Clark, Harold F.	CAF-9	3,200	Utilization representative (expert)	do	4	6
Dell, Richard A.	CAF-9	3,200	do	do	4	6
Jenks, Loren M.	CAF-12	4,600	Assistant director (expert)	do	4	5
Johnson, Ellsworth J.	P-2	2,600	Assistant engineer	do	4	4
Jones, Elsie N.	P-3	3,200	Associate attorney	do	4	1
Mackay, Donald H.	P-4	3,800	Engineer	do	4	1
Moulton, Walter R.	CAF-9	3,200	Utilization representative (expert)	do	4	6
Willis, Mary Alice	CAF-7	2,600	Field home electrification specialist (expert)	do	4	1
Wilson, Thelma	CAF-7	2,600	do	do	4	1
Bohannon, Elva	CAF-7	2,600	do	Very good	4	1
Burton, Chester W.	P-3	3,200	Associate engineer	do	4	1
Colburn, Avery R.	P-3	3,200	do	do	4	1
Derry, John	P-3	3,200	Engineer	do	4	1
Harris, Victoria P.	CAF-7	2,600	Field home electrification specialist (expert)	do	4	1
Hauck, William J.	P-2	2,600	Assistant engineer	do	4	4
Hugus, Ray B.	P-3	3,200	Agricultural engineer	do	4	6
Liter, Oneta	CAF-7	2,600	Field home electrification specialist (expert)	do	4	1
Mamer, Louisan	CAF-7	2,600	do	do	4	1
Retherford, Enola G.	CAF-7	2,600	do	do	4	1
Zervas, Walter	CAF-9	3,200	Utilization representative (expert)	do	4	6
Moore, Lee	P-3	3,200	Engineer	do	4	1
Freeman, Ward B.	P-6	5,600	Coordinator engineering activities (expert)	Good	4	5
Prickett, Lee C.	P-3	3,200	Agricultural engineer	do	4	6

¹ Justification: 1. Recognition of first-class service rendered over an extended period. 2. Student engineers—completion of training. 3. Junior engineers—completion of second phase of training. 4. Demonstration of ability to carry major responsibility. 5. Work load.

MAY 9 TO JUNE 30, 1939—continued

Number of steps promoted	Number of employees	Efficiency ratings (given May 15, 1938)				
		Excellent	Very good	Good	Below good	Not subject to ratings
Number promoted 4 steps due to change in status	2	1		1		
Number promoted 5 steps due to change in status	2	1	1			
Number promoted 6 steps due to change in status	1	1				
Total	49	12	10	1		26

¹ In explanation of the fact that the figures for the entire year appear not to check with the figures for the separate parts of the year, it should be noted in illustration that an individual may be reported as receiving a 1-step promotion prior to May 9, and another 1-step promotion after May 9, but in the table for the entire year is reported as receiving one 2-step promotion.

The following tables, taken from the hearings, show the names of those nonclassified in R. E. A. who were promoted three steps or more, the grade, the entrance salary, the title of the position, the efficiency rating, the number of steps promoted, and the justification for the promotion. These are for the fiscal year 1939.

Name	Grade	Entrance salary of grade	Title	Efficiency rating	Number steps promoted	Justification
Edmunds, Wade M.	P-3	3,200	Operating engineer	Not subject	4	6
Beamish, Richard J.	P-5	4,600	Engineer	Excellent	5	6
Berg, Alfred S.	P-4	3,800	Attorney	do	5	1
Blair, Clay D.	P-4	3,800	Engineer	do	5	1
Keeton, Thaddeus E.	P-3	3,200	Associate engineer	do	5	1
Moss, Helen T.	P-3	3,200	Associate attorney	do	5	1
Warner, Ed. E.	P-2	2,600	Associate engineer	do	5	1
Barber, Donald J., Jr.	P-3	3,200	do	Very good	5	1
Falkenwald, Charles O.	CAF-13	5,600	Director, Examining Division, expert	do	5	5
Gindele, Donald F.	P-3	3,200	Associate engineer	do	5	1
Smedberg, Merle W.	P-3	3,200	Engineer	do	5	1
Trommerhausen, Wm. E.	P-3	3,200	Associate engineer	do	5	1
Alfers, John B.	P-1	2,000	Junior engineer	Not subject	5	3
Basler, Donnan E.	P-1	2,000	do	do	5	3
Beatty, James C.	P-1	2,000	do	do	5	3
Bixby, Willard H.	P-1	2,000	do	do	5	3
Brettman, Herman	P-1	2,000	do	do	5	3
Carter, Bruce H.	P-3	3,200	Associate engineer	do	5	1
Carter, Payson D.	P-3	3,200	do	do	5	1
Eastman, William H.	P-1	2,000	Junior engineer	do	5	3
Gibbs, Lambeth T.	P-1	2,000	do	do	5	3
Grack, John W.	P-1	2,000	do	do	5	3
Grant, Donald L.	P-1	2,000	do	do	5	3
Lowery, Donald T.	P-1	2,000	do	do	5	3
Mancini, Peter A.	P-1	2,000	do	do	5	3
Mathews, N. Whitney	P-1	2,000	do	do	5	3
Oberholtzer, James R.	P-1	2,000	do	do	5	3
Otis, Stanley J.	P-1	2,000	do	do	5	3
Parsons, Edgar H.	P-1	2,000	do	do	5	3
Plucknett, Knoland J.	P-1	2,000	do	do	5	3
Smith, Warner T.	P-1	2,000	do	do	5	3
Teesman, Andrew	P-1	2,000	do	do	5	3
Thiesfeld, Harry W.	P-1	2,000	do	do	5	3
Welty, Robert	P-1	2,000	do	do	5	3
Wright, John T.	P-1	2,000	do	do	5	3
Zook, Roy G.	P-1	2,000	do	do	5	3
Bullock, Carl R.	P-3	3,200	Associate attorney	Excellent	6	1
Cobb, James R.	P-3	3,200	Agricultural engineer	do	6	1
Gentle, Clara Nale	CAF-11	3,800	Home electrification specialist (expert)	do	6	5
O'Shaughnessy, John K.	P-5	4,600	Senior engineer	do	6	5
Robertson, James W.	P-3	3,200	Attorney	do	6	1
Teare, Daniel W.	P-4	3,800	Agricultural engineer	do	6	6
Karns, Elbert E.	CAF-10	3,500	Special adviser (expert)	Very good	6	6
Nivison, William B.	P-3	3,200	Agricultural engineer	do	6	6
Slatt, Charles J.	P-3	3,200	Associate engineer	do	6	1
Smith, Percy W.	CAF-9	3,200	Utilization representative (expert)	do	6	6
Harper, Ralph L.	P-2	2,600	Assistant engineer	Good	6	4
Blickley, Carlton F.	P-3	3,200	Engineer	Not subject	6	1
Rohn, John R.	CAF-9	3,200	Utilization representative (expert)	do	6	6
Winder, Clarence A.	P-7	6,500	Director, Engineering and Operations Division	do	6	5

The following table shows three or more steps of promotion of civil-service personnel in R. E. A. (includes civil-service employees only. A statement covering the non-civil-service personnel reached the committee too late for inclusion here):

Name	Title	Grade	Entrance salary of grade	Number steps promoted	Efficiency rating	Justification ¹
Benson, Philys L.	Clerk-stenographer	CAF-4	\$1,800	3	Excellent	3
Burke, Anne M.	Secretary to attorney in charge of Loan Contract Section.	CAF-4	1,800	3	do	3
Cawley, Francis	Budget officer	CAF-8	2,900	3	do	3
Colbert, Elmer E.	Chief, Office and Building Service Section	CAF-6	2,300	3	do	3
Cook, Bernard H.	Junior calculating-machine operator	CAF-2	1,440	3	do	1
Cook, Wanda	Head, Travel Unit	CAF-4	1,800	3	do	3
Cox, Frances	Secretarial clerk	CAF-3	1,620	3	do	3
Craig, Robert B.	Executive assistant to Administrator	CAF-13	5,600	3	do	1
Crain, Gladys Elinor	Secretary to assistant to General Counsel	CAF-4	1,800	2	do	3
Do	Senior clerk	CAF-5	2,000	1	do	3
Dean, Helen K.	Junior stenographer	CAF-2	1,440	2	do	1
Do	Assistant clerk-stenographer	CAF-3	1,620	1	do	1
Dess, Alberta	Legal secretary	CAF-3	1,620	3	do	3
Dove, Billy	Assistant audit clerk	CAF-3	1,620	3	do	2
Gagon, Helen	Senior typist	CAF-2	1,440	3	do	1
Gillikin, Alton L.	Regional examiner	CAF-6	2,300	3	do	1
Gilman, Freda	Assistant clerk-stenographer	CAF-3	1,620	3	do	1
Huester, Lillian	Junior mail, file, record clerk	CAF-2	1,440	3	do	3
Hunt, Mary Rita	Junior stenographer	CAF-2	1,440	3	do	1
Hyde, Alice	Legal secretary	CAF-3	1,620	3	do	1
Johnson, Clyde	Assistant classification investigator	CAF-7	2,600	3	do	1
Johnson, Margaret	Secretary to Director, Operations Division	CAF-5	2,000	3	do	3
McCollum, Harry	Regional examiner	CAF-6	2,300	3	do	1
McKendrie, Mabel M.	Assistant clerk-stenographer	CAF-3	1,620	3	do	3
Mills, Ben	Management standards assistant	CAF-5	2,000	3	do	1
Neely, D. Morrison	Examining and recording clerk	CAF-4	1,800	3	do	1
Painter, Katherine	Clerk-stenographer	CAF-4	1,800	3	do	3
Potts, Marion	Librarian	SP-6	2,000	3	do	3
Redman, Gladys	Assistant to chief	CAF-4	1,800	3	do	1
Sinclair, Eldridge	Senior administrative clerk	CAF-5	2,000	3	do	1
Stephens, Norris	Assistant clerk	CAF-3	1,620	3	do	1
Swartz, Ethel	Legal secretary	CAF-3	1,620	1	do	3
Do	Secretary to attorney in charge, Right-of-way and Title Section	CAF-4	1,800	2	do	3
Wade, Lillian	Legal secretary	CAF-3	1,620	3	do	3
Warren, Isaac F., Jr.	Assistant Chief Accounting Unit	CAF-5	2,000	3	do	1
Wetjen, Emily F.	Document record clerk	CAF-3	1,620	3	do	3
Parkinson, Edwina	Junior mail, file, and receiving clerk	CAF-2	1,440	3	do	1
Do	Assistant audit clerk	CAF-3	1,620	1	do	1

¹ Justification: (1) Pending anticipated reclassification; (2) compensation for reclassification which could not be effective owing to the Byrnes resolution; (3) to compensate where work load increased markedly but duties did not change sufficiently to warrant change in grade.

Name	Title	Grade	Entrance salary of grade	Number steps promoted	Efficiency rating	Justification
Saywell, Charles	Assistant clerk	CAF-3	1,620	3	do	1
Do	Assistant Chief, Office and Building Service Section.	CAF-4	1,800	1	do	1
Skelly, Mary	Head, dictating machine, Machine Transcribing Unit.	CAF-3	1,620	4	do	3
Weeks, James John, Jr.	Personnel assistant	CAF-4	1,800	4	do	3
Wilson, Edward F.	Senior administrative clerk	CAF-5	2,000	4	do	1
Boyce, Westray Battle	Insurance assistant	CAF-8	2,900	5	do	1
Couse, Robert R.	Senior project auditor	CAF-7	2,600	5	do	1
Martino, Anna C.	Appointment clerk	CAF-6	2,300	5	do	3
Bogle, Catherine	Nurse	SP-4	1,620	3	Very good	3
Chappell, Lena	Junior stenographer	CAF-2	1,440	3	do	1
Cooke, George L.	Messenger	CU-3	1,200	3	do	1
Dabney, Baber	Legal secretary	CAF-3	1,620	3	do	3
Fitzgerald, Margaret	Assistant clerk-stenographer	CAF-3	1,620	3	do	3
Goldblatt, Dora	Senior stenographer	CAF-3	1,620	3	do	3
Green, Frances	Legal secretary	CAF-3	1,620	3	do	3
Harnett, Agnes	Supervisor, central files	CAF-5	2,000	3	do	1
Kelly, Ann	Legal secretary	CAF-3	1,620	3	do	3
Kneller, Charles	Project audit clerk	CAF-4	1,800	1	do	1
Do	Junior project auditor	CAF-5	2,000	2	do	1
Kraft, Helen	Assistant audit clerk	CAF-3	1,620	3	do	3
McEntee, Frank	Assistant messenger	CU-2	1,080	3	do	1
Miller, Irene	Assistant clerk-stenographer	CAF-2	1,440	3	do	1
Murray, Thomas	Under mail and file clerk	CAF-1	1,260	3	do	3
Norton, Susan	Junior stenographer	CAF-2	1,440	3	do	1
Pegram, Thomas E., Jr.	Junior rate analyst	CAF-5	2,000	3	do	3
Stefan, Ernest	Junior accounting clerk	CAF-2	1,440	3	do	1
Asher, John	Assistant Chief, Project Audit Unit.	CAF-8	2,900	4	do	3
Gilleland, George T.	Financial and credit examiner	CAF-7	2,600	4	do	3
Stone, Ewel	Senior regional examiner	CAF-8	2,900	5	do	1
Sturtevant, W. Lyle	Purchasing officer	CAF-6	2,300	5	do	2
Whelan, Harriett	Junior clerk-stenographer	CAF-2	1,440	5	do	1
Wolff, Ealter	Senior regional examiner	CAF-8	2,900	5	do	1
Atthey, Evelyn	Junior typist	CAF-1	1,260	3	Good	1
Gallagher, Raymond	Under mail and file clerk	CAF-1	1,260	3	do	1
Turner, Wilbur	Junior mail, file, and record clerk	CAF-2	1,440	3	do	3
Smith, Ruth K.	Junior clerk-stenographer	CAF-2	1,440	4	do	3
Ausen, Julius J.	Senior regional examiner	CAF-8	2,900	3	Not subject	1
Denham, Edith	Junior clerk-typist	CAF-2	1,440	3	do	1
Etter, Lorton Dale	Assistant clerk	CAF-3	1,620	3	do	2
Mart, Earl	Under clerk	CAF-1	1,260	3	do	2
Morehouse, Harold E., Jr.	Assistant entrance examination clerk	CAF-3	1,620	3	do	2
Northrop, Ralph	Junior calculating machine operator	CAF-2	1,440	3	do	2
Perkins, Lola S.	Under mail and file clerk	CAF-1	1,260	3	do	2
Phillipi, Clarke W.	Assistant audit clerk	CAF-3	1,620	3	do	2
Pritchett, Ruth Howe	Junior stenographer	CAF-2	1,440	3	do	2
Sherdahl, Lillian	Assistant audit clerk	CAF-3	1,620	3	do	2
Sullivan, Claire	Junior stenographer	CAF-2	1,440	3	do	2
Tatro, Joseph A.	Associate project auditor	CAF-7	2,600	3	do	2
Taylor, Theodore W.	Assistant training supervisor	CAF-6	2,300	3	do	1
Whitehorne, James S.	Assistant audit clerk	CAF-3	1,620	3	do	2
Williams, John A.	Laborer	CU-2	1,080	3	do	1
Mikules, T. Leonard	Research and editorial assistant	P-2	2,600	4	do	1
Pullen, Carl	Messenger	CU-3	1,200	4	do	2

CORRECTION OF ERROR IN R. E. A. TABLES

I have been assured by R. E. A. that none of their employees had an efficiency rating below "good" and that in the table on page 1508 of the hearings the report of 47 of its non-civil-service employees in the "below good" column is incorrect. The figure should appear in the adjoining column headed "Not subject." The error occurred in the R. E. A. personnel office and was not discovered until after the hearings were printed. I am glad to comply with Mr. Craig's request that the correction be indicated in my remarks.

Mr. RANKIN. Mr. Chairman, the distinguished gentleman from Illinois [Mr. DIRKSEN], the author of this provision which we are trying to strike out, never loses an opportunity to try to injure rural electrification. If he had wanted to be fair with the House, why did he not give you the whole story? As a matter of fact, 2 years ago when I secured an extra \$100,000,000 for rural electrification, raising the amount to \$140,000,000 instead of \$40,000,000, and really started the present program to electrify the farm homes of America, the Rural Electrification Administration had to have help. In order to get it, instead of going out and bringing in new men, inexperienced men, they promoted the men they had and brought other men from the outside to fill their former places. These men who were thus promoted are lawyers, engineers, or other scientific men, who have done the greatest job of any organization that has ever been created by this Government for the length of time it has been operating—with the possible exception of the T. V. A.

Why did not the gentleman from Illinois [Mr. DIRKSEN] read you the law, which states:

And he—

The Administrator—

may without regard to the provisions of the civil-service laws applicable to officers and employees of the United States, appoint and fix the compensation of attorneys, engineers, and experts, and he may, subject to the civil-service laws, appoint such other officers and employees as he may find necessary, and prescribe their duties.

That is exactly what the Administrator did. When he found himself with this great burden of work, when he found this money in his hands and an opportunity to go forward to electrifying America, electrifying the farm homes of the country, with the farmers in every State appealing for this service, he simply promoted these men as the law provides and then went out and got others to fill their former places. As a result, we have electrified more farm homes in this country in the last 4 years than had been electrified in the 60 years previous to that time.

Four years ago we had only about 700,000 electrified farms; now we have more than 1,700,000. In every State of the Union, in every congressional district that is interested, this work is going on. These men are not drawing a dollar of salary more than the same class of men in other branches of the Government service are drawing. But this gave the gentleman from Illinois [Mr. DIRKSEN] an opportunity to take a punch at the Rural Electrification Administration, the one organization that has done more for the farmers of America—more for the farmers of his own district—than any other organization connected with this Government has ever done. In fact, it has done more for them in 4 years than had been done for them in 60 years previous to the creation of the R. E. A. and the T. V. A.

In addition to that, we have forced rate reductions to the electric light and power consumers of this country amount—

ing to \$583,000,000 a year, which is more than we have spent all told on either the R. E. A. or the T. V. A. up to this time and more than even the enemies of the T. V. A. contend it will ever cost. We have reduced rates to the people of Illinois alone more than \$50,000,000 a year. They enjoy this saving every year, and if we can ever get rates down to their proper levels, to the T. V. A. rates even, they will enjoy a further reduction of \$69,000,000 a year in the State of Illinois.

Rural electrification is the greatest blessing that ever came to the farmers of America and I regret the efforts of some of the old-guard Republicans to cripple it at every turn.

A TALE OF TWO FARMERS

Let me relate to the House a tale of two farmers. While this story all concerns one man, life for him and his family was so different 5 years ago from what it is today, and his surroundings were so different from what they are now, that he is almost, if not quite, a different man.

This farmer is named C. W. Duncan. He lives on rural route No. 2, out from Tupelo, Miss., my home town. Five years ago he had no electricity, his house was dark, his barn was dark, they drew the water for family use and to water the stock in dry weather from a deep well. He went to town to buy what little ice his family enjoyed, and invariably lost the milk which he was selling to the condensery, because of the lack of fresh water with which to cool it.

He raised the feed for his stock but invariably had to haul it to town to get it ground and then haul it back. Often it was impossible for him to get his corn and other products crushed, and he had to feed it whole, which occasioned great loss. Besides, he had to pay a toll to get it ground, which invariably ran as high as one-fourth. Then he had to mix his feed by hand, which also took time that he could have applied to something else.

The women in the family did their own washing and ironing. They would build a fire under a large pot and stand over it even in the hot summertime, punching the clothes down with a stick and absorbing the heat from the blazing fire. Then they would take them out, put them in a tub of hot water, bow down over a scrubboard, and rub them until they were tired enough to drop.

They were doing just what millions of farm women are doing today, where we have been unable to reach them with rural electrification.

When time for ironing came they would build a blazing fire and heat the old family iron almost red hot and then lean over it and iron those clothes until they absorbed practically all the heat the old iron contained.

But relief from such drudgery came to this home in the form of a rural power line, bringing to them T. V. A. power at T. V. A. rates. Today Mr. Duncan has a small hammer mill with a two-horsepower motor with which he grinds corn-meal, soybean hay, ear corn with or without the shucks on it, chops, grits, cottonseed, and anything and everything else that is necessary for feed. This mill has five screens, 1 inch for chopped feed, one-half inch for ear corn, one-quarter inch for hay and oats, one-sixteenth inch for grits, and one thirty-second inch for meal. With these four screens he can cut and grind his feed in any way that he desires and then mix it to the proper texture for the most economical and effective consumption.

In 1 hour he can grind a barrel of soybean hay or a barrel of ear corn. It is so easy to operate that even the children can manage it.

In addition to this mill, he has electric lights in his house and in his barn. He has an automatic electric water system that carries water throughout the house. He has a bath, a radio, an electric iron, a washing machine, and an electric refrigerator, as well as an electric chicken brooder.

His refrigerator makes all the ice the family needs and provides a cold-storage compartment for the preservation of meats, eggs, milk, butter, fruits, and vegetables. His water system not only supplies water for the house, including the bath, but it also furnishes all the water his stock can drink at all times. His radio brings him the news from all over the

world and gives his family the best entertainments that go over the air.

Instead of putting in a day a week scrubbing the family clothes, the wife can now place them in the electric washer, turn the switch, and go on about her work. In 2 hours they are washed, run through the wringer, and are hanging on the line.

With her electric iron, the ironing of the family clothes has become less burdensome, to say the least of it, compared with ironing under the old system. Compared with what it was 4 years ago, farming has become a pleasure with him; and compared with the drudgery his wife formerly experienced under the old system, housekeeping has become a luxury.

Last month they used 180 kilowatt-hours of electricity, which cost them \$5.10, including \$1 that went to amortize the line. As soon as these lines are paid out this charge will be taken off.

While he is the same man and his wife the same woman, they are living in a new world.

They now have every convenience to be found in the average city, without the noise and extra taxes; and his electric rates are lower than they are in New York, Boston, Philadelphia, Pittsburgh, or Chicago.

This is what we are trying to bring to every farm home in America.

Mr. Chairman, this amendment offered by my colleague the gentleman from Mississippi [Mr. COLLINS] should be adopted and this Dirksen provision that would tend to paralyze or embarrass the Rural Electrification Administration should be stricken from the bill.

Instead of harassing the R. E. A. with tactics of this kind, the gentleman from Illinois should join us in our efforts to electrify every farm home in America, including the great State of Illinois, at rates the farmers can afford to pay. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. COLLINS].

The question was taken; and on a division (demanded by Mr. RANKIN) there were—ayes 75, noes 107.

So the amendment was rejected.

The Clerk read as follows:

Loans: For loans in accordance with sections 3, 4, and 5, and the purchase of property in accordance with section 7 of the Rural Electrification Act of May 20, 1936, as amended (7 U. S. C. 901-914), \$40,000,000, which sum shall be borrowed from the Reconstruction Finance Corporation in accordance with the provisions of section 3 (a) of said act, and shall be considered as made available thereunder; and the Reconstruction Finance Corporation is hereby authorized and directed to lend such sum in addition to the amounts heretofore authorized under said section 3 (a) and without regard to the limitation in respect of time contained in section 3 (e) of said act.

Mr. TABER. Mr. Chairman, I make a point of order against the language beginning on page 84, line 7, with the word "which", and ending with the word "act", in line 15, that it is legislation upon an appropriation bill.

Mr. CANNON of Missouri. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The gentleman from Missouri concedes the point of order. The point of order is sustained.

Mr. WADSWORTH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we have just heard a little history recited by the gentleman from Texas [Mr. JONES] and the gentleman from Missouri [Mr. CANNON]. It is a rather exciting story, judging by the energy with which it was told. [Laughter.]

As we approach the end of our consideration of this bill I am wondering if you will indulge me for about 2 minutes in the recital of a little incident which occurred in my youth, and which may throw a little light upon the history of appropriations for the support of the Department of Agriculture.

I do this with some shyness, yet perhaps it may be interesting to some of you, although not really important. My father was a Member of the House of Representatives for 20 years. For 10 years he was chairman of the Committee on Agriculture. In his day the standing committees of the

House handled the appropriation bills upon the floor. That was before the days of the Budget. May I say that he had been a farmer all his life and was intensely interested in the success of agriculture.

Back in 1904, in my youth—believe it or not, but do not let it go any further—I came to Washington to visit the old gentleman, and he said to me, "My boy, I am having a terrible time in the handling of the Department of Agriculture appropriation bill. The habit of extravagance is about to overcome us. I do not know what I can do about it. I am struggling and fighting against extravagance. My boy, I don't believe I can keep the bill under \$15,000,000." [Laughter and applause.]

The pro forma amendment was withdrawn.

The Clerk concluded the reading of the bill.

Mr. CANNON of Missouri. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COLE of Maryland, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 8202, making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1941, and for other purposes, directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. PETERSON of Florida. Mr. Speaker, I demand a separate vote on the so-called sugar amendment.

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. CANNON of Missouri. The Committee does not desire a separate vote on any amendment, Mr. Speaker.

The SPEAKER. The question is on agreeing to the remaining amendments other than the one upon which the gentleman from Florida demands a separate vote.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment upon which a separate vote is demanded.

The Clerk read as follows:

Amendment offered by Mr. CANNON of Missouri: On page 79, after line 9, insert a caption and a new paragraph, as follows:

"THE SUGAR ACT OF 1937

"To enable the Secretary of Agriculture to carry into effect the provisions, other than those specifically relating to the Philippine Islands, of the Sugar Act of 1937, approved September 1, 1937 (7 U. S. C. 1100-1183), and the employment of persons and means, in the District of Columbia and elsewhere, as authorized by said act, \$47,500,000: *Provided*, That conditional payments in connection with the 1940 sugar program shall not be made if, by proclamation under section 509 of said act, title II or title III shall have been suspended and shall remain suspended until July 1, 1940."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed, and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. TABER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. TABER. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Taber moves to recommit the bill to the Committee on Appropriations with instructions to report the same back forthwith with the following amendment: Page 81, line 8, strike out "\$2,100,000" and insert "\$1,100,000."

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

By unanimous consent the motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that the Clerk of the House may be authorized to correct all totals.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that all who have spoken on the bill may have five legislative days within which to extend their own remarks on the bill.

The SPEAKER. Without objection it is so ordered.

There was no objection.

ADJOURNMENT OVER

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

EXTENSION OF REMARKS

Mr. KLEBERG. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made this afternoon, and to include therein on the matter of the pink bollworm, a statement made by Mr. R. E. McDonald, of the Bureau of Entomology.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a resolution from the General Assembly of the State of South Carolina.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein a letter addressed by myself to the Chairman of the Civil Aeronautics Authority.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANDOLPH. Also, Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include therein a very able address given in Chicago this week before the American Road Builders' Association on the Civil Aeronautics Act.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BOREN asked and was given permission to extend his own remarks in the RECORD.

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a eulogy on the late Julian N. Frient.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. STARNES of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

The SPEAKER. Does the gentleman from Alabama yield to permit Members to make unanimous-consent requests?

Mr. STARNES of Alabama. I do, Mr. Speaker.

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and to include therein certain excerpts and tables.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and to include therein a letter from the Associated General Contractors of Minnesota.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KING. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein certain tables made up by myself.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JACOBSEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The gentleman from Alabama is recognized for 5 minutes.

SPECIAL COMMITTEE INVESTIGATING UN-AMERICAN AND SUBVERSIVE ACTIVITIES

Mr. STARNES of Alabama. Mr. Speaker, I rise for the purpose of making an announcement on behalf of the Special Committee Investigating Un-American and Subversive Activities.

A session of this committee was held today. Three Members of the House, able and distinguished colleagues of ours, appeared before the committee by invitation of the committee and made statements on behalf of those three Members. At the request of the special committee I make the following statement:

It has been alleged, falsely so, the committee finds, that these gentlemen attended a dinner or a meeting at which a supposed plot to kill the special committee was discussed and some sort of concerted action agreed upon. That statement, according to testimony received by our committee, or those allegations, are wholly untrue and inaccurate. We found that our colleagues the gentleman from Georgia [Mr. RAMSPECK], the gentleman from Indiana [Mr. LARRABEE], the gentleman from Washington [Mr. COFFEE], the gentleman from Utah [Mr. MURDOCK], the gentleman from Massachusetts [Mr. CASEY], and the gentleman from Michigan [Mr. HOOK] were invited to a dinner at the home of one Gardner Jackson.

The gentlemen who testified today stated in effect that neither of them were apprised of the guest list or that any matter of legislation was to be discussed. They did state that during the course of the evening matters relating to the work of this special committee were brought up by their host and the question of certain documents, which have since been inserted in the RECORD by the gentleman from Michigan [Mr. HOOK] were discussed.

Mr. KEEFE. Which gentlemen?

Mr. STARNES of Alabama. These gentlemen appeared before the committee today, Messrs. RAMSPECK, LARRABEE, and COFFEE of Washington. Neither of those gentlemen, as I re-

call, testified that he saw any of the documents, but in the discussion concerning them they advised against their use because of the doubtful authenticity of the documents, in the first place, and, in the second place, because there was absolutely no connection between the chairman of the special committee, Mr. DRES, and the purported letters which were later found to be forgeries. One of the Members did state that he suggested they were not only of doubtful authenticity, but granting their authenticity, they were not legal and it would be unethical to use them.

The committee finds there was absolutely no concerted action, collusion, understanding, or agreement by either of the three who testified before us today, or their colleague the gentleman from Utah [Mr. MURDOCK], with reference to any concert of action against the Dies committee or the use of any of these documents which have since been placed in the RECORD.

Mr. Speaker, I rise to make this statement in behalf of these Members and to say that no such testimony has been received from any source, including Mr. Weisberg and Mr. Jackson, who told of this meeting, which would in any way involve either of the colleagues I have mentioned—namely, Messrs. RAMSPECK, LARRABEE, COFFEE of Washington, or MURDOCK of Utah, or any conduct that could be considered unethical at any time anywhere; but, to the contrary, the same high type of conduct and gentlemanly action existed which these gentlemen have exhibited on and off the floor of the House during their meritorious career as Members of the House.

[Here the gavel fell.]

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 30 seconds.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I want to ask this: Does the gentleman from Alabama [Mr. STARNES] intend, or so far as he knows, does any member of the committee intend to present this matter of the forging of the letters, or perhaps more accurately the alleged forging of the letters, to the grand jury?

Mr. STARNES of Alabama. The case is not entirely closed. It will probably be closed during the week. After that the committee will have to determine what action is to be taken.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. SATTERFIELD (at the request of Mr. BLAND), indefinitely, on account of illness in his family.

To Mr. LANHAM (at the request of Mr. LUTHER A. JOHNSON), for 1 day, on account of illness.

To Mr. BUCK, for 1 day, on account of official business.

To Mr. GILLIE, for 1 day, on account of illness.

PARLIAMENTARY INQUIRY

Mr. CASEY of Massachusetts. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CASEY of Massachusetts. I want to know if in the future it will be necessary for a Member of Congress who is invited out to dinner to obtain the consent of the Committee on Un-American Activities?

The SPEAKER. The Chair does not believe that is a parliamentary inquiry.

SENATE BILLS AND RESOLUTIONS REFERRED

Bills, a joint resolution, and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2346. An act for the relief of Beryl M. McHam; to the Committee on Military Affairs.

S. 2992. An act to authorize an exchange of lands between the Richmond, Fredericksburg & Potomac Railroad Co. and the United States, at Quantico, Va.; to the Committee on Naval Affairs.

S. 3012. An act to amend the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902 (32 Stat. 662), relative to the payment of the commuted rations of enlisted men; to the Committee on Naval Affairs.

S. 3068. An act to provide an additional sum for the payment of a claim under the act entitled "An act to provide for the reimbursement of certain personnel or former personnel of the United States Navy and United States Marine Corps for the value of personal effects destroyed as a result of a fire at the Marine Barracks, Quantico, Va., on October 27, 1938," approved June 19, 1939; to the Committee on Claims.

S. 3174. An act to authorize the Secretary of the Navy to accept, without cost to the United States, a fee-simple conveyance of 16.4 acres, more or less, of land at Floyd Bennett Field in the city and State of New York; to the Committee on Naval Affairs.

S. 3200. An act to provide for the rank and title of lieutenant general of the Regular Army in the military departments of Panama and Hawaii; to the Committee on Military Affairs.

S. J. Res. 71. Joint resolution relating to pay to certain employees of the Government Printing Office for uncompensated leave earned during the fiscal year 1932; to the Committee on Printing.

S. Con. Res. 32. Concurrent resolution authorizing the appointment of a joint committee to make arrangements for the inauguration of the President-elect of the United States in 1941; to the Committee on Rules.

ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 5634. An act granting 6 months' pay to Sidney M. Bowen.

H. R. 5734. An act for the relief of World War sailors and marines who were discharged from the United States Navy or United States Marine Corps because of minority or misrepresentation of age.

H. R. 6124. An act giving the consent of Congress to the addition of lands to the State of Texas and ceding jurisdiction to the State of Texas over certain parcels or tracts of land heretofore acquired by the United States of America from the United Mexican States.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 323. An act for the relief of E. C. Beaver.

S. 766. An act for the relief of the Missoula Brewing Co.

BILLS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did, on Thursday, February 1, 1940, present to the President, for his approval, bills of the House of the following titles:

H. R. 2001. An act for the equalization of letter carriers; and

H. R. 7342. An act to amend the Emergency Farm Mortgage Act of 1933, as amended.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 5 minutes p. m.) the House, under the order previously adopted, adjourned until Monday, February 5, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will hold public hearings in the committee room, 356 House Office Building, Saturday, February 3, 1940, at 10 a. m.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Hearings will begin Monday, February 5, 1940, at 10 a. m., before the Petroleum Subcommittee of the Committee on Interstate and Foreign Commerce. State regulatory bodies will be heard first.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matters named:

Tuesday, February 6, 1940:

H. R. 7527, to make effective the provisions of the Minimum Age (sea) Convention (revised), 1936, and for other purposes.

Wednesday, February 7, 1940:

Hearings will be continued Wednesday, February 7, 1940, at 10 a. m., on H. R. 6130, to provide for mandatory or compulsory inspection and permissive or voluntary grading of fish, fishery products, fishery byproducts, shellfish, crustacea, seaweeds, and all other aquatic forms of animal and vegetable life, and the products and byproducts thereof, and for other purposes.

Tuesday, February 13, 1940:

H. R. 1780, to amend section 7 of the act of June 19, 1886, as amended (U. S. C., 1934 ed., Supp. III, title 46, sec. 319), relative to penalties on certain undocumented vessels and cargoes engaging in the coastwise trade or the fisheries, and for other purposes.

H. R. 5837, to amend section 221 of the Shipping Act, barring certain aliens from participating in the benefits thereof.

H. R. 6770, to amend Revised Statutes 4311 (U. S. C. 251).

H. R. 7694, to amend section 4311 of the Revised Statutes of the United States.

H. R. 8180, to require that not less than 75 percent of the crew of any fishing vessel of the United States be citizens of the United States.

Tuesday, February 20, 1940:

H. R. 4079, to amend sections 4353 and 4355 of the Revised Statutes of the United States.

H. R. 6751, to repeal certain laws with respect to manifests and vessel permits.

H. R. 5788, to amend the present law relating to the delivery of ships' manifests to collector of customs by excluding Sundays and holidays from the time within which such delivery may be made by the master.

H. R. 5789, to amend the present law relating to the delivery of ships' manifests to collectors of customs by excluding Sundays and holidays from the time within which such delivery may be made by the master.

Friday, February 23, 1940:

H. R. 7639, to provide for the examination of civilian nautical schools and for the inspection of vessels used in connection therewith, and for other purposes.

COMMITTEE ON THE JUDICIARY

On Wednesday, February 14, 1940, at 10 a. m., there will be a hearing before the Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary on the bill (H. R. 8016) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto (municipal compositions). The hearing will be held in room 346, House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1352. A letter from the Administrator, Federal Security Agency, transmitting a copy of the Annual Report of the Social Security Board, 1939 (H. Doc. No. 610); to the Committee on Ways and Means and ordered to be printed, with illustrations.

1353. A letter from the Chairman, Reconstruction Finance Corporation, transmitting a report of the activities and expenditures for the month of December 1939 of the Recon-

struction Finance Corporation and a statement of the condition of the Corporation as of the close of business December 31, 1939 (H. Doc. No. 611); to the Committee on Banking and Currency and ordered to be printed.

1354. A letter from the vice president, Washington Railway & Electric Co., transmitting the report of the Washington Railway & Electric Co. for the year ended December 31, 1939; to the Committee on the District of Columbia.

1355. A letter from the president, Potomac Electric Power Co., transmitting the report of the Potomac Electric Power Co. for the year ended December 31, 1939; to the Committee on the District of Columbia.

1356. A letter from the Secretary of War, transmitting the draft of a proposed bill to make better provision for the teacher of music of the Military Academy Board; to the Committee on Military Affairs.

1357. A letter from the Secretary of State, transmitting a draft of proposed legislation to extend the franking privilege to the Pan American Sanitary Bureau; to the Committee on the Post Office and Post Roads.

1358. A letter from the Secretary of the Interior transmitting the second annual report of the Bonneville administrator, made under the provisions of section 9 (c) of the Bonneville Act (Public, No. 329, 75th Cong., approved August 20, 1937) (H. Doc. No. 612); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Virginia, memorializing the President and the Congress of the United States to reduce excise taxes on tobacco and tobacco products; to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MAGNUSON:

H. R. 8279. A bill to amend the United States Employees' Compensation Act, as amended; to the Committee on the Judiciary.

By Mr. O'LEARY:

H. R. 8280. A bill to provide for a celebration of the fiftieth anniversary of the inauguration of the immigration and naturalization station at Ellis Island, N. Y.; to the Committee on the Library.

By Mr. SACKS:

H. R. 8281. A bill to promote opportunities for employment by assisting the States in the construction of self-liquidating public works; to the Committee on Banking and Currency.

By Mr. WOODRUFF of Michigan:

H. R. 8282. A bill to authorize the use of War Department equipment for the American Legion convention to be held at Bay City, Mich., during the month of August 1940; to the Committee on Military Affairs.

By Mr. BLAND:

H. R. 8283. A bill to amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 ed., title 46, sec. 316); to the Committee on Merchant Marine and Fisheries.

By Mr. O'BRIEN:

H. R. 8284. A bill to amend the Shipping Act of 1916; to the Committee on Merchant Marine and Fisheries.

By Mr. PETERSON of Florida:

H. R. 8285. A bill with reference to certain mining practices and defining unfair trade practices in certain instances; to the Committee on Mines and Mining.

By Mr. VINSON of Georgia:

H. R. 8286. A bill to authorize the Secretary of the Navy to accept on behalf of the United States certain lands in the city of National City, Calif.; to the Committee on Naval Affairs.

H. R. 8287. A bill to authorize an exchange of lands between the city of San Diego, Calif., and the United States, and acceptance by gift of certain lands from the city of San Diego, Calif.; to the Committee on Naval Affairs.

By Mr. SCHULTE:

H. R. 8288. A bill to authorize loans to public bodies and nonprofit organizations for school, hospital, water, sewer, stream-pollution control, and related projects and facilities, and making an appropriation therefor; to the Committee on Appropriations.

By Mr. WALLGREN:

H. R. 8289. A bill authorizing the Secretary of the Interior to establish, construct, equip, and operate a hospital for the legally adjudged insane of Alaska, and for other purposes; to the Committee on the Territories.

By Mr. GREEN:

H. R. 8290. A bill to provide for and promote real and permanent social security for every citizen of the United States by making possible the immediate increase and a more liberal distribution of purchasing power sufficient, if possible, to regularly absorb our Nation's fast-increasing products, retiring certain citizens from gainful employment, creating jobs for other citizens, stimulating agricultural and industrial production and general business, and banishing forever all hazards of insecurity of old age and unemployment; to provide a method whereby all citizens shall contribute to the purchase of and receive a retirement annuity; to provide for the raising of the necessary revenue to operate a continuing plan therefor; to provide for the collection, appropriation, and expenditure of such revenue; to provide for proper administration of this act; to provide penalties for the violation of this act; and for other purposes; to the Committee on Ways and Means.

By Mr. WALTER:

H. R. 8302. A bill for the relief of wives of alien clergymen, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. FLANNERY:

H. R. 8306. A bill to repeal the provision requiring removal from Work Projects Administration rolls and to restore the prevailing rates of pay on Work Projects Administration projects; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CULKIN:

H. R. 8291. A bill granting an increase of pension to Catherine Escudero; to the Committee on Invalid Pensions.

By Mr. KIRWAN:

H. R. 8292. A bill for the relief of Erich Hecht, Grete J. L. Hecht, and Erich F. Hecht, Jr.; to the Committee on Immigration and Naturalization.

By Mr. McANDREWS:

H. R. 8293. A bill to enable Thaddeus Kirchlechner (Theodore Metsch) to remain permanently in the United States; to the Committee on Immigration and Naturalization.

By Mr. MACIEJEWSKI:

H. R. 8294. A bill to enable Vladas Barciauskas to remain permanently in the United States; to the Committee on Immigration and Naturalization.

By Mrs. O'DAY:

H. R. 8295. A bill for the relief of Leo Neumann and his wife, Alice Neumann; to the Committee on Immigration and Naturalization.

By Mr. O'NEAL:

H. R. 8296. A bill granting an increase of pension to Isabel F. Easum; to the Committee on Invalid Pensions.

By Mr. PITTENGER:

H. R. 8297. A bill to amend the act of August 27, 1935 (49 Stat. 2194), and for other purposes; to the Committee on Claims.

By Mr. REECE of Tennessee:

H. R. 8298. A bill granting a pension to Clyde Rains Winters; to the Committee on Pensions.

By Mr. VAN ZANDT:

H. R. 8299. A bill granting a pension to Carrie M. Black; to the Committee on Invalid Pensions.

By Mr. WALLGREN:

H. R. 8300. A bill for the relief of Jane Thayer; to the Committee on Claims.

H. R. 8301. A bill for the relief of Allen B. Boyer; to the Committee on War Claims.

By Mr. CLUETT:

H. R. 8303. A bill granting a pension to Louise Stockwell; to the Committee on Invalid Pensions.

By Mr. WALTER:

H. R. 8304. A bill for the relief of Mrs. O. A. Danneberger; to the Committee on Immigration and Naturalization.

By Mr. WOLFENDEN of Pennsylvania:

H. R. 8305. A bill for the relief of Guy Franklin Hassen; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6350. By Mr. CULKIN: Petition of the Dairymen's League Cooperative Association, Inc., registering opposition to the renewal of the Trade Agreement Act and urging that in the event of the renewal of the trade agreements there should be a provision for Senate approval and the right to recourse to the courts to review administration of the same; to the Committee on Foreign Affairs.

6351. By Mr. HOUSTON: Petition of Paul B. Bashor, of Newton, Kans., and 68 other independent businessmen of the Fifth Congressional District of Kansas, urging enactment of the Patman chain-store tax bill; to the Committee on Ways and Means.

6352. By Mr. KEOGH: Petition of the Ajax Athletic Club, Franklin Street, Brooklyn, N. Y., concerning sugar legislation, which will either eliminate the importation of refined sugar from tropical areas, or safeguard the present jobs of home cane sugar refinery workers through quotas, tariffs, or both; to the Committee on Foreign Affairs.

6353. Also, petition of the sportsmen's council, marine district of New York State, concerning the Mundt bill (H. R. 6723), as amended; to the Committee on Rivers and Harbors.

6354. Also, petition of the Niagara Frontier Planning Board, Erie and Niagara Counties, N. Y., favoring the passage of House Resolution 360, by MARTIN J. KENNEDY; to the Committee on Rules.

6355. By Mr. LUDLOW: Petitions of sundry residents of numerous cities in the State of New York, favoring the consideration of legislation providing for a referendum before participation by the United States in wars overseas; to the Committee on the Judiciary.

6356. By Mr. RISK: Memorial of the General Assembly of Rhode Island, requesting that one of the battleships under construction be named "Rhode Island"; to the Committee on Naval Affairs.

6357. By Mr. SWEENEY: Petition of the Michigan Federation of Post Office Clerks, Detroit, Mich., petitioning consideration of their resolution with reference to House bill 3649, to establish a system of longevity pay for postal employees; to the Committee on the Post Office and Post Roads.

6358. By the SPEAKER: Petition of State, County, and Municipal Workers of America, Local 184, Philadelphia, Pa., petitioning consideration of their resolution with reference to House bill 960, to extend civil service and to extend classification to the field; to the Committee on the Civil Service.

6359. By Mr. FLAHERTY: Petition of the Michigan Federation of Post Office Clerks, Detroit, Mich., urging support of the Flannery bill, to establish a system of longevity pay for postal employees; to the Committee on the Post Office and Post Roads.

6360. Also, petition of the International Union of Operating Engineers, Locals 95 and 95A, Pittsburgh, Pa., urging support of the Mead-Connery bill, to establish a system of

longevity pay for postal employees; to the Committee on the Post Office and Post Roads.

6361. By Mr. FULMER: Concurrent resolution, submitted by the South Carolina State Legislature, stating that it appears a certain group in Congress is demanding a 51 percent cut in the agricultural appropriation bill, and that it is a matter of common knowledge that the things produced today by the farmers of America are not bringing a parity price as compared with the prices that they have to pay for that which they purchase; therefore, respectfully requesting and urging not to make the farmer the goat of economy, and that ample appropriation be made for the Department of Agriculture; to the Committee on Appropriations.

6362. By Mr. HART: Petition of the New Jersey State Federation of Labor, Newark, N. J., opposing Senate bill 280, proposed by Senator NEELY; to the Committee on Interstate and Foreign Commerce.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 5, 1940

The House was called to order at 12 o'clock noon by Hon. South Trimble, Clerk of the House.

The Clerk read the following communication from the Speaker:

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., February 5, 1940.

I hereby designate Hon. SAM RAYBURN to act as Speaker pro tempore for 3 legislative days.

W. B. BANKHEAD, *Speaker*.

Mr. RAYBURN assumed the chair as Speaker pro tempore. The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou who art the hope for every discouraged soul, the purity for every stained life, and the light for every starless sky, hitherto has Thou helped us. As we walk the ways of this world, hold us to the realization that men are sustained, guided, and consoled by Thy sheltering care. Grant that our life task may be to thirst for the genius of goodness, thus avoiding the harvest of wrong, injustice, and shame. Heavenly Father, take our hands and if fate deepens the current, let pain sweeten the tune and poverty enrich the melody. As the day was still in the light and the horizon widening a Member strong and upright left us and the whisperings of peace swept through the atmosphere saying: "Well done, thou good and faithful servant, enter thou into the joy of the Lord." In our Saviour's name. Amen.

The Journal of the proceedings of Friday, February 2, 1940, was read and approved.

THE LATE CASSIUS C. DOWELL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Iowa [Mr. GILCHRIST].

Mr. GILCHRIST. Mr. Speaker, I have the solemn duty of announcing the death of my colleague the gentleman from Iowa, CASSIUS C. DOWELL, who passed away yesterday shortly before 11 o'clock in the morning.

I hope at some future time to make some remarks regarding his long life and the service he rendered to the Republic, to civilization, and to his fellow men.

At this time, Mr. Speaker, I yield 1 minute to the gentleman from Iowa [Mr. HARRINGTON].

Mr. HARRINGTON. Mr. Speaker, it is always with sadness and a feeling of loss that this body receives the announcement of the death of one of its Members. Particularly is this true when that Member has grown old in the service of his country. The people of Iowa and the Sixth Congressional District will miss CASSIUS DOWELL, but I think the sense of personal loss the individual Members of this body feel will be the more poignant because through the years there has developed a respect and affection which only our close association here can bring.

To his good wife and many friends our hearts go out in sympathy, and yet I cannot but feel that the God of this

universe has opened his arms to CASSIUS DOWELL with the salutation, "Well done, thou good and faithful servant."

Mr. GILCHRIST. Mr. Speaker, I offer a resolution.

The Clerk read as follows:

House Resolution 373

Resolved, That the House has heard with profound sorrow of the death of Hon. CASSIUS C. DOWELL, a Representative from the State of Iowa.

Resolved, That a committee of four Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provision of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

The SPEAKER pro tempore. Without objection, the Chair appoints as members of the funeral committee Messrs. GILCHRIST, JACOBSEN, JENSEN, and LeCOMPTE.

The Clerk will report the further resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 12 o'clock and 10 minutes p. m.) the House adjourned until tomorrow, Tuesday, February 6, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting Tuesday, February 6, 1940, at 10 a. m. before the petroleum subcommittee of the Committee on Interstate and Foreign Commerce. State regulatory bodies will be heard first.

COMMITTEE ON INDIAN AFFAIRS

There will be a meeting of the Committee on Indian Affairs on Wednesday next at 10:30 a. m. for the consideration of H. R. 3765, California jurisdictional bill.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matters named:

Tuesday, February 6, 1940:

H. R. 7527, to make effective the provisions of the Minimum Age (sea) Convention (revised), 1936, and for other purposes.

Wednesday, February 7, 1940:

Hearings will be continued Wednesday, February 7, 1940, at 10 a. m. on H. R. 6130, to provide for mandatory or compulsory inspection and permissive or voluntary grading of fish, fishery products, fishery byproducts, shellfish, crustacea, seaweeds, and all other aquatic forms of animal and vegetable life, and the products and byproducts thereof, and for other purposes.

Tuesday, February 13, 1940:

H. R. 1780, to amend section 7 of the act of June 19, 1886, as amended (U. S. C., 1934 ed., Supp. III, title 46, sec. 319), relative to penalties on certain undocumented vessels and cargoes engaging in the coastwise trade or the fisheries, and for other purposes.

H. R. 5837, to amend section 221 of the Shipping Act, barring certain aliens from participating in the benefits thereof.

H. R. 6770, to amend Revised Statutes 4311 (U. S. C. 251).

H. R. 7694, to amend section 4311 of the Revised Statutes of the United States.

H. R. 8180, to require that not less than 75 percent of the crew of any fishing vessel of the United States be citizens of the United States.

Tuesday, February 20, 1940:

H. R. 4079, to amend sections 4353 and 4355 of the Revised Statutes of the United States.

H. R. 6751, to repeal certain laws with respect to manifests and vessel permits.

H. R. 5788, to amend the present law relating to the delivery of ships' manifests to collector of customs by excluding Sundays and holidays from the time within which such delivery may be made by the master.

H. R. 5789, to amend the present law relating to the delivery of ships' manifests to collectors of customs by excluding Sundays and holidays from the time within which such delivery may be made by the master.

Friday, February 23, 1940:

H. R. 7639, to provide for the examination of civilian nautical schools and for the inspection of vessels used in connection therewith, and for other purposes.

COMMITTEE ON THE JUDICIARY

On Wednesday, February 14, 1940, at 10 a. m., there will be a hearing before the Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary on the bill (H. R. 8016) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto (municipal compositions). The hearing will be held in room 346, House Office Building.

COMMITTEE ON THE CENSUS

Beginning Tuesday, February 27, 1940, the Committee on the Census will hold hearings on the reapportionment of Representatives in Congress.

EXECUTIVE COMMUNICATIONS, ETC.

1359. Under clause 2 of rule XXIV a letter from the Attorney General, transmitting the draft of a proposed bill to prohibit the receipt, possession, or disposition of money or property feloniously taken from a bank organized or operating under the laws of the United States or any member of the Federal Reserve System, was taken from the Speaker's table and referred to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COCHRAN:

H. R. 8307. A bill to change the date of transmission to Congress of the Budget of the United States in years in which a new President takes office; to the Committee on Expenditures in the Executive Departments.

By Mr. CRAVENS:

H. R. 8308. A bill to improve the general social welfare of the United States and to coordinate and equalize social development with mechanical and scientific development by encouraging public thought upon social and governmental techniques; and to provide for an expression and recording thereof; to provide a reservoir of carefully analyzed and succinctly stated information on such techniques, such information to be classified, recorded, and maintained for ready reference; to the Committee on Patents.

By Mr. DEROUEN:

H. R. 8309. A bill to provide a site and erect a public building at DeQuincy, La.; to the Committee on Public Buildings and Grounds.

By Mr. LELAND M. FORD:

H. R. 8310. A bill to authorize deportation for any person who, while in the United States, is, or has been, by his words or acts, sympathetic with, associated with, or affiliated with, or sought the support of Communists in the United States or elsewhere; to the Committee on Immigration and Naturalization.

By Mr. GWYNNE:

H. R. 8311. A bill to extend original jurisdiction to district courts in civil suits between citizens of the District of Columbia and any State or Territory; to the Committee on the Judiciary.

By Mr. EDWIN A. HALL:

H. R. 8312. A bill to establish the policy of the Government of the United States with reference to the provision of forages, subsistence crops, and roughages from available surpluses for

ranch, farm, and dairy animals in emergency areas of the United States; to the Committee on Agriculture.

By Mr. MARCANTONIO:

H. R. 8313. A bill to provide vocational guidance, vocational training, and employment opportunities for youth between the ages of 16 and 25; to provide for increased educational opportunities for high-school, college, and postgraduate students, and for further purposes; to the Committee on Education.

By Mr. MAY:

H. R. 8314 (by request.) A bill to make better provision for the teacher of music, the leader of the Military Academy Band; to the Committee on Military Affairs.

By Mr. ANGELL:

H. J. Res. 446. Joint resolution to provide for a national cemetery in the vicinity of Portland, Oreg.; to the Committee on Military Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States to consider their concurrent resolution with reference to farm economy; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BYRNS of Tennessee:

H. R. 8315. A bill authorizing the President of the United States to award posthumously the Congressional Medal of Honor to Robert Preston Thompson; to the Committee on Naval Affairs.

By Mr. LEAVY:

H. R. 8316. A bill authorizing the Secretary of the Interior to sell certain land to the Conconcully Cemetery Association; to the Committee on the Public Lands.

By Mr. LELAND M. FORD:

H. R. 8317. A bill for the relief of the Hermosa-Redondo Hospital, C. Max Anderson, Julian O. Wilke, Curtis A. Wherry, Hollie B. Murray, Ruth M. Laird, Sigrid I. Olsen, and Stella S. Guy; to the Committee on Claims.

By Mr. NICHOLS:

H. R. 8318. A bill for the relief of the Charles H. Amos Handle Co.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6363. By Mr. HARTER of New York: Petition of 34 residents of Buffalo, N. Y., favoring early passage of House bill 1, the so-called Patman chain-store tax bill; to the Committee on Ways and Means.

6364. Also, petition of the Batavia Production Credit Association, Batavia, N. Y., requesting the return of the Farm Credit Administration to an independent-office basis; to the Committee on Agriculture.

6365. By Mr. MARTIN J. KENNEDY: Petition of the Niagara Frontier Planning Board, Buffalo, N. Y., endorsing House Resolution 360, calling for a most needed, comprehensive finding of facts in relation to the costs, economics, the effects upon neutrality, and many other equally important facts relating to the ramification of the proposed St. Lawrence-Great Lakes deep waterway and power project; to the Committee on Military Affairs.

6366. By Mr. KEOGH: Petition of the Izaak Walton League of America, Brooklyn (N. Y.) Chapter, concerning the Mundt antipollution bill; to the Committee on Rivers and Harbors.

6367. Also, petition of the New York State Sewage Works Association, concerning Federal aid in the abatement of sewage pollution; to the Committee on Rivers and Harbors.

6368. Also, petition of the Nurses Association of the Counties of Long Island, Inc., District No. 14, the New York State Nurses Association, Brooklyn, N. Y., concerning the new Sugar Act; to the Committee on Foreign Affairs.

6369. Also, petition of the Society of American Foresters, New York section, concerning an increased Federal appropriation for the control of white-pine blister rust, and opposing the transfer of the national forests to the Department of the Interior; to the Committee on Agriculture.

6370. By Mr. PFEIFER: Petition of the Grand Street Board of Trade, Brooklyn, N. Y., urging curtailment of importation of refined sugar from the tropical islands, thereby protecting jobs of American men and women in Brooklyn, N. Y.; to the Committee on Foreign Affairs.

6371. By Mr. SHAFER of Michigan: Resolution of the Common Council of the City of Detroit, relative to the relocation of the Detroit customhouse; to the Committee on Public Buildings and Grounds.

6372. Also, resolution of the city-wide meeting of Work Projects Administration Welfare Department, relative to the continuance of appropriations for Work Projects Administration jobs; to the Committee on Appropriations.

6373. By Mr. SCHIFFLER: Petition of Harry E. Front, president of Council 133 of Polish National Alliance of America, in behalf of 1,200 members, protesting against the occupation of Poland by the 2 dictatorial powers of Germany and Russia; to the Committee on Foreign Affairs.

6374. By the SPEAKER: Petition of the Women's International League for Peace and Freedom, Washington, D. C., petitioning consideration of their resolution with reference to congressional investigating committee; to the Committee on Rules.

SENATE

TUESDAY, FEBRUARY 6, 1940

The Chaplain, Rev. Zebulon T. Phillips, D. D., offered the following prayer:

O Holy Father, who hast led Thy children in all the ages with the fire and cloud, through seas dry-shod, through weary wastes bewildering, to Thee in reverent love our hearts are bowed. Help us to realize that in the region where we live and suffer it is still true that men of vision see everlasting lights, serene in their prophetic brightness.

In the midst of life's toil and weariness, in times of sorrow, in the bearing of burdens, in the world's work, as men live close to the world's uncleanness and pray for a strong and uncontaminated humanity, in anxious hours of watching by the beds of pain, in bereavement by the open grave, in loneliness when the heart feels the anguish of its solitude, and in every darkened day of life, teach us that we have only to look up and behold the heavenly ideal that guides the feet of the faithful to the light that never was on land or sea and into the peace that passeth all understanding, till life is altogether blessed in the vision of God in Christ. We ask it in our Saviour's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Friday, February 2, 1940, was dispensed with, and the Journal was approved.

SENATOR FROM IDAHO

Mr. CLARK of Idaho. Mr. President, Hon. JOHN THOMAS, Senator-designate from Idaho, is in the Chamber and prepared to take the oath of office. His credentials have been duly filed.

The VICE PRESIDENT. Will the Senator-designate approach the desk for the purpose of taking the oath of office?

Mr. THOMAS of Idaho, escorted by Mr. CLARK of Idaho, advanced to the desk; the oath prescribed by law was administered to him by the Vice President, and he took his seat in the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. CASSIUS C. DOWELL, late a Representative from the State of Iowa, and transmitted the resolutions of the House thereon.

The message announced that the Speaker had appointed the following committee on the part of the House of Representatives, in conjunction with such Members of the Senate as may be joined, to attend the funeral of the deceased Representative: Mr. GILCHRIST, Mr. JACOBSEN, Mr. JENSEN, and Mr. LeCOMPTE.

The message also announced that the House had passed a bill (H. R. 8202) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1941, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 323. An act for the relief of E. C. Beaver;

S. 766. An act for the relief of the Missoula Brewing Co.;

H. R. 5634. An act granting 6 months' pay to Sidney M. Bowen;

H. R. 5734. An act for the relief of World War sailors and marines who were discharged from the United States Navy or United States Marine Corps because of minority or misrepresentation of age; and

H. R. 6124. An act giving the consent of Congress to the addition of lands to the State of Texas and ceding jurisdiction to the State of Texas over certain parcels or tracts of land heretofore acquired by the United States of America from the United Mexican States.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Frazier	Lucas	Schwellenbach
Andrews	George	Lundeen	Sheppard
Ashurst	Gerry	McCarran	Shipstead
Austin	Gibson	McKellar	Smathers
Bailey	Glass	McNary	Smith
Barbour	Green	Maloney	Stewart
Barkley	Guffey	Mead	Taft
Brown	Gurney	Miller	Thomas, Idaho
Bulow	Hale	Minton	Thomas, Okla.
Burke	Harrison	Murray	Thomas, Utah
Byrd	Hatch	Neely	Tobey
Byrnes	Hayden	Norris	Townsend
Capper	Herring	O'Mahoney	Truman
Chavez	Hill	Overton	Tydings
Clark, Idaho	Holman	Pepper	Vandenberg
Clark, Mo.	Johnson, Calif.	Pittman	Van Nuys
Connally	Johnson, Colo.	Radcliffe	Wagner
Danaher	King	Reed	Walsh
Davis	La Follette	Reynolds	Wheeler
Donahay	Lee	Russell	White
Ellender	Lodge	Schwartz	Wiley

Mr. BARKLEY. I announce that my colleague the junior Senator from Kentucky [Mr. CHANDLER] is ill and is absent from the Senate on that account.

Mr. MINTON. I announce that the Senator from Alabama [Mr. BANKHEAD], the Senator from Washington [Mr. BONE], the Senator from Arkansas [Mrs. CARAWAY], and the Senator from California [Mr. DOWNEY] are absent from the Senate because of illness.

The Senator from Mississippi [Mr. BILBO] is detained on important public business.

The Senator from Iowa [Mr. GILLETTE] is absent attending the funeral of the late Representative Dowell, of Iowa.

The Senator from West Virginia [Mr. HOLT] is addressing a teachers' association in West Virginia and is therefore absent.

Mr. AUSTIN. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. NYE] are necessarily detained from the Senate.

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present.

LXXXVI—66

ROY D. COOK

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1157) for the relief of the legal guardian of Roy D. Cook, a minor, which were on page 1, line 6, to strike out "the sum of \$2,500" and insert "of Portland, Oreg., the sum of \$1,000"; on page 1, beginning with line 11, to strike out all down to and including "\$1,000" in line 10 of page 2 and insert "That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000"; and to amend the title so as to read: "An act for the relief of Roy D. Cook, a minor."

Mr. HOLMAN. I move that the Senate concur in the House amendments.

The motion was agreed to.

REPORT OF BONNEVILLE POWER ADMINISTRATION

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting, pursuant to law, the second annual report of the Administrator of the Bonneville Power Administration, Oregon, for the fiscal year ended June 30, 1939, which, with the accompanying report, was referred to the Committee on Commerce.

CAPT. WILLIAM BOWIE

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation authorizing Capt. William Bowie, former Chief of the Division of Geodesy, United States Coast and Geodetic Survey, Department of Commerce, to accept and wear the decoration of the Cross of Grand Officer of the Order of St. Sava, conferred by the Government of Yugoslavia, which, with the accompanying paper, was referred to the Committee on Foreign Relations.

CHARLES E. MOLSTER AND OTHERS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation for the relief of Charles E. Molster, former disbursing clerk for the Department of Commerce and the National Recovery Administration; J. L. Summers, deceased, former chief disbursing clerk, Division of Disbursement, Treasury Department; and Guy F. Allen, chief disbursing officer, Division of Disbursement, Treasury Department, which, with the accompanying papers, was referred to the Committee on Claims.

DOROTHY CROSSING

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Labor, transmitting a draft of proposed legislation for the relief of Dorothy Crossing, which, with the accompanying papers, was referred to the Committee on Claims.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a petition of sundry citizens of Rockville Centre, N. Y., praying for the enactment of pending antilynching legislation, which was referred to the Committee on the Judiciary.

He also laid before the Senate a letter from the American Legion Auxiliary of New Jersey, Pleasantville, N. J., in relation to pending legislation on the subjects of adjusted compensation, Americanism, child welfare, civil service, and widows and orphans, which was referred to the Committee on the Judiciary.

Mr. BYRNES presented the following concurrent resolution of the Legislature of South Carolina, which was referred to the Committee on Appropriations:

Concurrent resolution memorializing the Congress of the United States not to make the farmer the goat of economy

Whereas it appears in the morning press that a certain group in the Congress of the United States are demanding a 51-percent cut in next year's Agriculture Department supply; and

Whereas if this group succeeds, the farm fund will be cut from \$1,301,340.315, the amount provided in 1939, to \$630,374.256; and

Whereas it is a matter of common knowledge that the things produced today by the farmers of America are not bringing a parity price as compared with other articles of necessity and common use, and especially with those which he has to buy: Now, therefore, be it

Resolved by the house of representatives (the senate concurring). That the Congress of the United States is respectfully requested and urged not to make the farmer the goat of economy, and to make ample and adequate appropriations for the Department of Agriculture; be it further

Resolved. That copies of this resolution be mailed to the United States Senators and Congressmen from this State and to the clerk of each branch of the Congress.

The VICE PRESIDENT laid before the Senate a resolution identical with the foregoing, which was referred to the Committee on Appropriations.

Mr. WILEY. Mr. President, I present for appropriate reference a memorial submitted to me by the voters of the Fifth Congressional District of Wisconsin, remonstrating against the imposition of new processing taxes on bread and other necessities of life.

The VICE PRESIDENT. The memorial presented by the Senator from Wisconsin will be received and referred to the Committee on Agriculture and Forestry.

Mr. VANDENBERG presented memorials of sundry citizens of the State of Michigan, remonstrating against the levying of an excise tax, or any form of processing tax, on bread and other necessities of life, which were referred to the Committee on Agriculture and Forestry.

Mr. HOLT presented the petition of ladies of Unit No. 16, American Legion Auxiliary, of Huntington, W. Va., praying for the enactment of the bill (H. R. 7593) to provide Government protection to widows and children of deceased World War veterans, which was referred to the Committee on Finance.

Mr. REED presented a resolution signed by Richard W. Murray, financial secretary of Galena (Kans.) Local No. 17, International Union of Mine, Mill, and Smelter Workers, protesting against reduction of the W. P. A. appropriation, and requesting adoption of the legislative program proposed by the Congress of Industrial Organizations calling for an increased W. P. A. appropriation so as to provide at least 3,000,000 jobs in 1940, which was referred to the Committee on Appropriations.

Mr. TYDINGS presented a petition signed by members of Carroll Unit No. 31, American Legion Auxiliary, of Westminster, Md., praying for the enactment of the bill (H. R. 7593) to provide Government protection to widows and children of deceased World War veterans, which was referred to the Committee on Finance.

He also presented a resolution adopted by a regular meeting of the Maryland Democrats, Baltimore, Md., protesting against involvement of the United States in war, and also undue appropriations for the Military and Naval Establishments at the expense of appropriations for the unemployed and social welfare, which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the Maryland State Bar Association favoring enactment of the bill (S. 915) to provide for the more expeditious settlement of disputes with the United States, and for other purposes, which was ordered to lie on the table.

REPORTS OF COMMITTEES

Mr. WALSH, from the Committee on Naval Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 3016. A bill to amend the act approved February 15, 1929, entitled "An act to permit certain warrant officers to count all active service rendered under temporary appointments as warrant or commissioned officers in the Regular Navy, or as warrant or commissioned officers in the United States Naval Reserve Force, for purpose of promotion to chief warrant rank," so as to permit service in the National Naval Volunteers to be counted for purposes of promotion (Rept. No. 1178); and

S. 3067. A bill authorizing appropriations to be made for the disposition of the remains of personnel of the Navy and

Marine Corps and certain civilian employees of the Navy, and for other purposes (Rept. No. 1179).

Mr. WALSH also, from the Committee on Naval Affairs, to which was referred the bill (H. R. 6044) to regulate the number of warrant and commissioned warrant officers in the Marine Corps, reported it with an amendment and submitted a report (No. 1180) thereon.

Mr. RADCLIFFE, from the Committee on Commerce, to which was referred the bill (S. 2977) authorizing the construction and maintenance of a dike or dam across Stansbury Creek in Baltimore, Md., reported it with an amendment to the title and submitted a report (No. 1181) thereon.

RAILROAD COMBINATION IN THE EASTERN REGION (REPT. NO. 1182)

Mr. WHEELER, from the Committee on Interstate Commerce, pursuant to Senate Resolution 71 (74th Cong.), submitted a report on the investigation of railroads, holding companies, and affiliated companies—railroad combination in the eastern region.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. ASHURST:

S. 3264 (by request). A bill to prohibit the receipt, possession or disposition of money or property feloniously taken from a bank organized or operating under the laws of the United States or any member of the Federal Reserve System; to the Committee on the Judiciary.

S. 3265. A bill to further amend the Federal Farm Loan Act by increasing the limitations of loans; to the Committee on Banking and Currency.

By Mr. HILL:

S. 3266. A bill to provide pensions, compensation, retirement pay, and hospital benefits to certain Reserve officers of the Army of the United States; to the Committee on Military Affairs.

By Mr. MEAD:

S. 3267. A bill for the relief of the International Mercantile Marine Co.; to the Committee on Claims.

S. 3268. A bill to amend section 4438 of the Revised Statutes of the United States for the better protection of life and property; to the Committee on Commerce.

S. 3269. A bill to authorize loans to public bodies and non-profit organizations for hospital, water, sewer, stream-pollution control, and related projects and facilities, and making an appropriation therefor; to the Committee on Banking and Currency.

(Mr. ANDREWS introduced Senate bill 3270, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. SCHWELLENBACH:

S. 3271. A bill to amend the act entitled "An act to provide for reorganizing agencies of the Government, and for other purposes," approved April 3, 1939; to the Select Committee on Government Organization.

S. 3272. A bill extending the provisions of an act entitled "An act to amend the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, and acts in amendment thereof," to Hedley E. Redmyer; to the Committee on Civil Service.

By Mr. BYRD:

S. 3273. A bill conferring jurisdiction upon the United States District Court for the Western District of Virginia to hear, determine, and render judgment upon the claims of Hannah S. Bray, Jane Bickers, and Frances Bickers; to the Committee on Claims.

S. 3274. A bill for the relief of Kirby S. Thomas; to the Committee on Civil Service.

S. 3275. A bill for the relief of James L. Hill; to the Committee on Finance.

By Mr. PEPPER:

S. 3276. A bill to repeal section 212 of the Economy Act of June 30, 1932, and for other purposes; to the Committee on Appropriations.

S. 3277. A bill to amend section 4 of the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Civil Service.

S. 3278. A bill for the relief of Render Spencer, a minor; to the Committee on Claims.

S. 3279. A bill to increase the appropriation for vocational rehabilitation in order that a larger number of needy disabled persons will receive aid in acquiring artificial appliances; to the Committee on Finance.

By Mr. BARKLEY:

S. 3280. A bill for the relief of the estate of Less Everett, deceased; to the Committee on Claims.

By Mr. REYNOLDS:

S. 3281. A bill to adjust the status of Lt. Comdr. Mortimer T. Clement, Medical Corps, United States Navy, retired, on the retired list of the Navy; to the Committee on Naval Affairs.

By Mr. NEELY:

S. 3282. A bill for the relief of Glenn Richard Smith; to the Committee on Claims.

By Mr. DOWNEY:

S. J. Res. 208. Joint resolution extending the time for construction of work-relief and public-works projects until January 1, 1941; to the Committee on Appropriations.

OLD-AGE ASSISTANCE—NOTICE OF SPEECH

Mr. ANDREWS. Mr. President, because of its ideal year-around climatic conditions, my native State of Florida probably has a larger per capita of old people who permanently reside there than has any other State in the Union. These fine people are very much interested in legislation of the type embodied in S. 3255, introduced by Senator DOWNEY on February 2.

Many of these constituents of mine will desire a copy of this bill, and because there are a limited number and in order to have as many copies as possible available for distribution, I am now introducing for appropriate reference a duplicate of S. 3255. I understand that other Senators will do likewise.

This virtually makes me one of the sponsors of this legislation. I am in sympathy with its purposes, as has already been indicated by the fact that I appeared before the Ways and Means Committee of the House when it was holding hearings on the former Townsend bill. As I stated at that time—

We might as well recognize this fundamental truth: That American security in the ultimate is rooted in economic contentment. To retain that security we must keep our human efforts and natural resources harnessed in productive work. Religious liberty, political liberty, economic liberty—these liberties that have made America the land of opportunity—are like the foundation of a great building. It is futile to try to save the upper stories when the foundation stones are crumbling.

A proper and efficient plan to care for our elderly citizens is absolutely essential. I concur in the principle laid down by our United States Supreme Court, "Old-age assistance and security is a national obligation and duty."

Many feel that the Social Security Act is not meeting the needs of that great class of our needy people over the age of 60 or 65 who are prohibited by the very nature of things from employment in nearly all the industries and trades.

Throughout my service in the Senate, the importance and necessity for legislation as embodied in the principles of the Townsend plan have grown increasingly apparent to me. At the first session of this Congress I introduced, for myself and in behalf of the junior Senator from Massachusetts (Mr. LODGE), Senate Joint Resolution 145, proposing a constitutional amendment which provides as follows:

The Congress shall have the power to levy taxes for old-age assistance.

This joint resolution was referred to the Senate Committee on the Judiciary, and recently favorably recommended and reported to the Senate, and is now on the Senate Calendar. It is my intention to call it up for consideration on the floor of the Senate in the near future. Many of my colleagues have asked that I give them notice when I expect to discuss it, and I now give notice that on next Monday, as soon as I can ob-

tain the floor after convening that day, I shall speak in behalf of my proposed amendment, and some of the principles of the legislation embodied in the bill introduced by the Senator from California.

Many feel, after weighing and analyzing every phase of our economic set-up for the security of our old people, that this is the only way to provide a substitute for permanent relief.

The VICE PRESIDENT. The bill introduced by the Senator from Florida will be received and referred to the Committee on Finance.

The bill (S. 3270) to provide for national recovery by raising revenue and retiring citizens past 60 years of age from gainful employment and provide for the general welfare of all the people of the United States, and for other purposes, was read twice by its title and referred to the Committee on Finance.

HOUSE BILL REFERRED

The bill (H. R. 8202) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1941, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

CHANGE OF REFERENCE

On motion by Mr. SHEPPARD, the Committee on Military Affairs was discharged from the further consideration of the bill (S. 458) extending the benefits of the Emergency Officers' Retirement Act of May 24, 1928, to provisional, probationary, or temporary officers of the Army, Navy, Marine Corps, and Coast Guard who served during the World War, and it was referred to the Committee on Finance.

RIVER AND HARBOR WORKS—RECOMMITTAL OF A BILL

On motion by Mr. BAILEY, the bill (H. R. 6264) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, was recommitted to the Committee on Commerce.

MOUNTAIN JUDICIAL DISTRICT, TENN.—PROPOSED RECOMMITTAL OF A BILL

Mr. NEELY. Mr. President, in obedience to instructions from the Committee on the Judiciary, I ask unanimous consent for the recommitment of Calendar No. 227, Senate bill No. 1681, introduced by Mr. McKELLAR, to amend section 107 of the Judicial Code to create a mountain district in the State of Tennessee, and for other purposes, a matter in which I have no personal interest.

Mr. McKELLAR. I object.

The VICE PRESIDENT. Objection is heard.

AMENDMENT TO TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL

Mr. SHEPPARD submitted an amendment proposing to appropriate \$700 for a gold medal to be presented to Howard Hughes in recognition of his achievements in advancing the science of aviation, in accordance with law, intended to be proposed by him to House bill 8068, the Treasury and Post Office Departments appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

BLIND BROOK AND SAW MILL, BRONX, AND HUTCHINSON RIVERS, N. Y.—AMENDMENT

Mr. MEAD submitted an amendment intended to be proposed by him to the bill (H. R. 6264) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

DOMESTIC SOURCES OF TIN—AMENDMENT

Mr. PEPPER submitted an amendment intended to be proposed by him to the bill (H. R. 5840) to amend the act entitled "An act to provide for the protection and preservation of domestic sources of tin" approved February 15, 1936, which was referred to the Committee on Military Affairs and ordered to be printed.

ASSISTANCE TO THE STATES IN HIGHWAY IMPROVEMENT—AMENDMENTS

Mr. JOHNSON of Colorado submitted amendments intended to be proposed by him to the bill (S. 3105) to assist

the States in the improvement of highways, which were referred to the Committee on Post Offices and Post Roads and ordered to be printed.

REIMBURSEMENT TO CERTAIN WISCONSIN COOPERATIVES—AMENDMENTS

Mr. WILEY submitted amendments intended to be proposed by him to the bill (S. 2585) to reimburse the cotton cooperative associations for losses occasioned by the Federal Farm Board's stabilization operations, and for other purposes, which were ordered to lie on the table and to be printed.

INVESTIGATION OF RAILROADS, HOLDING COMPANIES, AND AFFILIATED COMPANIES

Mr. WHEELER submitted the following concurrent resolution (S. Con. Res. 38), which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed 3,000 additional copies of each part and subsequent parts of Senate Report No. 1182, submitted pursuant to Senate Resolution 71 (74th Cong.), entitled "Investigation of Railroads, Holding Companies, and Affiliated Companies," of which 2,000 copies shall be for the use of the Committee on Interstate Commerce, 500 copies for the use of the Senate document room, and 500 copies for the use of the House document room.

RECIPROCAL-TRADE AGREEMENTS

Mr. VANDENBERG. Mr. President, I submit a resolution which I ask to have read from the desk.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 227) was read as follows:

Resolved, That the United States Tariff Commission is requested to submit the following information to the Senate at its earliest convenience:

(1) What foreign nations have generalized tariff reductions or other trade favors to the United States under the unconditional most-favored-nation policy, as a result of granting such concessions to others since 1934.

(2) What are the benefits, if any, that have been thus generalized.

(3) How many bilateral-trade agreements exist between other nations, and whom between.

(4) Which of these bilateral-trade agreements, if any, have been negotiated since 1934.

(5) Whether any of the concessions in these bilateral agreements, if any, have been generalized to the United States.

Mr. VANDENBERG. Mr. President, inasmuch as this is purely a request for basic information which will shortly be essential to the study of one of the pending problems of the present Congress, I ask for the present consideration of the resolution.

Mr. CONNALLY. I object.

Mr. BARKLEY. I hope the Senator will let the resolution go over for a day or two.

The VICE PRESIDENT. Objection is heard.

Mr. CONNALLY. Mr. President, a parliamentary inquiry. Why should not the resolution go in the regular route to the Finance Committee, of which the Senator from Michigan is a member? Why should it have immediate consideration? I do not want to "butt in" on the Senator from Kentucky, who is in charge of business before the Senate.

Mr. BARKLEY. I suggest that the resolution go over.

Mr. CONNALLY. Why should it go over? Why should it not take the regular route and be sent to the Finance Committee, and let us be talking about it? That is the usual route, as I understand, that it should take.

Mr. VANDENBERG. There are divers and sundry routes.

Mr. CONNALLY. There is a right route and a wrong route.

Mr. VANDENBERG. Yes; and the route by which a Senator is usually entitled to receive information he desires is the route which I have suggested be followed. I am quite willing, however, to yield to the suggestion of the Senator from Kentucky; and I ask that the resolution go over under the rule.

The VICE PRESIDENT. The resolution will go over.

Mr. CONNALLY. Mr. President, the Senator from Michigan referred to the right of every Senator to obtain information. Of course, I am happy to see the Senator from Michi-

gan secure information at any time; but this resolution has implications beyond the mere request for information. There are telephones in the Senate lobby. If the Senator from Michigan really wants information, he can telephone to the Tariff Commission and in an hour have all the information.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. VANDENBERG. Let me advise the Senator that I asked the Tariff Commission in writing for this information on January 17, and I thought I had waited about long enough.

Mr. CONNALLY. Has the Senator called up and asked why they have not answered?

Mr. VANDENBERG. I have had no acknowledgment of my letter, and I do not propose to pursue the Tariff Commission in an effort to try to get some consideration of a question which is legitimate and pertinent; and I am sure the Senator from Texas would not expect me to do more than I have done.

Mr. CONNALLY. No; I would not; I would hardly have expected the Senator to do as much as he has done. But he could call up the Commission by telephone and ask why no reply has been made to his letter. However, Mr. President, that does not change the situation. The Senate has certain rules and it has certain committees. The committees are supposed to be organized for certain particular functions, and if any Senator can rise and instantaneously secure in the Senate action which a committee ought to take, then we will disrupt the whole organization of the Senate. I say that this resolution should go to the Committee on Finance.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. McNARY. The practice is almost uniform that when information is sought from a department or a bureau of the Government a Senator merely offers a resolution and asks for its immediate consideration, or it remains on the table. It is not the practice at all to refer such resolutions to committees. A committee has not any jurisdiction over this matter; it is a question for the Senate, and a Senator is at liberty to ask for the information. I think the Senator from Michigan is quite within his rights.

Mr. CONNALLY. Exactly; and the Senator from Texas is quite within his rights, because it requires unanimous consent. The Senator from Texas has just as much of a vote, if not as much standing, as the Senator from Oregon or the Senator from Michigan.

Mr. BARKLEY. Mr. President, will the Senator from Texas yield?

Mr. CONNALLY. I yield.

Mr. BARKLEY. What the Senator from Oregon has just stated is, as a rule, the practice. Frequently resolutions asking for information are considered by unanimous consent upon their presentation. It struck me, from listening to the resolution of the Senator from Michigan, that it goes a little further than does the ordinary resolution asking for information. For that reason I asked that it go over, so that we might examine it and see whether it is the usual inquiry for facts. If it is broader than the usual request for such information, I agree with the Senator from Texas that it probably should go to the committee.

Mr. CONNALLY. If any Senator can do this kind of thing without consulting the Senate at all, the Senator from Michigan should have done it before the Senate met and not have taken up the time of the Senate with it. After all, it is a senatorial function that is to be performed, and the rules governing these matters are binding on all of us. Being a member of the Committee on Finance, I think that committee ought to look into this question, because it relates to matters over which that committee has jurisdiction. I am not hostile to the Senator from Michigan; I have a very great personal fondness for him; but I know that all his motives here are not personal, and we ought to go along the official route rather than pass upon these matters without consideration.

The PRESIDENT pro tempore. The resolution has gone over.

ADDRESS BY SENATOR BROWN TO THE JEWISH CONGRESS AT DETROIT

[Mr. BROWN asked and obtained leave to have printed in the RECORD an address delivered by him to the Jewish Congress at Detroit, Mich., on February 4, 1940, which appears in the Appendix.]

ASSOCIATE JUSTICE MURPHY

[Mr. BROWN asked and obtained leave to have printed in the RECORD a tribute to Associate Justice Murphy, written by Mr. H. C. Garrison, and published in the Detroit News of January 4, 1940, which appears in the Appendix.]

THE NATIONAL HEALTH BILL—ADDRESS BY SENATOR MURRAY

[Mr. MINTON asked and obtained leave to have printed in the RECORD an address delivered by Senator MURRAY on the legislative position of the national health bill at a joint session of the American Statistical Association and the American Association for Labor Legislation, in Philadelphia, Pa., on December 29, 1939, which appears in the Appendix.]

ADDRESS BY SENATOR PEPPER BEFORE SOUTH CAROLINA POLITICAL FORUM

[Mr. BYRNES asked and obtained leave to have printed in the RECORD an address delivered on February 1, 1940, by Senator PEPPER before the South Carolina Political Forum at the University of South Carolina, which appears in the Appendix.]

ADDRESS BY SENATOR MEAD ON HOSPITAL AND SANITATION NEEDS

[Mr. MEAD asked and obtained leave to have printed in the RECORD a radio address delivered by himself on hospital and sanitation needs, and an editorial on the same subject from the New York Times of January 31, 1940, which appear in the Appendix.]

ADDRESS BY SENATOR HOLMAN BEFORE AMERICAN COALITION

[Mr. HOLMAN asked and obtained leave to have printed in the RECORD an address delivered by himself before the American Coalition on January 31, 1940, which appears in the Appendix.]

ADDRESS BY HON. JAMES A. FARLEY AT WINSTON-SALEM, N. C.

[Mr. BAILEY asked and obtained leave to have printed in the RECORD an address on the subject Industry and Agriculture at the Gates of a New Decade, delivered by Hon. James A. Farley, chairman of the Democratic National Committee, at the annual dinner of the Winston-Salem Chamber of Commerce, Winston-Salem, N. C., January 24, 1940, which appears in the Appendix.]

ADDRESS BY HON. JAMES A. FARLEY BEFORE THE DEMOCRATIC NATIONAL COMMITTEE

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD the address of Hon. James A. Farley, chairman of the Democratic National Committee, at the meeting of the committee at the Willard Hotel, Washington, D. C., February 5, 1940, which appears in the Appendix.]

ADDRESS BY HON. JOHN HAMILTON AT WESTMINSTER COLLEGE, FULTON, MO.

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address delivered by Hon. John Hamilton, of Kansas, chairman of the Republican National Committee, at Westminster College, Fulton, Mo., on January 30, 1940, which appears in the Appendix.]

ADDRESS BY GENERAL DRUM BEFORE THE AMERICAN DEFENSE SOCIETY

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an address by Lt. Gen. Hugh A. Drum, commanding the First Army and the Second Corps Area, on the occasion of the award of a Distinguished Service Medal by the American Defense Society at a banquet at the Hotel Commodore, December 15, 1939, which appears in the Appendix.]

ADDRESS BY WALTER PERRY TO CONNECTICUT BANKERS' ASSOCIATION

[Mr. MALONEY asked and obtained leave to have printed in the RECORD an address delivered by Mr. Walter Perry, bank commissioner for the State of Connecticut, to the Connecticut Bankers' Association, at New Haven, Conn., on January 25, 1940, which appears in the Appendix.]

LETTER FROM GIFFORD PINCHOT ON THE FOREST SERVICE, ETC.

[Mr. DAVIS asked and obtained leave to have printed in the RECORD a letter from Hon. Gifford Pinchot, former Governor of Pennsylvania, relative to the Forest Service and the national forests, which appears in the Appendix.]

ARTICLES BY LLOYD C. GRISCOM ON NEUTRALITY

[Mr. PEPPER asked and obtained leave to have printed in the RECORD two articles by Hon. Lloyd C. Griscom, published in the Saturday Evening Post, on the subject of Neutrality, which appear in the Appendix.]

SUGAR

[Mr. PEPPER asked and obtained leave to have printed in the RECORD two articles from the Sugar Journal for January 1940 with reference to sugar, which appear in the Appendix.]

CIVIC PLANNING

[Mr. GIBSON asked and obtained leave to have printed in the RECORD an editorial from the Washington Evening Star of January 29, 1940, concerning the development of the National Park and Planning Commission in the city of Washington, which appears in the Appendix.]

THE BLIGHT OF BUREAUCRACY—ARTICLES BY COLE E. MORGAN

[Mr. BYRD asked and obtained leave to have printed in the RECORD four articles written by Cole E. Morgan and published in the New York Journal-American, which appear in the Appendix.]

EDITORIAL FROM NEW YORK POST ON GOLD BUYING

[Mr. TOWNSEND asked and obtained leave to have printed in the RECORD an editorial from the New York Post of September 19, 1938, on the subject of gold buying, which appears in the Appendix.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the amendments of the Senate numbered 1, 2, 3, 4, and 6 to the bill (H. R. 8067) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1940, and for other purposes, and that the House had disagreed to the amendment of the Senate numbered 5 to the bill.

INDEPENDENT OFFICES APPROPRIATIONS

The PRESIDENT pro tempore. Morning business is concluded.

Mr. GLASS. Mr. President, I move that the Senate proceed to the consideration of House bill 7922, the independent offices appropriation bill.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 7922) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1941, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. GLASS. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with and that the bill be read for amendment, the committee amendments to be first considered.

The PRESIDENT pro tempore. Is there objection?

Mr. McCARRAN. I did not understand the request.

The PRESIDENT pro tempore. The Senator from Virginia has asked that the formal reading of the bill be dispensed with and that the bill be read for amendment, committee amendments to be first considered.

Mr. McCARRAN. I do not think the bill has advanced to the point where I desire to interrogate the Senator from Virginia. When we arrive at the provision for civil aeronautics I desire to be heard, but not until that time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia? The Chair hears none, and it is so ordered.

Mr. GLASS. Mr. President, the report on the desk of each Senator very precisely states the action of the committee on

all items contained in the bill. Briefly, the bill as it passed the House appropriated \$1,100,187,267, and the Senate committee net increase amounts to \$38,506,261; so that the amount recommended in the bill as reported to the Senate is \$1,138,693,528.

The amount of the appropriation for 1940 was \$1,116,445,932, and the amount of the regular estimates for 1941 was \$1,194,704,473. So the bill as reported to the Senate is under the estimates for 1941 by \$56,010,945 and exceeds the appropriation for 1940 by \$22,247,596.

Mr. President, I may state that practically the only material increase in the bill is the \$39,000,000 for the Maritime Commission. Admiral Land appeared before the Committee on Appropriations and convinced us that this increase should be made, because it would not involve any increased construction, but would merely allow the Commission to complete vessels which are under contract.

An item for the National Resources Planning Board amounting to \$710,000, which was stricken out in the House of Representatives on a point of order, was restored by the committee.

One hundred and seventy-five thousand dollars was transferred from the Veterans' Administration to the Civil Service Commission to be available for work heretofore performed by the Council of Personnel Administration. That involves no increase in appropriation, but a transfer of a fund from one agency of the Government to another agency where it ought to be.

One million, one hundred and seventy-eight thousand, seven hundred and thirty-nine dollars was taken from the appropriation provided by the House for Civil Aeronautics, a million dollars of that amount being for maintenance and operation of air-navigation facilities.

The Civil Service Commission is deprived of \$200,000 for increased personnel. I may say that the Committee on Appropriations made a point of not voting for any increased personnel for any Government agency which appeared before it.

The committee also reduced the appropriation for the Public Buildings Administration in the District of Columbia by \$25,000 and for the Public Road Administration by \$10,000.

The chairman of the committee is willing to answer any question which may be propounded if he can. If there is no question to be asked, I ask that the first amendment of the committee be stated.

The PRESIDENT pro tempore. The clerk will state the first amendment of the committee.

The first amendment of the Committee on Appropriations was, under the heading "Executive Office of the President," on page 4, after line 7, to insert:

NATIONAL RESOURCES PLANNING BOARD

Salaries and expenses: For all necessary administrative expenses of the National Resources Planning Board, to perform the functions transferred to said Board on July 1, 1939, including personal services in the District of Columbia and elsewhere in accordance with civil-service laws and the Classification Act of 1923; rent in the District of Columbia and elsewhere; contract stenographic reporting services; purchase of books of reference, and periodicals; expenses of attendance at meetings concerned with development, conservation, and use of the resources of the Nation; traveling expenses; purchase of office equipment and supplies, and temporary employment of persons, \$710,000, of which not to exceed \$40,000 shall be available for printing and binding.

Mr. CLARK of Missouri. Mr. President, reserving the right to make a point of order, I should like to ask the Senator in charge of the bill, the chairman of the Committee on Appropriations, what authority of law there is for this appropriation.

Mr. GLASS. I asked that question myself, and the Senator from South Carolina [Mr. BYRNES] seemed to discover some authorization for it.

Mr. BYRNES. Mr. President, will the Senator from Virginia yield?

Mr. GLASS. I yield.

Mr. BYRNES. Under the Reorganization Act there were transferred to the National Resources Planning Board the

functions of what was known as the Federal Employment Stabilization Board in the Department of Commerce. There were also transferred the functions of the National Resources Committee.

The Federal Employment Stabilization Board Act was approved February 10, 1931. It set forth the functions of that office, and section 3 specifically provided—

There is hereby authorized to be appropriated annually such sum as may be necessary for the expenses of the Board.

The authority therefore is contained in the act creating the Federal Employment Stabilization Office, and its specific authorization for an unlimited appropriation for the functions of that organization. By the Executive order the functions of that Board are transferred to the National Resources Planning Board.

Mr. CLARK of Missouri. Mr. President, has the Senator concluded?

Mr. BYRNES. Yes.

Mr. CLARK of Missouri. The argument of the Senator from South Carolina simply amounts to saying that by taking some functions from an agency which is authorized by law, and transferring them to an agency which is not authorized by law, you vitalize and give authorization to the unauthorized agency, with much greater functions and scope and authority than the original authorized agency had. It is the same as saying that by taking a small child and putting it in the same box with a monster dummy the monster dummy is vitalized and given the breath of life.

Mr. President, there is no authority whatever for the National Resources Planning Board. It is true that under the Executive order referred to certain functions authorized by law in another agency are transferred to this unauthorized agency; but I present the question to the Chair whether that constitutes authority for the National Resources Planning Board, with a far greater scope of activities than contemplated in the act to which the Senator from South Carolina has referred. I, therefore, make the point of order.

Mr. BYRNES. Mr. President, the Senator from South Carolina does not argue that the National Resources Planning Board can exercise any greater function than the function of the Federal Employment Stabilization Board. Under the Reorganization Act the President had the power to transfer the functions of that Board to any other agency. When he transferred them, he transferred no more and no less than the functions of the Federal Employment Stabilization Board. Those functions were transferred, and the authorization for an appropriation is unlimited, and, therefore, I am sure the proposal is in order.

Mr. GLASS. Mr. President, I have nothing to say except that I think it may be proper to state that the President in the memorandum to the Speaker of the House, submitted too late to be considered, assumed the position that the Executive never interfered with the expenses of the legislative branch of the Government, and he does not think that the Senate ought to interfere with the Executive expenses. But that is a question of the merits of the proposition and does not relate to the point of order.

Mr. BARKLEY. Mr. President, will the Senator from South Carolina yield?

Mr. BYRNES. I yield.

Mr. BARKLEY. I desire to ask the Senator from South Carolina a question. The point made by the Senator from Missouri, by means of his rather drastic illustration of putting a small baby in the same box or basket with a monstrous dummy, seems to be somewhat out of order, because the Board was an agency which had been created by Executive order and it was alive. While it may have lacked a specific act of Congress creating it originally, it was created by Executive order, as I recall. That is correct, is it?

Mr. BYRNES. The Planning Board?

Mr. BARKLEY. Yes.

Mr. BYRNES. The President simply gave a new name to the agency. The agency continued. There is no question about it being alive and having all the power that the Congress gave it. The title is changed from Federal Employment

Stabilization Board to National Resources Planning Board. Under the reorganization act there can be no question of the power of the President to transfer one, two, or three agencies to another agency and give to the newly created agency a new title.

Mr. BARKLEY. I agree with the Senator, but even if it be assumed that some of the functions originally performed by the National Resources Planning Board might lapse, by reason of lack of appropriation or lack of authority, certainly those functions that are transferred to it would not lapse and they would continue in existence.

Mr. BYRNES. I do not think there can be any question about it. Under the Reorganization Act the President can transfer the functions of one, two, or three agencies to another organization, calling it by a new name; and when that is done the newly created agency has the power to administer all the functions transferred, unless there is some provision which would prevent the transfer of the functions of one of the three agencies. If that were true, certainly it would not affect the exercise by the newly created agency of the function of the two agencies that were transferred.

I will state to the Senator from Kentucky that an estimate was submitted for another agency—the National Emergency Council. After making an investigation I believed it was subject to a point of order, and I did not ask and did not believe it should be included in the bill. I have no doubt as to the correctness of the position I have taken, that since the functions of the Federal Employment Stabilization Board are administered by the National Resources Planning Board, the amendment is in order.

Mr. BARKLEY. Mr. President, let me ask the Senator this question: In view of the fact that the President has transferred the functions of this other agency to the National Resources Planning Board, and that the transfer in effect has been ratified by Congress, what would happen to the functions thus transferred to the National Resources Planning Board if this appropriation should fall by reason of the point of order being sustained or for any other reason? Could the functions be revitalized in the agency from which they were transferred, or would they collapse?

Mr. BYRNES. Mr. President, if the point of order were sustained the bill would go back to the committee in the first place. If what the Senator suggests occurs, there simply would be no money for carrying out the functions. I do not think it affects the question. I do not think there can be the slightest doubt that there is authority of law for carrying out those functions, and nothing more.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. BYRNES. I yield.

Mr. McNARY. I am inclined to agree with the views of the able Senator from South Carolina with regard to the point of order made by the able Senator from Missouri. That does not mean that I favor this appropriation.

Mr. BYRNES. Mr. President, I was not discussing the merits. I thought we would reach them in due time.

Mr. McNARY. Yes. I rather think the committee should have conformed to the House's attitude by leaving out the item; but I also think the point of order cannot be sustained, because I recall that this organization was once called the National Resources Committee—

Mr. BYRNES. That is correct.

Mr. McNARY. And that was established by authority of law, passed by both branches of the Congress, and signed by the President. An Executive order was subsequently made transferring its functions to the National Resources Planning Board. Consequently, the base has not been altered and is entirely supported by statutory enactment. Its name has been changed, and its functions have been somewhat changed. I want to make this as a voluntary contribution, because I am not wholly in accord with the provisions of the measure; but, in view of the fact that the point of order has been raised, it is my judgment that the point of order should be overruled.

Mr. BYRNES. I wish to say that the Senator is correct as to the Federal Employment Stabilization Board. The

National Resources Planning Board was created by Executive order.

Mr. ADAMS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. ADAMS. The statement was made by the Senator from South Carolina that if the point of order were sustained the bill would have to go back to the committee. My inquiry is whether it is not possible to make a point of order against a provision in the bill as distinguished from a point of order against the bill? The rules provide that a point of order may be made against the bill if it includes general legislation, which would send the bill back to the committee. My point is whether or not it is possible to make a point of order against the amendment. I am asking for my own information.

The PRESIDENT pro tempore. The Chair has heretofore held that if a point of order to an amendment of this type is sustained, it does not require that the bill go back to the committee.

Mr. GLASS. That is a departure from the regular order, Mr. President. The rules require that it should go back if the point of order is sustained.

The PRESIDENT pro tempore. The Chair will state that he is not passing on any question, but answered the parliamentary inquiry made by the Senator from Colorado. If a point of order is made against the bill, then, under the rules, if the point of order is sustained the bill must go back to the committee. If a point of order is made to a proposed amendment to the bill and the point of order is sustained such ruling does not require the bill to go back to the committee.

The Chair is about to rule on the point of order.

Mr. GEORGE. Mr. President, I wish to ask the Senator from South Carolina a question on this matter before the vote is taken. As I understand, the Senator from South Carolina says that the functions of the Civil Unemployment Agency—I believe that is the name—

Mr. BYRNES. Federal Employment Stabilization Office.

Mr. GEORGE. The functions of the Federal Employment Stabilization Office were transferred to the National Resources Planning Board. What I wished to ask was what sum of money heretofore was set aside for the agency whose functions were transferred to the National Resources Planning Board.

Mr. BYRNES. I must say, Mr. President, that I do not know. The act was passed in 1931. Then the agency was in the Department of Commerce, and the money that was used came out of the appropriations for the Department of Commerce. I could not say how much.

Mr. GEORGE. As I understand, it is the contention of the Senator from South Carolina that the National Resources Planning Board can exercise only the functions of this agency?

Mr. BYRNES. That is my view.

Mr. GEORGE. Then I think the Senate ought to have some information as to how much they have had heretofore.

Mr. BYRNES. The functions of that organization, as set forth in the act creating it, are practically the same as the functions set forth in the message of the President as to the Executive order. Some of those functions are described as follows:

Sec. 6. Such emergency appropriations are authorized and shall be expended only—

(a) For carrying out the provisions of the Federal Highway Act, as now or hereafter amended and supplemented;

(b) For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore and hereafter authorized as may be most desirable in the interest of commerce and navigation;

(c) For prosecuting flood-control projects heretofore or hereafter authorized;

(d) For carrying into effect the provisions of the Public Buildings Act, approved May 25, 1926, as now or hereafter amended and supplemented, in respect of public buildings within and without the District of Columbia; and

(e) For prosecuting such other construction as may now or hereafter be authorized by the Congress, and which is or may be included in the 6-year advance plans, as hereinafter provided.

Those are the functions of the Federal Employment Stabilization Board.

The PRESIDENT pro tempore. The point of order is overruled.

Mr. CLARK of Missouri. Mr. President, I offer an amendment to the committee amendment, on page 4, at the end of line 21, to strike out the period and insert a semicolon and the following language:

Provided, That no part of the funds appropriated under this item shall be used for the performance of any functions or duties other than the functions heretofore authorized by law to be performed by the Federal Employment Stabilization Board.

Mr. President, the purpose of this amendment is to conform to the authority of law for this appropriation, as asserted by the Senator from South Carolina [Mr. BYRNES], and as ruled by the Chair. As I understand, the Senator from South Carolina concedes that the National Resources Planning Board has no authority of law whatever for existence except the Executive order transferring the functions of the Federal Employment Stabilization Board.

Mr. BYRNES. I have no objection to the amendment.

Mr. CLARK of Missouri. Therefore it seems to me to be entirely proper to limit this appropriation to the functions authorized by law to be performed by the transferred agency.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Missouri to the first committee amendment. [Putting the question.] The ayes seem to have it.

Mr. GLASS. I ask for a division.

On a division the amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the first committee amendment, as amended.

Mr. TAFT. Mr. President, I should like to oppose the amendment as a whole. The House struck out of the bill and abolished the National Resources Planning Board, and also the Press Intelligence Service, formerly the National Emergency Council.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BYRNES. I understood the Senator to say that the House struck out this item. I wonder if the Senator has verified that statement. According to my information the fact is that it was not reported by the committee. The committee report stated that under the rules of the House it would not be reported, and it was not acted upon by the House at all.

Mr. TAFT. I acknowledge that it was the House committee which eliminated both these agencies which our committee now proposes to restore, one of them through the pending measure, and the other, I understand, in the relief appropriation bill, if it can be done.

I do not see that the National Resources Planning Board is performing a service which is worth continuing. If Senators will refer to the House committee hearings, I suppose the statement of Mr. Delano, the chairman, is as good a statement as any of what the Board is doing:

1. The conduct of special studies and investigations of problems of national policy in cooperation with the various Federal departments and agencies concerned.

Some studies are being carried on, but there is no reason why those studies cannot be carried on by other departments. When we examine the testimony further, we find:

We hope that other studies can be carried on, where they are warranted, by other regular departments, as soon as their usefulness is demonstrated.

Dr. Hildegaard Kneeland and her staff have been working now for some years in producing three large reports on consumer income and consumer expenditures. That work is now drawing to a close and it will be continued partly by the Department of Agriculture and partly by the Department of Commerce.

I do not see anything set out in this report as actually being done by the Board which cannot be done by some of the regular departments of government.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. PEPPER. Assuming that the several departments of the Government are doing a good job in the collection of

data and the making of analyses, does the Senator know of any agency of the Government whose duty it is to correlate and coordinate the activities of the Federal agencies in the collection of data and the making of analyses? In other words, is there any Federal agency or any department, other than the National Resources Planning Board, which obtains the whole vision and the whole view of the country, and thinks of the proper relationship of the development of one part of it to another, and to the whole?

Mr. TAFT. If it is merely a matter of coordinating the reports and telling each department which field to cover, I do not see why one of the six secretaries to the President, for whom we provided the funds, cannot do the work. I do not see why one man cannot accomplish that purpose, if all that is desired is to coordinate and see that various activities do not overlap, and that the whole thing is considered in the light of the entire situation. We do not have to spend \$710,000 on several hundred employees to do this proposed coordinating work—to do it over again, if you please, after some other department of the Government has already done it.

Mr. PEPPER. Mr. President, will the Senator yield for a further question?

Mr. TAFT. Surely.

Mr. PEPPER. If the Senator has examined the work which the National Resources Planning Board has done during its existence, will he be kind enough to tell us what particular phase of its work he objects to and thinks not worth while?

Mr. TAFT. I do not object to any of it. I say that whatever has been done could have been done by the regular departments under the direction of the President. We have provided plenty of personnel for the President to assume that direction and do that work.

This is the main emphasis in Mr. Delano's testimony:

We are now inaugurating, with the approval of the President, two major undertakings, one on national relief policy—

Congress has a committee on national relief policy which is studying the question, and which could well make that study—

and the other, the various aspects of the transportation problem.

Certainly many agencies of the Federal Government are engaged in that study, and we are about to pass a law giving the Interstate Commerce Commission general power over all transportation agencies, so that it can make the study.

It is our hope that reports on these studies may be available about a year from now.

If we are to study relief, it seems to me that if somebody cannot make a report on national relief policy in less than a year from now, we might just as well suspend the operation of that particular Department.

The other half of their work, they say, is for what they call decentralized planning.

Through nine regional offices we have assisted State and interstate planning agencies in the solution of their planning problems. Our board believes that there is a great opportunity for service—

And so forth.

I cannot understand why we should help State planning agencies. Why can they not do their own planning?

Mr. PEPPER. Mr. President, will the Senator yield for another question?

Mr. TAFT. I will yield in a moment.

On page 32 of the House hearings there is a list of employees. It shows that they have a Director at \$8,500; a Chief, Division of Research, at \$8,000; an Economic Adviser at \$8,000; an Assistant Director at \$7,000; an executive officer at \$6,500; a senior attorney at \$5,200; an executive engineer on the Water Resources Committee at \$6,000; an economic adviser on energy and minerals at \$8,500; a head transportation economist at \$7,000; a head economist in Studies of Relief Policies and Migration at \$7,000; and a chief of field service at \$8,000.

There are nine regional offices scattered throughout the United States, each with a clerical force of its own. There

are counselors who are paid as much as \$7,200. There are a number of them at \$6,800 and two of them at \$7,200. Altogether, the list represents a large number of high-salaried employees; and, so far as I can see, they have not performed any useful service.

I do not say that what they do is bad. It may prove to be quite good. However, if the Board were eliminated tomorrow I do not think there is any work they are doing which could not be performed by other Government departments and done as well as it is being done by the Board.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. OVERTON. I should like to inquire of the Senator whether or not he has ever known of the National Resources Planning Board making any report to Congress or to any committee of Congress in reference to any public works.

Mr. TAFT. I do not know; I would not be free to state that no report has been made, but I do not think any important report has ever been completed and submitted to the Congress for action. I think there have been some reports in the nature of progress reports.

Mr. OVERTON. I will state to the Senator that I am now, and have been for 7 or 8 years, a member of the Commerce Committee. That committee, as the Senator knows, has jurisdiction over rivers and harbors and flood control. It is presumed that one of the main purposes of the Resources Planning Board is to coordinate plans affecting rivers and harbors and flood control, but I have never known of a report by the Board or its predecessor, the National Resources Committee, being submitted to the Commerce Committee.

Mr. TAFT. I do not know as to that. I notice one report is referred to. One of the most recent of the studies printed was entitled "Energy Resources and National Policy." I have not seen that report, but I do not understand that it is a final report in any nature but simply a progress report.

Mr. OVERTON. One of the duties of the National Resources Planning Board and the National Resources Committee, its predecessor, was to make reports from time to time to Congress. That is prescribed as one of the duties. I do not know of any reports that have ever been made to any committee on any subject.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BYRNES. I will state to the Senator from Ohio that the National Resources Planning Board and the National Resources Committee do not make reports to the Congress unless the Congress asks for reports.

Mr. TAFT. Is it not true that there being no authorization by law for the Committee, of course, no duties are imposed on the Committee; but should it not make reports to the Congress as it completes its reports?

Mr. BYRNES. It is the duty of the National Resources Committee in the Executive Office of the President to make reports to the President, but it does not make reports to the Congress unless it is asked to do so. Its reports are of a factual nature. It could not make reports to the Congress unless the Congress by law directed that it should do so or should invite it to do so.

Mr. TAFT. The remarks of the learned Senator from South Carolina indicate that if we are to have a national planning board it ought to be set up by statute; its duties ought to be prescribed, including reports to the Congress; the whole program ought to be outlined, and Congress should specify exactly what it wants, and not simply hand \$710,000 to some board to do whatever they please, so far as I can see, with the money.

Mr. PEPPER and Mr. BARKLEY addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Ohio yield; and if so, to whom?

Mr. TAFT. I yield first to the Senator from Florida, who has been on his feet for some time.

Mr. PEPPER. Mr. President, the Senator said that, so far as he knew, the States were doing their own planning. I was going to ask the Senator if he knew of any other agency than this under the Federal Government whose ac-

tivities might tend to coordinate the planning of the several State agencies for regional development? For example, the Southeastern Planning Conference was recently held in Hollywood, Fla., and at that conference State planning agencies and the Governors and some of the leaders of the several States were brought together in one group for the purpose of considering regional planning. I will ask the Senator if he thinks that the States would do that themselves if they did not have a suggestion of that character from some coordinating agency?

Mr. TAFT. The State planning boards are largely supported by this Board and by W. P. A. funds that are allotted to them. For instance, there is listed in the general accomplishments of this Federal Board a community-development handbook in New Hampshire entitled "Your Home Town." There is a weekly release in Pennsylvania entitled "Know Your State"; another one called What Kansas Produces. The State boards are working all over the United States on all these local problems, and the Federal Government is largely supporting them and doing a good deal of work for them, apparently, and in other cases the W. P. A. is furnishing the funds with which they can do it.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BARKLEY. With reference to any report that has ever been made by the National Resources Committee or the National Resources Planning Board to the Congress or to anybody else, I agree with the Senator from South Carolina [Mr. BYRNES] that there was no requirement that it should report directly to the Congress. But I recall that about a year ago the President transmitted to the Congress a very exhaustive and voluminous report made by the National Resources Planning Board on a number of subjects, one of which was stream pollution; another was with respect to the development of our natural resources; another dealt with the question of recreation facilities in connection with the development of our natural resources. It was a voluminous report. I do not know whether or not any Senator has read it. I studied it in part; I did not have the time to master it all; but I say that it contained a very great amount of valuable information upon the natural resources of the United States with suggestions as to their utilization. I also recall that that report was made to the President and that he transmitted it to the Congress about a year ago.

Mr. TAFT. I should like to read a part of the testimony of Mr. Eliot, director of the National Resources Planning Board, who sets forth a paternalistic idea of the function of the Federal Government, which I think is rather interesting:

We have supposed that it was desirable to encourage the States to do their own planning and their own thinking, and we try to keep in touch with the States and to encourage them as time goes along in those activities in which we are particularly concerned.

That is the function in which they are engaged—teaching the States to think for themselves. I think it is a function we can well leave to the States; at least the State of Ohio is well able to think for itself.

Mr. PEPPER. Mr. President, I think I have heard of something of late which indicates some doubt as to whether or not Ohio has thought for itself very much. If I recall correctly, a little while ago the city of Cleveland, Ohio, knocking meanwhile at the door of the Federal Treasury, appeared before the country in a rather sad light. Although Ohio is a very honorable and a very great State, I am not at all sure that there has been the right kind of thinking and the right kind of planning in Ohio. If there had been the right kind of planning in Ohio, there would not have been in the city of Cleveland the preposterous paradox of the steel mills and other industrial units running at full speed and production at full pitch and volume and the great load of unemployment and the sad spectacle of suffering experienced there. It may be that such a situation as that at Cleveland indicates the right kind of thinking; it may be that it indicates economic equilibrium; it may be that it indicates far-sightedness; it may be that it indicates vision; and it may be it does not indicate any of them.

All the Resources Planning Board was designed to do was to make a study of the factual data that lies at the basis of the economy of this country, to try to stimulate where stimulation was desirable, to correlate where correlation would be helpful, and to endeavor to make the most harmonious economic order it was possible for us to have in this country.

If we find that, as a technical matter, there is no legal authority for the existence of the National Resources Planning Board, it is perfectly proper for any Senator to say that an agency of that character should have reason in the law itself and in the law's language. I make no protest against arguments based upon that ground, but I sincerely hope the Senate will not by what it does here, and the manner in which it does it, indicate to the country that we think it is preposterous to have a qualified agency that will try to plan as best it can a harmonious economy for the United States of America.

I mentioned a few moments ago the Southeastern Planning Conference, which was held in Florida in December, which was attended by the Governors and other representatives of several of the Southeastern States. It met to consider a problem common to the southeastern part of the United States. There have been a few men in this body who have had vision which has been wrought into reality in the development of a great section. I refer to that incomparable spirit who has been for many years one of the great and illustrious names in this Senate, the senior Senator from Nebraska [Mr. NORRIS], who had a vision of the development of the Tennessee Valley and the relationship of the question of flood control and power production and agriculture and soil economy and reforestation, new life to an undeveloped agriculture, and a new hope and horizon for many people. That development came to reality because someone had vision enough to see a whole section instead of merely one locality.

I am a member of the Commerce Committee, which deals with river and harbor projects, but I have never heard in the few years I have been there of any Senator getting up and exhibiting a plan for a correlation of flood-control projects and river and harbor projects that in all its ramifications involved the development of a great area. I have never even heard of the Army engineers coming in with a comprehensive plan. They make reports upon specific projects that are submitted to them.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. CLARK of Missouri. I recall to the mind of the Senator that a very comprehensive plan for the reclamation of the arid lands and flood control and everything else was reported from the Commerce Committee as long ago as 1913, during the chairmanship of the late Senator from Nevada, Mr. Newlands.

Mr. PEPPER. It may be that it was so long ago that it has grown somewhat musty, and that my inattention to it is accountable for the fact that I have not seen it. If it is due to my own inattention, I express regret. But I can think of but few instances of a comprehensive plan for the development of an area. The Mississippi River has been an instance, but it has taken many years and untiring labor on the part of many interested Members of Congress and of the Army engineers. That, however, is the exception, Senators, instead of the rule. That is what I mean to say.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. McKELLAR. Forty-three of the forty-eight States now have planning boards, and it is almost necessary to have a central planning board in which the work of the various other planning boards may be coordinated. As the Senator from Ohio a few moments ago said, there were regional offices, but provision for the regional offices has been stricken from this amendment. They were in the original amendment, but they have been stricken from it, and I think properly so.

Mr. PEPPER. I merely want to say, in conclusion, that at a time such as this in world affairs, when governments are groping for some answer to their problems, and some of

them have found the answer, they think, in regimentation and by governmental fiat and order have regimented the people of their countries, I am one of those who think that the antidote for that, the antithesis of it, is vision and planning and guidance and leadership of an affirmative character that will show how our resources may be developed and our economic order brought into equilibrium, so that we can have plenty for the people of the country, an opportunity to work for all, and fair prosperity for every section. I hope, therefore, that we shall do more planning instead of less of it, because I think it is characteristic of the genius of a democracy that it has a great vision of what may be done.

Mr. HAYDEN. Mr. President, the best way to judge the future is by the past. When we entered the depression, and it was determined that men should be put to work as a national policy, everyone thought of major public works, well planned and well organized. We appropriated \$3,300,000,000 in the first relief bill, and then undertook to find good, substantial projects on which to expend the money. There were very few of them. Wherever they could be found, the President allocated sufficient money to finish the project completely, even though it would take 2, 3, or 4 years; but there had been no planning agency of any kind operating in any coordinated manner throughout the entire United States. What happened? We created at the same time another agency, which became the Works Progress Administration and which was designed to put men to work quickly on minor projects where no particular amount of planning was required. It soon developed that that agency could put men to work, whereas the agencies which had to do more substantial work that required long-time planning had no plans, and the work could not be done. The result was that very soon the W. P. A. expanded in numbers, and the money allocated by the President to that agency was exhausted. In order to provide more funds for the W. P. A., the President was compelled to withdraw from almost every public-works project in the country the money allocated to complete it, leaving only sufficient for the 1 year. There was such a lag, so much delay in carrying out well-considered, well-planned projects because of the lack of planning and the lack of foresight that the Public Works Administration was criticized throughout the entire Nation because it did not put men to work. On the other hand, the Works Progress Administration did put men to work, and it grew until it became the major item of expenditure in the relief appropriations.

The lesson to be learned from this is that there should be a planning agency. It has been advocated for years by every engineering society in the country. Mr. Hoover advocated it when he was the Secretary of Commerce; and if the Congress had listened to his advice at that time we would have had an agency created that could have provided excellent projects to be undertaken in the period of distress.

Mr. TAFT. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Arizona yield to the Senator from Ohio?

Mr. HAYDEN. I yield.

Mr. TAFT. Does the Senator know how much of this \$710,000 is to be used for preparing this Federal works program?

Mr. HAYDEN. I am not prepared to answer the Senator as to how this particular sum of money is to be divided; but the Senator from Ohio takes the position that nothing at all should be done.

Mr. TAFT. I notice that—

Mr. HAYDEN. I want to pin the Senator down at that point. He is opposed to this entire appropriation, so the amount of it does not concern him.

Mr. TAFT. Because the work can be done by the regular departments of the Federal Government.

Mr. HAYDEN. The reason I advocate it is that it cannot be done by the regular departments of the Federal Government.

Mr. TAFT. What is the purpose of the Federal Works Agency which was just created if not to make plans for carrying out public works?

Mr. HAYDEN. Making plans may be a part of that Agency's purpose, but its major purpose is to carry out the plans after they are made. When the Senator has been here a little longer he will know that every agency of the Government that is engaged in spending money thinks its work is the most important in the whole Government; and if there is no coordination from the top, the result is that whatever agency can make the best impression upon committees of Congress or upon the Budget Bureau will get the money, without any systematic planning. Whether it will take \$710,000 a year or half a million dollars or \$2,000,000 I am not prepared to say; but I object to the argument made by the Senator from Ohio that no agency of any kind at all is necessary; that we should allow the Reclamation Service to get just as much money as it can for reclamation projects; that we should allow the Board of Army Engineers to get just as much money as they can for rivers and harbors works, and so on through the various agencies of the Government.

Mr. TAFT. Does the Senator suggest that this is a sort of budget commission that is going to limit the expenditures of the Congress?

Mr. HAYDEN. Exactly so. It is to advise the President in preparing the Budget.

Mr. TAFT. Can the Senator show anything in that line that this committee has ever done?

Mr. HAYDEN. Undoubtedly the committee has assisted the President in this way, because I have heard the complaint made, coming from the Board, that the President limited them under normal conditions and told them that about all this country could afford to spend for public works of all kinds was \$500,000,000 a year, and that they should work up a schedule of priorities; and the statement was made that the Board would like to interfere with a pet hobby of mine, the highway appropriations.

The Board is entitled to pass judgment on such questions, and I have no objection to its doing so. It is entirely sound that we should consider the construction of public roads in connection with public buildings or reclamation projects or whatever matters the Government may undertake. The point I wish to make is that the things that are going to stand out to the credit of this administration are the substantial public works that have been constructed, such as highways, rivers and harbors, public buildings, and reclamation projects. In the case of those things we shall have something to show for our money in the years to come. In the case of the millions, the billions we have spent on ill-planned projects, they have been the best we could do in a hurry to find jobs for men. The reason we had nothing better was because no plan had been made, and it is only sound common sense that an agency of this kind should be in existence to make such plans for the future.

Mr. ADAMS. Mr. President, will the Senator yield for a suggestion?

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Colorado?

Mr. HAYDEN. I do.

Mr. ADAMS. The Labor Stabilization Act, the functions of which are now recognized in this bill, establishes a 6-year planning scheme. It compels every construction department of the Government to work out plans covering a 6-year period. It requires that those recommendations go to the President. It directs the President to send to Congress special messages, and authorizes appropriations within a very broad limit. I was surprised to find what was included in the Labor Stabilization Act; and I may say to the Senator from Ohio that the act was passed in 1931.

Mr. WAGNER. Mr. President, my only reason for intruding in this discussion is that I happen to be the author of the Federal Employment Stabilization Act here under discussion. I pressed it to enactment in 1931, when there was a Republican Senate and a Republican House. I had introduced it first in 1928, as a result of some study I had undertaken and recommendations that had been made from time to time by engineers, and by President Hoover when he was Secretary

of Commerce, for the purpose of providing an agency that would plan public works 6 years in advance.

One Senator asked a moment ago whether this Board had ever done any work, and whether the Congress had ever utilized its work. As a matter of fact we did in 1932 and 1933. I shall come to that in just a moment. The purpose of the plan was to devise a reasonable, workable method of securing at least the cooperation of the Federal Government and its agencies in preventing the constant cycles of depressions and booms, in mitigating the economic effects of business cycles. We hoped to make some contribution toward stabilizing our national economy. An Employment Stabilization Board was established, with a director whose duty it was to keep in constant touch with all of the economic factors which determined cyclical economic trends, and to plan and coordinate our public works in the interest of business stability and employment.

The Director, Colonel Sawyer, was selected and appointed by President Hoover. He at once began the collection of statistics. Also every Federal agency that engaged in public construction had a representative on the Board. The difficulty theretofore had been that no method of coordinating their work had existed, so that our public works had been constructed in a haphazard manner. The idea was first to prepare our plans, make the surveys, and be all ready to go on with the public construction the moment the need was shown and Congress made its appropriation.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WAGNER. I yield.

Mr. TAFT. Do I understand that in spite of the creation of this agency all of this waste has occurred since, under the present administration, as the Senator from Arizona has stated?

Mr. WAGNER. That question does not enter into our consideration. I am trying to give a history of the enactment of the law and what it was intended to accomplish, and what I think it will accomplish if we are patient.

At any rate, Colonel Sawyer began at once, in 1931, to collect the economic statistics, and of course we were going down, down, down, deeper and deeper into the depression. By 1932 he had prepared a program of public works, though not for 6 years ahead, because he had not had time to do that. By the way, all this occurred while our friends on the other side were in control. They accepted our cooperation, and it was not the work of any particular party at all. The bill was passed unanimously in this body and in the House of Representatives.

In 1932, when some of us on this side prepared a bill for public works, we went to see President Hoover about it. He agreed to a program of public works to help reduce the unemployment which then existed. The theory of advanced planning, as I have said, was that as our economic barometer came down, which meant that unemployment was on the increase, the United States Government would step in with its public works in an effort to absorb those whom private industry could not employ. As the barometer went up, and we got back to a normal condition, and unemployment had diminished, the public agencies would retard their activities. That was the plan, to try to keep the barometer steady.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. WAGNER. I yield.

Mr. BYRD. What machinery would the Senator recommend to regulate this up-and-down movement? Would he have Congress give to the National Resources Planning Board the power to regulate?

Mr. WAGNER. Oh, no; the law does not provide for that at all. All the Board has to do is to prepare the plans for public construction, to survey, and to attend to all the preliminary matters which have to be done before actual construction is begun. The report is already made for the President and for Congress. If the barometer indicated that a depression was on the way, instead of waiting, as we have in the past waited, until we got right down to the bottom and then begin to do something, we would be in a position

to step right in and stop the further downward trend by putting the unemployed to work on public works.

The Board's report was to be made, the projects were to be all ready, by cooperation between all of the departments, and then the report would come to the Committee on Appropriations. They would be informed of the economic situation, and then it would be up to Congress to determine whether or not money should be appropriated for the specific projects.

There is no power of any kind taken away from Congress to determine the selection of projects, whether they want the appropriations made, and then actually to make them.

Mr. BYRD. Does the Senator from New York agree with the Senator from Arizona that this Board should take the place of the Budget Bureau?

Mr. WAGNER. I did not hear the Senator make any such statement. He merely talked about planning in advance, and I think that is one of the finest contributions we can make toward preventing these cyclical movements up and down. It has not yet been done effectively, because the law was enacted when we were already in a serious depression, and there was not time. We had to get our public works started in a hurry. But we passed a public-works bill in the Senate in 1932, and included projects which Colonel Sawyer had reported were all ready to go, and on which they would be prepared to begin construction within 60 days, and thus relieve the unemployment situation. The Board's planning work also made possible the rapid construction of Federal projects under the P. W. A. program beginning in 1933, when this present administration came into office.

Let me say that I do not know of any better contribution we could make toward stabilizing our economy than the preparation of public-works plans 6 years in advance. We now go at this matter in a haphazard way, and we have done so for a long time. We might construct public projects when there was no unemployment at all, when it was difficult to get skilled workers, and we might be taking them away from private industry, which was prepared to employ them. The proper time for the Government to engage in public construction is when private industry is not in a position to absorb the unemployed, and we should stop engaging in public construction the moment private industry is in a position to absorb the unemployed. In that way the Government could be a very strong factor in preventing the dreaded business cycles.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WAGNER. I yield.

Mr. TAFT. Does the Senator realize that only a small proportion of the \$710,000 is used for anything like settling the question of public works? As far as I can discover, of the total appropriation of \$710,000 probably not over \$100,000 is used for the purpose which the Senator is extolling.

Mr. WAGNER. I think whatever money is spent intelligently on planning is a contribution toward a better economic system. There is no doubt about that. I am speaking only of advanced planning for public construction. That was provided in a bill which I advocated for several years, and which was passed and approved by the President. For a while the law worked effectively, but we were not able to take full advantage of it. Reference has been made to the appropriation of \$3,300,000,000, which was in another measure which I had in charge, and which I sponsored. But we had to allocate most of the moneys for local projects, municipal and State projects. However, a considerable volume of Federal projects were first approved and gotten under way, based on the preliminary work of the Board. We had to rely largely, however, upon the projects sponsored by local authorities, and we made loans and grants for them. The present Planning Board has authority to consult with States and localities in local and regional public-works planning, so that it will be far more effective than its predecessor.

The fact that criticism may have been made in the past on the ground that this plan has not been as effectively operated as it should have been is no reason for destroying

a very worthy law, on which there is general agreement by students of the subject.

At the time the bill was before us I put into the RECORD, for the information of the Senate and of Congress generally, a list of economists from all over the country who approved that particular piece of legislation as a step toward helping us to prevent these cycles.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WAGNER. I yield.

Mr. TAFT. Does the Senator know of any general study being made on the subject of preventing booms and depressions by the National Resources Committee such as that being made by the Temporary National Economic Committee of the Congress?

Mr. WAGNER. I am not well enough informed on all the activities of this Board to answer the question. There are others here who can give the Senator the information. I am intensely interested in the particular phase of the work which is included in the Stabilization Act, because I happen to be thoroughly acquainted with it, and I think it can be effectively used to help us in reaching a more workable national program of public works.

Not through any research on my part, but as a result of information given to me, it was indicated that in many instances the largest public-works program conducted by the Federal Government had been carried on at a time when there was no unemployment at all, the Government at the time competing with private industry for skilled labor. That was an uneconomical way of conducting our public-works program. The sound way to help our private industries and to build up our economy is to carry on public construction when private industry is lagging, and to taper off public construction when private industry is booming.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WAGNER. I yield.

Mr. TAFT. Does the Senator see any reason why all of that work program should not be presented to and carried out by the Public Works Agency? Have we not tried to concentrate in one department everything the Government is doing in the way of public works, and why should this not, if it must be continued, be transferred to them, and let the rest of the bureaus be abolished entirely, and get rid of another complete additional set-up of technicians and every other kind of men, on high salaries, who, so far as I can see, are performing no functions the Government cannot perform in other departments?

Mr. WAGNER. I do not agree with the Senator that this work can be centered in one department. I have forgotten just how many different agencies have to do with public construction. I am sure the Senator from Arizona can tell me.

Mr. HAYDEN. There is almost no limit to the number.

Mr. WAGNER. At any rate, there are so many agencies that there must be a central board of some kind to keep in touch with all these agencies, and to get their reports as to what public projects they think ought to be undertaken. Then the central agency can begin the preparation of surveys, and do all of the things which are necessary before actual construction starts. All that information must be transmitted to a central bureau, if the work is to be done intelligently. In the long run, it means a saving of money to do it that way, and I should think it would be very unfortunate if this particular board should be abolished.

Mr. HILL. Mr. President, in connection with the item for the National Resources Planning Board, I ask unanimous consent that there be printed in the RECORD an article from The American City in the issue of February 1940, under the headline "Is forethought too costly for democracy?"

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the American City for February 1940]

IS FORETHOUGHT TOO COSTLY FOR DEMOCRACY?

Is it worth 1 cent per annum to the average citizen of the United States to have an agency in Washington that is constantly planning for the conservation and best use of the Nation's resources, public

and private, and is also aiding substantially in the work of State and local planning boards?

That question has become one of immediate urgency because of elimination by the House of Representatives last month from the independent offices supply bill of the \$1,060,000 requested by the President for continuance next year of the work of the National Resources Planning Board. As the United States News puts it, "Present Congress idea is to slap at the White House with cuts in pet Presidential projects."

There may be fun in slapping at the White House, but some kinds of slaps may be too silly to be politically wise, and too costly to be economically sound.

One of the major present challenges to the American system of government is to prove that a democracy can plan more wisely and function more effectively than a dictatorship. Planning, or organized foresight, is obviously needed at all three levels of government—National, State, and local. It is with the local level—that of the municipality and the county—that most readers of the American City are, of course, mainly concerned. Here the National Resources Planning Board has been rendering important service not by attempting to control local planning from Washington but mainly by helping to set up and stimulate the activities of State planning boards, which in turn are enabling county and municipal planning to proceed more effectively than would otherwise be possible. Aid to local planning has also been given in various ways, including the so-called urbanism studies published or in press.

In the first of these monographs, *Our Cities; Their Role in the National Economy*, an ideal relationship between national and local planning was stressed:

"It is not the business of the United States Government to assume responsibility for the solution of purely local problems any more than it is the business of local governments to assume primary responsibility for the settlement of national problems. Yet the United States Government cannot properly remain indifferent to the common life of American citizens simply because they happen to be found in what we call cities. The sanitation, the education, the housing, the working and living conditions, the economic security—in brief, the general welfare of all its citizens—are American concerns, insofar as they are within the range of Federal power and responsibility under the Constitution."

COMMERCE AND INDUSTRY PLAN; WHY NOT THE GOVERNMENT?

In a paper prepared for the annual convention of the American Public Works Association, held in Pittsburgh last October, John M. Carmody, Administrator of the Federal Works Agency, pointed out that the principles involved in the advance planning of expenditures for construction work are not a new thing. Commerce and industry have applied them for many years. But, continued Mr. Carmody:

"Private enterprise has, of course, always measured the returns to be expected from the investment in terms of dollars. Governmental agencies cannot always measure the value of public-works projects by a monetary yardstick. For example, what dollar value could one place on a stream-pollution project—even though it is obvious that such a project is a health-protective measure, that it has definite social and recreational value, and that it means a definite increase in property values which will ultimately show up in increased tax receipts to the community?"

"Likewise, while it has been shown that slum-clearance projects have a definite relationship to the curtailment of disease, crime, and fire hazards, all of which cost the public money, we have not yet discovered a formula by which to measure the monetary savings. Certain projects, such as toll bridges and waterworks, are of course revenue producing and provide economies and public services, but other projects which produce social benefits only can often be said to be of greater value to the community."

"Despite the relatively large volume of emergency construction which has been undertaken in the past several years, our records indicate that the needs of the people for vital public services have not yet been met. We are behind in school construction by about two and one-half billion dollars. Over 100,000 obsolete one-room schools still cover the countryside, while almost 40 percent of our educational buildings are over 30 years old. They are obsolete and are in urgent need of replacement. Hundreds of small municipalities and unincorporated communities are still dependent upon the well and pump and rain barrel for their water supply. Streams bordering and flowing through some of the most important cities are polluted, endangering the health of the residents, lowering real property values, and discouraging the location of new industry. Hospital facilities, in all but a very few metropolitan areas, are woefully inadequate. While notable progress has been made in the elimination of grade crossings on major highways, in the cities themselves the problem is only now being undertaken on a comprehensive scale. The slum clearance carried forward in the last few years has barely scratched the surface."

Regardless of how opinion may differ as to the wisdom of liberal public spending as an aid to private industry and to the reduction of unemployment, there can be no intelligent advocacy of the sheer waste that results from lack of planning. To assume that the public welfare can be advanced by the elimination of planning agencies from our governmental system is to go contrary to common sense and to the experience of successful business enterprises.

Congress would be well advised to restore the appropriation of the National Resources Planning Board, and to enact legislation making that agency a permanent arm of the Federal Government for which an adequate annual appropriation would be a matter of course.

Mr. BYRD. Mr. President, I hope very much that the pending committee amendment will not be agreed to. This agency is one of the 80 new agencies which have been added to the Federal Government in the past few years. I think that in its accomplishments it shows less for the actual money expended than any other agency of the Government.

If, as has been said here today, the purpose of this agency is merely to coordinate the activities of the other departments of the Government, certainly that object can be attained for a much smaller expenditure than \$710,000 a year. If the purpose is to present a plan for the prevention of depressions long in advance, 6 or 7 years in advance, as the Senator from New York has said, to determine whether or not we are to have a depression, and to regulate the expenditures of the Government in accordance with whether there is a boom or a depression, then I say that during the 8 years this agency has been in existence no worth while report along that line has been submitted to the Congress of the United States, nor, so far as I know, has any such report been prepared.

Mr. WAGNER. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. WAGNER. The agency was in existence since 1931, and I tried to recall to the Senator that in 1932 the agency reported to the Congress the public works for which authority had been given. It had only had 6 or 7 months' time in which to prepare the 6-year program, and there were not as many projects authorized as there would have been had the agency been in existence for a longer period of time. But whatever was prepared was helpful to us, because we were able to begin our public construction within 6 months. However, the depression had gone so far along that that construction was not sufficient to halt the downward movement.

May I now ask the Senator this question? Does not the Senator believe that it is the intelligent thing to construct our public works at a time when there is a slack in private industry, and not to engage in our public construction at a time when private industry is absorbing most of the skilled workers?

Mr. BYRD. Mr. President, I will ask the Senator from New York a question. At what point in the national income or in the number of unemployed does the Senator think we should not borrow money and spend it for public works?

Mr. WAGNER. Mr. President, I think the Senator misunderstood my question. There is always a certain amount of public works we have to do. The Senator will agree with that. There is always some essential public work that we have to undertake. I say that with all this work required to be undertaken is not the more intelligent plan to undertake the public construction which we intend to undertake at a time when there is a slack in private employment?

Mr. BYRD. I will say to the Senator that there is a clear distinction between that and the spending of borrowed money for the purpose of stimulating the business activity of the country. That is what has been done in the last few years, and has resulted in the most colossal failure in American history.

Mr. WAGNER. I will not discuss that at the moment.

Mr. BYRD. We have great numbers of unemployed with us and we are increasing the public debt every day.

Mr. WAGNER. I think there will be a time to discuss that. I simply wanted to receive an answer from the Senator as to whether it is not the more intelligent plan to construct our public works at a time when there is a slack in private employment.

Mr. BYRD. I will say to the Senator from New York that I think it is beyond the intelligence of any man or group of men to determine, long in advance, when there will be public unemployment and to do this long-term planning the Senator is speaking of.

Mr. WAGNER. We are not planning unemployment long in advance. What we are proposing is to plan public construction in advance. A certain amount of public construction must be done. It is the purpose to plan it in advance

so that when the economic indexes show there is unemployment we can accelerate the public-works program, and when unemployment is lessening then we can retard public construction. I do not say that we can determine the question of unemployment. What I do mean to say is that we should construct our public works at a time when private industry is not absorbing the unemployed.

Mr. BYRD. I think the Senator has a very fine theory.

Mr. WAGNER. Does not the Senator agree with that?

Mr. BYRD. My observation as a member of the Senate is that the determining factor in the construction of public works is the need of these public works and the lobby that comes to Washington to secure the appropriation for them. That is the determining factor.

Mr. President, I wish to inform the Senate of the duplication of effort in connection with the work of this Board and the work of the other departments of the Government. Now we come to the functions of this Board as set forth in the United States Government Manual.

The first function is to collect, prepare, and make available to the President such plans, data, and information as may be helpful to a planned development and use of national resources and related subjects referred to it by the President, and to recommend to the President and the Congress long-time plans and programs for the wise use and fullest development of such resources.

These are the departments that do very much the same work which the organization in question has been doing and thus duplicates a great deal of the same work. The Department of the Interior is "charged with the responsibility for advancing the domestic interests of the people of the United States," and does much of this work.

The General Land Office of the Department of the Interior, which "supervises the survey, management, and disposition of public lands and the minerals therein;" "executes all laws relating to the surveying, prospecting, locating, appropriating, entering, reconveying, and patenting all public lands within national forests, grazing districts, and other reservations;" and so forth.

The Bureau of Reclamation of the Department of the Interior, which "directs the investigation of irrigation resources, including the preparation of plans, construction, and operation of the irrigation projects, together with incidental power development."

The Geological Survey.

The Bureau of Mines.

The National Park Service.

The Bureau of Biological Survey.

The functions of the Petroleum and Conservation Division of the Department of the Interior and those of the Bituminous Coal Division of the Department of the Interior.

The National Power Policy Committee, which "plans closer cooperation of the several factors involved in electrical power supply of the United States."

The soil-conservation activity of the Department of Agriculture.

The Forest Service of the Department of Agriculture charged with "promoting the conservation and best use of the Nation's forest lands."

The Rural Electrification Administration of the Department of Agriculture.

That is the first of the functions of the Board as set forth in the United States Government Manual.

The second function is to advise the President from time to time of the trend of employment and business activity, and of the existence or approach of periods of business depression and employment in the United States or in any substantial portion thereof; and to recommend measures leading to the improvement and stabilization of economic conditions.

Here are some of the existing departments performing the same line of work:

The Division of Research and Statistics, Treasury Department, which among other duties provides "such general economic analyses as may be required by the Secretary of the Treasury."

The Department of Commerce, which has the principal purpose of "promoting and developing the foreign and domestic commerce, mining, manufacturing, shipping, and industry in general."

The Bureau of Foreign and Domestic Commerce, which "addresses itself to many phases of the basic question, 'How is business of the United States, and how may it be improved?'" The Bureau's activities embrace a broad program of studies in industrial economics, surveys of general business conditions, a careful scrutiny of current trade problems, basal research into salient economic and marketing questions. It considers and analyzes such problems as the structure of industry, corporate policies, trade practices, long-term debts, real-property economics, taxation of economic enterprises, interstate-trade barriers, and significant trends in income.

The Department of Labor, which has jurisdiction over matters pertaining to fostering, promoting, and developing the welfare of American wage earners, improving their working conditions and advancing their opportunities for profitable employment.

The Bureau of Labor Statistics, Department of Labor, charged with acquiring and diffusing among the people of the United States useful information on subjects connected with labor in the most general and comprehensive sense, and especially upon its relation to capital, hours of labor, the earnings of laboring men and women and the means of promoting their material prosperity and social, intellectual, and moral welfare. It is authorized to publish bulletins on the condition of labor and reports on conditions of employment and such other facts as may be deemed of value to the industrial interests of the United States.

The Bureau of Public Roads is doing some of that work.

The Public Works Administration is also doing some of it.

The Work Projects Administration is doing some of it.

The Army engineers of the War Department are doing a great deal of it. The chief of its duties in this connection is the peace-time responsibility for the construction and repair of fortifications, and so forth; and it supervises all Federal investigations and improvements for navigation, flood control, and power development of rivers and harbors.

The Tennessee Valley Authority does some of the same work.

Also the Bureau of Reclamation, with its functions involving management of irrigation projects, supervision of irrigated lands, and administration of reclamation funds.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. CLARK of Missouri. I call the Senator's attention to the fact that under authority of the act of March 3, 1933, providing for reorganization of the executive departments, the President, by Executive Order No. 6623, issued on March 31, 1934, abolished the Federal Employment Stabilization Board and ordered its records to be transferred to the Federal Emergency Administration of Public Works, then about to be established.

I call the Senator's attention further to the fact that in the Budget for the years 1932 and 1933, the years during which the great work of the Federal Stabilization Employment Board referred to by the Senator from New York was supposed to have been performed, the total Budget authorization for this institution for that year was \$90,000. Since the Senate has by amendment to this committee amendment limited the functions now to be performed by the National Resources Planning Board to the functions heretofore performed by the defunct Federal Employment Stabilization Board, it seems to leave small reason for justification of the increase from the former expenditures of this Board in its busiest time of \$90,000 to the sum of \$710,000, as provided in the committee amendment.

Mr. BYRD. I thank the Senator for his comment.

Purpose 4 of the Board is to receive and record all proposed Federal projects involving the acquisition of land—including transfer-of-land jurisdiction—and land-research projects, and, in an advisory capacity, to provide the agencies con-

cerned with such information or data as may be pertinent to the projects.

The following present Departments of the Government perform some of these functions, as set forth under the fourth purpose of the Board:

The Land Office, National Park Service, Forest Service, Public Buildings Administration, Grazing Division, Navy Department, and War Department.

The fifth purpose of this Board is to consult and cooperate with agencies of the Federal Government, with the States and municipalities or agents thereof, and with any public or private planning or research agencies or institutions in carrying out any of its duties and functions, and to act as a clearing house and means of cooperation for planning activities, linking together various levels and fields of planning.

Mr. President, the agencies of the Government which I have mentioned, which are duplicating the work which the National Resources Planning Board is doing, are executive agencies of the Federal Government, and as such are under the control of the President of the United States. If he desired to do so, he would have no difficulty in obtaining information from these agencies instead of from the National Resources Planning Board, and at greatly reduced cost.

Mr. President, I very much hope that the amendment reported by the committee will not prevail.

Mr. REED. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. REED. In my year's service in this body I have very frequently heard the term "boondoggling" used. I wish to inquire of the Senator from Virginia whether or not he considers the activity under discussion the highest-priced "boondoggling" that has yet been suggested.

Mr. BYRD. I will say to the Senator that I think it represents an unnecessary expenditure.

In conclusion, let me say that unless taxes are raised to the extent of \$460,000,000 if Congress votes for the appropriations submitted to us by the President of the United States, it will be necessary to raise the \$45,000,000,000 debt limit. So far as I can ascertain, no definite program has thus far been submitted by the Executive or by any Member of Congress to increase taxes to the extent of \$460,000,000. If we do not increase the limit before July 1, 1941, the present debt limit of \$45,000,000,000 will be exceeded unless appropriations submitted are reduced by over \$400,000,000.

I think the time has come to consider this question earnestly and carefully, to economize where we can economize, and to reduce the things which will least affect the activities and the progress of the American people. I know of no agency that can be abolished with less harmful effects than the National Resources Planning Board, the agency which has been restored in the appropriation bill by the Senate Committee on Appropriations.

The PRESIDING OFFICER. The question is on agreeing to the first amendment reported by the committee, as amended.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Frazier	Lucas	Schwellenbach
Andrews	George	Lundeen	Sheppard
Ashurst	Gerry	McCarran	Shipstead
Austin	Gibson	McKellar	Smathers
Bailey	Glass	McNary	Smith
Barbour	Green	Maloney	Stewart
Barkley	Guffey	Mead	Taft
Brown	Gurney	Miller	Thomas, Idaho
Bulow	Hale	Minton	Thomas, Okla.
Burke	Harrison	Murray	Thomas, Utah
Byrd	Hatch	Neely	Tobey
Byrnes	Hayden	Norris	Townsend
Capper	Herring	O'Mahoney	Truman
Chavez	Hill	Overton	Tydings
Clark, Idaho	Ho'man	Pepper	Vandenberg
Clark, Mo.	Johnson, Calif.	Pittman	Van Nuys
Connally	Johnson, Colo.	Radcliffe	Wagner
Danaher	King	Reed	Walsh
Davis	La Follette	Reynolds	Wheeler
Donahay	Lee	Russell	White
Ellender	Lodge	Schwartz	Wiley

The PRESIDING OFFICER. Eighty-four Senators have answered to their names. A quorum is present.

Mr. BYRNES. Mr. President, I wish to make only a short statement with reference to this item.

In the first place, there has been considerable discussion about what has been done by the National Resources Committee, and by the National Resources Planning Board since that Board succeeded the National Resources Committee.

As a matter of fact, there is some misunderstanding. There is an impression that the Resources Committee was under some obligation to report to the Congress. There was no such obligation, and it did not assume to do so unless committees of the Congress asked for such reports. Reports have been made by the Committee to the President, and then have been sent by the President to the Congress. As to the statement that the Committee has conflicted with other agencies of the Government, that statement is not accurate. The very purpose was that it should not submit reports to the Congress, and, in consequence of such reports, be charged with attempting to influence legislation by the Congress. It has been an arm of the President. It has submitted its reports to the President.

The statement has been made that it conflicted with the action of the Army engineers. I have in my hand a statement from the Chief of Engineers, dated January 23, in which he says:

This corps has always adhered steadfastly to the view that it is in no sense a policy-making branch of the Government, but solely an executive agency to carry out the functions required by law. Pursuant to this general policy there has been complete cooperation between the Corps of Engineers and the National Resources Planning Board in carrying out its purposes. This cooperation has not only extended to the Chief of Engineers and his staff in Washington, but also to the field officers of the corps.

The Senator from Ohio [Mr. TAFT] has referred to the activities of the National Resources Committee. As a matter of fact, the National Resources Committee has performed many useful functions. The representative of the National Resources Planning Board testified before the committee on the work of the Resources Committee in bringing together the officials of the States of Colorado, New Mexico, and Texas, as the result of which a controversy which had existed for years among those States has been satisfactorily settled, and a compact has been entered into between the States.

The object of the National Resources Committee has been to serve the President by enabling him intelligently to determine the wisdom of public-works projects. When a report was submitted by the Chief of Engineers, before the President approved it he submitted it to the National Resources Committee, solely for his information, to determine whether or not carrying out of the proposed project would affect other questions. If it would affect a power question, it was sent to the Federal Power Commission. If it would affect a reclamation project, it was sent to the Bureau of Reclamation of the Department of the Interior. This was done to enable the President to determine whether or not the suggested project should receive his approval. Having information from only one department, he might never know whether or not the project would affect other activities. Only when the Committee could obtain the facts as to the various departments could the President intelligently act upon a project.

An entirely different situation confronts the Senate this afternoon. I care not whether a Member agrees or disagrees with what has been done; the only question is, Shall this appropriation be provided for the purpose of enabling this Board to carry out the functions of the Federal Employment Stabilization Board?

It is said that when that Board was created in 1931 there was a small appropriation for it. That is true. The appropriation was \$90,000, and it went down to about \$50,000. Its history is that, pursuant to reorganization powers, the Board was abolished, but the President had no power to abolish its functions. The Congress specifically provided that he should not have power to abolish functions. Therefore the functions of that office provided by law must be performed, and

now it is proposed that the National Resources Planning Board shall carry out the functions of the Federal Employment Stabilization Board, which by Executive order were transferred to the Planning Board and which that Board now has the power to administer. The proposal here is to give it the money to do it. Whatever those functions may be, regardless of what anyone may think of what has been done, the question is, What can be done under the authority carried by this bill? We look to the law and find that the law provides—

There is hereby established a Board. * * * It shall be the duty of the Board—

To do what?—

to advise the President from time to time—

Not advise the Congress but—

advise the President from time to time of the trend of employment and business activity and of the existence or approach of periods of business depression and unemployment in the United States or in any substantial portion thereof.

And it sets forth five functions:

- (1) To carry out the provisions of the Federal highway act;
- (2) The preservation and maintenance of existing river and harbor works;
- (3) Prosecuting flood control projects;
- (4) Carrying into effect the provisions of the Public Buildings Act;
- (5) Prosecuting such other construction as may now or hereafter be authorized by the Congress.

If this money is appropriated for that purpose, it will serve the best purpose that any similar amount of money can possibly serve when appropriated by the Congress.

Nothing has so impressed us as has the unemployment situation and methods of combatting it. The Senator from Ohio has indicated that such matters should be administered by the Public Works Administration. The pending bill does not provide money for the Public Works Administration to perform that duty. There is no estimate by the President for funds for the Public Works Administration except the amount to carry out projects under construction and for the administrative employees. There is no proposal to have a public works program submitted to the Congress. Therefore the Congress and the country are confronted with the situation that, if there is to be any planning it must be by this organization; and anyone who has devoted thought to the question surely must agree as to the wisdom of planning. If, as a result of business depression, there should happen what happened in January 1938, and the great motor companies should discharge 30,000 employees without notice other than 48 hours, and those employees should be out of employment, somewhere in this Government there should be an organization that would have a plan ready for public works that could be entered upon and entered upon immediately. What has been the trouble with the public works program heretofore? The trouble has been that when depression has come, and men have been thrown out of employment, then we start to plan and some agency comes to Washington to discuss what should be done.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BYRNES. I yield.

Mr. TAFT. Is there such a Federal works plan existing today?

Mr. BYRNES. I do not know.

Mr. TAFT. If a depression should occur within the next month, is there a plan now ready to be put into effect?

Mr. BYRNES. I do not know.

Mr. TAFT. What has the Board been doing for the last 6 years with the money which has been provided for it, if there is not today a plan in existence?

Mr. BYRNES. I have stated that the question as to the National Resources Planning Board has been disposed of; it is now a moot question what it has done, whether it acted wisely or unwisely, because under this bill there is an appropriation for only the Federal Employment Stabilization

Board, which, under the authorization of law, provides for carrying out such a program as I was discussing when interrupted.

Mr. TAFT. If this particular agency has not done the job in 6 years, let me ask whether they are going to do it in the next year? I do not agree at all with the Senator. It has not done anything in 6 years. That is the whole basis of the opposition to this agency—that it has not done anything.

Mr. McCARRAN. Mr. President, will the Senator yield for a question?

Mr. BYRNES. Let me first answer the Senator from Ohio.

Mr. McCARRAN. Very well.

Mr. BYRNES. I want to state to the Senator from Ohio that the National Resources Planning Board, by reason of what the Senate has done today, will have no appropriation to enable it to carry out the functions which have heretofore been performed by that Board. I have no idea that that Board today has as one of its functions such planning as I am discussing. The Federal Employment Stabilization Office, which was created by an act introduced by the Senator from New York, does provide for such planning, and I am happy that an appropriation is provided for the purpose of carrying out the functions of the act passed in 1931, introduced by the Senator from New York, which directs the planning which I have discussed. I do not believe any such planning was a part of the functions of the National Resources Board. If it was, I never so understood, and I am not discussing what has been done by the National Resources Board. Now I yield to the Senator from Nevada.

Mr. McCARRAN. Mr. President, I am a member of the committee of which the Senator is the strategist, and I recognize him as the great strategist of this body; but I am wondering if the Board which was created by an act of Congress in 1931 has accomplished anything in the way of planning for either a 6-year period or a 5-year period or any other period to which the able Senator from South Carolina can now point.

Mr. BYRNES. If they have, I never heard of it.

Mr. McCARRAN. That is what I thought.

Mr. BYRNES. It was established in 1931 with an appropriation of \$90,000, and if it ever carried out these functions I have not heard of it. But I come back to my statement. For the first time I see some hope that, as a result of what has now occurred, the Employment Stabilization Office will be given funds which will enable it to do something far better than anything that the National Resources Committee has ever done. The Senator from Missouri and I were members of the Employment Committee, and last year one of the things in which I was particularly interested was to try to secure an appropriation that would enable the Board to plan in advance for public works, so that when depressions came the Federal Government could immediately—to take the illustration to which I referred a few moments ago—go into that section where the automobile industry is principally located, and if there was wholesale unemployment there, put people to work by immediately starting the construction of Government projects. I am not defending any agency and do not care about doing it, but I say the trouble has been when we have appropriated money for public works it has taken us so long to move into the large jobs, the large projects which really employ people, that oftentimes the real crisis has passed before money has been spent and put into the pockets of the workingmen. The only way it has been done is when the W. P. A. has come in. My belief has always been that we ought to have available project plans, insofar as they can be perfected in cooperation with a board such as the Federal Employment Stabilization Board, and when it appears that there is to be serious unemployment on the western coast, to put into effect immediate plans for projects there to relieve that situation, and if there is an unemployment condition in New England, to put such a plan into effect there.

As to what the Planning Board has done, I confess I do not know. I know that if it had any such plans, I have not heard of them. I am sure I would have heard of them.

Mr. McCARRAN. Did the able Senator from South Carolina ever have brought to his attention any occasion when the National Planning Board conformed its plans to those of any one of the 43 State planning boards that are in existence?

Mr. BYRNES. I do not know that it conformed. I only know the testimony before the committee of the representatives of the Board, speaking again now of what the National Resources Committee did.

Mr. McCARRAN. If I may interrupt again, I will say that so far as I have been able to ascertain—and I regret that I was not in the committee meeting when this matter was before the committee—I have yet to learn of one occasion when the National Planning Board, which we are now trying to perpetuate under a different name, agreed with or acted in conformity with any one of the 43 State planning boards now in existence.

Mr. BYRNES. Mr. President, I have no information about the Board except the testimony before the committee.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BYRNES. Not until I answer the Senator from Nevada.

The PRESIDING OFFICER. The Senator from South Carolina declines to yield for the present.

Mr. BYRNES. The testimony before the committee, which appears on page 7, sets forth a number of projects in which the Board claims that it did cooperate with State boards. As I say, I have no knowledge other than this. For instance, one item to which they rather called attention, and of which I have some recollection, is the following:

In 1935, after more than 40 years of controversy over the waters in the basin, the three States joined in requesting the National Resources Committee to sponsor a comprehensive study of all relevant data. A cooperative investigation was organized promptly. Arrangements were made for the Bureau of Reclamation to study dam sites and possible transmountain diversions, for the Geological Survey to make measurements of stream flow and ground water, and for the Bureau of Agricultural Engineering to determine water uses and requirements. The Office of Indian Affairs, the Soil Conservation Service, the Bureau of Plant Industry, and the Resettlement Administration donated important technical help. Necessary funds were provided by the Public Works Administration, the participating Federal agencies, and the States. Thus, many agencies which formerly had worked independently pooled their resources in a common undertaking.

The result, as presented in the report of the Rio Grande joint investigation, was the first truly comprehensive picture of the water resources and uses in any large interstate drainage basin in the United States. * * *

It resulted in a compact * * * which was approved without any dissenting vote by all three legislatures and by both Houses of the Congress.

And they instance here one other item of New Mexico and Texas as having a similar investigation in the Pecos Basin, which is being made, and state that there were other items. That is their testimony on the subject.

Mr. McCARRAN. I may say to the Senator that some of us have knowledge of the plans which were worked out; but, as stated in the reports, they were worked out by the legislatures of the respective States and by the representatives of the respective States, and not by the Planning Board, although the Planning Board may take credit for them.

Mr. BYRNES. I have no intimate knowledge on the subject, except that the Senator from Colorado [Mr. JOHNSON] stated to me a while ago that in the matter which has just been referred to, the Board did, in his opinion, perform a very useful service to the State. I have no information about the matter; but I submit to the Senate that regardless of what the committee has done, the functions committed to the Federal Employment Stabilization Office really provide an exceedingly important service, and that the Congress can render a fine service by giving to the organization an appropriation—that is all that is proposed here—for the purpose of administering those functions. A million dollars was requested for the Planning Board by the Budget Bureau. The Appropriations Committee reduced that amount to \$710,000, which is to cover the administration of the functions of the Board.

Mr. CLARK of Missouri. Mr. President, will the Senator yield at that point?

Mr. BYRNES. Yes.

Mr. CLARK of Missouri. I should like to ask the Senator how the committee justifies this particular figure of \$710,000, inasmuch as the estimates are based on the functions heretofore performed by the National Resources Planning Board, including a number of functions outlined by the Senator from Ohio [Mr. TAFT] a moment ago in reading the divisions and the organization of that body, which by the action of the Senate today have been excluded from the operation of this appropriation, which we are now limiting. The application of this appropriation, as the amendment stands at the present time, is limited to the functions heretofore performed by the Federal Employment Stabilization Board, which at the heyday of its activities in the year of its greatest service and greatest activity, as explained by the Senator from New York [Mr. WAGNER] a while ago, spent only \$90,000. So, having a set of figures here based on one set of activities which have now been removed from the National Resources Planning Board, it seems to me to be extremely unwise to apply the same yardstick to the performance of an entirely different set of functions belonging to a different organization, which have recently been transferred to the Board.

Mr. BYRNES. Mr. President, I think the Senator is in error in his statement that money would be available only for such functions of the Federal Employment Stabilization Board as have heretofore been authorized by law. I have read those functions. Admittedly the functions as set forth in the act are as broad as, or broader than, those of the National Resources Committee. For instance, I call attention to them again:

- (a) For carrying out the provisions of the Federal Highway Act * * *;
- (b) For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore and hereafter authorized as may be most desirable in the interest of commerce and navigation;
- (c) For prosecuting flood-control projects heretofore or hereafter authorized; and
- (d) For carrying into effect the provisions of the Public Buildings Act, approved May 25, 1926 * * *; and
- (e) For prosecuting such other construction as may now or hereafter be authorized by the Congress, and which is or may be included in the 6-year advance plans as hereinafter provided.

Those are functions similar to the functions that were administered by the old National Resources Committee; but, in addition, the function of the Federal Employment Stabilization Board and the part of the act to which I have called attention, which is of more interest to me, is the advance planning to which I called attention, and which could be made, if the money is spent right and spent wisely, the means of promoting efficiency in public works and with the hope of saving some money, of seeing that it is spent intelligently and only for wise projects.

Mr. OVERTON. Mr. President, the Senator from South Carolina [Mr. BYRNES] confirms the statement which was made by a number of Senators during the debate in respect to this amendment. That is, that, so far as he knows and so far as any other Senator knows, so far as the progress of the debate indicates, neither the National Resources Planning Board nor its predecessor, the National Resources Committee, nor the predecessor of both, the Federal Employment Stabilization Board, has ever done any work that has commended itself either to Congress or to the Nation.

It has been suggested by the Senator from South Carolina that sufficient statutory authority is vested in the National Resources Planning Board, by reason of the fact that all the functions of the old Federal Employment Stabilization Board have been transferred to the new board, to give it an opportunity to do something really worth while.

Conceding that to be true for the sake of argument, yet the highest sum that was appropriated for the old Stabilization Board was \$90,000. With \$90,000 at first and later with \$50,000, it did nothing. The National Resources Committee had allotted to it a much larger sum than \$90,000 or \$50,000; and, according to my recollection, under the Executive order creating the committee, it had more extensive authority than that possessed by the Stabilization Board.

Therefore, if the contention made by the Senator from South Carolina be correct that we ought to allow this newly created Board, the National Resources Planning Board, to make a fresh start, why not give it an opportunity first to justify itself? Instead of appropriating almost \$1,000,000 to start it off on a career that may end as disastrously as the career of its predecessors ended, why not give it an opportunity to justify itself by making a reasonable appropriation? Let us see what it can do if it be equipped with the sum that was appropriated for the old Stabilization Board.

Therefore, Mr. President, I offer the following amendment: On page 4, line 20, I move to strike out the figures "\$710,000" and substitute "\$100,000"; and on line 21, page 4, I move to strike out "\$40,000" and substitute "\$5,000", so that the appropriation for the National Resources Planning Board then would be \$100,000, of which not to exceed \$5,000 would be available for printing and binding.

I offer that amendment to the committee amendment.

Mr. KING. Mr. President, if we vote for the Senator's amendment, as I shall, that would not imply a moral obligation on our part to vote against the bill?

Mr. OVERTON. Not at all.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Louisiana.

The CHIEF CLERK. On page 4, line 20, it is proposed to strike out of the amendment of the committee "\$710,000" and to insert "\$100,000", and on line 21 to strike out "\$40,000" and to insert "\$5,000."

Mr. BARKLEY. Mr. President, I have no desire to delay a vote on the amendment offered by the Senator from Louisiana, but I wish to say just a few words with reference to it and regarding the amendment offered by the committee.

I favor the amendment offered by the committee to appropriate \$710,000 for the National Resources Planning Board. I realize that there is somewhat of a deep-seated disagreement among perfectly honest and sincere Members of the Senate and of the community over the question of national planning and as to the agency which should carry it on if it is to be carried on.

The United States is an enormous country. There are 48 States in the Union. Our resources are diversified, extending from one end of the country to the other. It may be that we should not look upon these problems as a whole; it may be that there should not be in the mind of anyone the conception that in developing our resources, in conserving them, and in making them useful to our people, we should do it as a nation. But, fortunately or unfortunately, while I am as filled as any man can be with local pride and believe that the functions of a State in not only its political but its industrial attitude toward the welfare of the people should be preserved, I believe that as a great nation of 130,000,000 we have to look at these problems very largely as a nation and as a whole. Therefore I do not share the opinion of those who are opposed to any national outlook with respect to these matters. I am one of those who believe that we cannot divide ourselves into 48 airtight and watertight compartments in dealing with problems which are national, and which we must face as a nation, as a whole people, rather than as segments of the people.

I do not wish to go into the work of this National Resources Planning Board or its predecessor, the National Resources Committee, or the work of the Federal Employment Stabilization Board, all of whose functions have been converged under the Executive order of the President; but I do believe it is worth \$710,000 each year to have some board or some agency under the direction of the President, and responsible to him, from whom he may seek advice, and whom he may instruct to investigate matters which come peculiarly within his jurisdiction, that will take a national viewpoint of matters within its jurisdiction and its province.

There should not be any jealousy or controversy between the National Resources Planning Board and the Corps of Army Engineers. I have always been a defender of the Corps of Army Engineers, and I am now. I think they constitute probably as expert a body of men as there are em-

ployed by the Government of the United States. There is no real controversy between these two bodies. They have up to now worked together; they have coordinated their functions and their activities; they have advised with one another, and there has been no real cause for any controversy between the National Resources Planning Board and the Corps of Army Engineers with respect to the development of our national resources. There may be less cause for friction in the future, although from a reading of the statute under which the Federal Employment Stabilization Board was created, in the matter of considering employment, which is a subject which has many ramifications, they can go into all the matters with respect to the improvement of our rivers and harbors, matters of reforestation, of recreation, flood control, stream pollution, and the various matters which are under the jurisdiction of the Planning Board itself, in all probability, because it seems that the jurisdiction somewhat overlaps with respect to these two Boards.

I earnestly hope that the amendment offered by the Senator from Louisiana will not be agreed to. If this Board is worth anything, it is worth more than \$100,000. If it is not worth any more than that, it should not have any money at all. I believe that it is worth more than that. I believe that it will perform a useful duty to the people of the United States. I think that the pending amendment should be defeated and that the amendment offered by the committee should be agreed to, and I hope it will be, because I think that somewhere in the Government of the United States there should be an agency looking at our problems as a whole, and that they should not be considered by separate groups of individuals in localities, people probably interested more in some local enterprise or development than in the coordination of all our activities in behalf of all the people, with a coordinated, well-thought-out, symmetrical, and systematic plan for the utilization of the resources with which God Almighty has endowed the United States of America.

Mr. TAFT. Mr. President, on page 25 of the House hearings is set out a division of the expenses of the National Resources Planning Board, and while it is somewhat difficult to analyze it carefully, it seems to me that \$100,000, as proposed by the Senator from Louisiana, would cover all of the items which deal with the question of unemployment, which is the only function left for the Board after the adoption of the amendment offered by the Senator from Missouri [Mr. CLARK]. So, regardless of what we may think of the Board, it certainly seems that \$710,000 is much beyond anything which ought to be appropriated for the functions which now remain to it. So I believe the amendment of the Senator from Louisiana should be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Louisiana [Mr. OVERTON] to the amendment of the committee as amended.

Mr. McNARY. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. McNARY. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McNARY. Is the motion to reduce to \$100,000 the appropriation provided in the amendment?

The PRESIDING OFFICER. That is the question.

Mr. McNARY. Senators who favor decreasing the appropriation should vote "yea"?

The PRESIDING OFFICER. That is correct. The yeas and nays having been ordered, the clerk will call the roll. The legislative clerk proceeded to call the roll.

Mr. DAVIS (when his name was called). On this vote I have a pair with the junior Senator from Kentucky [Mr. CHANDLER]. Not knowing how that Senator would vote, I transfer my pair to the senior Senator from North Dakota [Mr. NYE], and vote "yea."

Mr. THOMAS of Utah (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the senior Senator from Alabama [Mr. BANKHEAD], and will vote. I vote "nay."

The roll call was concluded.

Mr. LA FOLLETTE. I announce that my colleague, Mr. WILEY, is detained on official business of the Senate.

Mr. HILL. I announce that my colleague, Mr. BANKHEAD, is absent on account of illness.

Mr. GLASS (after having voted in the negative). I have a general pair with the senior Senator from Minnesota [Mr. SHIPSTEAD]. Since he is not present in the Chamber, I transfer that pair to the junior Senator from Maryland [Mr. RADCLIFFE], and let my vote stand.

Mr. McNARY. Mr. President, the senior Senator from Vermont [Mr. AUSTIN] is necessarily absent. He has a pair with the junior Senator from Mississippi [Mr. BILBO]. If the Senator from Vermont were present and at liberty to vote he would vote "yea." I am advised that the Senator from Mississippi would vote "nay."

Mr. LUCAS. I announce that my colleague, Mr. SLATTERY, is unavoidably absent. If present, he would vote "nay."

Mr. BARKLEY. I announce that my colleague, Mr. CHANDLER, is absent because of illness. I am not authorized to say how he would vote if present.

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE], the Senator from Arkansas [Mrs. CARAWAY], the Senator from California [Mr. DOWNEY], and the Senator from Delaware [Mr. HUGHES] are absent from the Senate because of illness.

The Senator from Iowa [Mr. GILLETTE] is absent, attending the funeral of the late Representative Dowell, of Iowa.

The Senator from Mississippi [Mr. BILBO], the Senator from Ohio [Mr. DONAHEY], the Senator from Minnesota [Mr. LUNDEEN], the Senator from West Virginia [Mr. HOLT], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Maryland [Mr. RADCLIFFE] are detained on important public business.

The Senator from Texas [Mr. CONNALLY], the Senator from Iowa [Mr. HERRING], the Senator from New York [Mr. MEAD], the Senator from West Virginia [Mr. NEELY], the Senator from Missouri [Mr. TRUMAN], the Senator from Nebraska [Mr. BURKE], the Senator from Indiana [Mr. VAN NUYS], and the Senator from Montana [Mr. WHEELER] are detained in important committee meetings.

I announce the following general pairs: The Senator from Texas [Mr. CONNALLY] with the Senator from Wisconsin [Mr. WILEY], and the Senator from Nebraska [Mr. BURKE] with the Senator from Missouri [Mr. TRUMAN].

The result was announced—yeas 34, nays 35, as follows:

YEAS—34

Bailey	Frazier	King	Thomas, Idaho
Barbour	George	Lodge	Tobey
Bulow	Gerry	McCarran	Townsend
Byrd	Gibson	McNary	Tydings
Capper	Gurney	Miller	Vandenberg
Clark, Mo.	Hale	Overton	Walsh
Danaher	Harrison	Reed	White
Davis	Holman	Smith	
Ellender	Johnson, Calif.	Taft	

NAYS—35

Adams	Green	McKellar	Schwartz
Andrews	Guffey	Maloney	Schwellenbach
Ashurst	Hatch	Minton	Sheppard
Barkley	Hayden	Murray	Smathers
Brown	Hill	Norris	Stewart
Byrnes	Johnson, Colo.	Pepper	Thomas, Okla.
Chavez	La Follette	Pittman	Thomas, Utah
Clark, Idaho	Lee	Reynolds	Wagner
Glass	Lucas	Russell	

NOT VOTING—27

Austin	Chandler	Hughes	Shipstead
Bankhead	Connally	Lundeen	Slattery
Bilbo	Donahey	Mead	Truman
Bone	Downey	Neely	Van Nuys
Bridges	Gillette	Nye	Wheeler
Burke	Herring	O'Mahoney	Wiley
Caraway	Holt	Radcliffe	

So Mr. OVERTON's amendment to the committee amendment, as amended, was rejected.

The VICE PRESIDENT. The question is on agreeing to the committee amendment on page 4, line 8, as amended.

Mr. BYRD. On that question I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. McNARY. A parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McNARY. Is the Senate now voting upon the committee amendment, as amended on motion of the Senator from Missouri [Mr. CLARK]?

The VICE PRESIDENT. Yes.

Mr. McNARY. And a vote against the appropriation is "nay?"

The VICE PRESIDENT. That is correct.

Mr. McNARY. And a vote for the appropriation is "yea?"

The VICE PRESIDENT. The Senator's statement is correct. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. BARKLEY (when Mr. CHANDLER's name was called). I wish to repeat the announcement I made on the previous roll call, that my colleague [Mr. CHANDLER] is absent from the Senate because of illness. I am not authorized to say how he would vote on this question if present.

Mr. DAVIS (when his name was called). Making the same announcement as on the previous vote, I vote "nay."

Mr. LUCAS (when Mr. SLATTERY's name was called). My colleague is unavoidably detained. If present he would vote "yea."

Mr. THOMAS of Utah (when his name was called). Adhering to my previous statement, I shall vote. I vote "yea."

The roll call was concluded.

Mr. GLASS (after having voted in the affirmative). Repeating the statement made by me on the previous vote, I transfer my pair with the Senator from Minnesota [Mr. SHIPSTEAD] to the Senator from Maryland [Mr. RADCLIFFE], and let my vote stand.

Mr. TYDINGS. I desire to announce that my colleague [Mr. RADCLIFFE] is necessarily detained on Government business.

Mr. McNARY. Repeating a previous statement, I announce that the senior Senator from Vermont [Mr. AUSTIN], if present, would vote "nay." I am advised that if present and voting the Senator from Mississippi [Mr. BILBO] would vote "yea."

Mr. MINTON. I announce that the Senator from Alabama [Mr. BANKHEAD], the Senator from Washington [Mr. BONE], the Senator from Arkansas [Mrs. CARAWAY], the Senator from California [Mr. DOWNEY], and the Senator from Delaware [Mr. HUGHES] are absent from the Senate because of illness.

The Senator from Iowa [Mr. GILLETTE] is absent, attending the funeral of the late Representative Dowell, of Iowa.

The Senator from Mississippi [Mr. BILBO], the Senator from Ohio [Mr. DONAHEY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from West Virginia [Mr. HOLT] are detained on important public business.

The Senator from Texas [Mr. CONNALLY], the Senator from West Virginia [Mr. NEELY], the Senator from Iowa [Mr. HERRING], the Senator from Indiana [Mr. VAN NUYS], the Senator from Wisconsin [Mr. WILEY], and the Senator from Montana [Mr. WHEELER] are detained in important committee meetings.

The Senator from Texas [Mr. CONNALLY] has a general pair with the Senator from Wisconsin [Mr. WILEY].

The result was announced—yeas 38, nays 35, as follows:

YEAS—38

Adams	Guffey	Maloney	Schwellenbach
Andrews	Hatch	Mead	Sheppard
Barkley	Hayden	Minton	Smathers
Brown	Hill	Murray	Stewart
Bulow	Johnson, Colo.	Norris	Thomas, Okla.
Byrnes	La Follette	Pepper	Thomas, Utah
Chavez	Lee	Pittman	Truman
Clark, Idaho	Lucas	Reynolds	Wagner
Glass	Lundeen	Russell	
Green	McKellar	Schwartz	

NAYS—35

Ashurst	Ellender	Johnson, Calif.	Taft
Bailey	Frazier	King	Thomas, Idaho
Barbour	George	Lodge	Tobey
Burke	Gerry	McCarran	Townsend
Byrd	Gibson	McNary	Tydings
Capper	Gurney	Miller	Vandenberg
Clark, Mo.	Hale	Overton	Walsh
Danaher	Harrison	Reed	White
Davis	Holman	Smith	

NOT VOTING—23

Austin	Chandler	Holt	Shipstead
Bankhead	Connally	Hughes	Slattery
Bilbo	Donahay	Neely	Van Nuys
Bone	Downey	Nye	Wheeler
Bridges	Gillette	O'Mahoney	Wiley
Caraway	Herring	Radcliffe	

So the committee amendment, as amended, was agreed to. Mr. BYRNES. Mr. President, I move to reconsider the vote by which the amendment, as amended, was agreed to.

Mr. BARKLEY. I move to lay that motion on the table.

The VICE PRESIDENT. Without objection, the motion of the Senator from Kentucky is agreed to.

The clerk will state the next amendment reported by the committee.

The next amendment was, on page 4, line 22, to increase the total appropriation for the Executive Office of the President from \$1,334,850 to \$2,044,850.

The amendment was agreed to.

The next amendment was, under the heading "Civil Aeronautics Authority," on page 8, line 6, after the word "automobiles", to strike out "\$1,659,191" and insert "\$1,543,932"; so as to read:

General administration: For all necessary expenses of the offices of the members of the Authority, Coordinator and Secretary, General Counsel, Director of Statistics and Information, and Director of Regional Offices, in carrying out the provisions of the Civil Aeronautics Act of 1938 (52 Stat. 973), including personal services and rent in the District of Columbia and elsewhere; expenses of the Air Safety Board other than those specifically provided for under "Air Safety Board, Civil Aeronautics Authority"; contract stenographic reporting services; fees and mileage of witnesses; expenses of examination of estimates of appropriations in the field; purchase (including exchange), operation, maintenance, and repair of aircraft; hire, maintenance, repair, and operation of passenger-carrying automobiles; \$1,543,932.

Mr. McCARRAN. Mr. President, earlier in the day I expressed a desire to be heard on the amendment with reference to the Civil Aeronautics Authority. The committee amendment affects five captions in the bill. I shall address myself to all five at once, if the able Senator in charge of the bill will agree to discuss them in that way. I think it might save time, and make the matter a little more comprehensive.

The five headings to which I wish to address myself are: "General administration," "Economic regulation," "Maintenance and operation of air-navigation facilities," "Safety regulation," and "Establishment of air-navigation facilities." The reason why I desire to address myself to all five at once is that they are comprehensive and coordinated. I am wondering whether or not the able chairman of the Committee on Appropriations would care to discuss them as one proposition, or whether he would prefer to take them up one by one.

Mr. GLASS. Mr. President, the Senator from Virginia does not care to discuss them at all.

Mr. McCARRAN. Very well. Then I shall address myself to all five matters, under the headings, "General administration"; "Economic regulation"; "Maintenance and operation of air-navigation facilities"; "Safety regulation"; and "Establishment of air-navigation facilities."

A little understanding as to the program of civil aeronautics, and a little reminder of what has transpired, will not be out of place. It will be recalled that a much beloved, now revered, Member of this body lost his life as he traveled from New Mexico to take his seat in the Senate. Following the death of Bronson Cutting, an investigation was conducted under the direction of the then chairman of the Commerce Committee, the much beloved late Senator from New York, Senator Copeland. At the conclusion of that hearing the committee, of which Senator Copeland was chairman, rendered a most comprehensive report, which recommended to Congress that some \$16,000,000 be expended in a program to provide safety facilities for travel by air.

That program finally found itself embodied in the act of which I had the privilege to be the author, namely, the Civil Aeronautics Act of 1938. That act, now a little less than 2 years old, has accomplished more in the way of development of air commerce and safety in the air than any other measure that has been enacted for commerce in this century.

I say that on the authority of the President of the United States, who not long ago issued a public statement in which he said that the certificated air lines of the country had rendered a wonderful service, and that they had accomplished 500,000,000 passenger-miles without a single fatality.

In other words, by the expenditure of public moneys we accomplished a safety measure and made it possible for 500,000,000 passenger-miles to be flown within this country without a single fatality.

Mr. President, that result was not accomplished by haphazard methods. It was accomplished because the object, purposes, and mandates of the Civil Aeronautics Act of 1938 were meticulously carried out.

I wish here and now, as I have done in the past on other occasions, to pay my respects to the Civil Aeronautics Authority appointed by the President pursuant to the Civil Aeronautics Act of 1938. I think that Authority has accomplished a wonderful work. Without ostentation, without publicity, without anything that brought itself to public note, it has accomplished a great and magnificent result. Instead of the people being afraid to travel by air, today our planes, flying from the west coast to the east coast, and from the Gulf to the Canadian line, are utilized daily, so that one must have reservations days ahead in order to obtain a seat on one of the planes.

Moreover, the Civil Aeronautics Authority, by the use of public money and the facilities accorded to it by the Civil Aeronautics Act of 1938, put into effect conditions which have brought together the communities of this Nation from north to south and from east to west.

More than that, the Civil Aeronautics Authority has, by the use of public money and by the facilities afforded it through the Civil Aeronautics Act of 1938, brought about a condition whereby this Nation is today fortified from within. Today every plane that travels from the Pacific to the Atlantic, every plane that travels from the Gulf to the Canadian line—yea, more, every pilot who flies on any route—constitutes, together with air facilities, an essential agency for defense in time of national distress when we may be threatened from without. In other words, every pilot today who flies the air is a potential warrior, trained with a knowledge of the terrain, with a knowledge of air currents, with a knowledge of other conditions. All these things have been accomplished by and with the sanction—yea, more, at the command and direction of acts of Congress.

We appropriated \$7,000,000 for 1940. In connection with that appropriation we directed that facilities for the protection and safety in travel by air should be provided in this country. We have not accomplished everything we set about to do, but we have set up air protection and air facilities whereby life is safeguarded in travel by air. We have set up those facilities under the direction of Congress. The question now is the manning of those facilities. So one of the greatest items in this particular phase of the bill is that of additional personnel. Mr. Hester, when he came before the committee, reported that it would require some 630 additional personnel. Those constituting that personnel were not to be in the office in Washington; they were not to be swivel-chair employees; they were to man the facilities for air travel throughout the length and breadth of this country. They were to live in the deserts if need be. Somewhere there may be a facility requiring 1 man, and at other places there may be a facility requiring as many as 15 men; but in every instance those men are to see to it that as planes pass over, as travel is conducted through the air, the pilots are warned from moment to moment as to flying conditions. More than that, the pilots are advised from moment to moment as they travel in any particular channel and a particular course.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. SCHWELLENBACH. I should like to ask the Senator what, if any value, the new facilities constructed as a result of the appropriations for last year would have if we did not provide personnel to man them? Would they be of any value whatsoever?

Mr. McCARRAN. Let me say to the Senator that not only would they be valueless but, as a matter of economy, they would have to be taken from their present locations and stored somewhere, so that the elements or other factors might not entirely destroy them.

Mr. CLARK of Missouri. Mr. President—

Mr. McCARRAN. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. The net result of the \$1,000,000 reduction, which is an arbitrary reduction made by the Senate Appropriations Committee, would be that 3,000 miles of air-safety facilities now constructed and ready to be operated would have to be taken out of operation?

Mr. McCARRAN. I wish to emphasize what is in the Senator's question. In other words, the facilities have by mandate of Congress been set up, and, having been set up, they must now be manned in order to be of any use whatsoever. So additional personnel for the operation of these facilities is entirely essential.

Mr. DANAHER. Mr. President—

Mr. McCARRAN. I will yield to the Senator in a moment. We have been looking to long-distance flying in this country. Today no facility in America means more for this country and its development than the methods of travel by which people may go rapidly from one section to another; there is no facility more important than that which transports mail from one section to another; there is no facility more important today than that new facility by which it is proposed to put our Nation ahead of all the other nations of the earth, namely, the facility of travel and commerce by air.

I now yield to the Senator from Connecticut.

Mr. DANAHER. I thank the Senator. I noticed the Senator said he would speak on each of the subheads in general. I note among the subheads is one for "Maintenance and operation of air-navigation facilities," on page 8.

"Technical development," page 9.

"Safety regulation," page 9.

"Establishment of air-navigation facilities," on page 10.

I wish the Senator would please tell us why it is that under every one of such heads we find particularly reference made in each instance for the purchase of the following items for aviation purposes, "including snow shoes and skis."

Mr. McCARRAN. If the Senator were familiar with the mountainous country over which air travel must pass, if he knew that men must go to the very summits of the Rockies and the summits of other mountain ranges, he would know that they must be equipped with those things that will afford them the means by which they will be able to reach the places where their services may be required. I sought to deal with the matter a moment ago, when I said that the additional personnel is not personnel to be located in Washington but the men are to be out on the desert and in the mountain ranges, for in some places air-travel facilities are located in almost inaccessible places.

Mr. DANAHER. I wish to thank the Senator for his help. Perhaps it is due to my unfamiliarity with budget making, but why should we have to have an allotment for snow shoes and skis under each of those heads? Why could we not appropriate for snow shoes and skis once and have done with it, so to speak?

Mr. McCARRAN. I may enlighten the Senator by saying we always have to deal with the Comptroller General, and the Comptroller General is meticulous in asking for detail as to every item under every heading. That may, to some extent, explain the reason for going into detail in these matters.

Mr. DANAHER. I thank the Senator.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. CLARK of Missouri. With reference to the question asked by the Senator from Connecticut, I should like to say, as a member of the Copeland committee which investigated the question of safety in the air—an investigation which came about as a result of the death of the late Senator from New Mexico, Mr. Cutting—that it was the testimony of the heads of the Weather Bureau, the testimony

of the heads of all the aeronautical scientific societies, and the testimony of the air operators, that nothing could possibly be devised to contribute more to safety in the air than the improvement of the weather service in the way of scouts at remote areas who might be able, by some means, at definite places, to telephone in reports of a storm which might not have been detected by the predictions of the Weather Bureau.

The reason for the inclusion in this measure of those particular authorizations is simply to keep some clerk in the Comptroller General's office who does not understand the situation from holding up a vital appropriation until the heads of the Weather Bureau and the Civil Aeronautics Authority can have a chance to go down and have a hearing and explain to him the very vital necessity for those items.

Mr. MINTON. Mr. President, will the Senator from Nevada yield while I ask the Senator from Missouri a question?

Mr. McCARRAN. I yield.

Mr. MINTON. The Senator from Missouri was on the committee which investigated the accident that killed Senator Cutting. Is it not a fact that it was the failure of some of the air facilities which was responsible for that accident?

Mr. CLARK of Missouri. I will say to the Senator from Indiana that there was never any complete agreement as to the exact cause of that accident; but undoubtedly the failure of the facilities at the station in the vicinity of La Plata, Mo., was a very great contributing cause of the accident. The testimony was that when the ship in which Senator Cutting was a passenger arrived over Kansas City the operators at Kansas City were not advised as to what the weather conditions were in the vicinity of La Plata, Mo.; and, according to the weight of the testimony, they apparently ordered the ship on the line where Senator Cutting was finally killed, instead of ordering it to turn around and go to Omaha, where the field was clear.

Mr. MINTON. Is it clear to the Senator from Missouri that if we do not provide this money for these employees and for the additional facilities we may be caught again in a situation very similar to that which resulted in the death of Senator Cutting?

Mr. CLARK of Missouri. I was about to say—I do not wish to infringe on the time of the Senator from Nevada—that I very much hope we will take steps to continue the magnificent work which has been done for safety in the air and that it never again will be necessary to wait until a Member of this body is killed in order to have the Government of the United States take proper steps in the matter of insuring safety in the air.

Mr. McCARRAN. Mr. President, I wish to expand just a little the reply made by the able Senator from Missouri to the able Senator from Indiana as to whether or not facilities may have been neglected. The records show that an order was made, in order to carry out a certain phase of economy, that a certain light should be reduced in its intensity. The light, therefore, became entirely inoperative. It was a beacon light of great importance, and had it been operating to its proper intensity it would have given the pilot on that occasion guidance by which, in all probability, the lives of the passengers, including the life of Senator Cutting, would have been saved.

Let me draw attention to the fact that there have been set up, pursuant to the mandate of Congress, facilities which I will name in just a moment, and which, if we do not pass this appropriation as it came from the House—which was in itself a reduction—will be entirely abandoned for the time being, or must be removed and put in storage.

I refer to the following lines:

Between San Antonio and Houston, 195 miles.

Between New Orleans and Jacksonville, 515 miles.

Between Memphis and Tampa, 720 miles.

Between Las Vegas, Nev., and Fresno, Calif., 252 miles.

Between Tampa and Miami, Fla., 220 miles.

Between Cincinnati and Columbus, 103 miles.

Between Springfield and Chicago, 175 miles.

Between Grand Island, Denver, and Laramie, 476 miles.

Between Newark and Buffalo, 280 miles.

Between Los Angeles and Phoenix, 373 miles.

All of those lines where facilities have now been set up under appropriation and direction made by Congress—made by this body, together with the House—must be either allowed to rust in the elements, unattended, unmanned, or, as they should be, collected and put into storage, thus entailing a greater expense, because, Mr. President, we are not going to abandon aviation. The program set up by this body and by Congress will without question be carried forward, because this country is not going backward.

It has been said with entire propriety for centuries past that "Britannia rules the waves." I hope the day will come, and I think the day is here, when we can boastfully say, "Columbia rules the air"; and we propose to carry forward that slogan internally and externally.

Let it be remembered that we are not alone battling here to continue the program that develops our country internally. Today American flagships traveling through the air ply from San Francisco to the Orient. American flagships traveling through the air ply from San Francisco to Australia. American flagships traveling through the air prior to the war plied from New York to London. So we are in contact by air with the world at large. Today we have planes of our flag going through the air from New York to South America, across the Andes, and coming up on the Atlantic coast. We are developing our commerce by air. We cannot afford to be parsimonious when it comes to a question of safety in travel and safety of property in the expansion of our air commerce.

Mr. President, the amounts allowed by the House were in themselves a cut from those allowed by the Budget Bureau. The Budget Bureau allowed much more than the House allowed. The House itself cut down on the Budget allowance; and then, when the bill came here, the Senate committee again cut the amount to such a point that, if it goes through as the committee brought in its amendments, we must not only lose from a standpoint of development in commerce by air, but we must lose because if we allow these facilities that have been provided to stand out unmanned, they will become subject to destruction.

Mr. President, I hope the Senate will see fit not to adopt the committee amendments. I regret that I was not able to be with the committee at the time they were considering these amendments. I do not know that my presence there would have affected the action taken; but I do hope that my presence here will affect the matter so that we will not regret, as we did regret after the death of Senator Cutting, as expressed by the report of the Copeland committee, that we had not put more money into protection of travel by air.

Mr. President, in connection with my remarks on this subject I ask to have printed in the RECORD an article published in the New York Sun of February 3, 1940, entitled "Across the Skyways," by Sherman B. Altick. He deals with the subject of safety in the air and air transportation generally.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Sun of February 3, 1940]

ACROSS THE SKYWAYS—FEAR FELT FOR SAFETY OF AIR TRAVEL AS \$1,013,480 IS TRIMMED FROM C. A. A.'S AIRWAY BUDGET

(By Sherman B. Altick)

Air transportation in the United States is the safest in the world, but it is feared in aviation circles that this condition may not prevail a year from today unless the \$1,013,480 trimmed from the Civil Aeronautics Authority's budget is restored for the proper maintenance of the Federal airways.

The House and the Senate seemingly are not in accord on the value of air safety, for the Appropriations Committee of the Senate yesterday lopped off funds which the former had approved as essential for the maintenance of the airways. The House trimmed the budget in the original, but there were no slashes which might impair the safety of air transportation.

Aviation officials have no argument against economy in spending of the taxpayers' money. In fact they believe there are places where the appropriations could be trimmed and some activities curtailed, but they are against any action which might reduce America's high safety figure for air transportation. The air lines have not had a fatal accident in almost a year and they want to maintain that record, if possible.

AIRWAYS PERSONNEL NEEDED

The Senate committee trimmed \$1,678,739 from the C. A. A. budget but only \$165,259 of that sum was for other activities besides the maintenance of the airways and the safety regulations. The lump sum of \$1,000,000 was for maintenance and operation of air-navigation facilities which R. H. Hinckley, Chairman of the C. A. A., told the House Appropriations Committee was for airports and their lighting; radio and communications facilities along the airways, including teletype networks; maintenance of facilities already installed along the Federal airways, and for the operation of the new Washington Airport during the fiscal year. Thirteen thousand four hundred and eighty dollars was cut from the Safety Regulations Division.

When he appeared he pointed out that "increased appropriations (of the C. A. A.) are due almost entirely to an increase in the number of facilities and essential needs for augmenting operating personnel complement of certain stations to provide for two-man simultaneous watches during the busiest part of the day. This need arises from increased volume of traffic, which, at these stations, has grown to such proportions that it cannot be handled by a one-man watch."

Mr. Hinckley is as much disturbed by the pruning of the airways funds as officials of the air lines, and will fight to have the deleted budget restored so the safety of air travel will not be impaired. When he presented his budget, he stated maintenance costs were figured close to a minimum without impairing the reliability of navigational aids.

If he can keep the air lines going on schedule another year without a fatal accident, it will be a feather in his cap, and one well merited. That is what he is striving to do, and the air lines are doing everything asked of them to maintain the high factor of safety that prevails today.

GREATER RESPONSIBILITIES

No one in the aviation industry wants to see air safety impaired. They would much rather see the pilot-training program reduced, or have some other activity of the Government curtailed to some extent, but they want to see the C. A. A. with sufficient funds for efficient operation of the airways. Even if it means the loss of an auxiliary airport, or a dozen of them, or perhaps the extension of an airway or two, members of the flying fraternity, and air travelers as well, do not want safety sacrificed.

The fiscal year, which begins on July 1, will see larger-winged liners in operation. Before the dawn of 1941, the area of four-motored air travel along the domestic skyways will be ushered in, and with these larger planes will come increased responsibilities for everyone associated with the industry. Instead of 21 passengers, there will be 40 in the planes, and there must be no mishaps.

Mr. O'MAHONEY. Mr. President, I should like to add just a word in support of the argument which has just been made by the distinguished junior Senator from Nevada [Mr. McCARRAN].

It has, I think, been pointed out that during the past 10 months there has not been a single fatality upon the aviation lines of America. The unwisdom of failing, by any act on our part, to maintain this record for safety is, of course, apparent.

Mr. CLARK of Missouri. Mr. President, will the Senator yield at that point?

Mr. O'MAHONEY. Yes.

Mr. CLARK of Missouri. I do not wish to interrupt the Senator; but I merely desire to call his attention to the fact that, as a mere matter of dollars and cents, the proposed reduction is "penny-wise and pound-foolish," because the very remarkable record which has been established of not having a single life lost or a single person injured on the air lines of the United States since the 26th of March last has already almost doubled aviation travel in the United States, particularly in the winter months; and if that continues it will mean an increase in the general passenger business of the United States and the general freight business of the United States which, in turn, will inevitably permit a reduction in air-mail rates, which, as a mere matter of dollars and cents, will save the Government of the United States a great deal of money.

Mr. O'MAHONEY. Mr. President, the Senator is quite correct, and I am very glad he has called attention to that phase of the problem.

There is another aspect which I think deserves additional emphasis. What this country needs and what the world needs more than anything else is the development of new industries, and the cooperation of government with business in the development of new industries. Here we have an outstanding record of the successful development of free private enterprise in aviation. Completely disregarding the spurt in aviation manufacturing, which may be due to con-

ditions in Europe, it is well known that the aviation companies of the United States which are devoted to the development of commercial aviation established during the year 1939 a record without comparison. During that year almost every aviation company in the United States operated at a profit. There were, I understand, two small companies which were still in the red. The significance of this profitable operation of aviation companies in transporting passengers and freight—the development of a new commercial industry—is, to my mind, so great that it seems to me it impels everybody to grant complete cooperation to the agency which has been helping to bring about this result.

If we risk the interruption of the development of air commerce, the development of safety, we risk the development of the profitable operation upon these lines. The successful cooperation of the Civil Aeronautics Authority with the private companies is an illustration of cooperation between Government and business which ought to impel us to follow the same line of development with respect to other industries.

Mr. President, it seems to me that there is no real argument against the position taken by the Senator from Nevada, and I sincerely hope, as he does, that the committee amendments with respect to the Civil Aeronautics Authority will not prevail.

Mr. CLARK of Missouri. Mr. President, I desire merely to add a word or two to what has been said by the Senator from Nevada [Mr. McCARRAN] and the Senator from Wyoming [Mr. O'MAHONEY], particularly with regard to the item for the maintenance and operation of the air facilities of the country.

I call attention to the fact that a record has been established in the last year more than five times as impressive as the record ever established before in any year in this country. In the whole calendar year 1939 there were only two accidents on the air lines involving fatalities, and since the 26th of March last, a period of nearly ten and a half months, there has not been a single accident in the United States involving a fatality. Not a passenger, not a pilot, not a member of the crew of air transport aircraft operating within the United States, has suffered death or serious accident by aerial misadventure during that period.

Since the last serious accident occurred on the air lines American aircraft have flown 76,000,000 miles in regular transport operation, they have carried 1,800,000 passengers, and they have recorded a total of approximately 720,000,000 passenger miles of aircraft handling.

Mr. President, I do not think it can be controverted that air transportation is the transportation of the future, and that it is a vital national necessity for the United States not only to keep abreast but to keep ahead of the rest of the world in the development of civil aeronautics, as a matter of reserve power for the Nation both in time of war, and of commercial power in time of peace.

Necessarily the thing which has impeded the development of passenger traffic on civil aeronautical lines in this country has been apprehension as to safety. People who would gladly have flown from place to place in this country, as a matter of comfort or as a matter of saving time were unwilling to fly because of the danger involved. Therefore, the element of safety is the basis of the successful operation of the civil aircraft of this country.

The development of the element of safety is reflected in every phase of the industry. It is reflected in the number of lines which may be established. It is reflected in the factory employment for the manufacture of the planes necessary in the industry. It is reflected in the vast number of men employed as ground crews in the industry. It is reflected in the increased volume of transportation in the country as a whole. It is reflected in the general speeding up and development of our national transportation facilities.

In the past I have been critical at times of the Civil Aeronautics Authority. I stood upon this floor a year ago and called attention to the very large personnel which they were employing in comparison with some of the other bureaus of our Government. I felt that the Civil Aeronautics Authority

had been derelict in its duty in taking over as a whole the old Bureau of Air Commerce of the Department of Commerce, one of the most inefficient bureaus of the Government, and retaining that personnel. But I desire to say that, however just that criticism may have been a year ago—and I believe it was just—the record made in the matter of safety in the year 1939, and the promise for the future in the matter of safety cannot be safely disregarded.

I am very reluctant to vote against any measure of economy proposed by the Committee on Appropriations or by the House of Representatives or by anybody else; but, as I stated a moment ago, it seems to me that arbitrarily to cut a million dollars off the appropriation for the maintenance and operation of safety facilities on the air lines of the United States is penny wise and pound foolish. I say it is foolish, as I stated awhile ago, as a mere matter of dollars and cents, because the tremendous increase in the volume of air travel is evidenced by the fact that the air travel in the United States in December of last year—1939—was 74 percent in excess of the air travel in December 1938. That tremendous increase in volume will make inevitable the possibility of a reduction in air postage rates, which will tremendously increase that facility to the American people, and at the same time save a great deal of money to the Government.

I desire to make one other point in connection with this item. The item of operation of these facilities necessarily takes effect principally in the year following the construction of the facilities. In other words, the facilities constructed in the year 1939, so far as the item of operation is concerned, took effect only for a portion of that year, but will be more fully reflected provided the facilities are fully operated in the following year. Necessarily, therefore, in view of the very large construction in 1939, in view of the construction already completed, the item of operation must necessarily increase, and it seems to me that there is no justification for the arbitrary reduction of this very necessary facility.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief schedule showing the estimates of the various items of the Civil Aeronautics Authority submitted to the Bureau of the Budget, the items approved by the Bureau of the Budget, those approved by the House of Representatives, and those approved by the Senate Committee on Appropriations.

I also ask to have printed at this point as part of my remarks a memorandum illustrating by specific instances the construction for this year and operating costs of next year.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matters referred to are as follows:

Comparison of fiscal year 1941 Civil Aeronautics Authority budget

Appropriation title	Estimates submitted to Bureau of Budget	Approved by Bureau of Budget	Approved by House of Representatives	Approved by Senate Appropriations Committee
General administration.....	\$2,063,766	\$1,680,121	\$1,659,191	\$1,543,932
Safety regulation.....	3,115,970	2,420,000	2,420,000	2,406,520
Economic regulation.....	677,648	519,222	519,222	469,222
Civilian pilot training.....	7,000,000	6,000,000	5,000,000	5,000,000
Construction of aids to navigation facilities:				
Establishment of aids to navigation facilities.....	8,141,520	5,265,280	5,265,280	5,265,280
Maintenance and operation aids to navigation facilities.....	14,067,241	12,000,000	12,000,000	11,000,000
Technical development.....	1,259,380	557,000	557,000	557,000
Air Safety Board.....	784,956	380,000	380,000	380,000
Printing and binding.....	110,000	100,000	100,000	100,000
Total.....	37,210,481	28,921,623	27,900,693	26,721,954

Separate appropriations are made for:

(a) Establishment of air-navigation facilities (involving construction, installation of signaling equipment, relocation of sites, and modernization of buildings and equipment); and

(b) Maintenance and operation of air-navigation facilities (involving structural and mechanical inspection, adjustment, and repair, as well as personal services, electric power, telephone line rentals, and other expenses involved in daily operation).

The major effect of construction work in a given fiscal year on the amount of funds required for maintenance and operation takes place in the fiscal year following the construction work.

While various items of the construction program are completed and placed in operation during the fiscal year in which they are constructed, the cost of such operation and attendant maintenance is only that for the remaining portion of the fiscal year and, if the date of completion is near the close of the fiscal year, such operation and maintenance may not be at full scale.

But for the succeeding fiscal year, funds for a full year's normal operation are required, which are bound to be in excess of those needed for the short period of operation in the year of construction. Thus, the \$7,000,000 construction program of fiscal year 1940 brings about an important increase in the appropriation for maintenance and operation in fiscal year 1941—and that without regard to the amount of funds which may be made available for construction in 1941.

A few typical cases will illustrate this point.

(1) At Millinocket, Maine, a radio range and communications station went into operation January 27, 1940. For fiscal year 1940 funds are required for 5 months' operation, \$4,980. For fiscal year 1941 funds are required for 12 months' operation, \$11,949, or an increase of \$6,969.

(2) At Dothan, Ala., a similar station will go into operation April 1, 1940. For fiscal year 1940 funds are required for 3 months' operation, \$3,055. For fiscal year 1941 funds are required for 12 months' operation, \$11,949, or an increase of \$8,894.

(3) Glens Falls, N. Y., a teletype communications station will go into operation June 1, 1940. For fiscal year 1940 funds are required for 1 month's operation, \$580. For fiscal year 1941 funds are required for 12 months' operation, \$6,640, or an increase of \$6,060.

(4) At Cleveland, Ohio, an ultra high-frequency radio range will be completed early in July 1940. For fiscal year 1940, no funds are required for operation. For fiscal year 1941, funds are required for 12 months' operation, \$2,820, or an increase of \$2,820.

(5) A teletype communications circuit between Cheyenne and Billings went into operation November 15, 1940. For fiscal year 1940, funds are required for 7½ months' line rentals, \$7,610. For fiscal year 1941, funds are required for 12 months' line rentals, \$12,312, or an increase of \$4,702.

(6) Airways lighting facilities, including beacons and lighted landing fields on the Mobile-Jacksonville route, will be ready for operation approximately July 1, 1940. For fiscal year 1940, no funds are required for operation. For fiscal year 1941, funds are required for operation for 12 months, \$27,310, or an increase of \$27,310.

Mr. CLARK of Idaho. Mr. President, I do not desire unduly to prolong the discussion, but I feel so keenly the utter unwisdom and the dangerous character of the precedent which the Senate of the United States would set if it were responsible for cutting the appropriation for air-safety facilities that I think a few more minutes devoted to their history and the present status will not be entirely wasted.

After the death of Senator Cutting, which has been referred to, the Committee on Commerce, presided over by the late Senator Copeland, made the investigation which has been mentioned. The able Senator from Missouri [Mr. CLARK] was a member of that committee. It was not my privilege to serve in this body at that time, but I read the report of the hearings carefully and at great length, and the amazing and lurid picture that was painted of the aviation industry, both under the old Bureau of Air Commerce and under the various correlated agencies, presented a scandal.

After that the Congress of the United States undertook a definite policy upon the recommendation of the Committee on Commerce. That policy was to establish about 30,000 miles of lighted and equipped air lines in the United States. The airways were equipped with beacon lights, radio beams, or "ranges," as they are sometimes called, lighted emergency landing fields, teletype machines, whereby weather reports could be broadcast hourly throughout the country. In a few short years, under the auspices of the Aeronautics Authority and the enterprise and industry of private air-line operators, 27,000 miles of our national airways system have been lighted and equipped with all the latest scientific devices for the protection of life and of the aviation industry. In these few years we have accomplished the equipping of 27,000 miles, and only 4,000 miles remain to be similarly safeguarded.

It was the policy of Congress to make large appropriations for radio ranges, beacon lights, emergency landing fields, and other forms of equipment; and last year, without substantial dissent in either the Senate or the House, we authorized and appropriated \$7,000,000 to build radio-range stations, and placed in them expensive equipment, and all the various other things that go with them.

Those ranges are now actually under construction. They are coming into operation every day. On June 30 of this

year there will not be any money with which to man them, if the million-dollar cut which the subcommittee of the Committee on Appropriations, with all due respect to them, recommended shall go into effect.

Mr. ADAMS. Mr. President, does the Senator mean that there will be no money with which to man those stations?

Mr. CLARK of Idaho. I mean that as to the 50 new stations which will have gone into operation during this year—there may be some money with which to man them, but as to the stations which will go into operation during the fiscal year 1941, there will be practically no money with which to man them adequately.

Mr. ADAMS. The Senator knows we are appropriating for the fiscal year beginning in 1940. When he speaks of construction for another year, may we not be making unnecessary anticipatory appropriations? I am not speaking of construction, if the Senator please.

The Senator is speaking about 3,000 miles of construction.

Mr. CLARK of Idaho. A portion of it has already been constructed and the remainder is under a continuing program of construction. The construction appropriations have been made. The Senate committee is making construction appropriations in the bill under consideration, and yet Senators are refusing to allow sufficient personnel adequately to man the facilities in question.

Mr. ADAMS. That is a question of fact. The Appropriations Committee heard the members of the Authority. The committee found that they were providing for between 600 and 700 additional employees. The committee, interested in safety as much as anything else, felt that the witnesses did not justify their request.

Mr. CLARK of Idaho. Mr. President, I read the hearings very carefully, and I may say to the Senator from Colorado that the witnesses pointed out exactly where the new personnel would be used. They told the committee that they would have to employ from four to five men in every one of these new radio-range stations which, if there were approximately 50 new stations, would require several hundred men.

Mr. ADAMS. There are one or more stations in every State.

Mr. CLARK of Idaho. There is none in Idaho.

Mr. ADAMS. I beg the Senator's pardon. Coeur d'Alene seems to be on one of the lists.

Mr. CLARK of Idaho. It is not on this airways list.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. CLARK of Idaho. I yield.

Mr. McCARRAN. There should be some in Idaho and there are some in Colorado. But, if I may interrupt the Senator, I wish to say that there will be no manning of the following stations unless this appropriation is set back where it was. The line from San Antonio to Houston—

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. CLARK of Idaho. I yield.

Mr. RUSSELL. The Senator from Nevada just made the remark "unless the appropriation is set back where it was." The Senator realizes that the Appropriations Committee has recommended one and a quarter million dollars in excess of the current appropriation, does he not?

Mr. McCARRAN. That is true.

Mr. RUSSELL. Does the Senator mean set back to what the House allowed, or what the Civil Aeronautics Authority has requested?

Mr. McCARRAN. The amount which the House allowed.

I may clarify my position, with the permission of the Senator from Idaho, by saying that the Budget estimate was cut by the House—

Mr. RUSSELL. It was reduced twenty-five or thirty thousand dollars.

Mr. McCARRAN. Then what the House allowed is now cut about \$1,200,000 by the Senate committee.

Mr. RUSSELL. But still the Senate committee has allowed an increase of more than \$1,200,000 above the current appropriation for the Civil Aeronautics Authority. I was therefore interested to know why it was going to be necessary

to close up stations when the Civil Aeronautics Authority had received an increase in appropriation of \$1,200,000.

Mr. McCARRAN. They are being constructed now, and the construction will be completed by the end of the fiscal year. We are now appropriating for the next fiscal year. The construction which will be completed during the present fiscal year, for which appropriation has been made, will be undermanned in the next fiscal year, and I was about to name the lines affected.

Mr. RUSSELL. That is what I understood the Senator to say in his opening statement, to which I listened with great care.

Mr. McCARRAN. Very well. I ask permission to interrupt the Senator from Idaho once more to answer the Senator from Colorado, because I know he is interested in this matter quite as much as I am, and I know he represents a State where these facilities count more than in any one State in the Union, because his State is located in the dangerous section of the Rocky Mountain region where these facilities count most, and where the greatest crashes and the greatest disasters have occurred. I refer to the lines that will not be manned unless this appropriation is restored.

San Antonio to Houston.

New Orleans to Jacksonville.

Memphis to Tampa.

Las Vegas to Fresno.

Tampa to Miami.

Cincinnati to Columbus.

Springfield to Chicago.

Grand Island, Denver, and Laramie.

Newark to Buffalo.

Los Angeles to Phoenix.

Those lines, with all the facilities, pursuant to the mandate of this body already set up or which will be set up between now and the end of the fiscal year, will be undermanned unless we provide for manning them by the appropriation we are trying to restore.

Mr. SCHWELLENBACH. I should like to ask a question of the Senator from Idaho. I wonder if he did not misspeak himself prior to the time he was interrupted by the Senator from Colorado. The Senator from Idaho said that if this cut was made these stations would not be manned after July 1, 1941. Did he not mean during the fiscal year 1941, and after July 1, 1940?

Mr. CLARK of Idaho. Nineteen forty is what I meant. I thank the Senator for the correction. Of course I meant for the fiscal year 1940-41.

In conclusion let me say that there are three reasons why the Senate should not undertake the dangerous experiment of cutting \$1,000,000 off the amount necessary for the maintenance of these safety devices. In the first place, as the able Senator from Missouri [Mr. CLARK] has pointed out, it is not good business. We would not buy a truck and then refuse to buy gasoline to keep it in proper operation. And, as Mr. Hinckley, the chairman of the C. A. A. testified before the Appropriations Committee, it will be necessary to hire watchmen to look after all this expensive equipment, which will deteriorate if not used. So, as a matter of dollars and cents, having gone to the length we did last year of appropriating \$7,000,000 to construct safety facilities and devices, we at least ought to have the consistency and the decency and the wisdom to go the length necessary to maintain them.

The second reason is found in the oft-abused phrase "national defense." If we ever should become involved in a major defensive war, one of the most important things in connection with it would be a complete air-line system designed not only to transport men and materials with safety and facility throughout the United States but designed also to enable military craft to make their transcontinental and other flights as quickly and as safely as possible. So if there is anything in the national-defense program, here is \$1,000,000 that will probably contribute to it as much or more than any other \$1,000,000 that Congress can spend.

The third reason is that, after the record of safety and efficiency made by the Civil Aeronautics Authority and its engineers last year, after they and the commercial air lines have put the United States in the position of leading the world in aviation, both in flight accomplishments and safety, it is exceedingly dangerous for the Senate of the United States to undertake to cut an appropriation which has been approved by the Bureau of the Budget. Let me suggest that should there be a fatal accident on any of the airways which are now being flown, but which are not equipped properly, if the facilities provided by Uncle Sam, merely lying there with a watchman in charge, could have prevented that accident, the Senate of the United States would justly come under censure and criticism from the country.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. CLARK of Idaho. I yield.

Mr. CLARK of Missouri. I may call the attention of the Senator to the fact that that very situation, in a minor degree, was one of the things that was much criticized by the Copeland committee in connection with the old Bureau of Air Commerce of the Commerce Department. We found that at the time of the Cutting accident and, indeed, a series of dreadful accidents, that the lines did have certain equipment packed up in warehouses, equipment which in some cases had deteriorated until it was no good at all, because, as they contended, they did not have the money with which to operate it.

Mr. CLARK of Idaho. I thank the Senator. I remember now reading that very testimony in the record of that hearing.

I say for three reasons the appropriation should not be cut. First, as a matter of common ordinary business sense; secondly; as a matter of national defense; and, thirdly, because it would be very unwise and dangerous for the Senate to cut an appropriation having to do with such important safety measures. I submit that despite the conscientiousness with which the subcommittee and the full Committee on Appropriations have worked and despite their usual fine judgment on these matters, the Senate should reject the committee amendment and adopt the item as approved by the Budget and passed by the House of Representatives.

Mr. PEPPER. Mr. President, just as an evidence to indicate the importance of this amendment to the air lines affected in the State of Florida, I can say that the route between New Orleans and Jacksonville was inaugurated only about a year ago, and that during that 12-month period in the city of Tallahassee alone, which is the smallest station, I believe, on the entire route, 5,000 passengers were taken on by and discharged from this one air line. Since it affects three lines in my State which are constantly rendering a great service to the public, I certainly hope that the lives of the people using those air services will not be jeopardized by what I consider to be an unreasonable diminution in the appropriation.

Mr. ADAMS. Mr. President, I do not quite appreciate the suggestion that it is not the decent thing for the Committee on Appropriations to make any reduction in the Budget estimate. Members of the Appropriations Committee are as much interested in the progress of aviation and in the safety of those who travel by air as are any other Members of the Senate.

The arguments which have been presented would sustain a demand for an appropriation of \$100,000,000 as well as one of \$1,000,000. In other words, there is a total absence of persuasive details, other than the general suggestion that if we do not appropriate this \$1,000,000 there will not be an air line in the United States running. The inference that is carried is that there will be nothing but night and darkness, danger and disaster.

The Committee on Appropriations heard the witnesses. The committee is confronted with a disagreeable job. Senators who do not serve on the Appropriations Committee do not understand the problems of members of that committee, trying to do a disagreeable duty. Every agency and every

Department comes before the committee demanding increases. It is a very easy thing to say, "yes" and to grant the increases. In substance, we are told that if we do not increase the appropriation by an additional \$1,000,000 we shall have upon our shoulders the responsibility for disaster and loss of life.

As I have said, no Members of the Senate are more concerned with safety on the airways than are members of the Appropriations Committee. I do not know how much money may be required. Members of the Appropriations Committee cannot know. They were impressed with the idea that the Civil Aeronautics Authority was making requests in excess of its necessities. We exercised our best judgment, and now we are told on the floor of the Senate that it is not a decent thing not to grant all the demands and all the requests made by the Civil Aeronautics Authority. We are taken back to the death of a colleague. We are taken back through days of disaster and injury. Then we are told that in the past 10 months not a single fatal injury has occurred. Therefore, inasmuch as we have reached the point of safety, we must tremendously increase the expenses. I am inclined to think that after we have reached such a point that for 10 months the airways have been traveled without disaster, we might stop and figure the cost. In these days costs are going to mean something to us.

There is no pleasure in talking economy. Those of us who have the misfortune—and it is a misfortune—to be on the Appropriations Committee are subjected to lashing after lashing because we think that not every demand should be granted merely because it has a good purpose.

If the Civil Aeronautics Authority is as efficient in protecting the airways of the Nation as it is in propaganda, it is a marvel. I know what has happened to the Senate. I have on my desk the propaganda. I am told what will happen to my State if we do not make the appropriation. Propaganda has gone all through the Senate that in this State and in the other State this line or that line will not be operated unless we make this increase, which amounts to less than 10 percent. One would think that a 90-percent disaster would result if we should not grant the increase.

Mr. CLARK of Idaho. Mr. President, will the Senator yield?

Mr. ADAMS. Certainly.

Mr. CLARK of Idaho. Of course, the Senator may have been subjected to propaganda, and if he says he was, he was.

Mr. ADAMS. The Senator says he was.

Mr. CLARK of Idaho. I understand that. So far as my State is concerned the \$1,000,000 does not mean a thing to it. It will be noted from the schedule which the Senator from Nevada [Mr. McCARRAN] read that Idaho is not included. We do not get a penny of it, directly or indirectly.

So far as propaganda is concerned, I have never talked directly or indirectly to any member or employee of the Civil Aeronautics Authority concerning this measure. I will say further that, so far as I know, no member or employee of the Civil Aeronautics Authority even knew I was going to make these remarks. So if the Senator chooses to charge an honest expression of opinion on the floor which may be contrary to the findings of the Appropriations Committee as succumbing to propaganda, for my part I wish to deny it.

Mr. ADAMS. I wish to say to the Senator that I do not think any Senator would yield to propaganda. I have not mentioned the Senator from Idaho. I think, of course, that the efforts which have been made are vain so far as every Member of the Senate is concerned. I merely say that widespread efforts have been made and, of course, in vain.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. CLARK of Missouri. So far as the question of propaganda is concerned, I should like to say to the Senator from Colorado that whatever may have been his experience—which is naturally more or less unique as a member of the subcommittee—if a single letter on this subject has been addressed to me from the State of Missouri or anywhere else,

it has not been called to my attention. The only person with whom I have had the slightest discussion upon the matter is a member of the Civil Aeronautics Authority, to whom I telephoned, and whom I asked to come to my office to discuss the matter with me, because I was interested in the matter from my service on the Copeland committee and by reason of the fact that I happen to be chairman of the Subcommittee on Civil Aeronautics of the Committee on Commerce. The only information which came to me came at my request.

Mr. ADAMS. I know that no one would presume to endeavor to influence the Senator from Missouri. I know it would be a dangerous thing to do.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. O'MAHONEY. Further discussing the question of propaganda, I will say to the Senator from Colorado that although I am a member of the Committee on Appropriations, I am not a member of the subcommittee which considered the independent offices bill. When the full committee was called upon to act upon the report of the subcommittee, the Senator may remember that I raised the same question in the committee. I asked why the appropriation recommended by the Bureau of the Budget was being reduced. At that time no one representing the Civil Aeronautics Authority or representing any aviation company had made any representation whatever to the Senator from Wyoming. Afterward I called upon the Civil Aeronautics Authority for information with respect to what the effect of the appropriation would be. So I join the ranks of the Senator from Idaho [Mr. CLARK] and the Senator from Missouri [Mr. CLARK] in explaining to the Senator from Colorado that propaganda has had no effect upon my attitude.

Mr. ADAMS. Mr. President, I have the highest regard for the members of the Civil Aeronautics Authority. They are smart; they are able; they are not crude. Effective propaganda is not the kind that comes directly to a Senator and attempts to say to him, "You and your district are going to be harmed if you do not do this." That is not intelligent propaganda. If any Senator understood that I was suggesting that anyone would have the temerity, the insolence, or the impudence to go directly to a Senator in a crude way, such a thing is far from my thought. I do suggest that if anyone will look at the reports filed with the committee in the printed record, he will find long lists of communities and States which would be adversely affected if the appropriation asked for were not made. These things are not called to the attention of any individual Senator; of course not. I know that no one would be freer from any possible influence by propaganda than would my dear friend from Wyoming.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. ADAMS. Certainly. I am willing to put the Senator on record with other Senators. [Laughter.]

Mr. LODGE. I planned to address myself to another topic. I felt that the question of propaganda had already been pretty well covered.

I wish to ask the Senator whether or not it is correct that if the appropriation is not increased existing installations will have to be abandoned.

Mr. ADAMS. I think not. I think the record will bear out that statement.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. ADAMS. I yield to the Senator from South Carolina.

Mr. BYRNES. The testimony of Mr. Hester was as follows:

Mr. HESTER. That is for next year. The money we need now, for 1941, is to operate many facilities that are being completed right now, during 1940.

Senator RUSSELL. Are they not in operation?

Mr. HESTER. No; they are now under construction.

Senator RUSSELL. Do you have complete facilities already set up that are not in operation?

Mr. HESTER. We have some nearing completion that are not in operation.

Senator BYRNES. It is solely a question of how fast you put them in operation.

Mr. HESTER. Yes. Of course, if they are not put into operation, the investment is lost. Congress has authorized the appropriation. Here is the situation: We have 275 radio ranges in the United States, or will have with the completion of this 1940 construction program.

Senator ADAMS. How many would you have without that?

Mr. HESTER. I would say we would probably have about 235. I would like to correct that figure for the record.

Then he inserted a note:

NOTE.—The correct figures are 273 in continental United States plus 11 in Territorial possessions; total, 284 upon completion 1940 construction program, 239 at start of fiscal year 1940.

Mr. LODGE. Would it, then, be accurate to say that no existing installations now being operated would have to be abandoned if the increase were not granted?

Mr. BYRNES. That is the understanding of the committee. As we gathered from the testimony, the question was as to how fast the facilities should be put into operation. The estimate was for 632 new employees, and for an expenditure, in addition to the employees, of certain amounts of money for supplies, gasoline, and oil; \$230,000 for travel; an increase for rentals; and a number of other items. The question is, How fast should the various routes be manned and equipped? If \$12,000,000 were appropriated, the Civil Aeronautics Authority would have two and a half million dollars for this purpose, as compared with the appropriation for the present year. If the recommendations of the Senate committee should be adopted, they would have one and a half million dollars. Therefore they could not man as many routes as they could under the House bill. They could not have 632 new employees. They would have to get along with a lesser number of employees and somewhat less equipment. So the statement that there is one and a half million dollars increase for the next year under the Senate committee recommendation and two and a half million dollars under the House bill is a correct statement.

Mr. LODGE. Mr. President, would it be fair to say that the reduction would slow up the rate of growth, but it would not curtail the existing structure?

Mr. BYRNES. As the Senator has heard from the statement of the Senator from Nevada and the Senator from Missouri, under the existing appropriation of nine and a half million dollars, for this year, they have made a wonderful record and the number of accidents has been infinitesimal. Next year they will have not only that sum, nine and a half million dollars, but will have a larger sum, namely, \$11,000,000. I am satisfied, realizing the excellent work they have been doing, they could do a one and a half million dollar better job with \$11,000,000 than they could with nine and a half million dollars.

Mr. McKELLAR. Mr. President, if the Senator will allow me the interruption, he will recall that Mr. Hinckley testified, I think, that for about 10 months there has been no fatal accident in commercial aviation, under the present appropriation, which is a million and a half dollars less than the one that is proposed. I think he testified that there had been made the wonderful record—and I think it is a remarkable record that in all commercial aviation there had not been a death due to accident in 10 months. That is the statement, as I recall it.

Mr. ADAMS. Mr. President, for the Civil Aeronautics Authority the estimates for 1941 show a total increase of \$3,400,000. The reduction, if it can be called a reduction, merely lowers the increase a million dollars. I think the increase is more rapid than heretofore. Instead of the reduction slowing up the work, I think it would merely fail to expedite the construction.

Mr. McCARRAN. Mr. President, will the Senator, while he has the record before him, state what was the Budget estimate?

Mr. ADAMS. The Budget estimate for civil aeronautics was \$28,921,000. The appropriation for 1940 was \$25,518,000. The bill as it came from the other House provided \$27,900,000, and the reduction which the Senate committee suggests would make it, roughly, \$26,800,000. I am giving the round figures only, I will say to the Senator from Nevada.

Mr. CLARK of Idaho. Mr. President, in order that this matter may be clear, if I may have the attention of the Senator from South Carolina, there is no question, is there, that if the million dollars is not restored the physical facili-

ties which have been appropriated for, which are now under construction and which will become completed in the year 1941, will have to lie idle? There is no question, I take it, about that?

Mr. BYRNES. I must say I cannot answer the question; I presume the Senator from Colorado can. I did not know what the Senator from Idaho suggests would be the effect; I am interested to know it. The only information we had is in this statement.

The justification of the estimate shows an appropriation of nine and a half million dollars for the current year, and then shows the additional amounts requested for 1941. That we may have all that the committee acted upon, I will read the items of increase requested for 1941:

Personal services, departmental, \$22,426—

These are the figures in excess of those for the current year—

Field, permanent, \$1,109,204.

Field, temporary, \$20,255.

Administrative promotions, \$70,220.

Difference in lapses between 1941 and 1940: Departmental, \$12,517; field, minus, \$11,092; deduction of salary costs accruing for positions not to be filled during entire fiscal year, \$221,900.

Net increases, personal services, \$1,445,430.

Then, there are set forth the other items of expense. The Senator from Georgia asks that I point out that the amount last stated is an increase over what they have for personal services for this year ending June 30.

Mr. CLARK of Idaho. I think that is understood.

Mr. BYRNES. The remainder of the increase is for other objects of expenditure:

Gasoline and oil, \$199,217.

Storage, \$10,220.

Communication service, \$52,941.

Travel, \$230,079.

Transportation of things, \$24,560.

Printing and binding, \$500.

Heat, light, power, water, etc., \$174,463.

Rentals, \$99,763.

Repairs and alterations, \$72,692.

Special and miscellaneous, \$7,166.

Purchase of trucks, \$4,442.

Purchase of aircraft, \$70,000.

Stores, \$129,681.

Making an increase in other objects of expense over the current year of \$1,044,083. Adding net increase in the personnel makes a total of \$2,489,513 over the appropriations for the current year. That is what they told us they were going to spend the money for.

Mr. RUSSELL. Mr. President, I should like to remind the Senator that it was also testified before the committee that their present plans contemplate an increase in personnel at some of their existing stations, and that all their existing stations and the stations which would be created would be manned by from 4 to 15 persons. I do not know whether that influenced any other member of the committee, but I concluded that some of these stations might be able to get along with 10 employees or 8 employees rather than 15, and that if the Civil Aeronautics Authority were willing to make any attempt whatever to economize, out of the million-and-a-half-dollar increase which we have allowed, they could substantially increase the air-safety facilities of the Nation.

Mr. CLARK of Idaho. Mr. President, I have read the hearings with some care, and I do not find anywhere in the hearings the suggestion that they were going to add to the personnel of the radio ranges and facilities.

Mr. RUSSELL. I think I can find it in the House hearings.

Mr. CLARK of Idaho. Oh, the Senator was referring to the House hearings?

Mr. RUSSELL. Yes.

Mr. BYRNES. Let me say to the Senator that I was reading from the House hearings, where the table to which I referred is found.

Mr. CLARK of Idaho. Mr. President, there is no question, I think—

Mr. BYRNES. The Senator from Colorado has the floor, and I do not want to take his time.

Mr. CLARK of Idaho. I do not wish further to disturb the Senator from Colorado.

Mr. ADAMS. The Senator from Idaho has never disturbed the Senator from Colorado, and I would be happy not only to be interrupted but yield the floor to the Senator.

Mr. CLARK of Idaho. I thank the Senator for his kindness.

I merely wish to quote one paragraph from Mr. Hester's testimony in the Senate hearings. He referred to the new stations for which some money was appropriated last year and which are now under construction. On page 127 he says:

Many of those stations are coming in this year. Some have already been constructed. Many more will come in during 1941. At some of these stations we have 4 employees stationed. At some of them we have 15 employees stationed, in order to operate them. As new stations come in we must have increased personnel. Congress has already appropriated the money for the construction of these radio ranges, and we are asking for an increase—

Meaning the million dollars in question—

largely for new personnel necessary to maintain and operate them.

That is the nub of the entire argument as to whether or not we shall appropriate this year the amount they think is necessary adequately to operate stations now under construction and which will be in operation and fully equipped during 1941.

SEVERAL SENATORS. Vote! Vote!

Mr. REED. Mr. President, I shall not detain the Senate very long. This is a transportation question. The country has more transportation facilities now than it can possibly use. As the various forms of transportation have come along, they have all been subsidized in the beginning. We have subsidized no form of transportation so heavily in the beginning as we have subsidized air transportation. In proportion to the traffic carried by the airplane, there is more Government expense and Government subsidy than on any other kind of transportation. Bear in mind that this bill carries, as a Government appropriation for the subsidization of air transportation—and that is what it is—a total of \$26,721,954. Here is my distinguished friend from Missouri—

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. REED. Not now. If the Senator will be good enough to let me proceed for 5 minutes, I will conclude.

Mr. SCHWELLENBACH. I should like to ask a question about the matter of subsidizing the railroads. Did the Senator ever hear about land grants to railroads?

Mr. REED. I said that every form of transportation had been subsidized in its initial stages. We subsidized water. We subsidized railroads. We subsidized motor-vehicle traffic. We are now subsidizing water. We are now subsidizing air transportation. The only question is how much subsidization we should grant.

I invite the attention of my distinguished friend the Senator from Missouri, who stood on the floor of the Senate within the year I have been here and called attention to the mushroom growth of the Civil Aeronautics Authority since the jurisdiction of air transportation had been taken out of the Department of Commerce; and today the Civil Aeronautics Authority, less than a year old—about 2 years old—has 6,000 employees.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. REED. No; if the Senator from Missouri will permit me, I will yield in a moment.

Mr. CLARK of Missouri. The Senator referred to me, and I should like to explain to the Senator what I did say and what I still say.

Mr. REED. I shall be happy to yield, as the Senator knows, in a moment; but I want to finish this matter.

In the first place, I agree with the committee. The committee is appropriating this year more money than ever before for subsidy for air transportation. There happens to be in my State a very considerable airplane industry; and if Senators do not think that sometimes they "get

tough" with me and crude with me as to my voting for everything the air industry wants, they are mistaken. I am willing to vote for any amount that is reasonably necessary to develop commercial air transportation, air transportation for national defense, or air transportation for any other purpose; but if the Senate should vote all the money that the air industry wants we would double the present amount in the next 2 or 3 years.

As a matter of fact, I have just finished a long trip to Kansas by airplane, both ways. I am a frequent user of air transportation. In Kansas they called me "the air Governor" when I was Governor, because I used airplanes a great deal. I have no prejudice in this matter. I am merely appealing to the Senate to use common sense. We are already subsidizing this industry, to which I have no objection, because we subsidized all other forms of transportation in their infancy. We are continuing to subsidize water transportation. We shall probably continue to subsidize air transportation for a considerable period; but if the judgment of the Appropriations Committee, as stated by the Senator from Colorado and the Senator from South Carolina, correctly states the situation—and I have no doubt that it does—I think the Senate should vote to sustain the committee as to the amount appropriated; and those of us, including myself, who have stood on this floor and pleaded for economy, who have wanted to approach a balanced Budget as much as we could without increasing taxes, ought not to turn down the Appropriations Committee by adding a million dollars that has no foundation except a very nebulous foundation so far as the airplane industry is concerned.

I now yield to the Senator from Missouri.

Mr. CLARK of Missouri. Mr. President, I prefer to claim the floor in my own right.

Mr. McCARRAN rose.

Mr. REED. Does the Senator from Nevada wish to interrupt me?

Mr. McCARRAN. I do not care to interrupt the Senator.

Mr. President, I ask the attention of the chairman of the committee. I ask unanimous consent that the vote be taken on five items at once; namely, all the amendments in that section, which are under the heads of general administration, economic regulation, maintenance and operation of air-navigation facilities, safety regulation, and establishment of air-navigation facilities. I ask unanimous consent that we have one vote as to all of those items.

Mr. McNARY. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Is there objection?

Mr. McNARY. I object until I am better advised. Will the Senator from Nevada state whether all of the specifications suggested by him compose the \$1,000,000 cut?

Mr. McCARRAN. It is a little in excess of a million dollars. It has been stated in general terms as a million dollars. It actually amounts to about \$1,200,000, as I recall.

Mr. McNARY. The amendment is a reduction from \$11,000,000 to \$10,000,000.

Mr. CLARK of Missouri. That is one amendment. There are five amendments in the section.

Mr. McNARY. Are we voting on this one first, or does the Senator desire to have the Senate vote on all of them at one time?

Mr. McCARRAN. I ask unanimous consent that the Senate vote on all at once.

Mr. GLASS. Mr. President, the chairman of the committee has no authority to grant unanimous consent to that.

Mr. McCARRAN. I simply ask unanimous consent.

The PRESIDENT pro tempore. Does the Senator from Virginia object?

Mr. RUSSELL. Mr. President, I desire to interpose an objection, because the first amendment relates only to about 72 or 74 new employees who I understand will chiefly be here in the District of Columbia. I think there is a great deal of difference in the items, one being for air safety in the field and the other for employees largely in the District of Columbia. I therefore object.

The PRESIDENT pro tempore. Objection is made.

Mr. McNARY. Mr. President, I was simply going to add that I do not think it can be done by unanimous consent. It involves the overthrow of the rules of the Senate. Inasmuch as objection has been made, I do not care to present that matter.

Mr. GLASS. Mr. President, I desire to state that I presided over the subcommittee meetings, and I also presided over the meetings of the full committee; and I am rather curious to know, if there has been no pressure brought to bear upon the committee, why the committee should have behaved "indecently," as the Senator from Idaho [Mr. CLARK] suggests. I resent the statement. It is not true.

Mr. CLARK of Idaho. Mr. President, will the Senator yield? I used the words "the decent thing to do." It was not my intention, if the Senator please, even remotely to suggest that any member of the subcommittee of the Committee on Appropriations has done anything that was indecent.

Mr. GLASS. It may not have been the Senator's intention, but he directly did that very thing.

Mr. CLARK of Idaho. What I intended to say was that it would not be the decent thing for the Senate to do now, in my opinion, to ratify this million-dollar reduction; and I offer my sincerest apologies to the Senator if I did say it, or, if I did not say it, if the Senator so construed what I said.

Mr. GREEN. Mr. President, I should like to make a short statement.

Various Senators have referred to the action of the committee or the views of the committee as though the action or opinion of the committee had been unanimous. Such was not the case. I am a member of the general committee and also a member of the subcommittee. I do not share the opinions that have been expressed as the opinions of the committee; and I shall take pleasure in voting to increase the amount provided by the committee amendment.

The PRESIDENT pro tempore. The pending amendment will be stated.

The CHIEF CLERK. On page 8, line 6, it is proposed to strike out "\$1,659,191" and insert in lieu thereof "\$1,543,932".

Mr. McCARRAN. Mr. President, I hope this amendment may be voted down and that the bill as it came from the House may be sustained.

Mr. BYRNES. I ask for the yeas and nays on the committee amendment. We might as well have one record vote. The yeas and nays were ordered.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll, and Mr. ADAMS voted in the affirmative when his name was called.

Mr. McNARY. Mr. President, a parliamentary inquiry. I think the Chair should state the particular amendment on which we are about to vote.

The PRESIDENT pro tempore. The Chair will state that the amendment was just read by direction of the Chair.

Mr. McNARY. Yes; but it was read so rapidly, and there was so much noise, that very few, if any, of the Senators, aside from members of the committee, know upon what they are about to vote.

Mr. McCARRAN. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Chair will state that the roll call has commenced. A Senator has voted when his name was called; and, under the rule, nothing can stop it. The clerk will proceed with the roll call.

Mr. McNARY. Mr. President, a parliamentary inquiry. Is the vote now about to be taken on the amendment on page 9?

The PRESIDENT pro tempore. The clerk of the Senate read that on page 8, line 6, the proposed amendment is to strike out "\$1,659,191" and substitute "\$1,543,932". The clerk will resume the calling of the roll.

The call of the roll was resumed.

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Minnesota [Mr. SHIPSTEAD], which I transfer to the junior Senator from Maryland [Mr. RADCLIFFE], and vote "yea."

Mr. THOMAS of Utah (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the senior Senator from Iowa [Mr. GILLETTE], and vote "nay." I am not advised how either Senator would vote if present and voting.

The roll call was concluded.

Mr. MINTON. I announce that the Senator from Alabama [Mr. BANKHEAD], the Senator from Washington [Mr. BONE], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Kentucky [Mr. CHANDLER], the Senator from California [Mr. DOWNEY], and the Senator from Delaware [Mr. HUGHES] are absent from the Senate because of illness.

The Senator from Iowa [Mr. GILLETTE] is absent, attending the funeral of the late Representative Dowell, of Iowa.

The Senators from Arizona [Mr. ASHURST and Mr. HAYDEN], the Senator from North Carolina [Mr. BAILEY], the Senator from Mississippi [Mr. BILBO], the Senator from New Mexico [Mr. CHAVEZ], the Senator from West Virginia [Mr. HOLT], the Senator from Maryland [Mr. RADCLIFFE], the Senator from Illinois [Mr. SLATTERY], and the Senator from Oklahoma [Mr. THOMAS] are detained from the Senate on important public business.

The Senator from Texas [Mr. CONNALLY], the Senator from West Virginia [Mr. NEELY], the Senator from Maryland [Mr. TYDINGS], the Senator from Indiana [Mr. VAN NUYS], and the Senator from New York [Mr. WAGNER] are detained in important committee meetings.

I announce the following general pairs: The Senator from New York [Mr. WAGNER] with the Senator from Idaho [Mr. THOMAS]; and the Senator from Wisconsin [Mr. WILEY] with the Senator from Texas [Mr. CONNALLY].

Mr. DAVIS. Announcing my pair and its transfer as on the previous vote, I vote "nay."

The result was—yeas 34, nays 34, as follows:

YEAS—34

Adams	Gerry	Lodge	Smith
Barkley	Glass	McKellar	Stewart
Brown	Hale	McNary	Taft
Bulow	Harrison	Maloney	Tobey
Burke	Hatch	Miller	Townsend
Byrd	Herring	Norris	Vandenberg
Byrnes	Holman	Reed	Walsh
Capper	Johnson, Colo.	Russell	
George	Lee	Sheppard	

NAYS—34

Andrews	Frazier	Lundeen	Reynolds
Austin	Gibson	McCarran	Schwartz
Barbour	Green	Mead	Schwellenbach
Clark, Idaho	Guffey	Minton	Smathers
Clark, Mo.	Gurney	Murray	Thomas, Utah
Danaher	Hill	O'Mahoney	Truman
Davis	King	Overton	Wheeler
Donahey	La Follette	Pepper	
Ellender	Lucas	Pittman	

NOT VOTING—28

Ashurst	Chandler	Hughes	Thomas, Idaho
Bailey	Chavez	Johnson, Calif.	Thomas, Okla.
Bankhead	Connally	Neely	Tydings
Bilbo	Downey	Nye	Van Nuys
Bone	Gillette	Radcliffe	Wagner
Bridges	Hayden	Shipstead	White
Caraway	Holt	Slattery	Wiley

The VICE PRESIDENT. On this vote the yeas are 34 and the nays are 34. The Chair votes "yea."

So the amendment of the committee was agreed to.

The PRESIDENT pro tempore. The clerk will state the next amendment of the committee.

The next amendment was, on page 8, line 12, after the word "witnesses", to strike out "\$519,222" and insert "\$469,222", so as to read:

Economic regulation: For all expenses necessary in carrying out the provisions of title IV of the Civil Aeronautics Act of 1938 and all other provisions of said act relating to economic regulation, including personal services in the District of Columbia and elsewhere; contract stenographic reporting services; fees and mileage of witnesses; \$469,222.

Mr. McCARRAN. Mr. President, I hope this amendment will be rejected, because it is one of the amendments discussed during the afternoon which would vitally affect the pending measure. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. DAVIS (when his name was called). Announcing my pair and its transfer as on the previous vote, I vote "nay."

Mr. LUCAS (when Mr. SLATTERY's name was called). My colleague the junior Senator from Illinois [Mr. SLATTERY] is unavoidably detained from the Senate on business.

Mr. THOMAS of Utah (when his name was called). Adhering to my previous statement, I shall vote. I vote "nay."

The roll call was concluded.

Mr. MINTON. I announce that the Senator from Alabama [Mr. BANKHEAD], the Senator from Washington [Mr. BONE], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Kentucky [Mr. CHANDLER], the Senator from California [Mr. DOWNEY], and the Senator from Delaware [Mr. HUGHES] are absent from the Senate because of illness.

The Senator from Iowa [Mr. GILLETTE] is absent, attending the funeral of the late Representative Dowell, of Iowa.

The Senators from Arizona [Mr. ASHURST and Mr. HAYDEN], the Senator from North Carolina [Mr. BAILEY], the Senator from Mississippi [Mr. BILBO], the Senator from New Mexico [Mr. CHAVEZ], the Senator from West Virginia [Mr. HOLT], the Senator from Maryland [Mr. RADCLIFFE], and the Senator from Oklahoma [Mr. THOMAS] are detained on important public business.

The Senator from Texas [Mr. CONNALLY], the Senator from West Virginia [Mr. NEELY], the Senator from Maryland [Mr. TYDINGS], the Senator from Indiana [Mr. VAN NUYS], and the Senator from New York [Mr. WAGNER] are detained in important committee meetings.

I announce the following general pairs: The Senator from New York [Mr. WAGNER] with the Senator from Idaho [Mr. THOMAS]; and the Senator from Wisconsin [Mr. WILEY] with the Senator from Texas [Mr. CONNALLY].

The result was announced—yeas 39, nays 30, as follows:

YEAS—39

Adams	Glass	Lucas	Smith
Barkley	Green	Maloney	Stewart
Brown	Hale	McKellar	Taft
Bulow	Harrison	McNary	Tobey
Burke	Hatch	Miller	Townsend
Byrd	Herring	Norris	Vandenberg
Byrnes	Holman	Reed	Walsh
Capper	Johnson, Colo.	Reynolds	Wheeler
George	Lee	Russell	White
Gerry	Lodge	Sheppard	

NAYS—30

Andrews	Ellender	Lundeen	Pittman
Austin	Frazier	McCarran	Schwartz
Barbour	Gibson	Mead	Schwellenbach
Clark, Idaho	Guffey	Minton	Smathers
Clark, Mo.	Gurney	Murray	Thomas, Utah
Danaher	Hill	O'Mahoney	Truman
Davis	King	Overton	
Donahey	La Follette	Pepper	

NOT VOTING—27

Ashurst	Chandler	Hughes	Thomas, Idaho
Bailey	Chavez	Johnson, Calif.	Thomas, Okla.
Bankhead	Connally	Neely	Tydings
Bilbo	Downey	Nye	Van Nuys
Bone	Gillette	Radcliffe	Wagner
Bridges	Hayden	Shipstead	Wiley
Caraway	Holt	Slattery	

So the amendment of the committee was agreed to.

The PRESIDENT pro tempore. The next committee amendment will be stated.

The next amendment was, on page 9, line 9, after the word "receipts", to strike out "\$12,000,000" and insert "\$11,000,000"; so as to read:

Maintenance and operation of air-navigation facilities: For all necessary expenses of the Office of the Administrator and the operation and maintenance of air-navigation facilities, including personal services and rent in the District of Columbia and elsewhere; purchase (including exchange), operation, maintenance, repair, and overhaul of aircraft; purchase and exchange (not to exceed \$13,550), hire, maintenance, repair, and operation of passenger-carrying automobiles; purchase of special wearing apparel and equipment for aviation purposes (including snowshoes and skis); salaries and traveling expenses of employees detailed by the Administrator to attend courses of training conducted by the Government or industries serving aviation; not to exceed 3 cents per mile for travel, in their personally owned automobiles within

the limits of their official posts of duty, of employees engaged in the maintenance and operation of remotely controlled air-navigation facilities; and for the purchase of necessary food supplies (not exceeding \$2,500) for storage at isolated stations for emergency use, the cost of which when consumed by employees shall be collected therefrom, and deposited in miscellaneous receipts; \$11,000,000.

Mr. McCARRAN. Mr. President, the Senate up to this point has voted in favor of sustaining the committee amendments. But in connection with this amendment I draw the attention of the Senate to a program established by the Congress of the United States which has provided greater safety for human beings in air travel and safer conveyance of property in the continental United States and beyond the continental United States than any measure yet enacted. If we vote down the next amendment, then we cannot blame anyone save and except ourselves if disaster results because of failure to carry out an established program, a part of which has been put into effect up to the present time, a part of which will be put into effect between now and the end of the fiscal year, but which, although partially completed, cannot be manned, cannot be carried forward, cannot be operated unless with the money proposed to be stricken from the bill by the amendment upon which we are now about to vote.

I hope the amendment of the committee reducing this item by \$1,000,000 may not be sustained. I ask for the yeas and nays on this question.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. McNARY. The Senator is speaking of the committee amendment reducing the amount from \$12,000,000 to \$11,000,000?

Mr. McCARRAN. Yes.

Mr. McNARY. What was the estimate of the Bureau of the Budget on that item?

Mr. McCARRAN. I think the estimate of the Bureau of the Budget was \$12,000,000.

Mr. CLARK of Missouri. The estimate of the Bureau of the Budget was \$12,000,000, and the House adopted that estimate of the Bureau of the Budget.

Mr. McNARY. And this cut by the Senate committee is less than the Budget estimate?

Mr. CLARK of Missouri. One million dollars less than the Budget estimate, and \$1,000,000 less than the amount approved by the House of Representatives.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. BYRNES. And one and a half million dollars more than the amount for the current fiscal year.

Mr. McNARY. May I ask the Senator from Nevada to what use is this money to be put?

Mr. McCARRAN. First of all let me recite to the Senator—

Mr. McNARY. What I want to know is, Has it any relation to flying by long distances over sea and land?

Mr. McCARRAN. Yes; it relates altogether to such flying.

Mr. McNARY. Does it relate to the safety of flying between the east and the west coasts?

Mr. McCARRAN. It relates entirely to that.

Mr. McNARY. In particular, what does it provide for? Does it provide for more ground, more lighting, more air fields?

Mr. McCARRAN. It provides for more safety appliances by way of beacon lights, by way of radio guides, by way of protection to landing fields, by way of weather reports transmitted from the ground to each pilot as he flies across the country; by way of installation of teletype devices; by way of installation and manning of every known device looking to safety. This is the safety item in the bill.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. BARKLEY. I wish to ask either the Senator from Nevada or the Senator from South Carolina [Mr. BYRNES], or

both, if the \$11,000,000 to which the committee has reduced this figure, is one million and a half dollars more than appropriated for the current year, or is the \$12,000,000 a million and a half dollars more?

Mr. RUSSELL. Eleven million dollars is one and one-half million dollars more than the appropriation for the current year, which was approximately nine and one-half million dollars.

Mr. BARKLEY. For the same purpose?

Mr. RUSSELL. For the same purpose.

Mr. McCARRAN. I beg the Senator's pardon. In that respect let it be known that we set up a program which calls for carrying it out year by year. This is only one item of the program. It is not in excess of the current Budget.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. CLARK of Missouri. When the Senator asks if it is for the same purpose, it should be remembered that cost of operation increases with installations. For instance, I have here a statement of a number of specific instances by way of example which I obtained permission to put in the RECORD a while ago. I shall not burden the RECORD by reading more than one or two of these instances, which show the necessity for operation keeping abreast of installation.

For instance, at Millinocket, Maine, a radio range and communications station went into operation January 27, 1940. For the fiscal year 1940 funds are required for 5 months' operation of \$4,980. For the fiscal year 1941, to keep that same station in operation, funds will be required for 12 months' operation, amounting to \$11,949, or an increase of \$6,969.

For instance, at Dothan, Ala., a similar station will go into operation April 1, 1940. It is already provided for, already under construction. It will be in operation on April 1, 1940. For the fiscal year 1940 the funds that are required for 3 months' operation of that station are \$3,055. For the fiscal year 1941 the funds that are required for 12 months' operation of that station are \$11,949, or an increase of \$8,894.

Instances of that sort might be multiplied to show that the cost of operation of stations installed in the fiscal year 1940 will necessarily not be fully reflected until the fiscal year 1941.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. O'MAHONEY. May not the situation be summarized in one short sentence? Congress by appropriations heretofore made has authorized and instructed the Civil Aeronautics Authority to construct ground facilities which are now in the process of completion, and which cannot be manned and cannot be operated if this committee amendment is sustained.

Mr. CLARK of Missouri. That statement is entirely correct and epitomizes the whole situation.

Mr. RUSSELL. Mr. President, the Senator from Kentucky has inquired as to whether or not the amount allowed by the committee was in excess of the appropriations for the current year. I do not desire to discuss this matter at length, but I do wish to read briefly from the testimony that was submitted to the committee. I may say, Mr. President, that the committee could only be guided by the evidence that was presented by the Civil Aeronautics Authority. As all Members of the Senate well know, these hearings are ex parte. There is no person there pointing out to the committee that this or that item is not necessary. The only witnesses who appear are appearing for the purpose of impressing the Committee on Appropriations with the necessity for the item in which they are interested.

Mr. Hester of the Commission, in appearing before the Committee on Appropriations, as will appear on page 126 of the Senate committee hearings, made this statement:

This year, fiscal year 1940, we have an appropriation of \$9,510,487 for maintenance and operation of air-navigation facilities. For next year we have asked for \$12,000,000 to operate and maintain air-navigation facilities, which means an increase for 1941 over 1940 of \$2,489,513.

From that sum of \$12,000,000 the committee recommended a reduction of \$1,000,000, which leaves an increase of \$1,489,500 over the appropriation available for the current year.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. RUSSELL. If the Senator will pardon me a moment, I will be glad to yield.

The Senator from Nevada [Mr. McCARRAN] has stated that in this increased item there should be provided a considerable amount for the purchase of beacon lights and other facilities to be used at the new stations which have been put into operation. He states that a large part of its goes for teletype service to be used at the various new stations which are being put into operation. If that be true, the Civil Aeronautics Authority should have brought it to the attention of the proper committees of the Congress of the United States.

I hold in my hand the hearings before the House committee, in which Mr. Hinckley offered the justification for the appropriation of \$12,000,000.

Regular appropriation, 1940 act, \$9,510,487.

That is the same figure which Mr. Hester gave the committee.

In the increase of \$2,400,000, roughly speaking, there is \$1,445,430 for additional personnel. I stated a few moments ago that the Commission was proposing to increase the personnel in stations which are now in being. I have not had time to run through the entire hearing, but on page 792 I find this statement to confirm my impression that there was to be a substantial increase in personnel in stations which have been in existence for some time. This is the justification submitted by the Civil Aeronautics Authority itself to the House committee:

At 13 of the major stations referred to we now have 2 maintenance electricians in the grade SP-7. However, in order to obtain a more satisfactory organization in 1941 it is proposed to have 1 principal radio electrician, SP-7, and 1 senior radio electrician, SP-6, at such stations. The availability of 13 principal radio electricians from these 13 stations has been considered in estimating the number of additional electricians required for the expanded Federal airways system as it will be on July 1, 1940, after the 1940 construction program is completed.

That is one illustration, in which they propose to add 26 additional high-grade and, comparatively speaking, highly compensated, electricians to the facilities which are already in existence, facilities which have enabled the Authority to come before the Congress and boast that for the past 10 months there has not been a single fatality in the operation of the air lines of the United States.

I want to go back to the remainder of the two-and-a-half-million-dollar increase which the Civil Aeronautics Authority is requesting at the hands of the Congress.

I do not find any requested increase in appropriations for the purchase of equipment of the kind referred to by the Senator from Nevada [Mr. McCARRAN]. In my opinion such equipment is not involved in this item. This is what the Civil Aeronautics Authority says it wants to spend the money for: Gasoline and oil, they want to increase their expenditures by \$199,217; for storage, they wish an increase of \$10,220 over and above the amount which they expended in the year 1940; for communication service, they wish an increase of \$52,941.

The next item is travel expenses. Bear in mind that the Senate has just rejected an item which would increase the personnel in the central administration of the Authority by about 74, so there is no necessity to have all this additional travel expense. We voted down the appropriation for 74 additional employees which they are requesting, many of whom I assume would operate out of the District of Columbia. For travel expenses they want an increase of \$230,079. What would that add to the electric beams or teletype service to which Senators have referred with so much fervor?

Mr. CLARK of Idaho. Mr. President, will the Senator yield?

Mr. RUSSELL. I will ask the Senator to permit me to yield first to the Senator from New Mexico [Mr. HATCH]. I had hoped to be able to give the Senate the information which was before the Committee on Appropriations when

we voted very substantial increases over this year's appropriation. It is improper to speak of the amount recommended by the committee as a reduction, because the Senate committee voted an increase over the appropriations which were made for the year 1940.

Mr. HATCH. Mr. President, I am perfectly willing to wait until the Senator completes his remarks.

Mr. RUSSELL. I wish to read to the Senate the various items which the Civil Aeronautics Authority presented to the proper committees of the Congress as the purposes for which they wish to spend the increase in appropriations which they are seeking.

Mr. CLARK of Idaho. I wish to make an inquiry from the Senator from Georgia, as to the increased travel allowances.

Mr. RUSSELL. The amount recommended by the committee represents an increase over and above the appropriation for the present year. The committee assumed that if the Authority was able to operate so efficiently that it could prevent any fatality for this year, it would not need the entire amount of \$230,000 for travel for the next year.

Mr. CLARK of Idaho. I should like to answer the Senator, if he will yield.

Mr. RUSSELL. I yield.

Mr. CLARK of Idaho. Every new radio range station which goes into operation has radio beams which extend out in four directions, requiring new patrol pilots, who are employees of the Commission, and who fly the Commission's ships. They constantly fly the beams, night and day, with delicate scientific instruments which tell them whether or not the beams are operating properly, or whether they are in any way out of kilter. Of course, as new stations come into existence new patrol pilots, among other personnel, must be hired, and they must have aviation gasoline to travel. They travel all the time. That would be one way in which the increased travel expenses would be used directly in the interest of safety.

Mr. RUSSELL. The Senator from Idaho is so well informed on this whole matter that I dislike to dispute, or even question, any statement he might make. However, if the Senator had been listening he would have heard me read that the Authority is requesting an increase of \$199,217 for gasoline and oil, in addition to an increase of \$230,079 for travel expenses, whereas it is asking an increase of only \$70,000 for the purchase of aircraft. I submit it is out of all proportion and out of all reason to suppose that \$199,000 worth of gasoline and \$230,000 worth of travel expenses would be required to use one or two new airplanes, which is about all that could be bought with the \$70,000 appropriation.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. RUSSELL. If the Senator does not object, I should like to finish my reference to the hearings, and give the Senate the benefit of what the Appropriations Committee had.

In the transportation of things an increase of \$24,560 is asked.

Mr. BYRNES. Transportation of what?

Mr. RUSSELL. Transportation of things. I assume, in this bill as in the ordinary appropriation bill, that is to pay the expense of moving the household equipment of employees of the Commission who are transferred from place to place, as well as the transfer of equipment belonging to the Commission.

For printing and binding an increase of \$500 is asked; for heat, light, power, water, and so forth, \$174,463; for rentals, \$99,763—approximately \$100,000; for repairs and alterations, \$72,682; for special and miscellaneous items, \$7,166; for the purchase of trucks, \$4,442; for the purchase of aircraft, \$70,000; and for stores, which item is not broken down, \$129,681.

Mr. President, from the very wide variety of those demands, gasoline and oil and traveling expenses, taking up about a third of the \$1,000,000, besides the additional personnel requested, the committee felt that the Civil Aeronautics Authority should be able to function fairly well with an increase of \$1,500,000 over and above its appropriation for the current year.

I do not know what prompted other members of the committee; but speaking for myself I had investigated some of the other appropriation bills and some of the other Budget estimates which have been submitted to the Congress of the United States, and I could not justify, or even tolerate, an appropriation bill for the farming interests of this country that was reduced 44 percent, when we have before us an appropriation bill for independent offices which shows an increase of more than \$24,000,000 over the current appropriation. I therefore voted to bring some of the appropriations back somewhere in line with the appropriations which were made for the year 1940.

I am frank to say that I think this particular item could bear some further reduction, because I do not think we ought to set the precedent of making fish of one bureau or agency and fowl of another, increasing this item by \$1,500,000 while we are working to bring about drastic reductions in the current appropriations of other agencies and departments of the Government which are just as important to the general economy and the every-day life of large segments of the population of the United States.

I now yield to the Senator from New Mexico [Mr. HATCH], and I wish to thank him for his forbearance in permitting me to complete my statement.

Mr. HATCH. Mr. President, I am very glad to accommodate the Senator from Georgia. I wish to ask something by way of information. In explanation, let me say that I appreciate the problem with which the committee has to struggle, not only in this instance, but in all appropriation bills. I appreciate what the Senator from Georgia will have to struggle with in the agricultural bill. I will say to the Senator from Georgia that I shall do my best to aid him to restore some of those items at least to the Budget estimate.

Mr. RUSSELL. I thank the Senator.

Mr. HATCH. The Senator has quoted the chairman of the Civil Aeronautics Authority, Mr. Hinckley, a man whom I happen to know, and in whom I have every confidence. I do not believe he would come before a committee and advocate something in which he did not believe.

Also the Senator from Nevada [Mr. McCARRAN] has pointed out that this particular item of \$1,000,000 involves the safety of those who travel by air in this country. Unfortunately, I was unable to be in the Chamber earlier this afternoon.

The Senator from Georgia [Mr. RUSSELL] has just explained the reduction; but as he has explained it, I take it he has rather justified it, because the \$11,000,000 is an increase over the appropriation of last year. That does not entirely justify the reduction in my mind. I should like to know, if I can find out from the Senator from Georgia or from any other member of the committee, what items were eliminated in arriving at the cut of \$1,000,000. Was an arbitrary cut of \$1,000,000 made?

Mr. RUSSELL. If the Senator from New Mexico will refer to this item of the bill, he will see that the question of personnel, the question of all these various supplies, the question of how many men shall be stationed at each of these air safety stations, are wholly within the discretion of the Civil Aeronautics Authority. I would have hesitated in attempting to apply a specific cut to the personnel, or to the gasoline appropriation, or to the travel appropriation, because I did not know which one of those items the Authority held to be most important and the one that would be most essential in promoting air safety. The committee, therefore, left it in the discretion of the Authority, saying to them, "Here is a million and a half dollars more than you have for the current year. Apply it to these several items—to your personnel, to your purchases, to your rental account of \$100,000 a year—as you see best, and continue to do the magnificent job you are doing at the present time in promoting the safety of those who travel in the air."

I may say that I am intensely interested in having air transportation just as safe as it is humanly possible to have it. I myself fly to some extent. I often take trips by airplane. Certainly I do not want to do anything here that would cause an increased hazard to those who use the airplane as a means of transportation. But certainly Congress should

not shut its eyes and fail to inquire into the importance of any request that is made here by any bureau or any agency. For my part, I do not consider that I am absolutely bound by the Budget estimates.

Senators speak about the Budget recommending this and the Budget recommending that as if it were something sacred. If we followed the Budget altogether, what would be the necessity of having the Committees on Appropriations to go into these various items? If they think the Budget estimates dealt too liberally with them, the Congress should face that issue, and bring about a reduction of the appropriation. If too great a reduction is made, we should restore it without regard to the Budget.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. HATCH. I wonder if the Senator will permit me to ask the Senator from Missouri a question in his time.

Mr. RUSSELL. Certainly.

Mr. HATCH. The Senator has mentioned on the floor, during the course of this debate, the additional expenses made necessary by the authorizations of previous acts of Congress over the amount spent last year. Can the Senator give me an estimate of how much those are?

Mr. CLARK of Missouri. Mr. President, I have not figured how much they are in the aggregate; but the construction program for the fiscal year 1940 amounts to about \$7,000,000. That is strung out throughout the full period of the fiscal year 1940. In some cases the station would go into operation, and it would be necessary to pay for the operation of the station for a period of, let us say, 11 months. In other cases the station would be in operation for only 1 month of the fiscal year 1940; but the whole program, it is assumed, should be in operation for the whole fiscal year 1941, for which we are now appropriating. Therefore, there will necessarily be a very considerable increase, based on the construction program of \$7,000,000 during the fiscal year 1940. There will be a very material increase in operation in the fiscal year 1941. I have not the figures as to exactly how much that will be.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Washington.

Mr. SCHWELLENBACH. I should like to ask the Senator a question. As I understand, the amount appropriated for construction cost this year reduced by \$1,235,000 over the expenditure of last year.

Mr. RUSSELL. That is approximately correct.

Mr. SCHWELLENBACH. The amount for maintenance is increased by \$2,489,000; so there is a net increase of about \$1,200,000 in the total appropriation for the Authority. The Senator has outlined the various items which go to make up this request for \$12,000,000 for maintenance, as requested by the Budget Bureau and the Authority; but I have read the Senate hearings rather carefully, and while it is true that the reduction from \$12,000,000 down to \$11,000,000 might be taken out of gasoline and a number of other uses, is it not true that a fair and logical reading of the testimony before the Senate committee would lead to the conclusion that very largely that million-dollar reduction will be taken in the matter of personnel?

Mr. RUSSELL. I do not at all think that is the necessary conclusion. I think there will be some reduction in personnel, but of course there will not be as much travel expense, as much rental expense, as much gasoline expense, as much automobile expense, if there is not so much personnel; and naturally there will be a proportionate reduction in supplies along with reductions in personnel. As I pointed out earlier on the floor, this increase in personnel contemplates an increase in the personnel that is now stationed at air fields which have been in existence for a great number of years.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. RUSSELL. If the Senator will pardon me for one moment, I want to point out that it has been stated time after time on the floor by those who are opposing these

reductions that the entire program would be crippled, that it would be impossible to buy lights or facilities or other things that are necessary in the program. I call the attention of the Senate to the fact that we have not reduced the Budget estimates for that purpose by one dime.

If Senators will turn to page 10 of the bill, on line 14, they will find this item:

For the acquisition and establishment of air-navigation facilities, including the equipment of additional civil airways for day and night flying; the construction of additional necessary lighting, radio, and other signaling and communicating structures and apparatus; the alteration and modernization of existing air-navigation facilities; and for the acquisition of the necessary sites by lease or grant.

The sum that was recommended by the Budget in full, namely, \$5,265,280 has been approved by the committee.

There has been no reduction in that item in the bill.

Mr. McCARRAN. Mr. President, may I draw the Senator's attention to a matter by way of question? Is it not true that these facilities, when set up and fully equipped, require that they be manned in order to be of any use in operation?

Mr. RUSSELL. Of course, it is necessary that they be manned if they are to be of any use.

Mr. McCARRAN. And 630 additional personnel is in this item with which we are now dealing. In other words, if we do not appropriate to man these facilities, these ground guides and ground facilities in general, they had better never have been appropriated for at all, because they will remain idle and deteriorate. The real truth of the matter is that the largest part of this item is for additional personnel to make these ground facilities workable; is it not?

Mr. McKELLAR. Mr. President, if the Senator will yield to me on that point, I think the record fully explains the matter. On page 127 of the RECORD, the Senator from South Carolina [Mr. BYRNES] asked this question:

Senator BYRNES. On page 781—

Meaning page 781 of the House hearings—

You have a table, from which I assume that you propose an increase in personnel of 635 employees, for duty by June 30, 1941, over the personnel authorized for duty on June 30, 1940; 635 is quite a large increase in personnel over 4,407.

I hope Senators will listen to what Mr. Hester himself has to say about the matter:

Mr. HESTER. That is true, Senator. I am not sure that that is the exact figure, but it is a very large figure, and I do not blame you for being somewhat alarmed about it.

This is the reason he gives:

However, during a long period of time Congress did not authorize the establishment of air-navigation facilities or appropriate any money therefor. Now that Congress has appropriated large sums and we have constructed such facilities we have to operate them and additional personnel is required. However—

And this is the way in which he eases the matter off. He says it is no wonder there is surprise at the large increase in personnel of 635—and that will take a very large part of this appropriation, of course—but he says:

However, we have only 4,000 more miles of existing airways to complete, and you will see a falling off in this item from now on.

In other words, he admits the appropriation requested is large, but he holds out the hope that another year it may be reduced because there are only 4,000 miles more to be constructed to complete the system. It seems to me that under these circumstances we could well afford to cut this appropriation down a small amount.

Mr. RUSSELL. Mr. President, I shall conclude by again reminding the Senate that some of this appropriation is for increasing personnel at existing stations as well as for new stations. The committee felt that in this day, when we are doing all we can to bring about a reduction and equalization of Government expenditures, the Civil Aeronautics Authority would be able to continue its fine record if we allowed them this very handsome increase of a million and a half dollars in their appropriations for 1941.

Mr. McCARRAN obtained the floor.

Mr. BARKLEY. Mr. President, will the Senator from Nevada yield?

Mr. McCARRAN. I yield.

Mr. BARKLEY. I had hoped we might get a vote today on the pending amendment, but I do not know how much more debate there will be, and if there is to be further and extended debate, I think we had better let the matter go over until tomorrow.

Mr. McCARRAN. I should like to enter upon some discussion of the amendment, and I understand the Senator from Missouri [Mr. CLARK] wishes to speak on it. I should like to have it go over until tomorrow.

URGENT DEFICIENCY APPROPRIATIONS

The PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 8067, the urgent deficiency appropriation bill, which was read, as follows:

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
February 6, 1940.

Resolved, That the House agree to the amendments of the Senate Nos. 1, 2, 3, 4, and 6 to the bill (H. R. 8067) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1940, and for other purposes; and That the House disagree to the amendment of the Senate No. 5 to said bill.

Mr. ADAMS. I move that the Senate recede from its amendment numbered 5.

The motion was agreed to.

SUPPLEMENTAL MILITARY AND NAVAL APPROPRIATIONS—CONFERENCE REPORT

Mr. ADAMS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7895) making supplemental appropriations for the Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation, for the fiscal year ending June 30, 1940, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5 and 6. That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 8, 10, 11, 12, 13, 14, 15, 16, 17, 20, and 21; and agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$9,750,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$768,188"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$4,194,889"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 2 and 9.

ALVA B. ADAMS,
CARTER GLASS,
KENNETH MCKELLAR,
CARL HAYDEN,
JAMES F. BYRNES,
FREDERICK HALE,
JOHN G. TOWNSEND, Jr.,
Managers on the part of the Senate.

C. A. WOODRUM,
CLARENCE CANNON,
LOUIS LUDLOW,
EMMET O'NEAL,
GEORGE W. JOHNSON,
JOHN TABER,
R. B. WIGGLESWORTH,
W. P. LAMBERTSON,
Managers on the part of the House.

The report was agreed to.

DEATH AND FUNERAL OF THOMAS L. YOUNGER

Mr. BARKLEY. Mr. President, on Sunday last there passed away in this city Mr. Thomas L. Younger, a valued and much esteemed official of the Senate, the custodian of the

Senate Office Building. Mr. Younger's funeral will be held tomorrow at 11 o'clock at Arlington National Cemetery. I ask unanimous consent that when the Senate adjourn today it adjourn to meet at 1 o'clock p. m. tomorrow.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

Mr. ASHURST (for Mr. HUGHES) from the Committee on the Judiciary reported favorably the nomination of Reed Sharp, of Tennessee, to be United States marshal for the middle district of Tennessee.

Mr. BURKE, from the Committee on the Judiciary, reported favorably the nomination of John C. Mahoney, of Rhode Island, to be a judge of the United States Circuit Court of Appeals for the First Circuit, vice James M. Morton, Jr., retired.

Mr. CONNALLY, from the Committee on the Judiciary, reported favorably the nomination of Cleon A. Summers, of Oklahoma, to be United States attorney for the eastern district of Oklahoma.

Mr. DANAHER (for Mr. O'MAHONEY), from the Committee on the Judiciary, reported favorably the nomination of Charles H. Cox, of Georgia, to be United States marshal for the northern district of Georgia.

Mr. WILEY (for Mr. O'MAHONEY), from the Committee on the Judiciary, reported favorably the nomination of John B. Tansil, of Montana, to be United States attorney for the district of Montana.

Mr. KING, from the Committee on the Judiciary, reported favorably the following nominations:

George A. Malcolm, of Michigan, to be the attorney general of Puerto Rico; and

William F. Burguson, of South Carolina, to be United States marshal for the eastern district of South Carolina.

Mr. BAILEY, from the Committee on Commerce, reported favorably the nominations of sundry officers for promotion in the Coast Guard.

Mr. MCKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the calendar.

COMMISSIONER, DISTRICT OF COLUMBIA

The legislative clerk read the nomination of Melvin C. Hazen, of the District of Columbia, to be Commissioner.

Mr. BARKLEY. Mr. President, I think this nomination will have to go over until tomorrow. I understand the Senator from South Carolina [Mr. BYRNES] will not urge his objection, but he desires to make a statement about it.

The PRESIDENT pro tempore. The nomination will be passed over.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. MCKELLAR. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations of postmasters are confirmed en bloc.

That concludes the nominations on the calendar.

DEATH OF REPRESENTATIVE CASSIUS C. DOWELL

The Senate resumed legislative session.

The PRESIDENT pro tempore. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The Chief Clerk read the resolutions (H. Res. 373) as follows:

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
February 5, 1940.

Resolved, That the House has heard with profound sorrow of the death of Hon. CASSIUS C. DOWELL, a Representative from the State of Iowa.

Resolved, That a committee of four Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provision of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. HERRING. Mr. President, I send resolutions to the desk which I ask to have read and immediately considered.

The resolutions (S. Res. 228) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. CASSIUS C. DOWELL, late a Representative from the State of Iowa.

Resolved, That a committee of two Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The PRESIDENT pro tempore. The Chair appoints the senior Senator from Iowa [Mr. GILLETTE] and the junior Senator from Iowa [Mr. HERRING] as the committee provided for in the resolution just agreed to.

Mr. HERRING. Mr. President, as a further mark of respect to the memory of the deceased Representative, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned, the adjournment being under the order previously entered, until tomorrow, Wednesday, February 7, 1940, at 1 o'clock p. m.

CONFIRMATIONS

Executive nominations confirmed by the Senate, February 6, 1940

POSTMASTERS

ARKANSAS

Edward E. Dewey, Decatur.
Martin A. Graddy, Evening Shade.
Luther J. Wilkes, Helena.

INDIANA

Stanley P. Nelson, Auburn.
Robert A. Richwine, North Webster.

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 6, 1940

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore [Mr. RAYBURN].

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, whatever the unrevealed future may hold, let us find the secret of a calm and cheerful confidence where fear holds sway and injustice reigns. We praise Thee that the secret of our security is Emmanuel, God with us. The inspired musician has declared: "Of old hast Thou laid the foundation of the earth; and the heavens are the work of Thy hands. They shall perish, but Thou shalt endure; yea, all of them shall wax old as a garment; as a vesture shalt Thou change them, but Thou art the same, and Thy years

shall have no end." We thank Thee for this music breaking out of the heart of the Ancient of Days, whose love for us is infinite. Arm us with that fortitude which braves the thick shadow of our humanity; O crown us with an all-conquering faith in our blessed Lord and let it give a rich morning glow to our lives in these days of our need. Heavenly Father, give rest to our beloved Speaker and bless him with peace, good health, and strength. Through Christ our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

SUPPLEMENTAL MILITARY AND NAVAL APPROPRIATIONS—CONFERENCE REPORT

Mr. WOODRUM of Virginia submitted a report and statement on the bill (H. R. 7805) making supplemental appropriations for the military and naval establishments, Coast Guard, and Federal Bureau of Investigation, for the fiscal year ending June 30, 1940, and for other purposes.

URGENT DEFICIENCY BILL, 1940

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8067), the urgent deficiency bill, with Senate amendments, and consider the same.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, after line 7, insert:

"SENATE"

Page 1, after line 7, insert:

"For payment to Mary Borah, widow of William E. Borah, late a Senator from the State of Idaho, \$10,000."

Page 1, after line 7, insert:

"For repairs, improvements, equipment, and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended from the contingent fund of the Senate, under the supervision of the Committee on Rules, United States Senate, fiscal year 1940, \$23,700."

Page 3, after line 6, insert:

"ARCHITECT OF THE CAPITOL"

"Senate Office Building: To reimburse the maintenance fund of the Senate Office Building for the fiscal year 1940 for necessary emergency expenditures for desks, chairs, stands, tables, and other equipment and supplies, for the use of the additional clerical assistants to Senators, under the provisions of Public Law No. 216, Seventy-sixth Congress, approved July 25, 1939, \$5,000."

Page 3, strike out lines 7 to 14, inclusive.

Page 3, line 22, strike out "\$29,000,000" and insert "\$28,000,000."

Mr. WOODRUM of Virginia. Mr. Speaker, this bill is the little urgency deficiency matter that we passed in the House. It was passed in the Senate and we have had a preliminary meeting with the Senate conferees. The only changes made in the measure by the Senate are as follows: They added the amount payable to the widow of Senator Borah. They added an item relating to an expenditure of \$5,000 on the Senate Office Building. They struck out an item which the House had included which simply authorized an exchange of funds by the United States Sesquicentennial Commission. They deducted \$1,000,000 from the Navy Department, an additional amount for armament and ammunition.

I ask unanimous consent to agree to all of the Senate amendments with the exception of the one striking out the matter of the Sesquicentennial Commission, and the Senate conferees have indicated that when the bill gets back to the Senate they will concur in the amendment. So there is really nothing in disagreement.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. TABER. And the net result will be that the bill will be something like \$960,000 below what it was when it passed the House?

Mr. WOODRUM of Virginia. That is correct.

Mr. TABER. So the Senate has started on its way of trying to save a dollar instead of increasing every bill that goes over there, and we hope the Senate will keep it up.

Mr. WOODRUM of Virginia. We all join in that hope, I will say to the gentleman.

The SPEAKER pro tempore. The gentleman from Virginia asks unanimous consent that the House concur in Senate amendments 1, 2, 3, 4, and 6, and that the House insist on its disagreement to Senate amendment No. 5. Is there objection?

There was no objection.

THE PRIVATE CALENDAR

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the business in order today on the private calendar be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a statement made by Louis J. Taber, of the National Grange, before the Ways and Means Committee.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, I learn now that this statement has been put in the RECORD by the gentleman from California [Mr. GEARHART], and I therefore withdraw my request.

THE LATE REPRESENTATIVE CASSIUS C. DOWELL

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, shortly after I became a Member of the House somebody made a point of order against an amendment then pending. The discussion that followed interested me because of the part played therein by the then gentleman from Iowa.

Mr. DOWELL, without referring to precedents or former rulings, proceeded to state the reasons why in his judgment the point of order should be sustained.

It was, as it seemed to me, a close question, or so I thought until I listened to our friend, who by his clearness of statement and obvious knowledge of the subject convinced me as to the correctness of the position he had taken.

The Chair sustained the point of order, and for the reasons stated by Mr. DOWELL.

I then made some comment to an older Member with respect to Mr. DOWELL's evidenced familiarity with the precedents and rules, whereupon he said, "CASSIUS DOWELL forgets more about the rules and procedure of this House every night than most Members will ever know." That was a fine tribute, and the truth.

It was true not only with respect to the matters referred to but in regard to about every matter that came before the House for consideration during his long years of service.

Modest, extremely able, he made his mark in his day and on his generation for himself, his State, and the Nation. Those of us who depended upon him for friendly counsel and advice will sorely miss him.

He traveled the long road of many fruitful years to come at last, as shall we all of us, to the Utmost Gate. For him—

Behind is life and its longing,
Its trial, its trouble, its sorrow;
Beyond is the infinite morning
Of a day without its tomorrow.

Mr. CANNON of Missouri. Mr. Speaker, may I, too, add a word to the many tributes to our friend and colleague, Congressman DOWELL, of Iowa. My first service in the House was on the Committee on Roads of which he was chairman. It was during those crucial days when he was formulating the legislation which was the basis upon which we have since established our splendid highway system, a model to all the world, and from those days throughout his notable career I

was glad to be associated with him in many contests on this floor. The thing that most impressed me throughout his entire congressional service was the way in which he subordinated partisanship to the interest of the issue before him. Repeatedly, I have seen him vote, especially on items relating to agriculture, contrary to the dictates of the party position at the time. He supported always the measures which he believed would benefit most of his own constituency and the American people at large, and his death deprives us of a stalwart ally upon whom we had depended to render yeoman service in the coming battles for farm legislation in this session. He was a great American, an uncompromising advocate for agriculture, and a devoted friend of the people.

Mr. Speaker, I ask unanimous consent to extend my remarks upon the subject of the agricultural appropriation bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my remarks upon the reciprocal-trade agreements and to include therein a short article.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. JONES of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a telegram which I received from the president of the National Farmers' Union.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an address delivered by Hon. Harry H. Woodring, Secretary of War, at the Gridiron Club dinner in St. Louis on January 30.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. O'NEAL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an address by Nicholas H. Dosker, administrator, City of Louisville Municipal Housing Commission.

The SPEAKER pro tempore. Is there objection?

There was no objection.

THE CIVIL SERVICE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, also I ask unanimous consent in my remarks to include an article by George D. Riley, which appeared in the Sunday Times-Herald, entitled "Roosevelt Blanketed As Many As All Combined Into the Civil Service Since 1900."

I bring to the attention of the House H. R. 960, an act which will blanket into the civil service approximately 200,000 and possibly nearly 300,000 employees of the Government. I am positively in favor of the merit system, but I believe that people should be taken into the civil service by open competitive examinations. On the floor of the House when these people were taken into the various departments without the benefit of the civil-service rules, in fact, without examinations at all, many of us tried to secure authorization for competitive examination under the civil-service rules. However, this administration did not see fit to grant it, and President Roosevelt has blanketed in more people than ever before.

Our Government employs upward of 900,000 men and women. Of these more than 600,000 have a civil-service status. H. R. 960 seeks to cover into a permanent civil-service status most of the remainder of these workers—to cover them in without benefit of competitive examinations and to place them upon the same basis as those employees who won their spurs in competitive tests. This is most unjust, most unfair, not only to those now in the service

but to thousands of others whose names are now upon the civil-service registers and who are waiting to be called to fill Government positions. Has it ever occurred to you that if the non-civil-service employees are blanketed in as a result of the enactment of H. R. 960, that it will be a long, long time before it will be necessary to hold civil-service examinations? And those now upon the registers will have to wait months and even years for appointments. The bureaus to which these persons were appointed, through political power, were emergency bureaus, of a temporary nature. Many of them are sure to be dropped—and should be. But will the employees be dropped? Not if this bill passes. They will take their places upon reemployment registers, ahead of those who won their places through their abilities in competitive examinations. That is the unfairness of it all. [Applause.]

ROOSEVELT BLANKETED AS MANY AS ALL COMBINED SINCE 1900—LAST YEARS OF ADMINISTRATIONS HAVE GENERALLY SHOWN MUCH ACTIVITY IN CLASSIFIED SERVICE

Our present administration is no exception to the rule that administrations in the first blush of excitement pay little attention to civil service. Yet in the second 2 years of administrations the custom has been to open the ranks of civil service to induct recruits by way of noncompetitive examinations.

By this system administrations often have gone down in history as the great and good friends of the open competitive examination system.

At the same time those administrations which have dared the fates and have reduced the numbers in civil service in election years have gone to defeat. Witness the Taft, Wilson, and Hoover administrations.

Taft reduced the rolls by 12,662. In November he lost. Wilson cut the rolls nearly 100,000 in 1920 and lost the election. Hoover modestly shrank the ranks by 889 in 1932, despite the fact that he blanketed in 2,614 in 1932.

After the present administration cut civil-service rolls by 11,065 in 1933 and 5,504 in 1934, the spurt went the other way to the end that today as election time neared 4,637 were added in 1935 and 43,496 were tucked into the classified service in the 1936 election year.

Even in the early 1930's there were frequent exclusions from the open competitive examination and in favor of noncompetitive tests. By 1936 the number of blanketing or noncompetitive cases totaled approximately 13,000.

While Wilson put an all-time high of 315,633 in the classified service in 1918, he permitted only 1,024 to enter by the blanket route. This means that, despite the heavy demands of war stress, Wilson held with only slight flexibility toward the open competitive system.

Wilson in 8 years blanketed in 13,186, or fewer than half the number thus far blanketed in by Roosevelt, 26,975 in 7 years. In fact, in his last year in office, Wilson blanketed in only 16.

Since the turn of the century Theodore Roosevelt has been the one President who has held rigidly to the original concept of the Civil Service Act and the open competitive examination system. In his 7 years as President Theodore Roosevelt blanketed in only 249.

Taft was next with 473 noncompetitive inclusions. Harding's total was slightly more, or 484, while Coolidge stepped up such inclusions by 8,399, or more than twice the number Hoover included, which was 3,799.

Franklin Roosevelt has included within the competitive civil service just twice as many by the blanket or noncompetitive route as have all other Presidents of this century with their total of 13,404.

If the Ramspeck bill is enacted, obviously the present administration will be recorded as having included, despite its early faltering, by far the greatest number of positions, as well as the greatest number of noncompetitive exclusions. The New Deal total, net, will be 405,600 accretions to the classified service, as against only 279,611 net increase under Wilson.

Thus will Franklin Roosevelt be hailed as the man responsible for the greatest increase in the strength of the classified service in the 58 years (by 1941) history of civil service by 126,000 more than included by Wilson, who adhered twice as closely to the competitive system than has Franklin Roosevelt.

As matters stand, the conservative Democrats and the Republicans maintain that the blanketing or noncompetitive route does not constitute the spirit of the open competitive examination. The consequence is they are opposed to Ramspeck's bill, which now has the steam under it, with orders for enactment.

The Ramspeck bill has amassed considerable further opposition because it is an omnibus bill and included a number of other provisions not connected with extension of the classified service. The consequence has been that instead of amassing advocates for the bill, a great wall of opposition has sprung up.

Table showing by years numbers added to the classified service since its inception and number included without formality of open competitive tests. Minus sign denotes decrease. Note that in some years more entered by blanket or noncompetitive route than the net number added to the classified service for the same year.

	Added but excused from com- petition	Accretions to classified service, net
F. D. Roosevelt:		
1939.....	5,710	59,923
1938.....	3,389	30,823
1937.....	1,556	33,348
1936 ¹	12,989	43,496
1935.....	1,217	4,637
1934.....	671	-5,504
1933.....	1,443	-11,065
Total.....	26,975	155,658
Hoover:		
1932 ¹	2,614	-889
1931.....	313	5,967
1930.....	209	16,126
1929.....	663	14,194
Total.....	3,799	35,398
Coolidge:		
1928 ¹	1,680	8,765
1927.....	3,174	198
1926.....	2,534	-1,238
1925.....	520	7,945
1924 ¹	330	4,195
1923.....	161	-9,290
Total.....	8,069	10,575
Harding:		
1922.....	368	-17,424
1921.....	116	-49,491
Total.....	484	-66,915
Wilson:		
1920 ¹	16	-95,338
1919.....	5,317	-49,471
1918.....	1,024	315,533
1917.....	524	29,373
1916 ¹	688	4,635
1915.....	3,125	-169
1914.....	1,410	9,863
1913.....	1,082	65,205
Total.....	13,186	279,611
Taft:		
1912 ¹	103	-10,265
1911.....	241	5,379
1910.....	67	-12,662
1909.....	62	28,303
Total.....	473	10,755
Theodore Roosevelt:		
1908 ¹	56	12,314
1907.....	24	10,145
1906.....	69	12,371
1905.....	.....	17,714
1904 ¹	61	18,640
1903.....	18	27,463
1902.....	21	1,785
1901.....	.....	11,312
Total.....	249	111,744
McKinley:		
1900 ¹	(?)	1,749
1899.....	(?)	3,838
1898.....	(?)	3,420
1897.....	(?)	-1,158
Total.....	.....	7,849
Cleveland:		
1896 ¹	(?)	32,822
1895.....	(?)	8,401
1894.....	(?)	1,906
1893.....	(?)	6,392
Total.....	.....	49,521
Harrison:		
1892 ¹	(?)	3,650
1891.....	(?)	3,247
1890.....	(?)	976
1889.....	(?)	7,073
Total.....	.....	14,946
Cleveland:		
1888 ¹	(?)	3,232
1887.....	(?)	2,072
1886.....	(?)	1,683
1885.....	(?)	1,810
Total.....	.....	8,797
Arthur: 1884¹	(?)	13,780

¹ Election year.

² Blanketing was practiced rarely.

EXTENSION OF REMARKS

Mr. DUNN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including an address delivered by Mr. Austin, Director of the Census Bureau.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. EDWIN A. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial regarding legislation that I have introduced today.

The SPEAKER pro tempore. Is there objection?

There was no objection.

MRS. ROOSEVELT AND THE STATE OF SOUTH DAKOTA

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MUNDT. Mr. Speaker, in a copy of Life magazine which carries the date of February 5, I notice, on page 70, a map purporting to show the travels of the remarkable Mrs. Roosevelt for the past 7 years. The map indicates that the only State in the Union she has not visited is the State of South Dakota, and thereby libels my State by referring to it as "darkest America." Mr. Speaker, my State is known from coast to coast as "the sunshine State," and does not deserve the name of "darkest America." The brightness of its hospitality and the spirit of its patriotic people combine with its fertile fields and beautiful mountains to make South Dakota one of the country's cheeriest and happiest Commonwealths. It seems to me that Mrs. Roosevelt has either followed the well-known human tendency to save the best for the last or else she has been haunted by the memory that it was while Mrs. Coolidge was last visiting our State with her husband in 1927 that the then President Coolidge made his famous statement, "I do not choose to run for a third term." [Laughter and applause.]

In either event we invite Mrs. Roosevelt to visit South Dakota and bring her husband with her. The first lady of the land is entitled to see America's best, and if her husband also should say at that time, "I do not choose to run," I am sure the country will survive.

Long live South Dakota. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a recent statement I made before the Ways and Means Committee.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

THE NORTHWEST TERRITORY

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting Mr. Sprunt's article in the Appendix of the RECORD. I have an estimate from the Public Printer that it will make three pages in the Appendix.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

[Mr. ROBERTSON addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my remarks and include a short editorial from the Milwaukee Journal.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. BOLLES. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a letter from the Corn Industrial Foundation.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein brief statements and resolutions and extracts from brief statements and resolutions in respect to the reciprocal trade agreement law administration from the California Farm Bureau Federation, the California Grange, the California Cattlemen's Association, the California Wool Growers' Association, the California Fig Institute, the California Oil Producers Association, the National Grange, the American Farm Bureau Federation, and other agricultural organizations.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. HOPE. Mr. Speaker, I ask unanimous consent to extend my remarks and include a short letter from Gifford Pinchot.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

THOMAS A. EDISON

Mr. VREELAND. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

[Mr. VREELAND addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a brief editorial appearing in the Palladium-Item of Richmond, Ind.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

PROCEDURE IN THE HOUSE

Mr. NELSON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. NELSON. Mr. Speaker, a good farmer takes out on time. Desiring his field work well done, he stops before dark. To his sons he says, "Better finish tomorrow." This thought came to me last Friday night as it has at other long night sessions. Members were worn out. Nerves were on edge. Small wonder that occasionally there was a show of anger or disgust, or that there was jolly and horseplay. On the floor there was confusion, while in the galleries there must have been consternation.

With an important bill under consideration, a bill dealing directly with the weal or woe of millions of farmers and their families, visitors saw business transacted in a manner little short of burlesque. A village board or town council would have acquitted itself with much more credit. Such procedure is not fair to our constituents, not fair to ourselves, and should be stopped.

Death has claimed 23 Members of the present Congress, which convened but little more than a year ago. If considered only from the sordid dollar standpoint, this means a loss. Under the Constitution, a vacancy in the House cannot be filled by appointment, as in the Senate. So the death of a Representative means the expense of a special election, not to mention the cost and loss to the district in the training of a new Member.

At a cost of thousands of dollars annually medical care is provided Members while on duty, yet the House, in long and

needless night sessions, followed by do-nothing legislative days, violates simple rules of health.

Last Friday night, near the end of the grueling session, my attention was attracted to one of the oldest, most faithful and most useful Members of this Congress. Worn out as he was, he had waited until completion of the bill, within an hour of midnight, then alone and clearly almost exhausted, left this Chamber. Only a few minutes earlier I sat by another Member, one who has demonstrated his ability as a trained athlete. Said he, "I am under 40, yet I am tired and worn out. My eyes ache. All of us must pay for such a night as this."

So, in the words of a highway sign I once saw and which impressed me as being exceedingly sensible, I ask, ask you and ask myself, "Honestly, now, what is your hurry?"

For the proceedings against which I protest I blame no individual. No one Representative is responsible for these long, health-wrecking sessions, but, determined and united, we can put an end to the wasteful system.

Better work a full week and take out on time.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, In view of the fact that the gentleman has declined to yield for a question, I also ask unanimous consent to proceed for 1 minute in order to ask what it is in our procedure he condemns so emphatically.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, I would be glad to have the gentleman from Missouri [Mr. NELSON], who has just spoken, tell us just what the particular action in connection with the agricultural appropriation bill it was that he objects to and who is responsible. As he spoke for only 1 minute and declined to yield I am a little uncertain as to the purpose of his speech. I hope he will be more explicit.

Mr. NELSON. I wish it clearly understood, and I had planned to do so had the time permitted, that I meant no reflection on any individual. It is a silly, indefensible system that has grown up in this House. We owe it to ourselves and to the country to see that it is stopped.

Mr. CANNON of Missouri. What system is silly? I have never known the House to act silly. Our system of procedure has been developed through the experience of more than 150 years, and is conceded to be the most efficient used by any deliberative body in the world today. On the day to which the gentleman refers we followed approved procedure in every respect.

Mr. NELSON. The practice to which I refer is that of working here when everybody is worn out instead of waiting until the next day to transact the public business as it should be transacted. [Applause.]

Mr. CANNON of Missouri. So far as night sessions are concerned, we have them in every Congress. In 30 years I have never known a Congress which did not work at night if there was work to do. In fact, on bills affecting labor or commerce or industry I have known them to stay in session all night.

The gentlemen who started trying to adjourn in the middle of the afternoon and continued it through the evening did not at any time suggest adjournment to the next day. They did not want to adjourn and continue on Saturday. They wanted to quit for the week and not take it up again until Monday or Tuesday. Mr. Speaker, there has been a good deal of talk about men on W. P. A. refusing to work and drawing their pay for leaning on their shovels. Perhaps it would be appropriate to add an item to the bill to buy shovels for some of the Members of Congress to lean on.

Mr. Speaker, let me say again, as I said in the discussion of that bill, every political party promised the farmer a fair price for his products and this Congress ratified that promise. Yet, the farmer is today getting less than 75 percent of parity. Every time the farmer takes his wheat, corn, hogs, poultry, cotton, eggs, milk, and other products

to market, they take one-fourth of what he ought to get out of his pay check. The farmer pays more than parity for everything he buys and gets less than parity for everything he sells. And this sit-down-strike Congress is doing nothing about it. Congress has enacted legislation to boost the prices and wages of everybody but the farmer. I have cited that legislation repeatedly. All prices are going up except the farmers' prices. Farm prices are falling even though the world is at war. Hogs are down half. Wheat is down 12½ cents in 1 month. Eggs have fallen 6 cents since the first of February. And other farm prices in proportion. If our present farm program will not sustain farm prices during a great war, what will happen when the war ends? You know what happened to farm prices when the last war ended. The same thing will happen again unless this Congress passes a law to do for agriculture what it has already done for labor and industry. And every real friend of the farmer is ready to stay here any night and every night if the Committee on Agriculture will bring in a bill and permit us to work on it.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. LEWIS of Colorado. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the Record and to include therein a short poem by George Sandford Holmes on the President's birthday.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SECCOMBE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein a radio address by Frank T. Bow on the subject, Undominated Labor.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. ALEXANDER. Mr. Speaker, I desire to submit two unanimous-consent requests:

First, to insert in the Appendix of the Record a letter from G. T. Lindsten, chairman of the Minnesota State legislative board, Brotherhood of Railroad Trainmen, and also a letter from A. F. Whitney, president of the Grand Lodge, Brotherhood of Railroad Trainmen, Cleveland, Ohio.

Second, I ask unanimous consent to extend my own remarks in the Record and to include therein a letter and enclosure from Malcolm M. Willey, university dean and assistant to the president, University of Minnesota, Minneapolis, Minn.

The SPEAKER pro tempore. Without objection, the requests will be granted.

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein a statement by W. B. Greeley, secretary-manager of the West Coast Lumbermen's Association, on the experience of west-coast lumber in foreign trade.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. ANGELL. Mr. Speaker, I also ask unanimous consent to extend my remarks in the Record by inserting in the Appendix a statement by M. J. Vennewitz on the navigation of the Columbia River.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record on the subject of the St. Lawrence Seaway.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

THE FEDERAL HOUSING PROGRAM

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN. Mr. Speaker, I ask that we have order in the Chamber that we may hear the economist from Pennsylvania.

Mr. RICH. Mr. Speaker, I want the gentleman from Mississippi to hear me.

Mr. Speaker, that we must exercise the greatest care in the laws we pass is vividly demonstrated by headlines appearing in a recent issue of the St. Louis Star-Times:

Manhasset Village to be sold at auction. Result of mortgage default. One million six hundred thousand-dollar loan on huge apartment project.

The particular point to which I wish to call attention by this article is that the Housing Act was so framed as to permit an individual purchasing land for \$39,000 to turn around and sell it to Housing Authority for \$171,000, making an initial and immediate profit of \$132,000. Next he gets the building constructed, and the New York Life Insurance Co. take a mortgage for \$1,600,000; the Government guarantees it through the F. H. A. Then and only then is it found out that of the 354 apartments in the building only one-third are being rented. It is not, therefore, a good or a paying proposition as many Government projects prove to be. We ought to be careful in framing our laws that we do not so frame them as to permit racketeers to profit at the expense of the Nation's taxpayers. I say that we have made more laws with loopholes in them the past 7 years than in any comparable period of our national history.

We were told when a law is made if it is not good or if it is not workable it would be changed. I must admit you are mightily slow in changing laws that should be amended or canceled all together. Let us get some real action in the change of the law setting up the F. H. A.; also the N. L. R. B. and many other recently enacted laws.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. PACE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein an announcement by the Department of Agriculture.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. ALLEN of Pennsylvania. Mr. Speaker, I ask unanimous consent that H. R. 1837, for the relief of Victoria Maghee, be taken from the omnibus bill, H. R. 6186, and returned to the Private Calendar.

The SPEAKER pro tempore. The gentleman submits a very unusual request, one which the Chair would like to examine into before the Chair puts the request. Will not the gentleman withdraw it for the time being?

Mr. ALLEN of Pennsylvania. Mr. Speaker, I withdraw the request.

Mr. CALDWELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein an address by Hon. James A. Farley, Postmaster General of the United States, at the dedication of the new Federal building at Pensacola, Fla., on Tuesday, January 23, 1940.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MURDOCK of Arizona. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD indicating the operations of the small-mine operators.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SCRUGHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks, and to include therein a statement regarding the La Mont boilers.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. FERGUSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein a copy of resolutions adopted by the Oklahoma Farmers' Emergency Association at their board meeting of January 8 and 9.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SNYDER. Mr. Speaker, I ask unanimous consent that on Monday, February 19, after the disposition of matters on the Speaker's desk and the legislative program for the day, I may address the House for 30 minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

REREFERENCE OF BILLS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent that the bills, H. R. 4533, to amend the District of Columbia Unemployment Compensation Act to provide for unemployment compensation, and to amend the Social Security Act providing for the complete separation of the District Unemployment Compensation Board from the Social Security Board, and for other purposes; H. R. 5996, to amend the act of Congress approved May 3, 1935, entitled "An act to promote safety on the public highways of the District of Columbia by providing for the financial responsibility of owners and operators of motor vehicles for damages caused by motor vehicles on the public highways in the District of Columbia; to prescribe penalties for the violation of the provisions of this act, and for other purposes"; and H. R. 3950, to amend paragraphs (b), (c), and (d) of section 6 of the District of Columbia Traffic Act, 1925, as amended by the acts of July 3, 1926, and February 27, 1931, and for other purposes, now pending on the Union Calendar, be recommitted to the Committee on the District of Columbia for further study.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There was no objection.

EXTENSION OF REMARKS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter received by myself from the Chairman of the Civil Aeronautics Authority.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from New York, Mr. SCHWERT, may be allowed to extend his remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There was no objection.

Mr. MOSER asked and was given permission to extend his own remarks in the RECORD.

EXTENSION OF REMARKS

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to

include an editorial from the Palisadian, of Pacific Palisades, Calif., on Harry Bridges—I Pledge Allegiance.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. LELAND M. FORD]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from South Carolina.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

THE AMERICAN FARMER

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas [Mr. LAMBERTSON]?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, may I take this occasion to object to the illustration given by the gentleman from Missouri a little while ago when he mentioned about the farmer stating to his son, "It is 6 o'clock. Let us unhitch. There is a tomorrow."

The farmer does not say that. If there is a load in the field, he says, "Let us get that out tonight. It may rain tomorrow." [Applause.]

When we were considering the agricultural appropriation the other night, it was a good idea to finish its consideration, because it may have rained extravagance the next day. We are headed in the right direction. There will be another appropriation bill coming up for consideration shortly. Do not let them say to you, "We cannot reduce this bill." Do not let them say, "They took it out on agriculture only." Get busy on this one coming up, too, just as we did in connection with the agricultural bill, and let us follow through in the same way with all the rest of these appropriation bills. [Applause.]

[Here the gavel fell.]

Mr. HAWKS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. HAWKS]?

There was no objection.

Mr. HAWKS. Mr. Speaker, I was very much interested in the debate between the two gentlemen from Missouri. Last week, when we were arguing about staying here to complete consideration of the agricultural bill, I happened to look at the clock at the time the gentleman from Texas was having such a bitter discussion with the gentleman from Missouri [Mr. CANNON]. It was exactly 6:30, and I could not help but think that was about the time that dad, mother, and the kids were just getting ready to grab hold of the milk pails and go out and do the milking back home in Wisconsin. They could not put that off because they were tired. They had to go out and take care of the cows. I hope we will proceed in the future as we did last week and take care of our work when it is before us.

I realize that there is a terrific volume of work pressed upon all Members of the House; but with the entire country looking toward Congress for relief from New Deal recklessness and wastefulness, it is our duty to do our work as it comes to us and accept our full responsibilities.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a resolution adopted by the Minnesota State Farm Bureau Federation on the subject of trade agreements.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota [Mr. ANDERSEN]?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter I received from the president of the Twin

Cities Milk Producers Association in regard to the same subject.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota [Mr. ANDERSEN]?

There was no objection.

STATE, COMMERCE, JUSTICE, AND THE JUDICIARY APPROPRIATION BILL, 1941

Mr. CALDWELL, from the Committee on Appropriations, reported the bill (H. R. 8319) making appropriations for the Departments of State, Commerce, and Justice, and for the judiciary for the fiscal year ending June 30, 1941, and for other purposes (Rept. No. 1575), which was read a first and second time, and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. CARTER reserved all points of order on the bill.

EXTENSION OF REMARKS

Mr. MAAS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered by Hon. William N. Morell on the occasion of the celebration of the founding of the Supreme Court.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

STATE, COMMERCE, JUSTICE, AND THE JUDICIARY APPROPRIATION BILL, 1941

Mr. CALDWELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 8319) making appropriations for the Departments of State, Commerce, and Justice, and for the judiciary for the fiscal year ending June 30, 1941, and for other purposes; and pending that motion, Mr. Speaker, I wonder if I can reach an understanding with the gentleman from California [Mr. CARTER] with regard to the amount of time to be allowed for general debate.

Mr. CARTER. I have had a number of requests for time and presume I shall have additional requests. I would suggest that we let the general debate run along until some time later in the afternoon, when we may know more definitely what the requests for time will be. Perhaps then we can agree on a time for closing general debate.

Mr. CALDWELL. I believe that will be entirely agreeable. Perhaps in an hour or two we can agree on some definite time for closing debate.

Mr. Speaker, I ask unanimous consent that the time for general debate may be equally divided and controlled by the gentleman from California [Mr. CARTER] and myself.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 8319, with Mr. BEAM in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. CALDWELL. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, this bill is for the purpose of making appropriations for the Departments of State, Commerce, and Justice, and for the judiciary. The item for the judiciary is a separate item, pursuant to the act of the Congress passed at the last session, and appears as such in this bill for the first time. Formerly it appeared under the Department of Justice.

The over-all picture of this bill is that it is \$2,285,000 less than the 1941 estimate. It is \$3,443,000 under the 1940 Appropriation Act. The Department of State had its estimate reduced \$679,000 under the estimate, the Department of Commerce \$444,000 under the estimate, the Department of Justice \$810,000 under the estimate, and the judiciary \$352,000 below the estimate.

I am going to break this presentation into four parts and ask the gentleman from Michigan [Mr. RABAUT] to discuss

the Department of Justice, the gentleman from North Carolina [Mr. KERR] the Department of Commerce, and the gentleman from California [Mr. CARTER] the judiciary. At this time I shall briefly present that portion of the bill which relates to the Department of State.

Before doing so I wish to say, on behalf of the committee, that we sincerely regret the temporary illness of our chairman, the gentleman from Illinois [Mr. McANDREWS], and bespeak for him an early return to his duties. I believe I can say, without the slightest qualification, that under his chairmanship this bill has received the most meticulous consideration; that every item in it has been carefully searched; and that every item presented to you has the full approval of the committee.

As I said a moment ago, under the Department of State we have a reduction of \$679,000. Two hundred and fifty thousand dollars of that is taken from construction items.

Under the Division of Commercial Treaties and Agreements we reduced the estimate of the Budget from \$225,000 to \$175,000, the purpose of the reduction being to eliminate all funds designed or allotted for the purpose of making new reciprocal trade agreements. The \$175,000 allowed is allowed solely for the purpose of policing the trade agreements which have been effected.

Under the new cultural relations program the committee has reduced the figure from \$291,000, as approved by the Budget, to \$155,000. Under this item we have eliminated several of the activities and have reduced a number of others in scope.

We have allowed about \$73,000 in increases in salaries for the Department proper. Every position allowed has been carefully studied and justified.

We disallowed \$12,000 under contingent expenses which had been recommended for the purpose of defraying traveling expenses for members of advisory committees. We also reduced that figure by a considerable sum which had been recommended for the mailing of films and projectors to American republics.

Under "Printing and binding" we eliminated all funds for the printing of cultural-relations pamphlets, but allowed continuing publications, such as the printing of books on foreign relations, the printing of treaties, and certain other documents.

The passport-agencies item was slightly reduced because of the anticipated reduction in applications for passports.

We allowed the full estimate of \$25,000 for the collecting and editing of the official papers of Territories of the United States. There are now 17 volumes not published.

Under the item of "Salaries for Foreign Service officers" we make appropriation for 840 officers. This service, as you will recall, was by the reorganization order combined, taking over all the Foreign Service activities of the Departments of Commerce and Agriculture and placing them under the Department of State. You will be interested in noting in the hearings and in the reports that around \$104,000 annually is to be saved by this consolidation.

In making this consolidation it is necessary to allow some increases for office and living-quarters allowance. Under the Departments of Commerce and Agriculture the Foreign Service officers were not allowed living-quarters allowances.

We increased the representation allowances by \$10,000.

Under the Foreign Service retirement and disability fund we have allowed a \$409,000 increase, as recommended by the Budget. This is made necessary by an actuarial reappraisal of that fund, and is absolutely essential to maintain its solvency. It was formerly thought sufficient for the Government to appropriate an amount equal to that deducted from the employees' salaries, but it is now found after the reappraisal that it will take about 45 years to bring that fund up to its anticipated and necessary status.

We reduced the Budget estimate by \$15,000 on salaries of clerks, but have allowed an increase over the current year of about \$50,000 to carry on a program of salary reclassification.

Under miscellaneous allowances, Foreign Service, we have increased the current appropriations by \$6,000 for additional personnel and \$15,000 for readjustment and reclassification of positions.

We eliminated a request for chauffeurs in connection with the program to purchase automobiles for ministers and ambassadors. The committee felt that this program might be deferred for the present.

We increased contingent expenses by \$91,000. This is justified by the increased work in the foreign offices and is made necessary by the granting of additional allowances for expenses.

Under the Foreign Service Buildings Fund we reduced the estimate of \$500,000 of appropriation and \$250,000 of contract authority to \$300,000 of appropriation and \$100,000 of contract authorization. It was the committee's opinion that under the present status of affairs in Europe we ought not to engage in any further building program in Europe, but we did allow enough to carry on all construction now under way and make possible further construction on property now owned by the Federal Government. We did not allow a very large sum for acquiring additional property.

Under the heading "Contributions, quotas," and so forth, we reduced the estimate by about \$19,000 directed at the expenses of our participation in quarterly meetings of the Governing Board of the International Labor Organization. Your attention is called to the fact that neither this committee nor the Congress has any discretion in the matter of these funds. So long as the Congress authorizes the participation by this country in foreign conventions, it is our duty from which we have no escape to appropriate the funds necessary for that purpose.

Under conventions for promotion of cultural relations we added \$20,000 to care for two additional countries ratifying conventions for the exchange of professors and students.

We made little change in the International Boundary Commission—United States and Mexico, or in the International Boundary Commission—United States and Canada, save a cut of \$50,000 in construction funds for the former.

[Here the gavel fell.]

Mr. CALDWELL. Mr. Chairman, I yield myself 3 additional minutes.

We made little change in the International Fisheries Commission item or the International Pacific Salmon Fisheries Commission.

I want to call the attention of the House to the report on the State Department and, particularly, to the report of the subcommittee that made a personal inspection of some of the foreign offices. This report is contained in the hearings. The information made available by this report is of worth, and if the recommendations are followed the services of the State Department will continue to be more and more efficient. [Applause.]

Mr. Chairman, I reserve the balance of my time, and yield 15 minutes to the gentleman from North Carolina [Mr. KERR].

Mr. KERR. Mr. Chairman, there has been assigned to me the duty of discussing title II of this bill, and it might not be out of place for me to say that I think this subcommittee, as well as the whole committee, shares with the country the thought that the time has come when we must make our appropriations for Government activities less wherever possible.

The various activities of the Department of Commerce for the fiscal year 1939 required an appropriation of \$47,000,000 plus. In 1940 the appropriation was \$38,000,000 plus. This reduction was largely due to the transfer of the Bureau of Lighthouses and the Bureau of Fisheries and the Foreign Commerce Service to other administrative divisions. The estimated cost of the work transferred amounted to approximately \$11,000,000 plus for the Bureau of Lighthouses,

\$2,000,000 plus for the Bureau of Fisheries, and about \$1,000,000 for the Foreign Commerce Service.

The total Budget estimate for 1941 for the Department of Commerce was \$34,000,000 plus, \$4,000,000 plus below the 1940 appropriations, and this committee has reduced the Budget estimate for 1941 by \$443,930. I refer the Committee to page 29 of the hearings in respect to these reductions.

For the expenses of the Secretary's office and personnel we continued the appropriation of \$175,000 to secure experts and specialists to study our trade relations and business activities, especially with South America and between the various States. The hearings on page 22 will disclose the necessity for this and the justification for it.

For this division in 1940 there was an appropriation for that fiscal year of \$1,170,000, and this bill carries an item of \$1,190,000, an increase of \$20,000, but \$45,000 below the Budget estimate. It will be noted we have disallowed \$30,000 for training of personnel, which is discussed on page 36 of the hearings, but for printing and several other small items we have also increased the appropriation, which made a total increase of \$20,000.

The Bureau of Domestic Commerce is still doing an immense amount of work for the Foreign Commerce Division by printing and disseminating business information. The committee has approved an item of \$75,000 for the establishment of the regional area offices to coordinate the work of the 25 district offices throughout the country.

The total appropriation in this bill for this bureau is \$2,150,000, which shows a reduction of \$35,000 under the 1940 appropriation, which was \$2,188,740.

It will be noted that we disallowed \$19,000 for administrative promotions; and right here let me say we disallowed all items in this bill for administrative promotions and allowed an item of \$75,000 for the establishment of these regional offices.

Justification for this and the evidence with respect to it appears on page 60 of the hearings. There is also an increase of \$2,500 for traveling expenses, expenses which are incidental when representatives and employees of the Bureau of Domestic and Foreign Commerce are required to go to business meetings held in various cities by the chambers of commerce and other business organizations. This Bureau of Domestic and Foreign Commerce is a fact-finding authority for our vast commerce and business operations, and involves inquiries which concern more than 6,000 business firms in the United States. This information is disseminated through trade-press publications and contacts with the Washington office and the substations.

Another division of this Department is the Census Bureau. It is estimated that the sum of \$53,000,000 will be necessary to take the Sixteenth Decennial Census. Forty-five million dollars of this is for taking the census proper, involving the various questions and the collection of information concerning the increase of our population, unemployment, the census of agriculture, nurseries, florists, irrigation, drainage, business, mines, wealth, debt, taxation, marriage and divorce, vital statistics, and other matters, and the item of \$8,000,000 for taking a housing census, which was authorized late in the last session of Congress. It will take probably over a period of 3½ years to complete this census. We appropriated \$22,000,000 in 1940, and this bill carries an item of \$18,000,000 for 1941, and \$13,000,000, it is to be assumed, will be appropriated in 1942. Of this sum \$8,000,000 is to be used for the acquisition of housing statistics, and it will be noted that the 1941 item is below the Budget estimate, notwithstanding the fact that we have included an item of \$20,000 increase for extra work to secure and coordinate old-age and social-security statistics. In consequence of the social-security laws, the people throughout the country have to depend upon the Department of Commerce and the Census Bureau of that Department to acquaint them with many facts involving the eligibility of old people under this social-security legislation. A discussion of this will be found on pages 72 to 74 of the hearings, and it is most interesting. The First Census of the United States was taken in 1790, and

since then the population has increased from 4,000,000 to 130,000,000. It took only 56 pages of standard book paper to publish the First Census, and the Fifteenth Decennial Census required 32 volumes, which contain more than 30,000 pages. The present Bureau of the Census was set up in 1902. Prior to that time the duty of taking the census was assigned at various times to different departments of the Government.

The next item under this appropriation is for the Bureau of Marine Inspection and Navigation. In 1940 we appropriated for this activity \$2,670,000, and this bill carries an appropriation of \$2,616,000, a decrease of \$55,000, which is below the Budget estimate of 1941 to the amount of \$80,000. Several minor changes have been made in this appropriation. An item has been placed in the bill for the reallocation of employees, and the committee seriously discussed the matter of allowing the Bureau an additional number of patrol boats. It appeared that this Bureau had only three patrol boats, and they were located on the Atlantic coast, and it will ultimately have to be given additional patrol boats to be distributed in the Gulf area and on the Pacific coast. This Division seems to be doing great service, and the Assistant Secretary when before us took great pride in asserting that only one life had been lost at sea since the *Morro Castle* disaster which could have been due to lack of proper vessel supervision.

This Bureau has in its employ 48 boards of local inspection and 14 shipping commissioners who cooperate with 60 collectors of customs. The Bureau has the responsibility of seeing that vessels are properly equipped, that proper assignments are made to ships, and it supervises the employment of seamen and passes on the safety of vessels.

The next item of appropriation is for the Bureau of Standards. The appropriation for this Bureau in 1940 was \$2,310,000. This bill carries an appropriation for 1941 of \$2,037,000, a decrease of \$273,000. This is due largely to two items which were left out, and which are nonrecurring by reason of the discontinuance of building-material inspection, involving a reduction of \$150,000 and for land-purchase items amounting to \$100,000. Several increases are placed in the bill, one for the procurement of new tools, of \$35,000, and for the procurement of facilities to test fuel and lubricating materials for the Army and Navy, and an item of \$10,000 for pH investigations—pH investigations are for the purpose of determining the acidity of materials, as well as alkaline properties in other materials. It is said that this investigation affects probably estimated business activities amounting to \$37,000,000. The Division was established in 1901 with a staff of 900 employees. The Bureau of Standards has the duty of testing every conceivable kind of machinery, electrical appliances, and materials which affect the development of our economic and social life.

We now come to the Bureau of Coast and Geodetic Survey. The importance assigned to this Bureau relate to a comprehensive program of providing land and tidal bench markers and surveys throughout the United States and Alaska. This work is most important as we are replottting all of our land surfaces and seacoast and bringing up to date this information, especially for our national defense, and this work is especially important in view of our recent aeronautical expansion. The appropriation made for this Division in 1940 was \$3,125,000. The item for 1941 is \$3,481,000, which is an increase of \$356,000 over the 1940 appropriation, but a \$75,000 reduction below the Budget estimate for 1941.

The shore line of the United States is 103,000 miles long. It is the duty of this Bureau to make magnetic and seismological observations and prepare nautical and aeronautical charts. This data is most useful and necessary in the construction of water power, flood control, highway construction, engineering, and boundary marking. This Department was set up in 1807 in Jefferson's administration.

We now come to the last division under the Department of Commerce, the Patent Office. The appropriation for this office in 1940 was \$4,623,000 and the item for 1941 is \$4,670,000, an increase of \$47,000. This increase is reflected in an increase of \$23,000 over the Budget estimate. If you will read the committee report in respect to this activity, you will be

satisfied that this increase is fully justified. This is one office of the division of the Department of Commerce that pays into the Treasury a great deal more than the expense incident to the running of the Department. The Patent Office receives over 100,000 patent and trade-mark applications per year, and there are 67 divisions engaged in examining these applications. The personnel consists of about 690 examiners and a clerical and administrative force of 650. The Department has a Board of Patent Appeals, and from that Board of Patent Appeals you can go to the courts, or you can go to the courts over the Board of Patent Appeals. It has a corps of patent attorneys and a scientific library. In this library there is a copy of all the patents that have ever been issued in this world.

[Here the gavel fell.]

Mr. CALDWELL. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. KERR. This division, as I said, is self-supporting, and since 1933, for the past 6 years, there has been a net profit made for the Government in the administration of the Patent Office of more than \$135,000 annually. Prior to 1933 there were many years when there was a deficit in this Office ranging from \$80,000 to \$800,000. [Applause.]

[Here the gavel fell.]

Mr. CALDWELL. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. In coming before the Committee today I am reminded in a most special manner of the Grim Reaper's activity in the membership of the House of Representatives, for in years past it was the privilege of the House on the presentation of the appropriation bill for the three Departments of State, Justice, and Commerce to give ear to the explanation of its able chairman, the late Thomas S. McMillan, of South Carolina. He was my friend, and under him I was tutored in appropriation matters. Today truly he is missed in this body.

The lengthy hearings comprised in three volumes and covering the Departments of State, Justice, and Commerce were begun on December 4 last with the statement of the Honorable Cordell Hull, the Secretary of State. For many long hours the committee has diligently applied itself to the problems of the departments under the chairmanship of Representative McANDREWS, of Illinois; Messrs. CALDWELL, of Florida; KERR, of North Carolina; HARE, of South Carolina; CARTER, of California; STEFAN, of Nebraska; and WHITE of Ohio. The subcommittee, in my opinion, performed an exemplary task. Other members of the committee will deal with the Departments of State and Commerce and the judiciary; it will be for me to present to the House the facts relative to the Department of Justice.

At this time I want to pay honor and respect to the clerk of our committee, Mr. Jack McFall, who is a real and tireless worker.

There is appropriated for this Department \$42,391,000, and this is the amount the committee recommends for the activities of the Department of Justice. The amount exceeds the appropriation for 1940 in the sum of \$1,961,640, but is under the Budget in the amount of \$809,620. It is well that I explain at this time that there is an emergency "B" budget set-up for the Federal Bureau of Investigation in the sum of \$2,488,000, which budget is new and was not in the appropriation for the present fiscal year. If this amount of \$2,488,000 is taken into account, the present appropriation shows a reduction under the amount appropriated for 1940 of more than half a million dollars.

THE FEDERAL BUREAU OF INVESTIGATION

The appropriation for this Bureau is set up under three special headings: The first, the appropriation for regular activities embracing the detection and prosecution of crimes against the United States; the second, special appropriations available only for kidnaping, extortion, and bank robbery; and the third, the "B" budget, or so-called emergency appropriation, embracing espionage, sabotage, and violations of the neutrality regulations, and set up as a special appropriation

for the term of the national emergency as defined by the President. The term of this appropriation is to adjust itself to the period of the limited emergency. The total estimated amount for the three appropriations allowed by the Budget was \$9,932,000. The amount approved by the committee is \$9,910,000. As I mentioned before, the amount so approved, however, is in excess of the total appropriation for the current year in the sum of \$2,610,000, but represents a decrease in the Budget estimate of \$22,000.

The Director of this Bureau, Mr. J. Edgar Hoover, gave much detailed information to the committee, and the testimony from him is contained in some 60 pages in the hearings.

In each of the past several years the committee have called attention to the tremendous increase year by year in the volume of work of all kinds carried on by the Bureau. It appears now that any hopes that we might have entertained of the work leveling off in such manner as to permit a stabilization or reduction in the appropriation were futile. The testimony submitted this year by the Director of the Bureau indicates that in every unit of the Bureau there is an increase in activity greater in proportion over the year 1938 than in 1938 over 1937. The case load carried by the agents of this Bureau is a typical example of this condition. On July 1, 1934, there were 15,020 investigative matters pending and the case load was 15.03 per agent. On December 1, 1939, there were 21,976 investigative matters pending and the case load per agent had increased to 19.05. The Director testifies that an agent should not carry more than 10 cases on an average if the work is to be done expeditiously and thoroughly. Even with the agents of the Bureau carrying this case load of 19 cases per agent, there still remain unassigned nearly 7,500 cases, that is, cases which have not even been turned over to investigative personnel for investigation. These unassigned cases include, among others, bank robberies, escaped Federal prisoners, theft from interstate shipments, extortion, and White Slave Traffic Act violations. Thus it appears that not alone has the number of cases assigned to agents been increasing, but likewise those that are unassigned are growing in numbers. The following table taken from the hearings is highly informative on this subject.

Status of investigative matters on July 1, 1934 to 1939, inclusive, and on Dec. 1, 1939

Date	Investigative matters pending	Investigative matters assigned	Investigative matters unassigned	Case load per agent
July 1, 1934	15,020	5,615	9,405	15.03
July 1, 1935	13,369	6,681	6,688	12.44
July 1, 1936	13,398	7,404	5,994	14.32
July 1, 1937	15,219	7,987	7,232	15.58
July 1, 1938	15,330	9,097	6,233	16.06
July 1, 1939	16,847	10,401	6,446	17.84
Dec. 1, 1939	21,976	14,528	7,448	19.05

With respect to the fingerprint work of the Bureau, the House might be interested to know that at the beginning of the present calendar year there were nearly 12,000,000 fingerprint cards on file as compared with less than 10,000,000 in the preceding year, or an increase of approximately 21 percent. In December of 1939 there were 186,000 fingerprints received as compared with 138,000 in December 1938, or an increase of 34 percent. Nearly 8,000 fugitives from justice were located in 1939 by means of these fingerprint cards. In 60 percent of the cases of fingerprint cards received, criminal identification is made. Starting with 600 civil identification prints in 1934, the Bureau now has on file over 1,500,000 of these prints. These cards are kept separately from the criminal fingerprint records and serve such valuable purposes, among others, as identifying amnesia victims and unidentified dead. As an indication of the growing interest of the public in the work of the Bureau, the committee were interested to note that in 1938 an average of 591 persons a day visited the Bureau. In 1939 this daily average figure increased to 948, or a total of approximately 275,000 individuals in the course of a year. One of the recent developments bringing about added burdens of work to the Department grows out of the submission by industrial plants of fingerprint records of all employees engaged in the manufacture of supplies and equipment under contract to the Army and Navy. In like manner many communities are requiring people applying for employment in domestic or hotel work, or as taxi drivers, etc., to be fingerprinted and their prints sent to the central office in Washington for check against the criminal-identification file. In 1939, 185,000 of such records, in round numbers, were received by the Bureau, which was an increase of 53 percent over the previous fiscal year. The committee, faced with such an abundance of evidence bearing on the increase in the work of the Bureau, does not feel that it has any choice save to approve the Budget estimate for all the additional personnel requested, limiting the reduction of \$22,000 under the Budget to the automobile-purchase program.

BUREAU OF PRISONS

The committee is not in a happy frame of mind when it announces to this House that the trend in prison population

is on the increase and it is estimated that 2,000 additional prisoners will be placed under the jurisdiction of the Department during 1941. This amounts to an increase of 11 percent. There is in the course of construction under a former program six new Federal institutions. They will be in operation during the next fiscal year. The existence of the new institutions and the increase in the prison load necessitates additional personnel in the Washington office to handle the many problems of prison administration. The increase approved is \$23,000.

PENAL AND CORRECTIONAL INSTITUTIONS

For all maintenance expenses of our penal and correctional institutions the figure estimated for the fiscal year of 1941 was \$16,212,000. The amount recommended by the committee, however, is \$15,780,000, a decrease under the Budget of \$432,000. This figure compares very well and favorably with the appropriation for the present fiscal year of 1940 for this activity which is set forth in the sum of \$15,878,600. This sum is \$98,600 in excess of the amount recommended by the committee for the fiscal year 1941.

It is true that many increases occur throughout this entire appropriation because of the six new institutions that will be placed in operation for the entire fiscal year of 1941, but there is an offsetting decrease in the sum allowed for additional construction purposes.

PRISON CAMPS

The committee wishes to express itself to the House in its approval and encouragement in the use of prison camps. We deem them better from both a social and financial standpoint. The opportunity for healthful work and outside environment is afforded the inmates. They are less expensive to establish and less expensive to operate. The committee exhorts the Members to read the summary on prison camps in the report.

THE PROBATION SYSTEM

Probation system: An increase of \$34,000 over the 1940 appropriation has been approved by the committee for the maintenance of the Federal probation system. This increase will sanction the appointment of 12 additional probation officers at \$2,300 each, and 6 additional clerks at \$1,440 each. An increase of \$4,000 has been allowed for miscellaneous expenses incident to the employment of the additional personnel allowed.

At the present time there is an average case load of 160 cases per probation officer. Director Bennett indicates that in order to exercise the type of supervision of probation of parolees that is desired, an officer should not handle more than 50 cases. At the present time about 35 percent of all offenders of Federal law are being placed on probation. During the last year about 12,000 defendants were disposed of by placing them on probation rather than committing them to confinement in an institution. Not only has this policy resulted in a measurable saving to the Government, but a means has been afforded whereby efforts, some of which have been successful, have been made at rehabilitation of these offenders.

The appropriation for the probation system has been continued under the Department of Justice section of the bill rather than transferring it to the title dealing with the judiciary. This is done because the committee believe that the administration of the probation system will be more effectively promoted if it continues as a part of the Federal correctional system. Under the present law probation officers devote approximately half of their time to supervising parolees, conditional releasees, administration of the Federal Juvenile Delinquency Act, and other work which falls exclusively under the administrative authority of the Department of Justice. If these probation officers are transferred to the Administrative Office of the United States Courts, it is our belief that such a move will tend inevitably toward the establishment of a separate system of officers directly under the Department of Justice to supervise parolees and perform executive duties under the Department of Justice. If this should happen, a very considerable increase in cost would result to the Government, and at this time the committee is confident Congress would not care to add additional financial burdens of this nature, particularly when the work is being carried on satisfactorily at the present time. If, upon review of the question by the proper legislative committee of the House, action is taken by them and by Congress which definitely places the probation system under the Administrative Office of the Courts, the committee then will, of course, adjust its appropriations accordingly.

ENFORCEMENT OF ANTITRUST AND KINDRED LAWS

The Antitrust Division, under the able Assistant Attorney General Arnold, was given considerable time before the com-

mittee and the convincing statement of the need for additional funds in order that pending cases may be disposed of and others might be instituted was very apparent. About 20 of the 50 antitrust cases pending at the present time are regarded as major or key cases, the settlement of which would effect a whole field of activity. I respectfully refer the Members of the House to Mr. Arnold's statement in the hearings. The committee recognizes the fact that a great sum of money could readily be used by this division, but at the same time there appears to be an infinite field for inquiry for antitrust activity. However, the call for strict economy again is heard, and the committee, in the spirit of encouraging the Antitrust Division in its commendable work, has seen fit to approve the sum of \$1,250,000, an increase over the Budget estimate in the amount of \$41,000. Were times normal, I am certain this Division would have greater recognition from a financial standpoint, in order that it may bring to justice all violators of the antitrust provisions. The only two increases above the Budget estimates in the entire bill are revenue-producing agencies, the one the Patent Office, the other the Antitrust Division. The committee has approved, therefore, the sum of \$1,250,000, an increase over the Budget estimate of \$41,000. I think the House will be interested in the expression of several newspapers about this work, which I submit as an extract from the committee hearings:

RESULTS OBTAINED

Mr. ARNOLD. One of my principal concerns last April was the fact that I believed it would require a full year before I could bring any results to you. I was then looking toward the conclusion of the various trials after indictments had been returned. I greatly feared that I would have to come back to this committee in January or February and say: "Gentlemen, I am working hard, but it takes time to organize and conduct an investigation into obscure business practices throughout this whole country. I have no results to bring to you now, but I do ask your patience and forbearance and urgently request that you give me an opportunity to complete the job." That was not a pleasant prospect. A man in public life in this country can last only so long on promises. Soon, and often too soon, he is called upon to produce results—results which may have been forced by the pressure of political circumstances. I had determined not to do this. I had determined to do the job right, taking my time in preparation and organization, if it meant that it was the last job I was privileged to do for the Government.

I must admit, therefore, to an element of surprise at being able to bring you any tangible results at this time. I expected I would have some indictments, but I had no reason to believe that the mere indictments alone would go so far toward puncturing the blockade of Nation-wide restraints.

I do not wish to exaggerate the effects of our work, nor do I wish to ask this subcommittee to reply upon my judgment alone as to the value of our accomplishments to date. I do feel, however, that I can properly ask you to consider the judgment of unbiased commentators who are in a position to decide for themselves whether we have met our promises.

I should like, therefore, to bring you our results in the words of others; words from newspapers in only those States represented by the members of this subcommittee. I might lead with a Scripps-Howard editorial entitled "Don't Drop This Great Work." It declared:

"There has already been a sharp drop in building cost, which had allegedly been kept up through collusion. * * * Sand and gravel prices have dropped from \$2.45 to \$1.65 a ton since the inquiry began. * * * We believe that the savings in Pittsburgh alone would be sufficient to pay the entire cost of the national investigation. Few efforts undertaken by the Federal Government promises such important results at such low cost * * *. We urge all Pennsylvania Senators and Representatives to make the appropriation of adequate funds for completing this investigation and prosecution * * *."

From California the Los Angeles Evening News said:

"Prospective builders of family dwellings have already suffered too long from unreasonable building cost."

The Los Angeles Times, in expressing a general approval of the drive, said that the program so far—"indicates that the Department of Justice is really going after the building-materials racket * * *. The actions so far taken are at least evidence of good faith."

From Florida the Miami Herald says:

"If we judge the Department accurately, it will do a thorough job of fact finding of all factors and phases investigated of the methods which have allegedly increased construction cost."

And again that same paper says:

"Assistant Attorney General Thurman Arnold * * * asked nothing of labor that would restrict its progress for the betterment of the working people * * *. The country as a whole and union

labor in particular should approve his stand as doing labor a great favor and the country a marked service."

The Miami News said:

"It needed an administration so conspicuously friendly to labor and its collective bargaining to do the important job to which Thurman Arnold set his hand."

In Illinois the Chicago News says that "the public will heartily endorse this opinion of Mr. Arnold's." And the Chicago Journal of Commerce says "We wish him luck." The Rockford Star, in speaking of the Department's labor policy, said:

"We fail to see anything unfriendly or dangerous to union collective bargaining in the five Arnold points."

In Michigan the Detroit News, under an editorial entitled "Give Him the Money," speaks as follows:

"Since the Department of Justice began its operations against building-trades 'rackets' * * * it seems hundreds of cities are similarly afflicted * * *. Local authorities, for some reason, appear unable to cope with the evil, serious as it unquestionably is * * *. Mr. Arnold should be entrusted with the sum he asks and as much more as may be needed for the task he has embarked on. With the money, moreover, should go hearty official backing and the moral support of the public, for the organized interests resisting his operations are influential and active."

The Grand Rapids Press said:

"Restriction of any practice which tends to slow up building or make it more costly will be hailed by the building industry and the general public."

In North Carolina the Durham Herald-Sun says:

"There is general agreement that building costs are out of line with economic forces which control them, and there is a clamor that the Government do something to relieve the pressure."

In Ohio the Cleveland Press said:

"The Justice Department's investigation of high building cost is threatened with collapse because of the depletion of funds * * *. The benefits in any one of many large cities might easily be more than enough to pay the entire expense of a thorough national investigation. This activity of the Department of Justice should be extended, not curtailed. The next Congress should make additional and adequate appropriation for this purpose."

The Cleveland Plain Dealer, in expressing its approval of the whole drive, declared:

"A further Federal inquiry might be expected to uncover a good many things which would be sensational. We trust * * * that it (the Department of Justice) pulls no punches."

The Oxford Beacon-Journal declared:

"The Justice Department's inquiry into high costs in the building trades must not be permitted to die. * * * It has already brought great benefits. * * * Indeed, the healthier condition in a single city might equal the total cost to the Federal Government."

The Cincinnati Times-Star said:

"In the building industry it has been made almost impossible to build a home within the means of the average American, a situation which is not good either for him or for the industry."

The Cincinnati Enquirer declares:

"A clear-cut, even-handed policy of the kind enunciated by the Assistant Attorney General has been sorely needed."

The Columbus Dispatch said:

"If Mr. Arnold carries through the program as indicated in his statement, it will be a clear gain for the Nation."

In South Carolina the Columbia Record declared:

"If Assistant Attorney General Thurman Arnold can prevent this waste, he will be doing labor a service."

The Greenville News added:

"And Thurman Arnold is taking * * * a wholesome and sound position * * *."

Collier's magazine, in withdrawing some of the morose misgivings of a year ago, recently said:

"In his crusade against monopoly in the building industry, Mr. Arnold is playing no favorites that we can see among contractors, materials men, architects, and building-trades unions or union leaders who have been working together or separately to keep the building industry on the Fritz."

The American Farm Bureau Federation passed a resolution last month which said in part:

"We heartily commend and support the Department of Justice in their efforts to enforce the antitrust laws against unlawful restraints, illegal monopolies and practices, whether fostered by labor, industry, or agriculture."

These are only a fraction of the editorial comments which have been sent to me. I can also add without hesitation that there is practically unanimous approval of our building investigation.

SPECIAL ASSISTANTS TO THE ATTORNEY GENERAL

The Budget estimate made for the pay of special assistants was \$650,000. The committee has reduced this amount in the sum of \$75,000. The names of the persons employed under the appropriation, their annual compensation or Federal pay to each, and the description of their duty have been supplied in a report submitted in the hearings. The committee had a most serious discussion concerning this report and the services of some persons. In the report there is set forth the opinion of the committee:

As a general policy the committee is desirous that attorneys whose services are continuously required to carry on activities

falling under any of the special divisions of the Department should be carried in such division's appropriations rather than under this head of special assistants. It is recommended that next year, under Budget authority, the Department cover into the various operating units of the Department such of these special assistants whose work falls under the head of any general division of the Department, thus permitting this appropriation to be confined exclusively to attorneys whose services are needed for a single, express purpose and whose employment can then be terminated after they have completed such particular duty. It is accordingly anticipated that a further substantial reduction can be made in this appropriation during the next fiscal year.

Another item the committee took up at length will be found on page 286 of the hearings. My statement to Mr. Bennett, the Director of Prisons, gives the gist of the matter. I said:

You remember that the committee discussed at some length last year the great difference in sentences for the same crime by judges in different parts of the country, and sometimes by judges in the same part of the country. These prisoners might be even in the same jail, having committed the same crime, under the same circumstances, with the same previous record, but with entirely different sentences.

I think I should say for the record, Mr. Bennett, that the discussion we have just had off the record relative to the gross disparity in certain sentences meted out by the courts is most informing and not a little disconcerting. While I realize that each Federal judge has his own conception of what constitutes justice in the individual case and that it would be humanly impossible to lay down an absolute standard of punishment that would be fair in its application to the varying set of facts and conditions existing in each individual case, nonetheless it would appear to me that the exercise of judicial discretion in some of the cases that are coming before our Federal judges is being applied within too great a range. As an example of what I mean, we find that in some judicial districts a large majority of all the cases coming before the judge are placed on probation, while in some other districts the judge refuses even to have a probation officer in the district and hence places no one on probation. With such a condition existing, it is not difficult to see how it would be possible for one of two individuals having committed the same crime with, we will say, substantially the same background and previous record to be placed on probation with the relative freedom that that entails, while the other culprit tried in another jurisdiction is incarcerated in a Federal institution possibly for a long term of years. It is simply not right or just, and I do hope that, now that the judiciary is set up with its own administrative body, that serious attention and study will be given to this matter with a view of at least correcting the glaring inconsistencies and abuses in the system.

Mr. WALTER. Will the gentleman yield?

Mr. RABAUT. I yield.

Mr. WALTER. Did the hearings disclose how much money was being expended in building up conspiracy cases against people who had already been punished for the commission of some specific offense?

Mr. RABAUT. No.

Mr. WALTER. For example, take a violation of the liquor laws, where a number of men have been convicted and punished for a specific offense, I understand the Department of Justice has grouped those defendants together and is making a new charge of conspiracy against those people which, in effect, is punishing people twice for the commission of the same offense. I am just wondering how much of this appropriation is being used for that sort of thing, which I do not think is proper and right to do.

Mr. RABAUT. I am entirely in accord with the gentleman, but nothing was developed in the hearings on that point. I may say that only for 2 years after prohibition was there a falling off in the number of prohibition cases. Then it went right up again.

Mr. ALEXANDER. Will the gentleman yield?

Mr. RABAUT. I yield.

Mr. ALEXANDER. I notice on page 31 of the report, referring to the appropriation of \$375,000 to meet the expenses involved in defense of suits growing out of various laws establishing Government insurance for veterans, it also refers to the number of cases pending during the current fiscal year as 1,663. Can the committee tell me the total amount that is involved in these cases?

Mr. RABAUT. I am not certain that it has been set up in the hearings, for there has been a general falling off in the number of cases, and for that reason the committee has seen fit to make some reductions.

Mr. ALEXANDER. I notice a reference to the appropriation made as some \$700,000 in 1 previous year—the point that I want to bring out is, are we not spending a huge amount of money to prevent our veterans who went into our wars to preserve the Nation from getting justice?

Mr. RABAUT. No.

Mr. ALEXANDER. Evidently these are cases involving insurance that they feel is due them. In other words, we are spending \$700,000 in 1 year to prevent them from getting what they think is due them. I have figured this out on the basis of 1,663 cases, \$375,000 appropriation, and it makes \$225.49 per case as attorney's fee for fighting these cases. Why would it not be better to spend the \$375,000 for the benefit of the veterans instead of denying them justice?

Mr. RABAUT. The Veterans Insurance Litigation Division is convinced that that is as much in defense of the veterans as anything else. As a matter of fact, it was set up so that there would be no frauds perpetrated against the veterans or the Government either. Cases have been taken care of from time to time to the point where this is a lot of money for that Division, and we have made some recommendations about it to this individual department. And there is no thought on the part of the committee of doing anything unjust to the veterans.

As a matter of fact it is for the veterans' own protection. I can say that this is the unanimous ambition of the committee.

Mr. ALEXANDER. Can the gentleman tell me why we are spending this \$375,000 and how much is involved?

Mr. RABAUT. Does the gentleman wish to suggest that we cut it further?

Mr. ALEXANDER. I believe we could put it to better use on behalf of the veterans, from the information I gained through service on the Committee on Veterans' Affairs.

Mr. RABAUT. The money would revert to the Federal Treasury in any event. It could not be used for any other purpose. So if the amount were reduced it would go back in the Treasury. This item is carried in this amount simply for the protection of the veterans. If the gentleman wishes to introduce an amendment recommending a cut, it probably would be entertained by the committee.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. RABAUT. I yield.

Mr. MILLER. In connection with the same subject, it does seem that this work ought to be finished unless Congress changes the law, for there have been no new cases and can be no new cases or new suits filed; yet this thing drags along. Why can they not settle these cases? Either a man is entitled to his insurance or not entitled to it. I fail to see why a group of lawyers could not liquidate these 1,300 cases in a year's time, pay them and get out.

[Here the gavel fell.]

Mr. CALDWELL. Mr. Chairman, I yield 5 additional minutes to the gentleman from Michigan.

Mr. RABAUT. On page 31 of the committee report appears the following statement:

If the work of this unit continues to decrease from year to year as has been the case during the past 4 or 5 years, it is to be expected that other reductions will naturally follow in the funds provided for the activity.

Mr. MILLER. I think the gentleman will agree that a department once set up will hang on to enough cases to keep running for the next 15 years.

Mr. RABAUT. I am in full accord with the gentleman's statement.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield for a further question.

Mr. RABAUT. I yield.

Mr. ALEXANDER. I think the committee has done a very admirable job on this appropriation bill and I feel that it is as good a bill as any that has been brought before us. It shows evidence of intense work and a desire on the part of the committee to serve the public. But in addition to the question raised about veterans I would like to ask the gentleman a question or two regarding the appropriations mentioned on page 37 of the report under the general head-

ing of prisons, the subheading "Construction of buildings and facilities." Reference here is made to a request for \$40,000 for a garage and shops at Sandstone, Minn. In the second column it shows the amount allowed as \$12,500. In the other item under prison camps at the same institution it shows the estimate to be \$46,000 and the amount allowed to be \$40,000. I do not understand footnotes 6 and 7 appended there and I was wondering if that request is being cut down at that institution.

Mr. RABAUT. The gentleman should understand that all the work at these prisons is performed by the inmates. Whatever amount of money, therefore, is allowed is an amount for materials only.

Under prison camps the estimate submitted was \$46,000 and the amount allowed by the committee \$40,000. The amount \$46,000 is the estimate proposed to the committee for all the prison camps, not for one institution. It should have been set out by itself. Had this been done it would have been more understandable. I do not blame the gentleman for noticing it. The amount allowed for it, as the gentleman will see, is \$40,000.

The reason there is such a difference between the amount requested and the amount allowed, that is the small difference between these two sums shows how favorably the committee regards prison camps. They are much less expensive to create and operate. Furthermore they tend for the moral upbuilding of the prisoners.

Mr. ALEXANDER. I think that is a constructive move. Will the gentleman now tell us something about the item of \$40,000 which was reduced to \$25,000? Is that a request originally made by the prison authorities for \$40,000 but reduced by the committee to \$25,000?

Mr. RABAUT. This was put on a 2-year basis. Yes; it was a reduction made by the committee.

Mr. ALEXANDER. The committee reduced it to \$25,000. Why?

Mr. RABAUT. Yes. Twelve thousand five hundred dollars was allowed for this year.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. RABAUT. I am pleased to yield to my colleague on the committee.

Mr. HARE. Going back to page 31, dealing with veterans' cases handled by the Department of Justice, it should be understood that the Department of Justice does not institute these proceedings and is not responsible for these cases being brought. The cases are filed by the Veterans' Administration and then the Department of Justice is asked to defend. The Department, therefore, has no discretion in the matter, as I understand. Am I correct?

Mr. RABAUT. Yes; and I thank the gentleman for his contribution.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. RABAUT. I yield.

Mr. MILLER. To keep the RECORD straight, the 1,600 cases listed here have been on the dockets for years. There has not been any increase since 1927.

Mr. RABAUT. I think the gentleman will find that since 1931 there has been a decrease from 5,000 down to less than 1,600.

Mr. MILLER. A decrease?

Mr. RABAUT. Yes.

Mr. MILLER. But they have been dragging along year after year at 1,600.

Mr. RABAUT. And there has not been a proportionate decrease in appropriations.

Mr. MILLER. No.

Mr. RABAUT. The decrease in the appropriation has not been proportionate to the decrease in the number of cases. That is why the committee has inserted this language in the report. We all look to a continued reduction in this activity.

Mr. MILLER. I read the questions which the gentleman asked in the hearings, and they are quite clear.

Mr. HARE. I find Mr. Martin testified, on page 344, that these suits were being brought and were increasing at the rate of 25 or 30 per month. I understand there is an increase in the number of suits brought. He said they were brought

at the rate of 25 or 30 per month. So the decrease in suits is contingent upon some rule.

Mr. MILLER. Will the gentleman yield?

Mr. RABAUT. I yield.

Mr. MILLER. I would like to get this clear. It is my understanding that no new suits can be brought under any act. There is a bill now before the Congress to extend that act. I am not denying the answer given in the hearings, but I cannot see how they are increasing at the rate of 25 cases per month. Under what act are the suits being brought?

Mr. RABAUT. What page is that?

Mr. HARE. Three hundred and forty-four. That is the only thing we had to go on. We had to take Judge Martin's testimony.

Mr. MILLER. I read that, but I cannot find under what act they can bring these suits now.

Mr. RABAUT. I will find out.

Mr. MILLER. We will discuss it later.

[Here the gavel fell.]

Mr. CARTER. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the appropriations in this bill have to do with the Departments of State, Justice, and Commerce, also the Judiciary, which has heretofore been under the Department of Justice, but by the act of August 7, 1939, Public Law No. 299, was separated from the Department of Justice. We began hearings on this bill on the 4th day of last December and with the exception of a brief recess at the holiday season we have been meeting almost every day. Thorough hearings were held. My colleagues who have preceded me have covered the Departments of State, Justice, and Commerce. Before entering into a general discussion of these appropriations I would like to say a few words about the office of the Administrator of the United States Courts which was created under Public Law 299 and for which the Congress of the United States is now appropriating for the first time.

This work is carried on by an Administrator under the terms of this act. The Administrator is appointed by the Chief Justice of the United States. Chief Justice Hughes appointed Mr. H. P. Chandler, an attorney of Chicago, as the first Administrator. Mr. Chandler appeared before our committee and requested certain appropriations. I had never met the gentleman before, but I was impressed by his sincerity and his enthusiasm for the new position.

Their budget this year will amount to approximately \$233,000. The work of this administrative office falls into two main classes, one to provide for the material needs of the courts, furnishing them quarters in the way of buildings, rooms, supplies, stationery, library books, and providing for the payment of the compensation and expenses allowable by law for the judges, clerks, and other judicial officers and members of the staff of the judges, procuring and administering the annual budget of the courts, keeping and auditing the accounts of the courts. Of course, this is all new work. Mr. Chandler is getting a staff together gradually and expects to be functioning in nearly full force by the beginning of the next fiscal year, beginning the 1st of July.

Mr. COCHRAN. Will the distinguished and efficient gentleman yield?

Mr. CARTER. I return the compliment and yield to the distinguished gentleman from Missouri.

Mr. COCHRAN. This long-needed reform is justified by reason of the fact that the judicial branch of the Government is separate and distinct from the legislative and executive branches, but will the gentleman tell us whether or not the work that has been taken over by the administrator, to which he referred a few minutes ago, and in connection with which he mentioned auditing, accounting, and so forth, is reflected in a reduction in the appropriation for the Department of Justice, which formerly performed these duties and is no longer required to do so?

Mr. CARTER. Yes. In making each and every appropriation for this new department the committee kept steadfastly in mind there should be a corresponding reduction in the Department of Justice, whether it was for auditors or other

people. This work of auditing, of course, has been carried on by the Department of Justice.

Mr. COCHRAN. Did the gentleman's committee keep that in mind, and did it actually make a reduction in the Department of Justice, or does it provide for those employees to be used for other purposes?

Mr. CARTER. May I say to the gentleman from Missouri that certain reductions were made. They were not always to as great an extent as I personally desired, but I labored as best I could with my colleagues in making these reductions. Some reductions were made. I may say to the gentleman that the total appropriation for the Department of Justice is greater this year than it was last year by nearly \$2,000,000.

Mr. COCHRAN. That is due solely to the increase for the Bureau of Investigation?

Mr. CARTER. It is caused principally by the increase for the Bureau of Investigation, but there were other increases also.

Mr. COCHRAN. Was not the committee justified in recommending that the employees in the Department of Justice who had been taking care of the duties the Administrator now performs, should either be transferred to the office of the Administrator or their positions declared vacant?

Mr. CARTER. Yes; I think that is a justifiable attitude.

Mr. CALDWELL. Will the gentleman yield?

Mr. CARTER. I yield to the gentleman from Florida.

Mr. CALDWELL. As a matter of fact, if it were not for the \$2,000,000 item set up for the Bureau of Investigation, the budget for the Department of Justice this year would be less than for last year?

Mr. CARTER. I think that is true.

Mr. CALDWELL. Then on the whole, if it were not for the emergency conditions which necessitated the increase for the Federal Bureau of Investigation, the Department of Justice appropriation would have been less than last year?

Mr. CARTER. I think I am correct in saying that the other items in the Department of Justice were not increased with the exception of one. There was an increase for the Anti-Trust Division, and, as I recall, that was an increase of \$41,000. I may say to my friend from Missouri, who is always endeavoring to see that the Treasury is not raided, and I commend him for his attitude, that had it not been for the increase allowed the Federal Bureau of Investigation there would have been some reduction in the Department of Justice.

Mr. COCHRAN. Will the gentleman place in his remarks some information about where the decreases were made, where the employees were eliminated who formerly performed the work that is now being done by the Administrator?

Mr. CARTER. The report shows that information.

Mr. COCHRAN. Why not quote from the report, then, and let the RECORD show that the reductions have actually been made.

Mr. CARTER. I will yield the gentleman time to make a speech and place that in the RECORD in his own remarks, if he so desires.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CARTER. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Did the gentleman find any evidence of the Bureau of Investigation's being used for political purposes?

Mr. CARTER. I recall no evidence of the Bureau of Investigation's being used for political purposes. There was some talk before the committee that perhaps the Bureau of Investigation was going into communities and doing police work which might well be done by the local authorities.

Mrs. ROGERS of Massachusetts. By the States?

Mr. CARTER. By the municipalities and the States. But as far as political activity is concerned, I do not believe there was one statement of any kind before the committee in reference to that.

I have digressed here somewhat from the duties of the Administrator of the United States Courts. I have stated one class of duties. I desire at this time to state another, and in stating this other class I will read from the testimony of Mr. Chandler before the committee, as follows:

The office will have the responsibility of determining the forms of the reports of the clerks in reference to the work of the courts. It is also expected that the office will supplement the information gained from the reports by observing the actual work of the courts in the field by sending representatives of the office to the circuits or districts in which there seems to be unusual delay in the disposition of the work, where there is unusual congestion, or where complaints come from members of the bar and others. It is an important function of the office to try to bring about over a period of time greater expedition and efficiency in the dispatch of the judicial business.

Of course, it is not the duty of this newly created group to inquire into the correctness of the decisions of the court. They are not to be interfered with in any way. The judge will be just as free in the future to render his decisions according to the evidence and the law as he has been in the past.

This new office was set up by act of Congress. It is just getting under way. We are all hopeful that it will work out in a very beneficial manner.

Let me say in regard to these appropriations generally that all of them are below the estimates of the Bureau of the Budget. The bill we brought in here today for the Departments of State, Commerce, Justice, and for the judiciary is \$2,285,000 below the Budget estimate and is also below the appropriations for these Departments for last year by \$3,442,859.

The gentleman from Illinois [Mr. McANDREWS] is chairman of this subcommittee. I desire to express my personal appreciation to him for the very fair, impartial, and nonpartisan manner in which he conducted these hearings, and that goes for each and every member of the subcommittee. There was no trace of politics or partisanship in our hearings. The minority members were given every possible consideration by the majority members. There is only one criticism I would want to make of the majority members of the committee, and that is that they did not follow me a little further in making cuts in these appropriations.

I want to say that I think we did very well. There are some items in here, however, that I would like to have cut even lower than they have been, but I appreciate that no one man on this committee can have his way, and inasmuch as substantial cuts were made I feel that the bill is not excessively high. There are one or two spots in it where I may offer amendments to reduce the amounts that are in the bill at the present time.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. CARTER. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. May I point out to the gentleman from California, who is one of our distinguished statesmen, that an opportunity will occur to cut out \$225,000 under the State Department appropriation, in the item provided for salaries in connection with the reciprocal-trade agreements. This is the first appropriation, on page 2, line 8.

Mr. CARTER. I may say to the gentleman that this bill as originally presented from the State Department provided funds for carrying on the reciprocal trade agreement work during the next fiscal year, but that was all cut out except as to the work necessary to be carried on in connection with the treaties that have already been entered into.

Mr. AUGUST H. ANDRESEN. Is it necessary to police the agreements that have already been made?

Mr. CARTER. According to the statements of the State Department, it is necessary to have a certain personnel for policing or carrying on work in connection with the agreements. That is what this amount is for. It is not for anything else. We have cut out everything else they asked for.

[Here the gavel fell.]

Mr. CARTER. Mr. Chairman, I yield myself 5 additional minutes.

Mr. AUGUST H. ANDRESEN. Does the gentleman mean we have to maintain a police force to see that these foreigners live up to their part of the trade agreement?

Mr. CARTER. There are certain things that must be done; yes. According to the testimony of the State Department, there are certain things that must be done in connection with these reciprocal-trade agreements that have already been entered into. The funds provided in this bill they represented were necessary for carrying out that work. It is not in anticipation of reciprocal-trade agreements that may be entered into after the 19th day of next June.

Mr. AUGUST H. ANDRESEN. What can they do about it down here if the foreigners do not live up to their agreements and give us the concessions they have agreed to? Can they arrest them?

Mr. CARTER. Not under international law, no; of course, they do not arrest them. For an answer to that question I refer the gentleman to the State Department.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CARTER. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. I am very much interested in what the gentleman, who is rendering such a fine account for the committee, has to say with respect to cutting out the appropriation for the continuation of the work of the trade-agreement program. I am interested to know in that respect whether or not the Committee on Appropriations expressed serious doubt among themselves as to the possibility of the continuation of this program, in which we are all tremendously interested.

Mr. CARTER. Well, the gentleman serves on committees and he knows that what takes place in the Committee on Appropriations is in executive session, and he certainly would not want me to violate any confidence, but I can tell the gentleman how I personally feel about it.

Mr. BATES of Massachusetts. I would like to know how the gentleman feels about it.

Mr. CARTER. I never voted for the bill that gave the President the authority to enter into these reciprocal-trade agreements in the first place, and I do not propose to vote to extend that authority either, when the time comes.

Mr. BATES of Massachusetts. I am pleased to hear the gentleman say that.

Mr. CARTER. One item in this bill that I cannot be enthusiastic about and, in fact, that I opposed and that I shall move to modify at the proper time is found on page 62. I do not know whether a point of order will lie against this paragraph or not, but I would like to ask the Chairman if I could not make a point of order against that when the time comes. It has to do with special attorneys.

The CHAIRMAN (Mr. COCHRAN). A point of order will not be sustained, as it is authorized by law.

Mr. CARTER. I would like to ask the Chairman what statute it is that sustains the appointment of these special attorneys. Does the Chairman contend that the Attorney General can go out here and appoint a thousand of these special attorneys for \$100,000 a year, if he desires? Does the law permit him to do that?

The CHAIRMAN. When the gentleman makes the point of order the present occupant of the chair will have the proper reference before him. I advise the distinguished gentleman to save his energy and conserve the time of the House.

Mr. CARTER. I thought the Chairman was informed on all of these matters. [Laughter.]

However, the situation with reference to special attorneys is something that is somewhat serious. We have set up here, as you will see on page 62, \$575,000 for special attorneys. Mr. Chairman, this is not for paying the salaries of the regular staff of the Attorney General's office. This is for the salaries of a group of men over and above that amount. I think that amount is decidedly excessive, and I think it should be reduced. In the committee I endeavored to cut the amount

in half. It was reduced \$75,000, but still I do not believe that that reduction is substantial enough.

I do not want to be considered as a penurious member of any committee. I like to go along with my colleagues, but when I see these various bureaus and departments coming and asking for more and more money each succeeding year, requesting greater personnel, and when I recall that we are borrowing nearly 50 cents out of every dollar for the salaries of this additional personnel and for the expenses of this additional work, it makes me hesitate to vote for such appropriations.

[Here the gavel fell.]

Mr. CARTER. Mr. Chairman, I yield myself 2 additional minutes.

We have cut this bill somewhat, and I may say here and now that, in my humble opinion, next year there must be far greater reductions, not only in this bill but in all the expenses of the Government, if the Government is going to go on and pay off the debt that it is accumulating. A step of this kind is most necessary and essential. [Applause.]

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. CARTER. I yield.

Mr. HARE. Referring to the criticism of the appropriation of \$575,000 for special attorneys, I can see some ground for my colleague's position on that, but there is a little consolation in the latter part of the paragraph where it is provided that a report on the appointment of these men must be submitted to the Congress on the 1st of July and the 1st of January of each year.

Mr. CARTER. Yes.

Mr. HARE. So if, in our judgment and wisdom, we think these men are not properly appointed or that they are not discharging services for value, we can very readily pass a resolution and prevent further action.

Mr. CARTER. I agree with the gentleman that this is notice from the Congress of the United States to the Department of Justice that they must show that these people are absolutely necessary and essential, or we are going to cut them out, and we ought to do that very thing.

Mr. HARE. I agree with the gentleman.

Mr. CARTER. I thank you very much. [Applause.]

[Here the gavel fell.]

Mr. CALDWELL. Mr. Chairman, I yield 4 minutes to the gentleman from Indiana [Mr. SCHULTE].

THE HEALTH OF THE PEOPLE OF AMERICA MUST BE PROTECTED

Mr. SCHULTE. Mr. Chairman, at no time in American history has the question of public health been given as much attention as it is today. This is the result of the fact that in the past few years America has become conscious of the fact that although it is the greatest country in the world it has failed to adequately meet the normal demands for adequate and efficient sewage-disposal facilities and the abatement of pollution in the Nation's lakes and streams.

In our march of progress, communities in every section of the country paid more or less attention to the problem of sewage disposal, and much of this progress, especially in the early days of the communities, came only after serious epidemics of typhoid, malaria, and other fevers. Too little attention was given to the methods of sewage disposal and little or no concern was given to the possible future growth. In the latter part of the last century, the sanitary engineer came into the picture, but we all know that for years he fought his battles single-handed. The policy of "what you don't see, won't hurt you" held sway in too many of our large cities.

When the question of sewage disposal reached alarming proportions it was turned indiscriminately into rivers, lakes—and yes, even oceans—raw and untreated. No thought was given to downstream towns, recreational activities, such as bathing, fishing, and so forth. Whole valleys came under the sinister influence and disastrous results of stream pollution. Only through bitter experience did men evolve scientific sewage disposal, and today, enlightened as we are, there is a sad neglect of proper sewage disposal in many

sections of the country. Records show that the sewage from 35,000,000 people, representing 47 percent of the urban population of the country, is discharged untreated into water bodies. This today amounts to an estimated figure of two and one-half billion gallons of untreated sewage per day. In addition there is some 2,300,000 tons of sulphuric acid discharged annually from abandoned and active coal mines. According to the United States Corps of Engineers, annual losses from acid pollution in the Pittsburgh, Pa., district, an area of exceptionally acute waste problems, amounted to at least \$8,000,000 as late as 1925. Damages from such disposal are more serious in the Nation's vital manufacturing belt, which extends from the Atlantic seaboard from Boston and Washington westward to Chicago and St. Louis. This is a center of population and industry. Fully 75 percent of the waste-disposal problem lies within this area and a few outlying areas on the Plains and the Pacific coast.

According to an inventory of sewage-disposal facilities in the United States in 1938, no section of the country has more than 70 percent of its urban population served by sewage-treatment works.

Following the World War there was a Nation-wide renaissance in the construction of sanitary sewer systems and sewage-disposal plants, but this progress, unfortunately, was arrested in 1929 and 1930, the beginning years of the depression. However, with the growth of population and the ever-widening urban limits of the cities, the increasing need for sewage-disposal facilities went unabated.

When the Public Works Administration was created in 1933 and its offer of assistance in the construction of necessary public works was made known, applications poured into Washington from every section of every State of the Union for P. W. A. aid in enlarging existing or constructing new sewage-disposal facilities. President Roosevelt expressed his desire at the start that this type of application be given immediate consideration. To date the Public Works Administration has received, altogether, for all types of public works, some 38,000 applications, nearly 6,000 of which have been for sewage-disposal facilities, and from 1933 to date P. W. A. has allotted funds for 1,525 sewer-system projects, including disposal plants, having an estimated construction cost of \$467,950,000. These were what are known as non-Federal projects, constructed by cities, counties, and States, who contributed the major share of the construction cost. In addition to these, through P. W. A. allotments 98 sewer systems were constructed by Federal agencies.

It is gratifying to note that a large percentage of these safeguards to public health have been in small communities throughout the Nation which heretofore have been without this type of public utility. As a result of the P. W. A. sewer-construction portion of this program, the percentage of population served by adequate sewage-disposal facilities has been raised from 35 percent to 54 percent. Many towns have been provided with complete sewage systems and others have had existing collecting systems extended, and outgrown or insufficient treatment plants have been improved or replaced.

Through P. W. A. construction of sewage-disposal facilities and stream-pollution abatement in large metropolitan centers, great numbers of small communities have been immeasurably benefited. This is particularly true of the Connecticut, Potomac, Ohio, Mississippi, and Missouri River valleys, but the job is far from complete. Indicative of the existing demand for more projects of this type is the fact that when P. W. A. returned to public bodies on September 6, 1939, 5,043 applications because of the lack of additional funds—209 were for sewage-disposal projects having an estimated construction cost of \$132,285,000. This shows how the municipal mind of America is thinking today in terms of public health.

The Public Works Administration has shown through its splendid record of 6½ years its ability and efficiency as a construction agency, and this agency should be continued on either a loan basis or on a loan-and-grant basis, so that it can continue to serve communities throughout the length

and breadth of the Nation. The question has been brought up many times that because of public-works construction many cities are going further into debt. I say that if the addition of important public works affecting the health of the community means going into debt, it is a wise investment. I would much rather see a community go into debt in order to take care of the health of its people by constructing hospitals, waterworks, and sewage disposal plants rather than for the construction of bridges, viaducts, city halls, recreational buildings, and other useful but not vitally necessary public works. [Applause.]

Mr. CARTER. Mr. Chairman, I yield now 15 minutes to the gentleman from Nebraska [Mr. STEFAN].

Mr. STEFAN. Mr. Chairman, I had not intended to take the floor on this bill, feeling that much of what I may have to say has been touched upon by other speakers and is covered in the hearings, which I recommend every Member read.

However, I feel this is an opportune time to pay some tribute to the memory of our late chairman and colleague, the Honorable Thomas McMillan, who was on the floor with this bill a year ago and who had charge of steering it through the House. Thomas McMillan was loved and respected by everyone who knew him, and we of the subcommittee of which he was chairman feel a personal loss in his passing. I know that I voice the sentiment of every member of our committee when I say that Mr. McMillan's absence has been felt in all of our deliberations on this important bill; that the service he rendered to this House and to this Nation was of great value, and I know that every one of us feels that his district, his State, and our entire Nation has suffered a distinct loss. The hearings disclose Mr. McMillan's service to this House up to the last hours of his life.

The bill which we bring to you is one of the most important bills you will get; one that makes annual appropriations for three of the great Departments of our Government—State, Justice, and Commerce. The hearings come to you in three volumes, which will indicate to you—if you take the time to read them—that your committee spent many hours and gave an unusual amount of consideration to every item before finally handing its findings over to you for final action. Your committee has worked on this bill since December 4 last. Its investigations went even into the foreign field in order to bring to you a measure which was thoroughly scrutinized. All of this in the hope that better light may be shed on these important appropriation items. Although we bring you an appropriation bill which is cut several million dollars under the Budget estimates, we feel that the decrease was made after the most careful consideration and will in no way cripple the regular functions of the departments affected by the reductions. The total carried in this bill is over \$107,000,000. I wish to tell Members of this House of my respect for the work of my colleagues on this committee. Especially I wish to tell you of the close cooperation of every Member and the high esteem in which we hold our new chairman and the Honorable JAMES McANDREWS, the gentleman from Illinois. Every member of this subcommittee had an individual part in the difficult task in bringing this completed bill before you. Among these members are the Honorable LOUIS RABAUT, of Michigan; the Honorable MILLARD F. CALDWELL, of Florida; the Honorable JOHN H. KERR, of North Carolina; the Honorable BUTLER B. HARE, of South Carolina; the Honorable ALBERT CARTER, of California; and the Honorable DUDLEY WHITE, of Ohio. Especially I wish to commend the efficient and high-type service rendered to the committee by Mr. Jack McFall, the committee clerk.

I have been asked to say something about the inspection tour of your committee during last summer of our foreign missions. That item is covered thoroughly in the hearings in two reports. But briefly, you should know that this was the first time in our history that a majority of the subcommittee which makes these State Department appropriations visited Europe and made a personal study of our Foreign Service. These members were also members of the American delegation to the Interparliamentary Union, which met in Oslo, Norway, last August. Because they were in

Europe anyway, this House decided that we make these investigations which, in my personal opinion, resulted in an unusual amount of good to both the Service and to Congress. These results, I feel sure, are reflected in the present bill and will be reflected in future appropriation bills.

I wish in these brief remarks to limit myself to some statements regarding the State Department and Foreign Service, and, time permitting, I may discuss some of the items in the Justice and Commerce Departments when those items come before us under the 5-minute rule when we start reading the bill.

I have always felt that our Foreign Service is our first line of defense, and while I have differed on the expenditures for some of the items you will find in the bill, I wish to assure you that it has been my experience while working on these money bills that the State Department is one branch of our service which has come before us with justifications which are unusually conservative. If I have any criticism to make now, it would be that in some items the Department is too conservative in its requests for funds.

A brief word regarding our building program in Europe should be inserted here. You know the map of Europe has changed and is changing. That results in many changes and shifts in our Foreign Service. You should know that our State Department is continually faced with serious questions as these changes occur. You should know that there are many consolidations being made which result in some economy. The Department should be highly complimented for some of the great work which has been accomplished. I cannot let this opportunity go without paying a high compliment to one of our Foreign Service officers who is among that army of your foreign servants of whom you very seldom hear about. This man is Mr. Geist, who has served a long time in our Berlin office and under whose direction our building there was reconstructed. Because of his knowledge of economic conditions in Germany, and because of his zeal, aggressive work, and initiative, we have one of the finest buildings in Europe located in the best location in the German capital. This building, under Mr. Geist's direction, was reconstructed so that it now houses all of our activities in Berlin which were formerly housed in several buildings. It will take care of all our activities there for years to come. The fact is that through Mr. Geist's activities, many thousands of dollars were saved for our Treasury through this unusual reconstruction work. I am happy to learn of his assignment to the office of the State Department here because of his unusual knowledge of affairs in Europe.

I have been asked if we have eliminated funds for our embassy in Moscow. We did not and there was no justification for so doing. There is no specific item for any one particular mission in this bill, but the numerous items which are scattered throughout the bill affect practically all of our missions, including Moscow. Personally I feel it would be a mistake to limit these funds so that none of them could be used for our mission in Russia. In these troublesome days we need more eyes and more ears in our Foreign Service. To eliminate an ambassador or minister now would be a grave error. I agree with the philosophy of some Members that we made a grave mistake in withdrawing our ambassador to Germany. We should have had an ambassador in Berlin all of this time. I say this without casting any reflection on the ability, efficiency, and the high character of our Chargé d'Affaires, Mr. J. Alexander Kirk, who is now in charge of the Berlin office. No other man, in my own opinion, could be doing a better job in Germany than this highly qualified diplomat. However, I feel he would be far better equipped to serve us if he had the title of ambassador.

I wish to take this opportunity to protest against misrepresentations which have been made regarding our colleague, the gentleman from New York, the Honorable HAMILTON FISH, who conducted himself so ably as the president of the American group of the Interparliamentary Union Conference in Oslo, Norway. I feel he was made the target for persecution because he took the lead in his fight to keep this country out of war. These misrepresentations appeared in the foreign and

domestic press. I believe that if our colleague had gone to Europe and taken sides, instead of trying to remain neutral, he would have come home a hero. Because he continually made it known that the United States would keep out of all foreign wars and that we would remain neutral, and because he individually endeavored to urge the foreign powers to sit around some conference table and talk peace or declare a truce for a few months, he became the target for an unneutral press. Before attending the meeting of the Interparliamentary Union, he took his own time to visit Ireland, France, England, and Germany. I met him personally in Germany, and I personally know that what he had to say, and what he did, he said and did as a private individual, and in no way bound any other delegate to the conference.

Those of us who had the opportunity to study conditions on the Continent some weeks before the opening of the Interparliamentary Union Conference already knew that the war plans of Europe had progressed too far. Troops were already on the march. Our colleague, in his zeal to take some individual part in stopping what he had previously learned would result in the murder of thousands of human beings, became the target for the verbal bullets of war-mad Europeans. No matter what any of you think of our colleague personally, whether you believe in his progressiveness or his politics, I, for one, wish to stand by his side to do whatever I can to keep this country out of another foreign war.

I will not take more of your time now, but before I conclude I cannot refrain, Mr. Chairman, from telling you of my high admiration and expressing my appreciation for the excellent work that is being accomplished by our Foreign Service.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. STEFAN. Certainly.

Mrs. ROGERS of Massachusetts. How many buildings are owned by this Government in foreign countries?

Mr. STEFAN. The gentlewoman will find that information in the hearings. I cannot tell her accurately, without consulting the hearings, and I advise her to read them. The information is available. We own considerable. We are endeavoring to consolidate much of the work. For instance, in Prague, Bohemia, we own a castle of many rooms. We occupy only a few of them, and we do not know now whether we shall sell that castle or remodel it. To sell it now would mean financial loss. Perhaps Czechoslovakia may some day be a republic again and we may have an ambassador there.

Mrs. ROGERS of Massachusetts. I sincerely hope so.

Mr. STEFAN. We are hoping so. The Berlin building to which I referred is located in the best part of Berlin, almost next door to the German Chancellery, and next door to Herr Goering's home. The building faces the famous street of Berlin, Unter der Linden. The work on that building was an outstanding piece of economy.

Mrs. ROGERS of Massachusetts. I understand also that the men who comprise our foreign personnel are men of very high caliber and are doing a splendid work.

Mr. STEFAN. The Foreign Service officers of the United States rank very high all over Europe.

I believe they are held in the highest of respect by the foreign-service officers of other nations. There are some weak points in the employment of some of our employees, but that is being gradually eliminated. You can be proud of the work being done by a majority of your Foreign Service officers today. There is a great difference as compared with some years ago. I hope that some day politics will be entirely eliminated in the selection of people whom we send to foreign countries to represent us.

Mrs. ROGERS of Massachusetts. Of course, many of these Foreign Service officers are on the firing line practically as are the men in our Army.

Mr. STEFAN. In my opinion, they are worth more to you and me than is our Army and Navy. They are our first

line of defense. We must have those eyes and ears in the Foreign Service today.

[Here the gavel fell.]

Mr. RABAUT. Mr. Chairman, I yield 20 minutes to the gentleman from Michigan [Mr. TENEROWICZ].

THE POLISH EMERGENCY

Mr. TENEROWICZ. Mr. Chairman, I want to thank the chairman of the subcommittee for permitting me to address the House at this time. I want to speak on the Polish emergency.

Mr. Chairman, it is my intention at this time to convey an interpretative picture of what has happened in Poland in the 4½ months since the September "blitzkrieg" ended.

As one of the people's Representatives in this Congress who happens to be of pure Polish lineage and European birth and who speaks and writes the native language, a great portion of my time since the destruction of Poland began last fall has been spent trying to assist American Poles in getting news of relatives and friends back in the "old country."

Hundreds of letters pour into my office each week, anxious and heart-rending appeals for any scrap of information that I can secure, any kind of news that will bolster fading hopes and relieve mounting fears.

Our efficient and zealous State Department has been most helpful. But here they are confronted with the most colossal overturn of population in modern history, and the Nazi censorship has been brutally airtight. Hence, while it has been almost impossible for me to secure definite information about individuals, I have, through my constant searchings, assembled what I consider a fairly accurate composite picture of this great historical debacle.

In mentioning these things at the outset, I wish to convey the assurance that, to the best of my ability, I have attempted to sift out apparent fiction, have tried not to be swayed by hysterical propaganda.

I have been conscientious about this, because when I appear here today, gentlemen, I feel that I am doing so on behalf of millions of American Poles who are now deeply disturbed over conditions in the fatherland.

And I wish to assert here and now that when I speak on a subject so near and dear to me as Poland and attempt to do so objectively, with neither passion nor emotion, I face a task that will not prove altogether easy.

To present the picture—an honest picture, if you please—I have culled through hundreds of letters, in English, Polish, and German; I have followed as closely as possible all authoritative appraisals that have been published here and in Europe; I have utilized information filtering through the Polish Embassy here in Washington and I have interviewed several officials of neutral countries who have been on the scene and were able to provide me with their purely detached and scientific accounts of the Nazi carnage and its continuing aftermath.

And the sum total of all these hundreds of viewpoints—after discounting by 50 percent all the atrocity stories I have heard and read in the papers—is that the plight of Poland today is pathetic and tragic almost beyond belief. Poland, which four times before in 1772, 1792, 1795, and 1814, has risen from the shambles and wreckage of partitions, is now undergoing the fifth and most brutal partition of them all. It is prostrate and facing annihilation. Of this I am soberly and conscientiously certain.

And I am equally certain that unless aid is brought to her at once, Poland's cross of misery may be too heavy to carry by the end of this coming spring. She must now—at this immediate time—be brought to know in some definite, tangible way that the sympathies of all America are with her. She must be heartened and encouraged and administered to—now—when her powers of resistance seem at lowest level.

Today, Poland is "black-out" from the rest of civilization. Never in modern times has so stringent a quarantine, so rigid a censorship, fenced off any single European country from the rest of the world.

Not since Hitler's "victory" parade in Warsaw last September have any American newspapermen or other neutral journalists been allowed to penetrate this fence and enter the country.

There have been almost no exceptions. It was only last Wednesday that the American Red Cross representative, James T. Nicholson, was permitted to leave Berlin for Cracow, there to supervise the distribution of supplies.

The high wall of censorship is up because the invaders do not want discerning eyes to view the monstrous crime that is being perpetrated behind that barrier. The oppressors are working against time while they shuffle great hordes of people across the map of northeastern Europe—resettling Balts in the prosperous sections of West Poland and driving the Poles out of these sections into the interior. Hundreds of thousands of people are the pawns in this colossal transfer of populations. And hundreds of thousands of Poles in this, the bitterest winter Europe has known in 40 years, are homeless, starving, and devoid of hope.

The Nazi engineers of destruction are rebuilding now in a desperate effort to bring order out of chaos so that when the curtain is to be lifted sometime this spring there will be visible a picture of seeming tranquility. But what these engineers seem to have overlooked is that human lives have been involved and human souls and human ideals. And these cannot readily be repaired, no matter how ingeniously the blueprint may be drafted.

It has been no easy task putting this picture together, because the dimensions are so vast and this translocation of populations so unprecedented. Once put together, however, it spells out a tale that has not been equalled for sheer ruthlessness since the Mongol hordes of Tamerlane scourged the world back in the Middle Ages. Never, certainly in modern European history, has such a panorama of death and destruction been visited by a conqueror upon a helpless and unarmed civilian population.

It is the full impact of this picture, now for the first time revealing itself in its true gigantic proportions, that has roused such powerful world spokesmen as Pope Pius XII and Winston Churchill to cry out to the world in shocked and unbelieving indignation at the utter ruthlessness of the Nazi destruction in Poland. For this is a massive and wholesale tyranny, trying to achieve a condition in a few short months that whole centuries of pillage, rape, and massacre have been unable to effect. This, gentlemen, is an economic "Blitzkrieg," more devastating in scope and plan than any ever before devised by man.

The end these master strategists seek is the complete domination, social and economic, of an area 33,000 square miles in extent, populated until last September by 9,000,000 people, of whom only 460,000 were German.

The realization of this plan calls for the brutal translocation of nearly all the original Polish inhabitants. The plan as it now reveals itself will not tolerate the existence of even the smallest independent Polish state. Therefore, there began last September, and is still being carried out, the great mass expulsion of all Poles in the western Provinces of Pomorze, Poznan, and Silesia, as well as Kalisz, Lodz, Konin, Wloclaw, Ciechanow, and Suwalki.

The program is cunningly aimed at the very core of race solidarity—the home and family. And it is this inhuman strategy that has thus far deported hundreds of thousands of shattered Polish family units and set them down in the blizzard-swept plains of the central section, in the region of Kielce and Radom and directly east and south of Warsaw.

I used the word "deported," and it has a particularly ugly significance when applied to a people who are being deported within the confines of their own country. We Americans from the Middle West would still technically be within the confines of our own country were we, say, suddenly uprooted and forced into transports destined for Alaska. And that in a similar way approximates this mass expulsion of Polish city dwellers into the Siberian and desolate interior of their own land.

These mournful transports that move back and forth across the map of Poland have been running on regular schedules

since last September. They are composed mostly of long trains of cattle cars, jammed tightly with famished and hopeless men, women, and children. There has been no let-up because of the intense subzero temperatures nor because the flimsy barracks at the end of the line are insufficient to house all these helpless migrants. These sections into which these deportees are being dumped are for the most part sparsely settled and primitive. Since the coming of the exiles the barns and sheds have been packed, and the homes of the natives are crowded to the rafters with exiled men, women, and children. As a physician, I know that when the weather gets warmer typhus and typhoid will be rampant unless the capable ministrations of the American Red Cross get there in time.

These ever-expanding colonies are not composed of criminals—nor do they include the young and the brave who resisted the invaders' lash. The rebel met a far more gentle fate at the firing-squad wall. These deportees are members of the peaceful and nonviolent civilian population. They are former city dwellers, accustomed to the conveniences of urban centers. Only a few short months ago they enjoyed homes and jobs, music and laughter. Thinly clad and starving, it is they who were seen as late as December wandering—faint and numb—along the snow-packed roadways at journey's end.

The technique by which the hapless Polish householder is dispossessed and torn from his family is a horrible thing to contemplate.

The technique is this: The Gestapo come down a street, blow a whistle before the home of the family about to be sent into exile, and when a response from within is elicited, the occupants of the house are given a scant few minutes to throw together all their pitifully small ration of belongings—in no instance to exceed 10 kilos (about 22 pounds)—and are then herded off to a temporary barracks.

Here the first chapter in segregation begins: The aged are sheltered apart from the children. Later, there is further segregation. Males, who are able to withstand the rigors of manual toil are deported in cattle cars into the interior of Germany. Those males regarded as suspects are imprisoned in concentration camps. The remainder of the family group is then ready for the long trek to the "no man's land" of the interior.

This wasteland the Germans describe as the "remainder area" or the "governor's province." It is administered by Governor Frank and includes barely about 36,000 square miles, of which, however, about 8,000 square miles have been excluded for the so-called Jewish reservation of Lublin. In short, the Polish reservation into which the Nazis are now trying frantically to crowd in between 18,000,000 and 20,000,000 people actually covers an area of approximately 28,000 square miles or little more than the area of West Virginia.

These deportations are carried out on a wholesale basis. An entire street is barred off and the occupants fall at one and the same time into the Gestapo dragnet. In the cities of Danzig, Gdynia, Orlowo, Poznan, and Bydgoszcz where thousands were evacuated, the ruthless irony of the situation was well revealed. Into these cities and into these emptied homes—in some cases before the fires in the stoves had a chance to die out—were thrust the incoming German Balts—many of whom for the first time in their lives were to see and acquire relatively luxurious apartments—in many cases equipped with radios, electric lights, running water, and clean linen.

So incredible, so preposterous does this whole program sound that it is no wonder His Holiness in his January 2 broadcast from Rome, spoke with such apparent shock as his outraged voice cried out to the world. I quote:

Destitution, destruction, and infamy of every description * * * Inexcusable excesses. * * * The richest part of Poland is being unceremoniously stolen from the Poles. * * * A system of interior deportations and zonings. * * * Stark hunger starves 70 percent of Poland's population in the face. * * * Jews and Poles are being herded into separate ghettos. * * * Famine is on the way * * *

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. TENEROWICZ. I yield.

Mr. KEEFE. I have been listening intently to the gentleman's statement. In the first part of the statement the gentleman indicated that Poland must have help and have help immediately. Now the gentleman is describing the situation in Poland. Does the gentleman intend, before he completes his statement, to indicate wherein he believes that help can be had and what the character of the help could be that it is possible to extend to Poland or Polish citizens, under the present situation?

Mr. TENEROWICZ. For the gentleman's information, I will say that the distinguished gentleman from New York [Mr. FISH] and the distinguished gentleman from Minnesota [Mr. ALEXANDER] have introduced bills for this same cause. I have also introduced a bill for the same cause. My bill calls for \$15,000,000. The bill which the distinguished gentleman from New York [Mr. FISH] and the distinguished gentleman from Minnesota [Mr. ALEXANDER] introduced calls for \$10,000,000. Does that answer the gentleman's question?

Mr. KEEFE. That is for the purchase of foods?

Mr. TENEROWICZ. That is for the purchase of foods and medical supplies, and so forth.

Mr. KEEFE. To be administered by the German Red Cross or to be administered through our Red Cross?

Mr. TENEROWICZ. Through the American Red Cross, or for relief, as it may be designated. The Red Cross, for the gentleman's information, does not distribute any food-stuffs.

Mr. KEEFE. Well, right there, I have understood that the American Red Cross has been prohibited from functioning in Poland.

Mr. TENEROWICZ. My understanding is that there is an understanding between the German Red Cross and the American Red Cross.

Mr. KEEFE. I am interested in the subject and if it can be done, I would like to have the gentleman explain. I do not want to interrupt the gentleman's speech, but I just want the gentleman to know that I am interested in that phase of it.

Mr. MACIEJEWSKI. Is it not a fact that there are committee hearings at the present time, and a suggestion has been made that a committee be appointed in the United States and sent there to help out those people?

Mr. TENEROWICZ. I think that is true.

Mr. DINGELL. Will the gentleman yield?

Mr. TENEROWICZ. I yield.

Mr. DINGELL. I might say that the bills which have been brought before the Foreign Affairs Committee have had only partial hearings. It is my impression, after discussion with the chairman of the Foreign Affairs Committee, Mr. BLOOM, that further hearings will be had, and possibly a composite bill brought out to bring relief to stricken Poland. All the details, of course, will have to be worked out. We do not know what cooperation we can get from the German Government as it is constituted today. We do know that the American Red Cross has not had any good fortune up to the present time, and such work as is going on has to be through cooperation with the German Red Cross. As the learned gentleman has stated, the Red Cross does not distribute food-stuffs, so that it might be necessary to work out a method and create a relief organization of some sort. Then it might be possible, and the precedents are ample for it—to send food-stuffs and clothing to the needy in Poland and distribute them through a relief organization that we establish for the purpose. For that reason it may be necessary for a committee bill to be brought out embodying all those ideas, and it is my impression, after conversation with the chairman of the Foreign Affairs Committee, Mr. BLOOM, that further hearings will be had and possibly a composite bill brought out for one purpose.

I am sorry to have taken up so much of the gentleman's time, but I am sure the chairman of the subcommittee will give the gentleman additional time.

Mr. TENEROWICZ. I thank my colleague from Michigan.

Meantime the executions of Poles in the western sections continues. Directly from the Polish Government information department in France I have a report of barbarous mass execution of 5,000 leading citizens of Polish Silesia. I have, too, the report from unimpeachable diplomatic channels of how the Bishop of Lodz, Monsignor Jasinski, was forced to sweep the square in front of the cathedral before a jeering group of storm troopers and members of the German minority.

The outrages that have been inflicted on the Jewish members of the population have been widespread and conducted with a degree of hate that has been murderous in the extreme. When I speak of Poland and Poles, however, it is to be understood that I speak also of the Jewish elements who have been part and parcel of Poland down through the centuries and who are now under the lash of common persecution being welded more closely into the interdenominational Polish family.

A report from Paris, dated January 2, informs us that these executions of Poles in the western provinces must be witnessed by the remaining members of the Polish population. This same source further reports that in Leszno, where 20 Poles were drawn up in a public square, the execution was witnessed by a great commandeered crowd, including many youths and children.

The Nazis make no exceptions to their iron-fisted edicts. Neither women nor children, men of God, nor custodians of the arts and sciences are being granted any immunity. Nazi repressions, in fact, are aimed chiefly at the educated classes.

For the first time since 1364, when it was founded 576 years ago, the doors of the University of Cracow have been closed, and all its staff of professors and assistant professors, numbering 160, have been confined in concentration camps "somewhere in Germany."

For, along with the destruction of home and family, the annihilation of Polish culture is one of the main objects of the Nazi campaign. Books from the great universities and public libraries of Warsaw were wantonly destroyed shortly after occupation. Of this I was informed last week by a person who departed Warsaw December 29 and who had been resident prior to and during the military attack on the city.

This same informant, who begs anonymity for fear of reprisals, related that on last Christmas eve, because a German resident met violent death, the Gestapo dragnet crossed the city and enmeshed 160 male members of the Polish population. My informant—and I judge him to be highly credible—asserts that in retaliation all of these 160 Poles, ranging in age from 12 years to 80, were put to death by firing squads. This, mind you, last Christmas.

According to another communique of the Polish Government Information Department, a list of 12 well-known prelates and priests, including Msgr. Leopold Bilko, administrator in Karvina, and Father Superior Francis Kaluza, administrator in Teshen West, were arrested and imprisoned in the small area of the diocese of Silesia.

The suppression of religious life in the country is proceeding methodically, as has been graphically pointed out by Cardinal Hlond. All Roman Catholic churches in Pomorze have been closed down. In all towns and villages, religious monuments and statues have been destroyed. Not even the wayside crosses on Polish roads are being spared. The Jewish synagogues, of course, were among the first targets of destruction.

Suicide—a crime unusual to the Polish population in normal times—is being practiced on a wholesale scale. So rife is this practice and so numerous the toll that of late the German-controlled press has featured in special columns the names of these self-destructed.

The Gestapo is omnipresent. Agents of this order of Nazi dishonor walk in pairs, and when meeting two persons engaged in conversation, hold them up, separate them for individual examinations, and then, however slight may be the omissions or digressions, the arrest of the pedestrians follows on the spot.

So vicious is the Gestapo reign that in Kutno they placarded the city with posters warning all inhabitants that "anyone smiling ironically or failing to take his hat off on meeting members of the German military forces or uniformed members of the National Socialist Party would be subject to severe punishment." "Severe punishment" in practice means in many instances the death penalty.

To emphasize this Gestapo reign of terror which now prevails in all Polish cities, I am going to take the liberty to read a Gestapo order which was posted in the city of Thorn (Torun) October 27, 1939, by the city police chief, Weberstedt, and smuggled out of the country and brought to my attention here in Washington. I quote from that order:

In order to hold back a part of the Polish population from behaving in a disrespectful manner, I hereby order the following:

(1) Polish citizens are to make way for the representatives of the German Army when they are distinguished by their uniform and armbands. The street belongs to the victors and not to the vanquished.

(2) Male Polish citizens are to tip their hats in front of the leading personalities of the state, party, and Army.

(3) The German greeting by raising the right hand and saying "Heil Hitler" is not allowed for Poles.

(4) In places of business and at market places the representatives of the German forces and their subordinates, as well as people of German blood, are to be served first. The vanquished are to be waited on afterward.

(5) The wearing of Polish student uniforms, caps with badges, etc., as well as the wearing of the Polish national emblem on the part of Polish railroad and post-office officials is forbidden.

(6) The assembling of groups on the street and at street corners, especially of young people, will not be tolerated.

(7) Anyone who speaks to and insults German women and girls will be exemplarily punished.

(8) Polish women who speak to Germans or annoy them will be brought to bordellos.

(9) All vehicles and bicycles are to be made visible in darkness by lamps and red tail light. Violations are to be punished and the bicycle confiscated. People are not permitted the use of these vehicles in darkness until they have complied with this regulation.

(10) It is absolutely necessary to take care of the demands [follow the orders] of the National Socialistic Motor Corps [traffic policemen]. Traffic regulations will be issued shortly.

In case Poles, who have not yet recognized that they are the vanquished and we are the victors, do anything against the above regulations, they make themselves liable to severe punishment.

Without digressing, I wish here to make a point which was very ably expressed recently by Oswald Garrison Villard, who said, "I have a far greater respect for the people of Germany than their own Government has for them." I share that sentiment.

I have noted, and I trust I have so conveyed the impression, that this entire, barbarous program of mass evacuation and assassination has been carried out by the Gestapo—the Nazi terroristic arm. And the reason for this, a ranking military official has informed me, is that the soldiers of the Reich could not safely be entrusted with so revolting a commission. The Gestapo and the so-called Elite Guards are the sole agencies for such matters of civilian "disciplining," if that is the proper word.

And somehow, despite all the Nazi's inhumanity to man, I find a small measure of hope in this fact: The Nazi philosophers who have figuratively torn the word "mercy" from their dictionaries, have not yet and never will, I trust, succeed in infusing the rank and file of Germany with their materialistic creed.

No, they cannot trust the young soldiers of the Reich to do their cowards' work for them. They must rely on their hand-picked terrorists and assassins—the like of whom we in this country could only muster were we, say, to open the doors of our State prisons and asylums for the criminally insane.

As evidence of what I am saying, émigrés from Cracow assert that immediately after the occupation of the city, the military police were recruited from Austrian elements of the Nazi Army. But this kind of policing did not work. These Austrians rebelled at their tasks and many deserted with the consequence that within a fortnight it was necessary that they be replaced by members of the Gestapo, imported from Brunswick. One of these Cracow eyewitnesses writes:

Following the arrival of the Gestapo the traffic was soon regulated with ruthless brutality. Passers-by were clubbed on the slightest pretext and it was a frequent sight to see women clubbed with rifles for merely crossing a street contrary to regulations.

The ancient and royal city of Cracow, which had been spared most of the ravages of the military destruction, is, it would seem from this, bearing its full share of the post-war horrors.

The professional classes and the office workers of Cracow and Warsaw, the middle classes in general, are described as being "abjectly destitute." Lawyers, doctors, and clerks—all those classes whose lives have been sedentary—suddenly deprived of incomes and savings, are forced to beg from the harder sections of the community the crusts of bread on which they survive.

The food shortage throughout the entire country has grown progressively worse from month to month. Poland in September had ample food, but the bulk of it, all informants agree, has by this time been transported into the boycott-harassed interior of the warring Reich.

Because I have referred exclusively to the German-occupied section of Poland is in no way intended to indicate that Russia is being negatively approved. The contrary is very much the case. My stressing of the German tyranny is simply due to the fact that while there has been some news from the western section, news from the Russian-occupied east has been almost totally absent. Such reports as have filtered through the diplomatic grapevine, however, indicate that the Russian zeal for "reconstruction" is equally ruthless as it moves ahead. The Russians have positively refused offers to cooperate with the Red Cross or any other humanitarian agency.

The American Red Cross, with approximately \$750,000 at its disposal, was until last week handling their job in Poland by remote control, in collaboration with the German and Polish Red Cross organizations. As you know, gentlemen, the Red Cross sphere is limited to medical and hygienic ministrations. In addition the Commission for Polish Relief, Inc., has succeeded in shipping into Poland 15,000 gallons of cod-liver oil and a quantity of evaporated milk. But food and clothing have not as yet gone in, and without these essentials millions who now cling to life by the scantiest of threads will have died before the summer sun looks down again on Poland.

That is why as a physician and as a Member of this Congress I am making this appeal for approval of my joint resolution to bring immediate aid to Poland.

There is ample precedent for such action, in no way running counter to our neutrality laws.

A great race, a race whose blood stream is insolubly mixed into our own American blood, faces near extinction unless succor is brought to her at once. It is not necessary to remind my hearers of the close bonds of sympathy that have linked America and Poland together for more than 150 years. Nor will it be necessary to remind them that our great Americans have been the heroes of young Poland throughout that span of time. I merely wish to assert as calmly as is possible that unless material aid is brought to Poland at once, the year 1940 will close on a chapter of starvation and disease such as the modern world has never before known. And I would be highly remiss in my duties as an American, who is much closer to the picture than the average, if I sat idly by in the face of such a catastrophe and said nothing when the time for action is now. [Applause.]

[Here the gavel fell.]

Mr. STEFAN. Mr. Chairman, I yield 20 minutes to the gentleman from Maine [Mr. BREWSTER].

Mr. BREWSTER. Mr. Chairman, I shall address myself for a few moments to the appropriation for the State Department and raise the question as to whether the matter I shall present, if it were typical of the practices of the State Department, would not justify refusing this Department any appropriation whatsoever. I believe the circumstances herein set out are calculated only to serve the purpose of foreign rather than domestic interests. I refer to the subject matter covered by my resolution of inquiry presented last week

and answered by the Treasury Department. In the reply it was stated that the so-called Newfoundland deal was initiated on the request of the State Department. The records of the Customs Department amply bear this out.

The Newfoundland deal to which I refer, copy of the act relating to which I hold in my hand, being that whereby the present government of the Dominion Colony of Newfoundland, provides for a grant by that government of \$200,000 to the General Seafoods Corporation, in return for which the General Seafoods Corporation agrees to employ Newfoundland fishermen in catching fish up in Newfoundland, to employ Newfoundland labor in the plant there provided on the coast of Newfoundland; and under the curious provisions of our Treasury regulations, as recently revised, those fish, almost entirely of Newfoundland origin and processing, are to enter the United States market duty free. In other words, an American fishery as now defined by our Treasury Department under the Customs Division is a fishery in which American fishermen may not be employed. So extraordinary a result has been secured by the State Department requesting that the Treasury should revise their current regulations and introduce a so-called Treasury decision. Under the treaty of 1818 it was provided that our fishermen might land their fish on the "uninhabited" coast of Newfoundland, "dry and cure them," and bring those fish back to the United States. It is a perversion of that ancient "treaty right" under which the General Seafoods Corporation today is going to be enabled, if the Treasury regulations initiated on the motion of our State Department shall stand, to enter our market absolutely duty free. This was accomplished by the simple addition on August 10, 1938, of the following language to the existing Treasury regulation as to what constitutes an American fishery. It formerly provided that it should be a fishery carried on under the American flag by an American vessel. Now they add these three lines:

And may include a shore station operated in conjunction with such vessels by the owner or masters thereof.

Mr. WOODRUFF of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BREWSTER. I yield.

Mr. WOODRUFF of Michigan. I am wondering if the Treasury Department has not exceeded its authority in putting into effect regulations of this nature? Has not the Treasury Department usurped the functions of Congress in doing this and bringing into this country something on the free list that ordinarily would be on the dutiable list?

Mr. BREWSTER. It is very interesting to note that on the question of the declared policy therein involved, three judges of the customs court seemed to consider that such action could not have been in the contemplation of Congress in any enactment of authority delegated to the customs. I quote from the decision of these judges some time ago:

To hold that these are the product of an American fishery—

Referring to a similar case—

would result in permitting any American to go to British territory, prosecute his calling solely through British employees, using British supplies, and bring himself within the clause of this statute permitting free entry. We think such was not the intent of Congress.

And I say that in the face of that clear judicial holding our customs department has now permitted the entry of these fish.

Mr. WOODRUFF of Michigan. Mr. Chairman, will the gentleman yield further?

Mr. BREWSTER. I yield.

Mr. WOODRUFF of Michigan. The gentleman stated a moment ago that the men employed in the plants processing these fish in Newfoundland may not be Americans; in other words, Americans were excluded from employment in those plants, as I understand.

Mr. BREWSTER. I would like to quote the precise language of the General Sea Foods Act, so-called.

Mr. WOODRUFF of Michigan. If the gentleman will yield, it would seem to me that under those circumstances

the Treasury Department has gone far afield, far beyond its duties and responsibilities and the powers granted it by the Constitution and the Congress.

Mr. BREWSTER. I would like to read to the gentleman the exact language of the Newfoundland statute. Remember, this is the Newfoundland law under which General Seafoods Corporation were to act.

To the extent that the same are reasonably available—

And I can assure you that they are always available—

only Newfoundland citizens resident at the time in Newfoundland—

They will not even permit a Newfoundland citizen who has come to this country to be employed. They are left here on our dole, for us to take care of—

shall be employed in the company's shore stations with the exception of the managerial and supervisory staffs.

And the same restriction applies with reference to people employed on the company's boats or vessels engaged in fishing within Newfoundland or in carrying merchandise from Newfoundland to the United States.

In other words, the very boat that brings these fish to New York or Chicago must employ Newfoundland residents.

Mr. TREADWAY. Will the gentleman yield?

Mr. BREWSTER. I yield to the gentleman from Massachusetts.

Mr. TREADWAY. As I understand it, these fish come in here duty free under the Treasury decision?

Mr. BREWSTER. They do.

Mr. TREADWAY. Under what provision of law is that permitted?

Mr. BREWSTER. Because they are defined as an American fishery under this extraordinary decision of the Treasury Department. An American fishery is defined as a fishery in which American citizens may not be employed.

Mr. TREADWAY. That is a pretty far-fetched decision, in my judgment.

Mr. BREWSTER. It seems to me fantastic in the extreme.

Mr. TREADWAY. Would that involve in any way the reciprocal treaties?

Mr. BREWSTER. No; not at all. As a matter of fact, the reciprocal-trade agreements reduced the duty on Canadian fish from 2½ to 1½, and that involves a determination that 1½ at least is a necessary duty, since it is not as low as might have been put into effect; yet this means the entire elimination of that protection which the reciprocal-trade authorities themselves have found to be essential.

Mr. TREADWAY. It is absolutely contrary to the reciprocal-trade treaty, which only permits a reduction of 50 percent?

Mr. BREWSTER. Yes.

Mr. TREADWAY. And it puts these fish on the free list?

Mr. BREWSTER. Absolutely.

Mr. TREADWAY. May I ask whether or not there is any connection between the State Department and experience in fishing? I had always supposed that the Bureau of Fisheries was a commercial proposition.

Mr. BREWSTER. I called on the Secretary of the Interior, Mr. Ickes, who has recently taken charge of that Department, and he told me he was completely ignorant of the whole affair. I suggested to him that if the State Department and Treasury Department, and, as I shall show in a minute, the Justice Department, were all concerned with fish, it would seem about time that he himself should have the matter brought to his attention, since there will be no American fisheries for him to supervise if there are not American fishermen.

Mr. TREADWAY. Does the gentleman know of any reason why there should be an expert on fish in the State Department?

Mr. BREWSTER. There has been nothing shown on that. As Dr. Grady stated to me this morning, those matters, of course, should be handled entirely by the Bureau of Fisheries or by the Customs.

Mr. TREADWAY. I hold in my hand a memorandum taken from the Fishery Service Bulletin. That is a recognized publication, as I understand.

Mr. BREWSTER. Yes.

Mr. TREADWAY. It says that—

Leo D. Sturgeon, Foreign Service officer of the Department of State, has been assigned to serve as assistant to Counselor R. Walton Moore. The primary duty of Mr. Sturgeon is to assist in the formulation of policy and in the coordination of action in the State Department on international aspects of fishery matters.

Can the gentleman conceive what that individual is going to do?

Mr. BREWSTER. The fact that there has been no such position heretofore seems to indicate that it had not been regarded as essential. Whether it is in dealing with situations of this character now, I do not know, but that designation curiously enough coincided with this Newfoundland deal.

Mr. TREADWAY. Does this bill that we are now considering carry any appropriation for such an official as that to which I have just referred?

Mr. BREWSTER. I would have to ask the members of the committee. You cannot discover it in any item any more than you can the designation of many of the officials down there.

Mr. TREADWAY. This item goes on to state:

This will involve the study and handling of problems concerning methods of regulating the fisheries and the foundation of arrangements for the conservation of international fisheries of concern to American interests. Mr. Sturgeon will act as liaison officer between the Department of State and other Government agencies.

He has not gone very far if Mr. Ickes himself, who is at the head of another department, does not know of the responsibilities of the office.

Mr. BREWSTER. There seems to be a complete lack of coordination with the Bureau of Fisheries and Mr. Ickes. There seems to be a close liaison between the State Department and Customs Department in engineering this Newfoundland deal. Mr. Grady stated he did not realize that it had been initiated in the State Department.

Mr. TREADWAY. Dr. Grady's main interest is the reduction of tariff to the extent of 50 percent, but the entire obliteration of the tariff is surely not within his province.

Mr. BREWSTER. I think he will recognize that before this is over.

Mr. TREADWAY. Are the appropriations under the reorganization bill included here so that if this position has been set up in the department we can find what the man's salary is and what his duties are?

Mr. BREWSTER. I think it is within the appropriation for the State Department, as well as all of these newly designated positions.

Mr. TREADWAY. It is put in such general terms that you cannot particularize and find out about any one particular job?

Mr. BREWSTER. I know a careful examination has been made of the hearings and we cannot discover some of these new officials.

Mr. RABAUT. Will the gentleman yield?

Mr. BREWSTER. I yield to the gentleman from Michigan.

Mr. RABAUT. The question was asked about Mr. Sturgeon. I may say he is an officer in the Foreign Service Division.

Mr. BREWSTER. Yes.

Mr. RABAUT. And he has been assigned to this particular activity.

Mr. BREWSTER. The question is why this designation should come at this time? He had formerly been vice consul in Japan. The first time he became an expert in fisheries is when he went to Alaska a few years ago. Now, why is it necessary to create this particular type of office?

Mr. RABAUT. We are not informed why this particular office has been established at this particular time, but he is a Foreign Service officer in charge of this work now.

Mr. BREWSTER. We are very much concerned on account of this Newfoundland deal, which we feel has been

too greatly stimulated by the State Department. It is not the business of that Department to interfere in matters of this kind.

Mr. KNUTSON. Is it not safe to assume that anyone named "Sturgeon" is an expert on fish?

Mr. BREWSTER. He certainly should be able to qualify.

Mr. BATES of Massachusetts. Will the gentleman yield?

Mr. BREWSTER. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. The gentleman's statements are disturbing to all of us who are interested in fishing and who are opposed to encroachments upon the fish industry of the United States. Can the gentleman tell the Members of the House how it should come to pass that no publicity has attended the operation of this situation whereby the Treasury Department apparently throws wide open the markets of the United States to foreign products without any duty whatever in competition with the products of the fishermen of this country?

Mr. BREWSTER. I think it certainly is proper that the gentleman from a district including Gloucester should be concerned about the significance of this secret and sinister operation by which this change was brought about without public notice or hearing of any character, although it was nicely calculated to destroy the fish industry of New England. This constitutes to me one of the most serious aspects of the whole affair. I presented a resolution of inquiry 1 week ago asking the Treasury Department why they made this change. They replied, as you will find in the RECORD, that the State Department requested it, and that the General Seafoods Corporation filed a lengthy brief of 140 printed pages to persuade them. For 6 long months pressure was brought to bear to bring them to make that change. Then they promulgated this ruling, under which the American market is to be flooded.

Mr. BATES of Massachusetts. This ruling was promulgated, as I understand, with a decision of the court to the contrary?

Mr. BREWSTER. I have read the decision of the court, in which three judges said that the Congress could never have intended such a consequence.

Mr. BATES of Massachusetts. By such action of the Treasury Department they have circumvented the decision of the court?

Mr. BREWSTER. It would so appear.

Mr. BATES of Massachusetts. In respect of the General Seafoods Corporation, the gentleman mentioned some operations on the Newfoundland coast. How were they going to carry on those operations? Was there an understanding with the Newfoundland Government, and has this been publicized in Newfoundland?

Mr. BREWSTER. In December this Act No. 49 was published. As you may understand, the Newfoundland Government is now under a commission. The people of Newfoundland have no authority. They are under control of a commission designated from London. The government is now operated by His Excellency, Vice Admiral Sir Humphrey Thomas Walwyn, Knight Commander of the Most Exalted Order of the Star of India, Knight Commander of the Most Distinguished Order of St. Michael and St. George, Companion of the Most Honourable Order of the Bath, Companion of the Distinguished Service Order, Governor and Commander in Chief in and over the Island of Newfoundland and its dependencies. In other words, that gentleman has promulgated this agreement, and the citizens of Newfoundland, themselves, did not even have full knowledge of what was going on, and protested the performance.

Mr. BATES of Massachusetts. What happened between the Newfoundland Government and the Sea Foods Corporation?

Mr. BREWSTER. A gentleman went up there and negotiated this deal in secrecy. Then he was able to persuade the State Department to ask the Customs to change their rulings in order to make it possible, and finally secured the promulgation of this act.

Mr. BATES of Massachusetts. In regard to the operation of the plant in Newfoundland, let us make it clear as to what the Newfoundland Government is doing by way of subsidizing this plan or providing any money. What has been done in that respect?

Mr. BREWSTER. Two hundred thousand dollars is furnished to build this plant in Newfoundland, with a provision that only Newfoundland labor will be employed. Hon. Robert Ewbank, the Commissioner of Natural Resources, had this to say in a public address:

The advantages which Newfoundland would gain through this concession are obvious, as well as the employment of Newfoundland fishermen and labor. The southwest coast certainly needs help, since large numbers of the population in this region are now on the dole.

If the fishermen up there are on the dole, what about the 19,000 fishermen of New England who will be put on the dole by the provisions of this act?

Mr. ENGEL. Mr. Chairman, will the gentleman yield?

Mr. BREWSTER. I yield to the gentleman from Michigan.

Mr. ENGEL. This is apparently the same kind of policy that was followed 2 years ago, when the Committee on Appropriations brought out a bill appropriating \$1,000,000 for the Surplus Commodities Corporation to buy 10,000,000 pounds of surplus fresh and frozen fish. On investigation I found that we had shipped in from Canada and foreign countries, during 1937—the first year under the Canadian reciprocal-trade agreement—155,229,330 pounds of fresh and frozen fish, and that we had shipped in under the treaty during January 1937, 12,918,000 pounds. In other words, here we were shipping into this country 13,000,000 pounds of fresh and frozen fish a month and at the same time spending \$1,000,000 of the taxpayers' money to buy back 10,000,000 pounds of fish surplus.

At that time I made the statement that in the olden days when we used to call a State hospital an insane asylum they had certain old-fashioned tests of sanity. One of the tests was that they would put the so-called patient into a room in which there was a water faucet, turn on the faucet, and give him a mop and a water pail. If the patient turned the faucet off before he mopped up the floor they knew he had some sense, but if he kept mopping up the floor with the faucet running wide open, they knew he was crazy. Yet here we are appropriating \$1,000,000 to buy up a fresh and frozen fish surplus with the Canadian fish faucet running wide open to the tune of 13,000,000 pounds a month. I said then and I say now that of all the cockeyed, crazy, asinine policies, this is the worst. Apparently the policy to which the gentleman is referring falls into the same category.

Mr. BREWSTER. It is going somewhat further, because we did have a 2-cent tariff and now we are going to wipe that out; in other words, the man is not only going to leave the faucet running, he is going to open it up a couple of turns.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield further?

Mr. BREWSTER. I yield.

Mr. BATES of Massachusetts. Under the Canadian trade agreement entered into a short time ago, the duty on filleted fish, and that, after all, is the type of fish in which we are interested in this discussion, was reduced from 2½ cents a pound to 1½ cents a pound. Is not that correct?

Mr. BREWSTER. Yes.

Mr. BATES of Massachusetts. Is there any estimate as to the number of pounds this organization in Newfoundland must manufacture each year in order to get the benefit of that \$200,000 plant?

Mr. BREWSTER. They obligate themselves to provide 15,000,000 pounds, processing over 30,000,000 pounds of fish each year within the first 3 years.

Mr. BATES of Massachusetts. Thirty million pounds a year?

Mr. BREWSTER. Yes; that is what the plant is designed for.

Mr. BATES of Massachusetts. What does the gentleman understand the domestic production of that fish is in the United States?

Mr. BREWSTER. I should have to defer to the gentleman from Massachusetts on that, but I think that around 7,000,000 to 10,000,000 pounds of frozen fillets is what the market has been absorbing until recently. I have the figures for the total.

Mr. BATES of Massachusetts. I have them here and will put them in the RECORD later.

[Here the gavel fell.]

Mr. STEFAN. Mr. Chairman, I yield the gentleman from Maine 10 more minutes.

Mr. BREWSTER. It might be suggested that our fish supplies were being depleted. If there is such a suggestion, I am pleased to point out that in the past 10 years the fish landings along the New England coast have increased by 25 percent and the per-pound price has decreased 25 percent. What warrant can there be then for importing vast quantities of fish from Newfoundland or elsewhere when we have a record of that kind as to the service rendered by the fishermen of the United States?

Mr. GIFFORD. Mr. Chairman, will the gentleman yield to me to make this suggestion?

Mr. BREWSTER. Yes.

Mr. GIFFORD. The gentleman's presentation is typical of the whole administration policy, is it not?

Mr. BREWSTER. I think it would be a fair statement that we could give many other examples.

Mr. GIFFORD. We are going to buy fish cheaper, are we not?

Mr. BREWSTER. I should think so.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield for just one question?

Mr. BREWSTER. I yield.

Mr. TREADWAY. I realize the gentleman has been very generous with his time, and my question is this: Is the operation of this Newfoundland outfit aimed at supplying the American market?

Mr. BREWSTER. There is no question about it. There have been statements made that it was to go to England; but, as a matter of fact, the entire record at the Customs Bureau shows clearly that the principal objective of this agreement is to supply the American market with its fish; and if it were not for that, the project would not interest them.

Mr. CONNERY. Mr. Chairman, will the gentleman yield?

Mr. BREWSTER. I yield to the gentleman from Massachusetts.

Mr. CONNERY. Of course, the gentleman knows that I have already joined with him in protesting about this matter, but does not this question enter into the matter also? This General Seafoods Corporation is taking advantage of the substandard labor conditions which exist in Newfoundland today.

Mr. BREWSTER. Unquestionably.

Mr. CONNERY. And they intend to bring this fish into this country as against the higher standards of wages paid in this country, especially in New England.

Mr. BREWSTER. It is a perfect illustration of the point for which the gentleman himself has contended.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. BREWSTER. I yield.

Mr. MARCANTONIO. Will the gentleman tell the House what the position of union labor is on the matter?

Mr. BREWSTER. The business agent of the Fisherman's Union in New England has been fighting this from the start and has been undertaking to secure prosecution of what he contends to be monopolistic practices in this trade, and thus far has been able to get no consideration or redress whatsoever.

I now want to call attention to the fact that there is a United States customs form which provides that before they can bring fish into our market they must furnish an affidavit

that they are of American origin, and I want to state that the customs are going to be obliged to revise that form, because as the General Seafoods point out, under that form, they could not bring in the fish. In other words, they must not only change our regulations but they are obliged to revise the Treasury forms of the United States in order to permit the entry of these fish. You may say that anybody could take advantage of it. As a matter of fact, no other concern can, because Newfoundland grants to them an exclusive monopoly in this entire operation. Whether or not this comes within the inhibitions of our conspiracy laws and monopolistic practices is certainly for the Justice Department seriously to consider.

Mr. WOODRUFF of Michigan. Mr. Chairman, will the gentleman yield to me just once more?

Mr. BREWSTER. I yield.

Mr. WOODRUFF of Michigan. Failing to come under the Conspiracy Act, does not the gentleman believe it offers grounds upon which might be based proceedings that could be inaugurated by the House—impeachment proceedings of a public official?

Mr. BREWSTER. I certainly think there should be at least an inquiry about this entire matter, and I trust the Members of this House will avail themselves of the privilege of examining the records of the customs to see how this was brought about.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield to me?

Mr. BREWSTER. I yield to the gentleman.

Mr. HINSHAW. Is this General Seafoods Corporation a part of the General Foods Corporation?

Mr. BREWSTER. It is a subsidiary of that corporation.

Mr. HINSHAW. And who is one of the largest stockholders in that corporation might be of interest to the United States.

Mr. BREWSTER. I will leave the gentleman to inquire about that.

Mr. HINSHAW. Was he a former Ambassador to Russia?

Mr. BREWSTER. I think it is in his family, and I think he is now an official of the State Department.

Mr. HINSHAW. Oh, I see. What job does he have in the State Department?

Mr. BREWSTER. I have not been able to discover. He is a special assistant to the Secretary of State; and I want to say in justice to Mr. Joseph Davies, who is the gentleman to whom I presume the gentleman from California refers, as a member of his family is one of the largest stockholders in General Foods and a director thereof, that I have no evidence to indicate that he himself participated in this, and I certainly should be reluctant to think that the gentleman would use his official position for this purpose.

Mr. HINSHAW. I would be very reluctant to think so.

Mr. BREWSTER. I trust there will be no difficulty about securing the rescinding of this Treasury decision and the reconsideration of this matter that we desire, and that in this request we shall be supported by all the officials concerned in the State Department.

Mr. HINSHAW. I would hope so.

MAINE BLUEBERRIES AND LOBSTERS

Mr. BREWSTER. I wish to mention one more point. While the primary impact of this is on the deep-sea fisheries of New England, it also involves the handling of blueberries and lobsters, industries vital to my section of our country. As the lobsters are coming in free from this enormous processing plant, and the blueberries, which are in undoubted abundance on the coast of Newfoundland, are also to have facilities so available, it will mean a further dumping of American citizens in the eastern part of the country on the dole, as their blueberry market may be entirely wiped out.

In conclusion, aside from the gentleman to whom reference has been made, Mr. Gardner Poole is the chairman of the Fisheries Advisory Committee here and a director of this concern, and Mr. Francis, the president, recently issued a very glowing speech on how to solve the unemployment problem, in which he said it was the duty of great concerns to see to it that the youth of America were given a chance for

jobs. How American youth are going to get a job when we help Newfoundland citizens to the exclusion of our great fishing industry beggars imagination.

Mr. Chairman, we are filing today, Members from New England on both sides concerned with this situation, a petition asking the Customs Bureau to rescind this decision made without hearing, made without notice of any character to the great fishing industry of this country, and give an opportunity to be heard on this subject; and I hope that not only the Treasury Department but the State Department that initiated this change, including Dr. Grady, in charge of trade agreements, and all other officials concerned, including Mr. Sturgeon, will join with the Members of Congress in asking that at least American fishermen and the fishing interests shall have an opportunity to be heard before their industry is entirely wiped out. [Applause.]

SELF-RELIANT FISHERMEN

The fish industry has few friends—at least in the Government. Fishermen are a self-reliant lot; they have asked for little, preferring to face their own problems and to solve them in their own way. But while farmers are receiving showers of checks from the Treasury, the unemployed industrial workers receiving jobs to fill in time, and striking for more, the fishermen receive not benefits but penalties, hindrances, and oppression. These take many forms.

The fish industry contributes its share of the taxes, which are often used to benefit its competitors, the farmers, the producers of fruits and poultry, the dairymen, and cattle growers, to help tenant farmers to buy land to produce more food, to build power plants to electrify his home and buy electrical gadgets for him to use. Fishermen and the fish industry get few, if any, of these benefits for which they help to pay.

Even in the distribution of food products by the Federal Surplus Commodity Administration to the unemployed under the stamp scheme fish is specifically excluded by the terms of the regulations under which the distribution is made. The money with which these surplus commodities are purchased comes in part from taxes paid by the fish industry. The free distribution of foods to the needy at public expense is a moderate benefit to the producers in removing surpluses, but more in bringing them, to some extent, before these people who would be in position to purchase the same product themselves when they are restored to private employment. This modest benefit is denied to the fisheries.

The reciprocal-trade agreements are a serious matter to producers of codfish and haddock in the New England States. The great bulk of these fish are filleted and Canada is at present the source of practically all imported fillets. The figures available to the Ways and Means Committee in 1930 showed that our Canadian neighbors could produce fillets at a cost of 2½ cents per pound cheaper than American producers could at Boston, and accordingly the duty was fixed at 2½ cents per pound in the Tariff Act of 1930, which duty, as exactly as possible, compensated the difference in cost of production. It put no penalty at all on Canadian producers, it merely put them on a parity with our own producers and gave them the same opportunity in our markets as our own fishermen had.

These facts were all presented in detail at a hearing held by the State Department before the British and Canadian trade agreements were negotiated. In these three-cornered negotiations the Canadians were insisting on a reduction in the duty on fillets from 2½ to 1¼ cents per pound, which would give them an advantage over our own fishermen of 1¼ cents, even though they already enjoyed an equal opportunity in the American markets.

UNITED STATES GETS APPLESAUCE?

When the agreements were finally signed the United States yielded 25 percent of the duty, or five-eighths cent per pound, on fillets up to 15,000,000 pounds and received a 50-percent cut on the duty on apples into England. So the Canadians at once acquired an advantage of five-eighths cent per pound over our own fishermen.

Since these trade agreements were signed, however, the exchange value of the Canadian dollar has declined by 13 percent—and seems headed further downward—enabling the Canadians to sell fillets for 87 of our cents here and get 1 of their dollars in exchange for it. The combination of reduction in duty granted by the trade treaty and decline in exchange of the Canadian dollar together make the present protection of our own fisheries only 65.3 percent of what it was before, so that Canadians now have 34.7 percent, or seven-eighths cent per pound advantage over our own people on a product which sells at 7 to 12 cents per pound wholesale. Now, since whole fish yield about 42 percent of their weight in fillets, this reduction of seven-eighths cent on fillets is equivalent to three-eighths cent a pound of whole fish, and the 15,000,000 pounds of fillets is equivalent to 36,000,000 pounds of whole fish, so the concession amounts, so far as Canada alone is concerned, to \$135,000 per year advantage over our own fishermen in the New England States. The 36,000,000 pounds of whole fish is the production of 10 large trawlers employing about 200 men; the 15,000,000 pounds of fillets would require the skilled labor ashore of another 100 men to cut, wrap, pack and ship, sell, and so forth, involving a pay roll of more than \$150,000 per year, and a total of some \$300,000 per year thrown to Canada from here.

But, in addition to this, many of the duty concessions granted by Great Britain to the United States on our exports to England and Canada in return for our concessions have disappeared. For example, the English have put an absolute embargo on apples since the outbreak of war and their purchases of tobacco and other farm products are all but discontinued.

ONE-SIDED DEAL

Canada therefore enjoys one-sided privileges granted including the 25-percent cut in duty on fish shipped into the United States, even though this was one of the concessions made to help the apple growers and other producers of American commodities with their English markets. So even the advantages for which the fisheries, among other industries, are penalized, have disappeared and the intended beneficiaries no longer receive the benefits.

FRUIT OF "SMART" TRADING

Let it be said that the fishermen do not begrudge the help the farmers receive from the Government. No complaint of this is heard anywhere from the fishermen. What they fairly object to is downright hindrances and oppression—the opposite of help from the Government, which does not aid the farmers or anybody else.

This "smart" trading on our part is now beginning to bear its inevitable fruit, in the moving of our own industries to more hospitable Canadian and Newfoundland soil. Announcement has been made of the construction of a fish-processing plant at Caraquet, New Brunswick, Canada, by the Gorton-Pew Fisheries of Gloucester, Mass., and the Mid-Central Fish Co., of Kansas City, Mo., to operate as Gorton-Pew (New Brunswick) Ltd. According to reports, the new plant, designed and built by Canadian architects and engineers, will be subsidized to the extent of \$200,000, and is designed to produce 50,000 pounds of cod fillets per day; or a capacity of 10,000,000 fillets if we assume as little as 200 operating days per year. In 1937 the United States produced 78,123,303 pounds of fillets of cod, haddock, hake, and pollock fillets, valued at \$7,514,943.

As the duty now stands under the trade agreements, the production of this subsidized plant will, of course, have the advantage over our own fishermen and shore labor of the five-eighths cent in reduced duty, and also the discount on the Canadian dollar now amounting to 13 percent, the two together amounting to a total advantage of about seven-eighths of a cent.

Even before these changes, we in the United States had already been generous in the Tariff Act of 1930; the duty was fixed at the then prevailing difference in cost of production and the Canadians and Newfoundlanders already had a crack at our market equal to that of our own fisher-

men, while industry and agriculture generally were protected by more than the differences between domestic and foreign costs.

Two of the important products of the fisheries, viz, fish meal and cod-liver oil, which are used by farmers as poultry and livestock feeds, and fertilizers, were both put on the free list.

CLEVER CIRCUMVENTING

A clever means of circumventing this provision of the law has been discovered by our Canadian neighbors, and also, as we shall see later, by our Newfoundland friends as well. This is to furnish the money out of the public funds of the treasury to pay for the land and for construction and equipment of the plant in which fish are to be processed. For example, at the Caraquet, New Brunswick, plant the Dominion of Canada reportedly is putting up \$75,000 cash out of general appropriation to the Department of Marine and Fisheries, which was intended for promotion and development of the fisheries in Canada. This sum goes directly toward the construction of a \$200,000 plant. The remaining \$125,000 is to be in the form of bonds, the interest on which is guaranteed by the Government of New Brunswick. All of this \$200,000 is spent in Canada in employing architects, engineers, skilled labor, and the purchase of machinery and material.

The American fish company which will operate the plant starts off with a big subsidy in the form of a capital investment. If this capital had to be raised by a bond issue, it would cost at least 6-percent interest on this type of investment, and depreciation of at least 5 percent would have to be charged, a total of, say, 11 percent, or \$22,000 per year. If the production of the plant is 10,000,000 pounds per year, the capital subsidy of \$22,000 per year is equivalent to twenty-two one-hundredths cent per pound of fillets. Add this to the eighty-seven one-hundredths cent advantage arising from the duty concession to Canada and the depreciation of the Canadian dollar and there is 1.09 cents a pound direct advantage the Canadian plant will have over our own fishermen.

In this country, those who wish to go into or expand a fish business must find and risk their own money for land, buildings, equipment, fishing boats, and pay rolls. Is it any wonder that American fish companies move to Canada and Newfoundland?

The Dominion of Canada aids its fishermen by direct subsidies. From the ninth annual report of their department of fisheries for 1938-39, page 12, it is stated that in that year total cash payments of \$471,106.20 were made to eastern Canadian fishermen to replace gear which had been destroyed by storms. The Dominion paid \$369,443.57, the Provinces of Nova Scotia, New Brunswick, Prince Edward Island, and Quebec paid the rest.

NOT FOR NEW ENGLAND FISHERMEN

No one has heard of payments to New England fishermen for gear damaged in the hurricane of 1938. In the same year—report, pages 15-16—cash bounties paid to fishermen in the Maritime Provinces by the Dominion Government were \$159,982.70. The sum of these direct cash subsidies in Canada is \$631,083.90, or one-eighth cent per pound for all fish caught in eastern Canada, including bait, herring, and everything. This is equivalent to three-tenths cent per pound of fillets. Add this to the total benefits of duty concessions, currency depreciation, direct subsidy for building the plant; we get the grand total of 1.39 cents per pound direct advantage Canadian fishermen now have over New England fishermen, workers, and employers. Fishermen in the Maritime Provinces also received loans from the Dominion and Provinces of \$386,424.38.

But even though this new American-Canadian enterprise operates with foreign labor at low wages, with the advantages of having its capital furnished by Canadian Government subsidy, and supplied by fishermen directly subsidized with cash from the Dominion Treasury, and having the additional advantage of depreciated foreign currency and, on top of all that, reduction of the United States duty itself under the

reciprocal agreement, it will still have to pay some, though inadequate, duty when its manufactured fish products are imported into the United States.

The move by another large American fishing company to Newfoundland will not only have all these advantages but a practical monopoly on its operations in Newfoundland, and, in addition, will pay no duty at all when its fish are brought into the United States.

This is the most remarkable piece of political "shenanigans" to be performed under the benign influence of our policy of tariff reductions.

HANDLED VERY QUIETLY

It has been done so quietly as, so far, to attract no public notice, and even the fishing industry in New England and elsewhere, whose interests are vitally at stake, hardly yet know much about it. Apparently, neither do any of our several Government bureaus in Washington. At least, there is no public record showing that they have taken the slightest degree of interest in this "Newfoundland deal" except perhaps to help it along.

The commission of Government of Newfoundland signed, on November 28, 1939, a contract with General Sea Foods Corporation, of Boston, and on December 6, 1939, officially confirmed, approved, and adopted it as Act No. 49, known as the General Sea Foods Corporation Act. Under this act, General Seafoods has the right to select a site for a fisheries enterprise on the southern shore of Newfoundland between Ramea and La Poile.

DETAILS OF NEWFOUNDLAND DEAL

The Government of Newfoundland agrees to acquire the site selected, and General Sea Foods is to build and equip on the site a plant for freezing and packaging fish, including cod, haddock, salmon, lobsters, scallops, and all other kinds of sea life, and also blueberries. It also has the right to install equipment for making oil and fish meal, for smoking, pickling, canning, salting, and curing fish, and also to establish additional plants elsewhere on the coast.

After the plant is built, Newfoundland will reimburse General Sea Foods in cash all of the cost of the plant up to \$200,000—including the cost of the land. All building sub-contractors are to be Newfoundlanders insofar as possible. The plant is to have floor space sufficient to process not less than 30,000,000 pounds of marine products a year and is to be equipped at once with freezers, and so forth, to process not less than 10,000,000 pounds annually; at the end of the second year it must be equipped to freeze not less than 15,000,000 pounds, and at the end of the third year not less than 20,000,000 pounds annually. The company agrees to operate the shore station substantially continuously, and in the third and subsequent years it will process not less than 15,000,000 pounds of marine products per year.

LOW RENTAL CHARGE

When the plant is built, Newfoundland will lease it to the corporation for \$100 a year for 2 years, and thereafter for the next 20 years for 5 percent of the cost of land and building. Newfoundland further agrees not to charge any duty on building materials, office furniture, and machinery going into the plant—with some exceptions for materials obtainable in Newfoundland; and it will give 100 percent drawback of all duties on imported paper, boxes, cellophane labels, advertising matter, and so forth. The rule governing these duty exemptions in Newfoundland seems to be generally that everything that can be made by Newfoundland labor or bought in Newfoundland must be so made or bought; what is unobtainable in Newfoundland may come in duty free. Newfoundland expressly discriminates against all other American persons and companies, and makes all this practically a monopoly to General Sea Foods by agreeing that it will for 3 years give no financial assistance to any other United States person or firm on that coast—but retains the right so far as all other nationalities are concerned—neither will it give any financial assistance or duty exemptions or make any other concessions to any other concern for 22 years within a 15-mile radius of La Poile, which is the only decent ice-free harbor on the coast.

WILL HIRE ONLY NEWFOUNDLANDERS

Now, what does General Sea Foods agree to do in return for these aids, concessions, and monopolies? It agrees to operate the plant substantially continuously and, from the third year on, to process not less than 15,000,000 pounds of marine products per year; to buy or acquire from Newfoundland fishermen a quantity of marine products equivalent to the production of its own trawlers; it agrees not to employ any labor in its plant, other than supervisors, except Newfoundland citizens resident at the time in Newfoundland, and it further agrees not to employ any fishermen other than resident Newfoundland citizens on its fishing boats, or on its own vessels transporting the products to the United States, except officers required by United States laws.

SEEK UNITED STATES MARKETS

Despite claims of some people that the output largely will be shipped to England, the evidence points to the contrary.

The Newfoundland deal is aimed directly at the United States market; the provisions for employing crews on transport vessels specifically refer to vessels going to United States markets; another paragraph specifies "that no codfish, haddock, or like fish; split, salted, and wet or dry cured in Newfoundland shall, unless the Government permit, be marketed by the company elsewhere than in the continental United States of America." Of course, Newfoundland has markets of her own for salt cod in the tropical countries, including Puerto Rico, Haiti, and the Virgin Islands, and does not want them disturbed. She wants to export only to the United States and is willing to pay for the privilege. She insists upon exclusively Newfoundland labor to be employed in building the plant and operating it. She demands her citizens do all the fishing, not only on Newfoundland boats but also on American trawlers that may be brought there for fishing, and also on American boats transporting the fish to the American market. Newfoundland has no trawlers. No New England fishermen, not even those now fishing for General Sea Foods out of Boston, nor shore workers in their own plant, can go to Newfoundland and get a job with this enterprise even if they were willing to work for the much lower Newfoundland wages.

HUNDRED-MILLION-DOLLAR COMPANY

General Sea Foods certainly cannot be said to need the \$200,000 assistance for building the plant. They are a subsidiary of General Foods, a New York corporation of about \$60,000,000 capital and about \$20,000,000 surplus, and often are described in the press as a "\$100,000,000 corporation." Then why does Newfoundland, a poor little country of 284,872 inhabitants—1935 figures—mostly fishermen, raise \$200,000 to help out a "hundred million dollar" American corporation? Is it of the nature of a bond and mortgage required by General Sea Foods to insure itself of the privileges and monopoly of the contract for 22 years? Such easily can be inferred from public utterances of Newfoundland officials.

SHREWD DEAL FOR NEWFOUNDLAND

So far, this deal, while of grave import to American fishermen, may be regarded as good shrewd business for the Newfoundlanders in buying their way into the American market—without disturbing their salt-fish market elsewhere—at a cheap price, and finding much-needed employment for their labor in the bargain; it may also, up to this point, be regarded as good business for General Sea Foods, in seeking a good source of raw material, produced by labor at much lower cost than can be had at home without social-security taxes and the obligations of the United States wage and hour laws and other labor legislation with little or no risk of its own money, exemption from Newfoundland duty on machinery and packing materials; freedom from real-estate taxes; and a monopoly if the enterprise succeeds.

If this were all, our American fishermen and fish workers might perhaps have to grin sourly and admit that a fast one had been put over on them. But there is much more: It is not intended that this production by foreigners, in a foreign factory, financed by subsidy of a foreign government and built by foreign workmen, manned by foreign labor, filleting, freezing, and packing fish that are caught by foreign

fishermen on either American or foreign boats, and transported to the United States by foreign crews, all of whose wages are paid in depreciated foreign money—it is not intended that any duty at all will be paid on this production in entering the ports of the United States in competition with our own fishermen, workers, and owners. Everything about the enterprise from start to finish is foreign except the ownership of the company and a few trawlers.

WHAT MAGIC LOOPHOLE?

Through what magic loophole is this proposed duty-free entry in the United States of fish arranged? Has any new formula been discovered by which American corporations can hunt one of the cheapest foreign spots in the world and get their capital from foreigners, then produce and bring the products into the United States of America without risk, and scot-free of any duty, in spite of all the tariff laws?

No; not exactly; that is, for nothing except fish from Newfoundland. How is the trick done there? The magic words are "the Convention of 1818."

On October 20, 1818, a treaty or convention was concluded between His Britannic Majesty and the United States of America, cleaning up some old "hang-over" disputes resulting from the War of 1812 between the United States and Great Britain. These included such things as property and damage claims; settling the boundary line between western Canada and the United States; settling old quarrels with Newfoundland fishermen, arising out of the custom of our Grand Banks salt-cod fishermen going ashore on the desolate, uninhabited coast of Newfoundland to salt and dry their fish before putting them back aboard their boats to bring them to Boston, Gloucester, or Portland.

AN OLD FISHING TREATY

Article I settled that matter finally, and it is quoted here in full, the other articles being about other things:

CONVENTION OF 1818

ARTICLE I

Whereas differences have arisen respecting the liberty claimed by the United States for the inhabitants thereof, to take, dry, and cure fish on certain coasts, bays, harbors, and creeks of His Britannic Majesty's Dominions in America, it is agreed between the high contracting parties that the inhabitants of the said United States shall have forever, in common with the subjects of His Britannic Majesty, the liberty to take fish of every kind on that part of the southern coast of Newfoundland which extends from Cape Ray to the Rameau Islands, on the western and northern coast of Newfoundland, from the said Cape Ray to the Quirpon Islands on the shores of the Magdalen Islands, and also on the coasts, bays, harbors, and creeks from Mount Joly on the southern coast of Labrador, to and through the Straits of Belleisle and thence northwardly indefinitely along the coast, without prejudice however, to any of the exclusive rights of the Hudson Bay Co.; and that the American fishermen shall also have liberty forever to dry and cure fish in any of the unsettled bays, harbors, and creeks of the southern part of the coast of Newfoundland hereabove described, and of the coast of Labrador; but so soon as the same, or any portion thereof, shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such portion so settled, without previous agreement for such purpose with the inhabitants, proprietors, or possessors of the ground. And the United States hereby renounce forever, any liberty heretofore enjoyed or claimed by the inhabitants thereof, to take, dry, or cure fish on, or within 3 marine miles of any of the coasts, bays, creeks, or harbors of His Britannic Majesty's Dominions in America not included within the above-mentioned limits: *Provided, however,* That the American fishermen shall be admitted to enter such bays or harbors for the purpose of shelter and of repairing damages therein, or purchasing wood, and of obtaining water, and for no other purpose whatever. But they shall be under such restrictions as may be necessary to prevent their taking, drying, or curing fish therein, or in any other manner whatever abusing the privileges hereby reserved to them.

This simply worded treaty means just what it says, no more, and—United States Treasury officials please note—does not mention or imply any shore station. It merely is a grant of a privilege by Great Britain to the fishermen of the United States. It permits them to take fish on the coasts of Newfoundland between specified points; it also grants them the right to go into the unsettled bays, and so forth, within these boundaries, to dry and cure their fish; but when these regions are settled the permission of the settlers must be obtained. The United States renounces the right to go ashore anywhere

else to dry or cure fish, but may do so for fuel, water, repairs, and so forth. The treaty clarified the issue by permitting inhabitants of the United States to fish, cure, and so forth, in certain parts of the coast, and prohibiting them to do so elsewhere.

The United States assumes no obligation whatever by the terms of this treaty—certainly nothing in it guarantees to admit the fish duty free into this country. If, outside this treaty, any consideration was granted or given to Great Britain by the United States in return for the privileges granted to the United States, it was, in any event, to benefit American, not foreign, fishermen. It remained a purely domestic question with us whether the temporary landing of American fish in Newfoundland would make it dutiable here. Since only American fishermen were involved from beginning to end, the British, of course, were not concerned with any rules we might make governing our own fishermen. But, obviously, since the operations were truly American from beginning to end, the fish would not be dutiable.

INTENDED FOR "SAIL" ERA

An understanding of the conditions prevailing in 1818 will make it easier to understand the intent of the treaty. In 1818 only sail was used to propel ships. Steam and gasoline engines were unknown. Artificial refrigeration was not developed until 75 years later—even ice did not come into use for temporary preservation of fish for another 20 years.

Fishing schooners, known as salt bankers, loaded up at Gloucester, Boston, or Portland with food, salt, dories, hooks, and lines. Two men manned each dory rowboat. They went to the Grand Bank off Newfoundland, and other banks or shallow places, where the dorymen rowed out from the schooner and fished with hand lines. They brought their fish daily to the mother schooner, split and salted them down in the hold until they had a load. In that foggy, cold climate the process was difficult. The fish needed spreading out on rocks in the air in order to dry. This is what "dry and cure" means. There was not enough room on the deck of the ship—hence the great convenience of being allowed to go ashore to do this drying. When the season's catch of fish was again all stowed away below, the schooner and crew returned to Gloucester, Boston, or Portland.

ONLY AN EXCUSE

The 1818 treaty quoted and explained above turns out to be the flimsy excuse seized upon by an American company, with the apparent approval of our Treasury Department, to operate a completely alien and foreign subsidized enterprise in Newfoundland and still bring its product into this country duty-free. A word in the law here, a slight change in the Treasury Department decisions there, and the whole thing is miles away from the original intent of the treaty. What was meant to be a convenience to our sail and salt-cod fishermen in 1818 turns out to be the means of enabling a wealthy corporation to operate steam trawlers with Newfoundland fishermen, to employ Newfoundland fishermen in their own boats to catch fish, employ Newfoundland labor to operate an elaborate plant, with refrigerating and quick-freezing machinery powered by Diesel engines and electric motors, to fillet and package in cellophane and transport to the United States in steam- and Diesel-powered refrigerated ships, manned by Newfoundland crews, and to enter our markets duty-free.

Here is how this astonishing and disturbing development came about: First, as said, the fishing operations comprehended in the treaty were 100-percent American. The boats were American built and owned in Maine and Massachusetts; the masters and crews were American; their catch was, of course, American; the crews that caught the fish also split and salted them at sea and dried them when they went ashore; then they brought their catch home in their own boats. The fish never were anything but American, and so, of course, could not be assessed any duty.

A TECHNICALITY

But there remained the technicality that the fish, before being brought into the United States, actually had been in

Newfoundland, so, just to make it sure, it seemed to the Congress of 1930 desirable to state specifically in the tariff law that this fact was not to be construed so as to alienate the fish and make them dutiable.

This provision is found in the present tariff law:

Art. 489. Free entry authorized.—Definition. (a) Tariff Act of 1930, paragraph 1730 (a) (free list):

All products of American fisheries (including fish, shellfish, and other marine animals, and spermaceti, whale, fish, and other marine animal oils) which have not been landed in a foreign country or which, if so landed, have been landed solely for transshipment without change in condition: *Provided*, That fish the product of American fisheries (except cod, haddock, hake, pollock, cusk, mackerel, and swordfish) landed in a foreign country and there not further advanced than beheaded, eviscerated, packed in ice, frozen, and with fins removed, shall be exempt from duty: *Provided further*, That products of American fisheries prepared or preserved by an American fishery on the treaty coasts of Newfoundland, Magdalen Islands, and Labrador, as such coasts are defined in the convention of 1818 between the United States and Great Britain, shall be exempt from duty.

CAMEL "NOSES INTO TENT"

Here the camel of foreign competition first puts the tip of his nose in the tent. First, the law says the obvious, that American fishing boats can land their fish in the United States without paying duty. It also says that they may do so if their catch has been landed in a foreign port purely for shipment by rail or vessel to the United States.

DEEPER INTO TENT

But, then, the nose of the camel gets a little further into the tent, for it is provided that the product of American fisheries, if it is not cod, haddock, hake, pollock, cusk, mackerel, or swordfish, cannot only be landed but can also be beheaded, gutted, packed in ice, frozen, and fins cut off and still enter the United States without paying duty. This permits western fishermen of salmon, halibut, ling, and black cod to land their catches at Prince Rupert or Vancouver, British Columbia, and do all this preparation and preservation, including freezing, by foreign labor and then ship them to the United States free of duty.

But Atlantic coast fishermen cannot land and preserve their catches at Halifax or Yarmouth, Nova Scotia, because all of the important North Atlantic species of fishes are forbidden this privilege by law. This is peculiar phraseology at best. If the intent was, as appears, to permit western fishermen the convenience of landing salmon and halibut at Prince Rupert, to which our New England fishermen would have no objection, one would expect the law to grant this privilege to salmon and halibut by name and to forbid it to all others. But it is in reverse; it permits this privilege to any kind of fish whatever produced anywhere, except cod, haddock, and so forth—all the important North Atlantic species—which are denied it. Not that it makes so much difference in itself, for on this coast fishermen have had no great need to land in the Canadian ports, and Canadian laws forbid it, anyway; the important thing is that this provision of the law, designed for western fishermen, provides a shadow of excuse for the Treasury, by its decisions and interpretations, to let the whole camel into the tent, as we shall see.

MAY "DRY AND CURE"

The final proviso of the law puts fish from the treaty shore of Newfoundland on the free list, but where the treaty of 1818 permitted American fishermen to "dry and cure" their fish on that coast, the tariff law of 1930 says they may be "prepared or preserved," and it does not say what "prepared or preserved" means, nor does it say whether the work of preparation or preservation must be done by the American crews of the landing boats or whether it may be done by foreigners. It does say, however, that this duty-free privilege extends only to the products of American fisheries, but it does not say what an American fishery is. It therefore becomes necessary—that is, necessary to the pending Newfoundland deal—for the Treasury Department to supply the missing definitions and interpretations, and here is where the whole camel creeps bodily into the tent.

A STUDY IN PARALLELS

The Treasury Decisions, article 489, interpreting paragraph 1730 (a), Tariff Act of 1930, as they stood in Customs Regu-

lations, 1937, are shown in the left-hand column below. On August 12, 1938, a new set of definitions and interpretations of (b), (c), (d), and (f) was issued as Treasury Decisions 49682 and appears in the right-hand parallel column below:

CUSTOMS REGULATIONS, 1937

(b) Fish or other marine products taken in American waters or on the high seas by American vessels or by residents of the United States, whether Americans or aliens, in undocumented vessels and brought into port by the vessel taking the same are not imported from a foreign port and no entry therefore is required.

(c) American fishery within the meaning of said paragraph is defined as a fishery operated under the American flag by American vessels in foreign waters, in which such vessels have the right, by treaty or otherwise, to take fish and other marine products.

(d) The employment of foreign fishermen either as members of the crew or under the supervision of the master or crew of an American vessel is allowed. The purchase by the owner, agent, master, or crew of an American vessel, of fish or other marine products taken by the citizens of another country in foreign waters will subject such fish or other marine products to treatment as foreign merchandise.

(f) Marine products taken by American vessels will be entitled to free entry, although prepared, preserved, or otherwise changed in condition on board an American vessel, provided the work is done by the master and crew of such vessel, or by persons employed by them for the purpose.

TREASURY DECISION 49682

August 12, 1938

(b) No entry is required for fish or other marine products taken on the high seas by vessels of the United States or by residents of the United States in undocumented vessels owned in the United States, when such fish or other products are brought into port by the taking vessel.

(c) An American fishery, within the meaning of paragraph 1730 (a), is defined as a fishing enterprise conducted under the American flag by vessels of the United States on the high seas or in foreign waters in which such vessels have the right, by treaty or otherwise, to take fish or other marine products and may include a shore station operated in conjunction with such vessels by the owner or master thereof.

(d) The employment of citizens of a foreign country by an American fishery is permissible but the purchase by an American fishery of fish or other marine products, taken by citizens of a foreign country on the high seas or in foreign waters, will subject such fish or other marine products to treatment as foreign merchandise.

(f) Products of an American fishery will be entitled to free entry although prepared, preserved, or otherwise changed in condition provided the work is done at sea by the master or crew of the fishery or by persons employed by and under the supervision of the master or owner of the fishery. Fish (except cod, haddock, hake, pollock, cusk, mackerel, and swordfish) the product of an American fishery, landed in a foreign country, and there not further advanced than beheaded, eviscerated, packed in ice, frozen and with fins removed, will be entitled to free entry, whether or not such processing is done by the American fishery. Products of an American fishery prepared or preserved on the treaty coasts of Newfoundland, Magdalen Islands, or Labrador, as such coasts are defined in the convention of 1818 between the United States and Great Britain will be entitled to free entry only if the preparation or preservation is done by an American fishery.

In the new decision (b) is changed in appearance but not in fact. The offensive words "whether Americans or aliens" are left out, but the paragraph means the same thing as it did before.

ABOUT THE "SHORE STATION"

In paragraph (c) is made the all-important change of adding the words "and may include a shore station operated in conjunction with such vessels by the owner or master thereof." No such privilege existed in or was contemplated by the Treaty of 1818, nor does it exist in any act of Congress. It is a bit of important legislation enacted by the Treasury. The operation of "drying and curing" of 1818 is now "preparing or preserving" and "American fishermen"

who received the privilege in the Treaty of 1818 now become by act of the Treasury Department "master or owner" and the owner may live in New York if he likes. And, in the case of the Newfoundland deal, the owner is the great New York corporation of General Foods Corporation.

Paragraph (d) is not changed materially but smoothed out and made to sound better by changing "foreign fishermen" into "citizens of a foreign country." This paragraph really did not need any change to fit the Newfoundland deal, which seems evidenced when we compare to subclauses 2 (b) and 3 (c) of the General Sea Foods Corporation Act A. D. 1939, No. 49.

TREASURY DECISION 49682

August 12, 1938

(d) The employment of citizens of a foreign country by an American fishery is permissible, but the purchase by an American fishery of fish or other marine products taken by citizens of a foreign country on the high seas or in foreign waters will subject such fish or other marine products to treatment as foreign merchandise.

GENERAL SEA FOODS CORPORATION ACT

December 6, 1939

(2) (b) That the company shall acquire, either by the takings of fishermen employed by it or by purchase from Newfoundland fishermen, fishing vessels, or fish dealers, or by both, in each year of operation, a quantity of marine products equivalent in weight to the quantity of marine products landed at its shore stations by the company's trawlers (such quantity of marine products being hereinafter referred to as "the nontrawler quota"). The nontrawler quota shall be marine products: (i) taken from the sea otherwise than by trawler; (ii) other than salmon, lobsters, scallops, crabs, squid, or caplin; and (iii) other than herring, except that herring taken for food purposes may be included in any nontrawler quota exceeding 10,000,000 pounds, but only to the extent of not more than 10 percent of the excess of such quota over 10,000,000 pounds. During the period preceding the first year of operations the company shall, if it is reasonably possible to do so, conform to the nontrawler quota.

(3) (c) That the company shall at all times pay fair wages to all persons employed by it in the operation of the American fishing enterprise covered by this lease and the general agreement, and, in particular, that the wage rates of such employees shall be not less favorable than those generally paid in Newfoundland in similar employments; that fishermen employed (with or without their boats and gear) by the company shall be guaranteed a minimum daily wage and shall be paid in addition a bonus based upon their production; and that both shore station employees and fishermen employees shall be entitled, to the same extent as is the case with fishermen and shore employees employed by said General Seafoods Corporation at its shore station in Boston in the Commonwealth of Massachusetts and United States of America, to the benefits of the industrial relations policy set forth in the publication entitled "Employee Relations in General Foods," published the 19th day of April A. D. 1937 (a copy of which has been deposited with the Government), as in effect on the date hereof or as may be from time to time hereinafter amended:

DOES NOT BUY

Here we see that the American corporation need not "buy" but "acquires" and does not pay a price, but "guarantees a minimum wage," and pays a "bonus" based upon production. This makes the Newfoundland deal fit the law so as to admit the fish duty-free into the United States. Perhaps the records of the Treasury or State Departments may reveal who is responsible for this too-clever juggling of words, opening the door to future competition with American fisheries.

But to return to the Treasury decisions. That first sentence of paragraph (f) of the new Treasury decision adds the "owner" to the "master" and removes the crew, as persons who may supervise the preparation, preservation, and so forth, aboard the vessel, without making the product dutiable. Furthermore, the Treasury decision is again changed to fit the General Seafoods deal, which provides for the employment of Newfoundland crews exclusively. The second sentence of the new paragraph in the Treasury decision (right, below) goes well beyond the law (left):

TARIFF ACT, 1930

Paragraph 1730

Provided, That fish the product of American fisheries (except cod, haddock, hake, pollock, cusk, mackerel, and swordfish) landed in a foreign country and there not further advanced than beheaded, eviscerated, packed in ice, frozen, and with fins removed, shall be exempt from duty.

TREASURY DECISION

August 12, 1938

(f) * * * Fish (except cod, haddock, hake, pollock, cusk, mackerel, and swordfish) the product of an American fishery, landed in a foreign country, and there not further advanced than beheaded, eviscerated, packed in ice, frozen and with fins removed, will be entitled to free entry, whether or not such processing is done by the American fishery.

The Treasury says that operations ashore need not be an American fishery at all for any sea products other than cod, haddock, pollock, hake, cusk, mackerel, and swordfish. This interpretation seems to be the intent of the law. Lobsters, scallops, salmon, and the like, the product of an American fishery, can be dressed, iced, or frozen in a foreign country by foreign labor, and yet enter the United States duty free. But an American fishery, according to (c) and (d), includes a shore station which need be only operated by the "owner or master" of a vessel flying the United States flag, and may employ foreign labor, and the fishermen may be foreign, too, as long as they are paid "wages and bonuses" and fish are not "bought" from them.

IF DONE BY AMERICANS

Likewise, the last sentence of paragraph (f) says that products of an American fishery (including cod, haddock, etc.) from the Newfoundland treaty coast are entitled to free entry "only if the preparation or preservation is done by an American fishery." This is the first time that Newfoundland treaty shore fisheries have been mentioned in Treasury Department decisions. To get the force of it, compare:

THE LAW (TARIFF ACT, 1930, ART. 489)

* * * *Provided further*, That products of American fisheries, prepared or preserved by an American fishery on the treaty coasts of Newfoundland, Magdalen Islands, and Labrador, as such coasts are defined in the Convention of 1818 between the United States and Great Britain, shall be exempt from duty.

For which purpose, an American fishery was defined by tariff acts and by treasury decisions:

UP TO AUGUST 12, 1938

ART. 489 (c). American fishery within the meaning of said paragraph is defined as a fishery operated under the Ameri-

TREASURY DECISION

August 12, 1938

(f) Products of an American fishery prepared or preserved on the treaty coasts of Newfoundland, Magdalen Islands, or Labrador, as such coasts are defined in the Convention of 1818, between the United States and Great Britain will be entitled to free entry only if the preparation or preservation is done by an American fishery.

SINCE AUGUST 12, 1938
(T. D. 49682)

(c) An American fishery, within the meaning of paragraph 1730 (a), is defined as a fishery enterprise conducted under

UP TO AUGUST 12, 1938—CON.

can flag by American vessels in foreign waters in which such vessels have the right, by treaty or otherwise, to take fish and other marine products.

SINCE AUGUST 12, 1938—CON.

the American flag by vessels of the United States on the high seas or in foreign waters in which such vessels have the right, by treaty or otherwise, to take fish or other marine products and may include a shore station operated in conjunction with such vessels by the owner or master thereof.

Reduced to its simplest terms, this new decision says that anybody anywhere who owns, charters, or hires a boat which flies the American flag and carries on a fishing enterprise anywhere it has a right to take anything out of the sea, is an American fishery. The shore station has been added and it need not be owned, but rather this made-to-order Treasury Decision No. 49,682 says is sufficient only that it be operated by the owner or master of the vessel. The owner may be a foreigner, he may be merely a charterer of the vessel, as well as a foreigner, in which case the master may operate the shore plant.

PART OF AMERICAN FISHERY

Before August 12, 1938, foreigners could be employed in the crew of an American vessel but since August 12, 1938, they may also be employed in the shore station, because the shore station either owned or merely operated by the owner or master of the vessel is part of an American fishery.

Continuing with the Treasury decision:

BEFORE AUGUST 12, 1938
Article 489

(d) The employment of foreign fishermen either as members of the crew or under the supervision of the master or crew of an American vessel is allowed. The purchase by the owner, agent, master, or crew of an American vessel of fish or other marine products taken by the citizens of another country in foreign waters will subject such fish or other marine products to treatment as foreign merchandise.

SINCE AUGUST 12, 1938
(T. D. 49682)

(d) The employment of citizens of a foreign country by an American fishery is permissible, but the purchase by an American fishery of fish or other marine products taken by citizens of a foreign country on the high seas or in foreign waters will subject such fish or other marine products to treatment as foreign merchandise.

DECISION DOVETAILS PERFECTLY

This decision dovetails perfectly into the Newfoundland deal, which is to employ only Newfoundlanders at sea, in the shore plant, and in transporting the product to the United States.

FROM THE GENERAL SEAFOODS CORPORATION ACT, NEWFOUNDLAND, NO. 49, DECEMBER 6, 1939

Lease, clause 5 (3):

(a) That to the extent that the same are reasonably available, only Newfoundland citizens resident at the time in Newfoundland shall be employed in the company's shore stations, with the exception of the managerial and supervisory staffs thereof.

(b) That to the extent that the same are reasonably available, only Newfoundland citizens resident at the time in Newfoundland shall be employed by the company in its boats or vessels engaged in fishing out of Newfoundland or in carrying merchandise from Newfoundland to the United States of America or elsewhere, with the exception of such officers or members of the crews as may be required by the laws of the country of registry to be citizens thereof.

NO AMERICANS WANTED

By a circuitous route the Treasury has now arrived at a definition of an American fishery as a foreign fishery in which the employment of American labor is forbidden.

It is now possible for an American corporation or anybody else who owns or charters a boat under the American flag to send one trawler or dragger to Newfoundland with Americans only as the officers required by United States law to be licensed; the crew are all required to be Newfoundlanders. It is an "American fishery," and may operate but need not own, a shore plant subsidized and built by the Newfoundland Government at a rent of 5 percent and no depreciation to be charged. In this plant all the labor, except supervisors, must be Newfoundland citizens, and they work at low Newfound-

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land wages, and these wages paid in depreciated Newfoundland currency. In the United States, fishermen and workers are entitled to the privilege of working if they are residents. In this deal they must be Newfoundland citizens.

The corporation can then go ahead and hire all the Newfoundland fishermen and boats it likes, guarantee them \$1 per day and a bonus of so much per pound for the fish they catch. This avoids "buying" fish and permits the product to come into the United States duty free—all in the name of the Convention of 1818. The dollars guaranteed as wages and paid as bonuses are Newfoundland dollars worth at the present writing, 87 American cents. The finished product is then shipped to the United States in boats whose crews are all Newfoundlanders and entered duty free.

But, one might say, these privileges are free to any and all American companies which might wish to take advantage of them. So far as the United States Treasury is concerned, this is true. But competition from others is shut off by other Newfoundland expedients.

FIRST "GET YOUR \$200,000"

In the first place, to carry on a similar enterprise, another company would first have to raise \$200,000. If it could sell 5-percent bonds in this amount, it would have to pay 5-percent interest. But it would also have to depreciate the property by at least another 5 percent in order to pay off the bonds when they mature. In the General Seafoods deal, the corporation pays only 5 percent as rent, and no depreciation; if it decides to quit, it pays back to Newfoundland only half of the investment less any and all rent already paid. This would be equivalent, in the case of a bond issue, to the privilege of canceling all outstanding bonds at any time, by paying back one-half of their face value less interest paid to date. A fine market for such bonds.

IRONCLAD SAFEGUARDS

However, the attorneys for the General Seafoods Corporation did a most workmanlike job in persuading the government of Newfoundland to issue many other iron-clad safeguards against possible competition. Following are some of the rights granted exclusively to General Seafoods Corporation as quoted directly from the Act No. 49 itself:

5. (1) The Government agrees:

(a) That no discriminatory law or regulation (whether special or general in form) for the control, restriction, regulation, or taxation of the company or its property or business shall be enacted or enforced; and

(b) That no export or import duty or any other tax (excepting only any export tax of general application on salt fish levied expressly for promoting the Newfoundland industry) even though of general application, shall be assessed upon or collected from the company in respect of marine products landed at the shore station, or in respect of such products and/or any byproducts thereof (with or without packaging) shipped overseas from the shore station, or in respect of vessels, boats, and/or gear comprised in the American fishery to be established under this agreement; and

(c) That no present or future law or regulation, even though of general application, with respect to immigration into Newfoundland, shall be so enforced or construed as to prevent the employment by the company at the shore station of a managerial and supervisory staff of other than Newfoundland citizens and residents, or the employment upon its vessels of such citizens of the United States of America as the laws thereof may require; and

(d) (i) That no present or future law or regulation even though of general application shall be so enforced or construed as to exclude from trading between Newfoundland points, vessels documented under the laws of the United States of America and owned, leased, or chartered and operated by the company so long as they carry coastwise no cargo except goods the property of the company received on board at or for delivery to a shore station of the company and as long as the company operated one or more shore stations in Newfoundland and is liable to taxation in Newfoundland;

(ii) That no such law or regulation shall be so enforced or construed as to subject such vessels trading as in 5 (1) (d) (i) above or trading between Newfoundland and foreign ports to more onerous terms, conditions, or taxation than those to which vessels operated in like manner may be subjected being of Newfoundland registry and operated by a person, firm, or corporation of Newfoundland nationality so long as such vessels trading as aforesaid do not, except with the consent of the Government from time to time, carry from Newfoundland any cargo except goods the property of the company received on board at a shore station of the company.

(2) Subject to the foregoing and to the provisions of clauses 6 and 7 hereof, it is agreed that all Newfoundland laws or regulations of

general application, whether now or hereafter in force, shall apply to the company.

6. No import duty or other tax shall be assessed or collected upon the importation into Newfoundland by the company of any of the following personal property necessary to the building, finishing, or fitting of the shore station pursuant to subclauses (2) and (6) of clause 3 hereof, or to the erection of additional buildings and structures or the installation of additional machinery and fixtures pursuant to subclauses (9) and (10) respectively, of said clause (but not in substitution of new for old), namely: plans, specifications, drawings, building materials (except the following: lumber of all kinds and sizes produced in Newfoundland; wooden windows, doors, and casings therefor, sashes, moldings, stairs, and the like millwork obtainable in Newfoundland in sizes, of qualities, and at prices satisfactory to the company; nails, and paints), tools (except hand tools), furniture, fixtures, and machinery (including office furniture, fixtures, and machinery); and equipment: *Provided, however, That the duty concessions granted by this clause 6 shall continue for the term of this agreement.*

7. For the period of 22 years next following the completion of the shore station pursuant to subclause (2) of clause 3 hereof and notwithstanding any present or future law or regulation with respect to import duties and the draw-back thereof, the company shall, upon production of proof of exportation, be entitled to receive from the Government the draw-back of 100 percent of the Newfoundland import duty paid upon all unglazed kraft paper, cardboard, or corrugated paper containers, waxed and parchment papers, transparent cellulose wrapping papers, labels, strapping wire, excelsior packing, show cards, advertising material, and other packing materials shown by the company to have been imported and used by the company in the packing and exportation of marine products or byproducts thereof or of food products (other than sea foods) of Newfoundland origin processed at the shore station or on board any vessel of the company comprised in the American fishing enterprise covered by this agreement.

10. The Government agrees that the rights, privileges, and immunities inuring to the company under clauses 5, 6, and 7 hereof by virtue of and with respect to the principal shore station covered by this agreement shall also inure to the company by virtue of and with respect to any one or more additional shore stations which the company, with the prior approval in writing of the Government in each instance, may purchase, lease, or otherwise acquire.

DENY RIGHTS TO OTHERS

An equally thorough job was done in the matter of denying rights to all others who might seek to do what is so graphically and perhaps inelegantly described as seeking to "muscle in."

RIGHTS DENIED TO ALL OTHERS

8. For the period of 3 years next following the date of this agreement, unless the company shall have forfeited its rights hereunder at any earlier date, no Government moneys shall be expended in the assistance of any United States of America, person, firm, or corporation (whether operating directly or operating indirectly through another person, firm, or corporation) in financing the erection or operation of a plant, either afloat or ashore, for the handling, freezing, or processing of marine products for food purposes on that part of the southwest coast of Newfoundland between Ramea and La Poile, both included.

9. (1) The Government agrees that it will not, for the purpose of inducing or aiding the erection or operation of any shore station comparable in kind with the company's shore station within a radius of 15 miles therefrom, and notwithstanding that the company's shore station may be located at or within 15 miles east of La Poile, give to any person, firm, or corporation:

(a) Any financial assistance, or any concession of any kind, either of the general nature of those contained in clauses 6 and 7 hereof or otherwise; or

(b) Any undertaking to restrict the Government's future freedom of action, either of the general nature of those contained in clause 5 hereof or otherwise.

(2) This clause 9 shall be in effect for the period of 22 years next following the commencement of the lease provided for in clause 4 hereof; but it shall not in any event apply to the port of Rose Blanche notwithstanding said port may be within the 15-mile radius above defined.

Thus the United States Treasury has provided duty-free entry for products of an enterprise alien in everything but a small part ownership, alien in all the raw material, alien in practically all the labor, and alien in the fixed capital, while Newfoundland has provided the rest in making it impossible for any other American citizens to avail themselves of our Treasury's generosity.

CAMEL NOW "ALL WAY IN"

The camel is now in the tent—nose, head, neck, body, hoofs, and tail.

How did this amazing situation come about?

Until 1933 Newfoundland was a Dominion of the British Commonwealth of Nations, but got into financial difficulties,

and on December 2, 1933, its Parliament voted approval of the recommendations of a British royal commission to relinquish dominion status. A royal commission of government, headed by a Governor, Admiral Sir Humphrey Thomas Walwyn, of the British Navy, took office on February 15, 1934.

In prospectus No. 1244, dated May 4, 1933, filed by General Foods Corporation with the S. E. C., the statement is made that General Foods Corporation planned to spend about \$7,000,000 in 1933 from its new preferred stock issue, one of the items of which was given as "approximately \$125,000 to be used together with an estimated \$200,000 to be advanced by the Province of Newfoundland for construction at La Poile Bay, Newfoundland, of a plant for processing and quick freezing of fish."

ANNOUNCED 2 YEARS AHEAD

There is more significance to that statement than first appears in a reading of a supposedly routine financial statement filed with the Securities and Exchange Commission. We learn the astounding fact that fully 2 years before the formal agreement had been signed General Foods already was confidently counting its chickens—or baby fish—before they had hatched. The company lets the "cat out of the bag" by naming La Poile as the site, despite the fact that the formal agreement 2 years later omits the location, which, under terms of the agreement, is to be decided within 2 months. Furthermore, the company in its S. E. C. prospectus No. 1244 has taken for granted, and fairly definitely so announces, that the Newfoundland Government intended to furnish \$200,000.

DEAL NOT IN UNITED STATES OF AMERICA'S INTEREST

The economic aspects will readily show that this deal is not in the interest of the United States or of its citizens. Fish are not among those products that are unobtainable in the United States or obtainable in insufficient quantities to meet our needs. The United States is already the second largest fish-producing country in the world, with an annual yield of over 4,000,000,000 pounds, a value of \$100,000,000 annually, and employing 129,544 fishermen. Our fisheries are exceeded only by Japan in volume, but even exceed Japan slightly in value. The statistics of fish production of the principal fishing countries of the world are shown in the following table:

Production of fish by countries

[Statistics compiled by Division of Fisheries Industries, U. S. Bureau of Fisheries; published in Fishing Gazette, annual review number, vol. 56, No. 10, p. 113, December 1939, New York]

Country	Year	Fishermen engaged	Fishing craft	Production	
				Quantity by pounds	Value
England, Scotland, Ireland, Wales	1937	11,717	4,808	2,514,001,000	\$81,124,000
Germany	1938	30,000	20,000	1,596,919,000	41,518,000
France	1937	78,989	23,201	788,400,000	45,537,000
Norway	1937	115,000	74,580	1,721,131,000	20,260,000
Denmark	1938	—	—	189,544,000	8,732,000
Netherlands	1938	17,570	3,443	498,260,000	10,779,000
Canada	1937	69,967	40,471	1,091,805,000	23,195,000
Sweden	1938	22,000	16,000	242,000,000	6,914,000
Soviet Union	1933	250,000	—	2,866,000,000	86,000,000
Japan	1936	1,102,502	366,267	8,107,816,000	100,807,000
United States of America and Alaska	1937	129,544	70,962	4,352,549,000	100,845,000

ADDING TO NEWFOUNDLAND'S WEALTH

This deal is not in our interest from the point of view of national wealth. The economics of fish, after they are landed and as they pass through the channels of trade and distribution, do not differ from the economics of other commodities; but in the sources the economics of the fisheries differ from all other commodities. The waters from which ocean fish are taken are not privately owned, they are not even publicly or nationally owned, but are international. Fish are not fed or cultivated and have no value until they are caught. Their value begins to accrue to the fishermen at the time of capture and adds to the national wealth of the home country of the fishermen. Every pound of fish caught on the high seas by American fishermen immediately adds its corresponding value to our national wealth, and it is not a part of our

national wealth until it is captured and landed. If it is first landed in Newfoundland by their fishermen and prepared by their labor, it is then Newfoundland national wealth; and if it is imported into the United States, we must buy it from Newfoundland by the payment to Newfoundland of other forms of our own national wealth.

WILL INJURE AMERICAN LABOR

This whole situation, obviously, is directly contrary to the interests of American labor. In the past few days their representatives began their own independent survey of this Newfoundland deal. They were astounded at the details, especially at the so-called fact of an American fishery ruling which prohibits Americans from fishing, doing shore work, transporting goods, and so forth. What their considered opinion of this whole "fishy" deal is may be made known by their leaders after they complete their own investigation.

Because high-seas fish are not privately owned and are subject to no form of control or monopoly, 100 percent of their value when landed represents the labor expended on catching them—including the labor of building, equipping, and supplying boats. Since in both the Canadian and Newfoundland deals it is contemplated to employ almost 100-percent foreign labor both at sea and ashore, the entire pay roll, or value of the fish, will be transferred from American labor to foreign labor. Fisheries labor at Boston is unionized, both at sea and ashore. Newfoundland fisheries labor is unionized neither at sea nor ashore, and fisheries wages are far lower in both Canada and Newfoundland than they are in New England. American fishermen who may be thrown out of a job by reason of General Seafoods' move to Newfoundland cannot even go there to get a job, because the deal requires all employees—except supervisors ashore and officers of vessels—to be citizens resident at the time in Newfoundland.

NO JOBS EVEN FOR THEM

What is even now little realized by labor-union members and the clerical forces ashore is that not even the present staff of employees of the General Seafood Corporation in Boston could obtain jobs on this so-called American fishery.

LIST 19,000 NEW ENGLAND FISHERMEN

According to the latest report of the Bureau of Fisheries, the New England fisheries, with which the Newfoundland and Canadian enterprises compete directly, employ 5,023 fishermen on vessels, and 13,426 men ashore, a total of 18,449; they operate 621 steam and motor vessels with an aggregate of 22,051 tons, and 9,086 boats. This business is simply being thrown away. The seriousness is even greater when we consider the accessory industries—the net and twine workers, cans, boxes and paper, boats and engines and their supplies, ship chandlers, ice and cold storage plants, truckers and railways, shipyards, and all the industry attendant upon fishing. It is no exaggeration to say that the New England fisheries cannot compete with the foreign enterprise herein described.

SEEK CHEAPER LABOR?

The object of these moves to Canada and Newfoundland obviously is in part for the purpose of taking advantage of cheaper labor. This may be illustrated by the relative prices of fish at Boston and in Newfoundland. The approximately average going price of codfish in Newfoundland is about 1 cent—Newfoundland—per pound, gutted and beheaded, or about 0.7 cent—Newfoundland—equivalent to 0.61¼ United States cent per pound gutted with heads on. The prevailing price of codfish at Boston ranges from 2 to 4 cents per pound, gutted, heads on. The difference is in the compensation paid to labor.

LET JAPAN DO IT?

If it is the purpose of our Government to get fish cheaper, we could probably do an even better job by turning all our fisheries over to the Japanese who are willing to work for even lower wages than the Newfoundlanders.

All of this comes at a time when Boston fish production is near its all-time peak of quantity and at the lowest prices since records are available, as the following figures, from the United States Bureau of Fisheries, will show:

Production, value, and average prices of all fish landed at Boston (U. S. Bureau of Fisheries)

Year	Quantity	Value	Average price per pound
	Pounds		Cents
1914.....	92,231,172	\$2,609,887	2.83
1915.....	97,397,285	2,888,354	2.96
1916.....	98,254,638	3,695,994	3.72
1917.....	98,154,629	5,122,568	5.17
1918.....	109,227,021	6,556,383	6.05
1919.....	103,208,770	4,698,747	4.56
1920.....	118,301,802	6,114,468	5.17
1921.....	104,277,324	4,183,760	4.02
1922.....	106,032,203	4,013,211	3.78
1923.....	123,962,419	5,418,752	4.37
1924.....	130,966,256	5,401,590	4.12
1925.....	149,038,498	6,104,278	4.08
1926.....	167,317,826	7,002,602	4.19
1927.....	194,940,789	7,371,542	3.78
1928.....	218,353,464	8,804,569	4.03
1929.....	255,623,174	10,730,903	4.19
1930.....	285,212,778	10,868,671	3.81
1931.....	219,929,313	7,905,934	3.59
1932.....	215,527,504	\$5,364,667	2.48
1933.....	232,606,799	6,091,584	2.61
1934.....	254,964,480	7,107,403	2.89
1935.....	307,306,862	7,732,607	2.52
1936.....	339,222,669	9,588,054	2.83
1937.....	324,593,127	8,467,716	2.61
1938.....	318,730,876	7,622,929	2.39

(These figures are given for the purpose of showing the trend of prices over a period of years. They are somewhat higher than cod, haddock, etc., alone would be, because they include certain fancy fish like lemon soles, swordfish, etc.)

We are now ready for a little calculation. If one examines the cost of fish in Newfoundland, coupled with the subsidy provided by the Newfoundland deal, and then includes the difference in labor costs between Newfoundland and New England, it will be clear that the total advantage of labor and materials in favor of Newfoundland will be approximately 4.05 cents per pound, without any protective duty whatever, on products selling at from 7 to 15 cents per pound. Producers do not average more than 1 cent per pound gross profit even at these prices.

According to these figures, Canada enjoys a direct advantage in our market of 1.39 cents and Newfoundland an advantage of 4 cents per pound. Canada has the right to bring in 15,000,000 pounds and Newfoundland is planning up to 15,000,000 pounds of fillets, and capable of unlimited expansion, so that total destruction of the New England fisheries is imminent.

DISCRIMINATION AGAINST CANADA

Moreover, there is a gross discrimination against Canada in favor of Newfoundland. The trade agreements carry the most-favored-nation clause, but, under the umbrella of the convention of 1818, Newfoundland products will be admitted duty free while Canada will be required to pay a duty of 1½ cents per pound of fillets.

These deals are not in the interest of the conservation of our own natural resources. As a resource ocean fisheries are naturally self-replacing. True, ocean fish can be temporarily reduced in abundance by overfishing, but they cannot be exterminated by fishing for profit, because the profits disappear and the fishermen go bankrupt long before the fish are exterminated. The fish then promptly multiply again. But in another and more important sense transfer of fishing from our vessels to Canada and Newfoundland does not conserve our supply, because Newfoundland, Canada, and the United States all three dip into the same supply on the same banks, and the fish population is the same common stock on all the banks, mingling and intermigrating. In fact, it would be possible for one of these foreign countries to frustrate any scheme of conservation the others might establish by themselves overfishing while we are trying to regulate and conserve. This fact is already recognized by the Bureau of Fisheries in holding international conferences with these countries looking toward conservation of high-seas fisheries, and the International Halibut Commission on the Pacific coast has been in existence for several years for the purpose of conserving the high-seas stock of halibut.

AGAINST PUBLIC HEALTH

The deal is not in the interest of public health. At Boston the fishing vessels and shore operations are subject to the strict health and sanitary regulations, not only of Federal authority but by the State and municipal authorities as well. Within the past year all these authorities have been aggressive in the enforcement of sanitary regulations in the New England fisheries, and large quantities of fish have been condemned, including several large lots produced by one of the largest corporations.

Toilet facilities, the floors, containers, and implements must conform to rigid standards, and fish must be kept covered and protected from the weather. On the desolate shore of Newfoundland none of these standards, nor provisions for enforcing compliance, exist. The products themselves are of course subject to inspection at the port of entry into the United States but obviously it is impossible to enforce all the above requirements merely on the frozen, packaged goods themselves.

These foreign deals are contrary to the interests of the invested capital in the United States in shore stations, machinery, vessels, and equipment, most of which companies are having a hard time meeting their pay rolls and paying the taxes demanded of them by a Government which seemingly goes out of its way to build up foreign competition.

SERIOUS FOR NEW ENGLAND FISHERIES

Without considering for the moment the precedent that is being established, the volume of production in immediate contemplation by these two moves to Canada and Newfoundland is serious for the New England fisheries. The Canadian plant at Caraquet, New Brunswick, will have a capacity at the beginning of 50,000 pounds per day, or 10,000,000 pounds of fillets per year of 200 working days. The Newfoundland plant is provided with working space for 30,000,000 pounds of marine products, and is definitely committed to 15,000,000 pounds in the third year. Since, in Newfoundland the figures refer to whole fish, we may assume that 7,500,000 pounds would be finished products, or a total of 17,500,000 pounds in Canada and Newfoundland at an early date, or 22.4 percent of the total New England production. There is little doubt, that, with all the advantages of low wages, and capital charges, duty concessions and the like, this quantity, and a great deal more, can be sold in this country.

DANGEROUS PRECEDENTS

Even more serious are the precedents established. If these plants achieve initial success, they can be expanded, Canada up to 15,000,000 pounds per year, and Newfoundland indefinitely, with the way open for the establishment of any number of additional plants which, with relatively small amounts of foreign subsidy, can attract enough business from the United States to destroy the New England fisheries. If this eventuality is not desired, the time to stop it is now, to avoid the embarrassment and hard feelings that will be aroused by stopping it later, after our neighboring governments have committed themselves and the business concerns have built up their organizations and sales connections.

THREE SOLUTIONS

And now, in conclusion, we shall consider three possible fields of action to remedy this potentially dangerous situation—for American fishermen will not long be content to compete against an imitation American fishery—which is one in name only and totally alien in fact.

First of all, section 303 of the Tariff Act should be applied so as to countervail the bounties and subsidies granted to fish in both Canada and Newfoundland, including subsidies granted in the form of capital investment in plants.

Secondly, the data here presented shows that such methods as being practiced now, and those in immediate prospect both in Canada and Newfoundland—especially the latter—are unfair competition against our own fisheries. To meet such a situation, Section 337 of the Tariff Act provides, as follows:

CUSTOMS REGULATIONS, 1937

Unfair competition

Art. 663. Unfair methods of competition declared unlawful—Tariff Act of 1930, section 337 (a):

Unfair methods of competition and unfair acts in the importation of articles into the United States, or in their sale by the

owner, importer, consignee, or agent of either, the effect or tendency of which is to destroy or substantially injure an industry, efficiently and economically operated, in the United States, or to prevent the establishment of such an industry, or to restrain or monopolize trade and commerce in the United States, are hereby declared unlawful, and when found by the President to exist shall be dealt with, in addition to any other provisions of law, as hereinafter provided.

Art. 664. Exclusion of articles from entry.—Tariff Act of 1930, section 337 (e):

Whenever the existence of any such unfair method or act shall be established to the satisfaction of the President he shall direct that the articles concerned in such unfair methods or acts, imported by any person violating the provisions of this act, shall be excluded from entry into the United States, and upon information of such action by the President, the Secretary of the Treasury shall, through the proper officers, refuse such entry. The decision of the President shall be conclusive.

If there ever were a case of unfair practice calling for the invocation of this provision of the law, this Newfoundland deal certainly is it.

LET FISHERMEN BE HEARD

The third solution, which is the simplest, easiest, and most just method of aid to the real American fishery industry, calls for immediate rescinding of the official Treasury decision ruling about shore stations.

On August 12, 1938, the Department promulgated its special Treasury Decision No. 49,682 and thus amended and reinterpreted section 1730 (a) of the 1930 Tariff Act. No real reason existed then or now for any such revision by the Treasury of its interpretation of paragraph 1730 except that a printed brief was submitted to the Treasury Department by the General Seafoods Corporation. This specifically asked for changes in the interpretation of the Tariff Act to fit their Newfoundland deal. The revised interpretations of the duty-free fisheries paragraph 1730 (a) of the Tariff Act of 1930 were thereafter tailored-to-order to make the monopolistic Newfoundland deal possible. This brief was held confidential by the Treasury and was finally revealed only after House Resolution No. 361 was filed by me. The Treasury Department replied a week later, admitting that General Seafoods had filed this brief, which asked point blank, and subsequently obtained, many favorable rulings.

MUST BE RESCINDED AT ONCE

To express it mildly, the whole proceeding was most unusual and not often followed by the United States Treasury Department without public hearing or any notice to interested parties. A group of six Members of the House of Representatives are joining in asking that this Treasury Decision 49,682 be rescinded at once out of fairness to all other fishing interests and fishermen. [Applause.]

Mr. STEFAN. Mr. Chairman, I now yield to the gentleman from Michigan [Mr. ENGEL].

Mr. ENGEL. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STEFAN. Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. BATES].

Mr. BATES of Massachusetts. Mr. Chairman, what the gentleman from Maine [Mr. BREWSTER] had to say today in respect to the interpretation placed on the fishing industry by the Treasury Department, is of quite some interest to many Members from New England, and particularly from that section in New England that has large fishing industries. Within my district is the city of Gloucester, perhaps the oldest fishing center in the United States, its history running away back to colonial days, and coming up through that span of years during which that industry in that community has provided employment for a large number of its inhabitants. Today, according to the information that I have from the Department of Labor at the state house in Boston, the record shows that 45 percent of all of the industrial workers in that city are engaged in the fishing industry. We can well understand what is going to happen to that city and the fishing industry if such a thing of this character is permitted to pass without protest. Here we have a situation where a decision of the court has been practically overruled and rescinded by the Treasury Department, that has defined

the law to mean that the fishing industry in this country may organize capital and go into a foreign country, establish a plant there and hire foreign labor, and then transport the products of that industry to this country without duty, because they interpret it is an American industry. While I do not know any more than the gentleman from Maine [Mr. BREWSTER] knows what the reason is for the interpretation now placed on the law by the Treasury Department, we do know that under a reciprocal-trade agreement with Canada, the import duty on fish, particularly filleted fish, was reduced from 2½ cents a pound to 1⅞ cents a pound. The imports of filleted fish, and the effect they have on our domestic market, are of interest to us, as the imports of all other products are in their effect on the American market and the various industries of the country. Let me show what has happened under this so-called reciprocal-trade agreement and the lowering of duty on imported fish.

In 1932 the total amount of imported filleted fish in the cod-haddock-hake classification was 1,782,000. That amount gradually increased year after year until 1939, when it reached the record total of 15,649,000 pounds, the largest amount ever imported in the history of the country, according to a report from the Tariff Commission. This shows an increase in a period of 7 years of 778 percent in filleted fish within that classification. I am wondering just what is going to happen to the fishing industry of Massachusetts, of Boston, of Gloucester, also of Maine, if we find as a result of the interpretation of the law that these American interests can go to Newfoundland and there be subsidized by the Newfoundland Government to the extent of \$200,000 with which to build a new plant on the condition that they employ nothing but Newfoundland labor to catch the fish, to dress the fish, and then transport them here to the United States.

According to the gentleman from Maine [Mr. BREWSTER], the understanding is that a minimum of 30,000,000 pounds of fish shall be filleted under that agreement. One-half of that is really good fish—edible fish. So it seems that instead of 15,000,000 pounds that came in here in 1939, compared with 1,700,000 pounds in 1932, we are going to expect in the near future, as soon as this new plant is constructed, a doubling up of the present imports within that particular classification. When that happens, we will find that the imports will be doubled over 1939 and will equal 30,000,000 pounds. This will be the equivalent of 30 percent of the entire domestic production in the United States.

It has been called to my attention by those who are in position to understand something about the rate of wages paid Newfoundland fishery workers that the fishery workers there receive anywhere from 6 to 10 cents an hour. I am wondering, when we let the bars down entirely and permit these fish to come in here duty free, what the fishery workers in this country and the industry in this country are going to do when they are attempting to place their own products in the American market at a wage rate of 30 to 50 cents an hour.

Mr. HAWKS. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. HAWKS. I think that is a fair question. Does not the gentleman feel that the same thing will happen to the fishing industry of Boston, Gloucester, and entire New England that has happened to American agriculture? It will ruin it.

Mr. BATES of Massachusetts. Obviously.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. TREADWAY. In spite of the reduction of five-eighths of 1 cent that took place in the reciprocal treaty, comparing that with no duty, according to the information we have had from the gentleman from Maine, what will be the protest arising in the city of Gloucester, such as was held last summer at this reduction of five-eighths of a cent? How will they feel now? Will the gentleman tell us something about the protest meeting in Gloucester last summer?

Mr. BATES of Massachusetts. When a city finds itself in a position where 45 percent of all its industrial workers are employed in one particular type of industry, which in this case is the fishing industry, the officials of that city and the people of the city are necessarily very much concerned about what is going to happen.

The gentleman from New York [Mr. MARCANTONIO] a moment ago inquired as to what the position of the organized workers in New England was insofar as this protest was concerned. I hold in my hand a little pamphlet advertising the remonstrance-day program in the city of Gloucester, a protest meeting held on July 30, 1939, sponsored by the mayor and the city government of that city. The mayor of the city happens to be an outstanding Democrat, so the protest was not of a partisan character. It was a universal, city-wide demonstration of their opposition to the imports of fish that was coming into the American market and strangling the American industry.

I hold in my hand one of the leaflets that the labor organization of fishery workers got out protesting against those imports. Not only was the mayor of the city and the city government listed as speaker, but also we had the president of the Massachusetts State Federation of Labor, the head of the Gloucester Sea Food Workers Union, a representative of the Governor of Massachusetts, the Commissioner of Labor and Industry of Massachusetts, all protesting the importation of fish under the reduced rate agreed to with the Canadian officials under the Canadian reciprocal-trade pact. In the year 1938 the imports of filleted fish were 9,400,000 pounds, and under the reciprocal-trade reduction of five-eighths of a cent a pound, over 15,600,000 pounds came in in 1939. Obviously that city is very much concerned about the situation, because they have no other place to turn for the employment of their people.

We know the general situation existing in the industrial centers of Massachusetts, and we want to protect these industries for the jobs that they give our American men and women. When we barter down the river the rights of these workers and give away our market to foreign exporters, even though they may go under the guise of American industries, we are just ruining the industry, which we here in Congress are trying to stimulate by various methods.

Mr. CONNERY. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. CONNERY. Will the gentleman state to us, if possible, what percentage of the fish catch under this so-called Newfoundland deal will be imported into the United States? It will be at least 95 percent, will it not? Practically all of the catch up there is imported into the United States?

Mr. BATES of Massachusetts. The market is the United States. I mentioned a moment ago that the imports in 1939 were about 15,000,000 pounds, as compared with 9,000,000 pounds in 1938. I am informed also that in recent months 5,000,000 pounds that were destined to the United States were shipped across to England apparently for war uses; and if it were not for that, we could have added another 5,000,000 to the 15,600,000 which would have been imported in 1939, or a total of over 20,000,000, against 9,400,000 pounds in 1938.

Mr. CONNERY. Those sea-food products of these Newfoundland workers will come into this country and be detrimental to the best interests of the workers of our own fishing industry here. Is it not true that but a very small percentage of the fish caught under this arrangement will be consumed in Canada?

Mr. BATES of Massachusetts. Naturally; because the United States is the market for which the organization is constructing its plants. They will, of course, absorb our American market and wreck the price structure. It will ruin the market into which the products of our own fishing industry must go.

There will be no hope for the American fisheries if this particular situation develops to the point that the gentleman from Maine feels it will develop. There is no hope for the American fisheries if we do not find some way by which to bring back the 2½ cents a pound import duty instead of

continuing the reduction to 1 7/8 cents a pound that the trade agreement with Canada put into effect only a short time ago.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. HINSHAW. The gentleman realizes, does he not, that, in addition to the reduction in duty and this finagling that has gone on between the General Sea Foods Corporation and the United States, there is also at the present time a discount in Canadian exchange equal to something like 10 1/2 percent? This in itself does away with any tariff there might be.

Mr. BATES of Massachusetts. Depreciation of currencies merely aggravates our situation.

[Here the gavel fell.]

Mr. STEFAN. Mr. Chairman, I yield 1 additional minute to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. Mr. Chairman, in closing I would remind the Committee that only a short time ago Congress appropriated \$1,000,000 to buy the surplus fish then existing on the American market; yet we find that as a result of the reciprocal-trade agreement with Canada imports of fish have increased from 9,000,000 pounds in 1932 to over 15,000,000 pounds in 1939. Unless we find some way of stopping this situation we shall have to do one of two things, necessarily: Either close down our American fisheries, or appropriate more money to buy the surplus fish of our own fishermen.

Mr. HAWKS. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. HAWKS. When is the Congress of the United States going to tell these bureaucrats they have got to follow the laws laid down by Congress? That is the only way we can get proper action.

Mr. BATES of Massachusetts. Not only is a reduction of the tariff very dangerous, as I have shown, but when we wipe out the tariff altogether and permit these fish to come in here duty free under this most recent interpretation of the Treasury Department, we might as well write "finis" to the American fishing industry we have labored so long to build up and maintain in these great United States. [Applause.]

Attached is a complete schedule of the imports of certain species of fish affecting the New England fishing industry. It is of particular interest to note that in 1932 the imports on filleted cod, haddock, hake, pollock, and cusk were 1,782,000 pounds, while in 1939 they increased to 15,649,000 pounds, an increase of 778 percent in 7 years. Notwithstanding the constantly increasing volume of imports since 1932, under the 2 1/2-cents-a-pound duty, the Canadian reciprocal-trade agreement with the United States reduced this duty to 1 7/8 cents a pound. The result was a substantial increase in filleted fish in 1939 over 1932. This cannot but help, if continued, to have a ruinous effect on the fishing industry of New England.

Imports into the United States of certain species of fresh, frozen, salted, and smoked fish, in selected years, 1932 to 1939

[Quantity in 1,000 pounds]

Commodity	1932		1934		1936		1937		1938		1939 ¹	
	Total	Canada only	Total	Canada only	Total	Canada only	Total	Canada only	Total	Canada only	Total	Canada only
Cod, haddock, hake, pollock, cusk:												
Fresh and frozen:												
Filleted, etc.	1,782	1,772	3,942	3,476	9,255	8,469	10,870	8,713	9,455	7,288	15,649	12,384
Other (mostly dressed)	469	469	1,942	1,942	3,440	3,434	1,661	1,649	1,522	1,522	1,462	1,461
Total	2,251	2,241	5,884	5,418	12,695	11,903	12,531	10,362	10,977	8,810	17,111	13,845
Salted:												
Dry salted	18,405	9,157	6,203	3,754	3,152	2,116	2,695	1,453	6,143	1,701	5,433	1,515
Green salted	16,756	9,003	34,452	17,811	52,359	22,693	46,940	23,150	39,825	16,867	45,760	23,539
Boneless	1,969	1,952	2,382	2,378	2,476	2,453	2,090	2,069	2,236	2,186	2,726	2,044
Total	37,130	20,112	43,137	23,943	57,987	27,262	51,725	26,672	48,204	20,754	53,919	27,698
Smoked:												
Filleted, etc.	914	694	1,107	987	1,831	1,698	1,875	1,778	1,753	1,737	2,056	2,048
Other (mostly finnan haddie)	672	636	715	700	931	893	930	841	741	724	861	546
Total	1,586	1,330	1,822	1,687	2,762	2,591	2,805	2,619	2,494	2,461	2,917	2,594
Mackerel:												
Fresh and frozen	583	581	239	239	451	451	1,881	1,806	1,149	1,144	1,210	1,210
Salted	4,206	1,055	3,848	1,398	4,809	1,202	6,435	2,285	5,878	3,200	5,453	3,286
Total	4,789	1,636	4,087	1,637	5,260	1,653	8,316	4,091	7,027	4,434	6,663	4,496
Swordfish: Fresh and frozen	1,553	1,033	2,950	1,487	6,026	1,983	6,516	1,300	4,197	1,237	3,164	1,558
Grand total	47,309	26,352	57,880	34,172	84,766	45,392	81,893	45,044	72,899	37,696	83,474	50,191

[Value in 1,000 dollars]

Cod, haddock, hake, pollock, cusk:												
Fresh and frozen:												
Filleted, etc.	195	193	468	401	894	829	1,073	888	915	729	1,489	1,183
Other (mostly dressed)	19	19	85	85	151	151	77	76	61	61	57	57
Total	214	212	553	486	1,045	980	1,150	964	976	790	1,546	1,220
Salted:												
Dry salted	830	448	342	210	160	100	150	78	286	92	286	81
Green salted	622	332	1,368	726	1,538	787	2,008	894	1,533	661	1,767	925
Boneless	150	149	189	189	239	238	209	207	201	197	204	199
Total	1,602	929	1,899	1,125	1,937	1,125	2,367	1,179	2,020	950	2,257	1,205
Smoked:												
Filleted, etc.	80	62	118	105	182	171	189	180	178	176	212	211
Other (mostly finnan haddie)	52	50	67	66	93	90	94	86	66	64	49	48
Total	132	112	185	171	275	261	283	266	244	240	261	259

¹ Preliminary.

² Covers all fresh and frozen fish, filleted, skinned, boned, sliced, or divided into portions (from 75 to 80 percent are fillets of cod, haddock, hake, pollock, and cusk), the remainder is mainly fillets of lake fish, rosefish, and swordfish. In 1939, under the classification provided for in the trade agreement with Canada the imports of fillets, etc., were divided as follows: Cod, haddock, hake, pollock, cusk, and rosefish, 9,426,000 pounds, valued at \$715,000; other, 6,223,000 pounds, valued at \$774,000; total, 15,649,000 pounds, valued at \$1,489,000.

Source. Compiled by the U. S. Tariff Commission from official statistics of the U. S. Department of Commerce.

Imports into the United States of certain species of fresh, frozen, salted, and smoked fish, in selected years, 1932 to 1939—Continued

Commodity	1932		1934		1936		1937		1938		1939	
	Total	Canada only	Total	Canada only	Total	Canada only	Total	Canada only	Total	Canada only	Total	Canada only
Mackerel:												
Fresh and frozen.....	25	25	13	13	21	21	99	96	68	67	66	66
Salted.....	141	39	189	63	256	60	408	175	304	177	258	171
Total.....	166	64	202	76	277	81	507	271	372	244	324	237
Swordfish: Fresh and frozen.....	98	67	335	228	665	391	693	276	418	196	368	220
Grand total.....	2,212	1,384	3,174	2,086	4,199	2,838	5,000	2,956	4,030	2,420	4,756	3,141

Mr. KERR. Mr. Chairman, I yield 10 minutes to the gentleman from South Carolina [Mr. HARE], a member of the committee.

Mr. HARE. Mr. Chairman, in view of the remarks just preceding, it would appear there is something "fishy" going on in this country. I will not undertake to discuss any of the matters referred to, but in view of the implication in some of the statements that there may be violation of law by someone somewhere in our Government I shall direct my remarks to certain testimony submitted to the subcommittee by representatives of the Department of Justice relative to the increase of crime in the United States.

Mention has been made of yearly increases in appropriations for the Department of Justice. That is true, it is unfortunate, and, in a way, it is regrettable; but when we examine the statistics and find there has been an increase of crime or there have been frequent offenses against society, and insist upon our law-enforcing body to try and enforce the law and prevent crime, increased cost and increased appropriations will necessarily follow. In other words, if we are going to try and reduce crime by prosecuting the offender we may expect the cost of the courts to increase just as long as crime increases. But I want to give it as my opinion that the Department of Justice has done more to break up crime and corruption of the higher types within the past 5 years than any other 5 years of our history.

I was much surprised to find from the testimony of a representative of the Department that in recent years crime has been on the gradual increase. I was somewhat impressed with the particular violations of law, and, while I will not undertake to refer to all of them, I shall refer to just a few. I note, for example, that the number of violations of the liquor law from 1934 increased from 2,208 to 5,432 in 1939. I mean by that they are the violations that were brought to the attention of the Department of Justice and prosecuted in our Federal courts.

Violations of the Narcotics and Drug Acts increased from 1,321 in 1934 to 1,525 in 1939. Violations of the postal regulations increased from 863 in 1934 to 1,173 in 1939. Theft in violation of interstate commerce laws increased from 125 in 1933 to 266 in 1939.

These statistics indicate, Mr. Chairman, that the people of this country apparently have less respect for law and order today than they did in former years, although the increase in number of crimes may be due to some extent to legislation making certain offenses criminal that heretofore were not considered as such. That is, there was a time when some particular offenses against society were not considered criminal but have been made so by recent statutes.

I would also direct attention to the age of the perpetrators of some of these offenses. From the statistics furnished by the Chief of the Bureau of Investigation we find that arrests made for all offenses from January 1 to September 30 last year the percentage committed by persons of various age groups is about as follows: Under 21 years, 19.2 percent; between 25 and 29 years of age, 33.1 percent; between 30 and 39, 25 percent; between 40 and 49, 14 percent; 50 years and over, 8.6 percent; and unknown, one-tenth of 1 percent.

The more distressing thing about these figures is to note that 46.4 percent of the crimes of burglary committed from

January 1 to September 30, 1939, were by persons under 21 years of age. In larceny, 33.5 percent were under 21 years of age, and auto thefts 52.9 percent were committed by persons between 16 and 21 years of age. In other words, we find that in a large majority of the offenses brought to the attention of the Department of Justice and prosecuted in the Federal courts, they were by persons under 21 years of age, indicating to the student or to one interested in criminal statistics, that there is something wrong in the effectiveness of our governmental machinery in prosecuting crimes against society or against statutes, or else there is something wrong in the training or education of these young men in early life. Either cause is sufficient to command the attention of Congress and the people of this country.

If the increase in crime among the younger class of our citizens is due to the laxity of our courts, or is due to the failure of our courts to prosecute or to the failure of our courts to perform the functions for which they were created, then it is certainly time that we take stock or make an inventory of our shortcomings and endeavor to increase the efficiency of our law-enforcement agencies. If not, then I think it is incumbent upon those responsible for the education of young men to pay more attention to training in their early life, and I feel that this should be directed to the homes of this country, which have been and must ever be the foundation of our Republic. With good homes and proper training the foundation will stand, otherwise we may expect gradual disintegration.

It is equally important that attention should be directed to those who are responsible for our system of education in the various States. I had hoped to be able to break these statistics down by States with the idea of showing whether or not the systems of education in the various States might in any way be reflected in the number of crimes in proportion to population, but so far we have not been able to secure these data. If I succeed I may have them inserted later.

[Here the gavel fell.]

Mr. RABAUT. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. DICKSTEIN].

Mr. DICKSTEIN. Mr. Chairman, I did not want to interrupt the able address made by the gentleman from Michigan on Poland because he had only a brief time to discuss a very big problem. I do want to make a few observations in connection with Poland, however, and to quote from a report as recent as a few days ago to the effect that authoritative sources claim at least 5,000,000 Poles to have been killed in Poland since the Nazi regime in that area.

[From the New York Times of February 3, 1940]

DEATHS IN POLAND PUT AT 5,000,000—Two NEUTRAL SECRET-SERVICE MEN SAID TO HAVE OBTAINED ESTIMATE FROM GESTAPO—VICTIMS DIE ALONG ROADS—HITLER ACCUSED IN REPORT OF PURSUING SYSTEMATIC PLAN OF EXTERMINATION

LONDON, February 2.—The French Embassy in London delivered to the Foreign Office today a diplomatic document purporting to be an authentic neutral report of German atrocities in Poland. It is impossible to confirm any of the information in this document, but it is a sample of reports now being circulated in Europe.

The document is said to be the report of two neutral secret-service men who have just returned from Germany. While in Munich, they had an opportunity to discuss Polish conditions with members of the Gestapo (secret police), who are reported

to have said that since the start of the war in Poland, about 5,000,000 Poles have died of starvation or exposure, were killed in battle or were shot by firing squads.

This figure is out of all proportion to all other diplomatic reports received here, but French officials went through the motions of delivering it to the Foreign Office.

Quoting the two secret-service men, the document, dated January 25, says:

"Chancellor Hitler is practicing in Poland a systematic policy of extermination toward the Polish population. The people were purposely expelled from their homes and they are dying of cold and exposure all along the roads."

FIGURE IS QUESTIONED

The figure of 5,000,000 dead, which is about one-seventh of the entire population of former Poland, is open to question and is being questioned by Embassies here tonight.

In support of the story that Poles are being killed or dying by thousands, other neutral reports here tell of German Gestapo officials returning to Germany from Poland and telling how they are "wiping out" the Polish people. It is also recalled that Robert Ley, Labor Front leader, promised Germans living in Poland that within 50 years there would not be a Jew or a Pole in the conquered Polish territory.

It has been stated, furthermore, that the food sent to Polish homes was confiscated by the Gestapo, or the police of the Nazi regime. In reality, the conditions in Poland are far worse than the gentleman from Michigan, or anyone else here, could possibly describe to you Members of this Congress. He portrayed the conditions over there in answer to a question by the gentleman from Wisconsin [Mr. KEEFE], who asked about the sending of foodstuffs to these suffering, unfortunate people.

It can be taken for granted that if any foodstuffs were to be sent to the German Red Cross, they would not be delivered or given to these poor victims in Poland who are now under the domination of Nazi Germany, but kept for home consumption. As a matter of fact, I have information, and I have documents in my possession, showing that Germany today is calling on all German people in America to send foodstuffs, clothing, and medicine to Germany, which shows the weakness of Nazi Germany insofar as food, clothing, and other incidentals of a needy people are concerned.

Mr. FISH. Will the gentleman yield?

Mr. DICKSTEIN. In a minute. Perhaps that is the reason why some of our ships have been held up by the British Government. From those ships have been confiscated thousands and thousands of packages of food being sent to Germany.

Mr. Chairman, in connection with any money that we may appropriate to feed these starving people, no matter what their nationality may be, it should be seen to that it is not distributed by the Nazi Government. The Committee on Foreign Affairs is now considering three bills for the allocation of \$15,000,000 or more for the purchase of foodstuffs to save the starving people of Poland. There ought to be some amendments agreed to or some safeguards thrown about this appropriation, if made. An independent committee should be created, either by the President of the United States or by the Committee on Foreign Affairs, so that it can go in and feed the people in the Nazi area of Poland. I now yield to the gentleman from New York.

Mr. FISH. I want to assure the gentleman from New York that I doubt if the Committee on Foreign Affairs of the House of Representatives will ever report any bill authorizing the expenditure of any sum of money that is not controlled completely by Americans, and I believe we will see to it that not only the funds but the goods, supplies, food, and clothing are disbursed by Americans in Poland.

Mr. DICKSTEIN. I am glad to hear that.

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. I want to compliment the gentleman from New York for his fine stand on behalf of these very deserving people. I should like to know whether he has given thought to this question: If the American people ever come to the place where they want to help and can help the poor unfortunates, how it can be done with the German Nazis around?

Mr. DICKSTEIN. I believe if a proper committee, a non-sectarian, outstanding American group, is designated by the

resolution which is voted out of the Foreign Affairs Committee, that committee could function. It is not a question of dollars and cents. I believe every American would do his share to help the starving people over there. This independent group, I believe, could get access and entry into Nazi Poland. Not even Hitler would dare object. I have in my file hundreds of pieces of literature shipped into America asking certain Americans to send food, clothing, and medicine to the German people in Germany.

Their own people, the Germans, are starving there today. Naturally, it follows that if we are going to send all this food and make a contribution—or call it what you like—from the Treasury, it will not be given to the poor Polish people, when even now German officials are confiscating their last pound of bread to give to their own people.

Mr. JENKINS of Ohio. I want the gentleman to know that I believe the temper of the American people is such that if succor can be given to these poor people without involving us in a controversy our people are in favor of it.

Mr. DICKSTEIN. I agree with the gentleman. I made that position very clear in a statement I made on this floor a week ago.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from New York.

Mr. FISH. I have just had lunch with Mr. Chauncey McCormick, who is the head of the Polish Relief Commission. He is trying to reach some agreement with the German Government so that Americans can go into that area and control the distribution of these foodstuffs and supplies. I for one am opposed to having the Congress authorize the appropriation of or appropriate one single dollar unless this can be done. Why should it not be done in Poland just as it was done in Belgium during the World War, for identically the same situation of German control exists?

Mr. DICKSTEIN. I am glad the gentleman has made that very clear statement. I was a Member of the Congress in 1924, right after the war, when the people of Germany were starving and we attempted to appropriate \$10,000,000 for those starving people in Germany, as the gentleman from New York [Mr. FISH] recalls. I do not mind telling you further that if there are German people in that area of Poland who need food, they should be fed also. I believe the American people can do a great deal for humanity without involving themselves in any complications. We are talking about doing many things for Finland. As a matter of fact, the American people are now doing everything in their power to help Finland in the way of sending its people food and other commodities they need in the defense of their little country. I am in sympathy with Finland. We should not limit our sympathetic assistance to Finland alone, however, but extend it to the distressed and needy people of other countries.

While I have the floor, Mr. Chairman, I wish to call attention to a colloquy that appears in the CONGRESSIONAL RECORD of January 30, 1940, where the gentleman from Massachusetts [Mrs. ROGERS] more or less indirectly criticized the Department of Labor because certain people who came here for a certain purpose were not being deported. I asked the gentleman to yield to me, and she did. I tried to clear up some questions with regard to our present immigration law. I did not advocate in my remarks the deportation of any one of these persons. I shall ask permission to extend my remarks and include therein the discussion between the gentleman and myself:

Mr. DICKSTEIN. Mr. Chairman, will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from New York.

Mr. DICKSTEIN. The gentleman is complaining about the admission of certain people who come here to engage in that industry?

Mrs. ROGERS of Massachusetts. Yes. If I had had more time, I could have pointed out that many of these persons really were not entitled to permits. I understand that all but a few of them are to be deported on the 1st of February.

Mr. DICKSTEIN. Exactly; because they came here under a temporary permit as experts to train Americans in that particular industry.

Mrs. ROGERS of Massachusetts. And they were not experts and were not needed.

Mr. DICKSTEIN. That is a different matter.

Mrs. ROGERS of Massachusetts. They did not live up to the terms of their agreement, as I have already pointed out. They asked also, I hear, for a permit to stay permanently.

Mr. DICKSTEIN. They could not do that under the law if they came here for the sole purpose of teaching American girls and boys that particular trade or vocation.

Mrs. ROGERS of Massachusetts. If you follow my remarks closely, you will see they tried to evade the law. I may say to the gentleman—

Mr. DICKSTEIN. Then they will be sent back in due course.

The gentleman from Nebraska [Mr. STEFAN] then took the floor and attempted to convey to the Members that I was seeking to deport a few Czechs who came here as experts to teach our American workers how to manufacture shoes. I would like to correct this impression as I do not want the public to think it was my purpose in rising to answer the gentlewoman from Massachusetts to attempt to have these people deported. As a matter of fact, we have been bringing in people as expert labor for many, many years, going back to 1917. The Department of Labor has violated no law in allowing these persons to come to this country to teach our people new industries which are not competitive with American industry.

[Here the gavel fell.]

Mr. RABAUT. Mr. Chairman, I yield 5 additional minutes to the gentleman from New York.

Mr. DICKSTEIN. I shall also ask permission to quote that portion of the statement by my colleague the gentleman from Nebraska [Mr. STEFAN] which appears on page 798, as it would appear from that statement that I was seeking to deport a handful of Czechs:

The chairman of the Immigration Committee assures you on this floor of this House that these handful of Czechs are going to be deported because, as he claims, they have infringed some immigration laws. I want to tell the chairman of the Immigration Committee that I took this matter up with the Department of Labor and the Immigration and Naturalization officials. I think I know what these officials are up against. I have taken it up with the State Department; I have taken it up with Mr. Goodman, of the C. I. O.; I have taken it up with the delegation from Massachusetts, and it is strange that a Member from Nebraska and a Member from New York and Massachusetts must discuss a question which is not in their particular districts but in the district of the distinguished gentleman from Maryland [Mr. COLE].

I have no prejudice against the Czechs. They are fine people. I carry no malice against any person who comes here and is law abiding. Not only in the shoe industry but in many other industries we ought to permit experts from Czechoslovakia to come here and train our American workers so that we may create new industries we can use in this country and employ thousands of Americans. Unfortunately, under the law, these persons who came here for a temporary stay to teach American citizens a new process in industry cannot stay here permanently. I should think the Department should grant them all the leeway possible because of the fine work they have done in training American citizens for new occupations, but there must be a deadline somewhere.

It seems to me the law probably ought to be amended or corrected so that the persons who come here and volunteer their inventions and their work, with the result that thousands of Americans find employment, may be permitted to stay here permanently and not be compelled to leave this country and go to a country that no longer exists.

I thought that was an opportune time to call my thoughts to the attention of my friend the gentleman from Nebraska, and while he had the floor I tried in vain to get him to yield to me, but he refused. I tried to put him straight, but apparently he did not think enough of me to give me an opportunity to ask him a question or two or to convey to him what was in my mind in my discussion with the gentlewoman from Massachusetts.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Nebraska.

Mr. STEFAN. The gentleman has referred to me three times in his statement, and indicates he is going to place in the Record something I had to say on the floor of the House. The gentleman also endeavors to indicate that he did not say he was in favor of deporting someone. The gentleman and I

could discuss this particular question many hours, but it has nothing to do with the bill we are discussing today. The words "then they will be sent back in due course" worried me, but I am very glad, however, that the gentleman is going to put something in the Record which would indicate that he himself is not in favor of deporting this handful of Czechs who were allowed by our Government to come here originally, 52 of whom have been deprived of the work of instruction or whatever administrative work they were doing in this shoe factory in Maryland.

I am merely interested that this handful of Czechs be given the same consideration that is being given today to 14,000 or more alien refugees who are in this country, some of whom, I believe are taking jobs away from Americans, especially since these 52 Czechs have made it possible for about a thousand Americans to have jobs.

Mr. DICKSTEIN. I do not quite understand what alien refugees the gentleman is referring to but I believe I have made my position clear with regard to the Czechs in question.

Mr. STEFAN. I am glad the gentleman is in harmony with my ideas.

Mr. DICKSTEIN. I am just trying to call the attention of the gentleman to the fact that he has been slightly unfair in stating in the Record that I am seeking to deport this handful of Czechs. I have not said that, and the Record will bear me out.

Mr. STEFAN. Mr. Chairman, will the gentleman yield further?

Mr. DICKSTEIN. I yield.

Mr. STEFAN. I wish to thank the gentleman very much for his statement, because he is making it plain that he is not in favor of deporting these men. I regret that time did not permit me to yield, but I believe we are in harmony on the subject.

Mr. DICKSTEIN. I want the gentleman to know that I am not the Labor Department, and I have nothing to do with deportation. We are the legislative branch of the Government, and I tried to clear up the criticism of the gentlewoman from Massachusetts [Mrs. ROGERS] of the Department of Labor because they refused to deport these Czechs. I tried to clear that up when the gentleman from Nebraska got up and said that I was in favor of deporting this handful of Czechs.

Mr. STEFAN. I am glad the gentleman is in favor of allowing these people to stay here and giving them an even chance with these other foreigners.

[Here the gavel fell.]

Mr. RABAUT. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. KLEBERG].

Mr. KLEBERG. Mr. Chairman, on Friday last this body concluded consideration of the supply bill for the Department of Agriculture. Among other items that were presented to the House for its consideration was an item which I offered as an amendment to the total of \$527,000, which was to be allocated to the Department of Agriculture for purpose of control of the pink bollworm. Of course, due to the rather hectic conditions which surrounded the debate on the House agricultural supply bill, it was rather difficult to present to this group a practical picture, and that I propose to undertake in the brief time now allotted me.

In the first place, I desire to put before you some of the facts that are a part of the known record concerning the actual destructiveness of the pink bollworm as he is found and where he is in operation today.

In China the records for 1938 showed that the pink bollworm cost China in excess of \$85,000,000. Let me remind you at the outset that China and the other three or four countries which I may mention are not afflicted with the boll weevil—just the pink bollworm. In India, Egypt, and Brazil the records show that the pink bollworm takes about 60 percent of the production of cotton in those great cotton-producing countries. If the pink bollworm invades this country and gets into our Cotton Belt, the United States of America and Mexico will be the only great cotton-producing countries that have both the pink bollworm and the boll weevil.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. KLEBERG. I am pleased to yield to my friend from Georgia, who is always interested in matters that are of vital concern to agriculture, and he has been of real assistance to agriculture.

Mr. BROWN of Georgia. Is the pink bollworm as destructive to cotton as the boll weevil?

Mr. KLEBERG. May I state in answer to the gentleman from Georgia that the Bureau of Entomology considers the pink bollworm to be not only more destructive than the boll weevil but more destructive than all of the other known 166 pests that affect cotton combined.

Mr. BROWN of Georgia. Then if it ever gets to my section of the country we cannot raise any more cotton.

Mr. KLEBERG. The gentleman is eminently correct.

Mr. BROWN of Georgia. Where did the pink bollworm come from?

Mr. KLEBERG. The pink bollworm was introduced into Mexico in 1917 in some cottonseed brought into Mexico from Egypt and taken to what is known as the Laguna district in Mexico, from which district the Big Bend area in Texas and the States of Arizona and New Mexico have been infested.

In 1936, unfortunately, the pink bollworm came into what is known as the Matamoros cotton-producing area of Mexico, from the Laguna area, which the Matamoros area happens to be the exact gateway through which the boll weevil entered the United States nearly 40 years ago.

Now, the reason I call your attention at the outset to the destructiveness of this pest and the fact that the United States of America, if the invasion of the pink bollworm is successful, will be the only great cotton-producing country that has both the boll weevil and the pink bollworm, is to call your attention to the indisputable record of the destructiveness of this bug so you may well understand that when you add his destructive ability to the pests we now have, the United States of America will be forced to go out of the cotton business.

The cotton South will no longer produce cotton. The cotton South will be called upon to go into other avenues of production. The avenue known to those of us in the South that is best adapted to our climate and soil and what we can produce best happens to be livestock, and everybody in this Chamber, or every Member of this House, knows the condition, for instance, of the dairy industry. Put the cotton farms into the production of dairy products and the dairy industry has a real problem; but let us view the facts. When you convert the cotton-producing area into an area devoted to livestock farming, everyone who knows the facts will recognize that it is a fact that 90 percent of those employed in the area which now produces cotton will be stricken from the pay roll because the production of livestock, fortuitously, does not require the amount of individual effort and labor that the production of cotton requires. So, you have there, in addition to the economic dislocation by bringing into competition the great area devoted to cotton with the dairy industry, the added guaranty of the placing of 90 percent of those today engaged in the planting, harvesting, ginning, and transporting of cotton in the ranks of unemployed; and under the present system, where apparently our people look to the Government for relief and support, those of us who are thoughtfully inclined must recognize the disastrous impact in the offing. We had best consider seriously sound economy rather than economy which is both profligate and destructive.

Another point of practical interest to those who are willing to be thoughtful and give the best efforts of their minds to important critical situations which confront our country, is that today where the pink bollworm is confined in the United States, fortunately it is in an area where the producers of cotton are in the main well educated, where the producers of cotton are in the main well equipped with implements that are needed to conduct the control campaign. The control campaign requires, among other things, with particular reference to field work, that immediately the cotton is harvested, the plowing of the land under of all of the growing cotton, and following the plowing under, there must be a clean-up which

requires a chopping out and grubbing out of every living apparent visible evidence of growing cotton in the area affected. It requires in addition to that the patrolling and cleaning up on both sides of the roadways on which the cotton is hauled in trucks to the gin, and it requires in the gin the establishment of sterilization apparatus for the purpose of sterilizing the seed, and hoppers for the destruction of all gin trash in which the pest is found. Mr. Chairman, when you permit the pink bollworm to go out of the area which is competently equipped both educationally and with matériel for the work to be done to eradicate it and permit it to go into the area referred to oftentimes as the area where the Negro and the mule do the work, where you have small farms which set on the sides of hills, which in many instances require the best agility on the part of even a mountain goat to come and go, you can readily understand that to permit the pink bollworm to get into that country where to cope with him would be tremendously more difficult and more expensive, it is short-sighted economy to permit such a thing to be even considered.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. RABAUT. Mr. Chairman, I yield the gentleman 5 minutes more.

Mr. PACE. Mr. Chairman, will the gentleman yield?

Mr. KLEBERG. With pleasure to my able friend.

Mr. PACE. I believe that the supply bill which was passed by the House last Friday night carried an item of \$400,000 to combat the elm-tree disease. My understanding of the elm tree is that it is a thing of beauty, an addition to the landscape, but that it has no economic or commercial value, while the Congress gave only \$500,000 to combat the pink bollworm, which as I understand from the remarks of the gentleman from Texas, threatens an economic loss in the cotton area of probably hundreds of millions of dollars.

Mr. KLEBERG. There is no doubt of that at all.

Mr. PACE. I have no thought of condemning the elm-tree appropriation, but it just struck me as rather singular that we freely give \$400,000 to correct a situation that has no economic effect over a very small area, and only \$500,000 to insure the welfare of probably fifteen millions of people.

Mr. KLEBERG. My distinguished friend from Georgia is always interested and well informed and I appreciate the question because it permits me to say that I have no desire whatever to cast any aspersions upon the appropriations of money at this time made for other purposes; but permit me to make this statement on my own responsibility as a Member of this body, that if at the conclusion of the making of all of the appropriations essential for the conduct of government, and many of those which insofar as immediacy is concerned are not essential at all, I would still insist that the increase of \$800,000 requested by me for the purpose of controlling the invasion of the pink bollworm is in fact the most important money to the United States of America involved in that entire bill. Give just a brief moment of careful thought to the effects of what we know will happen when you go back to the records of the destruction of this pest and find in those records evidence replete where not only areas but countries have gone out of the cotton business entirely, where the climate and soil are perfect for the production of cotton, because of this pest alone; and you have but to consider also the fact that under the work of the Bureau of Entomology they have established a definite record of success not only in controlling this pest, but in completely eradicating the pest. Yes, and to eradicate the pest without the establishment of noncotton zones, but by thorough application of control measures such as are under way today. You will find records where in the State of Florida an area under a plow-up, clean-up campaign was completely freed of this pest in a period of less than 3 years. In the State of Georgia the same thing occurred. In the State of Texas there are three instances where counties have been cleaned entirely of the pink bollworm by the present program.

May I add in conclusion with reference to this section that the pink bollworm may, perchance, prove the best friend the United States of America has in its efforts looking toward a

resumption of its proper participation in the markets of the world. It so happens that in every other country where the pink bollworm is found the difficulties involved in the lack of education on the part of the people, the lack of transportation and accessibility to the fields for inspection purposes, certain climatic conditions, make the eradication of the pink bollworm in Brazil, in Egypt, in India, and in China as national projects matters which to me seem to be impossible. In the United States of America, in North America, with the known record of achievement and ability to eradicate this pest, I say to you that it can be eradicated in Mexico, from which our present infestation comes, and it can be eradicated in the United States.

With reference to the situation in Mexico, may I state that even though it could not be eradicated in Mexico would be neither reason, nor would it be patriotic, for the Congress of the United States to neglect its fight to prevent its entry into the cotton South. This, in my candid opinion, would have a more destructive result and would be more Nation-wide in the production of both unemployment, distress, and the destruction of national and private credit than anything that could happen to us under present conditions. [Applause.]

[Here the gavel fell.]

Mr. CARTER. Mr. Chairman, I yield 20 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Chairman, when the President, on January 24, vetoed the measure known as the Jenkins bill, H. R. 5118, he did the State of Ohio and its old-age pensioners a grave injustice. This injustice is so grave that the people of Ohio feel that it not only is a financial set-back of well over a million dollars but, much more important yet, it is a thrust at the life and honor of the State. It invades the rights of the State in a shocking manner. It is even more than a challenge of the sovereignty of a great State. It is a defiance of the sovereignty of that State. In effect it is a case of a bigoted chief of a Federal bureau robbing a great State and then defiantly saying, "What are you going to do about it?" The great State of Ohio can lose this large sum of money and still operate, but it cannot maintain its self-respect as a great State in an indissoluble union of great States if it permits this direct invasion of its rights as a sovereign State to go unchallenged. The mad race for power by Federal bureaucracy is the greatest threat to the perpetuity of the Republic today. When we permit one little bureau chief to handle approximately \$1,000,000,000 per year and distribute about \$18,000,000 per month to about 1,800,000 of our aged people or to withhold it from them, we are placing too much power into the hands of that bureaucrat.

The veto power of a President comes directly from the Constitution. It is one of the most important powers given to the President by the Constitution. In effect, it gives him the power to approve or disapprove every action of Congress. It gives the Executive the power to supplant the wishes of the legislative branch of the Government with his own wishes. When a President supplants the wishes of Congress with his own wishes, that is in practical effect the tyranny of dictatorship. It was not the intention that this power was to be used by the President in every case where his wishes did not coincide with the views of Congress. The intent of the framers of the Constitution was to give to the Congress the right to control all matters of legislation. When the Congress assumes to pass upon a matter that is wholly within the purview of its powers and to pass upon it in accordance with its usual rules and procedure, the President should not disturb that action. He should not thrust his views upon the Nation as against 531 Representatives and Senators directly charged by the Constitution and the suffrages of the people to enact laws for the benefit of the Nation. But if the Congress should inadvertently pass a law without proper consideration or without the possession of all the facts, or if Congress should pass a law that invaded the prerogatives of the Executive or was clearly without the purview of the Constitution, or was so grossly unfair and unjust as to shock the conscience of reasonable men, then it would be the duty of the President to veto

the same. As proof that the framers of the Constitution intended that the President should exercise great care and caution in affixing his veto, the Constitution requires the President to give his reasons in writing.

In the case in question the President did give in writing to Congress his reasons for his action. With all due respect to the President and his high office, his reasons do not rise to the dignity of reasons. I think if the President had known all the facts he would have approved the measure. His reasons for his veto are the same excuses that Mr. Altmeyer has advanced. I have no doubt that Mr. Altmeyer prepared all the material for the President's veto message. I have no doubt—and therefore I assert—that the President followed the advice of Mr. Altmeyer. In effect, in this case one little bureau chief was permitted to take advantage of a right which the framers of the Constitution gave to the President to be used so rarely as to be almost sacred. This in itself is a terrible situation. If this custom persists our liberties are in great jeopardy. The life and strength of a State is its inherent sovereignty. When bureaucracy transcends State sovereignty, then the States are mere outposts of the dictatorship.

This tendency to bureaucratic dictation by the Federal Government has a tyrannical effect on the activities of State officials. I should like to recite an actual case that happened in Ohio, which illustrates the effect that this bureaucratic dictation has had in Ohio on the activities of the old age pension department. About 2 months ago there came to my office in my home city an aged man for whom I had acted as attorney in small matters for many years. He had been drawing an old-age pension and had been cut off. His removal was due, as the department claimed, to the fact that he had sold a small piece of property that had netted him about \$300. In moving from the property he sold, he contracted a severe illness from which he was irrational at times during a period of 2 or 3 weeks. During that time his money disappeared. He did not know where it went. The local old-age representative was satisfied that the money had been stolen. The State department would not restore him to the rolls until they could make an investigation to determine the facts. The man was so ill in my office that I feared he would die and I called a taxi and sent him home. He was then transferred to the public hospital where in a short time he died. In the meantime the State department had through its legal division rendered me a long two- or three-page report showing why they could not restore him to the rolls. The burden of their objection was that they were afraid that the Federal Government would again cut off the Federal payments to Ohio as they had done previously. While this attorney was making his investigation and making his report and upon the urgent insistence from myself, the State office sent down an inspector who soon saw the situation and made his report to the effect that the aged man should be restored to the rolls. The department, fearful of Federal interference, hesitated to do so but it finally took the chance and restored the aged man but he died before he got any relief. Here is a case where the silly, unreasonable, dictatorial, tyrannical action of one little bureaucrat so frightened the officials of a great State as to deny to an aged man in the last few hours of his life his legal rights. This proves that the Federal Government should leave to the State administration all these small matters and should confine itself to carrying out the intent of the law.

Let us review briefly what the President has done. I shall not go into detail with all the facts in this paragraph, but I shall later. Suffice it to say that there was a controversy between the chief executive of the great State of Ohio and the chairman of a Federal bureau. The President held with the chairman, without any consultation with that Governor or his successor and without any consultation with any one of the 24 duly elected Members of Congress from that State, and in spite of the unanimous action of the Judiciary Committees of the House and Senate, and the unanimous action of the House and Senate in accordance with their regular procedure, and in spite of the favorable recommendation of the director of the department of which Altmeyer's bureau is only a small part,

The President should not take refuge for an excuse in the fact that he is a busy man, for the regular way for him to have handled this measure would have been to have followed the recommendation of his director of the department in which the controversy arose and not of the chairman of one board. When a President ignores the action of Congress on a matter wholly within its jurisdiction, and ignores the recommendation of a director of a department in the Government appointed by him, and refuses to see Members of Congress of his own political party who repeatedly request of his secretary that they be seen, with reference to a matter in which their constituents are vitally interested, and follows the advice of a mere chairman of a board who was notoriously antagonistic and partisan in the controversy which the President is about to decide, then I make bold to assert that the President has acted unwisely and that when he assumed to use his veto power in such a case he grossly abused that power.

Now as to the facts and the law in this matter:

THE FACTS

Soon after the present administration commenced extending grants-in-aid to the States for relief purposes there arose a bitter official and personal controversy between Mr. Davey, the Governor of Ohio, and Mr. Hopkins, the Relief Director. This in spite of the fact that both affiliated with the Democratic Party. We are not concerned here with who was most at fault. Probably the best appraisal of it would be that both were at fault. This unfortunate animosity was carried into many of the State and Federal relationships.

The State of Ohio had been paying old-age pension for years before the Congress passed the social-security law, which provides in one of its titles that the Federal Government will, under certain conditions, match State contributions to aged people. The Federal law provided certain standards which the State of Ohio, through its legislature, promptly met. The State and Federal organizations cooperated nicely for some months when the fires of this animosity broke out in a new place. The charge of "politics" flew fast between them. The people of Ohio, in long-suffering silence, stood by and wondered, for they were helpless. A self-important, inexperienced, little chairman assumed to dictate to the Governor of a great State, giving no consideration to the fact that the State was great, regardless of what his opinion might have been of the Governor. The Governor claimed that so long as the legislature had passed laws to meet the Federal requirements and was matching its funds against the funds of the Federal Government that the chairman had no right to tell him how to administer that part of the program that he was responsible for and how to enforce the State laws, the enforcement of which was the province of the Governor. He was right in his contention. He probably could have been more tactful in his relationship with the chairman. The chairman, on the other hand, largely because of his inexperience in executive matters, claimed that there were irregularities in the selection of civil-service employees in Ohio. This might have been true. I maintain that under the Federal law and under the State law this is the responsibility of the State and not of the Federal Government. It is likely that the Governor could claim, with a fair chance of substantiation, that there were some irregularities somewhere in the Federal civil-service regulations, else a man with no executive ability would not have been made Chairman of the Social Security Board. In this conclusion many good people in Ohio would concur most heartily.

But the Governor would have no right to object. The point is that the Chairman of the Board has no authority to supervise the conduct of the Governor or State officials in this respect any more than the State officers can supervise the civil-service activities of the Federal Government. There were in 1938 about 111,000 aged persons in Ohio receiving old-age assistance. Under the rules in operation between the States and the Federal Government's Social Security Board the State makes the monthly payments and, when made and certified, the Federal Government comes forward with its portion. For instance, if Ohio was paying then, as it is paying now, an average of about \$23 per month, it would pay to its 111,000 beneficiaries \$2,553,000 per month.

The Ohio authorities would certify this amount, then the Federal Treasury would pay one-half of it, plus 5 percent of that one-half for the expense of distribution. It is needless to say that to pay this number of people every month is a great task. Also there are many other problems that arise. For instance, the mortality rate is high among people of this advanced age. Suppose 1 percent of them would die each month. That would mean that 1,100 estates would have to be closed and that many pension checks would be returned unpaid. From this it is evident that the auditors of both agencies would have at the end of each month many accounts to balance and many items to investigate and to resolve. Thus an inexperienced chairman would have plenty of opportunity to find fault while an experienced executive would leave such matters to the officers of the respective groups charged with their particular duty. The payments were made every month until October 1938. The Chairman complained and the Governor complained also. I am thoroughly familiar with the correspondence between them. Both were to blame for quarreling about small matters. None of the contentions between them amounted to a substantial contention. The Chairman should have remembered that the Governor was beholden to an electorate that would and did control his activities by defeating him at the election. The Governor should have realized that he was dealing with a man too small for his job.

The President should have realized this also and removed him. But since this was not done, the Chairman proceeded to exceed his authority and stopped the payment for October 1938. He allowed the payment for September and again after the November elections he allowed the November payment. If he was justified in paying in September and again in November, he should be able to show that there was some special difference in the situation in October. This he cannot do. It cannot be done. If he could show that the Governor had played politics by adding additional persons to the pay roll as was done in so many places on W. P. A., or if he could show that the Governor had misappropriated some of the money, he might justify his action. On the contrary there were 200 fewer persons on the rolls in October than in September and no charge had been made at any time that the Governor or anybody else misappropriated any money. There was no change in the law between September and November for the legislature had not met. The deputy auditor of State, a Democrat, listed as unfriendly to the Governor, stated at the hearing before the Judiciary Committee of the House that there was no material change of any kind in the manner and method of handling the matter in November as against September and October. The facts do not justify the President's veto. The reasonable conclusion that Ohio people quite generally have come to is that the President has permitted himself to be brought into this petty political quarrel between a Governor whom the people defeated and a little, inexperienced chairman who should be sent back to the classroom. It cost the people of Ohio \$1,338,168 to watch this childish quarrel. The President may not think this is much money but we in Ohio still think it is a lot of money.

THE LAW IN THE CASE

I maintain that the Board had no authority in law to withhold permanently all of the money in question. Acting on this theory I immediately tried to induce the Board to reconsider its action. It refused to do so although all through the month following its decision, it attempted to induce the Governor to resume negotiations with them. The Board refused to consider an adjustment although it had done so in the Oklahoma case which was far more serious than the Ohio case. Mr. Altmeyer, the Chairman of the Board, was in fact the whole Board. In his imperious way he announced that his actions were immutable. I reminded him that the Medes and Persians, too, thought that their laws were immutable but they and their laws are long since forgotten, and that simple justice is the only attribute of law that is eternal. I read you the law, and you may be the judge:

SEC. 2. (a) A State plan for old-age assistance must (1) provide that it shall be in effect in all political subdivisions of the State, and, if administered by them, be mandatory upon them; (2) provide for financial participation by the State; (3) either provide for

the establishment or designation of a single State agency to administer the plan, or provide for the establishment or designation of a single State agency to supervise the administration of the plan; (4) provide for granting to any individual, whose claim for old-age assistance is denied, an opportunity for a fair hearing before such State agency; (5) provide such methods of administration (other than those relating to selection, tenure of office, and compensation of personnel) as are found by the Board to be necessary for the efficient operation of the plan; (6) provide that the State agency will make such reports, in such form and containing such information, as the Board may from time to time require, and comply with such provisions as the Board may from time to time find necessary to assure the correctness and verification of such reports; and (7) provide that, if the State or any of its political subdivisions collects from the estate of any recipient of old-age assistance any amount with respect to old-age assistance furnished him under the plan, one-half of the net amount so collected shall be promptly paid to the United States. Any payment so made shall be deposited in the Treasury to the credit of the appropriation for the purposes of this title.

(b) The Board shall approve any plan which fulfills the condition specified in subsection (a), except that it shall not approve any plan which imposes, as a condition of eligibility for old-age assistance under the plan—

(1) An age requirement of more than 65 years, except that the plan may impose, effective until January 1, 1940, an age requirement of as much as 70 years; or

(2) Any residence requirement which excludes any resident of the State who has resided therein 5 years during the 9 years immediately preceding the application for old-age assistance and has resided therein continuously for 1 year immediately preceding the application; or

(3) Any citizenship requirement which excludes any citizen of the United States.

SEC. 4. In the case of any State plan for old-age assistance which has been approved by the Board, if the Board, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of such plan, finds—

(1) That the plan has been so changed as to impose any age, residence, or citizenship requirement prohibited by section 2 (b), or that in the administration of the plan any such prohibited requirement is imposed, with the knowledge of such State agency, in a substantial number of cases; or

(2) That in the administration of the plan there is a failure to comply substantially with any provision required by section 2 (a) to be included in the plan.

The Board shall notify such State agency that further payments will not be made to the State until the Board is satisfied that such prohibited requirement is no longer so imposed, and that there is no longer any such failure to comply. Until it is so satisfied it shall make no further certification to the Secretary of the Treasury with respect to such State.

You will notice that Section 2 provides the requirements which the States must fulfill. Ohio did this to the letter. It was easy to do for Ohio already had been paying old-age pensions on the average of about \$15 per month for some time.

Section 4 is the section to which I wish to call your special attention. In substance the section states that if the Board finds that the plans have been changed, and so forth—which is not the case in this controversy—or that in the administration of the plan there is a failure to comply "substantially" that the Board shall notify the State that further payments will not be made to the State "until" the Board is satisfied that such failure no longer exists. I should have you note the word "until." This means that the Board may withhold "until" something happens and not permanently. If Congress meant permanently, it would have said so. Surely the power to confiscate this large sum of money is not lodged in this Board. This would be more power than the President or any court in the land has. This surely could not amount to what in law is known as a forfeiture. If the Board is correct in its interpretation in Ohio's case, how could it possibly be correct in the Oklahoma case? If it was right in withholding October's payment it was wrong in paying for September and November.

Even if the Board cannot change its orders, that is no reason for this veto. It was because the Board refused to pay or to change its order that I introduced the bill. I did so to relieve the situation. I was interested in making it easy for the Board to do justice.

Now the real question in the whole matter is, If the Board cannot as the law stands now make the certification, then Congress should do so by legislation. Can it be possible that one little chairman of a little board in Washington can trample justice in the dust, and lay a heavy fine on a great

State of the greatest union of States that the world ever saw? Since when have we, a free people who take great pride in our courts and juries, in our Congress and Senate, come to such a low estate that one man can be judge and jury over our rights, and can be House and Senate over our liberties? How can a President who lends himself to such childish petulance claim to be entitled to the confidence of the people to such an extent that they will give him what Washington would not ask for, and what Jefferson would not have, and what Jackson would have resented? Justice, like truth, when crushed to earth shall rise again. What one President wrongfully refuses to do another President may gladly do. One little bureaucrat cannot stop a righteous cause. The greatness of Ohio is the indomitable spirit of her people. She will win with justice and time as her allies. [Applause.]

Mr. CARTER. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. FENTON].

Mr. FENTON. Mr. Chairman, I have listened with a great deal of interest to the debate that has been going on concerning the charges that the great State of Pennsylvania has been and is being short-changed in her allotment of W. P. A. employment since Governor James took office. All I have to add to this phase of W. P. A. is that we should certainly get all that we are entitled to, and I trust that we shall in the future.

Today I want to speak to you regarding another phase of W. P. A. that is affecting my district in Pennsylvania. At this point may I inform the House that I represent the third largest congressional district in Pennsylvania—some 365,000 people in Schuylkill and Northumberland Counties. Our major industry is anthracite-coal mining.

We of the hard-coal region have been especially hard hit for the past 8 or 10 years and consequently have an unusually heavy relief load.

I want to protest against the reduced wage rate in the W. P. A. set-up in my district. The Administrator has established wage rates based on population of communities in various counties and has designated four categories accordingly.

As I said before, I have a district of over 365,000 people. However, we have been relegated into the third category because neither of my 2 counties has a city of 25,000 population—one city falling short by a few hundred—and have received, instead of a slight decrease in the wage rate of last year, a cut of 27 percent for this fiscal year.

As far as relative high costs of living are concerned, the anthracite region of Pennsylvania always was and still is considered a high-cost-of-living area.

It is well known that several of our neighboring counties having cities of 100,000 or more population have always been cheaper as far as living expenses go, and yet they enjoy a higher rate of W. P. A. wage than do we of the anthracite region, especially Schuylkill and Northumberland Counties.

As a matter of fact, we do have several towns and cities that lack only a few hundred people in making cities of 25,000 population. But if the population of the surrounding territory of these cities and towns was taken into consideration, we would have many communities and cities exceeding 25,000 and even 50,000. I understand that this has been done in certain parts of our State which gives them a higher wage rate.

I am firmly convinced that this policy of fixing W. P. A. wage scales on a population basis is discriminatory and a violation of the terms of section 15 (a) of the Emergency Relief Act of 1939, which states:

After August 31, 1939, such monthly earning schedule shall not be varied for workers of the same type in different geographical areas to any greater extent than may be justified by differences in the cost of living.

On January 24 last, I introduced House Resolution 439 in the hope that an unjust situation is rectified by Congress.

My friends, the entire population of the Thirteenth Congressional District of Pennsylvania is dependent on our coal mines. Our businessmen, our schools, our churches, our professions, our farmers, our railroad men, in fact every living soul derives his existence from anthracite mining.

Many of our coal mines have been closed because of the financial failure of some of our mining operators, in many instances due to circumstances beyond their control. Most of the companies remaining in business and still operating are finding it hard to meet their obligations. Our relief problem is acute.

I am well aware of the fact that the best way to solve our unemployment problem is to put men to work—to give them jobs in industry at decent wages. But, I ask you, where will our unemployed go to get a job? You who are fortunate to have a diversified industrial section can well look forward to this means of taking up the excess unemployed.

My friends, our people are rapidly being dispossessed of their homes; those who rent homes are in arrears and ejection notices are common. Many of our people are hungry.

I have seen men on the W. P. A. working in the filth and stench of our sewage-disposal systems. I have seen them lift rocks that would tax the strength of a machine, to say nothing of a human being. I have seen them ridiculed and scorned. I have seen them do all these things just to keep body and soul together.

And, of course, we in my district know too well how they were coerced, intimidated, and hi-jacked for tickets and card parties up until the present fiscal year. We have reason to believe that "pressure" is still being used in my district, although this is denied.

I am still of the opinion, however, that an impartial investigation is still necessary in the Thirteenth Congressional District of Pennsylvania, and those who would use the relief rolls for gain should be exposed and sent into oblivion, where such parasites belong.

I want you to know that I have supported and voted for all relief appropriations asked for by our President. In the first deficiency appropriation bill I voted for \$725,000,000, as recommended by your Appropriations Committee, when we were told that there was \$50,000,000 to \$90,000,000 left from the old appropriation that had not been used, and that another deficiency bill would be presented if needed.

And then, when the President presented his message for the \$150,000,000 that he said was necessary in addition to the \$725,000,000, I voted for the whole amount. When that was defeated in committee I voted for \$125,000,000. Needless to say I voted for the full amount for the fiscal year as presented by our Chief Executive.

The people of the anthracite region, composed as we are of all nationalities, are a hard-working, honest people, and want to work. They are tired of being buffeted around from pillar to post. And the sad part of it is that our own Government is helping to put them in the plight that they are in at present. How? you ask.

First. Under the guise of flood control they are establishing hydroelectric power plants throughout the country, which have reduced coal production.

Second. Importations of foreign coal, while not great at this time, and described by some as only "a drop in the bucket," is nevertheless vicious, and has no place in our American system of commerce as long as any of our miners are unemployed. And what is true of coal importations is true of other cheap importations that are playing havoc with our labor and agriculture.

Third. In many of the new post offices in our neighboring counties—right in our back yard—our Government has placed and is placing heating units and apparatus to use fuel other than hard coal.

Fourth. We are importing fuel oil at the rate of 1,000,000 barrels a week. I am told that half of it is imported duty free and the other half comes in at ½ cent a gallon. Imported oil, therefore, displaces 10,000,000 tons of coal annually.

Fifth. And now the Government has decreased the earnings of the W. P. A. worker—the laborer—27 percent. Is it any wonder that a great many of our citizens in my district have resorted to "bootlegging" coal? Can you blame them? Oh, it is all right to "sit on the back seat" and give the driver advice. But place yourselves in their position.

Driven to desperation in seeing hunger in their families they try to eke out an existence in bootleg mining from which many are being killed or maimed for life. Landlords are demanding their rent, and home owners are being dispossessed of their properties. Many are being denied work on W. P. A. projects for various reasons.

The W. P. A. Administrator, although he admits he is "sympathetic" with our situation, says that \$42.50 a month is sufficient for our W. P. A. workers, regardless of the size of a man's family—whether he has no dependents, or if he has seven or eight children.

Think it over, ladies and gentlemen of the House, and I respectfully ask your support of House Joint Resolution 439—a resolution proposing to amend the Emergency Relief Act of 1939 by providing a prevailing-wage rate. This, I believe, was the full intent of this Congress. [Applause.]

Mr. MARTIN of Massachusetts. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. HOFFMAN].

THE N. L. R. A. SHOULD BE AMENDED

Mr. HOFFMAN. Mr. Chairman, any law which when enforced does not tend to accomplish the purpose for which it was enacted, should be repealed or amended. The N. L. R. A. is such a law and should be amended.

All through the last session an earnest effort was made by me to induce the House to amend the National Labor Relations Act. That effort was without success.

Again the question is before Congress and again our request that the law be amended is met by delay.

Not so long ago those who proposed amendments to the Wagner Act were charged with being enemies of organized labor. In truth and in fact we who then sought amendments to the law were and are the real friends of labor. Those who until recently took the position that the law should not be amended in any respect evidently assumed that the act as originally written was perfect. They ignored the fact that the only law which experience has shown to be adequate and in no need of amendment was that laid down on the tablets of stone and known as the Ten Commandments.

Even our Constitution, man's great masterpiece, the solid foundation upon which our Nation and our civilization has rested for 150 years, was found by experience to be in need of amendment. Did the authors of this act possess greater wisdom, produce a more perfect rule of conduct, than did our forefathers when they brought forth the Constitution?

I have been charged with being opposed to collective bargaining. There is no foundation for such a statement.

I have offered an act to repeal the Wagner law because repeal is the only method by which we can get rid of the present personnel of the N. L. R. B., which has so grievously misinterpreted and maladministered the National Labor Relations Act. I would reenact those provisions of the National Labor Relations Act which have been found beneficial and add to them other provisions which would make the law more effective, which would insure real collective bargaining and protect all subject to its operation.

Some who say no one except themselves is competent to offer amendments to the law have changed their attitude and now, since the A. F. of L. and the C. I. O. both advocate amendments to the National Labor Relations Act, have taken the position that they, too, are in favor of amendment.

Their attitude calls to mind the weathervane on grandfather's barn, which shifted with every change of the wind. Apparently the breeze created by the expression of views from the A. F. of L. and the C. I. O. leadership has changed the policy and the minds of some others.

It seems foolish to assume that the Wagner Act cannot be improved, to rest content with the thought that it is the last word in labor legislation; yet such has been the attitude of many of its sponsors.

Others who denounced the adding or deleting of a word, the changing of a syllable, as a sacrilege and an attempt to enslave labor have come to realize their mistake. The Manufacturers' Association, which was bitterly excoriated when it ventured to suggest that changes would improve the law, has been joined in the demand for amendment of

the act by the great A. F. of L. and of late by the C. I. O., as well as by thousands of individual employees and employers, though naturally the proposed changes are not in each instance the same.

To justify its existence a law must extend equal protection to all who are affected by it. Our whole judicial system, which was devised for the purpose of administering our law, rests upon the premise that all men are equal before the law. Equality before and under the Wagner law was not in the minds of those who conceived and drafted it. Admittedly it was devised to advance the fortunes of one group—the employees. It has been used to restrict the rights of employees. Its announced purpose was to lessen the causes of industrial disputes affecting interstate commerce. To every industrial dispute there are at least two parties, employee and employer. In some industrial disputes there are two rival unions arrayed against each other, with the employer and the unorganized employees caught in the middle and without means of escape from the strife.

That the Wagner Act is not just and fair to all who are affected by its operations is shown by the following statements, the truth of which I challenge my opponents to successfully dispute.

The Wagner Act defined and gave to employees certain rights. The act neither defined nor gave to employers one right. It made many lawful acts of employers unlawful and designated those acts as unfair labor practices and placed it within the power of an administrative board to inflict upon employers penalties for the commission of those acts.

The act does not make unlawful acts done by employees, which may harm or even utterly destroy the business of the employer, unfair labor practices. Nor does it condemn or punish any act of an employee, no matter how unlawful or how destructive that act may be to the employer or how injurious to the public. And, under it, a minority group of employees may destroy the collective bargaining rights of a majority group of employees, even though they belong to a union.

Under the act the employee, the union organizer, be he Communist or convicted felon, may make misleading statements about the benefit which joining a union may bring to the employee. He may deliberately lie about the employer to induce men to join a union, while, on the other hand, the employer may not even say to the employee that he need not join a union in order to hold his job.

The right of free speech and a free press, even to the extent of making false charges about an employer's business, his methods, and his religion, may be exercised by the employee or the union organizer. The right to make truthful statements in answer thereto is at the present time by the Board denied the employer under the law as it stands today.

The act designates as an unfair labor practice, coercion and intimidation when practiced by the employer against the employee. It places no restraint upon coercion and intimidation when practiced by the employee against employer, nor when practiced by a union organizer or a union upon the employee.

An employer not interested in a jurisdictional dispute between the C. I. O. and the A. F. of L., willing to bargain with either, finds himself, if he deals with one, threatened with a strike by the other. His business may be destroyed by the conflict between the rival unions, but under the act as it stands he is without remedy.

Absolute proof that under the act the employer has no protection against the picketing, the destructive picketing, of a minority union; that a majority of his employees belonging to a rival union are not free from coercion and intimidation by a minority union is found in the decision of the Circuit Court of Appeals for the District of Columbia handed down on the 27th day of February 1939.

In that case a retailer here in Washington employed 11 fur workers. Nine belonged to the A. F. of L., two to the C. I. O. The two called a strike and joined by outside pickets who, in the language of the court, "were disorderly in their conduct and attempted assault" upon the nine "in-

timidated and coerced them by threats of bodily harm and interfered with customers while they were entering or leaving the business establishment." The purpose of this strike as announced by the court was to compel Zirkin's to violate the Wagner Law by forcing the A. F. of L. employees to forsake their union, join and pay dues to the C. I. O.

The Court after stating that the dispute might proceed indefinitely and bring ruin to the employer said:

It was clear further that in such a situation there is no remedy for the employer under the N. L. R. A. * * * the result is an inequality before the law as between employer and employees in this particular, namely, that while the employer has a substantive right to carry on his business, he lacks a legal remedy for protecting the same against injury through the struggle of competing unions, even though he be indifferent as to the choice of his employees between them; whereas the employees, in respect of their substantive rights of self-organization and collective bargaining, are afforded a protective remedy under the election and certification powers of the Board.

In view of this pronouncement by the Court and its further statement that—

The argument of hardship "must be addressed to Congress in respect of the possibility of an amendment of the N. L. R. A."

Do my opponents still contend that the law should not be amended so as to afford protection to the man who creates the jobs and pays the wages; that the law should not be amended to give protection to those employees who resist coercion which would force them into the ranks of a rival union? Section 7 of the act expressly provides that employees shall be free to bargain collectively through representatives of their own choosing. Other provisions of the act, however, made this impossible. Proof absolute that employees are deprived of the right to bargain collectively through representatives of their own choosing, yes, of the right to join the union of their choice, is found in the decision of the Circuit Court of Appeals of the District of Columbia and in the decision of the United States Supreme Court handed down on January 2, 1940, affirming the decision of the circuit court in the case brought by the American Federation of Labor against National Labor Relations Board.

In that case by a manipulation of the territorial limits of the unit from which representatives for collective bargaining were to be chosen, American Federation of Labor unions on the Pacific coast were destroyed and their members deprived of the very right to bargain collectively which was presumably given them by section 7.

Of this situation the Court said:

A situation has arisen as the result of which a so-called closed-shop contract may be entered into which will require petitioner's members, even where they predominate in a particular locality or business, to join the other union or possibly be displaced from their employment by members of that union.

The Court then said:

So that what happened was precisely what in a proper case the act designed should happen, but as we have seen, with the result that petitioner, in the localities in which its members constituted a majority was—if the Board's decision as to the representative unit is valid—deprived of the very thing which petitioner insists it was the purpose of Congress to secure and protect.

As the Court further stated, this action of the Board struck at the very roots of the A. F. of L. union and, I quote, "destroyed its effectiveness in a large geographical area of the Nation," and deprived the A. F. of L. "of opportunities to secure bargaining representatives of their own choice."

It being conceded, as it must be conceded under these decisions of the highest court in the land, that the law is unfair; that it is unjust; that it deprives the employer of the protection which would prevent the destruction of his business; that it deprives employees of the right to bargain collectively through representatives of their own choosing; and that it may be used to destroy a labor organization which has had a constructive record for more than 50 years; there is now no reason why the Congress should not, without further delay, correct these faults by amendment. For that purpose almost a year ago I introduced H. R. 4990 and have consistently pressed for its adoption or the

adoption of some other constructive amendments, which will prevent at least some of the miscarriages of justice which have left financial ruin and industrial strife in the wake of the enforcement of this law. [Applause.]

Mr. BATES of Massachusetts. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and to include a table.

The CHAIRMAN. Without objection it is so ordered.

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. FISH].

THE NATIONAL GRANGE AND THE RECIPROCAL-TRADE AGREEMENTS

Mr. FISH. Mr. Chairman, I had hoped to appear before the Ways and Means Committee on Monday to make some remarks on the pending bill relating to reciprocal-trade agreements. Unfortunately I got mixed in the dates and the hearings concluded last Saturday. I propose therefore to make some of those remarks this afternoon on the floor of the House.

Mr. Chairman, I am making this appeal to the House of Representatives in behalf of and out of respect for American agriculture, and because of the continuing distress of our American farmers.

I appeal to the Congress not only as a Member of this body from an agricultural area and district but as one who for 25 years has been proud to be a member of an association, one of the oldest, most historical, and revered of American farmers' institutions, the National Grange.

It is unnecessary for me to tell the Members of the House that the National Grange is in no sense a political institution. Neither is it necessary for me to tell you of the high sense of patriotism, morality, truth, honor, integrity, and culture that has characterized the assembly of every subordinate Grange since the very inception of that honored and highly esteemed agrarian institution.

The National Grange has long spoken to the committees of the Congress through its accredited and elected representatives. In the course of the hearing just concluded before the Ways and Means Committee, as to the wisdom of continuing the so-called Trade Agreement Act, the Grange once again addressed an appealing and fundamentally sound viewpoint to the Congress.

Their representative, the Honorable Louis Taber, master of the National Grange, appeared in opposition in behalf of the institution which he is honored to represent. He addressed himself wholly to the agricultural, economic, legislative, and factual matters involved in the trade-agreement program and took occasion to point out its adverse effects upon American agriculture.

There was nothing flamboyant in his statement. There was no vestige of the personal or political in his presentation of the viewpoint of the National Grange. The committee was fully aware of this fact before he spoke a single word.

The Honorable Louis Taber is my friend! He is known and respected by every Member of Congress! For nearly 20 years he, and the Grange's Washington representative, Mr. Fred Brenckman, has been in and out of these halls laboring indefatigably to the best interests of American agriculture.

Despite Louis Taber's repute and integrity as a speaker of truth none other than a member of the President's Cabinet, Mr. Henry Wallace, when testifying before the Ways and Means Committee chose to impeach the motive that prompted the appearance of Mr. Taber before that body.

It so happens that in this particular appearance Mr. Taber addressed himself, as was his duty as the representative of the National Grange, in opposition to a national farm program advanced and supported by the President and the Secretary of State.

Mr. Chairman, since when did the Honorable Henry A. Wallace begin to pay lip service to the Hull reciprocal trade agreement program?

Let us look behind the spoken words of Mr. Wallace before that committee in order to see in truth just what he actually thinks of the real effects upon American agriculture that

have been wrought since the trade-agreement program was put into effect.

In his address before the Commonwealth Club in San Francisco, made only 30 days prior to his appearance before this committee, Mr. Wallace declared:

The farmers thought they had a special stake in the program. For 100 years they sold large quantities of their surplus farm products to Europe. They had hoped that the trade-agreement program would get those markets back, but in spite of the sincere and painstaking work of the State Department the tide toward nationalism in the Old World has been so strong that it could not be reversed.

It was Mr. Henry A. Wallace, who said that the farmers thought they had a special interest and stake in the trade-agreement program.

It was Mr. Henry A. Wallace who said that the farmers had hoped that the trade-agreement program would recapture their lost foreign markets.

It was Mr. Henry Wallace who said that the farmers got fooled.

It was Secretary Wallace who gave away the foreign markets for our exportable cotton and other products.

Now, because Mr. Louis Taber comes before the Ways and Means Committee to make an appeal in behalf of the American farmers, for the recapture of both foreign and domestic markets, he is branded as a "farm lobbyist" by one of the President's official family, Secretary Hull; and another member of that family, Mr. Wallace, tells this committee that maybe Louis Taber wants to become the Secretary of Agriculture.

Mr. Chairman, I venture to say that every Member of this House, regardless of his political faith, will endorse my statement when I say that there is no man in or out of public office more able and as well qualified to fulfill and discharge the duties of Secretary of Agriculture of the United States than is Louis Taber.

Louis Taber is no theorist. He is a God-fearing, hard-headed, dirt-root farmer. Believe me when I say that there would have been no slaughter of the little pigs; no plowing under of cotton, corn, and wheat; no shooting of cattle; no destruction of our precious farm capital. God knows if Louis Taber had been Secretary of Agriculture, and invested with the power bestowed by this Congress upon Mr. Henry A. Wallace, then American farmers would now be out of the slough of despond and on their way down the highway to a long line of years of plenty and prosperity.

On a recent trip into the Middle West I heard a story told by a farmer of Iowa who was discussing the loss of their domestic markets for butter and hog lard, now being destroyed by the importation of jungle oil and fats used to make lard and butter substitutes. There was more talk about the tremendous imports of dried and frozen eggs and the continued import of egg yolks and albumen from China when one old farmer spoke up and said:

Well, I'll be danged, Henry Wallace has certainly turned out to be the best Secretary of Agriculture that the Chinese ever had!

Mr. Wallace was against trade agreements; for what reason is he now supporting the Hull program? I am personally opposed to the continuation of the act now, and for the same reasons for which I opposed it when it was originally proposed.

I am opposed to the Trade Agreement Act now for the same reason advanced by Mr. Cordell Hull, Secretary of State, when he, as a Member of this House, opposed the flexible tariff provisions giving the President power to raise and lower tariffs, which provision was not a tithe as dictatorial and as arbitrary as the powers given Mr. Hull under the present act.

I can well remember the time—May 13, 1929—when my friend, the eminent and distinguished Secretary of State, stood on the floor of the House and denounced the bill which he now administers and advocates.

I can almost hear Mr. Hull telling his colleagues:

The proposed enlargement and broad expansion of the provisions and functions of the flexible tariff clause is astounding, is undoubtedly unconstitutional, and is violative of the functions of the American Congress.

Those were the spoken words of the Secretary of State who now comes before the Ways and Means Committee to ask its approval of the Reciprocal Trade Agreements Act. He asks that there be reported out of that committee an act which he himself, a brilliant lawyer and eminent jurist, 10 years ago declared to be unconstitutional.

Is the Secretary of State not now, as he was then, duty bound and sworn to uphold the Constitution of these United States? Why then did he stand mute before the Ways and Means Committee on the question of the constitutionality of the Trade Agreements Act? He spoke on the question of its constitutionality when a Member of Congress. Why does he not speak of it now?

No court has been privileged to speak on that question. Why has Secretary Hull not allowed a court test to be made as to the constitutionality of the act? Is it because he realizes that he is now himself administering an unconstitutional law on an unconstitutional act, an act which is burdening every farm, livestock, and dairy producer; yes, every worker in the mines, mills, factories, and quarries of these United States?

In continuing his address in May 1929, Representative Hull went on to declare:

Not since the Commons wrenched from an English King the power and authority to control taxation has there been a transfer of the taxing power back to the head of a Government on a basis so broad and unlimited.

Mr. Chairman, the delegation of power about which Representative Hull was then complaining never contemplated the extension of dictatorial power over industry and agriculture delegated by the New Deal Congress in June 1930 to the Secretary of State under the Trade Agreements Act.

Like Secretary of State Hull, I also hold that the amendment to the tariff act now in effect is undoubtedly unconstitutional, and that it is—to quote the language of the Secretary—"violative of the functions of the American Congress."

I am entirely in accord with the views expressed by Secretary Hull, who, in discussing the provisions of the act which he now administers, declared:

This is too much power for a bad man to have or for a good man to want.

Mr. Chairman, my own tariff philosophy is more agreeable and in accord with that of the chairman of the Ways and Means Committee, the gentleman from North Carolina [Mr. DOUGHTON]. Our minds meet as to what constitutes sound tariff legislation. I am wholly in sympathy with the views expressed by him on the floor of the House on May 17, 1929, when he stated:

Individually I believe in the tariff based upon sound economic facts, such facts to be controlled by a nonpartisan commission, free from political or selfish influence, with an aim and purpose in view of raising a reasonable portion of the national revenue at the customhouses, and at the same time * * * as far as can be ascertained in this and foreign countries, if there is any difference in production cost, to give even the reasonable advance to the domestic producer.

Mr. Chairman and members of the Committee, the tariff program and principle laid down by the chairman of the Ways and Means Committee squares exactly with the tariff program of the National Grange, approved and adopted at its annual meeting in Peoria last December.

The Grange also believes in the establishment of a nonpartisan committee responsible to Congress, and the tariff plan of the Grange further states:

We favor the levying of excise taxes on all imports of the dutiable list when the landed cost of such goods falls below the wholesale selling prices.

There is, however, Mr. Chairman, still one more matter of the Trade Agreements Act to which I would like to address myself. That is the matter of the repeal of the right of the American farmer to protest any reduction in duty or tariff rates when made to the President under the Trade Agreements Act.

In denouncing a proposal to repose the hearing of appeals in the Secretary of the Treasury, the now Secretary of State, Mr. Hull, on May 13, 1929, declared to this body:

This is bureaucracy run mad. The very suggestion that the most valuable property rights of the citizen can be disposed of or dealt with as a finality by the Treasury Department with the slightest recourse to the courts of the country is wholly impossible to understand.

Mr. Chairman, those are also the words spoken by the Secretary of State, who now administers an act that palpably denies to every farmer the right to "a day in court," to protest any reduction in tariff on foreign agricultural products.

The American farmer, the American laborer, the representatives of their agricultural, labor, industry, trade, and commerce organizations, have for 7 years been endeavoring to bring this so-called Trade Agreements Act into the courts of the United States.

They desired to do this to test the constitutionality of an act that encouraged a flood of agricultural imports that have been drowning out our domestic markets and to abate the damage being done to them by the amendment of the Trade Agreements Act. Due, however, to a repeal provision of that act, the American producers have been deprived of any and every right to any reduction in duty made by President Roosevelt under his good-neighbor policy and the Hull trade agreement program.

Since the passage of the act some of the most distinguished lawyers in the land have been unable to find a way in which to bring that act into the courts of the United States for a hearing even as to its constitutionality.

In conclusion, let me say that out of respect to American agriculture and American labor, in deference to constitutional law and national welfare, the right of American producers to protest all injurious legislation and reductions in tariffs, as provided for in the Tariff Act of 1930, must be restored to the Federal statutes.

Regardless of what the proponents of the reciprocal trade agreements proposal might maintain, the records of the foreign commerce of the United States support the fact that since the enactment of the trade-agreement amendment and the reduction in tariff rates made on agricultural production, this country has been devastatingly flooded with a tremendously increasing volume of agricultural products which compete with our own, with substitutes therefor and derivatives thereof. [Applause.]

I hope there will be extensive debate when the renewal of the reciprocal-trade program is brought up for discussion on the floor of the House of Representatives, particularly in relation to the powers of the House of Representatives. We often suffer, in fact generally suffer, by comparison with the Senate of the United States. At all times you will find the Senate upholding and protecting its powers, its rights, and its functions. You can find in almost every newspaper articles about the power of the Senate to ratify treaties, that these trade agreements are nothing more than treaties, and, therefore, the Senate will see to it that its rights to ratify treaties are protected; but you see almost nothing, you hear almost nothing, about the powers of the House of Representatives and our constitutional rights and our control over the writing of tariff legislation and the raising of revenue.

It is far more important for this House to uphold its constitutional rights to raise revenue than it is for the Senate to argue whether these agreements are treaties or not. If we have any legislative power in the House of Representatives, it is the control of the purse strings, it is the power to raise revenue and to tax. When you surrender or delegate away that power and turn over the control of the purse strings, or the raising of revenue, you destroy the legislative functions of the House of Representatives and leave this body with no more legislative power than Ghandi has clothing.

I have digressed from my prepared remarks for one sole purpose, to insist that Members of the House, Republicans and Democrats alike, must seriously consider the constitutional angle and the powers of the House; for if we turn over the writing of tariffs and the raising of revenue to the Executive,

or even to the Senate, we shall have destroyed our greatest constitutional power, we shall have let it slip through our fingers through our own improper acts.

Ours alone is the responsibility for the encroachment by either the Executive or the Senate upon the legislative functions of the House of Representatives. Either we are a legislative body, and the greatest legislative body in the world, or we have ceased to exist as a legislative body and have permitted encroachments from both the Senate and the White House. We have by our own volition surrendered the control of raising revenue and writing tariffs, powers delegated to us and written into the Constitution, and actually one of the most important functions of the House of Representatives.

Mr. SANDAGER. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield.

Mr. SANDAGER. I do not wish to interrupt the gentleman's train of thought but, in his testimony before the Ways and Means Committee, Secretary Wallace attributed the present European war to the Smoot-Hawley tariff. The gentleman from New York is a close student of foreign affairs. I would like to have his opinion on this subject.

Mr. FISH. I am a little embarrassed. I have but 20 minutes. I have some other things to say also. I am afraid that were I to launch into the subject raised by the gentleman now I would take more than 20 minutes.

My main purpose of my wanting to appear before the Ways and Means Committee was to expose the utter fallacy, the consistent and persistent propaganda that these trade agreements are synonymous with peace. I propose, if I get the time, to attack that theory in this House, to show that these trade treaties have no more to do with peace than cheese has to do with chalk. The greatest of the trade treaties before the British treaty was that with Czechoslovakia. Did that save Czechoslovakia from being gobbled up? The next greatest trade treaty was with Great Britain, with the unconditional, most-favored-nation clause that brings free American labor paid \$3 a day and upward into direct competition with the labor of the rest of the world, with the 20-cent labor of Japan, with the \$1 labor of central Europe. Did that save Great Britain from going to war when her interests were at stake? Not only have these trade treaties nothing to do with peace in spite of the propaganda that is sent out daily from the State Department to numerous women's organizations in America, but you can also make the argument that these trade treaties with the unconditional, most-favored-nation clause, giving the same advantages, the same benefits, to all the other nations that give nothing in return for dumping their cheap products into American markets in competition with free American labor is the cause of a great deal of our unemployment. The American Federation of Labor has repeatedly gone on record against the importation of cheap goods from Japan. Due to this importation, ill will, enmity, and even hostility has arisen in the ranks of the American Federation of Labor against Japan.

So I could argue at length that these trade treaties, instead of bringing about peace, are the cause of not only dissatisfaction and unemployment but they create ill will in this country against foreign nations from which these low-price, cheap goods come.

Mr. MURRAY. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Wisconsin.

Mr. MURRAY. The gentleman is from a dairy section?

Mr. FISH. Yes.

Mr. MURRAY. Has the gentleman heard of anybody who appeared before the committee, or does he know of anyone who would get up here on the floor and show where they have been of any benefit to the dairymen of this country?

Mr. FISH. My district is brought into direct competition with the dairy interests of Canada and the milk and cream from Canada come into direct competition with my dairy farmers. Naturally the cost of production is less in Canada than in the United States. Also, due to certain laws of New York State having to do with the control of health

and hygiene, our dairy operations are more expensive. Our dairymen are being discriminated against, and they realize it, by the Canadian trade agreement. They are opposed to these trade treaties as being harmful to their livelihood. That applies not only to the dairymen but also to the vegetable and fruit growers of my congressional district.

Mr. GIFFORD. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. I do not want the gentleman to feel badly, but I made that same speech to the Ways and Means Committee for 20 minutes. I brought to the members of that committee the facts. How is it possible that the American mind can stand for a man like the Secretary of State and important Democrats and their party taking such a complete somersault of opinion from what they had in 1929? How does the gentleman explain that the public mind can endure that sort of somersault?

Mr. FISH. I will explain the whole trade-treaty situation in this way: I believe the trade treaties have been sold to the American people, or they were originally sold to the American people, on the basis of peace, and that was particularly true so far as the women of the country were concerned.

Mr. GIFFORD. I said that.

Mr. FISH. They were sold by a repetition of the word "peace." It was repeated like a parrot, and by mere weight of repetition it was effective. I think the Republicans are somewhat to blame that we did not expose this myth and explode and denounce it from the very beginning. The Secretary of State would speak almost weekly. Then the Assistant Secretary of State, Mr. Sayre, and also the President, would join in the chorus of "peace." All of them repeated the trade treaties are the road to peace. For a time the American people were for them; but when they saw what happened to Czechoslovakia, Great Britain, and other nations, they began to lose faith. The time has come when we should answer and explode the peace slogan and show these agreements have nothing whatever to do with peace and may be the cause of dragging us into war.

Mr. GIFFORD. I said exactly that to the Committee on Ways and Means. Why do we let them turn these complete somersaults and not expose them? It is not enough that they tell the women that.

Mr. FISH. I will answer the gentleman's question. A year ago a distinguished Republican, the gentleman from Massachusetts [Mr. TREADWAY], a man who has served a great many years on the Ways and Means Committee, and a very distinguished Member of this House, took the floor and spoke for an hour against these trade agreements. He took up these various arguments, the constitutional argument, the peace argument, and so on, and when he sat down I got up and said that I would hazard the guess there would not be 10 lines in the newspapers in reference to what the gentleman had to say against these trade treaties. I talked a little on the peace angle, and I stated I did not believe there would be five lines in the newspapers on what I had to say. I was right both times. But every time the Secretary of State talks, every time the President talks, or anybody for the State Department, their whole speech is in all the newspapers of the country. There is column after column devoted to it. That is the difficulty in reaching the people with these arguments, no matter how sound our arguments may be. They are not heard by the public generally.

[Here the gavel fell.]

Mr. CARTER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. FISH. Mr. Chairman, the New York Times of today has an article on the front page which states "Liberties Union Bars from Office Reds and Fascists." I have not time to read the whole article, but it means that the American Civil Liberties Union that has been referred to so often in the House of Representatives has by its own accord and by a vote of its own members decided to bar all Communists, all Fascists, and I assume all Nazis from its committees and from acting as officials in that organization. I have never opposed the principles of the American Civil Liberties Union.

It stands for free speech, free press, free assembly, and for the guarantees of the Constitution. Those of us who opposed the American Civil Liberties Union in the past have always opposed it because the executive committee was loaded down with out-and-out Communists. Now that it has rid itself of these Communists, if the American Civil Liberties Union upholds its program of freedom of speech and the press and the guarantees of the Constitution, as far as I am concerned I am ready to go along with them. I hope these other organizations with Communist officials will do likewise. I hope the American Youth Congress, that is meeting here at this time, will likewise purge itself of the Communists within its own ranks. If it does that, then we Members of Congress and others will have nothing whatever against their organization but as long as Communists hold important offices in that or any other organization it should rightly be suspected by the public.

I hold in my hand an article entitled "The Dies Committee Is a Menace," written by Dr. Harry F. Ward, in which he refers to the remarks of the President of the United States when the chairman of the Dies committee said there were some 500 Federal employees who were either members of or friendly toward the League for Peace and Democracy. You will remember that the President said at that time that by exposing their names Mr. Dies had indulged in a sordid procedure. Mr. Ward goes on to say that it was not a Communist organization. Last Thursday the League for Peace and Democracy was disbanded and its committee memberships made public. The committees were loaded down with well-known Communists.

For example, on the reorganization committee there were Charles Krumbein, Joseph Cadden, Joseph Lash, and Max Bedacht. Mr. Krumbein and Mr. Bedacht are well-known Communists. On the program committee there were C. A. Hathaway, editor of the Daily Worker; A. A. Heller; Joseph Pass; and Angelo Herndon, a well-known Communist. The resolutions committee was composed of Earl Browder, secretary general of the Communist Party, and Elizabeth Gurley Flynn, a member of the Communist executive committee.

The nominations committee was composed of James W. Ford, who ran for Vice President on the Communist ticket, and Mr. Ben Gold, another well-known Communist; yet the president of this defunct organization, Mr. Harry F. Ward, says it has no connection whatever with the Communists, although these committees were controlled and officered very largely by Communists.

Then, when the gentleman from Texas [Mr. DIES] produced the names of some five hundred Federal officeholders here in Washington who were associated with the League for Peace and Democracy, who presumably were members of that organization and, presumably, paying members, because that is the way they operated, the President denounced it as sordid procedure. All I want to say is that, in spite of Mr. Ward's denial, the League for Peace and Democracy was a Communist organization, and that the gentleman from Texas was doing his duty by exposing every single officeholder in the Federal Government who had any association whatever with that Communist-controlled organization. As far as I am concerned, I think it is a sordid procedure that any person receiving a salary from the Federal Government should contribute any part of it to the League for Peace and Democracy, and those who did ought to be exposed by the Dies committee. [Applause.]

Mr. Chairman, the distinguished gentleman, a member of the subcommittee, the gentleman from Nebraska, Mr. KARL STEFAN, a little while ago made some very kind remarks about me in connection with the Oslo Interparliamentary Union Conference. Today I have received the following telegram:

Finnish Interparliamentary Group sends United States of America group greetings; heartiest thanks United States of America sympathy, help, accorded Finland while Finnish democracy remains post fighting behalf civilization, justice, against brutal aggression. United States of America aid reveals same spirit nobility tinged United States of America delegates' speeches, Union's Jubilee Conference, Oslo, August 1939, when United States of America delegates greater vigour; others exhorted; no means

spared; preserve peace unions aim Finnish Nation become, despite neutrality-victim aggression, violating all rules international law; thus fighting behalf peace, expects these words, stressing solidarity all democracies, followed by high-minded deeds, give active assistance. Finnish parliament asked civilized nations its appeal December 10, 1939.

MANTERE,

President of the Finnish Interparliamentary Group.

This cablegram, coming from the head of the Finnish delegation at the Oslo conference, commends the action of the American group that tried to bring about a moratorium of 30 days in order to prevent the war, and to substitute the principles of arbitration, mediation, and peaceful settlement in Europe before the European war broke out. This cablegram comes from a smaller nation, one of the nations that has been crucified as the result of the war.

I am putting this cablegram into the RECORD to show that some of these smaller nations that have since been crucified, like Poland and Finland, were in accord with the actions of the American delegation in their attempt to stave off the war by a 30-day moratorium through the concerted action of democratic nations, thus putting it up to the dictatorial nations either to turn it down or to accept it; and if they turned it down they would have had the moral obloquy of the entire world cast upon them. [Applause.]

[Here the gavel fell.]

Mr. RABAUT. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama [Mr. STARNES].

Mr. STARNES of Alabama. Mr. Chairman, I rise to announce that today William Dudley Pelley appeared before the Special Committee to Investigate Un-American Activities and denied completely that he had any knowledge of or any part in writing the letters which our colleague, the gentleman from Michigan [Mr. Hook], inserted in the RECORD during the past week. He further denied having ever met the chairman of the committee, the gentleman from Texas [Mr. DIES], or having any communication with him or any other member of the committee.

This, therefore, is a complete refutation of all the charges levied against the gentleman from Texas [Mr. DIES] and members of the committee in the letters which were inserted in the RECORD. They are conclusively shown to be forgeries, without any foundation in fact.

I wish also to call the attention of the Committee to the fact that the other evening I did not mention the name of the gentleman from Massachusetts [Mr. CASEY], one of our colleagues and a member of our special committee, and I did not mention his name because I had no idea anyone would charge or imply that he was associated with anyone in an effort to discredit the committee. I make this statement in his behalf today, that he was the last person to come to the dinner party and the first to leave, and that he did not see the documents at that time and did not participate in any program or concert of action on the part of anyone to discredit the gentleman from Texas [Mr. DIES] or any other member of the committee. I thought I should say this in fairness to the gentleman from Massachusetts [Mr. CASEY], whose name was not mentioned for the reason I have stated.

[Here the gavel fell.]

Mr. RABAUT. Mr. Chairman, may the Clerk now begin the reading of the bill?

The Clerk read down to and including page 1, line 6, of the bill.

Mr. RABAUT. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. RAYBURN] having resumed the chair, Mr. BEAM, Chairman of the Committee of the Whole House on the state of the Union, reported that the Committee, having had under consideration the bill (H. R. 8319) making appropriations for the Departments of State, Commerce, and Justice, and for the judiciary, for the fiscal year ending June 30, 1941, and for other purposes, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. BREWSTER. Mr. Speaker, I ask unanimous consent to extend the remarks I made in Committee and to include therein excerpts from statutes and certain treaties and certain outside addresses. They will be short excerpts.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a brief editorial by Raymond Clapper on the National Youth Administration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BLACKNEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SIDNEY, OHIO

Mr. JONES of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JONES of Ohio. Mr. Speaker, I call attention of the House to singular achievement of a city in my district. While many cities threw up their hands in desperation, this city, through its progressive citizenship, through its progressive people, has made an enviable record worthy of the spotlight of attention drawn by Mr. Raymond Clapper on Thursday, January 18:

I have encountered just one perfect case of recovery. The little city of Sidney, Ohio, with 10,000 population, has 97 percent of its employables at work. Every plant is operating full time, some on three shifts, making bakery machinery, machine tools, aluminum and cast-iron products, grain-elevator equipment, road-building machinery, electrical refrigerating units, plating work, folding machines and bus bodies.

The town has 22 cases of direct relief—unemployables. Total unemployed in the county, including W. P. A., are 700. Anyone who has had any machine-shop experience can get a job.

Such good fortune as Sidney's is not in store for the majority of communities. Unemployment is not going to disappear automatically.

PRIVILEGES OF THE HOUSE—PERMISSION TO EXPUNGE REMARKS

Mr. HOOK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOOK. Mr. Speaker, now that Pelley, the alleged writer of the so-called Pelley letters, and David Mayne, the alleged receiver of the letters, have stated that they are forgeries, and that convinces me now that they are forgeries, having innocently placed those forged instruments in the CONGRESSIONAL RECORD, not knowing them to be forged, I deeply regret that believing them to be genuine, and not knowing them to be forged, that I ever placed them in my remarks, and beg the indulgence of this body that I be allowed to withdraw them from the CONGRESSIONAL RECORD.

I therefore, Mr. Speaker, ask unanimous consent that I be allowed to withdraw and expunge my speech of January 22 from the RECORD. [Applause.]

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

Mr. HOFFMAN. Reserving the right to object, Mr. Speaker—

Mr. HOOK. I would rather not have the gentleman do that.

Mr. HOFFMAN. I have already permitted one gentleman from the majority side to tell me what to do—

Mr. HOOK. Just a minute; I have not yielded.

I would like to see this thing straightened out, and I would not want to protract this into an unnecessarily long con-

troversy. I have asked that they be taken out, and I have said that I deeply regret it, and therefore I would like to have the unanimous-consent request presented, Mr. Speaker.

Mr. HOFFMAN and Mr. KEEFE rose.

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, at no time since this matter came up have I said one single word in criticism of the gentleman from Michigan [Mr. Hook], and I am not saying any such word now. All I am asking is whether or not it is conceded that the insertion of the remarks were a violation of the rules of the House.

Mr. MARCANTONIO. Mr. Speaker, I demand the regular order.

Mr. COX. Just wait a minute.

Mr. HOFFMAN. Mr. Speaker, I offered a resolution here on the theory that the matter inserted was a violation of the rules on which a question of the privilege of the House might be raised. That is the point I want determined, and the only point.

Mr. COX. Mr. Speaker, reserving the right to object, I want to applaud my friend the gentleman from Michigan [Mr. HOFFMAN] for the attitude that he has taken with respect to this whole matter and for the restraint that he has evidenced. He has not sought to aggravate the situation—

Mr. HOFFMAN. And I am not now seeking to do so.

Mr. COX. By making any attack upon his colleague, the gentleman from Michigan [Mr. Hook], or upon anyone else. I think it might be conceded that use of the material did, in some respects, violate the rules of the House. Certainly, we are all obliged to take the statement of the gentleman as an evidence of regret.

Mr. HOFFMAN. That is not the point I am making.

Mr. COX. And I am sure that he is perfectly willing to make the further statement that he offers his deepest apologies to the House.

Mr. HOFFMAN. I was not suggesting an apology. All I am seeking is a rule for my future guidance and for the future guidance of the Members of the House as to how far it is permissible to go.

Mr. KEEFE. Mr. Speaker, I reserve the right to object. Am I to understand from the statement which the gentleman from Michigan [Mr. Hook] just made that this is to be interpreted as an apology to the gentleman from Texas [Mr. Dies] and to the Dies committee as well as to this House, in view of the facts that have developed?

Mr. COX. Certainly it should be interpreted as a complete retraction on the part of the gentleman, the author of the speech in question, and I am sure that the gentleman has no objection to going further and saying that he does deeply regret having used this faked material.

Mr. KEEFE. Mr. Speaker, I am wondering, and I address my remarks to the gentleman from Michigan [Mr. Hook], as to whether that is his attitude, because that fundamentally was provoked by my original statement, and I say this, Mr. Speaker, that I sincerely appreciate the attitude of the gentleman from Michigan, which he has manifested here this afternoon and I trust and hope that he can state that his remarks are to be interpreted as meaning that the apology is to the Dies committee and the gentleman from Texas [Mr. Dies] as well as to the House.

Mr. HOOK. After all, this controversy brought up by me forced Mr. Pelley before the Dies committee.

Mr. KEEFE. I asked the question, and I trust I may receive an answer.

Mr. COX. Mr. Speaker, I trust the gentleman from Michigan will accept that it is to be construed as an apology to all concerned.

Mr. KEEFE. May I ask the gentleman from Georgia whether he is speaking with authority for the gentleman from Michigan?

Mr. COX. I am wondering if the gentleman from Michigan will not accept those words as his own, if he does apologize to all concerned.

Mr. HOOK. Mr. Speaker, if the House feels that the integrity of the House has been impugned or if any other person has been aggrieved, if I thought for one minute that

I had aggrieved anybody, I would not be so small as not to extend my apology to any person who feels himself so aggrieved.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, I reserve the right to object.

Mr. KEEFE. Mr. Speaker, under those circumstances, I shall not object to the expunging of the remarks from the RECORD.

The SPEAKER pro tempore. Is there objection to expunging the address of the gentleman from Michigan from the RECORD? [After a pause.] The Chair hears none, and it is so ordered. [Applause.]

Mr. LEAVY assumed the chair as Speaker pro tempore.

PORTRAIT OF HON. JOHN N. GARNER

Mr. RAYBURN. Mr. Speaker, I offer the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 374

Resolved, That the Clerk of the House of Representatives is authorized and directed, on behalf of the House of Representatives and under the supervision of the Speaker, to exchange the portrait of the Honorable JOHN N. GARNER now in the Speaker's Lobby for a portrait of the Honorable JOHN N. GARNER painted by Seymour Stone.

The SPEAKER pro tempore. Is there objection? The Chair hears none. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. RAYBURN resumed the chair as Speaker pro tempore.

EXTENSION OF REMARKS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting an address delivered by Mr. C. M. Chester before the United States Potters Association in Washington on January 23.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MONKIEWICZ. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an address delivered on October 8, 1939, by Mr. Bernard Kraftt, Buffalo, N. Y., present grand master of the Vasa Order of America, at the dedication of a monument erected over Nils Pearson, the first grand master of the order, in Fairview Cemetery, New Britain, Conn.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD made today, and to place therein some extracts from the hearings and reports.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RABAUT. Mr. Speaker, further I ask unanimous consent that my colleague the gentleman from New York [Mr. DICKSTEIN], who has been called to the Department of Labor and who spoke on the floor today, be permitted to include in his remarks certain excerpts from the CONGRESSIONAL RECORD, page 798, and also brief extracts from the New York Times.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Under special order heretofore made, the gentleman from Pennsylvania [Mr. McGRANERY] is recognized for 15 minutes.

W. P. A. FUNDS IN PENNSYLVANIA

Mr. McGRANERY. Mr. Speaker, for the past several weeks there have been published in the newspapers of Pennsylvania, statements purporting to have been made by Gov. Arthur H. James, amounting to a vague general charge of unfair treatment on the part of the Works Progress Administration with respect to the Commonwealth of Pennsylvania.

Included among these newspaper items were reports that two young Members of this House, the gentleman from Pennsylvania [Mr. CORBETT] representing the Thirtieth District of Pennsylvania, and the gentleman from Pennsylvania [Mr. McDOWELL] representing the Thirty-first District of

Pennsylvania, had visited the Governor's office and conferred with him regarding the unfair treatment that Pennsylvania was receiving from the W. P. A.

I am very fond of both of my young friends, and I regret that they have permitted themselves to be used by some mysterious person or persons in this manner. I say "mysterious person or persons," because there is a rather unusual situation existing in Pennsylvania at this time, with respect to the executive branch of our State government. Our constitution provides that we shall have a Governor who shall be the chief executive officer of the State, but, strangely enough, after the election of Arthur H. James as Governor, another gentleman, who is and has been a citizen of the sovereign State of Texas, Col. Carl Estes, took up residence close to the executive mansion in the capital city of our Commonwealth, and while there is no provision in the constitution for an extra or assistant governor, the general opinion existing in the minds of the people of the Commonwealth is that Colonel Estes is the ghost Governor. He is the constant companion of Governor James, and friendly newspapers mildly report him as an adviser.

Now, of course, it cannot be denied that Governor James, all during his pre-election campaign, charged that the W. P. A. was a wasteful extravagant agency of the Government, and that no decent man or woman wanted to be employed on the W. P. A. Colonel Estes, to my knowledge, has never made any public pronouncement regarding his views on this matter, but, because of his close relationship with the Governor all during the pre-election campaign, it is reasonable to assume that any repression of Governor James' opinion is a mere reflection of the Estes mind; and if any doubt exists as to Governor James' views, let me quote:

[From the Scranton Times of February 21, 1939]

"TIGHTEN YOUR BELTS," JAMES TELLS MEN LOOKING FOR WORK—GOVERNOR TELLS BUILDING-TRADES MEN THAT HE BELIEVES UNEMPLOYMENT PROBLEMS WILL NOT BE SOLVED "UNLESS THERE IS A WAR"

Robert Miller, vice president of the Scranton Building Trades Council; Eugene Miller, of the painters' local union; and Henry Serafini, of the building-laborers' union, who attended the conference yesterday in Harrisburg of State building-trade leaders with Gov. Arthur H. James, when a State building program was proposed by the labor representatives, in a statement this morning said the Governor told the delegation that he would not approve any program of building operations which would entail any cost to the State; that the thousands of skilled and unskilled labor deprived of the opportunity for work by canceling the program will not be given relief and that his only solution to the unemployment problem is for idle workers to tighten up their belts.

"When James J. McDevitt, president of the Pennsylvania Federation of Labor, asked the Governor what other suggestion he might have for the unemployed men if the tightening of belts didn't work, he said, 'then you will have to shoulder guns. It has been my belief right along that our unemployment problems are not to be solved unless there is a war,'" it was stated by three local labor leaders.

It is bewildering to anyone who read in the Pennsylvania newspapers the repeated attacks upon W. P. A. made by Candidate James during the fall campaign of 1938. To anyone who read the oft-repeated campaign promise of Candidate James "to give a job to every man in Pennsylvania, not a job on W. P. A., but in Pennsylvania's private industries," which were to reach a new all-time high of prosperity under the James administration, now to hear this sudden plaintive protest by Governor James that the Keystone State is not getting sufficient aid from W. P. A. or a fair share of work relief. The independent breaker boy is breaking into tears. The self-sufficient Republican, whose campaign was sponsored by certain big-business men, has apparently found private industry unwilling or unable even in Pennsylvania's new era of Republican prosperity, to redeem that campaign promise of a job for every man. Big business financed his campaign and he now wants the Federal Government, through the W. P. A., to finance his administration.

Now this very sudden and sympathetic understanding of W. P. A. and its usefulness—which must be taken for granted because of the about face on the part of the Governor, would indicate either of two things: Either that Candidate James, when he was campaigning, knew absolutely nothing

about the genuine help the W. P. A. has given to the States and local communities, or he was just making campaign speeches. If this is true, I think that Governor James should honestly state that no matter what his views were on W. P. A. prior to election, that he now finds it to be a most useful and helpful aid to the Commonwealth of Pennsylvania.

The Republican Governor of our great Commonwealth, however, in bewailing the limited aid thus far given by the W. P. A. to Pennsylvania, as compared to other States, has overlooked an essential requirement exacted of those other States, namely, that which is a prerequisite of every project—the sponsors' contribution as provided for by the Congress, as well as cooperation in designated particular localities where employables are available for contemplated projects.

May I also be permitted to point out to my two young friends that another reason that the taxpayers of Pennsylvania have to provide direct relief to varying thousands may be found in Governor James' failure to keep that pre-election pledge he made to provide a job for every man in Pennsylvania. The Republican formula for prosperity apparently is "still around the corner."

The precise picture in direct reply to Governor James' vague general charge is as follows, and this is not the imagining of a bewailing, bewildered Governor, but the facts taken right from the record, and here they are:

There are precisely 350 projects for Pennsylvania in the W. P. A. These 350 projects involve 153,700 man-months, or a 6-month schedule of 25,600 men per month. Thirty-eight of these are highway projects, involving 8,340 man-months, and for which there are no sponsors' contribution accompanying the application for the projects. Two hundred and fifty-six of these are projects involving 97,400 man-months, and for which there is no labor available. Fifty-four are highway projects, involving 17,700 man-months, for which no labor is available. If labor were available, it would give W. P. A. 18,000 additional men per month for Pennsylvania. Now, from an examination of the record, it can be readily ascertained that in the preparation of applications for projects, one is required to use intelligence and localize these applications for projects where the unemployment load is heavy.

Now my good young friend, the gentleman from Pennsylvania [Mr. CORBETT], asked the question last Wednesday afternoon in the House, "Now, if the lack of projects is not the reason, if the lack of men is not the reason, and if the Philadelphia situation can be discounted, what is the reason why Pennsylvania, day after day, week after week, and month after month, has to provide direct relief for varying thousands who, according to the W. P. A. Administrator's own quota, should be given W. P. A. jobs?"

In my own city of Philadelphia, which is analogous to the State of Pennsylvania, in that its government is dominated and directed by the Republican Party, the W. P. A. is authorized to employ up to 39,000 persons; and what do we find? We find failure on the part of the Republican administration of the city of Philadelphia to put up the sponsors' contribution, with the result that there are now employed on W. P. A. 20,468 persons, and of these 20,468 persons, only 4,545 are on projects sponsored by the city of Philadelphia. The balance is divided up among the Federal Government, Fairmount Park Commission, the board of education, State highway department, and the State department of public assistance; and in this connection I might advise my good, young friend, the gentleman from Pennsylvania, Mr. CORBETT, that the Commonwealth of Pennsylvania employs exactly 97 persons on its highway project in the city of Philadelphia, the streets of which city, I must confess as a native Philadelphian, are in as dangerous a condition as are the city's finances, both resulting from 50 years of Republican misrule.

Of course, it may be possible that Governor James is using a bit of military strategy, as we might well expect him to do, when we remember that his campaign activities were inspired and directed by the colonel from Texas—"Attack

first and defense may be unnecessary" is the old slogan that he is hearing these days from his guide, philosopher, and friend; and I digress here to say that whereas ordinary friends are bound unto each other with hoops of steel, these two are united by hoops of steel well oiled. Undoubtedly, Colonel Estes has surveyed Pennsylvania's sentiment, even as he did before, and he has observed that the taxpayers are increasingly irate at the unnecessary burden which they have been carrying because of the short-sightedness of Republican Governor James. They will be called upon to make up the deficit caused by the varying thousands on the direct-relief rolls. A great sum of money is being spent by Governor James in direct relief, when a small fraction of it, if it had been intelligently utilized for sponsors' contribution to projects, would have enabled those thousands of men to support their families with W. P. A. wages. Only a small portion of those wages would have been provided by Pennsylvania taxpayers, who, in turn, would have benefited materially by lasting improvements to their communities, and who would have benefited spiritually by the higher moral borne in the groups of the needy, from the opportunity afforded them by W. P. A. for a self-respecting and constructive endeavor.

No wonder indeed, that Governor James has realized that he is vulnerable as a result of his stubborn attitude toward W. P. A. His failure to cooperate with W. P. A., and his consequent wasteful expenditure of the money of Pennsylvania taxpayers will subject him to a severe attack from them. Hence his decision to attack first, hoping, but hoping in vain, that he will not be forced to retreat from his position, that he will not be on the defense.

Now, I believe that my two young friends have no desire to distort the truth and, as I stated at the outset, since I believe they are being "used," I will now give them the evidence that they have been so used. Taken from their colloquy as between themselves in the House last Wednesday afternoon, it would appear that they understood by reason of their protest Pennsylvania was allocated an additional 5,000 men for the month of February. The truth is that on November 29, Dr. Logan and Mr. Russell came to the office of Colonel Harrington of W. P. A. here in Washington, at which time Colonel Matthews was present, and Mr. Russell asked Colonel Harrington to give him a forecast of employment for the State of Pennsylvania for the early months of 1940. Colonel Harrington told him at that time that he would prepare the figures for the months of January, February, and March and let him have them at the earliest possible date. And then, on December 19, 1939, Colonel Harrington authorized the following figures for the following months:

January.....	160,000
February.....	162,000
March.....	165,000

And then shortly thereafter, Colonel Matthews recommended to Colonel Harrington that it be increased an additional 3,000 for February and Colonel Harrington accepted this recommendation.

Now, shortly will come before the House the new appropriation bill for the W. P. A., and I trust that after this experience, my good Republican friends will join with us Democrats from Pennsylvania in providing an adequate sum to take care of all of the needy people of our State.

While we are handicapped in the city of Philadelphia, and cannot get our municipal government to take full advantage of W. P. A., I, nevertheless, will go right down the line and vote for the largest appropriation it is possible to get for W. P. A. as a whole. [Applause.]

Mr. BRADLEY of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. McGRANERY. I yield.

Mr. BRADLEY of Pennsylvania. Is it not true that Republican members of the City Council in Philadelphia and other officials of the city government have publicly stated that it would be foolish for them to utilize W. P. A. for employment purposes because thereby they might make votes for the Democratic Party?

Mr. McGRANERY. That has been stated repeatedly.

Mr. BRADLEY of Pennsylvania. They have stated it publicly, have they not?

Mr. McGRANERY. That is right.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania [Mr. McGRANERY] has expired.

Under special order heretofore granted the gentleman from Pennsylvania [Mr. McDOWELL] is recognized for 20 minutes.

Mr. McDOWELL. Mr. Speaker, although my order calls for 20 minutes, I will use but 2½ minutes.

Mr. Speaker, for several months a bitter controversy has raged between the Governor of Pennsylvania, the State Administrator of the Work Projects Administration in Pennsylvania, and Colonel Harrington, the National Administrator of W. P. A.

Some days ago several Members of the Pennsylvania delegation brought the controversy to the attention of the House, and various data was inserted in the Record with the promise that more was to follow. It was my purpose to add today to those figures that my colleague the gentleman from Pennsylvania [Mr. CORBETT] inserted last Tuesday.

The figures were challenged at that time by two other members of the Pennsylvania delegation. We believe we are right, and they believe they are right. It is obvious, however, that somebody is wrong, but the greatest wrong is the fact that thousands of Pennsylvanians are in dire circumstances and our whole purpose, and beyond any question of a doubt the whole purpose of the gentleman who challenged our figures, is the securing of food and clothing for our distressed citizens.

The figures in this matter and the data are voluminous. It is impossible to come to any accurate conclusion in the sharp heat of debate here in the House, and while we talk Pennsylvania's suffering continues.

It is my custom to spend every week end in my district listening to any person who comes in to see me. For 13 months my people have flocked in from all parts of the district every Saturday, and the gravity and the seriousness of the situation in Pennsylvania was more deeply impressed upon me in the last 3 days.

I suggest, therefore, that in order to arrive at some sound and logical and true conclusion of this controversy that all Members of the Pennsylvania delegation, both Republicans and Democrats in the House, and the two Senators from Pennsylvania, meet in a joint conference with an expert representative from Colonel Harrington's office, one from Colonel Mathew's office in Pennsylvania, and one from the Pennsylvania Governor's office, where all the figures may be examined in a calm and deliberate manner, and where facts from both sides can be presented in a businesslike atmosphere that will hasten the settlement of this issue.

Tomorrow I shall so address an invitation to all of those suggested, and for the sake of the people of Pennsylvania, and in justice to them, I pray that the invitations will be accepted. Whoever is wrong we shall discover, and if we do that our representation of our State will have been proper.

Mr. Speaker, I yield back the balance of my time. [Applause.]

Mr. BRADLEY of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. McDOWELL. I regret that I cannot yield.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. FLANNERY] has a special order. If the gentleman is willing to yield.

Mr. FLANNERY. I yield, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania [Mr. BRADLEY]?

There was no objection.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, I would just like to direct a question to the gentleman from Pennsylvania in my own time, as he would not permit me to

address it to him in his time. That is, if the gentleman has familiarized himself with the votes of the his Republican colleagues from Pennsylvania when W. P. A. appropriation bills were being considered in this House? I think if he is, he will have to conclude that they have not exhibited the concern that we have on the Democratic side of the House for the unemployed of Pennsylvania, because their votes show that they have repeatedly attempted to cut appropriations below the amount recommended by the President and the Administrator. I would suggest, too, that the gentleman review his own record in this respect.

[Here the gavel fell.]

The SPEAKER pro tempore. Under previous order of the House the gentleman from Pennsylvania [Mr. FLANNERY] is recognized for 20 minutes.

Mr. FLANNERY. Mr. Speaker, I have reserved 20 minutes. Under the situation as it develops I shall utilize but little of that time.

As one who has supported the W. P. A. program from its inception, and one who has been particularly active in behalf of the State of Pennsylvania getting its full, fair share, a share commensurate with its needs, it is deeply gratifying to me that Members from the other side of the House have become actively interested in our problems.

I believe the suggestion for a conference to be a constructive one. I am prepared to accept the invitation gladly and sincerely, and to accept the proffered help to us who have labored for this same objective over a period of years. I would, however, like to offer one amendment to that invitation; and that is, since this controversy originated in Harrisburg and since the charges made first saw the light of day there, I believe the Governor of Pennsylvania should participate in that conference and in those deliberations in behalf of the people who are his people as they are ours and a responsibility which is as much his as it is the responsibility of any Member of this House.

Mr. McDOWELL. Mr. Speaker, will the gentleman yield?

Mr. FLANNERY. I yield.

Mr. McDOWELL. I will personally invite the Governor to attend the conference.

Mr. FLANNERY. I thank the gentleman and say frankly that I believe that is a proper approach to the questions involved. [Applause.]

Mr. Chairman, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to Mr. POLK, indefinitely, on account of illness.

EXTENSION OF REMARKS

Mr. JOHNSON of Indiana. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and to include therein an editorial from the Terre Haute Star.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

BILLS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 5634. An act granting 6 months' pay to Sidney M. Bowen;

H. R. 5734. An act for the relief of World War sailors and marines who were discharged from the United States Navy or United States Marine Corps because of minority or misrepresentation of age; and

H. R. 6124. An act giving the consent of Congress to the addition of lands to the State of Texas and ceding jurisdiction to the State of Texas over certain parcels or tracts of land heretofore acquired by the United States of America from the United Mexican States.

ADJOURNMENT

Mr. RABAUT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 28 minutes p. m.) the House adjourned until tomorrow, Wednesday, February 7, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting on Wednesday, February 7, 1940, at 10 a. m. before the petroleum subcommittee on the Committee on Interstate and Foreign Commerce. State regulatory bodies will be heard first.

COMMITTEE ON INDIAN AFFAIRS

There will be a meeting of the Committee on Indian Affairs on Wednesday, February 7, 1940, at 10:30 a. m. for the consideration of H. R. 3765, California jurisdictional bill.

COMMITTEE ON MILITARY AFFAIRS

There will be a meeting of the Committee on Military Affairs of the House in Room 1310, New House Office Building, at 10:30 a. m., Wednesday, February 7, 1940, for the consideration of all bills pending before this Committee relative to taxation of Tennessee Valley Authority properties.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will hold public hearings in the committee room, 356 House Office Building, Wednesday, February 7, 1940, at 10:30 a. m.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matters named:

Hearings will be continued Wednesday, February 7, 1940, at 10 a. m. on H. R. 6130, to provide for mandatory or compulsory inspection and permissive or voluntary grading of fish, fishery products, fishery byproducts, shellfish, crustacea, seaweeds, and all other aquatic forms of animal and vegetable life, and the products and byproducts thereof, and for other purposes.

Tuesday, February 13, 1940:

H. R. 1780, to amend section 7 of the act of June 19, 1836, as amended (U. S. C., 1934 ed., Supp. III, title 46, sec. 319), relative to penalties on certain undocumented vessels and cargoes engaging in the coastwise trade or the fisheries, and for other purposes.

H. R. 5837, to amend section 221 of the Shipping Act, barring certain aliens from participating in the benefits thereof.

H. R. 6770, to amend Revised Statutes 4311 (U. S. C. 251).

H. R. 7694, to amend section 4311 of the Revised Statutes of the United States.

H. R. 8180, to require that not less than 75 percent of the crew of any fishing vessel of the United States be citizens of the United States.

Tuesday, February 20, 1940:

H. R. 4079, to amend sections 4353 and 4355 of the Revised Statutes of the United States.

H. R. 6751, to repeal certain laws with respect to manifests and vessel permits.

H. R. 5788, to amend the present law relating to the delivery of ships' manifests to collector of customs by excluding Sundays and holidays from the time within which such delivery may be made by the master.

H. R. 5789, to amend the present law relating to the delivery of ships' manifests to collectors of customs by excluding Sundays and holidays from the time within which such delivery may be made by the master.

Friday, February 23, 1940:

H. R. 7639, to provide for the examination of civilian nautical schools and for the inspection of vessels used in connection therewith, and for other purposes.

COMMITTEE ON THE JUDICIARY

On Wednesday, February 14, 1940, at 10 a. m., there will be a hearing before the Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary on the bill (H. R. 8016) to amend an act entitled "An act to estab-

lish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto (municipal compositions). The hearing will be held in room 346, House Office Building.

COMMITTEE ON THE CENSUS

Beginning Tuesday, February 27, 1940, the Committee on the Census will hold hearings on the reapportionment of Representatives in Congress.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1360. A letter from the Acting Secretary of Commerce, transmitting the draft of proposed legislation permitting Capt. William Bowie to accept a decoration; to the Committee on Merchant Marine and Fisheries.

1361. A letter from the Acting Secretary of Commerce, transmitting the draft of a proposed bill for the relief of Charles E. Molster and other former employees; to the Committee on Claims.

1362. A letter from the Secretary of Labor, transmitting the draft of a proposed bill for the relief of Dorothy Crossing; to the Committee on Claims.

1363. A communication from the President of the United States, transmitting records of judgments rendered against the Government by United States district courts, as submitted by the Attorney General, amounting to \$12,784.80 (H. Doc. No. 613); to the Committee on Appropriations and ordered to be printed.

1364. A communication from the President of the United States, transmitting a list of judgments rendered by the Court of Claims, submitted by the Attorney General, amounting to \$111,413 (H. Doc. No. 614); to the Committee on Appropriations and ordered to be printed.

1365. A communication from the President of the United States, transmitting estimates of appropriations submitted by the War Department to pay claims for damages due to military operations, amounting to \$3,974.32 (H. Doc. No. 615); to the Committee on Appropriations and ordered to be printed.

1366. A communication from the President of the United States, transmitting a record of judgment rendered against the Government by the United States district court in a special case, as submitted by the Attorney General, and which requires an appropriation for its payments amounting to \$23,400 (H. Doc. No. 616); to the Committee on Appropriations and ordered to be printed.

1367. A communication from the President of the United States, transmitting records of judgments rendered by the United States district courts against the Government, as submitted by the Attorney General, and which require an appropriation for their payment amounting to \$5,370.65 (H. Doc. No. 617); to the Committee on Appropriations and ordered to be printed.

1368. A communication from the President of the United States, transmitting a record of a decree rendered against the Government by the United States district court, as submitted by the Attorney General, and which requires an appropriation for its payment amounting to \$250 (H. Doc. No. 618); to the Committee on Appropriations and ordered to be printed.

1369. A communication from the President of the United States, transmitting an estimate of appropriation submitted by the War Department to pay a claim for damages under river and harbor work in the sum of \$649.78, and which requires an appropriation for its payment (H. Doc. No. 620); to the Committee on Appropriations and ordered to be printed.

1370. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the legislative establishment, Architect of the Capitol, for the fiscal year 1941, amounting to \$111,833 (H. Doc. No. 619); to the Committee on Appropriations and ordered to be printed.

1371. A communication from the President of the United States, transmitting estimates of appropriations submitted by the several executive departments and independent office to pay claims for damages to privately owned property in the sum of \$21,385.70, which require appropriations for their payment (H. Doc. No. 621); to the Committee on Appropriations and ordered to be printed.

1372. A communication from the President of the United States, transmitting an estimate of appropriation submitted by the Treasury Department to pay a claim for damages by collision or damages incident to the operation of vessels of the United States Coast Guard, in the sum of \$122.06 (H. Doc. No. 622); to the Committee on Appropriations and ordered to be printed.

1373. A communication from the President of the United States, transmitting an estimate of appropriation in the amount of \$184.65 for damages to any person or damages to or loss of private property caused by employees of the Federal Bureau of Investigation (H. Doc. No. 623); to the Committee on Appropriations and ordered to be printed.

1374. A communication from the President of the United States, transmitting an estimate of appropriation for payment of certain claims allowed by the General Accounting Office amounting to \$201.60 (H. Doc. No. 624); to the Committee on Appropriations and ordered to be printed.

1375. A communication from the President of the United States, transmitting estimates of appropriations submitted by the Navy Department to pay claims for damages by collision or damages incident to the operation of vessels of the Navy, in the sum of \$2,789.78 (H. Doc. No. 625); to the Committee on Appropriations and ordered to be printed.

1376. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Civil Service Commission amounting to \$425,000 for the fiscal year 1940 (H. Doc. No. 626); to the Committee on Appropriations and ordered to be printed.

1377. A communication from the President of the United States, transmitting a schedule of claims amounting to \$732,831.77, allowed by the General Accounting Office, as covered by certificates of settlement, the numbers of which are shown in the schedule, under appropriations, the balances of which have been carried to the surplus fund under the provisions of section 5 of the act of June 10, 1874 (31 U. S. C. 713), and for the services of the several departments and independent offices February 6, 1940 (H. Doc. No. 627); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. McANDREWS: Committee on Appropriations. H. R. 8319. A bill making appropriations for the Departments of State, Commerce, and Justice, and for the judiciary, for the fiscal year ending June 30, 1941, and for other purposes; without amendment (Rept. No. 1575). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KRAMER: Committee on Immigration and Naturalization. H. R. 7491. A bill for the relief of the alien James Neohoritis; without amendment (Rept. No. 1576). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 8142) for the relief of Edwin Charles Bock; Committee on Military Affairs discharged and referred to the Committee on Naval Affairs.

A bill (H. R. 8298) granting a pension to Clyde Rains Winters; Committee on Pensions discharged and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Missouri:

H. R. 8320. A bill to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Jefferson Barracks, Mo.; to the Committee on Interstate and Foreign Commerce.

By Mr. DEROUEN:

H. R. 8321. A bill to provide and erect a public building at Sulphur, La.; to the Committee on Public Buildings and Grounds.

By Mr. DIRKSEN:

H. R. 8322. A bill creating a commission to investigate the feasibility of reducing the number of Army posts in the United States; to the Committee on Military Affairs.

H. R. 8323. A bill to exempt certain employees of certain wholesalers of agricultural commodities from the maximum hours provisions of the Fair Labor Standards Act of 1938; to the Committee on Labor.

By Mr. GEYER of California:

H. R. 8324. A bill to provide vocational guidance, vocational training, and employment opportunities for youth between the ages of 16 and 25; to provide for increased educational opportunities for high-school, college, and post-graduate students, and for other purposes; to the Committee on Education.

By Mr. KUNKEL:

H. R. 8325. A bill to permit deduction for income-tax purposes of losses on sales of their homes by home owners; to the Committee on Ways and Means.

By Mr. McCORMACK:

H. R. 8326. A bill to provide for the classification of field-service positions, and the adjustment of compensation of field-service employees, of the United States Immigration and Naturalization Service; to the Committee on Immigration and Naturalization.

By Mr. RANDOLPH:

H. R. 8327. A bill to amend sections 16 and 17 of chapter II of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia"; to the Committee on the District of Columbia.

By Mr. SCRUGHAM:

H. R. 8328. A bill to aid the States and Territories in making provisions for the retirement of employees of the land-grant colleges; to the Committee on Agriculture.

By Mr. WHEAT:

H. R. 8329. A bill to permit the demonstration of hand-operated cigarette machines in places other than regularly established cigarette factories, and for other purposes; to the Committee on Ways and Means.

By Mr. KNUTSON:

H. R. 8330. A bill to provide for a permanent 2½-percent interest rate on Federal land-bank loans and a 3½-percent interest rate on land-bank commissioner loans; to the Committee on Agriculture.

By Mr. CELLER:

H. R. 8331. A bill to amend section 8 of the act entitled "An act to supplement laws against unlawful restraints and monopolies, and for other purposes," particularly with reference to interlocking directorates, known as the Clayton Act; to the Committee on the Judiciary.

By Mr. SUMNERS of Texas:

H. R. 8332. A bill to prohibit the transportation of obscene literature in interstate or foreign commerce; to the Committee on the Judiciary.

By Mr. SCHWERT:

H. J. Res. 447. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940,

General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. COCHRAN:

H. Con. Res. 45. Concurrent resolution authorizing the printing as a document the various proceedings in commemoration of the one hundred and fiftieth anniversary of the commencement of the first session of the Supreme Court of the United States; to the Committee on Printing.

By Mr. KRAMER:

H. Res. 375. Resolution authorizing a special committee to investigate the campaign expenditures of the various candidates of the House of Representatives, and for other purposes; to the Committee on Rules.

H. Res. 376. Resolution providing for expenses of the select committee appointed under the authority of House Resolution 375; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRADLEY of Michigan:

H. R. 8333. A bill for the relief of Ralph W. Daggett, formerly lieutenant, Quartermaster Corps, United States Army; to the Committee on Military Affairs.

H. R. 8334. A bill to authorize the cancelation of deportation proceedings in the case of Minas Kirillidis; to the Committee on Immigration and Naturalization.

By Mr. BOLLES:

H. R. 8335. A bill granting an increase of pension to Helen C. Barnds; to the Committee on Invalid Pensions.

By Mr. DIMOND:

H. R. 8336. A bill for the relief of Frank T. Been; to the Committee on Claims.

By Mr. DOUGLAS:

H. R. 8337. A bill for the relief of Maria Teresa Valdes Thompson; to the Committee on Immigration and Naturalization.

By Mr. GORE:

H. R. 8338. A bill for the relief of Mrs. G. L. Bush; to the Committee on Invalid Pensions.

By Mr. LEONARD W. HALL:

H. R. 8339. A bill relating to the military record of Lt. Col. Herbert B. Hayden, United States Army, retired; to the Committee on Military Affairs.

By Mr. HINSHAW:

H. R. 8340. A bill for the relief of Eugene E. Lee; to the Committee on Pensions.

By Mr. MICHAEL J. KENNEDY:

H. R. 8341. A bill for the relief of John Michael Sullivan, deceased; to the Committee on Naval Affairs.

By Mr. McCORMACK:

H. R. 8342. A bill for the relief of Walter R. Maguire; to the Committee on Claims.

By Mr. McLAUGHLIN:

H. R. 8343. A bill for the relief of Edith Platt; to the Committee on Claims.

By Mr. ROMJUE:

H. R. 8344. A bill granting a pension to Verner Gloschen; to the Committee on Invalid Pensions.

By Mr. SANDAGER:

H. R. 8345. A bill for the relief of Charles E. Wilson; to the Committee on Military Affairs.

By Mr. THOMAS of Texas:

H. R. 8346. A bill for the relief of Willie Wise; to the Committee on Claims.

H. R. 8347. A bill for the relief of Lena R. Burnett; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6375. By Mr. BARTON: Resolution of the Society of American Foresters, New York section, protesting against

the transfer of the Forest Service from the Department of Agriculture to the Department of the Interior; to the Committee on Agriculture.

6376. Also, resolution of the New York State Sewage Works Association, concerning Federal aid in the abatement of sewage pollution; to the Committee on Rivers and Harbors.

6377. By Mr. COLE of New York: Petition of H. H. Kimball, of Elmira Heights; F. A. Bridges, of Elmira, N. Y.; and sundry others; to the Committee on Ways and Means.

6378. By Mr. CULLEN: Petition of the New York section of the Society of American Foresters, voicing their objection to a proposed plan to transfer the administration of the national forests to the Department of the Interior; to the Committee on Agriculture.

6379. Also, petition of the New York section of the Society of American Foresters, recommending an increased Federal appropriation for the control of white pine blister rust; to the Committee on Appropriations.

6380. By Mr. FLAHERTY: Petition of the Massachusetts Congregational Conference and Missionary Society, Boston, Mass., urging support of President Roosevelt's proposal to furnish financial aid to Finland; to the Committee on Foreign Affairs.

6381. Also, petition of the United Steel and Metal Workers, Chelsea, Mass., opposing curtailment of appropriations for Work Projects Administration, National Youth Administration, United States Housing Authority, and Wage and Hour Division; to the Committee on Appropriations.

6382. By Mr. HOPE: Petition of A. L. Roberts, of Englewood, Kans., and 21 others, urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6383. Also, petition of W. H. Harper, of Coats, Kans., and 21 others, urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6384. Also, petition of Earl Ring, of La Crosse, Kans., and 20 others, urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6385. By Mr. JOHNS: Petition of John Helmrath and 32 others, protesting against the levying of excise or any other form of processing taxes on bread; to the Committee on Ways and Means.

6386. Also, petition of Howard Schabo and 59 others, protesting against the levying of excise or any other form of processing taxes on bread; to the Committee on Ways and Means.

6387. By Mr. LUTHER A. JOHNSON: Petition of C. W. Causey, president; J. L. Slayden, secretary, Ellis County Agricultural Association, Waxahachie, Tex., favoring some tax plan to secure parity prices on agricultural products and extension of law making 3.5 interest rate on Federal farm loans; to the Committee on Agriculture.

6388. By Mr. KEAN: Petition of sundry citizens of Essex County, N. J., presented by the Essex division of the New Jersey Bakers' Board of Trade and the Bakers Mutual Co-operative Association of Newark, protesting against the passage of the Wheeler bill (S. 2395), known as the wheat certificate allotment plan; to the Committee on Ways and Means.

6389. By Mr. MARTIN J. KENNEDY: Petition of the New York State Sewage Works Association, Albany, N. Y., urging a Federal bill which will provide for Federal participation and aid, through the United States Public Health Service, in aid in stream-pollution abatement; to the Committee on Interstate and Foreign Commerce.

6390. Also, petition of the Lexington Unit, No. 108, American Legion Auxiliary, New York City, urging support of legislation now pending before this session of Congress covering their five-point program, under House bills 7656, 7653, 7632, 7664, and 7640; to the Committee on World War Veterans' Legislation.

6391. By Mr. KEOGH: Petition of Zeidler, Regular Queens County Democratic Organization, Maspeth, N. Y., favoring legislation that will prohibit the further expansion and if

possible curtail the importation of refined sugar made in tropical islands, and thereby protect the jobs of American men and women of Brooklyn, N. Y.; to the Committee on Foreign Affairs.

6392. By Mr. LAMBERTSON: Petition of W. C. Russell and 60 other merchants of the First Congressional District of Kansas, urging the passage of the Patman chain-store tax bill and thereby prevent monopoly, conserve our resources, promote business within the State, increase employment, and restore prosperity to the citizens of our county who support and maintain its institutions; to the Committee on Interstate and Foreign Commerce.

6393. By Mr. MERRITT: Resolution of the College Point New Deal Democratic Club, New York, opposing aid to Finland or any other nation in Europe at war, as these moneys could be put to much better use right here in our own country; to the Committee on Foreign Affairs.

6394. Also, resolution of the board of supervisors of the county of Chemung, N. Y., urging the adoption of the so-called Harrington amendment to the Lea bill; and opposing any enactment of any railroad consolidation bill which would result in any hardships by reducing railroad personnel; to the Committee on Interstate and Foreign Commerce.

6395. By Mr. PFEIFER: Petition of the Ajax Athletic Club, Brooklyn, N. Y., favoring Federal legislation which will either eliminate the importation of refined sugar from tropical areas or, at least, safeguard the present jobs of home sugar-refinery workers through quotas, tariffs, or both; to the Committee on Foreign Affairs.

6396. Also, petition of the New York City Federation of Women's Clubs, Inc., concerning House bill 944, wool-labeling legislation; to the Committee on Interstate and Foreign Commerce.

6397. Also, petition of the Employees' Committee to Maintain Brooklyn's Cane Sugar Refining Industry, concerning pending sugar legislation before the House committee; to the Committee on Foreign Affairs.

6398. Also, petition of the Social Democratic Federation of New York City, with reference to the Wagner-Steagall housing bill; to the Committee on Banking and Currency.

6399. Also, petition of the Sportsmen's Council Marine District of New York State, favoring the Mundt antipollution bill; to the Committee on Rivers and Harbors.

6400. Also, petition of the State of New York Banking Department, New York City, concerning pending legislation which would expand the powers of the Federal home-loan bank system and Federal savings and loan associations; to the Committee on Banking and Currency.

6401. Also, petition of the Nurses Association of the Counties of Long Island, Inc., concerning pending sugar legislation which will eliminate the importation of refined sugar from tropical areas or safeguard the present jobs of home sugar-refinery workers through quota, tariffs, or both; to the Committee on Foreign Affairs.

6402. Also, petition of the New York State Sewage Works Association, favoring legislation and aid in stream-pollution abatement; to the Committee on Rivers and Harbors.

6403. Also, petition of the New York State Waterways Association, concerning the conference report on Senate bill 2009; to the Committee to Interstate and Foreign Commerce.

6404. Also, petition of the Izaak Walton League of America, Brooklyn Chapter, concerning the Mundt antipollution bill; to the Committee on Rivers and Harbors.

SENATE

WEDNESDAY, FEBRUARY 7, 1940

The Senate met at 1 o'clock p. m.

Rev. Albert Joseph McCartney, D. D., pastor of the Covenant First Presbyterian Church, of Washington, D. C., offered the following prayer:

Two men went up into the temple to pray, the one a Pharisee and the other a publican. The Pharisee stood and

prayed thus with himself, "God, I thank Thee that I am not as other men are—extortioners, unjust, adulterers, or even as this publican. I fast twice in the week. I give tithes of all that I possess."

And the publican, standing afar off, would not lift up so much as his eyes unto heaven, but smote upon his breast, saying, "God be merciful unto me, a sinner."

On this Ash Wednesday let us look to Him in prayer.

Father of all mercies, grant unto us, Thy servants here assembled, the spirit of this publican, who realized that the surest and shortest pathway to Thy presence was the way of humility and repentance. We stand here to discharge this accustomed formality, but on such a day as this, when believers throughout the world turn thoughts of penitence to Thee, may there be deep and sincere searchings of each one of our hearts, that through Thy redeeming mercies our sins may be forgiven. For who amongst us has not erred against Thy holy laws?

Open Thou our eyes that we may see clearly the evil that is in this troubled world through sin, and awaken all our citizens to godly sorrow for whatever share we may have had in bringing the peoples of the earth to this troubled state, either through the things we may have done or the things we may have left undone.

Deliver this people from the secret power and open shame of national sins; from all dishonesty and political corruption; from all self-glorification and shameless extravagance; from thoughtless speeches and irresponsible opinions, that stir up wrath and envy and hatred either at home or abroad. Turn us again, O God, that we may be saved. Deliver us and our children and save us in this land which Thou hast blessed with the light and liberty of pure religion. Through Jesus Christ, our only King and Saviour. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, February 6, 1940, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Lodge	Schwellenbach
Andrews	Frazier	Lucas	Sheppard
Ashurst	George	Lundeen	Snathers
Austin	Gerry	McCarran	Smith
Bailey	Gibson	McKellar	Stewart
Barbour	Glass	McNary	Taft
Barkley	Green	Maloney	Thomas, Idaho
Bridges	Guffey	Mead	Thomas, Okla.
Brown	Gurney	Miller	Thomas, Utah
Bulow	Hale	Minton	Tobey
Burke	Harrison	Murray	Townsend
Byrd	Hatch	Neely	Truman
Byrnes	Hayden	Norris	Tydings
Capper	Herring	O'Mahoney	Vandenberg
Caraway	Hill	Overton	Van Nuys
Chavez	Holman	Pepper	Wagner
Clark, Idaho	Holt	Pittman	Walsh
Clark, Mo.	Johnson, Calif.	Radcliffe	Wheeler
Connally	Johnson, Colo.	Reed	White
Danaher	King	Reynolds	Wiley
Davis	La Follette	Russell	
Donahay	Lee	Schwartz	

Mr. MINTON. I announce that the Senator from Alabama [Mr. BANKHEAD], the Senator from Washington [Mr. BONE], the Senator from Kentucky [Mr. CHANDLER], the Senator from California [Mr. DOWNEY], and the Senator from Delaware [Mr. HUGHES] are absent from the Senate because of illness.

The Senator from Iowa [Mr. GILLETTE] is absent attending the funeral of the late Representative Dowell, of Iowa.

The Senator from Mississippi [Mr. BILBO] and the Senator from Illinois [Mr. SLATTERY] are detained on important public business.

Mr. AUSTIN. I announce that the Senator from North Dakota [Mr. NYE] is necessarily absent.

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

DEATH OF FORMER SENATOR DENEEN

Mr. LUCAS. Mr. President, I rise for the purpose of announcing the death of the Honorable Charles S. Deneen, former Governor of Illinois and United States Senator from Illinois from 1925 to 1931.

Had Senator Deneen lived until May 4 he would have reached the age of 77 years. And it is significant to note that until 2 weeks ago, when he was stricken with a cold, he was actively engaged in his chosen profession of the law, as well as participating in the preprimary discussions of the Republican Party in our State.

Charles S. Deneen was endowed with a personality in the widest sense of the word. He enjoyed good health. He was physically strong. He possessed an even temperament. He was an intelligent and educated man. With all these fine mental and physical attributes he was destined to be a success in life.

He will best be remembered by the citizens of Illinois because of his high and noble character. Friend and foe respected him. The fact that he has been the real leader of the Republican Party in Illinois for a period of 50 years is ample testimony of the strength of that character and the high esteem in which he was held by his fellow men.

He had a great mind and a great heart, and his passing is a loss to us all.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

AMENDMENT OF FOREIGN SERVICE RETIREMENT ACT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations:

To the Congress of the United States of America:

I commend to the favorable consideration of the Congress the enclosed report from the Secretary of State and the accompanying draft of proposed legislation to amend section 26 (e) of the act of February 23, 1931, as amended by the act of April 24, 1939, the purpose of which is to insert additional language which has been found, in administering the aforesaid section 26 (e) as now established, to be necessary in order to carry out fully the purposes of this law.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, February 7, 1940.

[Enclosures: 1. Report of the Secretary of State. 2. Draft of proposed bill.]

REPORT ON THE STABILIZATION FUND

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Treasury, transmitting, pursuant to law, the annual report of the stabilization fund for the fiscal year ended June 30, 1939, including a summary of operations of the fund from its establishment to June 30, 1939, which, with the accompanying papers, was referred to the Committee on Banking and Currency.

RETIREMENT, ETC., OF OFFICERS OF THE COAST GUARD

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to amend an act entitled "An act to increase the efficiency of the Coast Guard," approved January 12, 1938, which, with the accompanying paper, was referred to the Committee on Commerce.

PETITIONS

The VICE PRESIDENT laid before the Senate a resolution adopted by the Negro Labor Assembly of New York City, N. Y., favoring the enactment of pending antilynching legislation, which was referred to the Committee on the Judiciary.

Mr. HARRISON. Mr. President, I present a concurrent resolution adopted by the Legislature of the State of Mississippi, memorializing the President and the Congress to provide a method by which the counties in the State of Mississippi may be reimbursed by the Federal Government for losses of revenue due to Government-owned lands having been with-

drawn from tax liability. I ask that the concurrent resolution be printed in the RECORD under the rule and that it be referred to the Committee on Agriculture and Forestry.

The resolution was referred to the Committee on Agriculture and Forestry, as follows:

House concurrent resolution memorializing the President and the Congress of the United States to provide a way by which the counties of this State may be reimbursed by the Federal Government for losses of revenue because of Government-owned lands having been withdrawn from tax liability

Whereas during the past few years the United States Government has acquired title to many thousands of acres of land in Mississippi, and now holds the title and possession thereof exempt from all State and county taxation; and

Whereas the removal of these lands from tax liability has worked a hardship on several counties of this State and some equitable arrangement should be perfected whereby the Federal Government would be authorized and empowered to reimburse the several counties according to their several losses by reason thereof: Now, therefore, be it

Resolved by the House of Representatives of the State of Mississippi (the senate concurring therein). That we do hereby petition the President and the Congress of the United States to provide a way and method whereby the counties of this State may be reimbursed by the Federal Government to the extent of their losses occasioned by the withdrawal from tax liability of all lands therein now held and owned by the United States Government, exclusive of public buildings and the land on which the same are situated; be it further

Resolved, That the clerk of the house of representatives be instructed to forward a copy of this resolution to the President of the United States and to each of our Senators and Representatives in the Congress of the United States.

Adopted by the house of representatives January 31, 1940.

(Signed) SAMUEL E. LUMPKIN,

Speaker of the House of Representatives.

Adopted by the senate February 2, 1940.

(Signed) DENNIS MURPHREE,

President of the Senate.

REGULATION OF THE PETROLEUM INDUSTRY

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point resolutions adopted by the Kansas State Chamber of Commerce, the board of directors of the Chamber of Commerce of Wichita, Kans., and also a copy of the resolutions adopted by the Wichita Chapter of the American Petroleum Institute, all voicing opposition to the enactment of H. R. 7372, and opposing any similar proposals to place the petroleum industry under Federal regulation.

In this connection, Mr. President, I desire to state my own opposition, on behalf of the people of the State of Kansas, to this type of legislation. There are certain matters which, in my judgment, fall into the sphere of Federal regulation, but the regulation of a private industry, such as the production of petroleum, does not, I think, fall into that category.

The conservation of petroleum supplies is, I believe, a matter of public interest; but such conservation programs should be handled by the States themselves until such time as they have plainly demonstrated that they are not equal to the task. There is no need for going beyond State regulation at this time, and I hope the time when we will have to call upon the Federal Government to take over the duties and responsibilities of the States in this field shall never come.

In the past few years the oil-producing States, including Kansas, have proved their capacity and their ability to handle this conservation problem. So long as this condition obtains, I regard any proposal to take from the States the power to regulate and turn it over to the Federal Government as a serious infringement upon the rights of the States and the liberties of the people.

Government should be kept as close as possible to the people themselves. This measure, upon which hearings are now being held before a subcommittee of another branch of the National Legislature, proposes to place this phase of government as far from the people as possible—in Washington. The fact that the Governors of nine of the oil-producing States believe it of such vital importance that they have appeared, or will appear, before the House subcommittee in opposition to this measure is an indication of the feeling of the people of those States which the Congress should not disregard.

I shall have more to say upon this subject if any such proposed legislation ever reaches the floor of the Senate. For the present, I merely desire to register my opposition to any

proposed legislation which seeks to provide Federal regulation of the petroleum industry and to ask that the resolutions I have mentioned may be printed following my remarks.

The VICE PRESIDENT. Without objection, the resolutions presented by the Senator from Kansas will be printed in the RECORD.

The resolutions are as follows:

KANSAS STATE CHAMBER OF COMMERCE,
Topeka, Kans., February 3, 1940.

HON. ARTHUR CAPPER,
Senate Office Building, Washington, D. C.

DEAR SENATOR: Enclosed is a resolution to which we would appreciate your attention. It relates to the Cole bill, H. R. 7372, which proposes the creation of a Federal oil authority. When we realize that the value of oil and gas production at the well in Kansas, even under rigid proration, plus lease and royalty payments, is ordinarily as much as the value of the State wheat crop at the farm, we are alarmed by anything which may disturb it.

Again, even if the resource involved were unimportant, or of small value, we feel that where there is an established State authority which is carrying the responsibility involved the Federal Government should be cautious in taking any steps. Generally speaking, the country suffers more from State evasion of responsibilities than from Federal invasion of States' rights. Where the majority of the affected States have assumed their responsibilities, as is the case in respect to conservation of oil and gas, the Federal Government should concern itself with devising means by which the few States that have failed to accept their responsibilities might be induced to do so, rather than concern itself with overlapping those States which are discharging their responsibilities.

Very truly yours,

SAMUEL WILSON.

Resolution of the Kansas State Chamber of Commerce to the Oil Subcommittee of the House Committee on Interstate and Foreign Commerce

Whereas H. R. 7372 proposes to authorize the creation of a Federal commissioner within the Department of the Interior to supervise and regulate the production of crude petroleum and natural gas within the several States; and

Whereas the State of Kansas, a major oil-producing State, has enacted and enforced adequate conservation laws since 1931 through a State agency which is experienced and capable in such matters; and

Whereas the broad power to engage in undertakings for the promotion of the general welfare is inherent in the States, while it is limited in the Federal Government to that which is effected by the power to tax; and

Whereas the States, through exercise of the power to prevent avoidable waste of irreplaceable natural resources, have regulated the production of petroleum and have thereby promoted the general welfare and prosperity of their citizens; and

Whereas an extension of Federal power to the control of production of petroleum would establish precedent for Federal usurpation of all powers of the several States in respect to all basic commodities, since all important commodities flow in interstate commerce; and

Whereas the enactment of H. R. 7372 would constitute an unreasonable, unnecessary, and unjustifiable duplication of functions of the Federal and State Governments, and such a policy would endanger and destroy the progress which has been attained under State control and would be detrimental to the welfare and prosperity of the people of Kansas: Now, therefore be it

Resolved by the Kansas State Chamber of Commerce (which has a membership representative of all classes of business and a majority of the local chambers of commerce of the State), That we hereby express our opposition to this type of legislation, or to any other form of Federal control, and express our confidence in the integrity and efficiency of the State Corporation Commission of the State of Kansas as an agency for dealing with the problems involved.

KANSAS STATE CHAMBER OF COMMERCE,
SAMUEL WILSON, Secretary.

JANUARY 26, 1940.

Whereas the Wichita Chapter of the American Petroleum Institute is fully aware of the great importance to the people of the United States of the petroleum resources of this country; and

Whereas the Wichita Chapter of the American Petroleum Institute earnestly believes that the American system of free enterprise is indispensable to the continuance in this country of the American form of government; and

Whereas the American petroleum industry in the past, without the payment to it of subsidies of any kind, has met all demands made upon it in times of war as well as peace, and in recent years has developed vast underground reserves which will enable the industry to meet all demands that may be made upon it for many years in the future, either in emergencies or peace times; and

Whereas all of the important oil-producing States in this country, with two exceptions, have already adopted conservation laws, and efforts are now being made by representatives of the industry in these two States to enact conservation laws in said States; and

Whereas it is the opinion of this body that House bill 7372 would result in transferring to a subordinate bureau of the Department of the Interior of the Federal Government, headed by an administrator with dictatorial power, control in the minutest degree of the production and transportation activities of the industry, which would soon affect all branches of the industry and seriously interfere with and impair the progress made by the conservation departments of the many States: Now, therefore, be it

Resolved, That the Wichita Chapter of the American Petroleum Institute make this formal protest against the passage of House bill 7372 or legislation of a similar nature; be it further

Resolved, That the Wichita Chapter of the American Petroleum Institute make this further formal declaration: That it favors the enactment of conservation laws in all of the important oil-producing States in this country.

Resolutions of the Board of Directors of the Wichita Chamber of Commerce, Wichita, Kans.

To the Congress of the United States:

Whereas the petroleum industry has by its own enterprise, with the cooperation of the State governments, improved its methods of production, refining, and transportation, and has constantly diminished the amount of preventable waste, thus enabling it to more fully meet all regular and emergency demands made upon it in peace or in war; and

Whereas it is the opinion of the petroleum industry in the Wichita area that H. R. 7372 would obstruct rather than aid the cause of conservation, in that the regulation and control of the production and transportation activities of the oil industry by a bureau of the Federal Government would complicate and duplicate present supervision by the State regulatory agencies (which naturally have closer contact with and better understanding of the problems involved) and would create conflicts of authority and jurisdiction: Now, therefore, be it

Resolved by the Board of Directors of the Wichita Chamber of Commerce in regular meeting assembled, That it oppose the passage of H. R. 7372 as being contrary to the best interests of the Nation, the States, the consuming public, and the petroleum industry.

Done at Wichita, Kans., this 17th day of January 1940.

WICHITA CHAMBER OF COMMERCE BOARD OF DIRECTORS,
J. WARD GALE, President.
G. W. BOOTH, General Manager.

REPORTS OF COMMITTEES

Mr. WALSH, from the Committee on Naval Affairs, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

S. 2991. A bill to authorize the Secretary of the Navy to accept on behalf of the United States certain lands in the city of National City, Calif. (Rept. No. 1183); and

S. 2993. A bill to authorize an exchange of lands between the city of San Diego, Calif., and the United States, and acceptance by gift of certain lands from the city of San Diego, Calif. (Rept. No. 1184).

Mr. BYRNES, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 212) for an investigation of campaign expenditures of Presidential, Vice Presidential, and senatorial candidates in 1940 (submitted by Mr. GEORGE on January 10, 1940), reported it without additional amendment.

Mr. BARKLEY, pursuant to law, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred, for examination and recommendation, 11 lists of records transmitted to the Senate by The Archivist of the United States, which appeared to have no permanent value or historical interest, submitted reports thereon.

FUNERAL EXPENSES OF THE LATE SENATOR BORAH

Mr. BYRNES. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably Senate Resolution 223 and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The Chief Clerk read Senate Resolution 223, submitted by Mr. CLARK of Idaho on February 1, 1940, which was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of Hon. William E. Borah, late a Senator from the State of Idaho, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

PROPOSED LOAN TO FINLAND

Mr. BARKLEY. Mr. President, this morning the Committee on Foreign Relations ordered a report on the bill recently referred to it from the Banking and Currency Committee. I ask unanimous consent that the chairman of the Committee on Foreign Relations be authorized, during any adjournment or recess of the Senate, to report the action of the committee today in ordering a favorable report on the bill.

The VICE PRESIDENT. Is there objection?

Mr. McNARY. Mr. President, am I to understand that action was taken by the Foreign Relations Committee today?

Mr. BARKLEY. It was.

Mr. McNARY. And is it likely that the bill will be reported during the session of today?

Mr. BARKLEY. It may be reported today; but, if it should not be so reported, I desire the privilege of having it reported during the recess or adjournment of the Senate.

Mr. McNARY. I have no objection to the request. If we are to take action in the matter it should be done without further delay.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. PITTMAN subsequently, from the Committee on Foreign Relations, to which was referred the bill (S. 3069) to provide for certain loans to the Republic of Finland by the Reconstruction Finance Corporation, reported it with an amendment to the amendment heretofore reported by the Committee on Banking and Currency, and submitted a report (No. 1185) thereon.

Mr. BROWN. Mr. President, I submit an amendment which may be proposed tomorrow when the Finnish-loan bill comes before the Senate. I ask that it be printed in the RECORD today as part of my remarks for the information of the Senate.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The amendment is as follows:

On page 2, after line 22, insert the following new section:

"Sec. 2. The Reconstruction Finance Corporation is authorized and empowered to make loans to the Republic of Finland in an aggregate amount not to exceed the amount paid by such Republic on account of its obligations to the Government of the United States. Such loans shall be made for the purpose of enabling the Republic of Finland to finance the purchase of such articles and materials as it deems necessary, whether or not such articles and materials are the growth, produce, or manufacture of the United States or any of its Territories or possessions, and all such loans shall be made on such terms and conditions as the Federal Loan Administrator shall prescribe. The Secretary of the Treasury shall reimburse the Reconstruction Finance Corporation in an amount equal to the amount of all loans made under this section to the Republic of Finland."

Mr. BROWN. I also ask that the amendment be printed and lie on the table.

The VICE PRESIDENT. Without objection, that order will be made.

Mr. BROWN. I also ask that a letter from the Treasury Department setting forth the present status of the indebtedness of the Finnish Government to the American Government, and the present status of the indebtedness of the Russian Government to the American Government, be printed at this point in the RECORD as a part of my remarks.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The letter is as follows:

TREASURY DEPARTMENT,
Washington, January 22, 1940.

MY DEAR SENATOR: Reference is made to your telephone inquiry of Mr. A. F. O'Donnell, Division of Research and Statistics of this Department, requesting information in regard to the indebtedness of the Governments of Finland and Russia to the United States Government.

The indebtedness of Finland arose from obligations received by the American Relief Administration for relief supplies furnished under an act of Congress approved February 25, 1919. The principal amount of such obligations was \$8,281,926.17 and they originally bore interest at the rate of 5 percent. This rate was reduced to 4½ percent to December 15, 1922, under the funding agreement referred to below. The original obligations matured June 30, 1921.

An agreement for funding the indebtedness of Finland to the United States was entered into under date of May 1, 1923. Au-

thorization to settle the indebtedness of the Republic of Finland to the United States as agreed upon was contained in an act of Congress approved March 12, 1924. Under the funding agreement the principal of the debt was to be paid in annual installments due December 15 each year over a 62-year period ending in 1984. Interest was made payable semiannually on unpaid balances on December 15 and June 15 of each year. The rate was 3 percent per annum from December 15, 1922, to December 15, 1932, and 3½ percent thereafter. A statement of amounts payable to the United States each year under the funding agreement is contained on page 126 of the enclosed copy of the combined annual reports of the World War Foreign Debt Commission. The combined annual reports also contain other information in regard to the Finnish debt which may be of interest.

Up to the fiscal year 1932 Finland regularly met the principal and interest on its debt as it came due under the funding agreement. Payments due during the fiscal year ended June 30, 1932, aggregating \$312,295, including principal and interest, were postponed under the moratorium agreement of May 23, 1932, entered into pursuant to Public Resolution No. 5 approved December 23, 1931, authorizing such agreements with the various foreign governments indebted to the United States. The amount postponed, together with interest thereon at the rate of 4 percent per annum from July 1, 1933, was made payable by Finland in 10 equal annuities of \$38,061, each payable in equal semiannual installments on December 15 and June 15 of each fiscal year, beginning with the fiscal year 1934.

Since the fiscal year 1933 the Government of Finland has regularly paid installments of principal, together with interest due under its debt-funding agreement and moratorium agreement. In other words, Finland is fully up to date with respect to amounts which have become due and payable under its debt agreements. A statement follows showing the original amount of the debt, the debt as funded, accruals of interest, payments of principal and interest, and the unpaid balance at the present time.

Original amount of indebtedness.....	\$8,281,926.17
Interest accrued prior to funding.....	\$1,027,389.10
Less interest paid prior to funding.....	309,315.27
	718,073.83
Total of debt as funded.....	9,000,000.00
Repayments of principal after date of funding.....	957,533.23
Present principal of debt.....	8,042,466.77
Accrued interest since date of funding.....	\$4,724,866.71
Less interest paid since date of funding.....	4,624,443.27
	(a) 100,423.44

Indebtedness at present time..... 8,142,890.21

(a) Represents interest postponed under moratorium agreement and not yet due under such agreement.

The indebtedness of Russia to the United States arose from three sources, as follows:

Principal of Russian debt:	
Advances under Liberty Bond Acts.....	\$187,729,750.00
Surplus supplies sold on credit under an act of July 9, 1918.....	406,082.30
Relief supplies furnished on credit under an act of Feb. 25, 1919.....	4,465,465.07
	192,601,297.37
Interest due to Dec. 15, 1939.....	\$211,141,106.97
Less payments applied to interest.....	8,750,311.88
	202,390,795.09

Amount of indebtedness Dec. 15, 1939..... 394,992,092.46

Repayments credited to the Russian debt represent the proceeds of liquidation of financial affairs of the Russian Government in this country. After the fall of the provisional government in November 1917, the Department of State and the Treasury entered into arrangements with the Russian Ambassador with a view to having assets of the Russian Government in this country applied toward payment of debts to American manufacturers, contractors, and the United States Government. Copies of letter dated May 23, 1922, from the Secretary of State and reply of the Secretary of the Treasury dated June 2, 1922, in regard to loans to the Russian Government and liquidation of affairs of the latter in this country appear in the combined annual reports of the World War Foreign Debt Commission as exhibit 2, page 84.

For your further information in regard to the war debts, there are also enclosed a memorandum covering the indebtedness of foreign governments to the United States, revised March 1, 1939; a statement showing the total indebtedness of foreign governments to the United States, December 15, 1939; a statement showing total payments received on account of indebtedness of foreign governments to the United States as of December 15, 1939; and pages 68 to 72 from the Annual Report of the Secretary of the Treasury for the fiscal year 1939, with regard to obligations of foreign governments.

Very truly yours,

D. W. BELL,

Under Secretary of the Treasury.

HON. PRENTISS M. BROWN,
United States Senate, Washington, D. C.

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on February 6, 1940, that committee presented to the President of the United States the following enrolled bills:

- S. 323. An act for the relief of E. C. Beaver; and
- S. 766. An act for the relief of the Missoula Brewing Co.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. SMATHERS:

S. 3283. A bill to extend to closed building and loan associations and for the liquidation of assets of such associations the same assistance that is now extended to closed banks and for the liquidation of their assets; to the Committee on Banking and Currency.

By Mr. RUSSELL:

S. 3284. A bill to amend section 77 of the Judicial Code, as amended, to create a new district in the State of Georgia, to be known as the north central district, and for other purposes; to the Committee on the Judiciary.

Mr. WILEY. Mr. President, the veterans of the United States when they borrow money from the Government on their insurance policies have to pay 5 percent interest. That money costs the Government from 1 percent down. The bill I am now introducing provides that hereafter the rate charged by the Government to the veterans shall not exceed 3 percent per annum.

The VICE PRESIDENT. The bill of the Senator from Wisconsin will be received and appropriately referred.

By Mr. WILEY:

S. 3285. A bill to provide a maximum interest rate of 3 percent on loans secured by United States Government life insurance policies; to the Committee on Finance.

S. 3286. A bill for the relief of Oscar C. Olson; to the Committee on Claims.

By Mr. O'MAHONEY:

S. 3287. A bill to convey certain lands to the State of Wyoming; to the Committee on Public Lands and Surveys.

S. 3288. A bill for the relief of William T. J. Ryan; to the Committee on Military Affairs.

By Mr. MINTON:

S. 3289. A bill granting a pension to Willis Snow (with an accompanying paper);

S. 3290. A bill granting a pension to Mrs. Myrtle Snow (with an accompanying paper);

S. 3291. A bill granting a pension to Mrs. Elizabeth L. Jones (with an accompanying paper);

S. 3292. A bill granting a pension to Mrs. Alleda Handrick (with an accompanying paper);

S. 3293. A bill granting a pension to Mrs. Mary McCarty (with accompanying papers);

S. 3294. A bill granting a pension to Dorris K. Fitch (with accompanying papers);

S. 3295. A bill granting a pension to Gracie D. Maxey; and

S. 3296. A bill granting a pension to Isabel H. Maxey; to the Committee on Military Affairs.

S. 3297. A bill granting a pension to Mary H. Stiers; to the Committee on Pensions.

By Mr. MALONEY:

S. 3298. A bill for the relief of Richard L. Calder; to the Committee on Claims.

By Mrs. CARAWAY:

S. 3299. A bill for the relief of Jephtha John Arbaugh; and
S. 3300. A bill conferring jurisdiction upon the United States District Court for the Eastern District of Arkansas to hear, determine, and render judgment upon the claim of J. J. Hudson; to the Committee on Claims.

S. 3301. A bill for the relief of William Edward Boileau; to the Committee on Finance.

S. 3302. A bill granting a pension to Rebecca E. Skaggs; to the Committee on Pensions.

By Mr. BURKE:

S. 3303. A bill for the relief of James L. Kinney;

S. 3304. A bill for the relief of J. Frank Kuner, private, Uniformed Force, United States Secret Service;

S. 3305. A bill for the relief of Roy F. Lassly, former acting chief disbursing clerk, Department of the Interior;

S. 3306. A bill for the relief of Roy F. Lassly, former acting chief disbursing clerk, Department of the Interior;

S. 3307. A bill to amend an act entitled "An act for the relief of Mrs. A. R. Barnard, Charles A. Stephens, Donald W. Prairie, and dependents of Vern A. Needles," approved July 15, 1939;

S. 3308. A bill authorizing the Comptroller General to settle and adjust the claim of Robert E. Newton;

S. 3309. A bill authorizing the Comptroller General of the United States to settle and adjust the claim of O'Brien Bros., Inc., New York City, N. Y.; and

S. 3310. A bill authorizing the Comptroller General of the United States to settle and adjust the claim of Morrison-Knudson Co., Inc., and W. C. Cole; to the Committee on Claims.

RECOMMITTAL OF A BILL

Mr. PEPPER. Mr. President, I ask unanimous consent that Senate bill 1162, to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal, be recommitted to the Committee on Inter-oceanic Canals.

The VICE PRESIDENT. Is there objection to the request of the Senator from Florida?

Mr. McNARY. Mr. President, let the request be restated. I did not hear it.

The VICE PRESIDENT. The Senator from Florida desires the recommitment of a bill, the title of which will be stated by the clerk.

The LEGISLATIVE CLERK. Calendar No. 157, Senate bill 1162, to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal.

Mr. PEPPER. Mr. President, in view of the fact that the matter has been emphasized, I desire to explain that the bill relates to certain allowances for those who were engaged upon the Isthmus in the actual construction of the Panama Canal. The bill is on the Senate Calendar with a favorable report from the Committee on Inter-oceanic Canals. I desire to have the bill recommitted to the committee for the purpose of enabling it to consider certain amendments. Knowing the interest of the Senator from Oregon in the bill, I appreciate his inquiring about it.

The VICE PRESIDENT. Is there objection to the request of the Senator from Florida? The Chair hears none.

AMENDMENT TO INDEPENDENT OFFICES APPROPRIATION BILL

Mr. BARBOUR submitted an amendment intended to be proposed by him to House bill 7922, the independent offices appropriation bill, which was ordered to lie on the table and to be printed, as follows:

On page 70, lines 8 and 9, to strike out "and for construction of a dam near Lenoir City, Tenn.," and on page 70, line 20, to strike out "\$40,000,000" and insert in lieu thereof "\$39,000,000."

PRINTING OF COMPILATION OF CONTESTED-ELECTION CASES

Mr. GEORGE. Mr. President, I submit a resolution and ask for its immediate consideration. The request calls for a brief word of explanation.

Since the organization of the Senate of the United States there have been approximately 130 contested-election cases. A first edition of these cases was compiled in 1885, and covered all cases prior to that date. A second edition was compiled which covered all cases from 1885 to 1893. A third edition covered all cases from 1893 to 1903. A fourth edition—which also included all previous compilations—covered all cases from 1903 to 1913.

Twenty-six contested-election cases have been before this body since 1913, and none of those cases have been compiled. It is of the utmost importance that the cases be carefully compiled and preserved for the guidance of Members of the future sessions of the Senate. It will be recalled that of the

26 cases that have occurred since the last compilation, 25 occurred since the adoption of the seventeenth amendment, providing for the direct election of Senators.

Therefore, following all the precedents and the usual procedure, I ask unanimous consent for the immediate consideration of the resolution which I send to the desk.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 229) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Privileges and Elections is hereby authorized to have compiled and printed for the use of the Senate a new edition of the work on Senate election cases, bringing the same down to the present Congress.

ELIZABETH COSBY YOUNGER

Mr. GLASS submitted the following resolution (S. Res. 230), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Elizabeth Cosby Younger, widow of Thomas L. Younger, late custodian of the Senate Office Building, a sum equal to 1 year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

RECIPROCAL-TRADE AGREEMENTS

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be stated.

The Chief Clerk read Senate Resolution 227, submitted by Mr. VANDENBERG on yesterday, as follows:

Resolved, That the United States Tariff Commission is requested to submit the following information to the Senate at its earliest convenience:

- (1) What foreign nations have generalized tariff reductions or other trade favors to the United States under the unconditional most-favored-nation policy, as a result of granting such concessions to others since 1934.
- (2) What are the benefits, if any, that have been thus generalized.
- (3) How many bilateral-trade agreements exist between other nations, and whom between.
- (4) Which of these bilateral-trade agreements, if any, have been negotiated since 1934.
- (5) Whether any of the concessions in these bilateral agreements, if any, have been generalized to the United States.

Mr. VANDENBERG. Mr. President, the resolution which I submitted yesterday has already achieved its purpose. I finally have a report from the United States Tariff Commission, and the need for the resolution is no longer apparent. Therefore I ask that it be indefinitely postponed.

The VICE PRESIDENT. Is there objection to the request of the Senator from Michigan?

Mr. BYRNES. Mr. President, will the Senator from Michigan advise us of the date of the letter?

Mr. VANDENBERG. I did not look at the date. The letter was received this morning.

Mr. BYRNES. I was just wondering whether the Senator knew the date of the letter, in order that he might put it in the RECORD with his statement. I do not know its date, but I should like to know.

Mr. VANDENBERG. I will say to the Senator that the letter apologizes for the failure to respond heretofore to my letter of January 17, and explains that the delay was due to the illness of one of the members of the Commission.

The VICE PRESIDENT. Is there objection to the request of the Senator from Michigan? The Chair hears none, and the resolution will be indefinitely postponed.

LETTER FROM HOOSIER TELEPHONE ASSOCIATION REGARDING NATIONAL LABOR RELATIONS BOARD

Mr. MINTON. Mr. President, at this time, when all manner of charges are being made against the National Labor Relations Board, charging it especially with discrimination against so-called independent unions—those outside of the larger organizations—it is gratifying to receive from one of these organizations in my State a letter to the effect that no partiality has been shown so far as this organization is concerned.

I ask unanimous consent that this letter may be incorporated in the RECORD as part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HOOSIER TELEPHONE ASSOCIATION, INC.,
Indianapolis, Ind., January 5, 1940.

HON. SHERMAN MINTON,

United States Senator, Washington, D. C.

DEAR SIR: With practically all newspapers in the country carrying articles concerning the Smith investigation of the Labor Board it is certainly an opportune time to reflect the views of quite a few thousand people who reside and work in a goodly number of States and who are members of an independent union.

At the very outset we wish to impress you with the fact that we are not affiliated with either of the major labor organizations, and therefore there is no partisan or biased motive attached to our expressions. However, we are interested in the labor movement and do not condone anything or any action which affects or may affect the movement's growth.

Labor for many years has been in a very unfavorable position, and there does not seem to be much sense in returning such a large percentage of our citizens to their previous insecure and undesirable position.

For the Government, or any individual representative or group of representatives, at Washington to listen to real, reasonable criticism of a law is one thing, but for the same individual or group to temper their judgment with only one side of a picture is an entirely different matter and deserving of serious thought by those who seek real justice. The social legislation of the past few years is something which should not be undone by short-sighted people who may have an ax to grind or who unknowingly believe that "two wrongs will make a right."

The Smith investigation and some other recent newspaper reports appear to be very partisan and biased, and therefore any right-thinking legislator or other person should not be misled by the inference attached to such reports.

Because our labor organization is independent, we are normally classified, as are nearly all independents, as being on the outside fringe of the labor movement. However, our contacts with the National Labor Relations Board have always been friendly, and we are convinced that, by and large, the administrators of the act are sincere in their endeavor to cause better labor relations between employees and employers. Any attack, of repulsive nature, is clearly indicative of management support and should be terminated before irreparable damage is done to the entire enterprise system.

If my memory serves me correctly, the activities of the Labor Board have been distinctly helpful to business in general and, with but few exceptions, its decisions have been fair and equitable. The fact that some mistakes have been made by a few of the personnel is no reason to condone the entire structure, otherwise we, of labor, cannot look for any impartial protective aid in the future. To err is human has been emphasized by such learned scholars as the Supreme Court Justices when they reversed their own decisions on occasions. The same weakness is present in the administration of any act of Congress. Therefore the attack on the Wagner Act and its administration should not be too greatly emphasized until it has had a much longer period of trial.

Amendments to the act and insinuations about various people connected with its administration are becoming a daily habit and I might say that it appears as though some of our industrialists, legislators, and even labor leaders are making a hobby of tearing down a good work. This should be stopped until all parties concerned have had the opportunity to adjust themselves to the relatively new order.

From all that has been written on the subject one would naturally think two things; firstly, that employers are not getting proper consideration, and secondly, the Board is partial to the C. I. O.

Having had the opportunity to be interested in a number of cases before regional boards and having read with interest the various reports of the Board, we can unequivocally state that employers are getting more than the benefit of a doubt and, being independent, our opinion should have some weight when we say that our experience has taught us the Board does not favor one group as against another.

The wisest thing and the just thing would be to let the act alone and to make changes in the Board personnel in the same sensible manner that any other executive changes are made either in business or in other governmental appointments.

Sincerely yours,

LEO GEORGE,
President, Hoosier Telephone Association, Inc.

PROPOSED LOAN TO FINLAND

[Mr. BROWN asked and obtained leave to have printed in the RECORD a debate over the Forum of the Air on Sunday, January 28, 1940, participated in by Senator KING, Senator GILLETTE, Senator WILEY, and Senator BROWN, on the Finnish loan question, which appears in the Appendix.]

ADDRESS BY SENATOR WALSH ON OUR RELATION TO WORLD PEACE

[Mr. WALSH asked and obtained leave to have printed in the RECORD an address on the subject of our relation to world peace, delivered by him at the Women's National Democratic Club on Tuesday, February 6, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR TAFT AT MIAMI, FLA.

[Mr. McNARY asked and obtained leave to have printed in the RECORD an address on the subject Small Business the Key to Recovery, delivered by Senator Taft at Miami, Fla., on February 3, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR REYNOLDS ON NATIONAL DEFENSE

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD a radio address delivered by him on February 3, 1940, on the subject of the national defense, which appears in the Appendix.]

ADDRESS BY DONALD R. RICHBERG BEFORE NATIONAL AUTOMOBILE DEALERS' ASSOCIATION

[Mr. MALONEY asked and obtained leave to have printed in the RECORD an address delivered by Donald R. Richberg on January 23, 1940, before the National Automobile Dealers' Association, Washington, D. C., which appears in the Appendix.]

STATEMENT BY CARL H. WILKEN BEFORE WAYS AND MEANS COMMITTEE

[Mr. GURNEY asked and obtained leave to have printed in the RECORD a statement made by Carl H. Wilken, secretary of the Raw Materials National Council, Sioux City, Iowa, before the Ways and Means Committee of the House of Representatives, together with a schedule accompanying the statement, which appears in the Appendix.]

ADDRESS BY EDWIN M. BORCHARD ON NEUTRALITY

[Mr. DANAHER asked and obtained leave to have printed in the RECORD an address delivered at South Orange, N. J., by Edwin M. Borchard, Hotchkiss professor of law, Yale University, on the question of United States neutrality, which appears in the Appendix.]

ADDRESS BY E. G. B. RILEY ON HOME-DEFENSE FORCE PLAN

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an address by E. G. B. Riley on the subject of a home-defense force plan, which appears in the Appendix.]

ADDRESS BY COL. OSWALD W. MCNEESE BEFORE WOMEN'S PATRIOTIC CONFERENCE ON NATIONAL DEFENSE

[Mr. OVERTON asked and obtained leave to have printed in the RECORD an address delivered by Col. Oswald W. McNeese before the fifteenth annual Women's Patriotic Conference on National Defense held at Washington, D. C., February 1, 1940, which appears in the Appendix.]

SANE VIEW OF DEFENSE—EDITORIAL FROM ST. LOUIS GLOBE-DEMOCRAT

[Mr. CLARK of Missouri asked and obtained leave to have printed in the RECORD an editorial entitled "Sane View of Defense," published in the St. Louis Globe-Democrat of Monday, February 5, 1940, which appears in the Appendix.]

ORDER TO DISPENSE WITH CALL OF CALENDAR

The VICE PRESIDENT. The routine morning business is closed. The calendar under rule VIII is in order.

Mr. BARKLEY. I ask unanimous consent that the call of the calendar be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

PROPOSED LOAN TO FINLAND

Mr. BARBOUR. Mr. President, I rise to discuss briefly but very earnestly a subject which is much in the mind of everyone, yet one on which we seem to be having more difficulty than usual in making up our minds. I refer to the subject before the Congress and the people of this country—whether or not we shall help Finland financially; and if so, how we should extend the aid.

We have just learned that the Foreign Relations Committee acted today to approve an increase in the revolving fund of the Export-Import Bank of Washington as a prelude to a Finnish loan, which I assume this institution would make if Congress acted favorably on this plan. This is splendid so far as it goes, but I still fear we may from now on move too slowly. The Senate should act and at once.

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I feel very strongly that time is of the essence; that Congress should act immediately; and it is with this in mind more than to advocate or oppose any particular proposal that I bring up the subject, for, with all due respect to the committee, I cannot resist the observation that I hope most earnestly they will bring this question before the Senate as soon as possible.

My own personal view is that even if no other consideration were involved, Finland has earned the right again to receive financial aid from this Nation. Finland alone honored her financial obligations to this country, and, by the same token, has merited the right to again seek financial aid in her hour of desperate need and martyrdom. If we fail to recognize this, Finland can feel with justice that her integrity and honesty not only have gone unrewarded, but actually she would have been better off financially to have kept for herself, as did all the other nations, the money she paid back to the United States each day on the day it was due.

Moreover, it seems obvious to me that if we do not accord Finland the financial aid to which I think she is entitled, for the reasons I have given, others may well feel that they did the smart thing in their own selfish interest in not living up to their obligations to this country, in that they are no worse off than the one country which paid its debts to us. To put it differently, if Finland's integrity and honesty are to profit her nothing in her hour of dire need, what incentive would there be for anyone ever to pay anything that is owed to us?

Mr. President, entirely aside from this credit standing, which I feel Finland has so justly earned, we must, of course, consider whether or not it is compatible with the best interests of the United States to make a further loan to that country. With respect to this equally important consideration, I feel that it is indeed certain that our best interests do not lie in the success of the ruthless aggressor who is wantonly attempting to destroy Finland.

More important than anything else, no one can justify the assertion that to help Finland financially at this time is a step toward war. This is simply not so. No one is more alert against any move in that direction than myself. How could it be unless we wish to take that step which, of course, most certainly we do not and will not take?

Moreover, further financial aid to Finland at this time sets no precedent for extending the same aid in any other quarter, for in Finland's case alone imminent and desperate need is coupled with absolute assurance, based on actual experience, that if it is humanly possible they will repay every cent. I feel, too, that in according Finland the financial aid she so urgently needs at this time, in whatever amounts and whatever manner the Congress may decide on, it should be given not only at once but without any hampering restrictions as to how and where the money should be spent.

It is not my purpose to either make a long plea or an impassioned one based on sentimentality, but I am simply stressing my own conviction that we should do something for Finland, and, by the same token, I urge that this be done with all possible dispatch, and that we act as promptly as possible now, following the action of the committee.

Mr. SMATHERS. Mr. President, I concur most heartily in the remarks just made by my distinguished colleague the junior Senator from New Jersey [Mr. BARBOUR]. I think it is high time that Congress act on this important subject, and I am delighted to express my concurrence in the sentiments uttered by him.

INDEPENDENT OFFICES APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 7922) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1941, and for other purposes.

The VICE PRESIDENT. The question recurs on the amendment on page 9, line 9, which will be stated.

The CHIEF CLERK. On page 9, line 9, it is proposed to strike out "\$12,000,000" and to insert "\$11,000,000", so as to read:

Maintenance and operation of air-navigation facilities: For all necessary expenses of the Office of the Administrator and the operation and maintenance of air-navigation facilities, including personal services and rent in the District of Columbia and elsewhere; purchase (including exchange), operation, maintenance, repair, and overhaul of aircraft; purchase and exchange (not to exceed \$13,550), hire, maintenance, repair, and operation of passenger-carrying automobiles; purchase of special wearing apparel and equipment for aviation purposes (including snowshoes and skis); salaries and traveling expenses of employees detailed by the Administrator to attend courses of training conducted by the Government or industries serving aviation; not to exceed 3 cents per mile for travel, in their personally owned automobiles within the limits of their official posts of duty, of employees engaged in the maintenance and operation of remotely controlled air-navigation facilities; and for the purchase of necessary food supplies (not exceeding \$2,500) for storage at isolated stations for emergency use, the cost of which when consumed by employees shall be collected therefrom, and deposited in miscellaneous receipts; \$11,000,000.

Mr. McCARRAN. Mr. President, addressing myself to the item under consideration in the bill now pending, which is an amendment of the Committee on Appropriations reducing the appropriation from \$12,000,000 to \$11,000,000 under the heading "Maintenance and operation," I will not detain the Senate long lest my remarks today might be a repetition of what I had occasion to say yesterday. I have again conferred with the Civil Aeronautics Authority, and I assert that if this reduction in the appropriation should be made and becomes effective, there is no question the program heretofore authorized, and for which appropriations were made, namely, for the installation of safety devices on the airways of this country as rapidly as possible, would be greatly impeded. There can be no question that safety devices of all kinds, provided by the mandate of the Congress of the United States, and for the installation of which appropriations were made, would remain unmanned and uncared for, and would either have to be stored where the elements will not destroy them, or some other means would have to be taken to protect them.

Mr. CLARK of Missouri. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Missouri?

Mr. McCARRAN. I yield.

Mr. CLARK of Missouri. I am informed by the Civil Aeronautics Authority that so far as concerns 3,300 miles of airway protection now under construction, and to be completed before the end of the fiscal year 1941, most of it within the calendar year 1940, if this reduction should be made, there not only would not be sufficient money to operate those facilities, but there would be no money to pay for watchmen to protect them.

Mr. McCARRAN. I am grateful to the Senator because I was about to make that point.

Mr. CLARK of Missouri. I beg the Senator's pardon.

Mr. McCARRAN. That is all right. There would be no money with which to operate or do anything with them, except to leave them where they are, out in the elements, unprotected.

Mr. President, that is not the worst of this matter however. Congress, as result of a most careful investigation at the hands of Members of this body, and at the hands of the committee headed by our beloved colleague, the late Senator Copeland, set up a program, declared we would carry out that program, and have carried it out. Last year the greatest amount ever appropriated was made available in an effort to see to it that the program for providing safety facilities in the air, as set up by this body and by the other House, should be carried out.

That being true, Mr. President, however much we would economize, this is no time for Congress to turn back, when by turning back we would not only impair the program we adopted, but likewise would lose the money already appropriated. When I say we would lose the money, I mean that it would be a loss if we permitted this equipment to be unmanned and unprotected.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. ADAMS. The Senator has given thought to the details of this matter, I am sure, and will be glad to enlighten me. The inference I draw from the hearings before the Senate committee is that there would be 45 new stations, or whatever they are called—

Mr. McCARRAN. Air lines.

Mr. ADAMS. Forty-five new air lines put into operation under the program, under the appropriation for construction, and that it is planned to take on 519 employees. That was the maximum.

Mr. McCARRAN. I thought the number was 635, but the Senator may refer to a different figure.

Mr. ADAMS. I have gotten the figures in the last few minutes.

Mr. McCARRAN. I notice in one place Mr. Hester said there would be 635 new personnel.

Mr. CLARK of Missouri. Mr. President, if the Senator will yield, let me say that I have before me an amplification of some of the testimony, furnished me by the Civil Aeronautics Authority, which I intend to put into the RECORD.

Mr. ADAMS. I gather from the statement that there are 4 men to a station, in some larger stations perhaps more; so if we take the figure of 45 new stations, and figure 4 men in each, which would be sufficient personnel to protect them, there would be 180 men. If we should pay those men \$1,500 a year, which I think perhaps is a fair average, it would take \$270,000. If we should pay them \$2,000 on an average, it would take \$360,000. If we should take the whole 519 new men, all of whom would not serve the full year, because the program will not be instantly completed at the beginning of the fiscal year, and if we should pay those men \$1,500 a year, we would have to pay \$728,000. There is an increased appropriation of \$1,500,000. I am unable to see why one and a half million dollars will not take care of the increased personnel required to carry out the program. I make that as a statement rather than as an inquiry.

Mr. McCARRAN. Mr. President, in reply to the able Senator from Colorado I wish to say that, as I gather from reading the hearings and from information which has come to me from members of the Authority, the question is not merely that of increase of one and a half million dollars, but the carrying out of a program heretofore authorized. If the program is carried out as it should be carried out, and these air lines are established with all proper safeguards and safety devices, and if the money already appropriated for the current year is used within the current year, as it is said it will be, for the installation of this equipment, and no additional money is provided, then, notwithstanding the figures which the Senator used, the equipment would remain unmanned and unused. If it is unmanned it is out of use.

I again return to the subject of economy. I will join in a program of economy, but, in my judgment, we can be parsimonious rather than economical. If I may make use of a very homely expression, and one which is not entirely apropos, we may be "penny-wise and pound-foolish."

Mr. President, when we have established a program which has effected such remarkable results as have been effected in the matter of air travel, with nearly 600,000,000 passenger-hours flown in America without a single fatality—and that achievement is due to the program set up under the Civil Aeronautics Act of 1938—I say when we have established a national program of that kind and have achieved such wonderful results, we should not hesitate to appropriate an additional sum of \$1,000,000 toward continuing the program. However much we would save the money of the Government, however much we would retrench, however much we might seek economy, we must realize that the proposed reduction is not true economy.

The fact of the matter is that it is no economy. As a matter of fact, by carrying out this program we shall not only establish a system which will place our country ahead of every other country in the world in the way of air navigation and air commerce, but likewise this \$1,000,000, if used

as it is intended it shall be used under the program, will strengthen our defenses, for every time we establish one of these air lines we will fortify our country.

Mr. President, every pilot who flies the air today is a potential warrior in time of war. The pilot who flies over this country today is better equipped to take hold of the controls, should his country call upon him in time of war, than any other man who could be selected. He needs no training. He knows the terrain. He knows the air currents. He knows the weather conditions. While we are developing the country from a commercial standpoint, and while we are improving air traveling conditions, we are likewise developing the country from a military standpoint. The dollars expended along this line will serve two purposes: One, to develop the country from within; and the other, to fortify and equip the country for its defense in time of war.

Mr. President, I was sorry to have the Senate act adversely on the two items voted upon yesterday, but I appeal to the Senate today to restore the amount in the item under consideration, because I want to see this program go forward. I do not want to see human lives lost in the great development of air travel. I do not want to see any other Member of this body perhaps lose his life in the air. I do not want to see any other outstanding citizen numbered among the dead by reason of failure to provide safety devices. I do not want to see a catastrophe occur simply for lack of the amount in question.

I wish to see this program go forward along sane, sensible, sound lines. If ever a commission was appointed by a President which carried out the spirit and intention of the law, certainly the Civil Aeronautics Authority has carried out the part assigned to it, and has made a great and outstanding success.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. McNARY. Transportation by air between the East and the West is growing rapidly. I have been amazed at its growth in the last 5 years. I am curious to know if the million dollars which is proposed to be deducted from this item in any way involves the safety of transportation by air. If we reduce the amount from \$12,000,000 to \$11,000,000, will it in any way imperil the lives of those who travel, or will it add to the hazard of travel by air? I wish the Senator would address himself to that feature and specifically point out—I know he is able to do so—the relation between safety and the \$1,000,000 which it is proposed to deduct from the amount to be given the Authority.

Mr. McCARRAN. I will try to make myself clear. Congress directed that a certain system of airways should be established. The law provides that whenever the Post Office Department calls for the transportation of mail over certain lines, then the Civil Aeronautics Authority must immediately take steps to see to it that mail is carried over those lines. Congress provided that this system should include the establishment of safety devices such as lighting, radio beams, and the protective devices for landing fields, and so on, including what is known as the teletype. All of that, Mr. President, is largely mechanical. These are mechanical devices set up along the lines of flight. Sometimes they serve a dual purpose. In other words, one beacon may be a guide to two air lines, which is very frequently the case. But when the mechanical devices, which are provided for, as I have stated, by appropriations already made, are set up, then they must be manned. Personnel is necessary to man them. For instance, a beacon light having a certain candlepower or a certain intensity must be manned perhaps by 1 man or 2 men, and in some instances the operation of certain mechanical devices requires, I am told, as many as 15 men. But we must have the necessary personnel, which personnel would be cut off by the elimination of the \$1,000,000 in question. We must have personnel to man equipment already installed. That is what I want to make plain as best I can; we must have the personnel required to make effective the mechanical devices for which Congress appropriated a year ago, and which have been

up to date installed or will be installed before the end of the fiscal year. If those devices stand out in the open, in the elements, as they are now throughout the country, and remain undermanned, then they are simply a loss to everyone.

Mr. President, I do not care to take the time of the Senate any longer. To me the matter is very important. I think more has been accomplished for aviation by the Civil Aeronautics Act, 1938, than was accomplished in half a century before. I want to see aviation go forward. I want to see it go forward in an orderly manner. It cannot go forward in an orderly manner unless we carry out the orderly procedure of seeing to it that safety to human life and to property is guaranteed by every means that human hands can afford.

Mr. ANDREWS. Mr. President, it has been my purpose all along, and is now, and will continue to be, to support our regularly constituted committees in every instance that I possibly can. In this case I shall not be able to go along with the Appropriations Committee, recommending the reduction of this item for maintenance and operation of air navigation facilities from \$12,000,000 to \$11,000,000. Such a reduction would gravely affect the progress of aeronautics in my State. Two very important air lines have been established there in the past 2 years, one from Tallahassee down the west coast to Tampa and Miami, and another from Jacksonville to New Orleans. The Government has gone to the expense of establishing beacon or beam lights along the way for the safety of navigation. They will be of no use if they are not maintained.

The committee amendment, if adopted, would eliminate the maintenance of those beacon lights on those airways.

I am interested in this item for another reason. I happen to be on a committee with the distinguished Senator from Nevada [Mr. McCARRAN], and we considered our aeronautics measures very carefully after consuming much time in taking testimony. The system is now progressing fairly well, and I would not like to see this most important activity curtailed.

I also happen to be a member of the Naval Affairs Committee, which has provided a program involving the appropriation of over \$1,000,000,000 to provide for us one of the greatest defense programs, not only to include battleships on the seas and submarines under the seas, but providing for our defense one of the finest naval air units that can be devised by the ingenuity of man.

In my judgment, that money, if properly spent—and I am sure it will be, because it is in the hands of our experts—will perhaps in the ultimate save this country from a conflict which we do not want to enter. If in 1917 we had had the Navy which we are now providing on the sea, in the air, and under the sea, and which we propose to perfect within the next 2 years, we, more than likely, would never have entered the great World War. We were forced into it because the German Government knew we were not prepared; and it was more than a year before we ever flew an airplane or used a gun manufactured in the United States. If we had not been drawn into that conflict the indications are that this country would have saved, up to this time, more than \$30,000,000,000.

I am one of those who believe that an ounce of prevention is worth not only a pound of cure but, in matters of preparedness, more than that. Recently there landed in my home city of Orlando more than 600 pilots with their planes. This activity was a part of the annual tournament sponsored and encouraged by the Civil Aeronautics Authority.

We cannot turn back now. We are manufacturing many airplanes to be used in both the Army and the Navy. We want the finest brains of the country to be trained to operate them. In promoting aeronautics we are not only preparing to place America in the forefront of commercial aviation, with its many great advantages to us nationally and internationally, but we are also preparing the people of the country for any eventuality in case democracy breaks down in Europe. Our aircraft will constitute our first line of defense.

Mr. President, I could give other reasons why I would prefer not to see the committee amendment prevail, but I shall not take the time of the Senate now to present them.

Mr. CLARK of Missouri. Mr. President, I desire to call attention briefly to a thought suggested by the remarks of

the Senator from Florida; namely, the connection of this matter with the problem of national defense.

This debate has proceeded almost exclusively upon the question of the aid rendered by aviation safety facilities to the air lines of the United States and the building up of the traffic of the air lines of the United States, both passenger and mail flights. I wish very briefly to call attention to the fact that these facilities are not only used by the air lines of the United States for the protection of the passengers on the air lines and the freight shipped on the air lines, but they are now used every day of the year to a very large and considerable extent by the Army and National Guard planes and the Navy and Marine Corps planes of the United States provided for the purpose of national defense, and also to a very large extent by private commercial planes not connected with air lines, and by private planes being flown for various reasons.

Of course, a great many of the airplanes use the Federal airways without any record being made of them, since only contacts between aircraft and the Civil Aeronautics Authority airway traffic control create any accurate record. However, such as the records are, during the fiscal year 1939 the total number of aircraft movements—that is, take-offs and landings—controlled by airway traffic control amounted to 403,980. Of this total 241,884, or 59.9 percent, were airway-carrier operations, while 162,000, or 40.1 percent, were nonair carriers of all types.

A further segregation was made for a sample week, the week of January 6, 1940. During that week a total of 17,470 aircraft movements were controlled, or at the rate, based upon the sample week, of more than 900,000 a year. Of that total, 10,339 were air-carrier movements. This is 59.2 percent of the total. The fact that this percentage agrees so closely with the air-carrier percentage for the previous fiscal year suggests that the sample week taken is a fair one.

The total distribution of the traffic-controlled movements for that week was: Air carriers, 10,339, or 59.2 percent; Army and National Guard planes, 5,769, or 33 percent; Navy and Marine Corps planes, 672, or 3.8 percent; private and non-scheduled commercial planes, 690, or 4 percent.

So, Mr. President, it is apparent that these facilities are necessary and valuable not only for the safety of the public traveling on our air lines, but also for the protection and safety of Government vessels, many of which are engaged in the national defense or in preparation for the national defense.

Mr. President, on yesterday the Senator from Kansas [Mr. REED], being in possession of the floor, proceeded without giving me a chance to reply, refusing to yield to me to make reference to some statements which I had made upon the floor of the Senate within the year in criticism of the Civil Aeronautics Authority.

Mr. REED. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. Unlike the Senator from Kansas, I yield.

Mr. REED. In 30 seconds after the Senator from Missouri asked me to yield I yielded to the Senator from Missouri, and he stated in the Record that he desired to take the floor in his own right.

Mr. CLARK of Missouri. I will say to the Senator from Kansas that after making a considerable speech and yielding to several other Senators he finally did say he would yield to me; but he flatly refused to yield to me at the time he made reference to me—something I have never yet done upon the floor of the Senate.

Mr. REED. If I may make a suggestion, I asked the Senator to wait just a moment and I would yield to him.

Mr. CLARK of Missouri. Mr. President, be that as it may, it is not important. The fact is that when the reorganization bill was under consideration in the Senate I supported the proposition of the Senator from South Carolina [Mr. BYRNES], in charge of the bill, that the Civil Aeronautics Authority ought not to be exempted from the general authority of the President to combine bureaus or consolidate their functions. I pointed out the very large growth of the Civil Aeronautics Authority in the short time it had been constituted, and criticized, not only on the floor but in other places, the fact

that the Civil Aeronautics Authority had taken over bodily one of the most inefficient bureaus of the Government, the old Bureau of Air Commerce in the Commerce Department, and had not cleaned up that Bureau by discharging many who had been working for it. That criticism was good at that time, Mr. President. I adhere to it. Part of it is still good, although the Civil Aeronautics Authority has made a great improvement in the matter of cleaning up its personnel.

Be that as it may, Mr. President; that has nothing whatever to do with the question involved in the pending amendment. The amendment has to do with the question of the safety of those who fly in American planes in the United States. It has to do with the efficiency of a system which Congress directed the Civil Aeronautics Authority to install, which it has installed, and which it has been operating with notable success. It has to do with the question of whether or not the system planned and ordered by Congress as the result of the investigations of the Copeland committee, which was originally constituted following the tragic death of a distinguished Member of this body, shall be carried out and put into full and complete operation.

I stated a moment ago, on the authority of the Chairman of the Civil Aeronautics Authority, that if the reduction of \$1,000,000 takes place, 3,300 miles of facilities already in process of installation under authority and direction of Congress will have no appropriation for their operation.

Much has been said about the increase in personnel. I do not wish to be tedious with the Senate; but, since so much has been said about that matter, I wish to point out what the increase in personnel amounts to in relation to airway safety installation, having to do not with bureaucrats in Washington, but with safety of travel in the air. I wish to point out why that increase in personnel is necessary and desirable as the result of the increase in the facilities which have been installed and are being installed by direction of the Congress.

The increase in the number of personnel provided for in the appropriation for maintenance and operation of air navigation facilities for 1941 over that provided for in the allotment out of salaries and expenses of the Civil Aeronautics Authority for 1940 for that purpose, as well as the increase in other items of expense, is due to the increase in extent of the Federal airways safety system, involving primarily an increase in number and type of aids to air navigation which require personnel for their operation, maintenance, and supervision, and secondarily a resultant increase in the volume of work at certain of the hitherto existing stations necessitating increased personnel complements at some of the important points.

Mr. President, I take it to be a proposition so simple that no one will controvert it, that safety installation over a railroad system or an ocean transportation system involving thousands of miles, say, 10,000 miles, requires a greater personnel for its operation and its protection and its repair and its care than a system of 500 miles or a thousand miles. It does not matter what form of transportation it may be, the greater the safety installation the greater its extent, the greater its complexity the greater its meticulousness, the greater the number of personnel required.

The construction appropriation for the establishment of air-navigation facilities in 1940—the current fiscal year—in the amount of \$7,000,000 was the largest ever granted for this purpose. Consequently the resultant increase in the extent of the Federal airway system is more marked than ever before.

The principal features of the physical increase due to construction work being accomplished in 1940 and the accompanying increases in personnel for operation and maintenance are as follows—and this is the explanation of the increase in personnel asked for in connection with this safety system:

Lighted airways mileage, an increase of 4,590 miles in the fiscal year, requiring an additional personnel, according to the Civil Aeronautics Authority, of 93 persons. Included in the lighted airways mileage are 41 landing fields and 288 beacon lights.

Standard radio range and communication stations, 47 units, requiring a personnel, according to the Civil Aeronautics Authority, of 258.

Other types of radio stations, 162, requiring an additional personnel of 140. A break-down of the figures for the 162 units show 95 ultra-high-frequency fan markers, 9 ultra-high-frequency radio ranges, 55 ultra-high-frequency zone markers, and 3 transoceanic communication stations.

There are 10 new instrument landing stations, requiring an additional personnel of 5.

Teletype communications system mileage, 4,470, broken down into 32 teletype stations at radio ranges, and 14 independent teletype stations, requiring, according to the Civil Aeronautics Authority, an additional personnel of 63.

Three new traffic-control centers, requiring an additional personnel of 33.

The new Washington National Airport—and the present one has been a disgrace and menace to the United States for years—will require an additional personnel of 38 operators.

Mr. DAVIS. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. DAVIS. Can the Senator inform us as to the cost of the new Washington Airport?

Mr. CLARK of Missouri. I am unable to supply the Senator with the figure, although I will be glad to get it for him and furnish it to him later.

Installation of air-navigation facilities along new routes inevitably creates greater volume of work, particularly in communications and airways traffic control, at the stations on the old routes which become the junction points with the new routes, and this together with the tremendous increase in air traffic of all types—commercial, military, and private—bring about the need for added communications and traffic control operations personnel at hitherto existing stations to the extent of 155.

It will be remembered, Mr. President, that prior to the fiscal year 1940 there were no Federal air-navigation aids whatever in Alaska, but this year installation of such aids is in process. It is necessary also to establish a regional headquarters office and repair depot to administer and supervise the maintenance and operation of these aids, which will require an additional personnel of 31.

In addition to the increased personnel assigned directly to the various type of aids, and the new Alaska headquarters office and repair depot, increased administrative and supervisory personnel are required in the Washington office and in the seven regional headquarters offices and repair depots on account of the increased work involved in administration, supervision, and inspection of the greatly increased airways system. These are distributed as follows:

Office of Administrator, one.

Airways Engineering Division, Washington, 50, 40 of whom for the past year or two have been employed and paid from another appropriation, namely, a W. P. A. allotment, so that the real increase in personnel in this case is only 10.

The Airways Operation Division in Washington requires an increased personnel, despite the vast extension of the system, of only five.

The seven regional headquarters offices and repair depots require an increase in personnel of 61.

The central radio repair and supply depot at Fort Worth requires an additional personnel of 32, of which a number have already been employed under other appropriations.

The total additional personnel required for the increased facilities since the close of the fiscal year 1939 is 965. Obviously the 1940 construction activities are of the continuing type, and many of the stations are completed and ready for operation during the course of the fiscal year. As these stations are completed people are immediately employed and assigned to their operation with funds available in the allocation out of Salaries and Expenses, Civil Aeronautics Authority, 1940, for maintenance and operation of air-navigation facilities. Thus provision has been made for employing during such parts of fiscal year 1940, as they may be required, 438—including the 72 in Airways Engineering Division and central depot, which are transfers, not actual increases—of the total of 965, leaving to be employed on or after the beginning of fiscal year 1941, 527, which is the net increase for the operation of the air-safety program.

Mr. President, I assume that no one will assert that it would be to the interest of any railroad corporation to install a fine signal safety system over its entire route and then not provide adequate and intelligent personnel for its operation. Certainly it would not be to the interest of the Government of the United States to establish lighthouses and other safeguards for navigation and then not supply a sufficient personnel and a sufficient appropriation for their proper operation, inspection, maintenance, and repair. Certainly it would not be to the interest of a great railroad system to build a fine terminal and then to be niggardly with the last half mile of the approaches leading into the terminal, or to install a system for an automatic control of trains coming into the terminal and then not provide sufficient funds for its operation and maintenance.

As I said on yesterday, Mr. President, I feel very strongly that the ghastly condition of the air safety aids in this country was ultimately revealed by reason of the fact that a Member of this body was killed. Heaven knows how long that condition might have continued but for the death of Senator Cutting. It seems to me that the death of any other citizen flying over the air lines of this country is fully as important as is the death of a United States Senator, and I hope that it may not be necessary to have further accidents in this country in order to assure the completion of the air-safety program.

Mr. REED. Mr. President, I desire to say that I am in complete agreement with the distinguished Senators from Missouri, Nevada, and Wyoming as to safety.

Being curious about the Civil Aeronautics Authority, I obtained their first annual report. So far as I have talked with Members of this body, I have not yet found anybody who has read it. I have. Here is a map in the report of the Civil Aeronautics Authority. Every main line in this country is lighted now, has been, and will continue to be.

So much for that.

I desire to congratulate the Senators who had a part in improving the air service by the creation of the Civil Aeronautics Authority. I have no criticism to offer of them. When this matter came up yesterday, I had not read their full report. I read it last night; and if any Senator can take the report and find in it any excuse for the expenditure of money for the purpose stated by the Senators who are opposed to the action of the committee, they have the advantage of me. I cannot find in the report a single word which justifies it.

There are some things in the report that should interest the Senate. It is true, as stated by the Senators from Missouri and Nevada, that we have made heavy appropriations for aeronautical purposes. Does the Senate know that last year, in addition to such appropriations made by Congress, \$40,000,000 of relief funds were expended on airports and their improvement?

I read from page 14 of the First Annual Report of the Civil Aeronautics Authority for 1939:

Absence, during the year under discussion, of any formal national airport policy did not mean, of course, lack of Federal participation in airport projects. During the period covered by this report approximately \$40,000,000 of Federal relief funds were expended upon the enlargement and improvement of some 307 airports throughout the country. Local sponsorship and participation increased total expenditures on these projects to approximately \$62,300,000.

Mr. President, it is easy to let one's enthusiasm for a certain cause run away with his best judgment; and that is the only point to which I am addressing myself. All that I say is predicated upon the first annual report of the Civil Aeronautics Authority itself.

There ought to be some relationship between money expended and the results obtained. I said yesterday, and reiterated in response to the question of the Senator from Washington [Mr. SCHWELLENBACH], that in the initial phases we had subsidized every different kind of transportation in this country. We subsidized water in the first place; we subsidized railroads in the second place; we subsidized highways in the third place; and we are now subsidizing aeronautics, to what extent? Let me tell the Senate to what extent we are subsidizing aeronautics.

Again I refer to the report of the Civil Aeronautics Authority. On page 51 they report the revenues from air traffic. There is a large amount of detailed information in the report that would not be of any interest, and it would be impossible to put it into the Record. I call attention, however, to these high lights:

In addition to the appropriation made by the Congress, there was expended on airports last year \$62,000,000. The Government paid the air companies for carrying the mails—I read now from page 51 of the report—\$16,669,197.21. I am not saying whether that is too much or too little or just sufficient. It cost approximately \$2 per ton-mile. That is what we pay the air companies for carrying the mails; and they collected \$16,000,000. All their other business combined, according to this report, amounted to \$30,650,694.83.

The appropriation carried by this bill alone runs over \$26,000,000, almost equal to the gross revenue of the air carriers, in addition, without the mail pay from the Government for which the Government received service. If we add the Government payment of \$16,000,000, the Government, through appropriations and by mail pay last year, paid \$42,000,000, while all the other business of the air companies—I am referring to gross revenue, not net revenue—was \$30,000,000.

So far as I know, we have never subsidized any other business in this country—transportation or anything else—almost to the full extent of its gross revenues from every other source. For airplanes we provide airports, we provide runways, we provide radio beams, we maintain radio stations, we operate some thousands of miles of teletype service. We do everything for them. I do not mean to say that they do not pay anything in the way of fees for the use of airports. As a matter of fact, in this report it is said, and, in addition, the Civil Aeronautics Authority this morning gave me some information to the same effect, that on the average they pay about \$50 per month for scheduled flights for the use of airports for landing.

What is the result? I desire to illustrate from my own experience. Within the past week I flew from here to Kansas City and flew back again, for the purpose of saving time. I paid for the round trip about \$101. It is about 2,400 miles, according to the aircraft schedule. I paid about 4 cents a mile, but I saved a great deal of time. I did not pay all my fare. The Government of the United States, through subsidies to the air carriers, paid half of my fare, and I paid only the other half.

Mr. CLARK of Idaho. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Kansas yield to the Senator from Idaho?

Mr. REED. I do.

Mr. CLARK of Idaho. Of course, the Senator realizes that when he drives his automobile from here to Kansas City and back he pays his gasoline bill, but he does not pay for the highway he uses; and the Government probably pays a larger proportion of his actual expenses than it pays in the case of the air lines. Of course, the subsidy days of the railroads are gone. In the old days in the West I dare say that the railroads received substantial subsidies which would compare with the subsidy that is being paid for air-line transportation today; but it is a peculiar thing that once an industry gets a subsidy it gets a monopoly, and it does not want anybody else to have it.

Mr. REED. Mr. President, my friend from Idaho knows the declaration I made on this floor in the debate over the General Transportation Act, representing my own views, because they are not included in the act—that whenever highways created by funds from the Public Treasury, whether air or land or railroad or rivers, are used for commercial purposes to make a profit, the user should pay a toll which will reasonably reimburse the taxpayer for his money. I say that about airways. The Government of the United States has no business and no right in equity to take the taxpayer's money and pay half the expense of my own trip to Kansas City.

Mr. CHAVEZ. Mr. President—

The PRESIDING OFFICER (Mr. HATCH in the chair). Does the Senator from Kansas yield to the Senator from New Mexico?

Mr. REED. Certainly.

Mr. CHAVEZ. I think we can all agree to the general proposition announced by the Senator from Kansas.

Mr. REED. I hope the Senator from New Mexico will vote that way.

Mr. CHAVEZ. Whether we like it or not, Congress has created a Civil Aeronautics Authority. The question in my mind is, Does the Senator from Kansas want to let that Authority carry on in order to effectuate the purposes Congress had in mind, or shall we curtail it to such an extent that it will be ineffective?

Mr. REED. Let me say to the Senator from New Mexico that if the recommendation of the committee is accepted and adopted, the Civil Aeronautics Authority will have a million and a half more dollars for the next fiscal year than they have for the present fiscal year under the item recommended by the committee; and, in my opinion, that is amply adequate.

The Senator from New Mexico is one of the ablest Senators on this floor.

Mr. CHAVEZ. I thank the Senator.

Mr. REED. He knows that a Government bureau or department always regards itself as the most important; and in a burst of enthusiasm—and this time to my very regret—their enthusiasm is supported by some overenthusiastic Members of the Senate, whose fears, in my opinion, are wholly unfounded. I think we can accept every recommendation of the committee without in any way restricting or curtailing any useful purpose which the Civil Aeronautics Authority has to carry on. What I am trying to do, and all I am trying to do, is to take care of the taxpayers' money, as much as a minority Senator can do that.

Mr. CHAVEZ. Mr. President, will the Senator yield further?

Mr. REED. I yield.

Mr. CHAVEZ. I wish to assure the Senator from Kansas that it is the desire of the Senator from New Mexico to cut down expenses every time we can do it intelligently. I wish to assure the Senator from Kansas that I am one of those overenthusiastic air-minded people.

Mr. REED. I feared the Senator from New Mexico might be one of them.

Mr. CHAVEZ. I still maintain that during these days, when we are talking about national defense, it will not be very long before every Member of this body will be overenthusiastic about national defense as afforded by airplanes.

Mr. REED. If I may say so to the Senator from New Mexico, we appropriated during the last session about \$800,000,000 for the War Department Air Service, and I have forgotten the figures for the Navy Department. They train their own pilots. The report of the Civil Aeronautics Authority states that at the beginning of the fiscal year—and I am giving these figures from memory—there were about 21,000 or 22,000 qualified pilots in the commercial service. Those figures do not include the military or naval service. That number increased last year about 8,000, so that there are now approximately 30,000 qualified pilots.

There is no relation between commercial flying and national defense except possibly in one respect. I think it is a healthy thing that the Army and the Navy may have the benefit of any improvements made by manufacturers of commercial planes, and also the use of a trained force of pilots which has now reached the number of 30,000 men.

Mr. CHAVEZ. Mr. President, will the Senator yield again?

Mr. REED. I yield.

Mr. CHAVEZ. I think it is a very fine thing for the national defense of the country that the commercial airplane companies can train pilots who may be available in time of emergency. It is also a good thing that we have made such progress in commercial flying in this country that it is heralded throughout the world.

I maintain that our national defense in the future will not be the Navy, or battleships, or anything else, but the

airplanes of the future and what we have now. Hence I am for anything that may be done for the making of better pilots and for bringing about of technical improvements in this field.

I agree with the Senator that we should cut down expenses, but to my mind making a cut in an appropriation which is absolutely essential is not the right kind of economy. I am in favor of cutting to the limit Government expenses in items which may be wasteful, but the airplane business is new, and we cannot judge of airplane matters or the business of developing airplanes by the railroads or the highways any more than we can go back to the times of the tallow candle. We have to face the world as it is today. I believe that we cannot do too much in this country for this service, and that we will not be wasting anything if we shall provide the necessary funds for an authority of the Government created by us.

Mr. REED. Mr. President, I am not quarreling with the Senator from New Mexico in his last statement. Let me ask him a question: Did he ever hear of any business in this country, the transportation business or any other business, that was subsidized by the Government to the full extent of its gross revenue?

Mr. CHAVEZ. I respect the Senator from Kansas too much to answer that question.

Mr. REED. I publish a newspaper. I wish the Government would subsidize me in the gathering of news, and the transmission of news, and all that sort of thing, so that all I had to do would be to print and distribute my newspaper.

Mr. CHAVEZ. How much does the Senator from Kansas pay for mailing the newspapers to his subscribers?

Mr. REED. I should be very happy to tell the Senator if it had any part in this debate. I pay enough.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. REED. I yield.

Mr. McCARRAN. Before the Senator takes his seat I should like to draw his attention to one matter. My observation grows out of a remark he made not long ago, and I should like to invite his attention to the time in 1934 when we canceled the contracts for carrying the mails by air.

Mr. REED. Let me interrupt the Senator to say that it was his administration, not mine, that did that.

Mr. McCARRAN. I am not talking about administrations; I am talking about facts.

Mr. REED. There is a good deal of error about the Senator's administration.

Mr. McCARRAN. That is all right; we are trying to perform our duty. If I could get the Senator from Kansas to join with me for this \$12,000,000 appropriation, I would feel that I had performed my duty.

At the time to which I refer, the Government undertook to fly the mail with Army fliers. Eleven of the finest boys in the Army lost their lives at that time. I now draw the Senator's attention to the fact that those lives were snuffed out, in an attempt to fly the mail, because proper safety devices were not then in existence. Otherwise those boys would not have been sacrificed. They were turned loose to carry the mail over terrain about which they knew nothing whatever, through air currents of which they had never been advised, and the result was crash after crash, until 11 of them were killed within some 6 weeks.

If safety devices such as we have been installing under the appropriations made by Congress had been installed at that time the lives of 11 fine boys would have been saved.

I draw this matter to the attention of the Senator before he takes his seat because it illustrates the very thing we are trying to do here, namely, to carry out a program which has enlisted this comment from a President of the United States:

The air lines have performed a marvelous service, flying 500,000,000 passenger-miles without a single fatality.

I want the Senator to dwell on that, because he mentioned the \$300,000,000 we appropriated for military aviation.

Mr. REED. Mr. President, my answer to the Senator from Nevada is that the things about which he speaks as

having happened in 1934 have no relevancy whatever to the present situation.

I have no quarrel with all reasonable appropriations which ought to be made for safety in aeronautics. I do have a quarrel with overenthusiasm which takes the taxpayers' money to give me a personal benefit such as I have had in the last week or 10 days. I do not think we have any right to do that, and that is what this overenthusiasm, both in the Civil Aeronautics Authority and as it has been displayed on the floor of the Senate, will do and is doing, and it should not continue.

Mr. President, I am not a member of the Committee on Appropriations. I have taken this matter up because after reading the annual report of the Civil Aeronautics Authority, and studying it, I am fully convinced that the recommendations of the Committee on Appropriations will not in any way lessen the safety of travel by air or impair the necessary operation of the Civil Aeronautics Authority. If I thought they would, I would take a different position. I have not yet found any Senator who has taken the trouble I have taken to get the first report of the organization in which the Senator from Nevada takes so much pride, and has analyzed it and studied it, and has come to the conclusion which I have stated.

Mr. CLARK of Idaho. Mr. President, I call the attention of the Senator, if I may, to the fact that I have had this report ever since it was published, but my maps are a little more complete than the Senator's maps, because I have drawn many lines on them. If the Senator will look at the shaded lines on the first map and the dotted lines on the second map, he will find that they represent air lines and airways in connection with which \$7,000,000 was appropriated last year for the construction of various safety devices which are now established or will be established by next July 1.

I have read the report through, not only once, but I suppose perhaps four or five times intermittently, and I should be very much interested in knowing how the Senator can read the report and then conclude that men will not be necessary to take care of these devices, this electrical equipment, the lighting equipment; how they can be hired unless money is appropriated to hire them.

Mr. REED. Mr. President, I may have an advantage or perhaps be at a disadvantage as compared with the Senator from Idaho. I have been at the head of Government bureaus, and I have always found that I could operate them cheaper and with less expenditure than many persons thought was possible. I think that is also true of the Civil Aeronautics Authority. I want to give the Senator from Idaho a direct answer. Eliminating the details which the Senator mentioned, I still say that it is my very best judgment that the Civil Aeronautics Authority can administer this work with perfect safety in the next fiscal year under the appropriation given by the Committee on Appropriations.

Mr. MEAD. Mr. President, a great deal of this debate has centered about a comparative discussion between the appropriation for the current year and the appropriation for the next fiscal year. Some Senators have suggested that the appropriations contained in the pending measure, because they represent an increase over the appropriation for the current year, will be adequate and sufficient for all purposes for which the Civil Aeronautics Authority has been created.

Mr. President, I register no complaint, nor do I find fault with the Appropriations Committee, nor with those who take issue with the Appropriations Committee. However, I desire to point out something which has not been emphasized to my satisfaction, insofar as this particular debate is concerned. My distinguished colleague from Kansas [Mr. REED], indicating a desire for economy that is insatiable in the breast of every Senator, makes the point that not \$1 of the taxpayers' money should be used for the purposes of this particular appropriation.

Mr. REED. Mr. President, will the Senator from New York yield?

Mr. MEAD. I shall be very glad to yield to the Senator from Kansas.

Mr. REED. That is the end to which we work. I did not intend to be understood as saying that we could cut it off all at once. I think that would be impossible. But I do think that we ought to begin to economize.

Mr. MEAD. I thank the Senator for that observation. I knew that he would not go so far as to impoverish the Authority. But I was merely making the point that insofar as this particular item is concerned we have been led to believe that we are opening up the Treasury in order to subsidize our commercial air lines.

This particular item pertains to and applies to the air lines of the United States. The "airways" is another way of explaining what this item refers to. The airways are the common property of the people of America. They are in the sole care of the Government of the United States; they are used by the Army, the Navy, the Coast Guard; they are used by our commercial lines; and they are also used by every private pilot in the United States. The air lines and the facilities necessary in order that those air lines might be up to date, the care of the air lines, the installation of the air lines, the common property of the people of America, are the root of this particular appropriation. That is the big point that I wish to contribute to this debate.

Another point I wish to make is that we are forgetting—in fact, I hardly believe we can comprehend—the phenomenal, if not the sensational, growth and development of the aviation industry in America. It is more stupendous than was the growth and development of the automobile industry in America. If one reflects and makes a comparative study of the building of the airways and the building of the highways, one will find that we are not appropriating much as compared with which the rise in the automobile industry made it necessary and essential for us to appropriate. We could not keep up with the necessary highway construction. We poured hundreds and hundreds of millions of dollars into such projects. We are discussing the appropriation of only \$1,000,000 to keep the air lines open and safe for every air mail, commercial, and military purpose that is approved by the Civil Aeronautics Authority.

Mr. President, I make this prediction: In the year 1940 the greatest expansion of the aviation industry will take place. We will not have nearly enough facilities to cope with the development of the industry.

So I ask Senators to consider, first of all, the reason for which this appropriation is meant. It is necessary to consider the marvelous, the phenomenal growth of the industry that is to take place, and that will require more facilities of this character than have been provided in the past.

Mr. REED. Mr. President, will the Senator again yield?

Mr. MEAD. I yield.

Mr. REED. I may ask the distinguished junior Senator from New York whether he agrees with my premise that when we use the taxpayers' money to create a highway upon which there is travel for commercial use, for profit, that that travel ought to pay a toll commensurate with the amount of money that we have taken from the taxpayers who create the highway? Does the Senator from New York agree with that?

Mr. MEAD. The day of the toll road and the toll bridge is over.

Mr. REED. But not the toll highway. The United States Government is paying half of the expense of the trip that I myself made to Kansas City within the last week.

Mr. MEAD. Mr. President, in order that I might answer that question more fully than would be the answer if I said yes or no, let us look into the situation. Let us analyze the financial reports, the air-mail reports, that are available up to date. And let me say to the Senator from Kansas that every major air line in the United States, every large continental line, and every major line other than a transcontinental line, is earning money, is paying its own way, and in some instances is yielding a profit to the Post Office Department for carrying the mail. The reports sustain that contention.

Let me say further to the Senator—and I have what I assume to be fairly authentic authority—that the lines are

paying in other ways. Not only are they in some instances paying a profit to the Government for the expeditious carrying of the mail, but they are beginning to earn their own way. They are coming out of the red. And they are meeting a very substantial tax payment levied against them by the State and the Federal Governments.

Mr. REED. Mr. President, will the Senator again yield?

Mr. MEAD. I yield.

Mr. REED. The Senator from New York certainly does not mean that in earnest, because—

Mr. MEAD. The Senator means just that.

Mr. REED. The reports show that out of 37 air companies 35 of them were in the black in the last fiscal year, and 2 of them are still in the red, but in order to achieve that result they had to have all these services furnished to them which we are furnishing through the appropriations and through relief funds. I know the Senator from New York desires to be accurate. The statement I have made is true. The only way they can carry on is through Government subsidies.

Mr. CHAVEZ. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from New Mexico?

Mr. MEAD. If I may first answer the Senator from Kansas, I shall be glad to yield later to the Senator from New Mexico.

Of course, the Senator realizes that if what he says is accurate, and we should remove all these facilities because they are a charge against the Treasury, then every one of the facilities, with few exceptions, will have to be replaced for the purposes of the Army and Navy and for the purposes of others who use the air and who are not listed as commercial air lines.

The point I wish to make is that the air lanes belong to the people of America. Neither the Senator nor I have any right to charge them as an expense to the Army, to the Navy, to the thousands of private fliers, or to the commercial air lines. They are utilized by all, and they are the common property of all, and they should ever remain within our power and authority.

I now yield to the Senator from New Mexico [Mr. CHAVEZ].

Mr. CHAVEZ. I should like to have the Senator from Kansas [Mr. REED] straighten out one particular matter. He seems to be of the opinion that the airway companies are receiving the service for nothing. It is true that the Government has spent some money building airports throughout the country—

Mr. REED. Mr. President, let me correct the Senator from New Mexico. I stated awhile ago that the air lines did pay some fees. It is so stated in the report. They are given in too much detail to undertake to put them into the RECORD, but any Senator may inform himself by reading the report of the Civil Aeronautics Authority in that connection.

Mr. CHAVEZ. That is correct; but I wish to inform the Senator from Kansas of one particular fact in reference to expenses of airway companies. Some time ago he mentioned the fact that the W. P. A. or some Government agency had spent some money building airports. That is correct. One such airport was built in my home city of Albuquerque. It is a wonderful plant, as fine an airport as there is in the entire United States; and while it is true that the W. P. A. spent some money, the city of Albuquerque spent some money, and I know that that money was paid in lease rentals by the airway companies. They were the ones who advanced the money, paying their lease money in advance in order to enable the city of Albuquerque to put up the amount necessary to carry out the work of the W. P. A.

Mr. MEAD. Mr. President—

Mr. REED. Mr. President, will the Senator from New York yield?

Mr. MEAD. I shall be glad to yield in just a moment.

There are hundreds of cities in the United States which, at great sacrifice to themselves and to their own taxpayers, have constructed modern airports. Those airports in many instances are not used by the commercial air lines referred to by the Senator from Kansas. Of course, that service would

be welcomed, but the point I wish to make is that those airports have been constructed and are being used as schools of instruction for training units or for the manufacturing activities of the area or for the private flyers who reside in the community. Therefore it is impossible to say that the United States Government has at great expense subsidized the commercial air lines, because the commercial phase is but one phase of the entire aviation activity of America. The Old World countries have spent fabulous sums of money in setting up the system which we are discussing and in building airports, and it was all charged to the military. However, in America we emphasize commercial aviation, and as a result we have the finest system in all the world. It has not been built for the military defense of the country, but, as the Senator from Nevada [Mr. McCARRAN] well pointed out, it will be capable of coming to our defense in no uncertain terms; and the \$1,000,000 contained in this appropriation—a drop in the bucket compared to the building of one battleship—will, in my judgment, be a better contribution to national defense than the building of a battleship.

Mr. REED. Mr. President, will the Senator from New York yield?

Mr. MEAD. I shall be glad to yield.

Mr. REED. For the information of the Senator from New Mexico [Mr. CHAVEZ], I should like to read from a statement sent to me this morning by the Civil Aeronautics Authority:

Landing fees or rentals to scheduled air-line operators seem to vary from nothing to several hundred dollars per month. The mean average of all landing fees appears to be about fifty or sixty dollars per month. This figure cannot be taken as a definite criterion, due to the extreme variation in charges. The 1938 questionnaires available indicate that over \$350,000 has been paid to airports (all airports) in forms of landing fees.

In addition to landing fees, charges are made for office rentals in hangars and administration buildings. Again, these charges range from nothing to thousands of dollars per year, depending upon the amount of space occupied and the type of accommodation furnished.

Mr. CHAVEZ. Mr. President, will the Senator from New York yield for just a moment?

Mr. MEAD. I shall be very glad to yield.

Mr. CHAVEZ. If that statement is correct, I know one airway company which has been badly treated.

Mr. REED. I am giving the Senator from New Mexico the answer to the question he raised.

Mr. MEAD. Mr. President, I believe I have dealt with the subject of air lanes, their use and their control, sufficiently to impress Senators with the fact that we cannot charge to the commercial air lines all the costs of construction of airports, air lanes, and facilities such as are included in this item in the appropriation bill. The air lanes of America will forever remain in the control of the United States Government; and who knows but that all the equipment will be taken over in the event of war? Therefore, they will always remain under the jurisdiction of a Federal agency.

Mr. President, I stated a moment ago that we were forgetting another point, and that is the phenomenal growth of aviation. We cannot visualize it. It is making a tremendous contribution to the Nation's economy. It is not only returning a profit to the Post Office Department, insofar as the older lines are concerned, but it is returning a profit if we consider it in its probable economic aspect.

I have before me press reports gathered from a few newspapers for one day. These reports bear on the point I am making in connection with the phenomenal growth of aviation.

The first is from the New York Herald Tribune. It says:

New safety record made by United States air lines in 1939—82,000,000 passenger-miles flown for each fatality—contrasts with 22,308,771 passenger-miles per passenger-fatality in 1938 and 21,080,515 in 1933, the best previous years; approximately 5,000,000 passengers were carried on scheduled and nonscheduled flights in 1939 and more than 6,000 private pilots were issued licenses during the year.

That splendid record should stimulate a desire on our part further to enhance the safety of travel by air by being very considerate and very careful about matters of this kind.

I have a clipping from the Wall Street Journal, which says:

AIR LINES HAD FIRST PROFITABLE YEAR IN HISTORY IN 1939

(By Gaston E. Marquie)

Acceleration of good trend indicated for coming year, more equipment ordered, likely to seek new capital, gives comparative table showing revenue passenger-miles of railroads and air lines.

This is somewhat of an answer to the statement made by the Senator from Kansas [Mr. REED].

I have a clipping from the New York Times, which says:

ENOUGH AIRCRAFT ORDERS ON HAND TO KEEP SOME FIRMS BUSY INTO 1941

(By T. C. Sullivan)

Total backlog, about \$680,000,000 against \$175,000,000 at beginning of 1939; war is large factor in outlook; plant expansion programs completed or undertaken during 1939 will provide the industry with factory space 30 to 40 percent greater than a year ago.

That is a stupendous rise.

I have the following from the Washington (D. C.) Star:

DOUGLAS REPORTS RECORD ORDERS FOR AIR LINES IN LAST 6 MONTHS

Since June 1, 1939, orders for 82 air liners, valued at approximately \$10,000,000, have been placed by air-line operators with Douglas, the majority of which are for the popular 21-passenger DC-3 transport and sleeper planes; will begin construction at once on 40 giant DC-4 planes.

From the New York Wall Street Journal:

American aircraft industry bids for world leadership. Sees opportunity in current rush of orders to make permanent gains; avoids excess plant building; anticipates greater private-plane market due to pilot-training program and confidence of public because of recent safety records; this in turn will result in the establishment of the necessary airports.

From the New York Times of December 31, 1939:

UNITED STATES DIESELS FOR PLANES

(By Paul H. Wilkinson)

Two years ago it might have been said that the United States was in fourth place with regard to the development of the Diesel aircraft engine; now the picture has changed, and we have moved up to second place, partly due to our own efforts and partly due to the neglect of France and England in developing simplified aircraft Diesels along accepted lines.

From the Washington Post of January 4:

Noncollege students in the civilian pilot training program will be enrolled for ground-school work from noon until 9 p. m. today at Columbus, 1750 N Street NW.; ground school will open Thursday, January 11; details not yet settled.

We must also take into consideration that in addition to the activities of the Civil Aeronautics Authority in the current year, the Authority is called upon to train at least 10,000 pilots during the coming year. That, of course, will be an added item of expense.

I have the following further clippings:

From the Los Angeles Times of December 24, 1939:

PLANE DEVICES UNDER TEST

Lewis L. Imm, former Bureau of Air Commerce inspector, experimenting with new devices at his Burbank factory. New devices consist of a "design computer," which will enable engineers to obtain maximum aeronautical efficiency out of planes in the making, and an "air mass computer," which will assist weather forecasters in correlating meteorological reports from all parts of the United States.

From the Washington Post of January 4:

VINSON ASKS 3,000 PLANES, 95 SHIPS, TO COST \$1,300,000,000

(By John G. Norris)

Naval Committee to consider measure Monday; Representative SNYDER, chairman of House Military Appropriations Subcommittee, urged that Army plane strength be enlarged from present goal of 5,500 to 8,000; minority member of House Naval Committee Representative MAAS favored 10,000 planes for Army and 6,000 for Navy, and a large reserve of pilots.

From the Washington (D. C.) Times-Herald of January 4:

CIVIL AERONAUTICS AUTHORITY GROUND-SCHOOL ENROLLMENT WILL OPEN TODAY AT COLUMBUS UNIVERSITY

Noncollege students in the civilian-pilot-training program will be enrolled for ground-school work from noon until 9 p. m. today at Columbus, 1750 N Street NW.; ground school will open Thursday, January 11; details not yet settled.

From the Washington (D. C.) Times-Herald of January 4:

SUPERSPEED SHIP AWAITS ARMY TEST

Army will soon test new bomber which flies so fast it needs no escort; being manufactured by Vultee Aircraft Division of Aviation Manufacturing Corporation of Downey, Calif.

From the Washington (D. C.) Times-Herald of January 4:

PAN AMERICAN ASKS DAILY TRANSATLANTIC CLIPPER SERVICE

Application filed with Civil Aeronautics Authority; new schedule would start in March; line has new \$5,000,000 fleet of super clippers under construction at Boeing Aircraft Co. plant in Seattle; officials emphasized that the new schedule would eliminate necessity for the line to request continuation of Government subsidies.

The following is from an editorial in the Oakland (Calif.) Tribune of December 21, 1939:

THE DEFENSE BILL

Accepting the evidence of the Gallup poll, 88 percent of the people are in favor of an immediate strengthening of the Army, 88 percent for strengthening of the Navy, and 91 percent for augmenting the air force; unquestionably the subject of national defense will be a main one before the present Congress.

Mr. President, in order to give the Senate some percentages in connection with this remarkable growth, let me very hurriedly call off these figures:

Revenue miles flown, taking 1937 as 100 percent, have increased in 1939 to 124 percent.

Total passengers carried, 100 percent in 1934; 173 percent in 1939.

Passenger-miles flown per passenger-fatality increased from 100 percent to 699 percent.

Value of aircraft put into service has increased 91 percent.

The number of employees, using 1937 as 100 percent, has increased to 133 percent in 1939.

This is one of the few industries of America which is employing more men each successive year even though the machine equipment is constantly improving. This is an industry that is really paying dividends to the Nation's economy.

Let me give a few additional percentages that reveal the stupendous improvement in this industry.

Passengers carried for the year ending June 30, 1935, one-half million. Passengers carried for the year ending June 30, 1939, one and a half million, representing an increase of 200 percent.

Pounds of mail—and this is the reason why, at least the older lines, are paying a profit to the Postal Service—pounds of mail carried in the year ending June 30, 1935, ten and a half million; pounds of mail carried in the year ending June 30, 1939, twenty-four and a half million, representing an increase of 130 percent.

Pounds of express carried, year ending June 30, 1935, two and a half million; year ending June 30, 1939, eight and a half million, representing an increase of 230 percent.

Pounds of excess baggage, year ending June 30, 1935, 900,000; year ending June 30, 1939, 2,000,000, an increase of 106 percent.

Revenues of air carriers 1935, \$23,000,000; 1939, \$47,000,000, an increase of 106 percent; expenses of air carriers 1935, \$26,000,000, which represented a loss of \$3,000,000; 1939, \$46,000,000, representing a profit of \$1,000,000.

Air-mail postage receipts, 1935, six and a half million dollars; 1939, sixteen and a quarter million dollars, representing an increase of 150 percent.

The increases were constant during the 5-year period, but were generally greater during the last fiscal year.

Mr. President, to indicate that the facilities covered by this bill are not for the exclusive purposes of commercial aviation, let me read a paragraph to the Senate:

The present teletype and associated interphone communication facilities of the Civil Aeronautics Authority directly serve 49 military airdromes located at various points throughout the United States.

Not only do they help in a military way but their contribution to agriculture is worthy of note. During the past year the United States Weather Bureau, by utilizing Civil Aeronautics Authority teletype service, have been able to extend and increase service to the general public including the farmers in a manner comparable to the services furnished the aviation industry.

At approximately 14 smaller towns the United States Weather Bureau has consolidated its city offices with its aerological airport offices, so that the Civil Aeronautics

Authority teletype circuits may be available to the general public, and this has resulted in an increase to the general public of service from a 12-hour basis to a 24-hour.

With the extended service being furnished on the Civil Aeronautics Authority teletype network over 50 of the larger city Weather Bureau offices have been furnished extensions of the teletype circuit. These extensions have permitted the city offices in the larger communities to give increased service and better forecasting, which information is transmitted to the general public and the farmers in the communities around these larger centers.

This information consists of a bare statement of facts, and the Weather Bureau feels that it can be amplified threefold without distorting the facts.

So agriculture is furnished the same service as that which is supplied to aviation.

Mr. President, I ask unanimous consent to insert at this point in my remarks certain additional statistics in reference to this subject.

There being no objection, the matter referred to was ordered to be inserted in the RECORD, as follows:

Aeronautical manufacturing

[Dec. 31 of each year]

	1937	1938	1939
Planes produced for domestic civil use.....	3,147	1,823	3,950
Planes exported (both civil and military).....	626	875	1,219
Planes produced for U. S. Air Corps and Navy.....	949	(1)	(1)
Total employees all United States aeronautical factories ¹	42,000	47,500	90,000
Total value of products all United States plane and engine factories.....	\$115,000,000	\$160,000,000	\$245,000,000
Total value all exports United States aeronautical products ²	39,395,000	68,227,000	117,081,000
Total value all unfilled orders for planes and engines.....	160,000,000	165,000,000	648,000,000

¹ Not available.

² Includes factories manufacturing accessories and instruments.

³ Includes accessories, parts, and parachutes.

Domestic air transport

[Index 1937=100]

	1937		1938		1939	
	Total	Index No.	Total	Index No.	Total	Index No.
Revenue-miles flown.....	66,071,507	100	69,668,827	105.4	82,554,239	124.9
Total passengers carried.....	1,102,707	100	1,343,427	121.8	1,912,051	173.4
Total passenger-miles flown.....	476,603,165	100	557,719,268	117.0	749,787,096	157.3
Express ton-miles flown.....	2,156,070	100	2,173,706	100.8	2,705,614	125.5
Mail ton-miles flown.....	6,698,230	100	7,422,860	110.8	9,100,000	135.9
Passenger-miles flown per passenger fatality.....	11,915,079	100	22,308,771	187.2	83,309,677	693.2
Miles flown per fatal accident.....	13,214,301	100	13,933,765	105.4	41,277,120	312.4
Value of aircraft put in service.....	\$3,734,000	100	\$1,899,000	50.8	\$3,402,000	91.1
Number of employees.....	11,586	100	13,309	114.9	15,420	133.1

Private flying

	1937	1938	1939
Number of civil planes.....	9,152	10,000	12,829
Number of civil pilots.....	17,681	22,983	31,264
Nonscheduled miles flown.....	102,996,355	129,359,999	175,000,000
Miles flown per fatal accident in nonscheduled flying.....	557,000	752,088	800,000

¹ Not including the 10,000 in student-training program.

Mr. MEAD. Mr. President, in conclusion I desire to summarize by saying that we are discussing the air lanes as contrasted with the commercial air lines. We are discussing the air lanes that belong to the United States, and the facilities that make up the air lanes that are used by military, by commercial, and by private air lines and airships. We are discussing, Mr. President, an industry that cannot be fairly compared with any other industry for which any provision is made in any other appropriation bill. If an appropriation designed to aid a given industry were in a certain amount,

and if we took that as a basis for an argument for or against appropriations for the airplane industry, we would miss the point of the phenomenal growth of this industry in America. So I ask Senators to give consideration to the growth of the industry and to the fact that the air lanes are the property of the Government and are used not only by the air lines but by every form of every aviation activity.

Mr. CHAVEZ. Mr. President, I have been following the debate very carefully, and now, on behalf of those Members of the Senate who are overzealous, perhaps, in their enthusiasm for airways, I desire to say a few words with reference to the airways so ably described by the Senator from New York.

I believe that when there is developed a new industry, which has to do beneficially with the best interests of the country, it is false economy to cut down any appropriation that may aid in carrying it forward and in promoting its welfare.

I believe that possibly I have flown in airplanes about as much as has any other Member of this body, and I, for one, irrespective of other considerations, and with due deference to whatever action Congress may have heretofore taken in behalf of airways in this country, feel like paying a tribute to the hardy Americans who have made air navigation what it is today throughout the entire world.

Possibly we may not feel they have done very much, but I have reason to know some of the facts connected with the development of the airplane industry and with the airways in the United States.

As ably stated by the Senator from New York, there is not a single industry in the country that has made the progress or that has put more people to work during the days of the depression or recession, whatever one may want to call it, than has the airplane industry. It would do the heart of any Member of this body good to take a little time off and visit the airplane plant in Baltimore or one in southern California, whether it be at San Diego or at Los Angeles, or perhaps the one at Seattle, and there see young Americans by the thousands employed in a new industry, and lessening to that extent any demands by way of relief upon the Federal Government.

It was my good fortune during the latter part of November and the early part of December last year, in company with the Senator from Indiana, who is now presiding with such ability and dignity [Mr. MINTON in the chair], with the Senator on my left from Wyoming [Mr. SCHWARTZ], the Senator from Missouri [Mr. TRUMAN], the Senator from South Dakota [Mr. GURNEY], and the Senator from Oklahoma [Mr. THOMAS], to fly over many parts of the United States and to obtain first-hand information as to the possibilities of the development of this industry which is growing so rapidly and which means so much not only to the economic life of the United States but in times of emergency to the defense of the Nation.

I, for one, confess that I am overenthusiastic about airplanes and airways. While I feel that we should cut the expenses of government, I still think that it is false economy to reduce appropriations which affect those things that are absolutely necessary in this time and age. I may also add that I am so "sold" on the work performed by young Americans who have made the world air-minded and who have actually carried to other climes the so-called good-will policy of the Federal Government that I want to pay them tribute. I will state to this body that the Pan American Airways have brought about more good will in South America in a few short years than have a hundred years of discussion by so-called diplomats, and the Pan American Airways are still carrying forward that good work. Let us not try to hamper aviation; let us not try to hamper the airplane industry by cutting down in a direction that may mean—and I have good reason personally to know whereof I speak—the crippling of the industry.

The Senator from Missouri and the Senator from Nevada have referred to the death in an airplane accident of my predecessor, the late Senator Cutting. I wish to goodness there had been available at that time the weather information and the inspection which has since been made possible, so that he could be in this body instead of me. I still feel

that it was the lack of weather information, and possibly of inspection, which caused his death. So why not try to save human life, whether it be the life of a United States Senator or of an ordinary American citizen? What would be accomplished by hampering the industry, which would be the result if the appropriation were reduced a million dollars? Would that be saving the Government? Would that balance the Budget? All it would do would be to retard the progress of a great industry.

I thank the Senate.

CENSUS QUESTIONNAIRES

Mr. TOBEY. Mr. President, I shall not speak on the pending amendment to the bill before us; but I shall speak in answer to Hon. Harry Hopkins, Secretary of Commerce of the United States, replying to a letter which he wrote me and which was received last night, in reply to one of mine sent to him a few days ago, which I read on the floor of the Senate on February 1.

On February 1 I read to this body a letter, dated January 31, which I had written to Secretary Hopkins, of the Department of Commerce; and this letter appears on page 887 of the CONGRESSIONAL RECORD of February 1.

In my letter to Mr. Hopkins I said that in the light of evidence found by the Sheppard investigating committee in the W. P. A. scandal, where official, confidential information was divulged by W. P. A. officials to Democratic political bosses, I felt that there was real danger to our individual citizens in forcing them, under the population census, under threat of a penalty of imprisonment, to divulge to the politically appointed census enumerators information concerning the individual citizen's income and indebtedness; and I urged that questions concerning a man's or a woman's private income be eliminated from the questionnaire.

Mr. Hopkins has written me a letter dated February 3, 1940, which purports to be a reply to the points which I raised, but which in reality is nothing but a confession and avoidance, and a clear disposition to retain these questions concerning income of the individual citizen.

I now read this letter to you:

MY DEAR SENATOR TOBEY: This is in reply to your letter of January 31 in which you characterize certain questions to be asked in the approaching census as departures from precedent and invasions of the privacy of the individual.

Surely you know that the census is 150 years old this year—one of the oldest activities of the Federal Government—that it was provided for in the United States Constitution; and that it has been taken every 10 years since 1790. Surely you know that, almost throughout this Nation's entire life, the census has provided the basic facts for democratic guidance not only of individuals and public officials at all levels, but also of agriculture and industry. The census has survived and grown stronger through all sorts of political administrations, because it is so designed, and has been so continued, as to command the continued respect and confidence of a free people. Any sincere public official should regret seeing this long and splendid record damaged for purely partisan, political reasons, and that is why I am replying to you at such length.

To the foregoing I now reply:

Yes; we all know that the census is 150 years old this year, and I know that never before in the 150 years' history of the census has any question ever been asked of the individual by politically appointed enumerators as to how much income a man made.

We also know that the census was provided for in the Constitution of the United States. That is nothing new; but I go farther than merely stating the fact that the census is provided for in the United States Constitution. Article 1, section 2, of the Constitution says:

The actual enumeration shall be made within 3 years after the first meeting of the Congress of the United States, and within every subsequent term of 10 years, in such manner as they shall by law direct.

That is, in such manner as the Congress directs—not Harry Hopkins, bureaucrat.

The Bureau of the Census receives its authority to take the present decennial census from the National Census Act of June 18, 1929. This act stipulates that the census—

shall be restricted to inquiries relating to population, to agriculture, to irrigation, drainage, distribution, employment, and mines.

Nowhere in this act is authority granted for questions regarding a man's personal income.

Yes; the census is provided for in the United States Constitution, but the Constitution restricts it to be carried out in such manner as the Congress by law shall direct, and not otherwise.

I now resume reading from Mr. Hopkins' letter:

Your entire discussion of the census is based upon misconception of it. First: You write as if census questions concerning home mortgages were new this year. The truth is that 50 years ago, in 1890, such questions were first included in the census during the Republican administration of President Benjamin Harrison and these questions were specifically ordered by Congress. I quote the exact language of the law: "That it shall be the duty of the Superintendent of the Census, in addition to the duties now required of him by law, to ascertain the number of persons who live on and cultivate their own farms and who live in their own homes and the number who hire their homes and farms and the number of farms and homes which are under mortgage, the amount of mortgage debt, and the value of the property mortgaged. He shall also ascertain whether such farms and homes have been mortgaged for the whole or part of the purchase money for the same or for other purposes and the rates of interest paid upon the mortgage loans."

Questions concerning this same subject—value of nonfarm homes, mortgage debt and rate of interest—again were included in the census of 1920.

Indeed, this whole furore about personal questions in 1940 is absurd. I can well imagine how much more vivid your complaint would be if it were proposed that in 1940, each person be asked to state the value of all the real estate he owns and the value of all other property he owns. We are not asking these questions, but the first of them was asked by the Whigs in the census of 1850, under President Zachary Taylor.

Both of them were asked in 1860 and 1870 under the Democratic President Buchanan and the Republican President Grant.

As to asking people who rent their homes the amount of rent they pay, that question was first placed in the census list in 1930 under President Hoover.

Yes; questions concerning home mortgages were asked back in 1890, but Mr. Hopkins apparently did not understand my objection. My objection is based upon the fact that never before in the history of this country has the Nation witnessed the shameful betrayal of trust by politically appointed Government workers carried on on a national scale under the W. P. A. scandal. In the light of this picture, where secret official files were turned over to party bosses to be used to coerce voters to vote against their convictions and to throw off the relief rolls those who insisted upon maintaining their principles in voting, the people are reasonably justified in being apprehensive about being forced, under penalty of imprisonment, to inform their politically appointed neighbors whether their homes are mortgaged, and, if so, how much the secured indebtedness is and whether payments are being made from time to time on it.

I could read for hours on the Senate floor of facts found by the Sheppard investigating committee and others that have come to my attention at first hand, in my own State of New Hampshire, of instances in which coercion was used on W. P. A. workers.

I resume reading from Mr. Hopkins' letter:

Second. You express alarm over the fact that the answer of census questions is compulsory. The truth is that the laws have contained penalties for refusals to answer these questions ever since the first census in 1790 and that no one has complained seriously, and no one has been penalized, because the American people on the whole recognize the basic value of this work.

Third. You create an impression that the 1940 census is something new and strange which shatters precedent and somehow carries a threat of dictatorship. The truth is that the law under which the 1940 census will be taken, with the single exception of the housing schedule, is the Fifteenth Census Act, sponsored and recommended to Congress by Herbert Hoover while he was Secretary of Commerce, and enacted while he was President. Except for the supplementary census of housing, no new decennial census legislation has been enacted since Mr. Hoover left the White House. On this point let me quote Representative E. Hart Fenn, chairman of the House Census Committee, as he opened the hearings on the Fifteenth Census Act on January 11, 1928:

"Before I came to Washington I communicated with the Secretary of Commerce and the Census Bureau * * * and this bill was referred to me by Mr. Hoover. * * * It is what I may characterize as the bill which the Department of Commerce and the Bureau of the Census consider advisable to be adopted for the taking of the Fifteenth Decennial Census."

Much of what I have just read is a repetition of the first part of the letter. That this is the Fifteenth Census Act is

not disputed, and never has been. This fact places the more emphasis upon the departure of the Census Bureau by its inclusion of questions Nos. 32 and 33, which demand that the individual citizen reveal to his politically appointed neighbor how much income he has earned for the past year. Mr. Hopkins' reference to the 1929 authorization act avoids mention of the fact that this act places definite restrictions upon the Census Bureau, which restrictions have been ignored by the Census Bureau by the insertion of the income questions. Never before has it been compulsory for a person to reveal such information in such a manner, and there is no law requiring a citizen to do it now; merely the dictum of Harry Hopkins.

Further, Mr. Hopkins writes:

Fourth. The method of selecting enumerators, which is in force today, is such an old and traditional method, having been concurred in by both political parties for longer than the memory of any living man, that it needs no comment from me.

Well, we will answer Mr. Hopkins on that point.

"Old and traditional method," Mr. Hopkins? In this spoils system of selecting these 130,000 census enumerators without regard to merit, but solely on political patronage basis, you excuse the administration's continuing this practice on the ground that it is an old and traditional method. Have you forgotten, and has the administration forgotten, that back in 1932 its campaign criers covered the country from Alaska to Florida, from Maine to California, and promised the people a new deal? And yet, once seizing power, you hold to the old and traditional method of discriminating against the people and forget that promise of a new deal. The people cannot forget.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. TOBEY. I certainly will yield to the Senator from Washington.

Mr. SCHWELLENBACH. Do I correctly understand the Senator from New Hampshire that his complaint upon this particular ground is that the Democrats are doing just what the Republicans did?

Mr. TOBEY. Oh, no. If the Senator will retain his seat a few minutes longer, I will tell him what I am driving at.

When the New Deal first came into power many of the deluded of this country thought the administration would be the tree of liberty. That tree has accomplished many strange things. The most wonderful thing about it is the amount of grafting it has been able to survive.

Has Mr. Hopkins forgotten, or is he ignoring, the position taken by prominent Members of this body when he holds to the old order, and refuses to select these enumerators on the basis of merit rather than to pay a political debt?

The Senator from Massachusetts [Mr. WALSH], speaking on the Senate floor, unequivocally assured the people where he stands on this issue when he said:

In my judgment, it is a great step backward to undertake the important work of obtaining a correct census of the people and of the activities of the citizens of the United States without having the very best possible employees selected. * * * In the instances where the census was taken by civil-service appointees, the results have been, in the main, satisfactory; when the census was taken under a system other than that of appointments by merit, there has been a certain amount of maladministration and, in some instances, grave inaccuracies, if not absolute frauds. This important governmental undertaking should be removed from every scintilla of corruption, extravagance, inaccuracy, and abuse that it is possible to eliminate. * * * Every experience of the past prompts us, if we want an honest and reliable count and prevent the wastefulness resulting from incompetent officials, to appoint census takers under civil service. * * * I want to protest vigorously and emphatically against the census being taken merely upon the basis of political favor, partisan patronage, and party reward.

Well said, Senator WALSH!

Mr. Hugo Black—surely Senators have not forgotten him—once a Member of this body, and now a Justice on our Supreme Court, and a most prominent member of the Democratic Party, in a speech on this floor, gave this expression of his sentiments to the people. I quote his words:

Who fills the ranks of this (census) army? Who appoints the supervisors? The Director of the Census, through political channels. Who appoints the supervisors' clerks? The Director of the

Census through political channels. Who appoints the interpreters and public agents? The Director of the Census through political channels. And who is this almighty and all-powerful Director of the Census? He is the political appointee of the President.

Step back and look at this creation in its true perspective. You have evolved an instrumentality of patronage and politics of gigantic proportions. And you have placed a controlling lever in the hands of the President without imposing upon him any responsibility. * * * Is there no method superior to the spoils system? Have we never heard of the merit system? It has been developed and improved and perfected during the last half century. Is it really necessary that we resort to the refuse heap of discredited and discarded government devices, where the spoils system lingers in its rotten state, and drag it out into the main hall of government?

Those were the sentiments of former Senator Black, uttered on this floor.

And the able senior Senator from Nebraska [Mr. NORRIS] who has my great admiration, made known his views in the following language:

It is said that time is short; that the Civil Service Commission cannot make the appointments in the length of time available. The time will be just as long for the Civil Service Commission to do it as for the politicians to do it. God is not going to keep the sun from going down in order to give the politicians more time, and shove it behind the clouds if the Civil Service Commission shall do it. The time is going to be just the same, short I admit, too short to do a really efficient job perhaps, but the Civil Service Commission is equipped to make appointments without regard for politics, but the political machine is equipped to make appointments with nothing else in view except politics. We must take one horn of the dilemma or the other. * * * If a man can convince the boss that he is able to get the most votes, that he is the best politician in his community, he is going to get the job. * * *

I continue reading Mr. Hopkins' letter:

I make these political references with the utmost reluctance and only because your letter forces me to do so. The census, an established and valued American institution, should not be made the butt of partisan political sniping. Its questions are its own. They are the questions to which large and responsible groups of American citizens are demanding the answer.

Now, where do the questions come from? The Census Bureau calls together at conference after conference representatives of business, industry, and labor, and all other large groups primarily interested. They sift down a multitude of questions, always seeking to reduce the number to a few of the most basic and broadly significant. Literally thousands of questions have been reviewed during the past year—many of them useful questions—so as not to burden the people.

Then, these questions are further sifted by the Central Statistical Board of the Bureau of the Budget, and finally by the Census Advisory Committee, a group of widely known experts from outside Government circles. This committee includes Robert D. Chaddock, of Columbia University; Dr. J. Frederick Dewhurst, of Twentieth Century Fund; Paul T. Cherrington, market analyst; Dr. William F. Ogburn, of the University of Chicago; Dr. William L. Thorpe, of Dun & Bradstreet and economic adviser to the Secretary of Commerce; and Dr. Murray R. Benedict, of the University of California.

Thus these questions will be, as far as the Census Bureau can ascertain by vast labor and pains, the wishes of the American people.

In fact, the questions on the population schedule were tried out with nearly 2,000 persons in the Indiana test census, and the questions on earnings were answered with very little hesitancy. What hesitancy was displayed came chiefly from the higher-income groups, whose objections vanished when they learned that all they needed to state was "over \$5,000."

I point out that that is misleading. There is no provision in the law for this question on the blank regarding a limitation about \$5,000. The question is: "What is the amount of money wages or salary received (including commissions)." Did this person receive income of \$50 or more from sources other than money wages or salary? And you have to answer those questions as they are put.

Mr. Hopkins contends that the questions in these census schedules represent the wishes of the American people. Not according to my files; not according to the letters and telephone calls I am receiving from hundreds of justly apprehensive men and women who are concerned to learn that they will be forced, under threat of imprisonment, to divulge their incomes to politically appointed neighbors, who are concerned in the light of the activities of betrayal of confidence during the recent W. P. A. scandal. As a single illustration, I read from a letter which I received just the other day from a woman in New York State:

On a recent news broadcast I heard an item which told of your interest in and opposition to questions in the census. This comes to me with much force because of experiences I have had. One was during a recent farm census, when I was obliged to tell a neighbor, who had been made census taker, if I had a mortgage and how much. This is a small town, and this information was a sweet morsel for the census taker, who lost no time in letting it be known. For such as I am, whose honest endeavor is to live a square and decent life and mind my own business, these things hurt cruelly and seem most unjust. I hope you will continue to push this matter; and if the above will be of use to you in so doing, use it, but kindly do not mention my name, as I very much dislike publicity, and my health demands I keep as quiet as possible.

No; these questions regarding income do not represent the wishes of the American people.

Mr. Hopkins continues in his letter as follows:

If, however, there should be objectors among those of lower incomes, it must be said that the law prescribes severe penalties—\$1,000 fine or 2 years in prison, or both—for any census taker who reveals any of this personal information. Throughout the long history of the Bureau there have been very few cases of it.

I do not feel that this penalty provision will prove any more of an impediment to the divulging of his neighbor's income by a politically appointed census enumerator than was the penalty provision contained in the Work Relief and Public Works Appropriation Act of 1938, which imposed the following restrictions and penalties on W. P. A. political appointees:

Any person who knowingly and with intent to defraud the United States makes any false statement in connection with any application for any project, employment, or relief aid under the appropriations in this title, or diverts, or attempts to divert, or assists in diverting, for the benefit of any person or persons not entitled thereto, any portion of such appropriation or any services or personal property acquired thereunder, or who knowingly, by means of any fraud, force, threat, intimidation, or boycott, or discrimination, on account of race, religion, political affiliations, or membership in the labor organization, deprives any person of any of the benefits to which he may be entitled under any such appropriation, or attempts to so do, or assists in so doing, shall be deemed guilty of a misdemeanor and fined not more than \$2,000 or imprisoned not more than 1 year, or both.

That this penalty of a fine of \$2,000 or imprisonment up to a year was no effective impediment to betrayal of confidences by W. P. A. officials is well established in the record of the report of the Sheppard investigating committee. Throughout the Nation confidential files were secretly handed over to political bosses, and political bosses used the information to deny relief to those who refused to vote against their convictions and support particular candidates at the polls. The record is filled with instances of coercion and betrayal of confidence, even in the face of such a penalty provision contained in the statute.

What assurance, then, is the penalty provision in the Census Act, that the private information of the individual will not be divulged to a man's neighbor-politician?

I continue reading Mr. Hopkins' letter:

Your views on the housing census apparently have been formed without knowledge of the census and are out of step with the wishes of the American people. Literally, thousands of large business and industrial interests and associations, along with groups of many other types, want the picture of American housing. The builder cannot take the risk of large operations without knowledge of the census. This is a situation which has been known for years to any person who cared to read about current affairs. The files of the Census Bureau are full of requests for this information. Your fears about the invasion of people's privacy and about the widespread misuse of this confidential information by the census taker will hold up only as long as you labor under the delusion that this activity is something new. This, of course, is completely false. There is almost unlimited experience to prove that the American people are willing to cooperate in providing the facts sought by the census and to prove further that census enumerators, with very rare exceptions, respect the confidence entrusted to them. The census is not essentially different from decade to decade. A few new questions are added each time, out of the experience of the immediate past, but the same general method applied to your parents and your grandparents, now applies to you. Yet, can you recall any important outcry concerning misuse of census information in your entire lifetime?

Can I recall any important outcries concerning misuse of census information in my entire lifetime? Yes; I can. Many of them, and here they are, Mr. Hopkins.

I have already read the letter I received from a woman in New York, whose trust was betrayed by a census enumerator. My other authorities are great and numerous, and they come from important sources.

The senior Senator from Mississippi [Mr. HARRISON] could answer Mr. Hopkins better than I could, and I will use his words:

Will you forget what happened in prior censuses—how, in 1910, corruption and fraud and graft were revealed upon the part of many of the enumerators in this country? * * * There was much fraud and corruption in 1910, but the reports do state that they were not so glaring and so frequent as in 1900.

I further answer Mr. Hopkins in the following words of the senior Senator from Massachusetts [Mr. WALSH]:

We are face to face with the issue whether or not we are going to repeat the frauds and scandals which have occurred in the taking of previous censuses by selecting census employees, nearly 100,000 of them, on the basis of political favor.

I further answer Mr. Hopkins by using the words of the senior Senator from New York [Mr. WAGNER]:

The Senator referred to the Maryland case, and I take it the Senator recalls that the enumerators appointed who were guilty of the fraud to which the Senator referred were appointed as a result of the spoils system—that is, merely upon the recommendation of political leaders, without any reference to the civil-service law.

I now answer Mr. Hopkins in the words of the Federal grand jury which investigated the Maryland fraud cases. After disclosing the frauds, the grand jury said:

So long as such appointments are treated as parts of the spoils of politics, the recurrence of such frauds and scandals as have been revealed in our investigations may be expected to continue.

The senior Senator from Tennessee [Mr. McKELLAR] has already answered Mr. Hopkins' question, and I quote his words:

Our experience in the past teaches us that where the census has been taken under the spoils system, there have always been great abuses. There will be great abuses in this instance. If, for instance, the Director of the Census may delegate to the supervisor authority to appoint enumerators, and if they are appointed entirely from the political standpoint, unquestionably there will be great abuses.

I continue reading Mr. Hopkins' letter:

The whole theory of democracy is based upon confidence in the individual and in his willingness to cooperate, in proper fields, for the common good. I have faith both in the people who are asking these questions and those who are answering them.

I answer, Yes, Mr. Hopkins; the people will be willing to cooperate in proper fields. You say you have faith in the people who are asking and answering these questions. Such optimism on the part of one who headed that great nationwide organization of W. P. A. in that period in our history where betrayal after betrayal of secret trust, and coercion after coercion was demonstrated by those who served under him, to the detriment of needy men and women who, through no fault of their own, were denied the sustenance of life merely because they refused to resign their convictions in favor of certain political candidates.

I now read the remainder of Mr. Hopkins' letter:

The one thing which might do serious harm, the one thing that might do serious violence to the 1940 census and thus to the national welfare, would be the wide circulation of false charges that it is something new and fearsome. I assure you that it represents no departure from precedent, either in the law under which it operates or the mechanics by which it is carried out. The 1940 census, as in the past, finds us taking the regular inventory of democracy in action.

Sincerely,

HARRY HOPKINS,
Secretary of Commerce.

That is a misleading and a false statement, as I have pointed out. He reads into that law questions that are not permitted by the law, and I throw the statement back at him.

Mr. President, the contention that the inquisition regarding the amount of income of the individual is not new is not true. This is admitted by the Bureau of the Census in its general information sheet which was sent to me by the

Bureau of the Census yesterday. On page 2 thereof is the following:

It will, for the first time, seek information on the amount of wages or salaries for the past 12 months.

And please contrast this with Harry Hopkins' assertion that there is no change.

Mr. President, it not only represents a departure from precedent as admitted by the census information sheet but as denied by Mr. Hopkins, but it is clearly, as I have pointed out previously, a violation of the law under which it operates, which law places restrictions as to the scope of information to be secured by the Census Bureau. By going beyond the provision of the law in its inclusion of income questions, the Bureau of the Census sets itself up as a law-making body. This it has no right to do.

No less prominent a personage than Justice Hugo Black, formerly a Member of this body, has expressed his view of bureaucratic lawmaking in the following language:

Several bureaus that have the power of promulgating rules and regulations, for a violation of which a man can be sent to jail, and can be subjected to punishment as though he had violated a legally written statute of this Government, several bureaus which have the powers and privileges of lawmaking bodies * * *. Why is that? It is because Congress, from time to time, has let fall from its enfeebled grasp the power which the fathers of this Government intended should be lodged in the legislative powers and authorities. * * * We have a bureau that declares a rule, for instance, that he who permits a fly to be on his premises shall be put to death and their rule becomes a law. Bureau upon top of bureau, bureau on top of bureau, until they pile up, towering into the sky, each one emitting rules and rules and rules like the volcano belches forth its smoke, until the average citizen is lost in the meshes of the multitudinous laws, rules, and regulations more than he ever dreamed he could be.

Mr. President, several years ago when he was Administrator of the W. P. A., it was reported that Mr. Hopkins made the following statement:

The people are just too damn dumb to understand what is going on.

Mr. Hopkins, the people are not too dumb this time to understand what is going on. At least they will not be when the census enumerator calls at their houses and asks them how much income they have made during the past year. They will recognize an unjustified inquisition when they see it.

Mr. President, I am very much in earnest in this matter. I have received hundreds of letters and telephone calls from conscientious people of all classes, and I am interested particularly in the little man who may be intimidated and coerced by the appearance of the official census taker, who will ask questions about income which have not been authorized by the Congress.

I therefore ask unanimous consent to submit the following Senate resolution, which I will read to you and send to the desk. This resolution (S. Res. 231) reads as follows:

Whereas section 4 of the act of June 18, 1929 (providing for the fifteenth and subsequent decennial censuses), provides that "the fifteenth and subsequent censuses shall be restricted to inquires relating to population, to agriculture, to irrigation, to drainage, to distribution, to unemployment, and to mines"; and

Whereas the act of August 11, 1939 (providing for a national census of housing), extends the scope of the population inquiry of the sixteenth decennial census to include the obtaining of information with respect to dwelling structures and dwelling units in the United States; and

Whereas neither of the acts aforementioned nor any other act of Congress authorizes the officers and employees of the United States charged with the duty of taking the sixteenth decennial census to make inquiries with respect to income; and

Whereas notwithstanding the absence of authority to make inquiries with respect to income, questions 32 and 33 on the forms prepared by the Bureau of the Census to be used by the enumerators in taking the Sixteenth Census are as follows:

"Amount of money wages or salary received (including commissions) (1939).

"Did this person receive income of \$50 or more from sources other than money wages or salary?" (1939); and

Whereas no justification can exist for officers and employees of the United States to lawfully arrogate to themselves the power to make unauthorized inquiries into the private affairs of citizens; and

Whereas it is particularly dangerous for officers and employees of the United States to abuse their authority in cases where citizens

may tolerate such abuse of authority because of their fear of being prosecuted criminally: Therefore be it

Resolved, That it is the sense of the Senate that the Director of the Census and the Secretary of Commerce should immediately cause to be deleted from the population schedule proposed to be used in taking the sixteenth census inquiries 32 and 33 now appearing upon such proposed schedule.

The PRESIDING OFFICER. Without objection the resolution submitted by the Senator from New Hampshire [Mr. TOBEY] will be received and referred to the Committee on Commerce.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. TOBEY. I yield.

Mr. LODGE. Do I understand the Senator to say that there is no act of Congress or statute which gives it as the sense of Congress that the census form should contain a question concerning income?

Mr. TOBEY. The Senator is correct.

Mr. LODGE. Then this is being done on the personal initiative of the Secretary of Commerce?

Mr. TOBEY. Beyond peradventure.

Mr. LODGE. I venture the guess that if that were understood widely the American people would consider it high-handed and outrageous.

Mr. TOBEY. I think the Senator is quite correct. We have a little over 120,000,000 people in this country, most of whom are what is called the great working class or middle class of people. The home life of America is represented by them. Perhaps they do not know so much about the matter of balancing the Budget or the question of foreign debts or tariff matters. But they do know that they are up against the guns when there is an inquisitorial campaign on, when political snoopers come around and ask these questions they have no right to ask under the law, and I predict right now that if they are persisted in you will get the greatest backwash of righteous indignation that you ever witnessed in America.

Mr. GLASS. Mr. President, I suggest that if we continue as we have in the past in debating this item the body will not even get a million dollars to spend.

Mr. LUCAS. Mr. President—

The PRESIDING OFFICER (Mr. MINTON). Does the Senator from New Hampshire yield to the Senator from Illinois?

Mr. TOBEY. I yield.

Mr. LUCAS. Does the resolution introduced by the senior Senator from New Hampshire include questions 32 and 33, which he has discussed?

Mr. TOBEY. Yes; just those two questions.

Mr. LUCAS. And those two questions are the only ones that the Senator, as I understand, is complaining about.

Mr. TOBEY. I am more outraged by those than the others, but particularly those, because they are not provided for by statute, and they are entirely de novo in this questionnaire.

Mr. LUCAS. Then, as I understand, the two questions, 32 and 33, are the only new ones that have been included in the questionnaire by the Secretary of Commerce in the taking of the census.

Mr. TOBEY. That is correct.

Mr. LUCAS. I return to a certain portion of the letter written by Mr. Hopkins to the distinguished Senator. On page 2 he says:

As to asking people who rent their homes the amount of rent they pay, that question was first placed in the census list in 1930 under President Hoover.

Does the Senator agree that that is true?

Mr. TOBEY. I will accept that at par.

Mr. LUCAS. I do not know what the Senator means by accepting the question "at par."

Mr. TOBEY. I will accept it at its face value.

Mr. LUCAS. The only question that I am concerned about in connection with that statement is whether or not the Senator from New Hampshire agrees to that.

Mr. TOBEY. I agree to that.

Mr. LUCAS. In other words, the Senator thinks it is a good thing for the census enumerators to find out what the tenant is paying for rent.

Mr. TOBEY. The Senator is putting words in my mouth. I said I agree with that statement of Harry Hopkins that it was done under Mr. Hoover.

Mr. LUCAS. I am asking the Senator whether he agrees that it is a good thing in connection with taking the census for the census enumerator to find out from the tenant what he is paying in rent?

Mr. TOBEY. I do not think he should by any means; no.

Mr. LUCAS. In other words that is about on a par with asking a man what his income is?

Mr. TOBEY. It is next door to it.

Mr. LUCAS. There is not much difference between ascertaining what my income is and what the poor tenant has to pay for the rent of his home?

Mr. TOBEY. And how often he makes payment, and when he made the last payment, and so forth and so forth ad nauseam.

Mr. GLASS. Mr. President, I make the point of no quorum, with the view of seeing if we cannot get a vote after getting a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	La Follette	Reed
Andrews	Frazier	Lee	Reynolds
Austin	George	Lodge	Russell
Barbour	Gerry	Lucas	Schwartz
Barkley	Gibson	Lundeen	Schwellenbach
Bridges	Glass	McCarran	Sheppard
Brown	Green	McKellar	Smathers
Bulow	Guffey	McNary	Smith
Burke	Gurney	Maloney	Stewart
Byrd	Hale	Mead	Taft
Byrnes	Harrison	Miller	Thomas, Okla.
Capper	Hatch	Minton	Thomas, Utah
Chavez	Hayden	Murray	Tobey
Clark, Idaho	Herring	Norris	Townsend
Clark, Mo.	Hill	O'Mahoney	Tydings
Danaher	Holt	Overton	Walsh
Davis	Johnson, Colo.	Pepper	Wheeler
Donahey	King	Pittman	White

The PRESIDING OFFICER. Seventy-two Senators have answered to their names. A quorum is present. The question is on agreeing to the committee amendment on page 9, line 9.

Mr. CLARK of Missouri and other Senators demanded the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. BURKE (when his name was called). On this question I have a pair with the junior Senator from Missouri [Mr. TRUMAN]. I transfer that pair to the junior Senator from Maryland [Mr. RADCLIFFE], and will vote. I vote "yea."

Mr. BARKLEY (when Mr. CHANDLER's name was called). I announce that my colleague [Mr. CHANDLER] is unavoidably absent because of illness. I am not authorized to say how he would vote on this question.

Mr. DAVIS (when his name was called). I have a pair with the junior Senator from Kentucky [Mr. CHANDLER]. I transfer that pair to the junior Senator from North Dakota [Mr. NYE], and will vote. I vote "nay."

Mr. KING (when his name was called). The senior Senator from Michigan [Mr. VANDENBERG] is unavoidably detained on official business. I promised him that if he could not return to the Senate in time to participate in the vote I would protect him. I am informed that if present he would vote "yea." If I were at liberty to vote I should vote "nay." I withhold my vote because of a pair.

The roll call was concluded.

Mr. GLASS (after having voted in the affirmative). I transfer my general pair with the Senator from Minnesota [Mr. SHIPSTEAD] to the Senator from Alabama [Mr. BANKHEAD] and will allow my vote to stand.

Mr. TYDINGS. I announce that my colleague [Mr. RADCLIFFE] is detained from the Senate on important business.

Mr. LUCAS. My colleague [Mr. SLATTERY] is absent on important public business.

Mr. McNARY. The junior Senator from Oregon [Mr. HOLMAN] has a pair with the junior Senator from Tennessee [Mr. STEWART]. If my colleague [Mr. HOLMAN] were present, he would vote "yea."

Mr. STEWART (after having voted in the affirmative). I had not noticed the absence from the Chamber of the junior Senator from Oregon [Mr. HOLMAN]. I am advised, however, that he would vote as I have voted. I therefore will permit my vote to stand.

Mr. McNARY. I announce the unavoidable absence of the senior Senator from Minnesota [Mr. SHIPSTEAD]. If present, I am informed that he would vote "nay."

Mr. MINTON. I announce that the Senator from Alabama [Mr. BANKHEAD], the Senator from Washington [Mr. BONE], the Senator from Arkansas [Mrs. CARAWAY], the Senator from California [Mr. DOWNEY], the Senator from Delaware [Mr. HUGHES], and the Senator from Missouri [Mr. TRUMAN] are absent from the Senate because of illness.

The Senator from Iowa [Mr. GILLETTE] is absent attending the funeral of the late Representative Dowell, of Iowa.

The Senator from Arizona [Mr. ASHURST], the Senator from North Carolina [Mr. BAILEY], and the Senator from Mississippi [Mr. BILBO] are detained on important public business.

The Senator from Texas [Mr. CONNALLY], the Senator from West Virginia [Mr. NEELY], the Senator from Indiana [Mr. VAN NUYS], and the Senator from New York [Mr. WAGNER] are detained in important committee meetings.

The Senator from Texas [Mr. CONNALLY] has a general pair with the Senator from Wisconsin [Mr. WILEY].

The Senator from Arkansas [Mrs. CARAWAY] has a pair with the Senator from Delaware [Mr. HUGHES]. I am advised that if present and voting, the Senator from Delaware would vote "yea" and the Senator from Arkansas would vote "nay."

The result was announced—yeas 34, nays 37, as follows:

YEAS—34

Adams	George	Lodge	Stewart
Barkley	Gerry	Lucas	Taft
Bridges	Glass	McKellar	Tobey
Brown	Hale	Maloney	Townsend
Bulow	Harrison	Miller	Tydings
Burke	Hayden	Reed	Walsh
Byrd	Herring	Russell	White
Byrnes	Holt	Sheppard	
Capper	Lee	Smith	

NAYS—37

Andrews	Frazier	McCarran	Reynolds
Austin	Gibson	McNary	Schwartz
Barbour	Green	Mead	Schwellenbach
Chavez	Guffey	Minton	Smathers
Clark, Idaho	Gurney	Murray	Thomas, Okla.
Clark, Mo.	Hatch	Norris	Thomas, Utah
Danaher	Hill	O'Mahoney	Wheeler
Davis	Johnson, Colo.	Overton	
Donahey	La Follette	Pepper	
Ellender	Lundeen	Pittman	

NOT VOTING—25

Ashurst	Connally	Neely	Vandenberg
Bailey	Downey	Nye	Van Nuys
Bankhead	Gillette	Radcliffe	Wagner
Bilbo	Holman	Shipstead	Wiley
Bone	Hughes	Slattery	
Caraway	Johnson, Calif.	Thomas, Idaho	
Chandler	King	Truman	

So the committee amendment was rejected.

Mr. CLARK of Missouri. I move to reconsider the vote just taken.

Mr. McCARRAN. I move to lay the motion of the Senator from Missouri on the table.

The PRESIDING OFFICER (Mr. MINTON in the chair). The question is on the motion of the Senator from Nevada [Mr. McCARRAN] to lay on the table the motion of the Senator from Missouri.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment reported by the committee.

The next amendment was, on page 10, line 13, after the word "skis" and the parenthesis, to strike out "\$2,420,000" and insert "\$2,406,520", so as to read:

Safety regulation: For all expenses necessary to carry out the provisions of title VI of the Civil Aeronautics Act of 1938 and all other provisions of said act relating to safety regulation, except air-traffic control, including personal services and rent in the District of Columbia and elsewhere; contract stenographic reporting services; fees and mileage of witnesses, including expert witnesses; employment of attorneys and examiners on a fee basis (not to exceed \$7,500); salaries and traveling expenses of employees detailed to attend courses of training conducted by the Government or industries serving aviation; purchase (including exchange), operation, maintenance, and repair and overhaul of aircraft; purchase and exchange (not to exceed \$29,200), hire, maintenance, repair, and operation of passenger-carrying automobiles; special wearing apparel and equipment (including snowshoes and skis), \$2,406,520.

The amendment was agreed to.

The next amendment was, on page 11, line 2, after the word "of" where it occurs the second time, to strike out "\$2,500,000" and insert "\$2,000,000", so as to read:

Establishment of air-navigation facilities: For the acquisition and establishment of air-navigation facilities, including the equipment of additional civil airways for day and night flying; the construction of additional necessary lighting, radio, and other signaling and communicating structures and apparatus; the alteration and modernization of existing air-navigation facilities; and for the acquisition of the necessary sites by lease or grant, \$5,265,280, of which amount \$2,000,000 shall be available for the payment of contractual obligations authorized to be incurred prior to July 1, 1940: *Provided*, That in addition to the amount herein appropriated, the Administrator may, prior to July 1, 1941, enter into contracts for the purchase, construction, and installation of additional air-navigation facilities not in excess of \$2,000,000.

The amendment was agreed to.

The next amendment was, on page 13, line 15, to reduce the total appropriation for the Civil Aeronautics Authority from \$27,900,693 to \$26,721,954.

Mr. McNARY. Mr. President—

The PRESIDING OFFICER. The Chair will suggest that the total at that point will have to be changed.

Mr. McNARY. Mr. President, I was about to suggest the necessity of changing the total because of the action of the Senate in rejecting the committee amendment on page 9, line 9.

The PRESIDING OFFICER. Without objection, the clerk will be authorized to correct the totals.

The next amendment reported by the committee will be stated.

The next amendment was, under the heading "Civil Service Commission", on page 13, line 21, after the word "including", to insert "not to exceed \$25,040 for the work heretofore performed by the Council of Personnel Administration and"; and on page 14, line 22, after the word "for", to strike out "\$5,000,000" and insert "\$4,975,000, of which not to exceed \$175,000 shall be available for reimbursement of the Veterans' Administration for services rendered the Commission in connection with physical examinations of applicants for and the employees in the Federal classified service", so as to read:

For three Commissioners and other personal services in the District of Columbia, including personal services required for examination of Presidential postmasters, and including not to exceed \$25,040 for the work heretofore performed by the Council of Personnel Administration and not to exceed \$2,500 for employment of expert examiners not in the Federal service on special subjects for which examiners within the service are not available, and for personal services in the field; for medical examinations; for necessary traveling expenses, including those of examiners acting under the direction of the Commission, and for expenses of examinations and investigations held elsewhere than at Washington, including not to exceed \$5,000 for expenses incident to attendance at meetings concerned with problems of public officials, educational groups, Government employees as such, and other similar organizations, which are peculiar to the interests and business of the Commission, when specifically directed by the Commission; for furniture and other equipment and repairs thereto; rental of equipment; supplies; advertising; telegraph, telephone, and laundry service; freight and express charges; streetcar fares not to exceed \$300; stationery; purchase and exchange of law books, books of reference, directories, subscriptions to newspapers and periodicals, not to exceed \$10,000; charts; purchase, exchange, maintenance, and repair of motortrucks, motorcycles, and bicycles; garage rent; postage stamps to prepay postage on matter addressed to Postal Union countries; special-delivery stamps; and other like miscellaneous necessary expenses not hereinbefore provided for, \$4,975,000, of which not to exceed \$175,000 shall be available for

reimbursement of the Veterans' Administration for services rendered the Commission in connection with physical examinations of applicants for and the employees in the Federal classified service.

The amendment was agreed to.

The next amendment was, on page 16, line 25, to reduce the total appropriation for the Civil Service Commission from \$97,266,000 to \$97,241,000.

The amendment was agreed to.

The next amendment was, under the heading "Federal Communications Commission", on page 18, line 22, after the word "Commission", to strike out "\$2,091,340" and insert "\$2,051,340", so as to read:

Salaries and expenses: For seven Commissioners, and for all other authorized expenditures of the Federal Communications Commission in performing the duties imposed by the Communications Act of 1934, approved June 19, 1934 (48 Stat. 1064), the Ship Act of 1910, approved June 24, 1910, as amended (46 U. S. C. 484-487), the International Radiotelegraphic Convention (45 Stat., pt. 2, p. 2760), Executive Order No. 3513, dated July 9, 1921, as amended under date of June 30, 1934, relating to applications for submarine cable licenses, and the radio-telegraphy provisions of the Convention for Promoting Safety of Life at Sea, ratified by the President of the United States, July 7, 1936, including personal services, contract stenographic reporting services, rental of quarters, newspapers, periodicals, reference books, law books, special counsel fees, supplies and equipment, including purchase and exchange of instruments, which may be purchased without regard to section 3709 of the Revised Statutes (41 U. S. C. 5) when the aggregate amount involved does not exceed \$25; improvement and care of grounds and repairs to buildings, not to exceed \$5,000, purchase and exchange (not to exceed \$15,000), maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in the field, travel expenses, including expenses of attendance at meetings which in the discretion of the Commission are necessary for the efficient discharge of its responsibilities, reimbursement to ships of the United States for charges incurred by such ships in transmitting information in compliance with section 357 of the Communications Act of 1934, as amended, expenses of packing, crating, drayage, and transportation of household goods and other personal effects (not to exceed in any case 5,000 pounds) of officers and employees when transferred from one official station to another for permanent duty upon specific authorization by the Commission, \$2,051,340, of which amount not to exceed \$1,246,340 may be expended for personal services in the District of Columbia, including compensation of employees of the Interdepartment Radio Advisory Committee.

The amendment was agreed to.

The next amendment was, on page 19, line 3, to reduce the total appropriation for the Federal Communications Commission from \$2,116,340 to \$2,076,340.

The amendment was agreed to.

The next amendment was, under the heading "Federal Loan Agency—Electric Home and Farm Authority", on page 21, line 20, after the word "expenses", to insert a colon and the following proviso: "Provided, That all necessary expenses (including legal and special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, care, repair, and disposition of any security or collateral now held or acquired on or before June 30, 1941, by the Authority shall be considered as non-administrative expenses for the purposes hereof", so as to read:

Electric Home and Farm Authority, salaries and administrative expenses: Not to exceed \$600,000 of the funds of the Electric Home and Farm Authority, established as an agency of the Government by Executive Order No. 7139 of August 12, 1935, and continued as such agency until June 30, 1941, by the act of March 4, 1939 (Public Act No. 2, 76th Cong.), shall be available during the fiscal year 1941 for administrative expenses of the Authority, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the act of June 3, 1926, as amended (5 U. S. C. 821-833); not exceeding \$3,000 for expenses incurred in packing, crating, and transporting household effects (not exceeding 5,000 pounds in any one case) of personnel when transferred in the interest of the service from one official station to another for permanent duty when specifically authorized in the order directing the transfer; printing and binding; lawbooks and books of reference; not to exceed \$200 for periodicals, newspapers, and maps; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; and all other administrative expenses: *Provided*, That all necessary expenses (including legal and special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, care, repair, and disposition of any security or

collateral now held or acquired on or before June 30, 1941, by the Authority shall be considered as nonadministrative expenses for the purposes hereof.

The amendment was agreed to.

The next amendment was, under the subhead "Home Owners' Loan Corporation", on page 29, line 23, after the word "expenses", to insert a colon and the following proviso: "Provided, That all necessary expenses (including services performed on a force account, contract, or fee basis, but not including other personal services) in connection with the acquisition, protection, operation, maintenance, improvement, or disposition of real or personal property belonging to the Corporation or in which it has an interest, shall be considered as nonadministrative expenses for the purposes hereof", so as to read:

Not to exceed \$22,000,000 of the funds of the Home Owners' Loan Corporation, established by the Home Owners' Loan Act of 1933 (48 Stat. 128), shall be available during the fiscal year 1941 for administrative expenses of the Corporation, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the act of June 3, 1926, as amended (5 U. S. C. 821-833); expenses (not to exceed \$3,500) of attendance at meetings concerned with the work of the Corporation when specifically authorized by the Board of Directors; printing and binding; lawbooks, books of reference, and not to exceed \$500 for periodicals and newspapers; procurement of supplies, equipment, and services; maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; use of the services and facilities of the Federal Home Loan Bank Board, Federal home-loan banks, and Federal Reserve banks; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including services performed on a force account, contract, or fee basis, but not including other personal services) in connection with the acquisition, protection, operation, maintenance, improvement, or disposition of real or personal property belonging to the Corporation or in which it has an interest, shall be considered as nonadministrative expenses for the purposes hereof.

The amendment was agreed to.

The next amendment was, under the heading "Federal Works Agency—Office of the Administrator", on page 34, line 21, after the word "expenses" and the colon, to strike out "Not to exceed a total of \$200,000 from the funds herein-after made available to the agencies placed under the general direction and supervision of the Federal Works Administrator by part 3 of Reorganization Plan Numbered I, shall be transferred, as directed by such Administrator, to this paragraph, and be available for", and insert "For", and on page 35, line 21, after the word "laws", to insert the following proviso: "Provided, That the Administrator in order to effectuate part 3 of Reorganization Plan Numbered I submitted and approved pursuant to the Reorganization Act of 1939 may transfer to this appropriation from funds available for administrative expenses of the constituent units of the Federal Works Agency such sums as represent a consolidation in the Office of the Administrator of any of the administrative functions of said constituent units", so as to read:

Salaries and expenses: For salaries in the Office of the Administrator in the District of Columbia, including the salary of a General Consul at \$10,000 per annum, and other expenses of said Office, including printing and binding (not to exceed \$8,000); actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses to persons serving, while away from their homes without other compensation from the United States, in an advisory capacity to the Administrator; purchase (including exchange) of law books and other books of reference, periodicals, and press clippings; not to exceed \$700 for the purchase of a motor-propelled passenger-carrying vehicle; not to exceed \$1,500 for expenses of attendance, when specifically authorized by the Administrator, at meetings or conventions relating to the work of the Agency; not to exceed \$10,000 for the employment of persons or organizations by contract or otherwise, for special services determined by the Administrator to be necessary, without regard to section 3709 of the Revised Statutes, and the civil-service and classification laws, \$250,000: *Provided*, That the Administrator in order to effectuate part 3 of Reorganization Plan No. I submitted and approved pursuant to the Reorganization Act of 1939 may transfer to this appropriation from funds available for administrative expenses of the constituent units of the Federal Works Agency such sums as represent a consolidation in the Office of the Administrator of any of the administrative functions of said constituent units.

The amendment was agreed to.

The next amendment was, under the subhead "Public Buildings Administration", on page 40, line 11, before the word "of", to strike out "\$8,963,245" and insert "\$8,938,245", so as to read:

Salaries and general expenses, public buildings and grounds in the District of Columbia: For administration, protection, maintenance, and improvement of public buildings and grounds in the District of Columbia maintained and operated by the Public Buildings Administration, including the National Archives Building; repair, preservation, and equipment of the Treasury Annex, city post office, Auditors' Building, Liberty Loan Building, and customhouse; per diem employees at rates of pay approved by the Commissioner of Public Buildings, not exceeding current rates for similar services in the District of Columbia, and such employees in emergencies may be entered on duty subject to confirmation by the Federal Works Administrator; rent of buildings; demolition of buildings; expenses incident to moving various executive departments and establishments in connection with the assignment, allocation, transfer, and survey of building space; traveling expenses and carfare; leather and rubber articles and gas masks for the protection of public property and employees; furnishings and equipment; arms and ammunition for the guard force; not exceeding \$40,090 for purchase, repair, and cleaning of uniforms for guards and elevator conductors; and the purchase of two motor-propelled passenger-carrying vehicles; \$8,938,245, of which amount not to exceed \$500,000 shall be available for major repairs and improvements to public buildings and grounds in the District of Columbia.

The amendment was agreed to.

The next amendment was, under the subhead "Federal-aid highway system", on page 44, line 3, after the word "exceed", to strike out "\$1,120,000" and insert "\$1,110,000"; in line 5, before the word "to", to strike out "\$100,000,000" and insert "\$99,990,000"; and in line 9, after the numerals "633" and the parenthesis, to insert "less \$10,000 transferred to the Federal Works Administrator for the administrative expenses of his office", so as to read:

For carrying out the provisions of the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916 (39 Stat. 355-359), and all acts amendatory thereof and supplementary thereto, to be expended in accordance with the provisions of said act, as amended, including not to exceed \$1,110,000 for departmental personal services in the District of Columbia, \$99,990,000, to be immediately available and to remain available until expended, which sum is the amount authorized to be appropriated for the fiscal year 1940 by section 1 of the act approved June 8, 1938 (52 Stat. 633), less \$10,000 transferred to the Federal Works Administrator for the administrative expenses of his office.

The amendment was agreed to.

The next amendment was, on page 48, line 16, to reduce the total appropriation for the Public Roads Administration from \$141,000,000 to \$140,990,000.

The amendment was agreed to.

The next amendment was, under the subhead "Public Works Administration", on page 48, line 19, after the word "exceed", to strike out "\$3,610,000" and insert "\$3,585,000", so as to read:

Not to exceed \$3,585,000 of the funds appropriated by the Public Works Administration Appropriation Act of 1938 shall be available for administrative expenses of said Administration, which administrative expenses shall include personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the act of June 3, 1926, as amended (5 U. S. C. 821-833); printing and binding; purchase including exchange of lawbooks, and books of reference, and not to exceed \$500 for periodicals, newspapers, and press clippings; procurement of supplies, equipment, and services; not to exceed \$500 for expenses of attendance, when specifically authorized by the Commissioner, at meetings concerned with the work of the Administration; rent in the District of Columbia and elsewhere; and all other necessary administrative expenses.

The amendment was agreed to.

The next amendment was, under the subhead "United Housing Authority", on page 49, line 17, after the word "exceed", to strike out "\$4,550,000" and insert "\$4,510,000"; on page 50, line 17, after the word "by" to strike out "the Informational Service Division of the Authority, or any other division or subdivision thereof, in connection with the collection, preparation, or dissemination of information concerning the activities of the Authority" and insert "the Authority in connection with its informational service functions, including press and related activities, photographic displays, exhibits, and other educational or descriptive pamphlets or materials, printing, binding, and reproduction

of materials involving informational service functions"; and on page 51, line 1, after the word "exceed", to strike out "\$152,000" and insert "\$50,000", so as to read:

Salaries and expenses: Not to exceed \$4,510,000 of the funds of the United States Housing Authority, established by the United States Housing Act of 1937, as amended (42 U. S. C., Supp. IV, 1401), shall be available for all necessary administrative expenses of the Authority in carrying out the provisions of said act, including personal services and rent in the District of Columbia and elsewhere; printing and binding; reproducing, photographing, and labor-saving devices and office appliances; not to exceed \$5,000 for the purchase and exchange of lawbooks and other books of reference, periodicals, newspapers, and press clippings; not to exceed \$4,000 for purchase of seven motor-propelled passenger-carrying vehicles, to be used only for official purposes; not to exceed \$2,500 for expenses of attendance, when specifically authorized by the Administrator, at meetings or conventions concerned with the work of the Authority; not to exceed \$15,000 for the preparation, mounting, shipping, and installation of exhibits; not to exceed \$25,000 for employing persons or organizations, by contract or otherwise, for special reporting, engineering, technical, legal, and other services determined necessary by the Administrator, without regard to section 3709 of the Revised Statutes, and the civil-service laws and the Classification Act of 1923, as amended: *Provided*, That of the funds made available under this paragraph, the amount used by the Authority in connection with its informational service functions, including press and related activities, photographic displays, exhibits, and other educational or descriptive pamphlets or materials, printing, binding, and reproduction of materials involving informational service functions, shall not exceed \$50,000.

The amendment was agreed to.

The next amendment was, on page 51, line 18, after the word "is", to strike out "occupied by" and insert "rented with the knowledge and consent of such public-housing agency to", so as to read:

Annual contributions: For the payment of annual contributions to public-housing agencies in accordance with section 10 of the United States Housing Act of 1937, as amended (42 U. S. C., Supp. IV, 1410), \$10,000,000: *Provided*, That, except for payments required on contracts entered into prior to the date of enactment of this act, no part of this appropriation shall be available for payment to any public-housing agency for expenditure in connection with any low-rent housing project, any portion of which is rented with the knowledge and consent of such public-housing agency to any person other than a citizen of the United States.

Mr. ADAMS. Mr. President, this amendment was inserted after a question was raised as to the House language. The matter has been called to the attention of one or two Members of the Senate. I understood the senior Senator from New York [Mr. WAGNER] was going to present the matter, but he is not present. The members of the Housing Authority say that the language the committee put in would not accomplish that which the committee had in mind. The original language provided that no payments could be made to a public-housing agency if any of the property was occupied by an alien. The committee felt that that would impose a burden which it would be practically impossible to discharge. For instance, there might be on the property an alien servant or a brother or a cousin who was an alien. The committee changed the provision so as to make it applicable when the property was rented to an alien. Now the Housing Authority says if we leave it in that form it will still involve a great degree of policing to ascertain the facts. They suggest an amendment which I am about to offer and which I think is a proper one. In order that the amendment may be in proper form, I first ask that the committee amendment be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee on page 51, line 18.

The amendment was rejected.

Mr. ADAMS. I now offer the amendment to which I have referred.

The CHIEF CLERK. On page 51, line 17, it is proposed to strike out the words "any portion of which is occupied by" and insert in lieu thereof "unless the public housing agency shall have adopted regulations forbidding admission to the project as a tenant of."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado on behalf of the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment will be stated.

The amendment was agreed to.

The next amendment was, under the heading United States Maritime Commission, on page 71, line 15, after the numerals "1936", to strike out "\$125,000,000" and insert "\$164,000,000", and in line 18, after the word "including", to strike out the comma and "but not limited to," so as to read:

To increase the construction fund established by the Merchant Marine Act, 1936, \$164,000,000, of which not to exceed \$5,000,000 shall be available for administrative expenses of the United States Maritime Commission, including the following: Personal services in the District of Columbia and elsewhere; travel expenses in accordance with the Standardized Government Travel Regulations and the act of June 3, 1926, as amended, including not to exceed \$2,000 for expenses of attendance, when specifically authorized by the chairman of the Commission, at meetings concerned with work of the Commission; printing and binding; lawbooks, books of reference, and not to exceed \$4,000 for periodicals and newspapers; contract stenographic reporting services; procurement of supplies, equipment, and services, including telephone, telegraph, radio, and teletype services; purchase and exchange (not to exceed \$3,000), maintenance, repair, and operation of passenger-carrying automobiles for official use; typewriting and adding machines, and other labor-saving devices, including their repair and exchange; rent, including heat, light, and power, in the District of Columbia and elsewhere; expenses (not exceeding \$15,000) of packing, crating, drayage, and transportation of household effects and other personal property (not exceeding 5,000 pounds in any one case) of employees when transferred from one official station to another for permanent duty, upon specific authorization by the chairman of the Commission; expenses incurred in preparing and transporting, to their former homes in this country or to a place not more distant, the remains of employees who may die while in the discharge of their official duties abroad or in transit thereto or therefrom, and for the ordinary expenses of interment of such remains; necessary expenses (not exceeding \$5,000) incident to the education and training of personnel of the Commission detailed at institutions for scientific education and research as authorized by the act of August 4, 1939; compensation as authorized by said act of August 4, 1939, for officers of the Army, Navy, Marine Corps, or Coast Guard, detailed to the Commission; allowances for living quarters, including heat, fuel, and light, as authorized by the act of June 26, 1930; and including not to exceed \$75,000 for the employment, on a contract or fee basis, of persons, firms, or corporations for the performance of special services, including accounting, legal, actuarial, and statistical services, without regard to section 3709 of the Revised Statutes.

The amendment was agreed to.

The next amendment was, under the heading "Veterans' Administration", on page 73, line 21, after the word "administering", to strike out "\$101,403,240" and insert "\$101,228,240", so as to read:

Administration, medical, hospital, and domiciliary services: For all salaries and expenses of the Veterans' Administration, including the expenses of maintenance and operation of medical, hospital, and domiciliary services of the Veterans' Administration, in carrying out the duties, powers, and functions devolving upon it pursuant to the authority contained in the act entitled "An act to authorize the President to consolidate and coordinate governmental activities affecting war veterans," approved July 3, 1930 (38 U. S. C. 11-11f), and any and all laws for which the Veterans' Administration is now or may hereafter be charged with administering, \$101,228,240.

The amendment was agreed to.

The next amendment was, on page 78, line 7, to reduce the total for the Veterans' Administration from "\$580,180,544" to "\$580,005,544."

The amendment was agreed to.

The next amendment was, in line 8, after the word "That", to strike out "no part of this appropriation shall be expended for the purchase of oleomargarine or butter substitutes except for cooking purposes: *Provided further*, That", so as to read:

Total, Veterans' Administration, \$580,005,544: *Provided*, That no part of this appropriation can be used for hospitalization or examination of persons other than veterans unless a reciprocal schedule of pay is in effect with the Agency or Department involved.

Mr. McNARY, Mr. GURNEY, and Mr. LA FOLLETTE addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. McNARY. I yield to the Senator from South Dakota.

Mr. GURNEY. Mr. President, I should like to call the particular attention of the Senate to the words proposed to be stricken from the bill on page 78, and to what I believe would

be the result if such action should be taken. The words proposed to be stricken out are:

No part of this appropriation shall be expended for the purchase of oleomargarine or butter substitutes except for cooking purposes.

To eliminate those words from the bill would strike directly at the dairy producers and also at the ex-service men who are confined in Veterans' Bureau hospitals. The adoption of the amendment would cut down the market for the butter produced by the dairyman; it would take away from the sick ex-service man in the veterans' hospitals real, pure butter, and would make it possible for the veterans' hospitals to give the service men oleomargarine instead of butter. Therefore, I trust that the committee amendment will be rejected.

Mr. BARBOUR. Mr. President, I think little need be added to the explanation which has just been offered by my colleague from South Dakota [Mr. GURNEY]. I merely wish to state that I wholeheartedly support his position, and favor the restoration of the language proposed to be stricken out, which, as I understand, for many years has been in bills of this character.

Mr. BYRNES. Mr. President, in explanation of the action of the committee, I think it should be said that there is nothing in this bill requiring the Veterans' Administration to purchase only oleomargarine. In many instances physicians have prescribed oleomargarine for their patients and advised them to avoid the use of butter. I know of Members of this body who have been so advised by the physician at the Capitol who attends Members of this body.

The elimination of this language would simply make it possible to purchase oleomargarine in any case in which the officials of a hospital, or the doctors in charge, thought it wise that oleomargarine be used. Nowhere is there any justification for writing into the laws of the country a provision that a certain product shall not be used in a hospital or any other place under the jurisdiction of the Government.

That was the reason why the committee acted as it did.

Mr. LA FOLLETTE. Mr. President, this type of restriction or limitation on an appropriation was first embodied in the law as a result of the efforts made by my former colleague, the late Senator John J. Blaine. The question arose again in 1938, when an effort was made on the floor of the Senate to strike a provision of this kind from one of the appropriation bills. At that time the same contention made by the Senator from South Carolina was advanced in support of the amendment to strike the provision from the bill. Therefore, Mr. President, I hope the Senate will indulge me for a few moments while I refer to the original statistics upon which the amendment offered by my late colleague was based.

It has been contended again and again by those who have sought to eliminate such a provision as this that there was no contemplation that any large amount of oleomargarine would be purchased in case the provision was eliminated. Therefore, I wish to call the attention of the Senate to the fact that it was the large utilization of oleomargarine in veterans' hospitals and other public institutions which in the past led to the incorporation of this language in appropriation bills.

In the 11 national homes for disabled volunteer soldiers there were used in the fiscal year ending June 30, 1929, 91,356 pounds of butter and 502,407 pounds of oleomargarine or butterine.

In the 5 United States prisons, for the same fiscal year, there were used 20,139 pounds of butter, and 196,627 pounds of oleomargarine or butterine.

In the 51 veterans' hospitals to which this particular amendment relates under United States Veterans' Bureau supervision there were used 979,918 pounds of butter and 157,073 pounds of oleomargarine for cooking purposes only.

In two of the five United States hospitals for soldiers at present in service there were used 214,780 pounds of butter, and 11,872 pounds of oleomargarine or butterine.

In the Marine hospitals under the Public Health Service there were used in that fiscal year 187,759 pounds of butter, and 8,804 pounds of oleomargarine.

In the United States naval hospitals, 15 in number, there were used 250,875 pounds of butter, and no butterine or oleomargarine.

It will be observed from these figures that prior to the enactment of legislation of this character, oleomargarine was used in varying degrees, but in many of the public institutions under the supervision of the United States there was a considerable utilization of oleomargarine in the diet of the persons in those institutions. As I see the matter in the light of this past experience, we may very well assume that if this restriction is withdrawn, and the supervisory officials of these various institutions have the opportunity to work out their dietary allowances in amounts of money, we shall again find oleomargarine playing an important part in the diet of those who are dependent upon these institutions for their subsistence.

Mr. President, I do not believe that at this late date the Senate of the United States wants to go on record as withdrawing this protection to the veterans, and thus permitting the veterans' hospitals to utilize oleomargarine within their discretion in the diet of patients in the veterans' hospitals. I do not believe we have reached such a pass that it is necessary for the Government of the United States to stint the diet of the veterans.

This provision is contained in numerous appropriation bills. There has been a constant effort to bring about its repeal; but I contend that, in the light of the facts which existed prior to the time Congress established this precedent, we should continue it, and that we should provide that the appropriation should not be utilized for the purpose of purchasing oleomargarine to be included in the diet of those under the care of the United States Government in various hospitals and other institutions.

It has been contended, as the Senator from South Carolina suggested, that doctors have prescribed oleomargarine or other butter substitutes in the diet of those who are not able to utilize butterfat; but, Mr. President, in the light of past experience, I think it is amply evident that unless the Congress retains this policy we shall find that there will be further utilization of butter substitutes, not as a means of taking care of the rare cases in which individuals because of their physical condition cannot utilize butter, but a condition will be reestablished such as prevailed before these restrictions were written into appropriation bills. Furthermore, we may rest assured that if this particular amendment is agreed to, similar efforts will be made to eliminate this safeguarding provision from other appropriation bills as they come along in the course of the present session of Congress.

Therefore, I share the hope expressed by the Senator from South Dakota [Mr. GURNEY] that this amendment of the committee will be rejected.

Mr. BYRNES. Mr. President, I desire to say only one word in response to what the Senator from Wisconsin has stated.

First, I am very happy to say that the motion in the committee to strike out this language was made by the Senator from Rhode Island [Mr. GREEN], not by the Senator from South Carolina; but I think the statement of the Senator from Wisconsin shows the wisdom of the action.

According to the Senator from Wisconsin, prior to the time this language was placed in a bill, a considerable quantity of oleomargarine had been used in the hospitals of the country. It is true, of course, that the greater part of it was used for cooking purposes. Therefore, it appears from his statement that those in charge of the hospitals did not deem it unwise to use oleomargarine. If it had been impure, it could not have been sold; the Government itself would have prevented it. When it is pure, and it is sold and can be bought by any citizen, the law is resorted to, not to protect patients in a hospital, but to protect the producers of one commodity against the producers of another commodity.

If my recollection is correct, the State of Wisconsin places a tax upon the sale of oleomargarine. Recently I noticed in the press the statement that the Governor of Wisconsin said he was going to urge upon the legislature of that State

that the tax be repealed. I was glad to see the statement, because if one State in the Union adopts the policy of taxing the commodities produced in another State, or if Members of the Congress resort to asking that a law be enacted to protect the producers of one commodity against the producers of another, the inevitable result will be a war between the States among producers of different commodities.

I think that would be unfortunate. It is surprising to me that this provision has not inspired retaliation, that it has not resulted in some of the States saying, "If that is going to be done, then we will enact laws prohibiting the sale of certain commodities in this State."

I think we could well leave to the discretion of the officials in the various institutions of government the determination whether they would use one product or another so long as it is a product whose sale is not prohibited under the pure food law.

I really believe that it is a step in the right direction to remove embargoes against American products.

Mr. SMITH. Mr. President, every Senator knows the reason behind this effort to exclude from use the particular product now under consideration. Several years ago I was a member of a committee appointed to investigate the cost of living and the question arose as to the use of oleomargarine in place of butter. Dr. Wiley, who was then the head of the Pure Food and Drugs Division of the Department of Agriculture, was a witness, and specific and categorical questions were put to him as to the purity, wholesomeness, and digestibility of oleomargarine as compared with butter. He replied categorically. He said oleomargarine was just as pure, just as nutritious, just as wholesome as butter; and he added one other expression which to me was new. He said, "and when colored with the pure extract of carrot, it is just as pleasing to the eye."

Mr. President, this is a matter which has been before the Congress at various times. I deplore the recent decision of the Supreme Court upholding the power of a State to lay a tax upon the product of another State when the product or commodity is used within the State laying the tax. It seems to me that if one article is just as pure, nutritious, and wholesome as another, and is by some preferred to the other article we should not use the powerful arm of the Federal Government to discredit that article in order to protect a group of States, or one State, from competition. I do not know where this decision of the Supreme Court will land us. Our high-protective tariff is alleged to afford wonderful benefit to a certain group, and it is natural for those who can utilize it to apply it locally. I think the committee was very wise in leaving it to the discretion of those who have charge of public hospitals and other institutions, allowing them to be governed by the conditions they find.

It seems to me that we are embarking on the most dangerous principle that can characterize a free people if we pass this measure and deny protection to a far-flung industry, which, as my colleague has said, is protected under the Pure Food and Drug Act, and say, for the sake of destroying competition, "You cannot come in. No matter how pure, no matter how wholesome, no matter how the other article may be designed, we are not going to allow you to compete with us in our markets."

I think every honest-minded man here sees that that is a dangerous precedent. If there were in oleomargarine anything deleterious, if there were in it anything which might impair the health of or discriminate against anyone in those institutions over which we have powerful control, its use ought to be prohibited; it ought to be outlawed.

I have from time to time tried to call attention to the unfairness of this action. It is not a local matter entirely, because in my State, under the wise provision of our present administration, we have been persuaded and paid to stop producing certain crops. You tried to keep us from going into the cattle business, but I invite you to come to our section and see what we are doing. Up in your God-forsaken part of the country you have to protect your cows and feed them for about 6 months in the year. I can graze mine for 12 months on growing vegetation, except now and

then in an exceptionally cold spell, and in all the coastal plain I can sink an artesian well 190 or 200 feet and have the purest water in the world flowing forever. My cows do not have to be stall fed. If you want to invite competition, we are willing to enter into competition, but you have not law enough or men enough, nor have you the right, to prohibit me from making my living as I see fit to make it. The South, in the raising of cattle, surpasses other sections, and has done so for 75 or 76 years, and by virtue of being a great territory, is today the unexploited section of America.

Keep on with this kind of thing, and you will find after a while that the butter will be made in the South, the hogs will be raised in the South, the sheep will be grown in the South, and you will have to pass legislation if you live at all. I am warning you now.

Why do I say this condition exists? The possibilities in the South are untouched. We have about 75 or 80 percent of all the standing timber in America today. Heretofore the rosin and turpentine incident to our pines have made it impossible to convert them into paper, but now the chemists have discovered a process by which they can extract the valuable turpentine and rosin and make the finest paper in the world out of the pulp when these elements are extracted.

We have in the South a kindly climate and a fertile soil. But we did not have any capital. We had to pay to the protected industries all we could make. Now we are getting them down there and I expect we will be protectionists after a while.

Mr. McNARY. Mr. President, of what section is the Senator speaking?

Mr. SMITH. I am speaking of all that section south of the Mason and Dixon's line, and not of the section up in the frozen, God-forsaken part of the country above us, where there is from 6 to 8 months of ungodly cold weather, where people shiver and have to take from us in order to live at all. If it had not been for the protective tariff that would have been, if not a wilderness, at least a semiwilderness, and a semidesert.

The State of Oregon has some very splendid advantages. After a while the farmers there will get the things that will protect their fruit from pests. But by and large it does not behoove us to try to discriminate by a Federal law against a legitimate business of one State as against another. I hope the committee's very timid and very hesitating "We will not say you shall not do it, but we will just say we will leave it to the other fellow," will not prevail.

Mr. President, we are all American citizens, but if we do not watch our step we will be Americans only in name. The change is right on us. The form of our Government, which we have all loved and lived for all these years, is being undermined and taken away. It is said the Constitution is obsolete. The bill of inalienable rights is discarded under the general-welfare clause. God help us!

Mr. President, I would rather suffer personally, in person and property, to save the institutions which have made us what we are, and are capable of making us still greater, if we have the courage, the manhood, and the patriotism to rebuke any man or set of men who, under the compelling condition of a terrible depression, asks us to give up our splendid system of government in order that those whom God did not endow with the capacity of getting rich should be made comfortable at the expense of those who had the capacity to accumulate something for the future.

In conclusion let me say that the backwash of the Revolutionary War and the incidents antedating it, made men who were tried in the crucible of suffering. Those who won their rights had a true appreciation of them. When attempt was made to take those rights from them the Boston Tea Party resulted. Then came the magnificent Declaration of Independence. Then came the victory. Then came the Constitution of the United States, which will never be obsolete so long as real men love liberty. The original articles and the 10 amendments which compose the Bill of Rights of the individual, are as eternal as human nature.

It has been the experience of humanity through the years that those who have power usually want to impose their will on a free, liberty-loving people as well as upon peoples who are neither free nor liberty loving.

Mr. President, we have allowed certain elements to come into our country, and we have justified what we have done on the ground that we are relieving suffering, and relieving this, and relieving that.

The bill under consideration provides for only part of the Government, but, God help us, the aggregate amount proposed to be appropriated in the measure is in excess of what it cost to run the entire Government 40 years ago.

Of course it will cost us untold millions if we propose to run every State in the Union, and set up independent States within the States. As for me, I am not going to vote for such proposals. I have not long to live, but I have a duty to perform to my country, to uphold and carry on what was guaranteed to us by the real p-a-t-r-i-o-t-s. We once had a majority of them. Now we have 130,000,000 people, but many of them are p-a-y-t-r-i-o-t-s.

Mr. GLASS. Mr. President, let us have a vote!

Mr. SMITH. Oh, yes; but the Senator does not hear such statements very often, and he ought to sit down and listen to this statement.

Mr. President, I am opposed to this kind of legislation. However, the Senator from Virginia, who ought to be my friend, is getting restive under what I have to say. I do not talk much, but when I do I hope I talk to a purpose. I have said at least in part what I intended to say before this session of Congress shall adjourn. I shall later call the attention of the Senate to how far we have gone along the road toward Hitlerism, Stalinism, and communism.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee on page 78, line 8.

Mr. LA FOLLETTE. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BARKLEY. I suggest the absence of a quorum.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	George	Lundeen	Schwellenbach
Austin	Gerry	McCarran	Sheppard
Barbour	Gibson	McKellar	Smathers
Barkley	Glass	McNary	Smith
Brown	Green	Maloney	Stewart
Bulow	Guffey	Mead	Thomas, Okla.
Burke	Gurney	Miller	Thomas, Utah
Byrd	Hale	Minton	Tydings
Byrnes	Harrison	Murray	Vandenberg
Capper	Hill	Norris	Wagner
Danaher	Johnson, Colo.	O'Mahoney	Walsh
Davis	La Follette	Reed	White
Donahay	Lee	Reynolds	
Ellender	Lodge	Russell	
Frazier	Lucas	Schwartz	

The PRESIDING OFFICER. Fifty-seven Senators have answered to their names. A quorum is present.

Mr. BARKLEY. I again announce the absence of my colleague [Mr. CHANDLER] because of illness.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 78, line 8. On that question the yeas and nays have been demanded and ordered. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. REED. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. REED. I wish to be sure of the parliamentary situation. As I understand, the Senator from South Dakota [Mr. GURNEY] has moved to disagree to the committee amendment.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. BURKE (when his name was called). I have a general pair with the junior Senator from Missouri [Mr. TRUMAN], who is detained from the Senate by illness. Not knowing how he would vote on this question, I withhold my vote.

Mr. DAVIS (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER].

I transfer that pair to the junior Senator from North Dakota [Mr. NYE] and will vote. I vote "nay."

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Minnesota [Mr. SHIPSTEAD]. In his absence, not knowing how he would vote, I withhold my vote.

Mr. McKELLAR (when his name was called). On this question I have a pair with the senior Senator from Delaware [Mr. TOWNSEND]. He is not present, and I do not know how he would vote. I, therefore, withhold my vote.

Mr. MEAD (when his name was called). On this question I am paired with the senior Senator from Louisiana [Mr. OVERTON], who, if he were present, would vote "yea." I transfer that pair to the junior Senator from Maryland [Mr. RADCLIFFE] and will vote. I vote "nay."

Mr. STEWART (when his name was called). I have a pair with the junior Senator from Oregon [Mr. HOLMAN], and therefore withhold my vote.

The roll call was concluded.

Mr. HILL. My colleague the Senator from Alabama [Mr. BANKHEAD] is absent on account of illness. If present, he would vote "yea."

Mr. TYDINGS. I have just heard the junior Senator from New York [Mr. MEAD] transfer his pair to the junior Senator from Maryland [Mr. RADCLIFFE]. I am instructed to say that if my colleague, the junior Senator from Maryland, were present and voting on this question he would vote "nay."

Mr. McNARY. The junior Senator from Oregon [Mr. HOLMAN] is necessarily absent. He has a pair. If present, he would vote "nay."

I make the same announcement in behalf of the senior Senator from Minnesota [Mr. SHIPSTEAD] and the junior Senator from Wisconsin [Mr. WILEY], who is absent on official business. If he were present, he would vote "nay."

The junior Senator from Idaho [Mr. THOMAS] is absent on official business. If he were present, he would vote "nay."

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE], the Senator from Kentucky [Mr. CHANDLER], the Senator from California [Mr. DOWNEY], and the Senator from Delaware [Mr. HUGHES] are absent from the Senate because of illness.

The Senator from Arkansas [Mrs. CARAWAY] is absent because of illness. I am advised that if present and voting, she would vote "yea."

The Senator from Iowa [Mr. GILLETTE] is absent attending the funeral of the late Representative Dowell, of Iowa. If present, he would vote "nay."

The Senator from Texas [Mr. CONNALLY] is detained from the Senate in an important committee meeting. He is paired with the Senator from Wisconsin [Mr. WILEY]. I am advised that if present and voting, the Senator from Texas would vote "yea," and the Senator from Wisconsin would vote "nay."

The Senator from Mississippi [Mr. BILBO] and the Senator from Missouri [Mr. CLARK] are detained on important public business. These Senators are paired on this amendment. I am advised that if present and voting, the Senator from Mississippi would vote "yea," and the Senator from Missouri would vote "nay."

The Senators from Arizona [Mr. ASHURST and Mr. HAYDEN], the Senator from New Mexico [Mr. CHAVEZ], the Senator from North Carolina [Mr. BAILEY], the Senator from Idaho [Mr. CLARK], the Senator from New Mexico [Mr. HATCH], the Senator from Iowa [Mr. HERRING], the Senator from West Virginia [Mr. HOLT], the Senator from Utah [Mr. KING], the Senator from Florida [Mr. PEPPER], the Senator from Montana [Mr. WHEELER], and the Senator from Illinois [Mr. SLATTERY] are detained on important public business.

The Senator from West Virginia [Mr. NEELY], the Senator from Louisiana [Mr. OVERTON], the Senator from Nevada [Mr. PITTMAN], and the Senator from Indiana [Mr. VAN NUYS] are detained in committee meetings.

The result was announced—yeas 11, nays 42, as follows:

YEAS—11			
Byrnes	Green	Miller	Sheppard
Ellender	Harrison	Reynolds	Smith
George	Hill	Russell	
NAYS—42			
Adams	Frazier	Lundeen	Schwellenbach
Austin	Gerry	McCarran	Smathers
Barbour	Gibson	McNary	Thomas, Okla.
Barkley	Guffey	Maloney	Thomas, Utah
Brown	Gurney	Mead	Tydings
Bulow	Hale	Minton	Vandenberg
Byrd	Johnson, Colo.	Murray	Wagner
Capper	La Follette	Norris	Walsh
Danaher	Lee	O'Mahoney	White
Davis	Lodge	Reed	
Donahay	Lucas	Schwartz	
NOT VOTING—43			
Andrews	Clark, Idaho	Hughes	Slattery
Ashurst	Clark, Mo.	Johnson, Calif.	Stewart
Bailey	Connally	King	Taft
Bankhead	Downey	McKellar	Thomas, Idaho
Bilbo	Gillette	Neely	Tobey
Bone	Glass	Nye	Townsend
Bridges	Hatch	Overton	Truman
Burke	Hayden	Pepper	Van Nuys
Caraway	Herring	Pittman	Wheeler
Chandler	Holman	Radcliffe	Wiley
Chavez	Holt	Shipstead	

So the committee amendment was rejected.

EXECUTIVE SESSION

Mr. BARKLEY. Mr. President, it is obvious that we cannot finish the consideration of the bill this afternoon, as much as we had hoped to do so. Therefore, I think we might suspend at this time.

I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. MINTON in the chair) laid before the Senate messages from the President of the United States submitting several nominations and treaties, which were referred to the Committee on Foreign Relations.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

Mr. McKELLAR, from the Committee on Appropriations, reported favorably the nomination of Paul Edwards, of New York, to be Work Projects Administrator for the District of Columbia.

He also, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

He also, from the same committee, reported adversely the nomination of Kathleen McT. Gregg to be postmaster at Greensburg, Pa., in place of J. T. Painter, retired.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

DISTRICT OF COLUMBIA

The legislative clerk read the nomination of Melvin C. Hazen to be Commissioner of the District of Columbia.

Mr. BYRNES. Mr. President, I ask the indulgence of the Senate to make a statement with reference to the confirmation of this nomination.

When the Executive Calendar was called last week I asked that action be delayed upon this nomination for the reason that I desired to make an inquiry of the Commissioner. Last November an officer on the police force, Sergeant Brodie, came to see me. I had not previously known the gentleman. He stated that after 16 years' service as a detective sergeant he was to be demoted; that he did not know the reason why, and asked if it could be ascertained by me. I wrote a letter inquiring, expecting to be advised of the reasons for the demotion and thinking that would end my connection with the matter.

To my surprise I received a letter stating simply that a detective sergeant was not treated as a uniformed sergeant, that he was not entitled to a trial, and the Commissioners, and the superintendent of police were not required to give to him any information as to the cause of his demotion; that the reasons for the demotion the Commissioner would tell me privately when he saw me.

I advised the Commissioner that I wanted no private information about the matter; that I assumed it was a public record; and that the people of the District should be entitled to have it; and that certainly any Member of the Senate should be entitled to information as to a public record unless it was of such character that it could be shown that its disclosure would not be for the good of the service.

I wrote two or three letters with the same result. In each letter I was told that when I returned to Washington the Commissioner would talk to me in my office about the matter. I did not want to talk to the Commissioner privately about it. I insisted that he answer me so that I could advise the officer. When I asked last week that the confirmation be delayed, I again wrote asking for the information.

The following morning the chairman of the District Committee, the Senator from Utah [Mr. KING], invited me to his office, where the Commissioner and the superintendent of police were. The Commissioner then advised me that he really had not written the letters; that they had been written by one of the attorneys connected with the District government; and he agreed that he should have given to me the information.

I make this statement because ordinarily there is a disposition on the part of those connected with the District government, whenever a Member of the Senate or House makes an inquiry, to attribute to the Senator or Representative an interest in securing an appointment or in securing promotion for some individual employee of the Government. It so happens that in 14 years in the House and in my service here in the Senate I have never spoken to any District Commissioner about any policeman. I have never sought to secure the appointment of a policeman or the promotion for any man on the force. I believed, however, first, that a Member of the Senate ought to be able to secure information as to a public record, and, second, if that record showed that an officer was guilty of misconduct, that he should be dismissed from the force, and if it showed that he had violated any criminal law the officer should be prosecuted just like any other criminal. That was all the officer asked, and it was so reasonable a request that I made it in his behalf.

The Commissioner advised me that he would have a board try this officer; and I have no reason for asking further delay in action upon this nomination. I am satisfied that Mr. Hazen did not personally write me the letters I received. I regret that he signed them, because I do not think it is in the interest of the service in the District of Columbia for the Commission to take such a position. Furthermore, the officers of the police force, whether they be detective sergeants or uniformed sergeants, if they are charged with any misconduct, should be advised as to that alleged misconduct, and should be given an opportunity to answer. If it is a question of efficiency, it is all right to demote a man; but if it is a question of misconduct or violation of a law, every American citizen should have the right to know what he is charged with and have an opportunity to answer the charge.

If the policy followed in this case were generally followed, men who had served, as this man had, for 22 years and for 16 years as a detective sergeant, would never know at what moment they would be demoted to the ranks without any information as to the reason for such demotion. That would destroy the morale of the service.

Mr. KING. Mr. President, will the Senator yield?

Mr. BYRNES. Yes.

Mr. KING. I think the Senator should add, and will be glad to add when I invite his attention to the matter, that under the rules or under the law the defendant in this case—if we may call him a defendant—is entitled to a trial by a

board not connected with the Police Department, a board of citizens of repute who will be named by the Commissioners; and that will be done.

Mr. BYRNES. The chairman of the committee [Senator KING] suggested that such a board be provided for the trial of this officer. That is all the officer asked. I have no interest in the man holding his job if he has violated any law. I became interested when I learned, to my surprise, that it was possible for a man to be demoted for misconduct and not be advised of the misconduct of which he was supposed to be guilty.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Melvin C. Hazen to be Commissioner of the District of Columbia? Without objection, the nomination is confirmed.

THE JUDICIARY

The legislative clerk read the nomination of John C. Mahoney to be judge of the United States Circuit Court of Appeals for the First Circuit.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. GREEN. Mr. President, last week the nomination of a successor to Judge Mahoney as judge of the District Court for the District of Rhode Island was confirmed by the Senate; but at the time there was no vacancy, and there will be none until Judge Mahoney's nomination as judge of the Circuit Court of Appeals is confirmed. I therefore ask that notification of the confirmation of his nomination be immediately sent to the President.

The PRESIDING OFFICER. Without objection, the President will be notified.

The legislative clerk read the nomination of John B. Tansil to be United States attorney for the district of Montana.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Cleon A. Summers to be United States attorney for the eastern district of Oklahoma.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Charles H. Cox to be United States marshal for the northern district of Georgia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of William F. Burguson to be United States marshal for the eastern district of South Carolina.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Reed Sharp to be United States marshal for the middle district of Tennessee.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

PUERTO RICO

The legislative clerk read the nomination of George A. Malcolm to be Attorney General of Puerto Rico.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COAST GUARD OF THE UNITED STATES

The legislative clerk proceeded to read sundry nominations in the Coast Guard of the United States.

The PRESIDING OFFICER. Without objection, the nominations in the Coast Guard will be confirmed en bloc.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters will be confirmed en bloc.

That concludes the Calendar.

RECESS

Mr. BARKLEY. Mr. President, as in legislative session, I move that the Senate take a recess until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate took a recess until tomorrow, Thursday, February 8, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 7, 1940

DIPLOMATIC SERVICE OF THE UNITED STATES

George H. Earle, III, of Pennsylvania, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Bulgaria.

David Gray, of Florida, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Ireland.

Louis G. Dreyfus, Jr., of California, now Envoy Extraordinary and Minister Plenipotentiary to Iran, to be also Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Afghanistan.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 7, 1940

COMMISSIONER OF THE DISTRICT OF COLUMBIA

Melvin C. Hazen to be Commissioner of the District of Columbia.

JUDGE, UNITED STATES CIRCUIT COURT OF APPEALS

John C. Mahoney to be a judge of the United States Circuit Court of Appeals for the first circuit.

UNITED STATES ATTORNEYS

John B. Tansil to be United States attorney for the district of Montana.

Cleon A. Summers to be United States attorney for the eastern district of Oklahoma.

UNITED STATES MARSHALS

Charles H. Cox to be United States marshal for the northern district of Georgia.

William F. Burguson to be United States marshal for the eastern district of South Carolina.

Reed Sharp to be United States marshal for the middle district of Tennessee.

ATTORNEY GENERAL OF PUERTO RICO

George A. Malcolm to be the attorney general of Puerto Rico.

COAST GUARD OF THE UNITED STATES

Irving Leo Gill to be commander.
 Frederick Albert Edgecomb to be commander.
 William Wellesley Demeritt to be commander.
 Forrest Irvin Phippeny to be lieutenant.
 Silas Franklin Clark to be lieutenant.
 Neil William Wetherby to be lieutenant.
 Wayne Leroy Goff to be lieutenant (junior grade).
 Ronald Melville Freeman to be lieutenant (junior grade).
 Harold Douglas Seielstad to be lieutenant (junior grade).
 Thomas Bates McKinstry to be lieutenant (junior grade).
 William F. Towle to be captain.
 Harvey F. Johnson to be engineer in chief, with the rank of rear admiral.
 Robert J. Lafferty to be lieutenant (junior grade).
 Chester H. Jones to be captain.
 Albert A. Lawrence to be professor, with the rank of lieutenant.
 Robert E. Reed-Hill to be ensign (temporary).
 John Rogers Shuman to be ensign (temporary).
 Noble G. Ricketts to be commander.
 Harold G. Bradbury to be commander.
 Rae B. Hall to be commander.
 Charles Abraham Park to be captain.

Ralph Russell Tinkham to be captain.
 Frank William Ockenfels to be lieutenant commander.
 Carl Field Ganong to be lieutenant commander.
 Lawrence Merle Harding to be lieutenant commander.
 Morris Gibson Jory to be lieutenant commander.
 Anthony Michael Zibilich to be lieutenant commander.
 Dwight Atwater Chase to be lieutenant commander.
 Frank Ray Bellomy to be lieutenant commander.
 Thomas Gorman Byrne to be ensign.
 Leslie Glenn Haverland to be ensign.
 Roscoe House to be commander.
 Frederick Paul Dillon to be commander.
 Edward Cressey Merrill to be commander.
 Norman Cyril Manyon to be commander.
 Guy Burdette Skinner to be commander.
 Frederick Charles Hingsburg to be commander.
 William Henry Barton to be commander.
 Gideon Wesley Hitchens to be commander.
 Ray Lyton Hankinson to be lieutenant.
 Henry Edward Litchfield to be lieutenant.
 William Gordon Wallace to be lieutenant.
 Thomas Sampson to be lieutenant.
 Henry Benners Haskins to be lieutenant.
 Harry Stephen Salzer to be lieutenant.
 Verne Cyril Gibson to be lieutenant.
 Roswell Gallup Lamb to be lieutenant.
 George Casper Balzer to be lieutenant.
 Charles da Rocha Monteiro to be lieutenant.
 Hugh Donald Wear to be lieutenant.
 Daniel Joseph Lucinski to be lieutenant.
 George Arthur Piper to be lieutenant.
 Harold Libby Durgin to be lieutenant (junior grade).
 Joseph Raymond Davis to be lieutenant (junior grade).
 Ellis Samuel Gordon to be lieutenant (junior grade).
 Myron Wendall Caskey to be lieutenant (junior grade).
 Forrest Arnold Tinsler to be lieutenant (junior grade).
 Julian Simeon Loewus to be lieutenant (junior grade).
 Joseph Anthony Ciccolella to be lieutenant (junior grade).
 Ralph Sylvester Feola to be lieutenant (junior grade).
 Howard William Schleiter to be lieutenant (junior grade).
 Richard Heymes Fairman to be lieutenant (junior grade).

POSTMASTERS

ARIZONA

George C. Wentworth, Wickenburg.

GEORGIA

Walter R. Cannon, Clayton.
 Paul L. Watson, Ellijay.
 Fletcher N. Carlisle, Flowery Branch.

ILLINOIS

Daniel P. Bergin, Chicago Heights.
 Joseph W. Hrubby, Lyons.
 Clement Jordan, Paxton.
 John D. Lannon, Saunemin.

KANSAS

Orville Mills, Medicine Lodge.

KENTUCKY

Millissa Gertrude Owens, Brodhead.

MISSOURI

John E. Craig, Mansfield.
 Leta D. Smith, Pineville.
 Abe Paul, South West City.

NEVADA

Virgil D. Hall, Kimberly.
 Gladys K. Mohnike, Silverpeak.

NEW JERSEY

Robert A. Stretch, Somers Point.

NEW YORK

Leonard W. Cramer, Cherry Valley.
 Edgar M. Mapes, Patchogue.
 Frederick L. Ritchie, Philmont.
 William J. Murray, Rockville Centre.
 James C. McDonald, Schenectady.

SOUTH CAROLINA

Coit M. Graves, Pageland.

TEXAS

Robert C. Dooley, Justin.

VERMONT

Thomas J. Fitzgerald, Bellows Falls.
 Michael C. Mulcahy, Brandon.
 Foster C. Parmenter, Chester.
 Jeremiah C. Durick, Fair Haven.
 Oscar N. Campbell, Hyde Park.
 John J. Rock, Ludlow.
 Carroll E. Jenkins, Orleans.
 Martha G. Kibby, Randolph Center.
 Daniel F. Aher, Springfield.
 Irene F. Smith, Waitsfield.
 Clinton M. Hall, Wilmington.

VIRGINIA

Isaac C. Taylor, Big Stone Gap.
 Florence T. Beans, Round Hill.

WASHINGTON

Marie L. Wenberg, East Stanwood.

HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 7, 1940

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore [Mr. RAYBURN].

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou who art the way, the truth, and the life, we laud and magnify Thy glorious name. O Lamb of God that taketh away the sins of the world, have mercy upon us; in Thee power, love, and compassion are eternal and everlasting. Let Thy holy hand be laid upon us; blend the discords of our natures into heaven's harmony and soften the tears of repentance into psalms of victory. O Thou Christ, do Thou still call across the centuries to heartsore humanity; Come unto Me all ye that labor and are heavy laden, and I will give you rest. Oh, come and let hunger-bitten lips be fed, chilled bodies be clothed; come, and may the stranger be received, the sick visited, and thus weave for our immortal souls robes of righteousness that our blessed Lord and His saints will approve. In the name of Jesus Christ our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 1157. An act for the relief of Roy D. Cook, a minor.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7805) entitled "An act making supplemental appropriations for the Military and Naval Establishments, Coast Guard, and Federal Bureau of Investigation for the fiscal year ending June 30, 1940, and for other purposes."

The message also announced that the Senate recedes from its amendment No. 5 to the bill (H. R. 8067) entitled "An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1940, and for other purposes."

The message also announced that the Senate had adopted the following resolution:

Senate Resolution 228

FEBRUARY 6, 1940.

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. CASSIUS C. DOWELL, late a Representative from the State of Iowa.

Resolved, That a committee of two Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now adjourn.

Pursuant to the foregoing the Vice President appointed Mr. GILLETTE and Mr. HERRING as members of said committee on the part of the Senate.

Mr. DOUGHTON assumed the chair as Speaker pro tempore.

ELECTION OF SPEAKER PRO TEMPORE

Mr. McCORMACK. Mr. Speaker, our able and beloved Speaker is unable to be present, as he is suffering from a slight case of influenza. He is confined to his bed and the House physician forbids his coming to the sessions of the House. I am happy to say that he is improving and the doctor is confident he will be able to return to his duties within a few days.

The Speaker could designate a Speaker pro tempore, but if he did so, some question could arise as to the authority of the Speaker pro tempore to appoint conference committees and sign enrolled bills. There will be ready for signature several enrolled bills today and tomorrow, and it is necessary that they be promptly signed so that they may be transmitted to the President.

In order that this may be accomplished, I shall offer a privileged resolution, and in connection with this I may say that the procedure has the concurrence of the Speaker.

Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 377

Resolved, That Hon. SAM RAYBURN, a Representative from the State of Texas, be, and he is hereby, elected Speaker pro tempore during the absence of the Speaker.

Resolved, That the President and the Senate be notified by the Clerk of the election of Hon. SAM RAYBURN as Speaker pro tempore during the absence of the Speaker.

The resolution was agreed to.

Mr. RAYBURN resumed the chair as Speaker pro tempore and the oath of office was administered by Mr. McCORMACK.

DOMICILE OF CERTAIN EMPLOYEES OF VETERANS' BUREAU

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri [Mr. COCHRAN]?

There was no objection.

(Mr. COCHRAN was granted permission to revise and extend his remarks and include a letter from General Hines and brief quotations from the hearings on the independent offices appropriation bill.)

Mr. COCHRAN. Mr. Speaker, Members are continually calling the Committee on Expenditures in the Executive Departments requesting information concerning bills which have been introduced which have for their purpose eliminating the Veterans' Bureau regulations whereby employees are required to be domiciled at the facility where they are employed, or, stating it more plainly, the charges for quarters, subsistence, and laundry, regardless as to whether or not the employee accepts the service.

It has been pointed out, and very properly so, that this works a severe hardship on the personnel, especially those who are married and whose families live close to the facility.

When the independent offices appropriation bill was under consideration by the subcommittee of the Committee on Appropriations, Brig. Gen. Frank T. Hines, the Administrator, was questioned at length on this subject.

Mr. Speaker, I include in my remarks that part of the hearings which I refer to:

ADJUSTMENT IN CHARGES FOR QUARTERS, SUBSISTENCE, AND LAUNDRY FOR ORDERLIES AND ATTENDANTS

Mr. WOODRUM. You will recall in the hearings last year that the question of adjustments in the charges for quarters, subsistence, and laundry for field employees was discussed. Have you been able to work out any satisfactory plan for relieving employees from these charges, as I notice that you have not requested any funds for this specific purpose in your 1941 budget.

General HINES. We had up with the Budget the proposition of Q. S. and L. We did not include it in our estimates. We submitted a statement on that subject alone, and with the committee's permission I would like to make some reference to that statement in order that the data may be correct.

First—before I take this up—I had a feeling that when the 8-hour day was put into effect, we would be in a better position definitely to determine the personnel that had to be at the station at the time meals were served.

In other words, the hours run generally from 7 to 3; from 3 for the next 8 hours; and then the midnight shift. During that period those that are serving when one meal is served, in my judgment, should pay for only one meal. Those are serving hours when two meals are served, necessarily cannot leave their duty to go and get meals. Their work is right there. The mealtime is limited. Those that are living off the station certainly could not go and get back within a half hour allowed for the noonday meal.

I thoroughly believe in the fairness of only charging them for the meals served during the period they are there; they can take them and eventually we will have to adjust this matter before complaints subside in that respect.

I think the Budget, after we had presented this statement, felt that I should endeavor within the funds allowed to see how far I could go, because they did not include any new money for that.

Mr. WOODRUM. We gave you \$2,000,000 a year or two ago for that specific purpose, did we not?

General HINES. Yes. In the appropriation for the fiscal year 1937 we were allowed \$2,000,000 which permitted us to partially place this program into effect by allowing certain deserving married employees or those with dependents who were then required to take quarters, subsistence, and laundry to be relieved from these charges and live off the stations.

Mr. WOODRUM. There has been such persistent complaint about that that I think it ought to be done. I do not think you can justify, nor can the Government justify, taking a man who lives at home, who does not have to take his meals out, or lives on the station, and take out of his wages money for those meals. In some cases it reduces the wages to less than \$70 a month, on which a man with a family would find it difficult to live. I do not think we can stand up and defend that. I do not think I can do it any longer.

Mr. CASE. I think the chairman is absolutely right about that.

General HINES. Let me present to you what I presented to the Budget.

"In connection with our budget estimate for salaries during the fiscal year 1941, I desire at this point to discuss a problem with which this Administration is presently faced, namely, the deductions now made from the salaries of certain employees for allowances furnished, particularly that for subsistence. Under our present policy incumbents of certain types of positions are considered foodhandlers and their appointment on a salary plus subsistence basis is mandatory. Included in this group are nurses, dietitians, cooks, mess and hospital attendants.

"We have had numerous appeals during the past few years from certain of these employees living off the hospital reservations, from whose salary full subsistence is deducted notwithstanding the fact that they do not partake of three meals per day, as they are off duty during one or more meal periods daily."

Mr. CASE. At that point, has not subsistence also been charged against them during the time that they have been on leave or on vacation?

General HINES. We have taken that into account by figuring that into the total number of days and arriving at the rate charged. It looks as though they are charged for that, but that is taken into account in fixing the rate.

Mr. CASE. I recognize that that is true, but they do not understand that.

General HINES. I know that.

Mr. CASE. I have been hounded by friends of employees who say, "How can you possibly justify charging them for subsistence during the 2 weeks or the month that they may be on leave?"

General HINES. That is true, but at the same time they went into that and took it into account. But I fully agree with you that it is a difficult position to defend because it does appear that they are being charged. In reality the rate was fixed with that in view. To continue my quotation:

"The inauguration of the 8-hour day has further increased the number of employees so affected. Recently this problem has become more aggravated and there has been rather widespread agitation for an adjustment of our policy and I have been advised, by sources believed to be reliable, that the Appropriations Subcommittee will give serious consideration toward providing additional funds for this purpose unless the Veterans' Administration and the Bureau of the Budget take appropriate action. I would much prefer that this be worked out as an administrative measure rather than as the result of congressional legislation which, I believe, would be too broad in its application."

I think there is that danger on the floor. I am not talking now about the committee, but I believe that if an attempt were made to put an amendment in, it would go through.

"It is estimated that there would be approximately 8,451 employees affected by this adjustment in the 1941 fiscal year. Based on a minimum average of \$270 per annum for subsistence, this would require an additional \$2,281,770. It is proposed, however, to make mandatory the acceptance of such meals as are served during the work period of the group of employees involved for which payment will be made, for individual meals served. To compute the

approximate amount which would be obtained in this manner, it is estimated that this number of employees would average one meal per day at the rate of \$90 per annum for 11 months each year, which allows for annual leave, and totals approximately \$697,000. It is anticipated that the number of employees who would partake of two meals per day would be offset by those on sick leave or off duty on Sundays and holidays. This last-named amount, representing refunds, must under present law be deposited into 'Miscellaneous receipts, Treasury Department,' which would not aid our appropriation.

"Through the adoption of the above procedure there is another potential saving which would assist in reducing the estimated cost of \$2,281,770. The reduction in the number of meals or rations served to these employees should result in some saving in the cost of raw food purchased. I am somewhat dubious as to whether this cost would be reduced in direct proportion to the reduction in the number of meals served this group of employees, but I am, however, estimating a saving of \$700,000 on this basis.

"In view of the above calculations, it appears that this adjustment in the deductions now made from the salaries of employees for subsistence who are not residing on the respective field station would require \$1,500,000 in addition to the amount requested for salaries in the 1941 Budget estimate."

Mr. WOODRUM. On that basis, that would not go into operation until July, would it?

General HINES. That is right, unless you made it immediately available.

Mr. WOODRUM. How much money would you have to have to put that into effect January 1?

General HINES. We feel the amount we suggested to the Budget, \$1,500,000.

Mr. WOODRUM. What about the rest of this year?

General HINES. That is a full year. The rest of this year would be half of that.

Mr. FITZPATRICK. Seven or eight hundred thousand dollars.

Mr. WOODRUM. General, I think I am speaking the unanimous opinion of this committee when I say that I would like to see that done. I think I can say that if it means a deficit, this committee would back you up. If there is any gentleman of the committee that does not agree with that statement, I would like to have him express himself.

General HINES. I am willing to undertake it, and with that understanding we would not have to have this appropriation immediately.

Mr. WOODRUM. Would you need any language in the legislation?

General HINES. No.

Mr. WOODRUM. You can handle it administratively?

General HINES. Yes, sir.

Mr. WOODRUM. We have the understanding, then, that in the next fiscal year you will put in this plan that you speak of, and the committee will take care of a deficit if it is made necessary.

Mr. FITZPATRICK. There will still be \$90 a year taken out of that, will there not?

General HINES. I cannot see how we can escape that. I cannot understand how a man would leave and go home to get a noonday meal.

Mr. FITZPATRICK. What would that average per meal, approximately?

General HINES. About 26 cents.

Mr. FITZPATRICK. That is quite reasonable.

Mr. STARNES. It would seem he would be foolish to go home, at that.

General HINES. If the Government makes any money on meals it would be the first time it has done it.

I will start putting this into effect this fiscal year, provided I can find the money with which to do it.

Now, Mr. Speaker, let me say I have discussed this question with General Hines on numerous occasions, as I am heartily in sympathy with the effort being made to correct this situation which cannot be defended. This morning I received a letter from General Hines on the subject, which I will insert in the RECORD. The letter follows:

VETERANS' ADMINISTRATION,
Washington, February 6, 1940.

Hon. JOHN J. COCHRAN,

House of Representatives, Washington, D. C.

MY DEAR MR. COCHRAN: Reference is made to our recent conference, when we discussed the question of quarters, subsistence, and laundry for employees engaged at our various field facilities.

The optional feature of allowances has been given a great deal of study by the Veterans' Administration in connection with its efforts to institute policies and promulgate instructions which have for their purpose the improvement of employment conditions. Our objective is to provide that allowances be optional to the extent that the needs of the service permit. On the other hand, the question of acceptance of quarters by employees is not peculiar to facilities of the Veterans' Administration. The nature of our operations has caused provision to be made for quartering employees on the station and also for providing for other allowances, subsistence, and laundry. These requirements are understood by employees at the time of employment; notwithstanding, relief is afforded whenever possible. The maximum that may be accomplished, however, must accord with the requirements of the service and with available funds.

A policy placed into effect June 1, 1939, provided for relief from quarters charges in the cases of those employees assigned to non-

housekeeping quarters, who maintain homes in the vicinity of the station for persons wholly dependent upon them for support. For those in certain positions, however, 40 percent are required to have quarters assigned. According to the policy previously in effect, 50 percent of the employees had been subject to this requirement. Those classified as food handlers, however, have not to date been relieved of the charge for subsistence. At this time consideration is being given to making adjustments in charges for subsistence; that is, study is being made at representative stations to determine the extent of adjustments necessary in applying a policy of charging for subsistence to those living off the station only on the basis of meals served during their tour of duty.

In this connection I desire to invite your attention to the statement I made before the subcommittee of the Committee on Appropriations of the House of Representatives at the time hearings were being held on the independent offices appropriation bill for 1941, when this subject was discussed in some detail (pp. 611, 612, 613, and 614). I stated, among other things, that our tentative plan involved an amount approximating \$1,500,000 per annum and that it would be made effective during this fiscal year, provided funds could be made available from our regular appropriation. As to the fiscal year 1941, it will be my purpose to have further consideration given the matter by the Bureau of the Budget, and it is probable that I will discuss it with the President.

Very truly yours,

FRANK T. HINES, Administrator.

Mr. Speaker, when Mr. Jacob Baker, representing the United Federal Workers, appeared before the committee he brought up the question. In view of General Hines' testimony the point at issue was quickly disposed of. I quote from the hearings:

Mr. BAKER. Mr. Chairman and gentlemen, I wish to talk very briefly about one particular item in connection with the Veterans' Administration that I imagine is recurrently familiar to all members of this committee. The situation, however, still exists. It concerns a charge made for quarters, subsistence, and laundry—Q. S. and L.—to a great many people who work in the Veterans' Administration who are unable to avail themselves of the service. I might take just a moment as to the history of this matter.

Mr. WOODRUM of Virginia. I do not want to anticipate you, but we have a definite commitment from General Hines, in these hearings, that that is going to be eliminated entirely.

Mr. BAKER. That is splendid.

Mr. WOODRUM of Virginia. The only charge made will be for one meal where the employee is working during the day and has to be there for lunch.

Mr. BAKER. That is very splendid.

Mr. FITZPATRICK. And I think he said that the charge would be only 25 cents.

Mr. BAKER. That is fine. That actually does relieve the whole situation.

Mr. Speaker, I hope General Hines will not delay in correcting the situation complained of. There seems no necessity for reporting the bill referred to, but I can assure the membership of the House the committee will act if it later develops action is necessary.

ELECTION TO COMMITTEES

Mr. DOUGHTON. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 378

Resolved, That the following-named Members be, and they are hereby, elected members of the standing committees of the House of Representatives, to wit:

Interstate and Foreign Commerce: RUDOLPH G. TENEROWICZ, Michigan.

Merchant Marine and Fisheries: MICHAEL J. KENNEDY, New York.

Post Offices and Post Roads: PIUS L. SCHWERT, New York.

World War Veterans' Legislation: ALBERT SIDNEY CAMP, Georgia.

Insular Affairs: JOHN EDWARD SHERIDAN, Pennsylvania.

Territories: JOHN EDWARD SHERIDAN, Pennsylvania.

Civil Service: JOHN EDWARD SHERIDAN, Pennsylvania.

District of Columbia: MICHAEL J. KENNEDY, New York.

Census: MICHAEL J. KENNEDY, New York; JOSEPH R. BRYSON, South Carolina; ED GOSSETT, Texas.

The resolution was agreed to.

RESIGNATION FROM COMMITTEE

The Chair laid before the House the following communication, which was read:

FEBRUARY 8, 1940.

The Honorable WILLIAM B. BANKHEAD,
House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I wish to submit herewith my resignation as a member of the Committee on Post Offices and Post Roads.

Sincerely yours,

MICHAEL J. KENNEDY.

The SPEAKER pro tempore. Without objection, the resignation will be accepted.

There was no objection.

The Chair laid before the House the following communication, which was read:

FEBRUARY 7, 1940.

The Honorable WILLIAM B. BANKHEAD,
Speaker, House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: Having been selected for membership on the Committee on Post Office and Post Roads, I hereby respectfully submit my resignation from the other committees of which I am at present a member, namely, Census, District of Columbia, Expenditures in the Executive Departments, War Claims, and World War Veterans' Legislation.

Very truly yours,

PIUS L. SCHWERT.

The SPEAKER pro tempore. Without objection, the resignation will be accepted.

There was no objection.

EXTENSION OF REMARKS

Mr. EATON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a very brief communication.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey [Mr. EATON]?

There was no objection.

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a very short editorial on the subject of taxes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. ANDREWS]?

There was no objection.

INTERNATIONAL TRADE AND CREDIT MARKET

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, I have introduced today a bill to establish an international trade and credit market based on gold for the purpose of circulating and maintaining gold values and to promote trade with Latin America.

The main objective of this bill is to take some of the buried gold out of the ground in Kentucky and put it to work for the American people. It is becoming more and more obvious that if we continue to monopolize and hoard the gold supply of the world it may cease to have international value.

In that case the American taxpayers would be holding the bag to the extent of \$12,000,000,000, an amount equal to the World War debts.

The time has come for a constructive program to save the American people from being mulcted and robbed by foreign gold-producing nations. We have set up a golden calf to worship, which is of no more use to us than the one destroyed by Moses.

The New Deal has blundered blindly into a golden trap of its own setting and has been unable to free itself from its evil consequences. If we continue this mad policy of accumulating gold, such nations as Germany, Italy, and Japan, and other non-gold-producing countries, will say "We can get along on managed currency, and you can keep your buried gold."

My proposal, worked out by Mr. Wolstan Crocker Brown, former monetary adviser to the Republican National Committee, aims primarily to sustain the balance of gold by creating a credit market for exports and imports with Latin America. The plan does not permit the export of gold, but ought to be the means of increasing our trade with Latin America substantially. [Applause.]

AMERICAN FAR EASTERN POLICY

Mr. SATTERFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SATTERFIELD. Mr. Speaker, Japan has had more than 6 months in which to contemplate the termination of a 29-year-old commercial treaty which, after notice to her, expired on January 26, 1940.

The present Sino-Japanese war began on July 7, 1937. Nine days later Secretary Hull issued a broad declaration of the fundamental principles of American foreign policy, and thus Japan has had nearly 3 years to consider the effect of her continued violation of American rights and legitimate interests in China. To date there is no cessation of these acts. On the contrary, the events of each day disclose a continuing and consistent disregard of those treaties and agreements voluntarily entered into by Japan and designed to safeguard national sovereignty and equality of economic opportunity.

I have observed that when the people of this country possess the facts public opinion forms swiftly—and usually it is sound. It is amazing how people here in America have patiently and understandingly followed the long sequel of events leading up to the present state of affairs in the Far East. Beginning with the Nine Power Treaty, signed here at Washington in February of 1922, with Japan a party, Americans have step by step traced developments in Asia until today public opinion, the keystone of this Government, is overwhelmingly in agreement with Mr. John Hay and demands that China be permitted through natural evolutionary processes to gain her liberation. They are taking the long view of the situation, and they are convinced that we are "sowing the wind," in lending our money, our industry, and our political influence to the uses of Japan.

Mr. Speaker, impetuosity has not led them to this conclusion, nor has prejudice played a part. It is a sober judgment of a people who have never condoned tyranny nor failed to indict injustice. A momentous issue of right and wrong confronts the people of America. Shall we continue to be partners with Japan in her unjustifiable invasion of China or shall we refuse henceforth to furnish Japan with materials of war? The time has come for this country to make its decision whether it will give further aid and encouragement to this aggressor. I have an abiding conviction that many of my colleagues voted for the Neutrality Act last year because its intent and purpose was favorable to the nonaggressor nations of Europe. We shall have to decide whether or not our course in Asia in the immediate future shall be for or against the nonaggressor nations. Every Member of this body realized many months ago that when we forsook the application of the time-honored international law in our relationship with the nations of the earth we bade consistency farewell. We have deliberately embarked upon a foreign policy through which we shall henceforth endeavor to search out equity and justice in each problem with which we are confronted, and to make those decisions thereunder which smack not of pious platitudes, but, on the contrary, reflect our determination of finding ways and means to convince the world that this country will not tolerate the aggression of the lawless.

The trend of events in the Orient would have tried the patience of a Job. Americans everywhere have borne, with no small degree, our forbearance with the policies of Japan in China until he who runs may read that Japan has embraced the war philosophy of Germany and Russia. If there is doubt as to this, I refer the House to the following statement from the Japanese War Office. It is that country's definition of what war is:

War is the father of creation and the mother of culture. Rivalry for supremacy does for the state what struggling against adversity does for the individual. It is such impetus, in the one case, as in the other, that prompts the birth and development of life and cultural creation.

I venture to make this prophesy that unless the United States deals swiftly and resolutely with Japan we shall have to endure the chicanery and artful dodging which characterized those familiar events leading up to Munich.

Mr. Speaker, there is every reason that this country should deal promptly with this question. Americans will not exhibit

the same degree of forbearance which the British Foreign Office exemplified in its dealings with Hitler. Let us review briefly the successive events in Asia:

First. We laid the cornerstone of American far eastern policy in February 1922 with the signing of the Nine-Power Treaty. Japan was a party to that treaty and solemnly agreed to respect the sovereignty and independence of China, to provide the fullest opportunity for China to develop and maintain herself, to refrain from taking advantage of conditions in China in order to seek special rights and privileges which would abridge the rights of the Chinese and citizens of friendly states.

Second. In September 1931 Japan invaded Manchuria. The League of Nations and the United States considered possible action.

Third. The then Secretary of State, Mr. Stimson, announced the doctrine of nonrecognition, which was concurred in by resolution passed by the League of Nations in 1932.

Fourth. Five years pass and the Sino-Japanese War begins in July of 1937. Mr. Cordell Hull issues a broad declaration of the fundamental principles of American foreign policy, which was communicated to Japan.

Fifth. One month later Mr. Hull issues a public statement reaffirming the previous declaration.

Sixth. One month later China appeals to the League of Nations. The League recommended aid to China.

Seventh. One month later Secretary Hull issues a statement in which the Department of State takes the position that the action of Japan in China is inconsistent with the principles which should govern the relationships between nations and is contrary to the provisions of the Nine Power Treaty of 1922. Thus we named Japan the aggressor.

Eighth. Immediately Japan replies and says, we are not breaking any treaty, we are just trying to get China to abandon her anti-Japanese policy.

Ninth. Approximately another month passes. It is November 1937, and a conference has been called at Brussels with the approval of this country. Nineteen nations attend, among them the United States. Japan does not attend, instead she sends a message that her action in China is purely one of self-defense and especially because of the provocative action of China in resorting to force of arms.

Tenth. One month later Japanese military aircraft bombed and sank the U. S. S. *Panay*; 2 days thereafter the Japanese Government expressed regret, admitted responsibility, and offered amends.

Eleventh. One month later our Ambassador, Mr. Grew, is writing notes to the Japanese Minister for Foreign Affairs protesting and demanding that the disregard of American property rights and disrespect for the flag cease.

Twelfth. One month later the Japanese Minister Hirota writes our Ambassador that this Government is studying how they can elaborate effective and adequate measures that as soon as possible may put a definite stop to the occurrence of similar events.

Meantime the bombing of civilians goes on in China and Acting Secretary Welles in June of 1938 pens a note to the Japanese Government reiterating this Government's reprobation of ruthless bombing of unfortified localities with the resultant slaughter of women and children, and characterized such methods as barbarous.

In November the world is treated to a rather remarkable document. It is a note from the Japanese Minister to Mr. Grew in which Japan proclaims a "new order" in the Orient.

We are told that Japan at present is devoting her energies to the establishment of a new order based on genuine international justice throughout east Asia, the attainment of which end is not only an indispensable condition to the very existence of Japan, but also constitutes the foundation of an enduring peace and the stability of east Asia. Apparently this new order is to grow out of the benevolent usages of explosives and implements of war in the hands of a ruthless invader.

The American Ambassador in a note to the Japanese Minister in December of 1938 rejected Japan's new order, and

stated to the Japanese Government that the United States is well aware that many of the changes in China have been brought about by action by Japan, and that this Government does not admit that there is need or warrant for any one power to take upon itself to prescribe what shall be the terms and conditions of a new order in areas not under its sovereignty, and to constitute itself the repository of authority and the agent of destiny. Following this note no noticeable change in Japanese policy has been made in China. In October of 1939, Mr. Grew, in an address before the America-Japan Society in Tokyo, informed the Japanese people that Americans believe that an effort is being made to establish control, in Japan's own interest, of large areas on the continent of Asia, and to impose upon these areas a system of closed economy. He likewise informed the Japanese people that Americans have been profoundly shocked over the bombing in China not only on the grounds of humanity but also on the grounds of direct menace to American lives and property, and the interference with American rights by Japanese armed forces in utter disregard of treaties and agreements existing between the two countries.

One other event has transpired since October, and that was the expiration of the trade treaty in January of this year. It may be, Mr. Speaker, that the Japanese Government now occupies an anxious seat as indicated by Ambassador Hironouchi's inquiry no longer than this week as to whether or not after January 26 there will be any change in American duties and tonnage rates now imposed upon Japanese imports, and secondly, whether there is any possibility of an exchange of notes between the two Governments defining immediately the future status of trade relations, and lastly, what will be the position of Japanese merchants who have been doing business in the United States under the old treaty's provisions. It would appear that the policy of this Government at the moment is that our trade relations with Japan will remain on a day-to-day basis, but that does not suffice if the day-to-day basis permits the continued sale of scrap iron and other munitions of war to this aggressor nation.

As an illustration of the willful, headlong course of Japan, I refer the membership of this House to its last act to date. The French-owned railroad from Indochina to Yunnan Province is about the last remaining medium over which American exports to and imports from China can pass without first asking the permission of Japan. Within the past week representatives of this Government have pointed out to Tokyo the harmful effect upon American trade with China of the continued bombing of this railroad by Japanese planes. The Japanese Government has not paid the slightest attention to our request.

Then, again, according to the latest news bulletins, a recent sale of 300,000 bushels of wheat has been made to Japan carrying a 30-cents-a-bushel United States Government subsidy. Can it be possible that while the State Department is doing all that it can to bolster a "moral embargo" on airplanes and bombs, the Department of Agriculture is going about the business of filling the stomachs of the pilots of those bombers?

These things have happened since or at about the time of the expiration of our trade treaty with Japan. And they evidence a Japan so far unimpressed either with the representations or protests of our State Department. The Japanese mind is quick to discern these inconsistencies and to note our willingness to go on protesting from month to month. The Congress wishes to move with care and caution in its consideration of this matter—it does not wish to impede or embarrass the State Department in the handling of this problem, but I believe I express the thoughts of the great majority of my colleagues when I say we have a real stake in the Orient, and we cannot afford to shut our eyes to the possibility of a great Japanese Empire stretching away from Siberia to Singapore.

It is highly significant that Japan should continue now to ignore our protests.

Pending in the Congress are at least four bills proposing to prohibit the export by us to Japan of arms, munitions, and the raw materials out of which they are manufac-

tured. Let the State Department deal with this matter if it can. Negotiation will not accomplish the desired results; we have been negotiating since 1922. We are unwittingly fattening the war lords of Japan at the expense of the Japanese people themselves. We are the fabricators of a Japanese menace—a menace built upon American exports. Day by day we build the Japanese Navy and then hunt anxiously for the millions of dollars necessary to build our own battleships to defend our shores.

I believe it to be the wish of the House that the State Department shall inform the Japanese Government of what is expected henceforth of it, and that this should be done early enough in the present session for the State Department to derive the full benefit of legislative action if necessary. Already there is every sign that the Japanese regard our bark as much worse than our bite. Without a more positive American policy, at least to the extent of withholding economic aid to Japan, the present conflict will rage for years. [Applause.]

EXTENSION OF REMARKS

Mr. KITCHENS asked and was given permission to extend his own remarks in the RECORD.

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including therein a letter to me from the Secretary of State, Hon. Cordell Hull, on the subject of trade agreements and the woolen industry, and I further ask unanimous consent to extend my own remarks in the RECORD by including therein a letter to me from R. G. Phillips, secretary of the International Apple Association, on the subject of trade agreements and the fresh-fruit industry.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. DUNN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from Secretary of Commerce Hopkins in reply to a letter from Senator TOBEY.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two letters, one written by me and one written to me, on the subject of the Negro's part in American history.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

COMMITTEE ON ELECTIONS

Mr. GAVAGAN. Mr. Speaker, I ask unanimous consent that the Committee on Elections No. 2 may be permitted to sit today during the sessions of the House.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, may I ask the gentleman from New York if that is agreeable to the minority members of the committee.

Mr. GAVAGAN. Yes; it is agreeable to all the members, majority and minority.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. ALEXANDER. Mr. Speaker, I find that the material I attempted to insert in the RECORD yesterday regarding the National Youth Administration and its work at the University of Minnesota amounts to four and one-half pages. I ask unanimous consent that it be inserted in the RECORD, notwithstanding the fact that this exceeds the regular limit.

The SPEAKER pro tempore. The material does not consist of editorials or magazine articles?

Mr. ALEXANDER. No; it is a report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. THORKELOSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include

therein quotations from the letters of Benjamin Franklin and from the daily papers.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

UTOPIA IS IN MINNESOTA

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. ALEXANDER. Mr. Speaker, yesterday we heard from the gentleman from South Dakota [Mr. MUNDT] that South Dakota is a sunshine State. Of course, no one disagrees with the gentleman's statement. However, we have just as fine sunshine in Minnesota, and in addition to that we have 10,000 lakes. We have also suspected for a long time that we have Utopia there, but we have never had exact and definite proof of it before, until we found out that we have a village there that is a veritable Utopia.

Mr. Speaker and Members of the House, I hold in my hand a very unusual story. It is unusual because it is about a village in my congressional district in Minnesota in which there are no debts, no taxes, and nobody is on relief. Think of it—no debts, taxes, or relief. Can anyone anywhere else in the United States equal that record? Or shall we challenge the whole world?

The village is Long Lake. It is located on one of the most picturesque of Minnesota's 10,000 beautiful lakes and is only a step over the ridge from world-famed Minnetonka, the lake whose sky-blue waters have been made famous in song and verse and Indian legend.

Mr. RANKIN. Any property? Anybody live there?

Mr. ALEXANDER. I have in my hand pictures of the village. It is a very beautiful village, located on one of the most beautiful of our 10,000 lakes. These pictures, here attached to this news article, are of the business district, and of the mayor, W. L. Hursh; of Kenneth Bollum, bank cashier and village clerk; William Bottean, feed-store operator and village trustee; Ross J. Johnston, village council member; "Kipp" Hale, owner of the Buckhorn cafe, and of D. J. Albee, grocer and village trustee, who are all real flesh-and-blood people and who are responsible for this village's excellent condition of affairs.

A short time ago Kenneth Bollum, the village clerk, made the assertion in a public meeting which I attended, that there was no depression, and that business in Long Lake was very good. Read the following article and you will get some idea of what he evidently had in mind.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the Record and include therein the article which accompanies these pictures.

Mr. RICH. Reserving the right to object, Mr. Speaker, I should like to know if that is one of the Government-constructed villages.

Mr. ALEXANDER. No. It is the result of natural growth.

Mr. RICH. I did not think it was.

Mr. ALEXANDER. This village needs no help from the Government.

Mr. CRAWFORD. Reserving the right to object, Mr. Speaker, may I ask the gentleman if the village to which he refers is Hibbing, Minn.?

Mr. ALEXANDER. This is Long Lake, Minn., and it is located in my congressional district.

Mr. CRAWFORD. Is that on the Mesabe Iron Range?

Mr. ALEXANDER. No; it is just outside of Minneapolis.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The matter referred to is as follows:

NO DEBT, NO TAXES, NOBODY ON RELIEF—SOUNDS LIKE UTOPIA; IT'S LONG LAKE, MINN.

(By Lewis C. Mills, Star-Journal Staff Writer)

Listen, you property owners, clutching your tax statements in one hand and a crying towel in the other—

There is a municipality in Hennepin County, Minn., within a 30-minute drive of Minneapolis, where there are no local taxes.

There has been no local levy for 5 years.

Although the village has been incorporated for over 30 years it has no debt and there never has been a bond issue.

There is no public relief.

The village council actually takes in more money than it can spend, and members now are mulling over a plan to eliminate school district, county, and State taxes.

Eventually they even may be able to pay residents a small amount for living there.

Hold on there, now—there can't be any such place.

I didn't think so, either, until I talked with W. L. Hursh, Minneapolis attorney and president of the Long Lake council.

Long Lake is a village of some 250, situated 16 miles west of Minneapolis.

According to Mr. Hursh, it is a typical Minnesota village in all respects except its freedom from debt and taxes.

He claims further that any village could eliminate location taxation by the simple process of spending no more than it takes in.

The trouble with most other municipalities is that they also have a relief problem.

There is no relief problem in Long Lake.

"We have had some people who thought the village should support them," Mr. Hursh said, "but we always have been able to find some responsible relative or some other method of taking care of them."

Long Lake receives no aid from the county, State, or Federal Governments; there is no distribution of surplus commodities and no W. P. A. or P. W. A. work.

Now for the plan to eliminate all taxes.

This is a sort of delicate subject, because the plan involves the Long Lake municipal liquor store—and Mr. Hursh is a dry.

The people voted slightly over 2 years ago to have liquor in the village, and a municipal liquor store has been operating since March 6, 1938.

From then to December 31, 1939, the liquor store showed a net profit of \$6,500—more cash money than the village had handled in 5 or 6 ordinary years.

One proposal is for the village to buy up all the property in town, thus removing it from the tax rolls, but permitting the original owners to continue to occupy the property as caretakers. That would eliminate all property taxes.

Then, as the surplus continued to accumulate, each "caretaker" might be paid a reasonable sum for "looking after" the village property.

It sounds silly, and the village probably won't do it, but Mr. Hursh insists County Auditor Al Erickson has been unable to find any flaw in the plan.

Mr. Hursh salves his dry conscience with the comment that the liquor store is patronized principally by visitors from Minneapolis or tourists passing through.

RECORD COLD WEATHER IN MISSISSIPPI

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

Mr. RICH. Reserving the right to object, Mr. Speaker, I suppose the gentleman is now going to give us some information about the power rates?

Mr. RANKIN. I will do that a little later; I am saving that for another address. I will show the gentleman then what the T. V. A. and the R. E. A. are doing for the people of the country.

Mr. HOFFMAN. Reserving the right to object, Mr. Speaker, is the gentleman going to talk about that picket line the gentleman and I go through every day?

Mr. RANKIN. I am going to hear the gentleman from Michigan on it first.

Mr. HOFFMAN. Will the gentleman yield, so I can be heard now?

Mr. RANKIN. No; I will not yield now. The gentleman can speak later.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, we have had two speeches in the last 2 days about the weather, one from the gentleman from South Dakota [Mr. MUNDT] and one from the gentleman from Minnesota [Mr. ALEXANDER]. It seems to me the normal weather, in both South Dakota and Minnesota, has disappeared, and I am going to tell you what has become of it. It went down to Mississippi for the time being. We are now ready to return it with interest.

My home district has been under a sheet of snow ranging from 9 to 24 inches deep and the thermometer has been below zero. I had a letter this morning from a friend of mine at Macon, Miss., which is in latitude 33°, who said that they had had a 24-inch snow and that the thermometer went to 11°

below zero. In my home town of Tupelo, Miss., this Minnesota weather that has escaped from that State, and from South Dakota, took the thermometer 14° below zero, which is the coldest in all history. In 1887 the thermometer went to 11° below zero at Tupelo, and in 1899 it went to 11° below zero, but this is the first time it has ever reached as low as 14° below zero. In 1887 there was no snow with the zero weather, and in 1899 there was only 3 or 4 inches of snow. This time the snow ranged from about 9 inches at Tupelo to 24 inches at Macon.

Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a schedule showing the temperature at Aberdeen, Miss., which is also in my district, for the entire month of January 1940.

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, may I say to the gentleman that it will be perfectly all right to return the cold weather if the gentleman will send along the 24 inches of snow?

Mr. RANKIN. I would be glad to send both, I will say to the gentleman from South Dakota, for we have an ample rainfall in that area and do not need the extra moisture, as they do in South Dakota.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, you will note from the following temperature readings, taken from the Aberdeen Examiner, that the thermometer never got above the freezing point at Aberdeen, Miss., during the entire month of January, which I am sure is a record for that locality for all time.

Those readings are as follows:

Jan. 1.....	32 above
Jan. 2.....	20 above
Jan. 3.....	16 above
Jan. 4.....	24 above
Jan. 5.....	28 above
Jan. 6.....	19 above
Jan. 7.....	32 above
Jan. 8.....	30 above
Jan. 9.....	19 above
Jan. 10.....	32 above
Jan. 11.....	32 above
Jan. 12.....	32 above
Jan. 13.....	32 above
Jan. 14.....	32 above
Jan. 15.....	26 above
Jan. 16.....	20 above
Jan. 17.....	29 above
Jan. 18.....	26 above
Jan. 19.....	3 above
Jan. 20.....	9 above
Jan. 21.....	15 above
Jan. 22.....	14 above
Jan. 23.....	27 above
(8 inches of snow)	
Jan. 24.....	10 above
Jan. 25.....	10 above
Jan. 26.....	2 below
Jan. 27.....	10 below
Jan. 28.....	6 below
Jan. 29.....	25 above
Jan. 30.....	23 above
Jan. 31.....	13 above

EXTENSION OF REMARKS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a very able and informative address by the Chairman of the Civil Aeronautics Authority.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

THE CIVIL SERVICE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I wish to remind the Members of the House that tomorrow H. R. 960, a bill which, if passed, would blanket in practically from 250,000 to 300,000 people into the civil service, is coming up. I want to

remind the membership of the House that at the present time there are 480,000 people on the civil-service eligible register in the District, and 500,000 people all over the country are on the eligible civil-service list, making a total of nearly 1,000,000 who are eligible civil-service workers who are not now employed in the Government.

I earnestly hope that the bill, if it cannot be amended to include open, competitive examinations for the civil service, will not be passed tomorrow. Think of the injustice to the nearly 1,000,000 eligible civil-service workers all over the country. They worked for their examinations; they won their spurs, and yet if these non-civil-service persons are blanketed in, how manifestly unfair that will be. The examinations should be open, competitive examinations. [Applause.]

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent that on tomorrow, after the disposition of the business on the Speaker's table and the legislative program of the day, I may be permitted to address the House for 20 minutes on the Wheeler-Lea transportation bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

MORE ABOUT THE WEATHER

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, referred to the remarks of my friend from Mississippi, I may add that I have had a letter from the folks at Hot Springs, S. Dak., where they saw the thermometer change 80 degrees inside of 24 hours, going from 30 below to 50 above. These vagaries of the weather inspired the columnist in the Rapid City Daily Journal the other day to observe that some fears had been expressed that snow would cave in the dome of the Capitol. The writer said, however, that he had no fears on that score as long as Congress is in session to "raise the roof." [Laughter.]

Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and to include therein certain definitions of parity offered by the Sioux City Tribune.

Mr. RANKIN. Mr. Speaker, reserving the right to object, I wish the gentleman would tell us how that place got the name of Hot Springs.

Mr. CASE of South Dakota. Warm springs and streams make it the South Dakota banana belt where such a thing is possible. [Laughter.]

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

CALENDAR WEDNESDAY

The SPEAKER pro tempore. This is Calendar Wednesday. The Clerk will call the committees.

Mr. DE ROUEN (when the Committee on Public Lands was called). Mr. Speaker, by direction of the committee I may state that the committee has five more or less minor bills that we expect to call up.

I first call up, Mr. Speaker, the bill (H. R. 5688) to provide for the operation of the recreational facilities within the Chopawamsic recreational demonstration project, near Dumfries, Va., by the Secretary of the Interior through the National Park Service, and for other purposes.

Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

Mr. MARTIN of Massachusetts. Reserving the right to object, will the gentleman explain the bill?

Mr. DE ROUEN. I will be very pleased to do that, Mr. Speaker.

This proposed legislation would authorize the Secretary of the Interior to operate recreational facilities within the Chopawamsic recreational demonstration project located in Prince William and Stafford Counties, near Dumfries, Va., transferred to the said Secretary under the provisions of

Executive Order No. 7496, dated November 14, 1936, as part of the park system of the National Capital and its environs.

The area, which was very poor farm land, is located within 35 miles of Washington and constitutes an ideal recreational and camping area which is needed for organized camping facilities for various social service and other organizations such as the Associated Charities of Washington. Because of the lack of camping and recreational facilities in the National Capital, the development of the Chopawamsic area is endorsed by all of the social-service agencies of Washington and the various organizations dealing with youth movement.

During the period from October 1, 1937, to September 30, 1938, the area, which is in the process of development and consequently has but limited facilities, accommodated 1,876 campers and collected for the use of the facilities \$2,479.50 which sum was deposited in the Treasury to the credit of miscellaneous receipts. These campers represented the Boy Scouts, the Jewish Community Center, the Y. M. C. A., the Council of Social Agencies, the District of Columbia Cooperative League, and other local organizations.

Through the emergency conservation work program, camping facilities to serve approximately 7,500 people each season will be developed. The enlargement of the camp to meet the needs of the National Capital in this respect will result in an increase of revenue from the use of the facilities, and will necessitate the employment of a number of permanent employees for the maintenance, protection, and operation of the camp.

In the event it is found advantageous to operate the camping facilities indirectly, it is desired to have authority to enter into a contract or contracts with organizations such as the Community Chest, the Community Center, the Boys' Clubs, and so forth, or with reliable and qualified individuals. It is provided that the receipts derived from the operations of these recreational facilities shall be deposited in the Treasury to the credit of miscellaneous receipts.

Mr. MARTIN of Massachusetts. I withdraw my request, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana that the bill be considered in the House as in Committee of the Whole?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That hereafter the lands comprising the Chopawamsic recreational demonstration project transferred to the Secretary of the Interior by Executive Order No. 7496, dated November 14, 1936, shall be administered by the Secretary of the Interior through the National Park Service as part of the park system of the National Capital and its environs.

SEC. 2. The Director of the National Park Service, under the direction of the Secretary of the Interior, is authorized—

(a) To prescribe and collect fees and charges for such recreational and other facilities, conveniences, and services as may be furnished by the National Park Service for the accommodation of the public within the said area.

(b) To enter into a contract or contracts with any reliable person, organization, or corporation, without advertising and without securing competitive bids for the operation or performance of any such recreational or other facilities, conveniences, and services within the said area.

All revenues collected by the National Park Service, pursuant to the authority of this section, shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts.

SEC. 3. The Director of the National Park Service, under the direction of the Secretary of the Interior, is authorized to exercise and perform with respect to the said area all the powers and duties that are conferred and imposed upon him by law in relation to the construction, maintenance, care, custody, policing, upkeep, and repair of the public buildings and parks in the District of Columbia.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

LIMITATION OF COST OF CONSTRUCTION OF BUILDINGS IN NATIONAL PARKS

Mr. DEROUEN. Mr. Speaker, I call up the bill (S. 2624) to amend the act of August 24, 1912 (37 Stat. 460), as amended, with regard to the limitation of cost upon the construction of buildings in national parks, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the limitation of cost upon the construction of any administration or other building in any national park without express authority of Congress, contained in the act approved August 24, 1912 (37 Stat. 460), as amended by the act of July 1, 1918 (40 Stat. 677), is hereby increased from \$1,500 to \$3,000.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. DEROUEN. Yes.

Mr. RICH. Does that give the Department the right to increase the construction cost of any particular buildings from \$1,500 to \$3,000?

Mr. DEROUEN. Not necessarily. It does this: The construction facilities in the various parks throughout the United States have not been reviewed and increased in 21 years—not since 1918. The first act of 1912 fixed the limitation at \$1,000 on this type of construction. The construction is for the repair of buildings, and buildings of small facilities. Then, in July 1918, the limitation was raised to \$1,500. Therefore 21 years elapsed, when the cost of materials and labor very greatly increased.

Mr. RICH. Does it state that the Department has the right to increase the cost of buildings?

Mr. DEROUEN. The Congress fixed the limitation at \$1,500, not higher.

Mr. RICH. The gentleman does not mean to say that we have not spent any money on parks? We have spent more money on parks in the last 7 years than had been theretofore spent on parks in the last 50 years.

Mr. DEROUEN. That may be true. I have not any remarks to make about that; but I do feel this is justified because the cost of construction and labor has increased. Therefore we should do it in this case, because we have done it for the other departments.

Mr. RICH. What we have to do is to be careful that we do not give the departments discretionary power to spend more and more money, because the gentleman will find that the cost of the upkeep of the parks that he has established and increased the size of in the last 5 years will be a great burden on the taxpayers of the country.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. DEROUEN. Yes.

Mr. O'CONNOR. To say this to the gentleman from Pennsylvania [Mr. RICH]: No construction can be done at all without a special appropriation for it, regardless of the fact that the limit of cost is increased from \$1,500 to \$3,000. There would have to be special appropriation by Congress just the same.

Mr. DEROUEN. That is true.

Mr. LEWIS of Colorado. And what type of buildings are these?

Mr. DEROUEN. These are small buildings.

Mr. LEWIS of Colorado. Shelters, and so forth?

Mr. DEROUEN. Shelters, and so forth; accommodations for the public. Those that we have there now are dilapidated.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

A similar House bill was laid on the table.

ADMINISTRATION AND MAINTENANCE OF BLUE RIDGE PARKWAY

Mr. DEROUEN. Mr. Speaker, I call up the bill H. R. 4282, to amend the act of June 30, 1936 (49 Stat. 2041), providing for the administration and maintenance of the Blue Ridge Parkway, in the States of Virginia and North Carolina, by the Secretary of the Interior, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

Mr. RANDOLPH. Mr. Speaker, I reserve the right to object. I shall not object, but I do this for the purpose of calling to the attention of the membership the fact that the

microphones used on this floor are not being properly amplified so that the voices of those who speak into them can be heard by the other Members. I trust the gentleman who handles that will see to it that the voice is amplified to a greater extent than is now being done.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. RICH. Mr. Speaker, I would like to know what this bill is about.

Mr. DEROUEN. Mr. Speaker, this proposed legislation would extend the same provisions of law to the Blue Ridge Parkway which were extended by Congress over the Natchez Trace Parkway by the act of May 18, 1938 (52 Stat. 407). The administration of both the Blue Ridge and Natchez Trace Parkways has been placed under the jurisdiction of this Department, and under the terms of this proposed legislation uniform provisions of law would apply to both parkways.

Under the proposal herein recommended the Blue Ridge Parkway Act of June 30, 1936 (49 Stat. 2041), would be amended in two particulars: First, by authorizing the extension of the width of the parkway beyond the 200-foot limit prescribed in the above-mentioned act, where the parkway runs through Government-owned lands and where small parcels of Government-owned lands would otherwise be isolated, or where topographic conditions or scenic requirements are such that bridges, ditches, cuts, fills, parking overlooks, and landscape development could not reasonably be confined to a width of 200 feet; second, the above-mentioned act would be amended by authorizing the Secretary of the Interior to issue revocable licenses or permits for rights-of-way across and upon parkway lands, or for the use of parkway lands by the owners or lessees of adjacent lands for such purposes and under such nondiscriminatory terms, regulations, and conditions as he may determine to be not inconsistent with the use of such lands for parkway purposes.

In some instances a relatively small parcel of land under the administration of another department is isolated or segregated from the main reservation by projecting the parkway through such reservation and, as administrative difficulties are frequently encountered by the department or agency having a small portion of its lands so isolated or separated from the main reservation, it may in some cases be preferred to administer such small parcels of land as a part of the parkway. In some instances the topography of the land will not permit parkway standards to be maintained on a width of only 200 feet. This is particularly true when extensive ditches, cuts, and fills are necessary. In addition, scenic requirements cannot be maintained on a 200-foot limitation in the width of the parkway.

The construction of the Blue Ridge Parkway was commenced under the authority of title II of the National Industrial Recovery Act of June 16, 1933 (49 Stat. 195). After the parkway rights-of-way had been conveyed to the United States it became apparent that it would be in the interest of the United States to authorize former landowners and adjacent landowners to use parkway lands for agricultural and residential purposes where such uses were not inconsistent with the parkway development program. In other cases it was necessary to authorize the use of parkway lands for ingress and egress by adjacent landowners whose lands had been severed by the parkway. It was also found necessary to permit the use of parkway lands for public-utility crossings. While the parkway lands were administered pursuant to the terms of the National Industrial Recovery Act, there was authority to authorize the use of parkway lands for these purposes. However, the Blue Ridge Parkway is now being administered and maintained, pursuant to the provisions of the act of June 30, 1936, by the National Park Service, subject to the provisions of the act of August 25, 1916 (39 Stat. 535), as amended, and it is doubtful whether the parkway lands may be authorized to be used for the purposes described above. The proposed legislation, in addition to authorizing the widening of the parkway in certain cases,

would remove existing doubt as to the authority to grant leases and licenses for the stated purposes.

The Clerk began the reading of the bill.

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent that the further reading of the bill be dispensed with.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. DEROUEN. I yield.

Mr. RICH. I would like to ask the gentleman, if you are going to grant this permission to the Blue Ridge Parkway and the Natchez Trace to extend that width beyond 200 feet, what does the Public Lands Committee feel will be necessary for the Federal Government to do to improve it as is planned by the parkway?

Mr. DEROUEN. I do not think this adds anything. This really is facilitating and aiding the two agencies, because the development does not require any additional land. This land is Government-owned. This is merely correlating the two agencies of the Department of Agriculture in all of these lands.

Mr. ROBERTSON. Mr. Speaker, will the gentleman yield?

Mr. DEROUEN. I yield.

Mr. ROBERTSON. I am quite familiar with what is involved in this bill. From the Department's standpoint, it is just an administrative matter. In the first place, it gives the Department the same powers it now has with respect to the Natchez Trace—that is in some instances if their plans for recreational development might require a little more than the 200 feet—and it only deals with public lands, mind you.

Mr. RICH. It only deals with public lands?

Mr. ROBERTSON. That is right. The Forest Service could let them go over a few feet; or this parkway might strike a piece of forest land that leaves a little triangle, and the Forest Service would much prefer to have the Park Service administer it. It involves no additional expense or financing of any kind. It is administrative. But from the standpoint of the people of Virginia, North Carolina, and Tennessee there is a vital provision in this bill in which we are deeply interested. It has been the practice of the Park Service to limit the crossing right of the Blue Ridge Parkway to those roads reserved as crossing roads in the deeds of conveyance from the States to the Federal Government. That has shut off a lot of private adjoining landowners who had private roads that they used to go out with. This bill will authorize the Secretary of the Interior to grant revocable permits to that private landowner to cross the Blue Ridge Parkway to get out with his farm products and with his normal travel.

Mr. RICH. Then you are not going to block the private owner from getting across the parkway?

Mr. ROBERTSON. This is to permit them to get out and that is the reason we are so vitally interested. We have a lot of them tied up right now.

Mr. RICH. Are you figuring on making any overhead crossings to speak of that will cost additional funds?

Mr. ROBERTSON. None whatever. Of course, the Park Service has been insisting on the State highway department, when they convey a right-of-way that excludes some adjoining landowner from his normal outlet, to provide him an outlet somewhere else. But that has frequently proven to be expensive. However, if there is any additional expense, it falls upon the State and not upon the Federal Government. This merely authorizes overhead crossings at grade level.

Mr. RICH. As far as the Federal Government is concerned, you figure that because of this bill you are not going to put any more burdens on the Federal Government for the Natchez Trace and Blue Ridge Parkway?

Mr. ROBERTSON. We are not going to put any financial burdens on, but we are going to lift what we think are some unnecessary restrictions upon the people.

Mr. RICH. Well, the people who wanted this were the people in Virginia, North Carolina, and Tennessee. You fellows came in here with tears in your eyes and got us to make this appropriation. Now you find you have got yourselves into a little trouble and you want to get out the best way you can. But what we want to know is that the people in Pennsylvania

are not going to pay any more for your people down there to be accommodated.

Mr. ROBERTSON. Not one red cent.

Mr. LAMBERTSON. Mr. Speaker, I reserve the right to object, and I think I will object. I want to ask the gentleman from Pennsylvania what more burden do you want than the few hundred millions that are already authorized?

Mr. RICH. I do not want any burden.

Mr. LAMBERTSON. It is one of the crimes of the ages—this Natchez Trace and Skyline Drive. Now the Government has built enough miles of the Skyline Drive for the people of Washington and the tourists to ride over and see the Blue Ridge Mountains on their crest. It is one of the wildest dreams of the New Deal that we ever authorized this thing—500 miles long to the Great Smoky Mountains and the Natchez Trace hooked up with it. The first crime came when the money was taken from relief money without authorization. I think this whole thing and the expenditures that we are fixing on the United States for its future is one of the crimes of the last few years, and I object to anything that facilitates it.

Mr. ROBERTSON. Mr. Speaker, will the gentleman yield for a question?

The SPEAKER pro tempore. The gentleman only objects to dispensing with further reading of the bill. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act to provide for the administration and maintenance of the Blue Ridge Parkway, in the States of Virginia and North Carolina, by the Secretary of the Interior, and for other purposes," approved June 30, 1936 (49 Stat. 2041), be amended to read as follows:

"That all lands and easements heretofore or hereafter conveyed to the United States by the States of Virginia and North Carolina for the right-of-way for the projected parkway between the Shenandoah and Great Smoky Mountains National Parks, together with sites acquired or to be acquired for recreational areas in connection therewith, and a right-of-way for said parkway of a width sufficient to include the highway and all bridges, ditches, cuts, and fills appurtenant thereto, but not exceeding a maximum of 200 feet through Government-owned lands (except that where small parcels of Government-owned lands would otherwise be isolated, or where topographic conditions or scenic requirements are such that bridges, ditches, cuts, fills, parking overlooks, and landscape development, could not reasonably be confined to a width of 200 feet, the said maximum may be increased to such width as may be necessary, with the written approval of the department or agency having jurisdiction over such lands) as designated on maps heretofore or hereafter approved by the Secretary of the Interior, shall be known as the Blue Ridge Parkway and shall be administered and maintained by the Secretary of the Interior through the National Park Service, subject to the provisions of the act of Congress approved August 25, 1916 (39 Stat. 535), entitled "An act to establish a National Park Service, and for other purposes," the provisions of which act, as amended and supplemented, are hereby extended over and made applicable to said parkway: *Provided*, That the Secretary of Agriculture is hereby authorized, with the concurrence of the Secretary of the Interior, to connect with the parkway such roads and trails as may be necessary for the protection, administration, or utilization of adjacent and nearby national forests and the resources thereof: *And provided further*, That the Forest Service and the National Park Service shall, insofar as practicable, coordinate and correlate such recreational development as each may plan, construct, or permit to be constructed, on lands within their respective jurisdictions which, by mutual agreement, should be given special treatment for recreational purposes.

"Sec. 2. In the administration of the Blue Ridge Parkway, the Secretary of the Interior may issue revocable licenses or permits for rights-of-way over, across, and upon parkway lands, or for the use of parkway lands by the owners or lessees of adjacent lands, for such purposes and under such nondiscriminatory terms, regulations, and conditions as he may determine to be not inconsistent with the use of such lands for parkway purposes.

"Sec. 3. The Secretary of the Interior is hereby authorized, in his discretion, to approve and accept, on behalf of the United States, title to any lands and interests in land heretofore or hereafter conveyed to the United States for the purposes of the Blue Ridge or the Natchez Trace Parkways, or for recreational areas in connection therewith."

With the following committee amendments:

Page 2, line 11, strike out the word "and", and after the word "development" insert "recreational and other facilities requisite to public use of said parkway."

The amendments were agreed to.

Mr. LAMBERTSON. Mr. Speaker, I am objecting to the passage of the bill if it is proper to do so now, or shall object to it at the proper time.

The SPEAKER pro tempore. This is not a question of unanimous consent. The bill is called up under Calendar Wednesday rules in the regular way.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GREAT SMOKY MOUNTAINS NATIONAL PARK

Mr. DEROUEN. Mr. Speaker, I call up the bill (H. R. 6813) to accept the cession by the States of North Carolina and Tennessee of exclusive jurisdiction over the lands embraced within the Great Smoky Mountains National Park, and for other purposes.

The Clerk read the title of the bill.

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of the act of the Legislature of the State of North Carolina, approved March 18, 1929, and the act of the Legislature of the State of Tennessee, approved April 12, 1929, ceding to the United States exclusive jurisdiction over and within certain lands within said States as may be acquired for the Great Smoky Mountains National Park are hereby accepted and sole and exclusive jurisdiction is hereby assumed by the United States over such lands, saving, however, to the State of North Carolina and to the State of Tennessee, respectively, the right to serve civil or criminal process within the limits of the area ceded by such State in suits or prosecutions for or on account of any rights acquired, obligations incurred, or crimes committed in such State outside of said park; and saving further to each such State the right to tax persons and corporations, their franchises and property on the lands included in such ceded area; and saving also to the persons residing in said park now, or hereafter, the right to vote at all elections held within the county in which they reside; and saving further to each such State the right to tax sales in such ceded area of gasoline and other motor-vehicle fuels and oil for use in motor vehicles. All laws applicable to places under the sole and exclusive jurisdiction of the United States, including section 289 of the Criminal Code, as amended (18 U. S. C. 468), shall have force and effect in said park. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in either the State of North Carolina or Tennessee.

SEC. 2. That the portion of said park located in the State of North Carolina shall constitute a part of the United States judicial district for the western district of North Carolina and the portion of said park located in the State of Tennessee shall constitute a part of the United States judicial district for the eastern district of Tennessee, and the district court of the United States in and for each such district shall have jurisdiction over all offenses committed within the ceded area of the said park in such district.

SEC. 3. That all hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park; nor shall any fish be taken out of any of the waters of the said park, in any other way than by hook and line, and then only at such seasons and at such times and in such manner as may be directed by the Secretary of the Interior. The Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonderful objects within said park, and for the protection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the said park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the said park. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this act. Any person or persons, stage or express company, railway or other transportation company, who knows or has reason to believe that such wild birds, fish, or animals were taken or killed contrary to the provisions of this act or the rules and regulations promulgated by the Secretary of the Interior, and who receives for transportation the dead bodies or any part thereof of the wild birds, fish, or animals so taken or killed, or who shall violate any of the other provisions of this act, or the rules and regulations, with reference to the management and care of the said park, or for the protection of the property therein for the preservation from injury or spoliation of timber, mineral deposits, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, and fish in said park, or who shall within said park commit any damage, injury, or spoliation to or upon any building, frame, sign, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits, natural curiosities, or other matter or

thing growing or being thereon, or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than \$500 or imprisonment not exceeding 6 months, or both, and be adjudged to pay all the costs of the proceedings.

Sec. 4. That all guns, traps, nets, seines, fishing tackle, teams, horses, or means of transportation of every nature or description used by any person or persons within the limits of said park when engaged in killing, trapping, ensnaring, taking, or capturing such wild birds, fish, or animals contrary to the provisions of this act or the rules and regulations promulgated by the Secretary of the Interior, shall be forfeited to the United States and may be seized by the officers in said park and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this act, and upon conviction under this act of such person or persons using said guns, traps, nets, seines, fishing tackle, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment prescribed in this act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior: *Provided*, That the forfeiture of teams, horses, or other means of transportation shall be in the discretion of the court.

Sec. 5. That upon the recommendation and approval of the Secretary of the Interior of a qualified candidate the United States District Court for the Western District of North Carolina and the United States District Court for the Eastern District of Tennessee shall jointly appoint a commissioner, who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes, authorized by this act. Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with the commission of any misdemeanor, or charged with a violation of the rules and regulations, or with a violation of any of the provisions of this act prescribed for the government of said park and for the protection of the animals, birds, and fish in said park, and to try the person so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed. In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States District Court for the Western District of North Carolina, or the United States District Court for the Eastern District of Tennessee, respectively, depending upon the district in which the particular land in said park on which the offense shall have taken place is located; and the United States district courts in the aforementioned districts shall jointly prescribe the rules of procedure and practice for said commissioner in the trial of cases and for appeal to said United States district courts.

Sec. 6. That such of the United States commissioners for the western judicial district of North Carolina and the eastern judicial district of Tennessee as may be designated for the purpose, upon the recommendation of the Secretary of the Interior, by the respective district courts for such districts shall have authority to exercise the same jurisdiction with respect to offenses against law and the rules and regulations made in pursuance thereof, committed within their respective judicial districts, as the park commissioner provided for in this act is authorized to exercise.

Sec. 7. That the park commissioner provided for in this act shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission within said park of any criminal offense not covered by the provisions of section 3 of this act, to hear the evidence introduced, and, if he is of the opinion that probable cause is shown for holding the person so charged for trial, shall commit such person for further appropriate action, and certify a transcript of the record of his proceedings and the testimony in such case to the particular district court, which court shall have jurisdiction of the case: *Provided*, That the said commissioner may grant bail in all cases according to the laws of the United States.

Sec. 8. That process issued by such commissioner shall be directed to the marshal of the United States for the western district of North Carolina or for the eastern district of Tennessee, as the case may be, but nothing herein contained shall be so construed as to prevent the arrest by any officer or employee of the Government or any person employed by the United States, without process, of any person taken in the act of violating the law or this act or the regulations prescribed by the said Secretary as aforesaid.

Sec. 9. That the park commissioner provided for in this act shall be paid an annual salary, as appropriated for by Congress: *Provided*, That the said commissioner shall reside within the exterior boundaries of the Great Smoky Mountains National Park or at a place reasonably adjacent to the park, the place of residence to be designated by the Secretary of the Interior.

Sec. 10. That all fees, costs, and expenses arising in cases under this act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States.

Sec. 11. That all fees, fines, and costs and expenses imposed and collected shall be deposited by the commissioner, or by the marshal of the United States collecting the same, with the clerk of the respective United States district courts for either the western district of North Carolina or the eastern district of Tennessee, depending upon the district in which the offense for which collection is made shall have taken place.

Sec. 12. That the Secretary of the Interior shall notify in writing the Governors of the States of North Carolina and Tennessee of

the passage and approval of this act, and of the fact that the United States assumes police jurisdiction over said park as specified in said acts of the States of North Carolina and Tennessee.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALE OF CERTAIN PUBLIC LANDS IN ALASKA

Mr. DEROUEN. Mr. Speaker, I call up the bill (H. R. 6658) to authorize the lease or sale of certain public lands in Alaska, and for other purposes, and ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the sections numbered 16 and 36 in Tps. 17 and 18 N., Rs. 1 and 2 E. Seward meridian, Alaska, are hereby released from the reservation thereof made by the act of March 4, 1915 (38 Stat. 1214), for the support of the common schools in the Territory of Alaska, and in lieu of the lands so released an equal area of vacant, nonmineral, surveyed, unreserved, public lands in the Territory of Alaska may be designated and reserved for the support of the common schools in the Territory of Alaska in the manner provided by the act of February 28, 1891 (26 Stat. 796), as amended.

Sec. 2. The Secretary of the Interior is hereby authorized, in his discretion, to lease, or to sell at not less than \$1.25 per acre, under such rules and regulations and upon such terms and conditions as he may prescribe, the lands released from reservation by section 1 of this act and the public lands in Tps. 17 and 18 N., Rs. 1 and 2 E.; secs. 25, 26, 27, 31, 32, 33, 34, and 35, T. 17 N., R. 1 W.; secs. 3, 4, 5, 6, and 7, T. 16 N., R. 1 W.; secs. 1 to 11 and 12, T. 16 N., R. 2 W., Seward meridian, Alaska: *Provided, however*, That all patents and leases issued under the provisions of this act shall contain a reservation to the United States of the oil, gas, and other mineral deposits, together with the right to prospect for, mine, and remove the same under such regulations as the Secretary of the Interior may prescribe. The provisions of this section are subject to valid existing rights.

With the following committee amendments:

Page 2, line 1, after the parenthesis, strike out the comma and the word "as" and insert a period.

Page 2, line 2, strike out the word "amended," and the period.

Page 2, strike out all of line 11 and insert in lieu thereof, "16 north, range 1 west; sections 1, 2, 11, and 12, township."

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PUBLIC LANDS IN ALASKA

Mr. DEROUEN. Mr. Speaker, I call up the bill (H. R. 7252) to authorize the Secretary of the Interior to sell or lease for park or recreational purposes, and to sell for cemetery purposes, certain public lands in Alaska.

The Clerk read the title of the bill.

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized, under such rules and regulations as he may prescribe, to appraise and sell, or to lease, to any incorporated city or town in Alaska, for park or recreational purposes, not to exceed 160 acres of vacant and unreserved public lands in the Territory, which, in his opinion, are reasonably accessible to such city or town, and to appraise and sell to any such city or town, for cemetery purposes, not to exceed 80 acres of such land: *Provided*, That each patent issued under the provisions of this act shall contain a reservation to the United States of the coal and other mineral deposits in the land conveyed, together with the right to prospect for, mine, and remove the same, under rules and regulations issued by the Secretary of the Interior.

Sec. 2. From and after the date of enactment of this act, the act of September 30, 1890 (26 Stat. 502), shall not apply to the Territory of Alaska.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. DEROUEN. Mr. Speaker, that completes the business of the Committee on the Public Lands.

Mr. Speaker, I ask unanimous consent that further proceedings under the Calendar Wednesday rule be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

EXTENSION OF REMARKS

Mr. HARTER of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address on the American aviation industry today by Col. John H. Jewett, president of the Aeronautical Chamber of Commerce of America, Inc., delivered January 27, 1940, over the Mutual Broadcasting System.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RANKIN. Mr. Speaker, I was allotted 30 minutes in which to address the House today at the conclusion of the legislative program for the day. Has the legislative program been concluded?

The SPEAKER pro tempore. It has not.

RESIGNATION FROM COMMITTEES

The SPEAKER pro tempore laid before the House the following resignation from committees:

FEBRUARY 7, 1940.

HON. WILLIAM B. BANKHEAD,
Speaker, House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: Herewith I wish to tender my resignation from the following committees: World War Veterans' Legislation, District of Columbia, Insular Affairs, Patents, and Census, in order to become a member of the Interstate and Foreign Commerce Committee.

Cordially yours,

RUDOLPH G. TENEROWICZ, M. C.

The SPEAKER pro tempore. Without objection, the resignation will be accepted.

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On January 31, 1940:

H. J. Res. 419. Joint resolution to extend, for 3 additional months, the time during which articles imported free of duty for exhibition at the Golden Gate International Exposition or the New York World's Fair may be sold or abandoned.

On February 1, 1940:

H. R. 7293. An act to amend section 355 of the Revised Statutes, as amended, to make permissive the acquisition of legislative jurisdiction over land or interests in land acquired by the United States.

H. R. 7342. An act to amend the Emergency Farm Mortgage Act of 1933, as amended.

STATE, COMMERCE, JUSTICE, AND THE JUDICIARY APPROPRIATION BILL, 1941

Mr. CALDWELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 8319) making appropriations for the Departments of State, Commerce, and Justice, and for the judiciary, for the fiscal year ending June 30, 1941, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8319, State, Commerce, Justice, and the judiciary appropriation bill, 1941, with Mr. BEAM in the chair.

The Clerk read as follows:

Salaries: For Secretary of State—Under Secretary of State, \$10,000; Counselor, \$10,000; and other personal services in the District of Columbia, including temporary employees, and not to exceed \$6,500 for employees engaged on piece work at rates to be fixed by the Secretary of State; \$2,450,000: *Provided*, That in expending appropriations or portions of appropriations, contained in this act, for the payment of personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the four Assistant Secretaries of State and the Legal Adviser of the Department of State, the Assistant to the Attorney General, the Assistant Solicitor General, and six Assistant Attorneys General, the Assistant Secretaries of Commerce, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such act, or (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, or (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Mr. CALDWELL. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. CALDWELL: Page 2, line 8, strike out "\$2,450,000" and insert in lieu thereof "\$2,458,000."

Mr. CALDWELL. Mr. Chairman, the purpose of the amendment is to make this figure allowed the State Department conform to that given other departments of the Government.

The Committee amendment was agreed to.

The Clerk read as follows:

Salaries, ambassadors and ministers: For salaries of ambassadors and ministers, including salaries as authorized by section 1740, Revised Statutes, as amended by the act of April 24, 1939 (53 Stat. 583), as follows: Ambassadors Extraordinary and Plenipotentiary to Argentina, Brazil, Chile, China, Colombia, Cuba, France, Germany, Great Britain, Italy, Japan, Mexico, Panama, Peru, Poland, Spain, Turkey, Union of Soviet Socialist Republics, and Venezuela, at \$17,500 each.

Mr. McCORMACK. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. McCORMACK: Page 6, line 10, after the word "Turkey", strike out the words "Union of Soviet Socialist Republics."

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

Mr. McCORMACK. Mr. Chairman, there are two other amendments relating to this particular subject, one on page 7 and the other on page 17, which I expect to offer. It seems to me it would be advisable to consider these three amendments together because they cover the same subject matter, and if we offer the three of them together, instead of having the three different amendments offered three times and having three fights, we can have the question settled on one occasion.

Mr. Chairman, I ask unanimous consent that the other two amendments may be reported for the information of the House.

The CHAIRMAN. Without objection, the Clerk will report the other two amendments.

The Clerk read as follows:

Page 7, line 3, strike out "\$660,000" and insert in lieu thereof "\$642,500."

Page 17, after line 14, insert "Provided, That no appropriation contained under the caption 'foreign intercourse' shall be used for the maintenance of an embassy of the United States in the Union of Soviet Socialist Republics or for salaries or any character of expense, other than salaries, for the maintenance of any office or officer of the United States State Department in the Union of Soviet Socialist Republics."

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that these three amendments may be considered together.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

Mr. CALDWELL. Mr. Chairman, reserving the right to object, I see no objection to discussing the three amendments at this time and confining the discussion of those amendments to this particular time, with the provision that when those points are reached in the bill the amendments will be voted upon without further discussion. With that understanding I am perfectly content to go along and discuss them now.

Mr. McCORMACK. Mr. Chairman, I cannot agree to that. I think the three amendments are in fact only one amendment. It is necessary to offer three different amendments because the particular matter to be amended is contained on three different pages of the bill. We ought to vote on them on only one occasion or else we will have separate fights on each one of them.

Mr. CALDWELL. I think perhaps we would be willing to discuss all of them at this time and vote on the amendments without further discussion later, but it would be proper to take them up only one at a time.

Mr. McCORMACK. It seems to me this is for the gentleman's own benefit. I am offering this unanimous-consent request for the benefit of the gentleman who is in charge of the bill.

Mr. CARTER. Mr. Chairman, reserving the right to object, I think these amendments should be taken up in the order in which we reach them, thus disposing of them in the regular orderly way.

Mr. McCORMACK. All right. I withdraw my unanimous-consent request.

Mr. DINGELL. Mr. Chairman, will the gentleman from Massachusetts yield?

Mr. McCORMACK. I yield to the gentleman from Michigan.

Mr. DINGELL. Are we going to have an opportunity to discuss the amendment which the gentleman intends to propose? I would like to be heard.

Mr. FISH. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from New York.

Mr. FISH. May I ask the gentlemen in charge of the bill on both sides whether liberal debate will be had in view of the fact this is a very important amendment? It has to do with the question of recognition of Soviet Russia, nothing else or nothing more. It is a matter that should be discussed in detail on its merits and demerits. I think the gentleman from Massachusetts ought to have more than 5 minutes to present this matter, and others who want to be heard should have ample time.

Mr. CALDWELL. I may say to the gentleman that this is not the place for the matter to be taken up, nor should it be considered here. This is not the bill under which we should discuss whether we are going to recognize or fail to recognize Russia.

Mr. McCORMACK. Mr. Chairman, I am not yielding for the gentleman from Florida to make his argument in my time. The question had to do with liberal debate. Mr. Chairman, I ask unanimous consent that I may proceed for 1½ minutes additional.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

Mr. CALDWELL. Mr. Chairman, reserving the right to object, may I ask the Chair to state the time remaining for the gentleman from Massachusetts?

The CHAIRMAN. The gentleman from Massachusetts has eight and a half minutes remaining.

Mr. CALDWELL. What was the unanimous-consent request?

The CHAIRMAN. The gentleman from Massachusetts asked unanimous consent to proceed for an additional one and a half minutes. Is there objection to the request?

Mr. CALDWELL. I have no objection, but I shall object to any further extension of time.

Mr. McCORMACK. Mr. Chairman, this is a very important and a very serious matter. In offering these amendments I do so only after profound consideration.

The purpose of the pending amendment is to prevent any money appropriated in this bill being used for the payment of the salary of the Ambassador to the Soviet Union, the nation which we all know is more commonly described as Communist Russia. The chairman of the subcommittee has suggested that this is not the proper place to consider this question. He let out his argument in response to a question from the gentleman from New York [Mr. FISH]. This is the proper place. We have the responsibility of appropriating money. True, the question of diplomatic relationship in itself rests with the executive branch of the Government, but under the Constitution we have the power of expressing our own views as a body when appropriation bills are under consideration. In rare cases, such as in the case of the Soviet Union, we are justified in exercising our constitutional power.

The argument that this is not the place for this question to be discussed certainly is irrelevant if advanced from a constitutional angle, because the framers of the Constitution left it with Congress to appropriate money. If Congress has the power to appropriate money, Congress has the power not to appropriate money for any particular purpose.

What are the circumstances which prompted me? In 1933 the Soviet Union was recognized in a semidiplomatic manner, as a result of the so-called Litvinov agreement. In this agreement the Soviet Union as a government gave its express and solemn promise to the Government of the United States and to our people that they would not permit "the formation or residence on the territory of the Soviet Union of any organization or group, and that they would prevent the activity on that territory of any organization or group or any representatives or officials of any organization or group which has as an aim the overthrow or preparation for overthrow or the bringing about by force of a change in the political or social order of the whole or any part of the United States, its Territories, or possessions."

This is a promise made by the Soviet Union to our Government. This promise was broken within 1 month after it was made. This promise has been repeatedly broken ever since it was made. The gentleman from New York [Mr. FISH], who was chairman of the special committee that investigated subversive activities, brought out evidence of a direct connection between the American section of the Communist Party and the Third International and the Communist Party of Russia, which is the backbone of that Government, and found that Russia was injecting itself directly into the internal affairs of the United States by furnishing money and contributing in every way possible to that which they hope for, the ultimate overthrow of our Government. The committee of which I was chairman uncovered the same type of evidence of the activity directly in our country of the Third International and the Soviet Government, collaborating with the American section of the Communist Party in their effort to obtain their ultimate objective, of the overthrow of our Government by force and violence.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from New York.

Mr. ANDREWS. Is it not entirely within the power of the President to accomplish what the gentleman desires and what most of us desire?

Mr. McCORMACK. If the gentleman will remember my views—and I speak my own views and I criticize no one, and

when I have fixed views I have the courage to attempt to express them and to carry them into operation—I called several months ago for the recall of the American Ambassador when an official of the Russian Government undertook to affect public opinion in the United States on a domestic question. I would not care how it was done, even though he might have made a speech with reference to a domestic matter along lines with which I might have agreed, a soviet official has no right to do that, or the official of any other government.

To give the gentleman a direct answer, yes; but we do not want any political aspects to the consideration of this question today if we can avert it. Let us look at it from our own angle as Members of Congress, determined to do our duty as we see it, whether or not we are going to vote an appropriation to maintain an American Ambassador to the Soviet Union, when we know, and every American knows, that the Soviet Union has repeatedly breached its solemn obligation, and when every American knows that the Soviet Union is doing everything within its power to overthrow established government not only here but throughout the entire world.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. Could we not make provision to export the present Communist Soviet Ambassador, who is now in the Nation's Capital, at the same time as we do this?

Mr. McCORMACK. I am trying to address the Committee from the angle that I think is most appropriate on this occasion. I am sure the gentleman from Wisconsin can adequately answer that question. I am sure, also, that if this amendment is adopted, the Soviet Ambassador to the United States will probably be called back to Moscow.

There is a very compelling reason behind my offering this amendment. The Fish committee, the McCormack committee, the Dies committee uncovered evidence warranting it. Within the last year our Government has made protests on a number of occasions to the Soviet Union because of their breaching not only this solemn obligation but other rights possessed by citizens of the United States under international law, and they have all been pigeon-holed. We saw the spectacle the other day when The Assistant Secretary of War made a speech, as he had a right to, and referred to the people of Russia as serfs—and such a reference can be found in history; it is not necessarily an adverse characterization; history records it—we witnessed the Soviet Ambassador going down to the State Department to enter a protest against that mild characterization.

Mr. KERR. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from North Carolina.

Mr. KERR. I understood the gentleman to say that the recommendations of the several committees which have made investigations were pigeonholed.

Mr. McCORMACK. No.

Mr. KERR. That is what the gentleman said.

Mr. McCORMACK. No; if I did say it, I am glad the gentleman has corrected me. I referred to the protests of the American Government to the Soviet Union.

Mr. KERR. I wanted to find out, if I could, who pigeonholed these reports. The gentleman says he did not say they were pigeonholed?

Mr. McCORMACK. I said the protests of our Government to the Soviet Union have been pigeonholed.

Mr. KERR. I may have misunderstood the gentleman.

Mr. McCORMACK. I am pleased to have any misunderstanding removed.

Mr. KERR. I understood the gentleman to say that these reports had all been pigeonholed.

Mr. McCORMACK. No; I said that the Fish committee, the McCormack committee, and the Dies committee have shown by incontrovertible, sworn evidence that the Soviet Union and the Third International and the Communist Party

of Russia have violated a solemn obligation made by the Soviet Government to our Government.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Wisconsin.

Mr. KEEFE. I hope the gentleman has observed in the press that the United States district attorney at Detroit just recently has uncovered and produced evidence to the grand jury which has resulted in the indictment of those operating directly with funds furnished by the Soviet Union and its organization to enlist men, in violation of our law, to go over and fight in Spain.

Mr. McCORMACK. Exactly.

Mr. KEEFE. And those people have been indicted because of such an absolute and flagrant violation of our law.

Mr. McCORMACK. Exactly. Furthermore, three were indicted in the District of Columbia for violation of the Foreign Propaganda Registration Act, which my special committee recommended and I had the honor and pleasure of drafting and filing. There is no question about the violation. The only question is whether or not we have the courage to carry out not only our own personal feelings but the feelings of the American people by failing to appropriate this money. [Applause.]

[Here the gavel fell.]

Mr. BOLLES. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I understand that the amendments offered here, the one under discussion now and the two additional ones, are the result, in a measure, of a resolution that I introduced in the House, which was practically the first one entered on the House calendars at the beginning of this session. This resolution provided for the same things which these amendments provide.

The only way to strike at Russian recognition is through this appropriation bill. In the first place, recognition of Russia was had without any congressional action; without any support by the Senate; without any ordinary movement of any of the operating forces which had been in opposition to such recognition; in fact, there was not and never has been used the words "recognition of Russia" in the document, and the only thing that showed that we had recognized Russia was the placing of an Ambassador in Moscow. Not only did we not recognize Russia in the ordinary way, but we did it through a series of letters between the President of the United States and Commissar Litvinov. He had hardly gone away from the National Capital, after discussing these things with the President and making promises, when he began to violate them. Up until the establishment of an Embassy of Russia in the United States, the Amtorg, a supposedly commercial organization, was the one which operated for Russia.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. BOLLES. I yield to the gentleman from Pennsylvania.

Mr. RICH. Can the gentleman conceive of any reason why the administration should recognize Russia without the consent of the Congress?

Mr. BOLLES. Yes; I can. I think it was thought at the time—I do not contend that I am a mind reader—there was a great deal of controversy over whether we should recognize the Soviet or not, and, while the President has the power, yet the ordinary procedure with respect to a matter of that importance would be to have the Senate first pass upon it. But the President just did it.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. BOLLES. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. Following the thought of the gentleman, may I suggest that perhaps the reason for recognition, although not valid in the gentleman's own mind, was that Litvinov, acting for Russia and the Soviet Government of that country, gave certain promises to those who handled the United States negotiations. The gentleman is aware also that any promises which were made have been broken.

Mr. BOLLES. Not only that, but among some of the other promises was one to meet some of the debts that

Russia owed or an acknowledgment of the debt, and, also, that we should have no further subversive action here. This has been shown by the McCormack committee and the others, yet the Amtorg was the salesman for the Soviet Government in the United States and through it, and through that commercial organization it was stimulating the subversive organizations here from Boardman, in Michigan, to other places through the support of divers and sundry newspapers and various pieces of literature, the distribution of which literature was paid for from the funds of the Amtorg—the Russian organization in America.

When we established an embassy, the Amtorg was dismissed, but, so far as the subversive movements are concerned, they continued. Where were the headquarters established for the Communist Government of Russia in the United States? When they put an embassy here in Washington, was it rushed from the Amtorg to Washington? I would like to know.

I am for this amendment. It is a part of what I had in mind when I introduced my resolution, and we might just as well fight it out right here.

If we want to do something for Finland, we do not have to ship them arms. We can tell the Finnish people, for whom we have sympathy, that we are not in sympathy with the people who are fighting them and murdering them. We can do it emphatically by adopting this amendment. [Applause.]

Mr. CALDWELL. Mr. Chairman, I ask unanimous consent that debate upon this amendment and all amendments thereto close in 30 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DINGELL. Mr. Chairman, I move to strike out the last word. I heard a remark here today that this is not the place to consider striking out the item with reference to the maintenance of our embassy and thus severing our diplomatic relationship with Russia. I say that this is the place and a most opportune time. I am one who invariably opposes the Appropriations Committee legislating on matters of policy, but the Committee of the Whole House on the state of the Union considering the work of any committee is the superbody that has a right to pass on or change and amend anything and insofar as I am concerned, if I can cripple communism by that method I am going to do it here and now. [Applause.] There is no such thing as a partisan taint or color in the consideration of this matter and I am looking to my colleagues on both sides of the House to take this, the first opportunity, to speak out in unmistakable terms, and in such a way that the fiendish Molotovs and the scoundrelly murderous Stalins will know and remember the American attitude. I will not pay much attention as to the method employed when the objective is the all important thing.

Mr. MARTIN of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. Yes.

Mr. MARTIN of Massachusetts. And the gentleman believes also, I think, that the United States should stop buying gold from Russia at twice its actual cost.

Mr. DINGELL. I am in favor of doing anything to cripple the communism of Russia.

Mr. MARTIN of Massachusetts. And that that money, which we give to Russia for the purchase of gold is used to buy armament with which to fight Finland.

Mr. DINGELL. I would cut off the benefit, if any, right under the ears, and not give a dime to Russian communism under any circumstances. I think the sooner we do that the better off we will be. The Soviet Government, after receiving recognition by the United States, proceeded to violate every assurance given to the Government of the United States. There is not a single, solitary shred of evidence anywhere I know of to show that they have ever fulfilled their end of the agreement or that they intended in the future to proceed in the manner that would inspire American confidence. There was an attempt to gain a profitable

objective and then to proceed in the usual way to undermine the Government of the United States. I think that the temper of the House is such as to show the world what we think of the Soviet cause, the Soviet system, and the Soviet relationship. I think moreover that the membership at this time is ready to strangle the monster.

Mr. EATON. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. Yes.

Mr. EATON. Assuming the converse of this, will the gentleman support a motion to take care of Finland by making them a loan with which they may protect their women and children?

Mr. DINGELL. I think my attitude as regards Finland, Sweden, Norway, and Denmark, as well as toward martyred Poland, is well known. I will do anything for them—not only sell them rifles at a dollar apiece, but supply at cost all the ammunition and buckshot they can burn. Yes, I am willing to donate the first Garand rifle for the immediate benefit of Finland and later to do the same for Poland.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. Yes.

Mr. RANDOLPH. A few days ago an argument was advanced on this floor that we should not close the American Embassy in Russia because there were certain so-called facts that we wanted to know. Does the gentleman think that is a valid reason?

Mr. DINGELL. I do not think the argument holds water at all. We are not interested in anything that exists in Soviet Russia today.

Mr. MURDOCK of Arizona. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. Yes.

Mr. MURDOCK of Arizona. I want to express my approval in general of the remarks that the gentleman has made both as to our breaking off diplomatic relations with Russia and also aid to Finland. He has very nearly expressed my thought, and I believe the thought of the American people. Perhaps we ought to do this in another way—but we ought to do it. This is the first time we have yet had a chance to express our sentiments.

Mr. DINGELL. I think the sentiments expressed here on both sides by Members are generally the opinions and feelings of a great majority of the membership of this House, which reflect the attitude of our people. All references and provisions having to do directly or indirectly with anything that concerns Soviet Russia in this bill should be stricken out and there should be no argument on the point at all.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. Yes.

Mr. GIFFORD. I would like to read from the Appendix of the CONGRESSIONAL RECORD, page 469, in a speech made by the gentleman from Missouri [Mr. WILLIAMS], wherein he said that not a dollar of gold was bought from England or any other nation, not an ounce bought simply to acquire gold, that it was only done in ordinary business transactions. I do that because that is a very remarkable statement.

Mr. DINGELL. If my attitude in the matter is what is being considered, I would say to the gentleman that I would not buy a penny's worth of gold from Soviet Russia.

Mr. RANKIN. Mr. Chairman, I rise to a point of order. This is one of the most important issues with which we will be confronted. We cannot get the full membership of the House here except in one way, and that is by moving that the Committee rise and then making the point of no quorum. I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion of the gentleman from Mississippi that the Committee do now rise.

The question was taken.

Mr. RANKIN. Mr. Chairman, I demand tellers.

Tellers were refused.

Mr. RANKIN. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and nineteen Members are present, a

quorum. The gentleman from New York [Mr. FISH] is recognized for 5 minutes.

Mr. FISH. Mr. Chairman, no one has questioned the right of the President of the United States to recognize Soviet Russia. It is true he recognized Soviet Russia against the request of the American Federation of Labor, the American Legion, the Veterans of Foreign Wars, the church elements, and most every other fraternal and patriotic group in the United States. Certain definite promises were made at that time by Commissar Litvinov prior to recognition. Practically none of those promises have been fulfilled. Practically every one of them has been repudiated, and so it is perfectly right and fair that the Members of this House should refuse appropriations and stop providing funds to continue an American Embassy at Moscow. I agree with the gentleman from Mississippi [Mr. RANKIN] that this may be one of the most important issues before the House of Representatives.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. FISH. Yes; I yield.

Mr. RANKIN. I am in agreement with the amendment. What I wanted to do was to get the Members here.

Mr. FISH. I think the gentleman is right. I regret that the full membership of the House is not present. This is a great issue, and the main question is whether the House has the courage to face the issue or whether we will just pussyfoot and shadow-box and say we are powerless; that the great legislative body that controls appropriations is impotent; that we have no rights in this matter.

Mr. RANKIN. Will the gentleman yield further?

Mr. FISH. Yes; I yield.

Mr. RANKIN. We have information that at least a part of the compensation that has been paid by this Government to disabled veterans now living in Russia has been confiscated by the Russian Government and used for propaganda to help overthrow this Government. I am for putting a stop to it now.

Mr. FISH. Mr. Chairman, my appeal here is on non-partisan grounds. I want the Members of the House, whether Republicans or Democrats, to have the courage to vote their own views, their own conscience, their own sentiments, and their own convictions.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield.

Mr. RANDOLPH. The gentleman spoke about the House having courage.

Mr. FISH. That is right.

Mr. RANDOLPH. I think that the House, in expressing that courage by a favorable vote on this amendment, would be reflecting the true sentiment of the overwhelming population of this country.

Mr. FISH. That is the very reason I raise that issue, because we are sent here by the people, elected by the people to carry out their wishes, and I believe that 90 percent of the people today are in favor of severing all diplomatic relations with that godless and despotic nation, Soviet Russia. The only question is whether we will be talked out of it; whether we will be told we are going beyond our powers, and are scared out of doing by our vote what we want to do—sever diplomatic relations with Communist Russia.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Kentucky.

Mr. MAY. I will say to the gentleman from New York that I was opposed to the recognition of Russia when it was done. I am opposed to it now, and I expect to vote for the elimination of this appropriation.

Mr. FISH. Good for you.

Mr. MAY. But the question I am raising is this: If we do vote for the amendment and eliminate the Embassy in Moscow, may we not remove all sources of information that we might need?

Mr. FISH. Let me answer the gentleman. It has been said upon this floor that we should keep an Ambassador in Moscow to act as a spy. Is that the American way of doing business—to have our Ambassador over there to act in the

capacity of a spy? It is something we have never done before. We know that Soviet Russia is not a friendly nation; that it is an unfriendly nation. We know that they are spreading their Communist propaganda all the time through their agencies over here, and the time has come to stop it.

Mr. CELLER. Mr. Chairman, will the gentleman yield to me?

Mr. FISH. Yes; I yield to the gentleman from New York.

Mr. CELLER. Will the cutting off of the salary of the Ambassador have the effect of severing diplomatic relations?

Mr. FISH. No; but the gentleman from Massachusetts [Mr. McCORMACK] proposes, after the will of the House is expressed on this amendment, to follow it with two other amendments which will be completely effective in severing diplomatic relations.

Mr. CELLER. Why does not the gentleman's committee bring in a straightforward resolution severing diplomatic relations, rather than doing this through the back door?

Mr. FISH. Our committee has not even granted a hearing on numerous bills of similar character. This is the first opportunity the House has had to express itself on this issue. Only a few weeks ago Earl Browder of your city and my city was sent to jail. Why? For using forged passports to go over there to learn about communism and to bring back and spread revolutionary communism in the United States. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. IZAC].

Mr. IZAC. Mr. Chairman, everyone wants to hurt Russia, but you are not going to do it this way. I will go along with the Members of the House if they want to cease diplomatic relations with Russia, but I would rather see something affirmatively done to stop the activities of Russia at the place they can best be stopped. Our frontier is the Karelian Isthmus today. There is no question about it. Through centuries Russia has endeavored to get to the Atlantic Ocean. She is not there yet. You can stop her at one place, and only one place, and that is at the Karelian Isthmus. It is 35 miles across. Three hundred and fifty thousand Finns can hold the line if they have the guns and the planes that they need to do the job.

Let us suppose that they cannot hold the line there. What will be the next step? The invasion of Sweden and then Norway. These countries cannot stand against the hordes of Russia. This means Russia comes to the Atlantic and she comes close to us. I have heard it expressed on all sides that we are going to help England or someone else if we help the Finns. We are helping ourselves, Mr. Chairman. It is bad enough to have the Japanese Navy in the Pacific without having a Russian Navy in the Atlantic. The natural result is going to be a two-fleet Navy for the United States; it has got to be. When Russia reaches the Atlantic our troubles begin.

If you think we can do some good by eliminating our listening post in Moscow, all right, let us throw it out, let us stop the appropriations for this embassy; but in so doing you are not going to hurt the feelings of the Russians and you are not going to stop them in the way you would like to see them stopped. I know that before the Committee on Foreign Relations there are lots of bills to aid Poland and Finland, and I am in sympathy with them. Under the Neutrality Act we cannot do much.

Mr. EATON. Mr. Chairman, will the gentleman yield?

Mr. IZAC. I yield.

Mr. EATON. What is the sense of sending powder puffs and carpet slippers over to Finland? What they need is guns to defend their women and children.

Mr. IZAC. That is absolutely right. Under the Neutrality Act the President has not yet said that a state of war exists. If we wanted to we might be able even to spare a few destroyers, a few submarines. We might even be able to send a thousand planes.

Mr. DWORSHAK. Mr. Chairman, will the gentleman yield?

Mr. IZAC. I yield.

Mr. DWORSHAK. Would it not be far more advantageous to send some of our American youths over there to help them withstand the assaults of the Russians? Would not that be more effective?

Mr. IZAC. No. The American people, and the gentleman himself, and I are unanimous in not wanting to permit American youth to attempt to determine the course of destiny on the European Continent. [Applause.] But if we are faced with this eventuality, does not the gentleman agree with me that the place to help stop this encroachment of the Bolshevik nation is the Karelian Isthmus?

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. IZAC. I yield.

Mr. RANKIN. My primary interest is to stop the Russian Communists from plotting the overthrow of this Government in the United States. This is the first and only opportunity I have had to vote my views on this proposition.

Mr. IZAC. I wish it could be effective in that direction.

Mr. RANKIN. If American sentiment continues to rise and we continue to investigate and expose them it will be effective.

Mr. DWORSHAK. Mr. Chairman, will the gentleman yield?

Mr. IZAC. I yield.

Mr. DWORSHAK. Does the gentleman from California see any conceivable way by which the adoption of this amendment will tend to decrease communistic activities in this country?

Mr. IZAC. I am forced to admit that I do not.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. IZAC. I yield.

Mr. WALTER. I call the gentleman's attention to the fact that at the last session the House passed a bill making it a crime to advocate the overthrow of the Government of the United States through force or violence.

Mr. IZAC. That is correct.

Mr. WALTER. That bill is now pending in the Senate. It seems to me much could be accomplished if we could urge the Senate to act favorably on that bill and act promptly.

Mr. IZAC. This amendment, however, will not accomplish that purpose. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from New York [Mr. Celler] is recognized.

Mr. CELLER. Mr. Chairman, I listened to the question asked by the gentleman from Mississippi, wherein he inquired if the passage of this amendment would decrease communism in the United States. I fail to see how merely cutting out the salary of our Ambassador to Russia would have any effect whatsoever on communism in the United States. It may have the contrary effect of stirring up the Communists and making conditions far worse so that we might have a cure that is worse than the disease.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. CELLER. In just a moment.

We are paying the salary of Mr. Steinhardt. He is the Ambassador. His salary is \$17,500. Cutting out the salary of this official would not affect our relations with Russia, for Mr. Steinhardt is a wealthy man and would still continue as Ambassador. Cutting out this appropriation, however, would cause considerable embarrassment to the administration. Frankly, it would give great comfort to Stalin. At least with Steinhardt there, we have direct communication with events in Russia. We would otherwise get our information second-hand. Stalin would not mind that. He wants us misinformed, not properly informed.

I am willing to cut off relations with Russia in every conceivable way, but let us do it honestly, let us do it courageously, let us do it in a straightforward manner. Let the Committee on Foreign Affairs bring in an appropriate resolution to that effect.

Since when do we in this Chamber, or in the cloakrooms, conduct the foreign affairs of this Nation? We have a Secretary of State in whom I, and I am sure you, repose

the greatest confidence, because he is, in truth and in fact, a great Secretary of State. And how ably and excellently is Mr. Hull assisted by his aides. I have naught but praise and admiration for the wise and self-sacrificing service of men like Under Secretary Welles, Counselor Moore, Assistant Secretaries Berle and Grady, and many others whose names for the moment escape me. Has Mr. Hull authorized anyone of us to bring forward an amendment of this character? No. He would frown upon such an amendment. He would ask you to vote against such an amendment, because you cannot carry on foreign affairs in this Chamber. We do not know all the facts, we are not conversant with all the factors. The State Department every day in their diplomatic pouches get thousands of communications of which we know nothing; and until and unless we know something of this diplomatic correspondence, those private communications, we dare not in this slipshod fashion, if I may use the word "slipshod" with reference to our diplomatic relations, attempt to sever relations with another country, directly or indirectly.

I loathe Russia, I despise Stalin, I spew at Molotov, I spit upon this man Litvinov; nevertheless, I shall vote against this amendment; I want things done in an orderly and straightforward manner. Let us do all we can in a decent straightforward manner to bring about the situation I might desire or the gentlemen from Mississippi or Massachusetts might desire. Let the Foreign Affairs Committee bring an appropriate resolution. But neither of these men have, I wager, appeared before that committee.

Does the President know about this amendment? Emphatically, no. Does Secretary Hull know about it? Again, no. How ridiculous then to carry on diplomatic relations in such an emotionally forensic manner, without even the knowledge of the President or Secretary Hull.

If such a motion as the gentleman from Massachusetts presents could prevail, then what would be the use of a State Department? Let the Appropriations Committee carry on our foreign affairs.

I repeat, let us sever diplomatic relations in a decent, straightforward manner—not in this haphazard, unusual, unthinkable manner.

I now yield to the gentleman from Mississippi.

Mr. RANKIN. The gentleman from New York has said that this might stir up the Communists in this country. As Cicero said of Catiline, the greatest victory we can win over them is to drive them from secret treachery to open warfare. When they get ready to rise up, the people of this country will be ready for them.

Mr. CELLER. I cannot see how in the thunder the passage of this amendment will do what the gentleman from Mississippi states it will do. It can have no such effect and I believe it will have quite the contrary effect.

If you want to do something to strike at Russia and communism, help the Finns. I had this to say the other day and I am going to repeat it:

Finland must have ammunition and implements of war to fight her battle, and even our battle, against the Communists. She asks for planes and we give her cookies. She asks for guns and we give her cake. Shall we sit in the bleachers and watch her being slaughtered in the arena of bloody Stalinism?

Let us give this aid honestly, courageously, and fearlessly to Finland and then we will be striking at Russia in a logical manner and in a way that Russia does not want.

WHY BEAT ABOUT THE BUSH? LET FINLAND HAVE LOANS FOR ARMS

Finland must have ammunition and implements of war to fight her battle—and even our battle—against the Communists. She asks for planes, we offer her cookies. She asks for guns, we offer her cake. To vary the simile, shall we sit in the bleachers and watch her being slaughtered in the arena of bloody Stalinism?

My understanding is that when the settlement was made with Finland, the amount funded was \$9,000,000, which was set up on a 62-year amortization plan, with interest at 3 percent for the first 10 years and 3½ percent thereafter.

Prior to the funding agreements Finland paid interest in the amount of \$309,315.27, and subsequent thereto she paid interest of \$4,624,443.27, a total of \$4,933,758.54. She has also made principal payments of \$957,511.23, so that payments of principal and of interest, both prior and subsequent to the funding agreements, aggregate \$5,891,291.77.

The balance of Finland's indebtedness is \$8,042,466.77 principal and \$100,423.44 accrued interest.

If we eliminate interest, Finland has paid over \$8,000,000 on a debt of \$9,000,000—practically eight-ninths of her debt to us.

She fights Soviet Russia, which owes our Government approximately \$187,730,000 and which owes our citizens approximately \$225,000,000.

Think of this—Finland has paid and retired bonds held by our citizens during the past 8 years in the sum of about \$80,000,000. If she had followed the example of Russia and other nations and refused to pay, she would have accumulated \$8,000,000 paid into our Treasury and \$80,000,000 paid to bondholders, or a total of \$88,000,000. If she had held those \$88,000,000, she would not need our loans. She could now purchase with such sum all the arms and planes she needs. She paid. Others reneged. She is entitled to special treatment.

Under the proposed arrangement, which has the White House approval, a loan of \$20,000,000 might be made by the Export-Import Bank, whose capital would be arranged for that purpose. The loan, however, would be made on the condition that the purchase in this country would not include airplanes, arms, and munitions. Under such an arrangement, what is to prevent Finland from taking the American food that she can buy with the money loaned to her and exchanging the same with other nations for such military supplies?

But why put such temptation up to innocent Finland? Where is the consistency so far as our policy toward Finland is concerned? It has been the well-recognized and well-merited rule of the State Department to refuse to recognize any territorial changes brought about by force. For that reason, we refuse to recognize the capture of Manchukuo in China by Japan; we refused to recognize Bohemia and Moravia, which were stolen from Czechoslovakia by Germany. For the same reason we could not recognize any exploitation of Finland by Russia. Why should we not help Finland against the bandit Stalin? We make speeches concerning the sanctity of treaties and international law. We have a Kellogg Treaty, to which scores of nations have been signatories, whereby we exacted the solemn pledge that they would not resort to war as an instrument of national policy. Russia has violated the letter and spirit of that treaty. She seeks to possess Finland by force. She has ditched international law. Shall we encourage her butchery by refusing aid to her victim? Shall we remain stupidly silent in the face of rapine and plunder?

Nay, more, we have sent to aggressor Japan, in her pillaging of China without let or hindrance, scrap iron, copper, lead, and all kinds of military supplies. If we can supply 85 percent of the military import needs of Japan, including planes, equipment, and American bombs to slaughter Chinese women and children, assuredly there should be a way to help the gallant Finns fight the cause of human liberty and prevent ruthless slaughter of innocents. The Finns badly need pursuit planes to fight off Russian bombers. We should help supply them.

We have loaned money to China to the extent of \$25,000,000. China is in no way one whit different from Finland, because we have refused to apply the Neutrality Act in the fracas between China and Japan.

In my humble estimation, we subscribe to international anarchy if we do not help poor and helpless Finland—and that help should mean "help." The only help worth while is arms, airplanes, bullets, guns. Cakes and cookies and sandwiches will not do much good to Finland now. I would thumb my nose at some of the psalm-singing hypocrites who agitate against sending her military supplies. The Finns today, in their heroic stand against Stalin's Communist hordes,

rank with the Greeks at Marathon, Washington at Trenton, and the Texans at the Alamo.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. DUNN].

Mr. DUNN. Mr. Chairman, I am opposed to the amendment because I believe that if it would be adopted it would be a big step toward getting our country involved in European wars. I feel extremely sorry for the poor people in Finland, Russia, Germany, England, France, Poland, and every other country in the world. If the people in the warring countries had the opportunity to vote on a war referendum there would be no wars. It is the unprincipled demagogues in every country who are responsible for the wars that are going on today.

A great deal has been said about Russia trying to overthrow our Government. I have said many times that we would not have to live in fear of our Government being overthrown by Russia or by any other power if we Members of Congress will pass legislation to provide employment for the 9,000,000 people who are unemployed and take care of the 25,000,000 people who are in need of food, shelter, and clothing.

History shows that the nations which took care of its people were not undermined by outside powers. Countries have been undermined by its own people who were deprived of freedom of speech, freedom of assemblage, freedom of religious worship, and other fundamental principles to which all mankind is justly entitled. Let us not become involved in European conflicts. Our great country will be able to do more to bring about world peace by remaining neutral. [Applause.]

Mr. CALDWELL. Mr. Chairman, in view of the interest that has been shown in this matter and the number of requests that have come to me, I ask unanimous consent that the time of debate on this amendment be extended 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida [Mr. CALDWELL]?

Mr. ANDREWS. Mr. Chairman, reserving the right to object, every Member on this floor knows what this amendment attempts to do. We do not have to sit here 20 minutes to get any further information. If we extend the time, it will only give those who are opposed to this amendment a chance to organize. Mr. Chairman, I object.

Mr. CALDWELL. Mr. Chairman, I ask unanimous consent that the time of debate on this amendment be extended 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida [Mr. CALDWELL]?

Mr. ANDREWS. Mr. Chairman, I object.

Mr. CALDWELL. Mr. Chairman, I move that debate on this amendment close in 20 minutes.

Mr. FISH. Mr. Chairman, it seems to me we had an agreement for a half hour, which was agreeable to everybody.

Mr. RABAUT. Mr. Chairman, I demand the regular order.

Mr. ANDREWS. Mr. Chairman, a point of order against the motion offered by the gentleman from Florida.

The CHAIRMAN. The gentleman will state it.

Mr. ANDREWS. By unanimous consent it was agreed that debate on this amendment would last 30 minutes. That time will be up in 3 minutes. That is not supersedable by another motion, only by another unanimous-consent request.

The CHAIRMAN. The point of order is well taken.

Mr. CALDWELL. Mr. Chairman, I ask for recognition for the purpose of speaking on the amendment.

The CHAIRMAN. The Chair recognizes the gentleman for 5 minutes.

Mr. CALDWELL. Mr. Chairman, there is no Member of this House who is better informed as to the machinery of it than the gentleman from Massachusetts. He knows that every year prior to the consideration of this bill in the House weeks are spent by the committee in considering all of these matters. He has had this same feeling about the Soviet Union for years. He knows and has known that the proper and orderly procedure is to come before the committee and present his case.

Temperamentally and impulsively I am inclined to agree with all the expressions that have been made with reference to the Soviet Union. It, and everything it stands for, is repellent to me. But let us not grow wild on this subject, wave a bloody flag, and get ourselves involved any deeper in the conflict that now exists than we are.

The President on December 1 made this statement:

The news of the Soviet naval and military bombings within Finnish territory has come as a profound shock to the Government and people of the United States. Despite efforts made to solve the dispute by peaceful methods to which no reasonable objection could be offered, one power has chosen to resort to force of arms. It is tragic to see the policy of force spreading, and to realize that wanton disregard for law is still on the march. All peace-loving peoples in those nations that are still hoping for the continuance of relations throughout the world on the basis of law and order will unanimously condemn this new resort to military force as the arbiter of international differences.

Let us keep our feet on the ground and use good, common, hard sense. Ask yourselves what single good purpose can be served by the approval of this amendment? When you have asked yourselves that question, you will come to the very definite conclusion that nothing will have been done other than to provoke a great nation of the world to further excess and to involve us further in diplomatic entanglements.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. CALDWELL. No; I am sorry I cannot yield.

It is bad policy to establish the principle that the maintenance of diplomatic relations with another government implies approval of the form of government of that country or of the actions and policies of the government of that country. If that were the case, it would appear to be necessary to consider the advisability of discontinuing diplomatic relations with several other governments now pursuing policies and objectives which the Government and the people of the United States do not approve.

The argument is not sound. You are being swept off your feet by sentimentality. You are not being logical; you are not being careful in the handling of the major affairs of this Government. You cannot afford to legislate in such a way. I insist that you want to be careful, you want to be calm, and you do not want to do anything here today that will involve this country, but you take the responsibility for doing just that if you adopt this amendment and throw the red flag in the face of the Soviet Union.

Mr. Chairman, there are a number of reasons why this amendment ought not to be adopted.

No other country has broken off diplomatic relations with Soviet Russia during this recent tense period, and even the French and British Governments, although at war with Germany, have not withdrawn their diplomatic missions from Moscow.

One of the primary objectives of the foreign policy of the United States is to maintain peaceful relations with all countries. Certainly the breaking off of diplomatic relations with Russia would not be in conformity with our endeavor to maintain such peaceful relations. It is generally considered that when diplomatic relations between two governments have been severed the possibilities of dangerous and acrimonious controversy are increased through the absence of official representatives in the capitals of each country and the opportunity directly to discuss such questions as may arise between the two governments.

If diplomatic relations were broken off, in the case of Soviet Russia particularly, we would be at the mercy of propagandists and special pleaders for information with regard to that country and we would be unable to verify through our own official channels such information as might be put forward by those having special interests in the Russian situation.

Should the occasion arise for the President to be of assistance in furthering the aims of peace, it would be important to have diplomatic relations with Russia in order that his viewpoint might be accurately presented to the Soviet Government.

As far as concerns the question of communism, the severance of relations would not remove this problem from the

sphere of domestic activities in this country. It would probably drive such activities underground. The matter of dealing with communistic activities in this country is a problem of domestic concern and is at this time being well handled by the Government and local authorities, as has been shown by recent events.

Let me call your attention finally to one feature that has already been mentioned in the Committee of the Whole.

Diplomatic representatives are often more necessary and can do more during periods of tense relations with a foreign country and are often more useful and necessary in those periods than when the relationship with that particular country is easy and on a more amicable basis. During periods of tense relations, the presence of a diplomatic mission becomes essential for the protection of American citizens and property in the other country.

As long as we have officials in Russia we have eyes and ears there, and we have the means of being of some assistance to American nationals. When you take the Ambassador and your foreign officials away, you leave every American national in Russia at the mercy of Russia, and then we have no implement to assist them, we have no means of knowing what is going on over there, and we have no means of protecting our interests, and our interests in Russia are major. To sever relationships will simply damage us and cannot help us. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Florida has expired; all time has expired.

The question is on the amendment offered by the gentleman from Massachusetts [Mr. McCORMACK].

The question was taken; and on a division (demanded by Mr. ANDREWS, Mr. FISH, and Mr. DUNN) there were—ayes 88, noes 86.

Mr. CALDWELL. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. McCORMACK and Mr. CALDWELL.

The committee again divided, and the tellers reported that there were—ayes 105, noes 108.

So the amendment was rejected.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I move to strike out line 9, on page 6.

Mr. Chairman, the vote just taken indicates that a large number of the Members of this House, nearly a majority, are in favor of severing diplomatic relations with Russia. While the vote was not taken on that specific issue, I am sure that if the Committee on Foreign Affairs would bring out a resolution and give us a direct opportunity to vote on the question there would be an overwhelming sentiment in this House for such action. [Applause.]

Some have said that no aid should be given to Finland because it might involve us with Russia. Just what aid are we now giving to Russia? We in the United States are making it possible for Russia to get \$35 an ounce for every ounce of gold that is produced in Russia at a cost of \$12 an ounce. We are taking Russia's supply of gold and are paying them a premium of tens of millions of dollars every year. Therefore, instead of making loans to Russia, we have given them outright gifts out of the United States Treasury and from the American people with which to buy war supplies and other materials to destroy our friends in Finland.

What more are we doing to help Russia? We are subsidizing the exports of our wheat and other agricultural commodities, and we are paying bonuses and subsidies to Russia so they may get wheat with which to feed their soldiers and supplement other necessary supplies.

Therefore, there is no reason in the world why we cannot aid Finland and help these courageous men and women in their fight for the preservation of the democracies of the world against the dictatorships. We should take action in this House to provide that friendly aid which will be of material assistance to them, rather than give aid and succor to the enemy. I hope the Committee on Foreign Affairs will bring out a resolution that will make possible the necessary aid to Finland.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman.

Mr. HOOK. For the gentleman's information, I may say there is a bill before the Ways and Means Committee providing for the authorization of a loan to Finland and I wish the Ways and Means Committee would act on that bill now.

Mr. AUGUST H. ANDRESEN. The Ways and Means Committee could, but someone has said here today that we cannot aid Finland on account of our neutrality law. Well, we are giving aid to Japan under our neutrality law and we are giving aid to Russia because Russia has not been declared unfriendly to the United States. But for some reason or other there has been a cooling off process among some of the administration leaders as to a loan for Finland. I hope that these leaders have not been intimidated by Russian representatives. It is our business to discontinue that unholy alliance we now have with Russia.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. The Neutrality Act is not involved, because that act has never been invoked with respect to the conflict between Russia and Finland.

Mr. AUGUST H. ANDRESEN. No; or as far as Japan is concerned; because we could stop the war in China within 60 days if we would stop the shipment of war supplies to Japan; but for some reason—maybe we are not in on the hidden secrets of the State Department—they take no action to help our friends in China, and now they are cooling off and about to take the same attitude toward that friendly country of Finland, after they have met their obligations to us and are one of the few surviving democracies of the world. We can give material aid to Finland without becoming involved in the European war. [Applause.]

[Here the gavel fell.]

Mr. MARTIN J. KENNEDY. Mr. Chairman and members of the Committee, I have listened with great interest to the speeches that have been made here today in connection with the conduct of the Soviet Republic in world affairs. I heartily agree with the denunciation that has been uttered as to the actions of the Soviet in its relationship with other countries. I deplore the events that have resulted from Russia's repudiation of every promise and agreement.

In my opinion, it is equally important for us to discuss the happenings in our own country on the part of public officials which, in any way, may transgress upon the rights of our citizens. Recently, in the Federal court of the eastern district, 17 men were arraigned and each one was held in \$50,000 bail. Although these men were charged with a serious crime against the Government, bail in the amount of \$50,000 is certainly excessive. I do not believe there is any precedent for such exorbitant bail, especially in view of the excellent records of most of the arrested men. However, I am not personally concerned with this phase of the case because I do not know any of the individuals, nor do they live in my district. My interest in the matter arises out of the conduct of our Government officials after the arrest. I believe what then happened to these men was a definite violation of their constitutional rights as well as an occurrence which we would very loudly protest if it were permitted in a foreign country. I refer to the publication of their pictures in a recent issue of a weekly magazine in such a manner as to seriously reflect upon the men. This magazine published a complete front view and a side view of each arrested man and across the chest was an identification tag indicating that the picture was taken by the Federal Bureau of Investigation. The release of these pictures, printed in a publication, evidently with the approval and consent of the Department of Justice, was grossly unfair to the arrested men and a practice which has no sanction either in law or in common decency.

My only purpose in discussing this matter today upon the floor of the House of Representatives is to direct the attention of the Congress to this situation, with the hope that the

practice of the Department of Justice in making available for publication in the press pictures of an arrested person will be stopped. Under our Constitution every man is considered innocent until proven guilty, and we should do everything possible to protect that right. I appreciate the attention and interest of the House in my talk, and I hope that as result of our action here today we shall see this vicious practice immediately discontinued. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I move to strike out the last two words—"\$17,500 each."

Mr. Chairman, I am sorry the amendment offered by the gentleman from Massachusetts [Mr. McCORMACK] did not prevail. I will agree it was not the proper procedure, but it was the only opportunity this House has had or is apt to have to express its will on the recognition of Soviet Russia. We cannot report out any bill from the Foreign Affairs Committee, because the administration dominates it and is against it, and it could not come before the House in any other way than it came just now. I hope the gentleman from Massachusetts [Mr. McCORMACK] will offer a motion to recommit, so that every Member of the House may have an opportunity on a roll-call vote to go on record whether he is in favor of severing diplomatic relations with Soviet Russia.

Mr. ALLEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. FISH. Yes.

Mr. ALLEN of Pennsylvania. I do not think the gentleman meant to say that anybody dominates the rank and file of the Foreign Affairs Committee.

Mr. FISH. No; I will change the word to "influence," if that will satisfy the gentleman, because, naturally, under any administration the Secretary of State has influence and should have influence with the majority on any committee, particularly Foreign Affairs, and I assume that would be so under a Republican administration. I know it has been, and I know it is likewise true under your administration.

Mr. ALLEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. FISH. Yes.

Mr. ALLEN of Pennsylvania. As one member of the majority party and a member of the Foreign Affairs Committee, I would welcome more frequent meetings of that committee in order to take up these important matters. I think it is a crying shame—

Mr. FISH. Oh, the gentleman knows that three or four bills have been introduced to sever diplomatic relations with Russia, and that we have not had a hearing on one of them.

Mr. ALLEN of Pennsylvania. That is correct.

Mr. FISH. And I think the gentleman will find that the State Department is against such a hearing, and I think that he will find also that is the reason we have not had any hearings. The gentleman is a member of that committee, and is a member of the majority party, and he should try to have such a hearing.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. FISH. Yes.

Mr. McCORMACK. On page 17 of the bill I will offer another amendment. There is no need of offering one on page 7 now in view of the action of the House just taken.

Mr. FISH. Mr. Chairman, I wish the chairman of the subcommittee, and the minority ranking member of the committee would pay attention, and I ask the gentleman from Texas [Mr. RAYBURN] to also give his attention to these remarks. I do not know whether it is the intention of the committee to leave out Belgium. Belgium, as I understand it, has an ambassadorial status the same as 10 or 11 nations, and I think it should be included in this bill.

Mr. RAYBURN. I do not know what question the gentleman has asked me.

Mr. FISH. Oh, I see that Belgium is in a separate clause by itself, on lines 12 and 13.

Mr. RAYBURN. My reaction to this whole thing is that the House of Representatives is not the place to settle our diplomatic or foreign affairs when we have duly constituted authorities to do that very thing.

Mr. FISH. We have the power to do so, and I hope the House will always exercise that power.

Mr. RAYBURN. I hope the House will never do it in this way.

Mr. FISH. In its own judgment and wisdom after discussion on both sides of the proposal. I have moved to strike out the last two words, "\$17,500 each" for the purpose of asking why the American Ambassadors from England, from France, and from Belgium have been brought home. Can it be that they have been brought home just on the eve of the outbreak of the full fury of the European war to tell the American people that the British subjects and the French citizens and the Belgian citizens are in favor of a third term? So far all we know from those Ambassadors is that they have made public announcements in America that they are in favor of a third term because of the danger of swapping horses in the midst of a European war. If they are to earn their \$17,500, it seems to me that they ought to be at their post of duty in the midst of this war.

Mr. EATON. Mr. Chairman, will the gentleman yield?

Mr. FISH. Yes.

Mr. EATON. I rise to ask if the gentleman received an answer to his question as to why Belgium is left out of this list?

Mr. FISH. I find that it is taken care of in lines 12 and 13, but I have had no answer why our Ambassadors to London, Paris, and Brussels are here in America while being paid \$17,500 each to serve our country at their posts abroad.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SUMNERS of Texas. Mr. Chairman, I rise in opposition to the pro forma amendment. I rise to make a few observations that I hope will be given consideration. I do not suppose anybody in this House fails to appreciate how important, how delicate, and how dangerous is this subject that we propose to deal with right now. This is one of the major diplomatic matters that this Government will be called upon to deal with perhaps in many, many years. If there ever was a time when American statesmanship ought to have its feet on the ground and its head on its shoulders it is right now. Insofar as I am concerned, I do not know how it is with the body of the membership of this House; I never heard of this proposition to sever diplomatic relationship with Russia until about 15 or 20 minutes ago. Just think of the spectacle of the great American House of Representatives passing on a question of this sort all "het" up and with their eyes shining. When people's eyes are shining it is no time to pass on great questions. Think of the speeches that we have listened to, undertaking to stampede this House now, in this critical hour of our Nation's life. Let me make you one or two suggestions, and you just think about them. I do not know so much about what is in the books. I know something about what the books are written about. I have observed life. I have observed the operation of the laws of cause and effect. The adoption of this resolution could not hurt Russia. Its reasonable and probable result would be to help Russia. You are familiar with the history of the French Revolution. Outside opposition was the most solidifying influence exercised upon the French people. We are supposed to be opposed to bolshevism in America. I ask you, out of your own experience, what is the most solidifying influence that can be exercised on any people? It is outside opposition. We are giving to these dictators in Europe what those dictators could not possibly command—outside opposition, the most solidifying influence that can be exerted on a divided people. Take the history of the French Revolution. I do not think anybody can study the French Revolution and not know that the thing that drove the French back upon themselves in solidarity and made it possible for them to fight the battles of the Revolution and carry them through the Napoleonic wars, and almost enabled them to whip the world, was the

fact that as soon as they declared their Revolution, outside people began to attempt to influence the policy of France.

I do not think anybody can study the Russian revolution and fail to reach the conclusion that there was no force or influence within that country which could possibly have held together that divided people, of all races and religions and tongues, until they could have consolidated that revolution, except for the economic pressure which this country and other countries began immediately to bring to bear upon them. I am just talking common sense now. We are dealing with a practical matter.

I remember my grandfather told a story one time about a man going down the road and he saw a man and his wife fighting. He, the outsider, tried to intervene, and they turned on him and almost beat him to death. [Laughter.]

Do you want to know why we have got just one party in the South? Every time we show a disposition to split up, you Yankees threaten to do something to us, the cracks close up, and we have just one party. [Laughter.]

I am talking sense now. This is a practical proposition. If we want to help bolshevism, this is the way to do it, because we give their leaders all the excuse they will need for the failure of their policy. They say, "Look what those capitalistic nations are doing." They do not need any better excuse than that. All the excuse we have in the South is, "Look what those Yankees are trying to do to us," and we do not need any further argument. [Laughter.]

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SUMNERS of Texas. I want you to think about this thing now. This is no small matter we are dealing with now. It does not fall within the group with reference to which partisan politics may be excused.

Mr. EATON. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman.

Mr. EATON. We all have the greatest affection and regard for the distinguished gentleman, but what is the logic of the position that the gentleman is now taking? It must be that the American people must draw themselves into a spiritual and intellectual vacuum and have nothing to say about what is going on in the rest of the world.

Mr. SUMNERS of Texas. No; it is not quite that. There is definite conflict between sentiment and judgment. When you get to a conflict between sentiment and judgment you are in a bad situation, and it is difficult to handle. I admit that sentiment is fine in its place, but whenever sentiment climbs up into the judgment seat and undertakes to determine policy, it is a mighty dangerous time for the people of the Nation. [Applause.] Sentiment performs a good office when it calls judgment to the judgment seat, but sentiment makes a bad mistake when it misunderstands its natural limitations and undertakes to speak the voice of judgment. Please think that over.

Mr. EATON. I would like to answer that.

Mr. SUMNERS of Texas. No; I will not let the gentleman answer that. I do not want the gentleman to spoil that good statement of mine.

I doubt that Hitler could have consolidated the revolution in Germany but for the solidifying help from outside opposition. That made it impossible for the opposition to him in Germany to do anything about it, speaking practically. In my view—and I mean no offense—this proceeding is the sort which cannot add anything to our diplomatic strength and certainly nothing to the confidence of the Nation in the fitness of the House of Representatives to guide and guard the interest of the Nation in this, one of the most tragic, dangerous periods in all the annals of time. It is a pitiable, pathetic thing. What do we propose to do? We propose to cut off the pay of a fellow we have got hired over there in Russia and think that is going to have something to do with the war. Now, Members of this House, do not do it. [Applause.]

[Here the gavel fell.]

Mr. FADDIS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I believe that cutting out the appropriation for our embassy to Russia at this time would be a roundabout, indirect manner of accomplishing what a great many people of the United States would like to have done. This is to give some substantial assistance to that heroic nation on the other side of the world—Finland—which has aroused the admiration of the entire American people by its splendid fight to maintain its national integrity against the onslaught of one of the most colossal nations of the world. Russia is attempting to invade Finland and subject it to its own desires in order to secure a base whereby they can disseminate their political propaganda throughout the world more easily.

I agree with the gentleman from California [Mr. Izac], when he stated that our frontier is on the Karelian Isthmus. It most certainly is and the sooner we recognize this fact the better. The war which is going on in Finland today is only a part of a general campaign which has been carried on by Soviet Russia to spread its political ideology all over the world. They have attempted to spread it in this Nation by every other means, except the force of arms. They are attempting to spread it in Finland by force of arms. If we are going to lend any assistance to this nation in its hour of need, this assistance must not only be timely, but it must also be substantial. All the statements that have been made that the neutrality act now on our books bars us from lending any assistance to Finland, are entirely erroneous. There is nothing in the neutrality act which would bar us from lending assistance to Finland. War has not been declared and the Russians themselves have announced that they are not waging war in Finland. They are merely going into Finland to the assistance of the People's Party. They, by their own admission, are not waging war. They are only engaged in a neighborly act of kindness. They have also announced to the League of Nations that they are going into Finland in order to prevent England and France from seizing a base in that territory. They have announced to their own people that they are engaged in defending Russia from Finnish invasion.

Now I submit to you that the situation in that part of the globe today is exactly this. Russia is going into Finland, Norway, Sweden, and Denmark. The Bear has his eyes fastened on that territory today as he has had for centuries. So if Norway, Sweden, and Denmark do not join Finland to beat Russia, they will be defeated in detail, and the only way they can effectively combat the threat of Russian invasion is to actually invade Russia. In no other way can the Scandinavian nations win the war. As soon as the weather becomes milder, the Russians can and will bomb every city, town, and village in Finland and reduce it to ruins. They will bring up the necessary heavy artillery tanks and transportation and force their way into Finland to actually occupy the territory and force the Finns into subjection. The small force of the Finns will fall from sheer exhaustion. Then the Russian hordes will sweep across the Scandinavian peninsula and also Denmark.

In order to win, the threatened nations must invade Russia and destroy the bases from which the bombing planes and armies are operating. This must be done either by land or air or by a combination of the two. Wars are not won by defensive operations. Effective combat of bombing planes can only be accomplished by operating against the bases from which they are serviced. If we are to furnish assistance to Finland, it must be substantial enough to enable them and those who must be their allies to wage the war as it must be waged to win. Any assistance short of this would be a mere gesture of friendship, foolish and futile. They too must understand that they cannot win unless they invade Russia and destroy the will of the Russians to wage war. This is not at all impossible because of the internal condition of Russia as regards transportation facilities and general morale.

I call the attention of the membership here this afternoon to the fact that we are not nearly so far away from this

conflict as we might seem to be. Iceland is only a few hundred miles from that place, and Iceland is only a few hundred miles from North America. It is a direct link in the chain, and Russia has her eyes fastened on it.

Mr. KELLER. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield.

Mr. KELLER. Is there not a better way of doing what the gentleman and all America wants to do? That is to give the Finns all they need. Then they will take care of themselves. [Applause.]

Mr. FADDIS. That is exactly what I am trying to propose here this afternoon, that we adopt a common-sense practical way of assisting the Finns by giving them what they need to maintain their independence. By so doing we are also helping ourselves. [Applause.]

[Here the gavel fell.]

Mr. RANKIN. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I want it distinctly understood that my attitude on this proposition is not prompted by any European war. I am looking at it from an American standpoint. I am opposed to any government that attempts to overthrow the Government of the United States, and I am for driving from American shores every influence that comes here and attempts to destroy my Government. [Applause.]

The gentleman from Pennsylvania [Mr. FADDIS] overlooked one fact: Geographically, Russia is closer to us than any other European country, for she lies just across Bering Strait from Alaska.

Let me answer the distinguished gentleman from Texas. In the course of his remarks he spoke about the world's turning against France after communism had brought on the French Revolution, and about forcing the French to solidarity. What I am trying to do today is to bring some solidarity among the American people to fight communism and drive it out of this country. He talks about what they did to Germany. I will tell you what happened to Germany. The Communists flooded in there by the thousands, took control of Germany, destroyed the German Republic, and created Hitler. Do you want them to create a Hitler here? We are going to have to stop these communistic influences in the United States, and this is the only opportunity that I have had to vote to that effect.

I heard witnesses before the Dies committee. I heard a Negro testify that he had been sent to Russia and trained in the technique of revolution of waging war against the white people of the United States for the purpose of overthrowing this Government and waging war on the white people of the South. They have taken young white people, as well as Negroes, to Russia and trained them for that purpose in flagrant violation of the treaty by which we recognized the Soviet Union.

I am looking at this matter from an American standpoint, not from a Finnish standpoint, not from a German standpoint, not from an English standpoint, but from the standpoint of my own Government created by Washington, defended by Jackson, perpetuated by your people and mine; and I shall cast my vote at every opportunity presented on the floor of this House to drive these iniquitous influences from American soil. [Applause.]

[Here the gavel fell.]

Mr. KELLER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I am glad that all of us here are speaking for America. Our opinions differ, but we are for America, and we ought not, any of us, to doubt the stand of any other Member of this body or of the American people on that subject. There is now pending a motion to recall the American Ambassador from Russia.

The gentleman from Texas [Mr. SUMNERS] set out the fundamentals of the history that all of us ought to know and observe under present conditions. It seems to me that if we only look closely and carefully at what is taking place in Europe we can defend and promulgate our Americanism to the very best possible advantage by recognizing our duty

to the little Republic of Finland by supplying them with the things they need with which to defend themselves. Any man who knows the border between Russia and Finland will tell you that if they are supplied with arms, ammunition, and airplanes, which they have a perfect right to have from us under our Neutrality Law, they can defend that border until Russia will be thoroughly sick of the war that they are forcing upon that little nation, 40 Russians to 1 Finlander. It is a shameless scene, one that shocks every man with a drop of sporting blood in his veins and people all over the world. If those countries that we call civilized support the Finns only so far as to provide them with arms and munitions, Russia will break to pieces over this merciless, this brutal attack. That part of Russian ideology that ought to be eliminated from the world will be eliminated when the Russian people awaken to what the Stalin government is doing to Finland. Finland is giving to the world the best example of courage and manhood that has been seen in a hundred years. The people of America are abundantly able and abundantly willing to give to this people what they have got to have to defend themselves.

There is no danger in our being drawn into the war in doing this. Russia has not only not declared war on Finland, but denies that she is making war on Finland. There is nothing in our own neutrality law, under these circumstances, that at all limits our right to lend money or sell war equipment of all kinds to Finland. No reasoning American will deny these are our rights, and none but a "Mr. Milque-toast patriot" would fear to act on those rights.

That will do the thing we are all driving at.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. KELLER. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. Does the gentleman know if the Secretary of State or the President is making any effort to get Russia to lay off of Finland?

Mr. KELLER. I do not know about that because I have not talked to them.

Mr. AUGUST H. ANDRESEN. Does not the gentleman think they should do something about it?

Mr. KELLER. I think everything has been done that can be done and I think everything will continue to be done that it is possible to do. However, there is this delay which we have in our own body and in another body. We are talking a republic to death while a brave people are begging only for arms and equipment with which to defend their country and their lives.

Mr. AUGUST H. ANDRESEN. If they have done everything they could do, they have not done anything.

Mr. KELLER. They may not be able to do anything.

Mr. AUGUST H. ANDRESEN. The administration is delaying action in the House.

Mr. KELLER. In relation to Finland?

Mr. AUGUST H. ANDRESEN. Yes.

Mr. KELLER. So far as helping Finland is concerned?

Mr. AUGUST H. ANDRESEN. Yes.

Mr. KELLER. I have not heard that.

Mr. AUGUST H. ANDRESEN. The gentleman heard the President's message the other day?

Mr. KELLER. I did; but I did not get that from it.

Mr. AUGUST H. ANDRESEN. That is what it said.

Mr. KELLER. That is not my opinion of what it said.

Mr. KEEFE. Will the gentleman yield?

Mr. KELLER. I yield to the gentleman from Wisconsin.

Mr. KEEFE. The gentleman feels that Russia is the aggressor in this matter?

Mr. KELLER. There is no question about that.

Mr. KEEFE. Is the gentleman aware of the fact, as reported in the press of a couple of days ago, that a thousand young people met in New York City to choose delegates to the American Youth Congress and passed a resolution condemning Finland for being the aggressor and accusing it of starting this war upon Soviet Russia?

Mr. KELLER. I regret to admit that there are likely even more than a thousand young jackasses loose in New York. I am glad the gentleman does not belong to them

nor endorses what they are doing when they do things like that. I am as much for helping Finland as any man can be, and I am as much for giving them their chance to show up the shortcomings of Russia as any other man. Let us give them the money and give them airplanes. I repeat, we are under no obligation to withhold aid from Finland. There is no war. There is nothing in the neutrality law which will limit our Government so far as Finland is concerned. We should rise up and take action at the present time to give that little republic exactly what it needs. It will do the rest. You need not worry about that; it is not fighting its battles alone. Every man in those Scandinavian countries is on his tiptoes ready to help. In the next few weeks more than 50,000 men from Scandinavian countries, who know that climate, and are as good soldiers as there are in the world, will be helping Finland. We should give them ammunition and the equipment that men take with them into the defenses of that kind.

[Here the gavel fell.]

Mr. CARTER. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I do not want to make a speech at this point, but we have spent considerable time on this particular section, and there will be ample opportunity for debate as the bill is read. I am wondering if we cannot read the bill for a short while, then have the debate continue? We are anxious to finish up this bill tonight, if possible; however, I have no desire to shut off anyone who has a speech to make, but I thought these speeches might be made a little later.

Mr. KEEFE. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, I wanted to ask one other question of the gentleman from Illinois in order to follow through the thought that was expressed in the first question I put to him. It was reliably reported in the press that a group of about 1,000 young people met in New York to choose delegates to the American Youth Congress, which is meeting here in Washington. It was further reported that of this group only 5 voted against a series of resolutions which condemned Finland and gave support to Soviet Russia, thus very clearly demonstrating their interest and affection for the Soviet Government of Russia.

Mr. Chairman, the delegates from that meeting came to the meeting of the American Youth Congress; and appearing in the press this morning is this statement, headed:

MRS. ROOSEVELT DEFENDS COMMUNIST RIGHTS IN GROUP

A White House debate, in which Mrs. Franklin D. Roosevelt defended inclusion of Communists in the American Youth Congress, was divulged yesterday on Capitol Hill.

Then follows the report of that meeting held at the White House, to which numerous Members of Congress were invited, and which they apparently attended, because Senator JOSH LEE is quoted in this article as being in absolute opposition to their arguments. Senator WHEELER, of Montana, is also quoted similarly as disagreeing with "Mme. President." The Senator, who is frequently mentioned as a possible Presidential candidate, said this:

Where will you get with conservatives if we liberals are opposed to you?

There is the picture. These people came down here from New York after attending a meeting such as I have described and are invited to attend a meeting at the White House where the rights of these young Communists are applauded as being part and parcel, and rightfully part and parcel, of the American Youth Congress. I want the spokesmen for the White House to know that so far as I am concerned I oppose vigorously, as did the representatives of this body and the Senate who attended that meeting, the inclusion of the Young Communists League as representative of the American youth of this Nation. When that matter comes before the House at a future time, I assure you I am going to present the result of a very long investigation on that subject.

I am in favor of the principles of the N. Y. A., but I want it sent out to the country today that there should not be any connection between the N. Y. A. and the American Youth

Congress. Those who are purporting to speak as representatives of the American Youth Congress in support of the N. Y. A. had better keep their mouths closed, because they are serving to discredit that organization and its splendid work rather than doing it any good.

Mr. KELLER. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Illinois.

Mr. KELLER. Will the gentleman read the resolution to which he referred as having been passed in New York?

Mr. KEEFE. No; I do not have that resolution here. Everybody here saw it in the press. It was published in the papers. I will get it and put it in the Record if the gentleman wants it.

Mr. KELLER. Yes; I should be very glad to have the gentleman do that. I should also like to make this remark—that if it misrepresents the sense of that meeting, as this newspaper article does the sense of the meeting at the White House, it does not carry very much weight.

Mr. KEEFE. I have no knowledge that the newspaper article misrepresents the sense of the meeting at the White House.

Mr. KELLER. It does.

Mr. KEEFE. I am informed that the press were barred from this meeting at the White House, and that what appeared in the press this morning was given to the press by those who attended as members of this conference.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. I want to paraphrase a little the remark of the gentleman from Illinois—and I think he will agree with me and say that jackasses are welcome as members of this Youth Congress.

Mr. KELLER. I said that the gentleman was not guilty of being one.

[Here the gavel fell.]

Mr. CALDWELL. Mr. Chairman, I do not want to restrict unnecessarily the latitude of debate, but we are going to try to finish this bill today, and we should like to move along. I suggest that we read several sections before we have any further debate under pro forma amendments.

The Clerk read as follows:

Provided, That no salary herein appropriated shall be paid to any official receiving any other salary from the United States Government.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise to propound an inquiry to the members of the committee which has reported this bill. It seems that members of the committee in charge of the bill opposed the McCormack amendment on the ground that we should not recall our Ambassador from the Communist Soviet Union because we should retain him as our listening post in Moscow. What I want to find out is why this bill, as reported out, includes an annual appropriation of \$17,500 for an Ambassador to the Government of Germany, notwithstanding the fact that the New Deal administration for many months has not seen fit to have an Ambassador in Berlin, Germany. I cannot understand why the New Deal administration finds it necessary to have an Ambassador in Communist Russia and unnecessary to have one in Germany.

Mr. CALDWELL. I may say to the gentleman that that is an administrative matter over which this committee has no control.

Mr. SCHAFER of Wisconsin. This clearly indicates that the argument advanced in opposition to the McCormack amendment was not based on a sound principle. If it is necessary to maintain an Ambassador in the Communist Soviet Union in a listening-post capacity, it surely is just as essential to maintain an Ambassador in Germany for the same purpose.

Mr. Chairman, we have heard many eloquent talks today in favor of taking sides in foreign wars and furnishing sinews of war to one side at the expense of the almost bankrupt Treasury of the United States. We now have a national

debt of more than \$42,000,000,000. Our Federal Government for many years has been running several billion dollars in the "red" each year. In addition to our stupendous national debt of more than \$42,000,000,000, we have about seven or eight billion dollars of obligations which have been guaranteed by our almost bankrupt Federal Treasury.

With more than 11,000,000 American people out of employment and our Government, in the name of economy, reducing expenditures for feeding our hungry unemployed Americans and reducing the expenditures for the relief of our distressed American farmers, it is absolutely un-American and indefensible to continue to play Santa Claus to the tune of hundreds of millions of dollars for people in foreign lands. Are we going to our American people and point out that in the name of economy we reduced W. P. A. appropriations, we reduced essential appropriations for the relief of our distressed farmers and other distressed American citizens, in order to balance the Budget and be in a position to play Santa Claus in a big way and hand foreign nations many millions of dollars to carry on their wars? As sure as night follows day, as soon as we take sides and finance foreign wars it will not be long before American youth will again be slaughtered on foreign battlefields under the wave of propaganda which is now sweeping America as it did prior to our entering the last World War.

With reference to aid for Finland, if these multimillionaire newspaper owners—such as the owners of the Washington Star, Kaufman and Noyes, who have been demanding that we raid our almost bankrupt Federal Treasury to finance wars of foreign nations—are sincerely in favor of helping those foreign countries, why do they not raise a private fund and contribute a million dollars each and call upon their fellow multimillionaire propagandists who feel as they do to do likewise? They should then go to multimillionaire new dealers—who are as liberal with the American taxpayers' money as they are—and solicit a contribution of a million dollars from each of the hundred or more multimillionaire new dealers who are the main cogs of the New Deal political machine which plays Santa Claus to foreign countries in a big way, as the Democrats always do when they are in power. Let them go to Doris Duke and Jimmie Cromwell, who contributed \$50,000 in order that he might be appointed Minister to Canada. Go to Barney Baruch, the multimillionaire New Deal unofficial president; go to President Roosevelt, Mr. Morgenthau, Mr. Edison, Harold Ickes, and the other 125 multimillionaire New Deal liberals, who are very liberal when it comes to spending other people's money.

Mr. Chairman, I hope this Congress will serve America. We are Members of the American Congress. Let us devote our best efforts and energies to the welfare of our own country and our countrymen. Let us keep out of foreign entanglements and stop playing Santa Claus in a big way to those in foreign lands, and stop financing their wars, particularly since our Federal Treasury is almost bankrupt. Furnishing dollars and other sinews of war to a nation engaged in war is not neutral. It is an act of war which will result in again sending our men to slaughter on foreign battlefields. [Applause.]

[Here the gavel fell.]

Mr. CALDWELL. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HOOK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, on November 30, 1939, I addressed a letter to the President of the United States and also to the Secretary of State, requesting that the United States break off diplomatic relations with Russia in the best interests of the people of the United States of America, in order that we as a nation may not be placed in an embarrassing position with regard to any diplomatic relations with Russia, and I suggested that an order be issued recalling our Ambassador to

Russia and that all diplomatic relations with Russia cease at that time.

Subsequent to this, on January 3, I introduced a bill calling for an authorization of a \$60,000,000 loan to Finland for the general requirements of that Nation.

I fully realize that the breaking off of diplomatic relations with Russia would not lend material aid to Finland. Why do I say that we should give Finland material aid? Because of the fact that, if Russia should be able to crush Finland, she would then be in a position to move into the northern part of Europe. She would then be of some use to Germany and Hitler, and until she crushes Finland she will be of no use to Hitler or Germany. If she becomes of use to Hitler and Germany, and they join together and take over the Balkans and move to take over Norway and Sweden, a totalitarian government will reign throughout Europe. This type of government will be in complete control of Europe, and when they do, the very foundation of democracy in this country will be in danger.

If we give this aid to Finland, it is not going to be just an ordinary gift, it is going to be a loan, but at the same time it is going to be more than that. It is going to be an insurance policy to this Nation against the invasion of those godless elements in this Nation and the best insurance policy that we can have.

Mr. SECCOMBE. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I yield.

Mr. SECCOMBE. I appreciate the gentleman's friendly sentiments toward Finland, but would the gentleman mind stating whether he received a letter in return to the one he sent the President?

Mr. HOOK. I received a letter in reply with the information that was presented on the floor today, that they needed a listening post in Russia, and that they would be in a better position to be able to sit in on a peace conference and aid Finland in that way and protect her if they had an Ambassador than if they did not have one.

Mr. MOTT. Mr. Chairman, will the gentleman yield for a question?

Mr. HOOK. Yes.

Mr. MOTT. There is a matter I think the gentleman might clear up, in view of the sentiment in this House in favor of a loan to Finland, which is a reflection, I think, of the sentiment all over the country, as to why no move in that direction has been made. The gentleman is aware, is he not, that the only reason the Foreign Affairs Committee has not gone ahead with the consideration of this bill is that that committee has 15 members of the majority party and 10 of the minority, and the President has not given the Democratic members of that committee a green light on the matter.

Mr. HOOK. I know nothing about that. I know nothing about any green light from the President. I do know the President and this administration will and are giving their support to aid to Finland. They will act as soon as the Ways and Means Committee brings out this bill before them.

Mr. MOTT. The gentleman knows the President has not expressed his approval to the committee.

Mr. HOOK. I know the bill is not before the Foreign Affairs Committee; it is before the Ways and Means Committee.

Mr. MOTT. Such a bill is before both committees.

Mr. HOOK. The bill I introduced provides for a \$60,000,000 loan for the general requirements of that country, and can be made in accordance with ordinary channels of commerce between countries; and if we do not allow that, we are putting a premium on aggression.

Mr. MOTT. There is such a bill before both committees, I will inform the gentleman—the Ways and Means and Foreign Affairs.

[Here the gavel fell.]

The Clerk read as follows:

Foreign Service buildings fund: For the purpose of carrying into effect the provisions of the act of May 25, 1938, entitled "An act to provide additional funds for buildings for the use of the diplomatic and consular establishments of the United States" (52 Stat. 441), including the initial alterations, repair, and furnishing of buildings acquired under said act, \$300,000, to remain available until expended, and in addition the Secretary of State is authorized to enter into contracts for such purpose during the fiscal year 1941

in an amount of not to exceed \$100,000: *Provided*, That whenever a contract is made for the construction, alteration, or repair of a Foreign Service building which requires payments in a foreign currency, the Secretary of State is authorized to purchase such currency at such times and in such amounts (within the total amount of the payments to be made under such contract) as he may deem necessary, the currency so purchased to be disbursed and accounted for at its cost price: *Provided further*, That this authorization shall also apply to the funds available to the Secretary of State under prior appropriations for the construction of Foreign Service buildings.

Mr. FISH. Mr. Chairman, I move to strike out the last word.

Mr. CALDWELL. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 5 minutes.

Mr. CASE of South Dakota. Mr. Chairman, I make a point of order that there has been no debate on the paragraph.

The CHAIRMAN (Mr. O'NEAL). To what paragraph does the request of the gentleman from Florida refer?

Mr. FISH. Mr. Chairman, I am agreeable to that request. I really rose, Mr. Chairman, to consume the time of the Committee, because I was looking for the gentleman from Massachusetts. I did not know the gentleman was here.

Mr. CASE of South Dakota. Mr. Chairman, I make the point of order there has been no debate on the paragraph.

The CHAIRMAN. The point of order is overruled. The gentleman from Florida asks unanimous consent that all debate on this paragraph and all amendments thereto close in 5 minutes. Is there objection?

There was no objection.

Mr. FISH. Mr. Chairman, I took this time because in looking for the gentleman from Massachusetts [Mr. McCormack], who is to propose an amendment on the next page, I did not see him sitting here, and I took the time in order to protect his rights. As long as I have the time I shall use it to discuss the same subject that has been before the Committee—namely, the recognition of Soviet Russia. When Soviet Russia was recognized by the President of the United States certain very definite promises were made to the American people, and, as other speakers have already said, most of those promises have been repudiated. These Communists are the most skillful propagandists in the world, so when they wanted America to recognize Soviet Russia they dangled before the eyes of the American people, and particularly of big-business men and the international bankers in New York State, a great juicy bait, and said, "If you will recognize Soviet Russia, we will do \$1,000,000,000 worth of business with you"; and the big bankers and the internationalists and the businessmen, and the industrialists all jumped on the band wagon for recognition. They then went down south into the Southern States, where cotton is king, and said, "If you will recognize Soviet Russia we will do \$200,000,000 worth of cotton business with you; we will buy \$200,000,000 worth of cotton from the Southern States"; and the good old Methodists and Baptists of the South, who hated Russia because the Soviets had denied and repudiated God and all religion and spread class hatred and world revolution—those good Baptists and Methodists, when the bait of \$200,000,000 worth of cotton was dangled before their eyes, put aside their scruples and their consciences and also jumped on the band wagon and had their Senators and even their Representatives favor the recognition of Soviet Russia.

So this bait won over the international bankers and the industrialists of the North and the cotton people of the South, and then what happened? Recognition was granted, but instead of doing one billion worth of trade they did \$25,000,000 worth of trade in a year, and under Republican administrations prior to recognition the facts will show that we did \$100,000,000 worth of business with Soviet Russia. Since recognition we have done \$25,000,000 worth of annual trade with Soviet Russia. Instead of buying \$200,000,000 worth of cotton from the Southern States they bought, I think it was, three and a half million dollars worth of cotton, and they borrowed that money from the Reconstruction Finance Corporation to put over the deal. But the skillful propaganda, based on business hopes, appealed to the South and appealed to the Northern States, and the promise of an

enormous amount of trade won over those who were in opposition to recognition. Now, after 7 years of complete failure to live up to any of their promises or pledges, particularly those promises for increased trade, is it not time for the Congress of the United States to act? I admit that this is not the proper procedure, far from it. There is not a Member on either side of the House who believes that this is the proper procedure, but it is the only chance we have. If we want to sever diplomatic relations, this is the only hope, the only way that we will ever have in this Congress to express our views and our sentiments and our solemn convictions. Is there anything wrong in Republicans or Democrats seizing this opportunity to express their views and the views of their constituents who want to sever diplomatic relations and have nothing to do with this country that denies God and spreads revolution all over the world, including the United States of America? [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

The Clerk read as follows:

Not to exceed 10 percent of any of the foregoing appropriations under the caption "Foreign intercourse" for the fiscal year ending June 30, 1941, may be transferred, with the approval of the Director of the Bureau of the Budget, to any other foregoing appropriation or appropriations under such caption for such fiscal year, but no appropriation shall be increased more than 10 percent thereby: *Provided*, That all such transfers and contemplated transfers shall be set forth in the Budget for the fiscal year 1942.

Mr. McCORMACK. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. McCORMACK: Page 17, after line 14, insert: "*Provided*, That no appropriations contained under the caption 'Foreign intercourse' shall be used for the maintenance of an embassy of the United States in the Union of Soviet Socialist Republics or for salaries or any character of expense, other than salaries, for the maintenance of any office or officer of the United States State Department in the Union of Soviet Socialist Republics."

Mr. McCORMACK. Mr. Chairman, the vote taken on a similar proposition to this a short time ago was very close—105 to 108. I am serving notice now that if I can get the floor I shall move to recommit the bill, with instructions to report the bill back forthwith with the amendments adopted. The pending amendment brings flatly before the Committee again the question that I attempted to bring when I tried to have the three amendments considered together. If the chairman of the subcommittee had agreed to that, the debate would have been over and settled by the vote taken on the first occasion.

Mr. Chairman, the very fact that 105 Members in the Committee voted in favor of this proposition indicates a very strong feeling in support of the effort that I am making on this occasion. I dare say that of the 108 Members who voted against the proposition, every one is opposed to what Soviet Russia stands for.

However, I wonder if they realize they were not consulted when the Litvinov agreement was entered into. The question of the recognition of Soviet Russia was not submitted to the Senate of the United States. Now, when they talk about "sentimentality," they are rather inconsistent in their position, because we were not consulted on that occasion, and this is the only opportunity we have of acting in our own right in expressing our views and the views of our constituents on this important matter.

Mr. MASSINGALE. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. No; I did not talk with Secretary Hull. [Laughter.]

Mr. MASSINGALE. That is what I wanted to ask the gentleman.

Mr. McCORMACK. I know. I told the gentleman privately and the gentleman told me he was going to ask me the question. I anticipated it by telling the gentleman that I did not.

Mr. MASSINGALE. That is what the gentleman told me.

Mr. McCORMACK. Now, someone talks about being "taken off our feet by sentimentality." The sentiment is on the part of those who have a fear of communism, who have

a fear of the Soviet Union. I hear some of them talk about Finland. I will vote for a loan to Finland without reservation. I will vote for a loan to Finland to buy munitions and implements of war. If we can loan money to Finland under the guise of Government credit for the purpose of buying agricultural products, we can make a loan to Finland for any purpose, without reservation.

We hear those who oppose the amendment talk that way, but certainly they did not vote the way they feel. They talk about Finland. If we took action today, it would be a message which would be chronicled throughout the world. It would do more to inspire the courageous people of Finland, short of other real material assistance, than anything this country could do.

Soviet Russia has broken every promise it has ever made. It never has kept a promise. I agree with the gentleman from Pennsylvania [Mr. FADDIS] that the Karelian Peninsula is the front-line trenches for western civilization. That is what I assume he had in mind. The Finns are making battle against those vicious forces that are not only desirous of conquest, but are determined to destroy the origin of western civilization—religion itself. When the gentleman from Pennsylvania [Mr. FADDIS] made his statement, I assume that is what he had in mind. If so, I thoroughly agree with him.

Mr. FADDIS. The gentleman is correct.

Mr. McCORMACK. My good friend, the gentleman from Texas, Judge SUMNERS, said if we wanted to help the Bolsheviks this was the way to do it. I respect my distinguished friend, but I remember when I was before the Committee on the Judiciary trying to get a bill out to make it a crime for "a person to knowingly and willfully advocate the overthrow of government by force and violence." I could not get it out of his committee. That amendment was put onto another bill last year, you will remember. I could not get it out of the Committee on the Judiciary to make it a crime for anyone "to knowingly and willfully advocate the overthrow of government by force or violence."

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McCORMACK. I did not ask for legislation confining it to "advocate." My bill provided that anyone who "knowingly or willfully advocated." What American can be opposed to that bill? Of course, the Committee on the Judiciary is composed of fine men and sincere, but I could not get that bill out of the Committee on the Judiciary. I wonder how some of my friends in the House on both sides feel when they realize that statement; and yet, when the amendment was offered in the House, it was overwhelmingly adopted. It reflected the sentiment of the Members of this House. It reflected the sentiment of the people of the United States.

There is no official diplomatic recognition of Russia. It is semidiplomatic, simply an exchange of letters, and it only exists by sufferance. The President can recall the Ambassador any time he wants to. This is not a question of whether there has been official recognition by the Senate of the United States.

Mr. KERR. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Yes; I yield to my friend.

Mr. KERR. Why did not the distinguished gentleman come before our committee and make a statement with respect to this legislation and sit down quietly and calmly with us and talk it over and see what could be done about it?

Mr. McCORMACK. That is a perfectly proper question. Of course, in the first place, I have a hesitancy about appearing before committees when all I know is what has been testified to after the hearings are over and printed. I recognize there might be some logic for that. But the Committee on Appropriations is not like any other committee. My experience is that they do not hold public hearings like any other committee.

Furthermore, a Member is not compelled to appear before a committee. A Member has his own rights as a Member of the House. To be frank with my friend, you know, and

I know, that if I appeared before the committee it would have been useless. The subcommittee would not have made any recommendation. I knew it had to be done by the House. The quicker our Ambassador is recalled from the Soviet Union, either by this action or by the President, the better for our country.

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, there has been a great deal of heat generated here on a question which I think is very important and which should be determined upon practical consideration of facts rather than prejudice or feeling. No Member of this House has any greater conviction of hostility against communism both here and abroad than myself. The question pending before us, however, is not whether communism is good or bad; not whether the United States acted wisely or unwisely in recognizing Russia; not whether Russia kept her promise or broke it; the sole question now to be considered is whether or not the severance of diplomatic relations at this time and the withdrawal of our Ambassador from Russia at this time will help or hurt the United States of America. [Applause.] Any other argument on any other line begs the question and is an appeal to passion and prejudice. I appeal to the House in passing upon this important question which affects not only our own country but Finland as well, to use our sound, sober judgment.

The chairman of the Foreign Affairs Committee of the House, the gentleman from New York [Mr. Bloom] is confined to his bed with illness and cannot be here. As a member of that committee I may say to the House that the question now pending is one to which I have given some thought and consideration. I am not acting upon impulse in what I say but upon an investigation of the facts with reference to the effect this resolution may have. I say candidly, and I say it with all the earnestness of my soul, that the adoption of the resolution to withdraw recognition of Russia and withdraw our Ambassador at this time will hurt the United States of America and will hurt Finland. [Applause.] If anybody challenges my statement, I would like to hear from him right now.

Mr. BARRY. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. BARRY. Is the gentleman in favor of withdrawing our Ambassador from Germany?

Mr. LUTHER A. JOHNSON. No; I am not, and we have not done so. We have not withdrawn our Ambassador from Germany. He is here on temporary leave.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield for a question?

Mr. LUTHER A. JOHNSON. Yes.

Mrs. ROGERS of Massachusetts. Who is here on temporary leave from Germany?

Mr. LUTHER A. JOHNSON. Our Ambassador to Germany.

Mrs. ROGERS of Massachusetts. Does the gentleman mean our very able former Ambassador, Mr. Hugh Wilson.

Mr. LUTHER A. JOHNSON. Yes.

Mrs. ROGERS of Massachusetts. I understand he resigned as Ambassador.

Mr. LUTHER A. JOHNSON. I am not sure about that, but I do know he came home on leave. At any rate, the Embassy in Germany is not vacant, and we have representatives in Germany now carrying on our Embassy in Berlin.

If we withdraw our representative from Russia, what do we do? What will it profit us and how will such an act benefit Finland? Our Embassy and Ambassador to Russia not only looks after the rights of American citizens but we are also enabled to get the facts as to what is happening there. When we had no representative in Russia our Government had to depend upon hearsay as to what was happening. One party would bring one report and another party a different report, and the State Department was in doubt as to the true condition of affairs in Russia. Now, with a war raging and with conditions as they are, more than ever before in our history do we need diplomatic representatives there; and we have as our Ambassador to Russia a very able man who, I am told

by the State Department, is doing a splendid job in representing us and getting the facts and in looking after our interests.

It is important also that we maintain our Embassy in Russia so that this Government, having its representatives there, can get information and facts for our Government to use in its dealings not only with that country but other countries. So far as Finland is concerned, you are not helping Finland—you are not helping the United States at this critical time—by severing diplomatic relations or withdrawing our Ambassador.

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. CELLER. Is it not a fact, since the gentleman and myself and most of us do not want to do anything that would be helpful to Russia, that the withdrawing of our Ambassador from Russia would be a blow at our own interests?

Mr. LUTHER A. JOHNSON. Absolutely. We would simply be making a gesture—a foolish gesture and a dangerous gesture—that would have no practical effect in the way of hurting Russia. We would be hurting only our own country, and we would be hurting Finland.

Do you think this is the place, do you think this is the forum, as an amendment to an appropriation bill to consider whether the relations of our Government should be severed, where the matter cannot be discussed, nor its significance, with all the facts, brought before the House? Do you think we should vote upon a matter of this kind when we do not know what the effect will be? I think I know what the effect will be, because I have investigated this question from every angle. Unlike my good friend from Massachusetts [Mr. McCORMACK], with whom I usually agree, I have been to the State Department and I have obtained information from sources which cannot be questioned outright. I am sure if some of the Members of the House had, they would not have voted as they did today, because the effect is going to be hurtful rather than helpful.

Mr. EATON. Will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from New Jersey.

Mr. EATON. I agree with my beloved colleague on the committee that this is probably not the best way to do it, but he made the statement that if this amendment is agreed to, it will injure the United States of America. I wish he would tell us in a few words exactly how that will be done.

Mr. LUTHER A. JOHNSON. That is a very reasonable question. In the first place it will hurt us because we will have no diplomatic representative over there to look after our own citizens who may be there at this very critical time. It will hurt us also in that we will not know what is happening in Russia so that we can gage our conduct with Finland and other countries accordingly. In this grave crisis it is necessary that we find out all the facts we can at this time. In time of peace it may not be so important to have a representative, but in time of war when other countries are threatening and no one knows what will happen, it is highly important that we have our Ambassador there to get all of the facts, to determine our conduct and relations to Russia and the other countries of the world. [Applause.]

[Here the gavel fell.]

Mr. CALDWELL. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida [Mr. CALDWELL]?

Mr. RAYBURN. Mr. Chairman, reserving the right to object, I want 5 minutes.

Mr. CALDWELL. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 50 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida [Mr. CALDWELL]?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM of Virginia. Mr. Chairman, I appreciate the very tense feeling that any Member of Congress or any American citizen might have over the situation that has been discussed here today. I do not believe anyone will accuse me of being particularly sympathetic with the Communists when they recall the fact that I have already been burned in effigy twice in public squares by the Communists in New York and some other places for the activities of the W. P. A. investigating committee in seeking to rid our relief rolls of Communists and their influence. It seems to me when we, sitting in the Committee of the Whole, more or less in an ex parte manner, by the control of small appropriation items, undertake to fix or seriously influence the foreign policy of our country, we are getting into very deep water and on very dangerous ground.

I heard some gentlemen here today advocating this drastic and significant action who on other occasions were inveighing against alleged tactics by the administration which they claim were seeking to put America into war; yet I cannot think of anything that the Congress could do; I do not know of any way we could commit a greater affront to a nation that as a power at present is on friendly relations with America, than by the action which is proposed here in this amendment.

If the question in issue here were whether or not America would recognize Russia, then I nor any of my colleagues would have any difficulty in voting on the question. Of course, you would not recognize it. The attitude of that Communist country, the manner in which it has persecuted all religious denominations, the manner in which it has ground down its own citizens and taken their rights away from them, the outrageous invasion of Finland, and all of its other acts are repulsive to every impulse of liberty and freedom that any red blooded American citizen could have, yet there is a proper time and place in which to fix the important foreign policies of our country, and this is not the time nor the place. Whatever may be our attitude toward some policies of the present administration, I believe the one man who has handled his job above reproach is Cordell Hull. In a most critical period, fraught with grave danger, he has done a magnificent job in handling the foreign affairs of this country [applause], and it seems to me that the action which we are proposing here today in withholding a small appropriation for the Embassy at Moscow is most untimely, and impugns the administration of our Secretary of State. I want to plead with the House of Representatives not to take snap judgment on this matter. It is not a question whether we approve or disapprove of Russia's invasion of Finland. Of course we do not. There would not be a vote in this body to approve of that. As has been pointed out, the suggested action would in nowise aid Finland or injure Russia. There is a proper time, a proper place, and a proper forum under our system of government in which these matters of foreign policy are determined and handled, and not collaterally by taking out a small item of an appropriation bill.

Mr. Chairman, I very much hope that this amendment and any other similar amendment will not be accepted by the Committee.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Maine [Mr. BREWSTER].

RECOGNITION OF RUSSIA

Mr. BREWSTER. Mr. Chairman, I appreciate the tribute paid by the gentleman to the administration of the Department of the Secretary of State, but I believe we should also be informed whether or not it is a fact that the files of that Department will show that every one of our representatives in Europe concerned with the Russian situation immediately prior to its recognition recommended against recognition of Russia at that time. If that is a fact it seems to me it has a very material bearing upon the policy with which we are here concerned. I say this because the members of the Committee on Foreign Affairs, the gentleman from Texas and others,

are doubtless accorded the privilege of knowing what were the reports of our representatives on the borders of Russia immediately prior to our recognition of this regime.

RUSSIAN GOLD

I want to address myself more specifically, however, to the theory of the listening post in Russia. We have been hearing a great deal recently about the matter of Russian gold. The Secretary of the Treasury states that he does not know and is utterly unable to find out how much Russian gold is being produced or what is its distribution. I want to suggest that if our Ambassador in Russia is not able to learn these facts there is within the bounds of the United States now a gentleman who for 9 long years up to 1939 was in charge of all Soviet gold production.

Why is this a matter of concern? If it be a fact that this Government has taken \$1,000,000,000 of Russian gold in the last 5 years, as is by many asserted, it means that we have not only given that amount of exchange to Russia but we have given the Soviet Government a profit of hundreds of millions of dollars. It is estimated that Russian gold may be produced in vast quantities for less than \$15 an ounce. Yet we pay \$35 an ounce for every ounce shipped to our shores from anywhere in the world. This means that in buying \$1,000,000,000 in gold the United States gives Russia a profit of approximately \$600,000,000 for gold that probably could not be sold elsewhere—certainly not at any such price.

JOHN D. LITTLEPAGE

John D. Littlepage is the name of the gentleman to whom I refer, whose book, *In Search of Soviet Gold*, reveals the most intimate knowledge of gold production in Russia throughout the last decade.

It is no answer to the suggestion that America has been financing Russia through this period to support this communistic regime to say that all the gold in our Treasury is stamped with the mark of Britain, France, or the Netherlands. This may simply mean that Europe has sold us a billion dollars' worth of European gold and replaced that gold with a billion dollars of gold from Russia, to maintain Europe as the international gold broker, which in my judgment is actually the fact.

Mr. Littlepage sought to discover why Russia did not increase its production of gold. He was told by an international authority on finance, as he reveals in the book to which I have referred, that Russia did not dump more gold on the world market because Europe thought the United States was now taking about its limit, and they did not wish to kill this golden goose. These international gold buccaneers have dumped gold on our country until we now have 65 percent of all the gold to be found in all the world.

I would suggest that the Secretary of the Treasury seek out Mr. Littlepage to tell us a few elemental facts about Russian gold production and distribution, since our Embassy seems unable to ferret out the truth.

I would not say that our novel gold policy was designed to bolster the tottering economy of Communist Russia. That, however, has been one of its unfortunate effects. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. MASSINGALE].

Mr. MASSINGALE. Mr. Chairman, I was quite a bit surprised at the vote on the first amendment offered by the gentleman from Massachusetts [Mr. McCORMACK], whom I admire very much. Since the beginning of the debate on this amendment the gentleman from Massachusetts has very frankly told us that he has not consulted Secretary of State Hull about this matter at all. With that frank statement it is impossible for me to conceive why any man, whether he be a Democrat or a Republican, would want to commit this Congress upon so important a matter without even consulting the man who is charged with the responsibility of handling that Department of the Government of the United States.

I can say one thing, however. We have a gentleman on the Republican side who seems to act as the minority Secretary of State. He never misses an opportunity to get up here and say something about the foreign policy of the United States.

Even between sessions of the Congress he makes trips across the ocean and when he gets there rides in airplanes to the various countries that are at war or about to get into war, and then comes back here and announces what the foreign policy of the Government of the United States ought to be.

At one time I believe I spoke of the gentleman—and I have a very high regard for him—as a Secretary of State in waiting. If he is not that, I do not know how to describe him. He is not satisfied with Secretary Hull's administration of the foreign policy of this Government. I hope he will be patient enough, at least, not to unhorse Mr. Hull now, but will wait until after the November elections, when perhaps he may realize that long-nursed ambition of his to direct the foreign affairs of this country.

As I stated a while ago, it seems quite absurd for this Congress to adopt this amendment, notwithstanding the very high regard and affection we all have for the author of the amendment. It is just too dangerous for us to be fiddling with an action such as this without some advice from someone who is responsible to this Government and knows what ought to be done about it. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, I was greatly interested in the statement of the gentleman from Virginia [Mr. WOODRUM], that if we had a chance to vote at this moment on the question whether or not we should recognize Russia, there would be no question about the result of the vote. That statement has gone forth to the administration, that without question this House would go on record, if they had a chance to vote on the question properly, that we would not approve recognition of Russia. Therefore, his argument seems to be that it will be too bad to deprive our Ambassador of his salary. This is the one forum we have for expressing ourselves on these matters, so what harm is there, even in this back-handed way, in our taking this action? If we had an opportunity to vote on the question directly, the gentleman says we would express ourselves as against it. Then why not do it this way? I doubt very much if that gentleman over in Russia finds out anything the Russian Government does not want him to know.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Minnesota.

Mr. ALEXANDER. If the Ambassador in Russia is so necessary or essential or valuable, or is doing such a good job, why was it impossible for the commander of the *City of Flint* to contact him at the time his ship was tied up in the harbor at Murmansk?

Mr. GIFFORD. I believe everybody understands that our Ambassador to Russia finds out nothing that the Russian Government does not care for him to know. They are undoubtedly making a mountebank of him.

The point I wish to make, however, is that this is the only way we have of expressing ourselves. I have no hesitation in saying that if all it amounts to is refusing the salary of that gentleman, let us do it. I might remind the House that if we vote it out, we do the job. If we wanted to let him stay there at his own expense, we probably could not accept his services. I do not know but that probably some of you might want to vote to leave \$1 in this appropriation in order to make him a dollar-a-year man, so that he can represent us legally if he stays there.

A gentleman who preceded me said they could not find out how much gold Russia had imported. The Secretary of the Treasury and the Federal Reserve say we have not bought an ounce of gold as such, but we have only taken it in ordinary business transactions. Indirectly we have taken the gold; everybody knows that. Russia can buy our securities and then sell them the next day and take our good dollars for them. We do not have to buy gold as such from Russia. It is difficult, you know, to listen to explanatory speeches founded on simple facts from the Federal Reserve and from the administration. We have to look into them very care-

fully and learn the indirect results obtained. Of course, Russian gold indirectly has found its way here, and we have helped finance her war in Finland.

I am not afraid. I want to extend help to Finland. I am ready to vote direct aid. I repeat what I once quoted here not long ago in the words of Daniel Webster:

Three thousand miles of ocean roll between; we are safe; but we belong to the family of nations.

Can we not at least protest? If my vote here today could only be interpreted, I would like to have you interpret it as "Hurrah for Finland!"

Mr. LAMBERTSON. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. LAMBERTSON. Does not the gentleman think that even before we withdraw the money for the Ambassador to Russia we ought to withdraw the money for the Ambassador to Berlin, who is not even serving.

Mr. GIFFORD. Well, we cannot explain that situation. To fully comment on the many peculiar actions of this administration would take a long time. [Laughter and applause.]

[Here the gavel fell.]

Mr. HARE. Mr. Chairman, I am quite sure if we were taking a poll expressing opposition of Congress to bolshevism or communism, it would be practically unanimous, but, unfortunately, this legislation does not permit of such a poll today.

I cannot help but think of the inconsistency of the arguments we are making today compared with those we were making less than 6 months ago, when discussing the neutrality bill. The gentleman who preceded me referred to the withdrawal of our Ambassador from Russia, and a number of others have expressed their individual opinions about the matter. If it were left to me personally, I would not have had any Ambassador in Russia to begin with, but that is a matter heretofore left with our President or State Department, and while I recognize we have the right to make or refuse to make an appropriation for such a diplomatic post, I think it is nothing short of our duty that we try to maintain friendly relations with all nations.

Less than 6 months ago men stood in this Chamber here and pleaded, with tears in their eyes as big as little apples, for the passage of a neutrality law in order to keep this country out of war. They were pleading in response to the will and desires of the American people that this country should take no action that would involve us in a foreign war; and yet we hear some of these same gentlemen here today—the gentleman from Massachusetts [Mr. McCORMACK], for instance—rising on the floor of this House and saying that he is now willing to vote to supply and send arms and munitions of war to Finland, a country that is already in war. There is no doubt but that such action would be a flagrant breach of our neutrality law, which he so ably defended and supported last year. In other words, he is willing, by his statement and actions today, to take the first step that will inevitably lead us into a foreign war. I would not dare question his motives, but when he speaks of sending arms and munitions to a country already in war, which would be in violation of our neutrality law, I cannot overlook the fact that he comes from a State in which there are large shipbuilding interests and many munitions plants.

I have unbounded sympathy for Finland, and I have no sympathy whatever with the Government of Soviet Russia or any of its social or governmental teachings or institutions. As a matter of fact, I would personally like to see every vestige of communism or Russianism wiped off the face of the earth, but I am not willing at this time to take an unprovoked action that may involve us in war and require us to send millions of young men into a foreign country and sacrifice their lives simply to satisfy my personal likes or dislikes. There can be no doubt but that the passage of this amendment will be a reflection and an insult to Russia. As I have already stated, I hold no brief for Russia; I have no sympathy whatever for Russia or any of its institutions; but

I know that one of the easiest ways in the world to get into a fight is to slap an enemy in the face.

Mr. CREAL. Mr. Chairman, will the gentleman yield?

Mr. HARE. Yes.

Mr. CREAL. Does the gentleman recall, when the same gentleman from Massachusetts made his speech last year on the neutrality bill, that the gentleman from New York [Mr. FISH] said, "That is the most warlike speech we have had since the World War"?

Mr. HARE. I do not recall the exact language, but I do know the two gentlemen referred to were then on opposite sides of the neutrality question, and the gentleman's observation is just another concrete illustration of the inconsistency of their actions here today.

We cannot fool the American people about getting into war. They want this country to stay out of any and all foreign wars, and they do not want this Congress to go around with a chip on its shoulder giving dares to people simply because we do not like the way they do things. Sooner or later it will get you into trouble. To withdraw diplomatic relations with Russia now simply because we do not approve of her form of government or the way she acts toward other nations—we would for the same reason be compelled to withdraw diplomatic relations with Germany, Japan, and other foreign countries, which we know sooner or later will mean war for us. Of course, if there is anything to be gained, I would readily be willing to cut out this appropriation of \$17,500, but I am not willing to take the chance of becoming involved in a foreign war on account of so little an amount of money. That is, I am not willing to take the chance of sending the young men from my district to a foreign war for the pitiful sum of \$17,500, which is the amount involved in this amendment. It is not worth the sacrifice of the life of even one man.

[Here the gavel fell.]

Mr. DWORSHAK. Mr. Chairman, a few minutes ago, when the gentleman from California [Mr. IZAC] stated that he favored the extension of loans to Finland for the purpose of purchasing military supplies, I interrogated him and asked whether he thought it would not be more effective to send American youth to help Finland fight against the onslaughts of the Russian armies. I did not propound that question because I was in favor of that step, and I want it distinctly understood at this time that I am opposed to extending aid to Finland for the purchase of military supplies, because I believe to do so would be an unneutral position and would ultimately lead to our involvement in the war which is now raging in northern Europe.

I voted against the McCormack amendment because I believed that to take such action at this time, to withdraw our diplomatic representative from Russia, would be an unneutral act, and I am opposed to doing anything at this time which is inconsistent with the neutrality policy which was adopted by Congress during the special session.

Mr. THOMAS F. FORD. Is not the breaking off of diplomatic relations the first step toward war?

Mr. DWORSHAK. Whether it is or not, I am opposed to breaking off diplomatic relations with any country at this time, believing that the United States should take a distinctly neutral position and not become involved or influenced in any way by our emotions or sympathies.

Mr. HILL. Mr. Chairman, I rise to call the attention of Members here to history. There was probably no more bloody revolution in recent times than the French Revolution, and yet within 3 weeks, I believe it was, at least it was only a few weeks, Washington and Jefferson, two men we highly regard in the United States today, recognized the Republic of France. Why? Because it was a de facto government. By recognizing a government you do not thereby approve what they do or what they stand for. You simply say that that is a de facto government, and therefore that we recognize it. We recognized the czarist regimes for decades. Did we thereby approve what the czars stood for? Of course not. Now, if we

are going to sever diplomatic relations with Russia, it must follow that we must also sever diplomatic relations with Germany; but I do not hear these gentlemen from Wisconsin or my good friend from New York [Mr. FISH] who rode in von Ribbentrop's airplane saying that we should sever relations with them, and yet the Hitler government denies God. Hitler has abused us and denounced democracy. When he raped Poland and laid it waste, did these gentlemen take the floor to denounce him? Then we must also sever relations with Italy. When Mussolini ravaged Abyssinia, did these gentlemen arise to protest? The Governments of Russia, Italy, and Germany are all alike, and we must treat them all in the same manner.

Mr. FISH rose.

Mr. HILL. I have not the time. Because Germany and Italy have done the same as Russia, and we have the same thing against Germany and Italy that we have against Russia. I cannot yield. In conclusion may I read from two esteemed gentlemen. I am not very much of an admirer of the great Al Smith, but at least you cannot call him a Bolshevik or say he favors communism. On page 1543 of the CONGRESSIONAL RECORD of April 12, 1933, he is quoted by Senator Borah in this manner:

Russian propaganda in this and other countries is also offered as a reason against recognition. I don't know how widespread Russian propaganda is, and I don't believe anyone else knows. In fact, there is considerable doubt as to whether the Russian Government actually is attempting to undermine other governments. If so, I am not afraid of what it will accomplish here.

And then to my Republican friends I quote from that distinguished statesman whose keen mind and unquestioned integrity we all honored and whose funeral I had the honor of attending in Boise. Senator Borah, who was chairman of the Senate Foreign Relations Committee, had this to say:

If I did not believe in the intelligence and the patriotism of the people of the United States, I might be afraid that they would be misled by propaganda of that kind; but as I do believe in their intelligence and patriotism I have no such fear whatever. I am not willing to base our foreign policies upon the theory that our own people are weaklings, susceptible to every intellectual wind that blows.

May I say, my good friends, that if we in this country set our house in order and solve the farm problem and the unemployment problem, bolshevism and nazi-ism and fascism can get no hold in this country.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. FISH. Mr. Chairman, I do not believe the gentleman who just spoke wants it to go into the RECORD that the German people are antigod, and I do not believe any other Member of Congress believes that the German people have repudiated God; and if that is what he said, and he wants to keep it in the RECORD, it is his privilege to do so, but I am sure that that is not what he meant.

Mr. HILL. Does the gentleman deny that Hitler denies God and religion?

Mr. FISH. I never had the pleasure of meeting Mr. Hitler or discussing religion with him. I am talking about the German people and that is what the gentleman said. The German people believe in God just as much as the gentleman does, just as much as the American people believe in God. It is an entirely different thing, recognizing Russia that has repudiated God and all religion and teaches hatred of God and all religion, and Germany.

Mr. HILL. The Russian people have not.

Mr. FISH. The gentleman will find out about the Germans, and what they think in America, the people of German origin, as to whether they believe in God, and whether they think their relatives believe in God.

I never have defended Hitlerism. I was the one who introduced the first resolution against the persecution of the Jews by Hitler. I never, never said that I was in favor of Hitler or any foreign dictatorship, and I want that to go into the RECORD. I never defended any foreign dictatorship—never. I

am more against dictatorships than any man in the House, and I am just as much against dictatorship at home. [Applause.] I am against a dictatorship in Russia the same as I am in Germany or in the United States. It is none of our business what form of government exists in Germany or Russia, but very much our business that there is no kind of dictatorship in our own country.

I am getting a little tired of these references to "rides in airplanes," when even Prime Minister Chamberlain, Premier Mussolini, and others rode in the same airplane, and an American Congressman cannot travel in the plane of the German Foreign Minister without having his patriotism and Americanism impugned. I do not know what the gentleman from Washington [Mr. HILL] did in the World War, either. [Laughter.]

This question of recognition of Soviet Russia is no new matter. It was an international lie from the beginning. It was when we recognized Soviet Russia. It is still, and it will continue to be as long as the Communists are in control of Soviet Russia. As I have said, it is none of our business what form of government they have in Soviet Russia or in Nazi Germany or in Fascist Italy, and it is none of their business what form of government we have in the United States of America; but it is our business when foreign nations, like Communist Russia, interfere with our free institutions and republican form of government. It then becomes very much our business to prevent the spread of communism in our own country, and we intend to make it our business, and on every opportunity I have to sever diplomatic relations with Soviet Russia on that ground alone I propose to take it. The opportunity is here in the House of Representatives. Have we got the courage to take it or will we say, "Wait until some other time," as the gentleman from Texas [Mr. LUTHER A. JOHNSON] said. "This is not the time. This may be harmful to us." What good is an Ambassador in Soviet Russia? What good was our Ambassador when the *City of Flint* was seized? He could not even communicate with the captain of the *City of Flint*, who was at Murmansk for a week. What good is an Ambassador there? What does he know about the production of gold in Soviet Russia and the sale of gold to us at twice or three times the cost of production? It has been said it would be harmful to Finland. How in the world could it be harmful to Finland to repudiate Soviet Russia now? That is what I want to know. That is what the American people have a right to know. If you send out word that the majority of this House has voted to sever diplomatic relations with Soviet Russia, nothing could help Finland more in its fight for independence and liberty and encourage them to continue their battle for democracy and Christianity.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield.

Miss SUMNER of Illinois. I would like to ask the gentleman if he does not think, if it should go out that this Congress voted unanimously, after this question came up, much as we deprecate the fact that it has come up in this way, but if it should go out that we voted unanimously against this amendment, every newspaper in Russia will say that we had endorsed and recognized and approved the Russian policy?

Mr. FISH. Certainly. It is too bad it has come up now, because if it is voted down that will be the effect in spite of the fact that 90 percent of the American people want to have nothing to do with Soviet Russia.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. SUMNERS].

Mr. SUMNERS of Texas. Mr. Chairman, I do not like to appear on the floor so frequently. When you listen to one of these calm, deliberate speeches like we have just listened to from the gentleman from New York [Mr. FISH] [laughter], and see and appreciate that the statesmen of a great Republic have assembled deliberately to consider a major matter such as we are now considering, and then when a fellow makes a

fiery speech like I am making, it is just out of order. [Laughter.]

This is one of the most remarkable proceedings I have observed since I have been a Member of this House. On the spur of the moment, by an amendment to an appropriation bill, with reference to which no prior notice has been given, it is proposed, in effect, to sever diplomatic relations with Russia. Now, what do you propose to do? We have a lot of talk about bolshevist and Finland. I have not heard anybody here get down to cases and state what benefit is going to come to any of the countries with whom we sympathize as a result of the action here proposed, or what harm is going to come to Russia if this amendment is adopted. Our Secretary of State, our diplomatic agent, struggling with all the involved diplomatic problems arising out of many nations at war, is not even consulted. Just think about that for a minute—grown people charged with a great responsibility actually proposing to do this thing. I am very certain that the only benefit that will come to anybody will come to Russia if we should pass this amendment. We are not going to do anything to them, but the Russian leaders would immediately be able to appeal to their people that they should stand together, because this great Government is undertaking to run the business of Russia. Can anybody overestimate the benefit of such an appeal? Suppose this were reversed, what would our reaction be? This is one of the most remarkable situations I have ever seen. Here we have a system of three coordinate branches of the Government. We have a man—Cordell Hull—employed by those people to have responsibility, in the first instance, for taking care of our diplomatic arrangements. I am not going to embarrass the people who have been voting to take this control away in the first instance by asking how many of them have sat down in calm, deliberate discussion with Cordell Hull and suggested to him that this thing should be done. I venture the statement that there is nobody, and if there is anybody, I will yield for him to stand in his place and say so. I will not exclude my distinguished friend who is a candidate for the Presidency of the United States on the Republican ticket. I yield to him to state that he went up there to the Department of State and gave his views to the Secretary of State that this thing ought to be done.

We are saying to the world today, at a time when Cordell Hull is the only person in the first instance to handle the diplomatic relationships of this country, that we are undertaking to take that responsibility away from the Department of State in the first instance; that we have no confidence in the Secretary of State. The only thing we do is to weaken the hands of the Secretary of State in undertaking to deal with the difficult and dangerous problems of this country at this moment. I will venture that you cannot find in the history of this country anything comparable to what is taking place in this Chamber right now.

Mr. BREWSTER. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. BREWSTER. Would the gentleman inform us where Secretary Hull was when the arrangement was made for recognition of Russia?

Mr. SUMNERS of Texas. Unfortunately, I do not follow him around all of the time. I do most of the time, but that was one time when I was not on the job.

Mr. BREWSTER. Does the gentleman recall that Secretary Hull sailed for South America and the President himself made the arrangements with Litvinov after Hull had departed.

Mr. SUMNERS of Texas. I do not know where he was. One very significant thing about this whole matter apparent to me and to everybody else is that somehow or other on the Republican side you followed a little too regularly a certain gentleman from Massachusetts on this thing. It looks a little like politics, and this is a mighty poor time and place to be playing it.

Mr. JOHNS. Rubber stamps?

Mr. SUMNERS of Texas. No; I would not say rubber stamps.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Chairman, I quite agree with my colleague from Texas that this is an amazing situation. There never has been a time in my 27 years of service in this House, it matters not who was the President of the United States or who was Secretary of State, when in a proceeding like this I would have voted to abrogate the ancient and fundamental policy of the Government of the United States in foreign affairs.

The outcome of the question now before us cannot be put upon the ground of what we think about Russia, what we think about the form of government in Russia, or what Russia has done to the little democracy of Finland. This action here today will not help Finland. This action here today will not hurt Russia. Let me repeat what was so well said by my colleague from Texas [Mr. SUMNERS], that this action will make a more determined and a more resistless Russia to go about doing more of the things she should not do.

Are we, the Congress of the United States, going to sever diplomatic relations by an amendment like this with every country on the face of the earth with whose form of government we do not agree? Do you endorse the Government of Japan? Do you endorse in toto the government in Italy, or in Germany, or in a dozen other countries throughout the length and breadth of the world? Whether or not some people wanted the United States to resume diplomatic relations with Russia, it has been done, and done by the people who had the authority to do it.

It is dangerous ground, Mr. Chairman, in my opinion, upon which we tread today. The international situation is tense, and I was so impressed by the remarks of the gentleman from Oklahoma [Mr. MASSINGALE], buttressed by the remarks of the gentleman from Texas [Mr. SUMNERS]. Is there a man in this House who has spoken in favor of this amendment, or who intends to vote for it, who has given the Secretary of State the privilege, the poor privilege, of talking to him or her about not only the Russian situation but the situation in other parts of the earth and with other countries?

I do plead with my colleagues at this hour: Be mighty careful, it is a dangerous situation that faces the whole earth. Let us, therefore, not do a thing here in passion and lack of reason that might embarrass this country beyond the poor limits of the patience and fortitude of the people of the United States. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Florida [Mr. CALDWELL] is recognized for 5 minutes.

Mr. CALDWELL. Mr. Chairman, all I care to say about this amendment is that now we have mauled it around, knocked it about, and played politics with it we ought to do the sensible thing and vote it down. No one has offered a single reason why it should be approved. No one has pointed to a single benefit which will accrue to this country if it be adopted. There must be a limit beyond which prejudice and politics cannot go.

I urge the defeat of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. McCORMACK) there were—ayes 38, noes 95.

So the amendment was rejected.

The Clerk read as follows:

For payment of the annual contributions, quotas, and expenses, including loss by exchange in discharge of the obligations of the United States in connection with international commissions, congresses, bureaus, and other objects, in not to exceed the respective amounts, as follows: Cape Spartel and Tangier Light, coast of Morocco, \$1,176; International Bureau of Weights and Measures, \$4,342.50; International Bureau of Publication of Customs Tariffs, \$1,318.77; Pan American Union, \$239,458.70, including not to exceed

\$20,000 for printing and binding; International Bureau of Permanent Court of Arbitration, \$1,722.57; Bureau of Interparliamentary Union for Promotion of International Arbitration, \$20,000, including not to exceed \$10,000 for the expenses of the American group of the Interparliamentary Union, including personal services in the District of Columbia and elsewhere without regard to the Classification Act of 1923, as amended, stenographic reporting services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5), traveling expenses, purchase of necessary books, documents, newspapers, periodicals, maps, stationery, official cards, printing and binding, entertainment, and other necessary expenses to be disbursed on vouchers approved by the president and executive secretary of the American group; International Institute of Agriculture at Rome, Italy, \$48,756, including not to exceed \$11,700 for the salary of the American member of the permanent committee (at not more than \$7,500 per annum), compensation of subordinate employees without regard to the Classification Act of 1923, as amended, expenses for the maintenance of the office at Rome, including purchase of necessary books, maps, documents, and newspapers and periodicals (foreign and domestic), printing and binding, allowances for living quarters, including heat, fuel, and light, as authorized by the act approved June 26, 1930 (5 U. S. C. 118a), for the use of the American member of the permanent committee, and traveling and other necessary expenses, to be expended under the direction of the Secretary of State; Pan-American Sanitary Bureau, \$58,522.75; International Office of Public Health, \$3,015.63; Bureau of International Telecommunication Union, Radio Section, \$5,790; Inter-American Radio Office, \$3,655; Government of Panama, \$430,000; International Hydrographic Bureau, \$5,404; Inter-American Trade-Mark Bureau, \$14,330.20; International Bureau for Protection of Industrial Property, \$1,471.63; Gorgas Memorial Laboratory, \$50,000; *Provided*, That hereafter, notwithstanding the provisions of section 3 of the act of May 7, 1928 (45 Stat. 491), the report of the operation and work of the laboratory, including the statement of the receipts and expenditures, shall be made to Congress during the first week of each regular session thereof, such a report to cover a fiscal year period ending on June 30 of the calendar year immediately preceding the convening of each such session; American International Institute for the Protection of Childhood, \$2,000; International Statistical Bureau at The Hague, \$2,000; International Map of the World on the Millionth Scale, \$50; International Technical Committee of Aerial Legal Experts, \$6,745, including not to exceed \$6,500 for the expenses of participation by the Government of the United States in the meetings of the International Technical Committee of Aerial Legal Experts and of the commissions established by that committee, including traveling expenses, personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended, stenographic and other services by contract if deemed necessary, without regard to the provisions of section 3709 of the Revised Statutes (41 U. S. C. 5), rent, purchase of necessary books, and documents, printing and binding, official cards, entertainment, and such other expenses as may be authorized by the Secretary of State; Convention Relating to Liquor Traffic in Africa, \$55; International Penal and Penitentiary Commission, \$4,332, including not to exceed \$800 for the necessary expenses of the Commissioner to represent the United States on the Commission at its annual meetings, personal services without regard to the Classification Act of 1923, as amended, printing and binding, traveling expenses, and such other expenses as the Secretary of State may deem necessary; Permanent Association of International Road Congresses, \$588; International Labor Organization, \$163,511.64, including not to exceed \$5,901 for the expenses of participation by the United States in the meetings of the general conference and of the governing body of the International Labor Office and in such regional, industrial, or other special meetings as may be duly called by such governing body, including personal services, without reference to the Classification Act of 1923, as amended, in the District of Columbia and elsewhere, stenographic reporting and translating services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5), rent, traveling expenses, purchase of books, documents, newspapers, periodicals, and charts, stationery, official cards, printing and binding, entertainment, hire, maintenance, and operation of motor-propelled passenger-carrying vehicles, and such other expenses as may be authorized by the Secretary of State; Implementing the Narcotics Convention of 1931, \$10,551.85; International Council of Scientific Unions and Associated Unions, as follows: International Council of Scientific Unions, \$19.30; International Astronomical Union, \$617.60; International Union of Chemistry, \$675; International Union of Geodesy and Geophysics, \$2,316; International Scientific Radio Union, \$232.40; International Union of Physics, \$62.72; International Geographical Union, \$125.44; and International Union of Biological Sciences, \$154.40; in all, \$4,202.86; and Pan American Institute of Geography and History, \$10,000; in all, \$1,093,000, together with such additional sums, due to increase in rates of exchange as the Secretary of State may determine and certify to the Secretary of the Treasury to be necessary to pay, in foreign currencies, the quotas and contributions required by the several treaties, conventions, or laws establishing the amount of the obligation.

Mr. CASE of South Dakota. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CASE of South Dakota. Mr. Chairman, I make a point of order against the language beginning in line 20, page 20, "International Labor Organization, \$163,511.64" and ending on page 21, line 11, with the words "Secretary of State" on the ground there is legislation contained in lines 1, 2, 5, and 10.

Mr. TABER. Mr. Chairman, I have an additional point of order.

Mr. CALDWELL. Mr. Chairman, I suggest that points of order be taken up separately.

Mr. TABER. Mr. Chairman, I reserve another point of order against the paragraph.

The CHAIRMAN. The gentleman will state it.

Mr. TABER. Mr. Chairman, I make a point of order against the language beginning with the word "Bureau", line 2, page 18, and ending with the word "group" in line 15, page 18.

Mr. CALDWELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CALDWELL. Will the Chair tell us what point of order is before us at the moment?

The CHAIRMAN. There are two points of order pending. The gentleman from South Dakota raises a point of order against the language beginning in line 20, page 20, and ending with line 11, page 21.

The gentleman from New York raises an additional point of order against the language beginning in line 2, page 18, down to and including line 15, ending with the word "group."

Does the gentleman desire to be heard on the point of order?

Mr. TABER. Mr. Chairman, I do.

Mr. CASE of South Dakota. Mr. Chairman, I think legislation is clearly included in the lines I cited.

The CHAIRMAN. Does the gentleman from New York desire to be heard?

Mr. CALDWELL. May I ask that we take up the points of order one at a time?

The CHAIRMAN. We will take up the first point of order raised by the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Chairman, I make the point of order that here is legislation in an appropriation bill. The language provides that certain things shall be done "without reference to the Classification Act" and certain other things shall be done "without regard to section 3709 of the Revised Statutes," and it also includes this language: "And such other expenses as may be authorized by the Secretary of State," all of which is legislation.

The CHAIRMAN. Does the gentleman from Florida [Mr. CALDWELL] desire to be heard on the point of order?

Mr. CALDWELL. I think undoubtedly some of the language in that section is subject to a point of order. I am wondering if the gentleman would object to the elimination of the objectionable language.

Mr. CASE of South Dakota. Mr. Chairman, I make the point of order against all of the language in the portion of the bill cited. From what I have heard of this particular item, under the appropriation made last year, as many as four trips to Europe were made, and other things done which seem of questionable justification. Consequently, I am constrained to make the point of order to include the appropriation itself.

The CHAIRMAN. Does the gentleman from Florida desire to be heard further?

Mr. CALDWELL. Undoubtedly a portion of the language is subject to a point of order, but I think the purpose can only be accomplished by the inclusion of that language. I certainly cannot object to sustaining the point of order on the ground suggested by the gentleman from South Dakota.

The CHAIRMAN. The Chair sustains the point of order made by the gentleman from South Dakota [Mr. CASE]. The Chair will now hear the gentleman from New York [Mr. TABER] on his point of order.

Mr. TABER. Mr. Chairman, I make a point of order against the language I previously referred to on the ground

it is legislation in an appropriation bill and covers items not authorized by law.

Mr. CALDWELL. Would the gentleman have any objection to eliminating the language complained of, which is subject to a point of order, and retention of the substance of that section?

Mr. TABER. I cannot agree to that because I do not believe the language I have included within the point of order serves a useful purpose. I believe that the Bureau of Inter-parliamentary Union should be done away with. It is not justified, and we should not in these days when economy is necessary have the item in the bill. I believe the House ought to vote on it separately if we are going to have it.

Mr. CALDWELL. Mr. Chairman, may I ask that the point of order be again stated to the House?

The CHAIRMAN. The gentleman from New York [Mr. TABER] makes a point of order against the language beginning in line 2, page 18, down to and including the words "American group," in line 15.

Mr. TABER. All of the language between those two points.

Mr. CALDWELL. Undoubtedly some of that language is subject to a point of order, and I cannot object to the Chair sustaining the point of order.

The CHAIRMAN. There is an authorization in there, but there is also legislation in an appropriation bill. The Chair is constrained to sustain the point of order raised by the gentleman from New York [Mr. TABER].

Mr. CALDWELL. Mr. Chairman, I offer an amendment which I send to the Clerk's desk, the language of which will take the place of that stricken out on the point of order raised by the gentleman from South Dakota [Mr. CASE].

The Clerk read as follows:

Amendment offered by Mr. CALDWELL: Page 20, line 20, after the figures "\$588" and the semicolon add the following: "International Labor Organization \$163,511.64, including not to exceed \$5,901 for the expenses of participation by the United States in the meetings of the general conference and of the governing body of the International Labor Office and in such regional, industrial, or other special meetings as may be duly called by such governing body, including personal services in the District of Columbia and elsewhere, rent, traveling expenses, purchase of books, documents, newspapers, periodicals, and charts, stationery, official cards, printing and binding, entertainment, hire, maintenance and operation of motor-propelled passenger-carrying vehicles, and such other expenses as may be necessary."

Mr. CASE of South Dakota. Mr. Chairman, I make the point of order against the amendment that it contains items that are not included in authorizations of existing law.

The CHAIRMAN. Does the gentleman from Florida desire to be heard on the point of order?

Mr. CALDWELL. Mr. Chairman, the language of the amendment I have proposed follows the purpose of the act of June 19, 1934, which provides as follows:

Resolved, etc., That the President is hereby authorized to accept membership for the Government of the United States of America in the International Labor Organization, which, through its general conference of representatives of its members and through its International Labor Office, collects information concerning labor throughout the world and prepares international conventions for the consideration of member governments with a view to improving conditions of labor.

The powers included in the proposal are all necessary and incident to the authority granted by the act referred to. Our membership in the organization cannot be properly accomplished except under the authority conveyed by that language.

The CHAIRMAN. Is there any authorization for entertainment in the act to which the gentleman has referred?

Mr. CALDWELL. I believe it is perfectly obvious, Mr. Chairman, that entertainment is a necessary incident to the carrying out of the purposes of the act. Considering the objective desired to be attained and the purpose of the passage of the legislation, I think it must be admitted that

our participation in the conference cannot be successful without it.

The CHAIRMAN. The Chair is constrained to give a liberal interpretation to the act referred to by the gentleman from Florida, but within such a liberal interpretation the Chair is constrained to sustain the point of order on the ground that an appropriation for such a purpose is not authorized.

Mr. CALDWELL. Mr. Chairman, I reoffer the amendment with the word "entertainment" stricken out.

The Clerk read as follows:

Amendment offered by Mr. CALDWELL: Page 20, line 20, after the figures and semicolon insert the following: "International Labor Organization \$163,511.64, including not to exceed \$5,901 for the expenses of participation by the United States in the meetings of the general conference and of the governing body of the International Labor Office and in such regional, industrial, or other special meetings as may be duly called by such governing body, including personal services, in the District of Columbia and elsewhere, rent, traveling expenses, purchase of books, documents, newspapers, periodicals, and charts, stationery, official cards, printing and binding, hire, maintenance, and operation of motor-propelled passenger-carrying vehicles, and such other expenses as may be necessary."

Mr. CASE of South Dakota. Mr. Chairman, I make the same point of order with respect to other language in the amendment, such as the words "as may be necessary."

I make the point of order for the further reason that the language "and in such regional, industrial, or other special meetings as may be duly called by such governing body, including personal services in the District of Columbia and elsewhere, rent, newspapers, and so forth," goes beyond the scope of what is implied in taking membership in an international body. The recitation of all these specific terms is of itself evidence that there is an attempt here to set up authority for certain specific expenses that are not included in the language of the original legislation.

The CHAIRMAN. In the opinion of the Chair, the gentleman from South Dakota is making too liberal an interpretation of the act, and the Chair therefore overrules the point of order.

The question is on the amendment offered by the gentleman from Florida.

The amendment was agreed to.

Mr. CALDWELL. Mr. Chairman, I send to the desk a further amendment. This takes the place of the language stricken on the point of order made by the gentleman from New York [Mr. TABER].

The Clerk read as follows:

Amendment offered by Mr. CALDWELL: On page 18, line 2, after the figures and the semicolon insert the following: "Bureau of Interparliamentary Union for Promotion of International Arbitration, \$20,000, including not to exceed \$10,000 for the expenses of the American group of the Interparliamentary Union, including personal services in the District of Columbia and elsewhere, traveling expenses, purchase of necessary books, documents, newspapers, periodicals, maps, stationery, official cards, printing and binding, entertainment, and other necessary expenses to be disbursed on vouchers approved by the president and executive secretary of the American group."

Mr. TABER. Mr. Chairman, I make the point of order that the language is still beyond the authorization of the law.

The CHAIRMAN. Will the gentleman be specific and point out the language he objects to in the amendment offered by the gentleman from Florida?

Mr. TABER. The words "and other necessary expenses to be disbursed on vouchers approved by the president and executive secretary of the American group."

Mr. CALDWELL. Mr. Chairman, I believe it proper, in view of the scope of the act which authorizes our participation in the Interparliamentary Union, that it be held that all of the purposes now included in the amendment are authorized. Even the word "entertainment," which was complained of in the point of order previously considered, must of necessity be included here.

The CHAIRMAN. The Chair is prepared to rule.

The act of June 28, 1935, among other things, in the second paragraph has the following language:

Such appropriation to be disbursed on vouchers to be approved by the president and the executive secretary of the American group.

Considering this language in connection with the amendment offered by the gentleman from Florida, the Chair is constrained to overrule the point of order.

Mr. CALDWELL. Mr. Chairman, the amendment just offered simply does what has been done for several years by providing the money for the participation by the American group in the Interparliamentary Union.

Mr. Chairman, I believe it is unnecessary for me to take more of the time of the Committee in discussing this matter.

Mr. TABER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am satisfied that the operations of this Interparliamentary Union do not serve a good purpose. I am satisfied we will get along better in our diplomatic relations with other people if we do not participate in this organization. Some of the members who attended the meeting last summer reported that they left before the proposition was over, and that they felt that the convention might better not have been held. I am satisfied that this kind of a gathering tends to interfere with regular and normal intercourse with respect to foreign affairs with other countries by setting up a group other than the State Department to have charge of our foreign matters. I think such a practice is bad, and I think it ought to be discontinued. I therefore hope the Committee will decide to save \$20,000 and throw this thing out.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. CALDWELL].

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 47, noes 44.

So the amendment was agreed to.

The Clerk read as follows:

WATERWAYS TREATY, UNITED STATES AND GREAT BRITAIN: INTERNATIONAL JOINT COMMISSION, UNITED STATES AND GREAT BRITAIN

Salaries and expenses: For salaries and expenses, including salaries of clerks and other employees appointed by the Commissioners on the part of the United States, with the approval solely of the Secretary of State; for necessary traveling expenses, and for expenses incident to holding hearings and conferences at such places in Canada and the United States as shall be determined by the Commission or by the American Commissioners to be necessary, including traveling expense and compensation of necessary witnesses, making necessary transcript of testimony and proceedings; for cost of lawbooks, books of reference and periodicals, office equipment and supplies; and for one-half of all reasonable and necessary joint expenses of the International Joint Commission incurred under the terms of the treaty between the United States and Great Britain concerning the use of boundary waters between the United States and Canada, and for other purposes, signed January 11, 1909; \$19,500, to be disbursed under the direction of the Secretary of State: *Provided*, That the Commissioners on the part of the United States shall serve in that capacity without additional compensation: *Provided further*, That traveling expenses of the American Commissioners, secretary, and necessary employees shall be allowed in accordance with the provisions of the Subsidence Expense Act of 1926, as amended (I. U. S. C. 821-833).

Mr. CALDWELL. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. CALDWELL: On page 28, line 10, in the parentheses, strike out the letter "I" and insert in lieu thereof the figure "5".

Mr. CALDWELL. Mr. Chairman, this amendment is merely to correct a typographical error.

The committee amendment was agreed to.

The Clerk read as follows:

Salaries: Secretary of Commerce, Under Secretary of Commerce, Assistant Secretary, and other personal services in the District of Columbia, including the Chief Clerk and Superintendent, who shall be chief executive officer of the Department and who may be designated by the Secretary of Commerce to sign minor routine official papers and documents during the temporary absence of the Secretary, the Under Secretary, and the Assistant Secretary of the Department, \$546,500: *Provided*, That not to exceed \$100,000 of this appropriation shall be available for expenditure by the Secretary of Commerce for personal services of experts and specialists

at rates of compensation not in excess of \$9,000 per annum without regard to the civil-service laws and regulations or the Classification Act of 1923, as amended.

Mr. CASE of South Dakota. Mr. Chairman, I make a point of order against the proviso beginning in line 23, of page 32, and ending in line 3, on page 35, that it is legislation on an appropriation bill.

Mr. CALDWELL. Mr. Chairman, do I understand that the point of order is to the language beginning in line 23, of page 32, beginning with the word "Provided"?

Mr. CASE of South Dakota. Yes.

Mr. CALDWELL. Mr. Chairman, I think the point of order is well taken.

The CHAIRMAN. The Chair sustains the point of order.

Mr. CALDWELL. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. CALDWELL: On page 32, beginning in line 23, strike out "\$546,500" and insert in lieu thereof "\$384,500."

Mr. CALDWELL. Mr. Chairman, may I say that when the \$100,000 item goes out on a point of order, it follows that the \$60,000 item involved in this paragraph for clerical hire also ought to go out along with it.

The amendment was agreed to.

The Clerk read as follows:

Printing and binding: For all printing and binding for the Department of Commerce, including all of its bureaus, offices, institutions, and services in the District of Columbia and elsewhere, except the Patent Office and the Bureau of the Census, \$328,000: *Provided*, That an amount not to exceed \$2,000 of this appropriation may be expended for salaries of persons detailed from the Government Printing Office for service as copy editors.

Mr. CALDWELL. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. CALDWELL: Page 35, after line 3, insert a separate head as follows:

"BUREAU OF FOREIGN AND DOMESTIC COMMERCE"

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For continuing the work of taking, compiling, and publishing the Sixteenth Census of the United States, as authorized by the act of June 18, 1929 (13 U. S. C. 201-218), and the national census of housing as authorized by the act of August 11, 1939 (53 Stat. 1406), and for carrying on other authorized census work, within a limit of cost for the period of July 1, 1939, to December 31, 1942, of \$53,250,000, including personal services and rentals in the District of Columbia and elsewhere; the cost of transcribing State, municipal, and other records; contracts for the preparation of monographs on census subjects and other work of specialized character which cannot be accomplished through ordinary employment; per diem compensation of employees of the Department of Commerce and other departments and independent establishments of the Government who may be detailed for field work; expenses of attendance at meetings concerned with the collection of statistics, when incurred on the written authority of the Secretary of Commerce; purchase of books of reference, periodicals, maps, newspapers, manuscripts, first-aid outfits for use in the buildings occupied by employees of the census; maintenance, operation, and repair of a passenger-carrying automobile to be used on official business; construction, purchase, exchange, or rental of punching, tabulating, sorting, and other labor-saving machines, including technical, mechanical, and other services in connection therewith; printing and binding, traveling expenses, streetcar fares, and all other contingent expenses in the District of Columbia and in the field, \$17,850,000, of which \$2,000,000 shall be available immediately, and the unexpended balance of the appropriation under this title in the Department of Commerce Appropriation Act, 1940, is hereby continued available until June 30, 1941.

Mr. TABER. Mr. Chairman, I make the point of order against the language on page 37, beginning with the word "within", on line 17, running through the word "elsewhere", in line 20. It is legislation on an appropriation bill, increasing the limitation that now exists against the expenses of the Census Bureau, and it is unauthorized by law.

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. CALDWELL. Will the gentleman state the particular language to which he makes the point of order?

Mr. TABER. I shall read it. It is as follows, beginning on line 17, page 37:

Within a limit of cost for the period of July 1, 1939, to December 31, 1942, of \$53,250,000, including personal services and rentals in the District of Columbia and elsewhere.

Mr. CALDWELL. Mr. Chairman, I think the point of order is well taken. It is simply an economy measure that the committee wrote in.

Mr. TABER. Mr. Chairman, it is not an economy measure. It raises the authorization \$150,000 beyond all authorizations now existing.

The CHAIRMAN. The Chair sustains the point of order.

Mr. TABER. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

Mr. CALDWELL. Mr. Chairman, before that is done, may I propound a parliamentary inquiry?

The CHAIRMAN. The gentleman will state it.

Mr. CALDWELL. Did I understand the point of order was directed to the language—

Within a limit of cost for the period of July 1, 1939, to December 31, 1942, of \$53,250,000—

The CHAIRMAN. Also the additional language—

including personal services and rentals in the District of Columbia and elsewhere.

Mr. CALDWELL. Mr. Chairman, I ask that the matter be reconsidered. I did not hear the reading of the language last referred to. The language "including personal services and rentals in the District of Columbia and elsewhere" is not subject to the point of order.

The CHAIRMAN. In the opinion of the Chair that might not be so, but the gentleman from New York made the point of order against the entire language, and consequently it is subject to the point of order.

Mr. CALDWELL. Then I desire to propose an amendment.

The CHAIRMAN. The gentleman will have that privilege after the amendment offered by the gentleman from New York has been disposed of. The Clerk will report the amendment offered by the gentleman from New York [Mr. TABER].

The Clerk read as follows:

Amendment offered by Mr. TABER: Page 38, line 16, strike out "\$17,850,000" and insert "\$15,684,000."

Mr. TABER. Mr. Chairman, this amendment is made to save \$2,166,000, which is the cost of the so-called housing census for the fiscal year 1941. That housing census is described in the hearings of the committee on pages 80, 81, 82, and part of 83. A great lot of that matter is duplication. The people of the country are up in arms against this proposal. We are getting letters by the hundreds in our office against this proposition. These census enumerators will want to know whether one has a bathtub or a shower bath, and whether you have running water within the dwelling unit or a hand pump—whether your water supply comes from more than 50 feet from the house or is within 50 feet of the house. They want to know amongst other things whether you have a toilet, whether it is a flush toilet or chemical nonflush toilet or an outside toilet or privy, and whether there is no toilet or privy. They want to know what kind of lights you have. There are about 33 major questions with an (a), (b), (c), (d), (e), (f), (g), and (h) on each one. It is more of a job than the whole census. It is the most ridiculous thing that was ever put up to the American people. The whole cost of this proposition will be \$8,000,000 on top of the regular census cost and it is time that the Congress got together and saved \$8,000,000 of fooling money away to get nowhere. There is hardly an item that might be of any value described in this entire schedule that is not covered by the regular census. We cannot afford to go on with this kind of business. We ought to stop spending in this way, in this ill-considered way, and save a little money.

It is time that we set our heads in the direction of balancing the Budget, instead of running wild and following every scheme that the bureaucrats can evolve to spend money. The census enumerator already has a white sheet a yard long on which he has to ask questions with reference to every member of the household, and he has to give a pretty good description of the house. In addition to this, they propose to give him this proposition with 33 questions and 7 or 8 subdivisions under each of the 33 questions. He will be an hour and a half with each person that he interviews, and we will never get to the end of the annoyance you and I will be put to by our constituents if we allow this outrage to be perpetrated and let them go on and spend \$8,000,000 for that performance.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. HARE. Is it the gentleman's purpose to strike out the whole appropriation for the housing census?

Mr. TABER. The whole \$2,166,000 for the housing census.

Mr. HARE. I understood the gentleman to say that the housing census would cost \$8,000,000.

Mr. TABER. It will cost \$8,000,000. That is an estimate before the deficiency committee now for the balance of the \$8,000,000 which they want to spend in the fiscal year 1940, between now and July 1. If we strike out this \$2,166,000, we will probably not have to bother with striking out the other item.

Now let us start in the right direction and get rid of this \$2,166,000 and not fool away money.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. RABAUT. Mr. Chairman, I just wanted to say that the figures are \$5,125,000 for the deficiency and \$2,166,000 in this bill, leaving about \$700,000 short of \$8,000,000.

Mr. KERR. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the trouble about the gentleman from New York [Mr. TABER] is that he did not begin soon enough to prevent this appropriation. The latter part of last session an act was passed by this Congress and approved by the President authorizing the taking of the housing census. It is contemplated to take that along in connection with the regular decennial census which is being taken. In other words, in this bill we are appropriating \$2,166,000 for the purpose of taking this census which has been authorized and approved by the Congress. If we do it with the machinery that we have now, we can take the housing census at about one-fourth or one-fifth the cost that would be necessary if we did it independently and had to have a new set-up to take this census.

The principal objection of the gentleman from New York is that it asks too many questions of the party who is being interrogated. I agree with the gentleman that if we had to make up that questionnaire we would not put so many questions in it. We would make it simpler and ask fewer questions. But this proposition is simply to appropriate \$2,166,000 to take this census while we are taking the general Sixteenth Census of this country. Not to do it now, I repeat, would cost us four or five times more than the cost would be if we waited until some other time to take the census.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. KERR. I yield.

Mr. HINSHAW. I would like to ask a question for information. This has been bothering me for some time. Do those who are engaged in taking the census come under the Hatch Act or not?

Mr. KERR. Well, I imagine they do. They are employees of the Government. That is simply an opinion of mine.

Mr. MARCANTONIO. Will the gentleman yield?

Mr. KERR. I yield.

Mr. MARCANTONIO. The Attorney General has sent an opinion to every census supervisor that has been appointed to the effect that it does apply.

Mr. HINSHAW. I thank the gentleman.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. KERR. I yield.

Mr. HARE. The gentleman and his committee is not responsible for the taking of the housing census?

Mr. KERR. Not at all. The Congress is responsible for it.

Mr. HARE. The only thing the gentleman has done is to provide money which was authorized by the Congress in the last session?

Mr. KERR. Yes, and following the good judgment of those who appeared before us, the paramount reasons are not only to get this information which would enlighten us in the development of our housing program, but now is the proper time to obtain this data through the organization which is now set up and functioning in the Census Bureau.

[Here the gavel fell.]

Mr. REED of New York. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, this is a matter in which I am deeply interested. I believe there is a very grave misunderstanding in regard to the legislation which was passed last August. You will recall that the housing bill itself was defeated by this Congress. The census-of-housing bill was predicated upon the passage of the housing bill. The necessity for taking this census has already passed. The Census of Housing Act was comparatively simple, and you can find in it nowhere any intent or contemplation on the part of Congress to carry an impertinent inquiry into the private affairs of the homes of this country—30,000,000 homes.

I will say to you that no proposal that has been made in this country within a decade except the court-packing fight has aroused such resistance and opposition as this Housing Census Act has aroused among the American people. They resent this prying and snooping into their private affairs disclosed by the last few questions. Let me enumerate some of them:

VII. For each owner-occupied nonfarm dwelling unit:

In structures without business containing not more than four dwelling units.

28. Market value of this property:

a. Owner-occupant's estimate of the market value of this property.

b. Number of dwelling units included in this value.

29. Is there a mortgage (or land contract) on this property?

Items 30 to 33 need be enumerated only when "Yes" is entered in item 29.

30. Present amount of outstanding indebtedness:

a. On first mortgage or land contract.

b. On second mortgage and other junior liens.

31. Regular payments required on this first mortgage or land contract:

a. Frequency and amount of regular payments, including interest.

(Enter amount in 1, 2, 3, or 4; or "X" in 5 or 6.)

(1) Monthly payments of.

(2) Quarterly payments of.

(3) Semiannual payments of.

(4) Annual payments of.

(5) Other regular-payment plan.

(6) No regular payments required.

b. Do these payments include an amount for reduction of principal?

c. Do these payments include real-estate taxes?

32. What interest rate is now charged on this first mortgage or land contract?

33. Who holds this first mortgage or land contract?

a. Building and loan association.

b. Commercial bank or trust company.

c. Savings bank (mutual or stock).

d. Home Owners' Loan Corporation.

e. Life-insurance company.

f. Mortgage company.

g. Individual.

h. Other.

I have a profound respect for the Census Bureau. It has existed for 150 years. I say to you without fear of any contradiction from any of those men who have been connected with the Census Bureau that they never desired to ask the questions which appear at the latter part of the inquiries which have been sent out, which will be asked by the politically local census enumerators of the head of every household.

The regular officials of the Census Bureau did not want to include the objectionable questions, but from some source somewhere pressure was brought to bear to put in those intimate inquiries, and the people resent them. What is more, citizens are under the threat of jail sentence and fine if they fail to answer these questions and answer them truthfully.

I repeat that never since the Court fight have I been so deluged with mail as I have on this census-of-housing bill. I say to you that for the sake of preserving respect for, and the good name of, the Census Bureau this Congress itself should resist this attempt on the part of some undisclosed influence to use the Census Bureau as a snooping agency under cover of this Census of Housing Act. This House of Representatives is where we shall have to begin to stop this invasion of personal liberty. Of late there has been a tendency on the part of the departments to so construe acts of Congress as to misrepresent to the American people the real intent of Congress. Had there been read to the Congress of the United States the questions set forth in this proposed questionnaire the housing-census bill never would have passed. I hope now that you will strike out this item. Already a resolution, so I am told, has been introduced in the Senate to stop the asking of these obnoxious questions under this census-of-housing bill. Let us do our part to stop it here. I have introduced a bill to repeal this obnoxious legislation which if not repealed will cost \$8,000,000 to accomplish no good purpose, aid no function of government; but which, if administered, will serve only as an irritant to the law-abiding people who still believe they have some rights of privacy in their homes and protection for their intimately personal affairs.

I appeal to you for the preservation of the good name of Congress, for the protection of the good name of the Census Bureau itself, to vote to strike out this item right here and now and help with your votes to eventually repeal the whole Census of Housing Act.

Mr. KERR. Mr. Chairman, will the gentleman yield?

Mr. REED of New York. I yield.

Mr. KERR. The questions were prepared by the Director of the Census. Why does the gentleman say he was not in favor of them?

Mr. REED of New York. They are assigned to him as author, but he did not prepare them.

The asking of these questions can serve no useful purpose. It should not be carried through. These inquisitorial questions ought never to have been included and never were intended by the framers of the bill.

Mr. KERR. How did they get there if not through the officials who prepared the forms?

Mr. REED of New York. They were prepared by a board. They were ordered to include them. I am talking about the Census Bureau, not about the Department of Commerce.

Mr. KERR. Who ordered the Census Bureau to put them in there?

Mr. REED of New York. I do not know who ordered them; and, of course, I would not ask them to tell. [Applause.]

Mr. Chairman, I call attention to excerpts from letters received from all parts of the country protesting against un-American census-of-housing program.

While I have received many protests from men in all walks of life complaining that they must, under penalty of fine or imprisonment, or both, reveal to a local census enumerator the amount of their income and other personal matters never before asked in a census, I shall first quote a few protests from women, for, after all, they have to answer these questions in the great majority of cases. One woman wrote to me as follows:

I, for one—and I believe there will be many, many thousands like me—would be very reluctant to answer these absurd and intimate questions.

Another:

This snooping into private affairs is, plainly putting it, nonsense, and should be stopped.

Another:

This is a free country. Let's keep it that way.

Another:

The New Dealers are certainly taking away our American liberties, and must be curbed now.

Another:

It is unfair for people to have to make all of their affairs public, and we have plenty of taxes now without adding another \$8,000,000 to our present debt.

Another:

I beg of you to do what you can in regard to eliminating that part of the new census bill in which, under penalty of fines and jail sentences, we have to bare our very souls. When our country sinks to this degradation it is a sorry state, indeed.

Another:

Americans are still intelligent; and if the law is not changed, everyone should refuse to answer objectionable questions, taking a fine or jail sentence, if necessary, until we get results.

Another:

I sincerely believe that you have the support of every intelligent citizen of this country in your efforts to have the present census law amended and modified so that our most private affairs will not be subject to the consideration, discussion, and exploitation by any party to whom they are made available.

It is time the American people began to pay attention to what is taking place in our governmental organization before it is put upon an entirely dictatorial basis.

Another:

The April census, as the bill now stands, is an insult to every intelligent man or woman in this community. I have no objections to a Government census as conducted in the past, but I do object to this regimentation this New Deal is forcing on everyone. Before this country is entirely communistic, it is high time we take a stand. I will refuse to answer any personal questions asked by the New Deal snooper.

Another:

I frankly think the Government is stepping on the people's personal rights, and I hope that you will do all within your power to protect these rights for the people whom you represent in Congress.

Another:

You have our hearty commendation for the stand you are taking on the census. More power to you! It is a fine thing when the Government feels it has a right to pry and snoop into the affairs of a private citizen to this extent! We have always regarded it our inalienable right to conduct our affairs without such unwarranted prying, and hope you will continue to do all you can to get this matter rescinded at once. This is surely going too far.

Another:

I do object to local enumerators being given the right to question us in regards to our wages or salary or other domestic affairs of our household.

Another woman:

I object to local enumerators being given the power to do this unnecessary and unwarranted snooping.

Another:

I trust that you will not rest till the whole matter is brought before the people and the party or parties who framed these snooping questions are made known and their names held up to the contempt they deserve.

Another:

We do not care to tell all of our "personal affairs" to some local enumerator. We do not feel it is just to either fine or give us a prison sentence if we do not disclose our affairs to them.

Another:

We Americans will not stand to have our constitutional rights thrown away in this manner. And we will prove what we say next November.

Another:

Do we or don't we as American citizens have some right to our personal affairs? Or is this country of ours becoming one of a dictatorship?

Another:

Many citizens with whom I have talked strenuously disapprove of governmental snooping into their domestic affairs.

Another:

This is supposed to be a free country, but it is far from it if you have got to tell the Government through some local census taker all your personal matters. That's going too far. Stop it, for the sake of all of us.

Another:

It injures my pride in Americanism and my faith in the ability of the leaders of this country to preserve and protect our greatest rights of liberty. I don't like to feel regimented, that I am being treated as they do in foreign countries, where a human being is not an individual any more, but how can I feel otherwise? I was taught the American creed of love, honor, and respect for freedom and liberty that is so typically American. How am I going to teach that to others when someone comes along and takes away the very privacy of my life?

Another:

The insolence of the proposed questions surpasses belief, delving, as they do, into the most intimate phase of home life and financial arrangements of the family.

Another:

It is the most un-American of any ruling yet imposed upon the people by what is supposed to be a democratic government. A very sad fact about this is that few people know about it.

Another:

I think a person should be allowed a few private thoughts and business without advertising it to the community.

Another:

I, being a taxpayer in New York State, am very much opposed to the forthcoming census, being compelled by law to give all of my personal affairs.

Another:

As an American citizen I object to our Government forcing me, under threat of fine or jail term, to disclose my private affairs, even my salary or wages, to a local census enumerator. This country has always been free and we want to keep it free. We do not want a dictator in America.

Another:

It would seem we are no longer a democracy and that our personal liberty is at stake.

Another:

It is an outrageous piece of New Deal totalitarianism. It invades the individual's personal and private rights and that of the family life. I protest against this meddlesome snooping.

Another woman:

It is a snooping campaign that all to whom I have talked are denouncing bitterly. It may not be "search" in the actual fact of invasion of our homes, but it is certainly search of our private affairs, which is just as objectionable to men and women to whom freedom is the breath of life.

Referring to the legal requirement that the census answers be kept confidential, one newspaper editor remarks:

One can only say, "maybe," to that. How did John L. Lewis get confidential coal-cost data, for example?

Another editor said:

The chances are the political hack who pries into your affairs will have a great deal to gossip about. It is too much to expect all of the thousands so hastily recruited will be above that temptation.

Referring to the many letters to the editor, another editorial says:

It can be described, perhaps, as intensified realization that—almost without knowing it—the American people, under the guise of liberal reforms, are being regimented as completely as if they were living under the tightest of dictatorships.

Speaking of dictatorships, here is what one man wrote to me:

Russia and Germany are sure laughing at us. If people are going to land in jail Congress better pass a bill for more Federal jails.

Another man:

Try and repeal this thing, otherwise when the time comes you are going to find the best people in the country in trouble.

Another:

It tastes too much like dictatorship to me.

Another:

My people have fought in every war from the Revolution to the World War, and if this Government is going to take those rights away from us, by dictatorship methods as this census shows, then I and the many people around me who think the same, will have to go back to those methods our forefathers took with England.

A petition:

We, as citizens of a democratic country, feel that that the 1940 census will be a violation of our civil liberties. It promises to be a repulsive snooping into our private lives and affairs, a definite step toward Government regimentation. If the people of Germany and Russia want that sort of thing, let them have it; we don't want it.

Another man:

I am writing you to tell you how bitterly opposed I am to the housing census or this prying and snooping into private affairs. We are coming to dictatorship fast enough unless we all do what we can to prevent it.

A petition:

This is out of place in a free country which is not yet supposed to be ruled by a dictator.

From a man and wife:

If this type of law is allowed to stand we will soon be in a class with Russia—if we are not already there.

From a woman:

Let us have the freedom and rights of Americans.

A man:

I am opposed to the United States of America adopting Russian policies in putting across this census snooping.

From a woman:

It is an outrage that our administration should even contemplate such unfairness, much less to enforce it. What have our forefathers given up their lives for, to adopt Russia's form of liberty?

From a man and wife:

Let them have regimentation in Germany and Russia if that's what they want; we don't want it here.

A FEW PROTESTS FROM MEN

I never heard of or knew that the President, a bureau, the New Deal, or even Congress, could change the United States Constitution. I supposed that had to be done by the people.

Another man:

It seems to me that there is so little of the old American rights left, and from what I can gather this census taking will leave us without a private or sacred thought of our own.

Another:

The majority of American citizens have never failed their Government when necessity arrived, and never will, but the act of spreading before your neighbors all your private business is not a governmental function.

Another:

I have nothing to be ashamed of in my private affairs, but, nevertheless, I feel that when I must tell all—or else—that things have gone way too far. Everyone I have spoken to about this feels the same, except the local enumerator, and he is a ward heeler whom I would not trust to keep the affairs of others confidential.

Another:

I would like to see throughout our country such a storm wave of protests against this recent Government snooping that it will have to be repealed.

Another:

To my layman mind the plan seems an invasion of the liberties guaranteed in spirit by our Bill of Rights. Public distaste for the census as proposed will develop into resentment as enumerators press their questions. The people being questioned will not be cooperative and the resulting information may be incomplete and misleading to a large degree. Under such circumstances data obtained by this census cannot be worth the cost.

Another:

I feel that the Government has no right to pry and snoop into the personal affairs of a private American citizen and that it violates the personal security of the Constitution.

Another man:

This is about the last straw from a bunch of scatterbrained New Deal dictators.

Another:

I resent it very deeply and consider it an encroachment upon the rights of the people of the Nation.

Another:

We think it is an outrage for a local enumerator to be empowered to pry into one's private affairs.

Another:

I, for one, resent what may be a step in taking away our personal liberty.

Another:

I object to our Government forcing us, under threat of fine or imprisonment, to disclose our salary or wages to a local enumerator.

Another:

If the heads of the administration want to become dictators, why can't we ship them all to Europe and let them go to it? Whole communities will go to jail before they will allow this snooping into their business.

Another:

It is more than snooping; it is depriving us of our constitutional rights.

Another:

We have felt the injustices of the Government snooping into everything. It is not for the good of the people that all this information is demanded.

Another:

I do not intend to answer questions which are none of their business.

PETITIONS

Among the petitions which I have received is one signed by 626 out of 700 employees of one company in my district. Following are excerpts from that petition:

In the first place, we do not believe that a resident of this locality should be appointed to snoop into our personal affairs. This would be unbearable, especially in a small community, and a good many would evade correct answers, chancing a fine.

What if we did not pay as much for our home as our next-door neighbor, or have put a mortgage on it for personal reasons—should this information become public gossip?

Another petition bearing 84 names:

We feel that this census is un-American and is only paving the way to future dictatorship.

Another petition bearing 50 names:

We feel that the census as hitherto taken should be sufficient and will back you in any way possible in what you may do to stop these meddling questions.

Another petition, 156 names:

We, as taxpayers and citizens, offer our objections to the enumerators being given the right to question us as to our earnings and other domestic affairs.

A petition of 18:

We wish to express our approval of your efforts to effect repeal of the Special Census Act.

Petition of 15:

We designate you to do all in your power to take such necessary action that will repeal this bill.

Petition of 20 persons:

We object to being forced to disclose our private affairs.

Another petition of 71 signers voices this same objection.

Following are expressions of smaller groups which assembled in homes, stores, and other places:

Those in power in Washington seem to be trying as far as they dare to emulate Hitler and Stalin. This always has been a free and wonderful country, but for some time now it seems that the Government has been usurping more and more authority and has plunged the country into debt so deep it may never find its way out, and they still want to go in deeper.

Words are inadequate to express our feelings of disgust and revolt at the thought of being required to answer questions of so private a nature.

It runs counter to every tradition of our free American lives and violates directly the personal security guaranties of the Constitution itself.

All we ask is consideration and justice. No born American wants to divulge his personal affairs to the public.

A population count is necessary, but when it comes to snooping into all particulars of one's personal affairs it is most emphatically resented.

The Daughters of Union Veterans of one town wrote:

We feel that our Grand Old Army fought for freedom and we aim to maintain that blessed freedom they obtained, so kindly do what you can to repeal the special census of housing supposed to begin on April 1.

From Veterans of Foreign Wars, Tezzi-Reitz Post, No. 250, Philadelphia, Pa.:

I brought before the members of the above-captioned post the snooping attitude and the un-American methods of prying into the personal affairs of the citizens of this country by a group of political hacks who may use the information obtained for a mercenary cause and which might cause considerable embarrassment to many of our citizens. The members of this post agree with you that the present bill should be repealed and will give you whole-hearted support in your efforts to have it changed.

From an American Legion auxiliary:

The Legion auxiliary of the George Harbel Post want to join in protesting the housing census.

From a teacher of sociology in a monastery:

Laissez faire was a bad feature of individualism but national social planning can also be carried too far. Yea, even to the extent of being snoopy. And so I wish to add my voice to you in protest against certain practices of the National Census Bureau of 1940.

From a minister:

I desire to express my appreciation of your action in introducing a bill in the House concerning unnecessary and inquisitive questions in the forthcoming census.

From the head of a parochial school:

It is our sincere prayer that your bill to repeal the housing census may meet with the approval of every true American.

From a Sunday-school class—20 signers:

We vigorously object to this so-called government snooping census. As a free people we object to being regimented.

From a school faculty:

We congratulate you for position taken on census matter.

A college professor:

It looks to me as if the census is to be used as a means of getting information concerning the financial affairs of citizens which would be used as a basis for a capital levy if the present administration is retained in power or one like it elected. At the very least it will be used as a means of imposing additional local taxation upon citizens.

From a store owner:

I am just a small-store owner, but as another American, I refuse to answer the questions put to me by some political appointee.

A physician:

We do not approve of the personal clause in the census.

A businessman:

Public opinion, as I have heard it expressed in no uncertain terms, is decidedly against the personal-affairs phase of the census.

A surgeon:

I know of nothing that enrages an American any more than to have some young upstart come poking into your home to ask you how many bathrooms you have, how many windows you have, what kind of rugs on the floor, what make of kitchen stove, and a thousand other senseless questions.

An oil producer:

It seems to me that no one will seriously object to furnishing the enumerators with any kind of useful or necessary statistical information, but when it comes to incomes, etc., then it becomes just as objectionable as a previous law to make income-tax returns public documents and which, due to an aroused public sentiment, had to be thrown out the window. This is especially objectionable in view of the fact that the enumerators are, I understand, to be local residents.

A lawyer:

This is certainly a crazy scheme to spend a lot more of the people's money.

A farmer:

Let me commend you highly for introducing a bill to allow us to maintain some of the liberties to which we were once accustomed. I had made up my mind to let the census taker guess on some of the questions and have not changed it yet.

Officers and employees of a corporation:

While we agree that there is certain information to which the Government is justly entitled and should have free access to this information, there is other information requested in this new census which smacks of totalitarianism and deprives us of the privacy to which we are justly entitled.

A businessman:

We not only think this will impose on what are our own personal affairs but also a big waste of money.

President of a metal company:

The administration pretends to admire Thomas Jefferson, but acts the opposite way. It forgets that in the Declaration of Independence he put something like this: "He (King George III) has erected a multitude of new offices and sent among us swarms of officers to harass our people and eat out their substance." It does exactly the same things.

President of a bank:

One of our women customers, who has a savings account, was in yesterday and appeared to be concerned lest the census taker would be asking how much she had in the bank, and if that question was required to be asked she proposed to draw her money out until after the census was taken.

It seems to be very unfortunate that the census could not have been taken in the usual fair and dignified manner.

Officers and employees of a bank, 29 signers:

There is a great deal of sentiment here in opposition to the questions of a very personal nature, answers to which, we understand, will be required.

A businessman:

I consider this census an invasion of my personal rights, and as a taxpayer to the extent of over \$3,000 a year want to say that the millions spent in this project are a waste of money which could be used to far better advantage than to increase our already huge debt.

Another businessman:

I regard it as the duty of every American citizen to work toward the abolition of this attempt to regiment the country, and if this is not a free country I would certainly appreciate knowing it. I have numerous acquaintances who have expressed themselves as decidedly against the census in the form that it is proposed to take. We all consider this inquisitorial idea a distinct violation of our rights as American citizens and intend to resist such encroachment vigorously.

Another:

This new New Deal act is another step toward Hitlerism and, if not stopped, will lead to further aggressions on our personal liberties.

Another:

We think it is a disgrace and an insult to be subjected to such a humiliation as the census-taking law. Just what can we expect next? We—and I speak for a good many people in our community—simply cannot tolerate such an infringement on our freedom, or aren't we supposed to have it any more?

Another:

This census is an outrage on the people and, of course, the questions have been added by someone wanting to have an authority over the rights of the people.

Another:

For the last 8 years I have been trying to operate a small business. To put a climax on the rapidly increasing taxes, reports, etc., we now find that the Government is even going deeper into our personal affairs in taking the 1940 census. The sentiment toward the 1940 census is universal. There will be some well-filled jails. At least, the Government will have to take care of us for a change.

A real-estate broker:

We feel this is most un-American and one of the first steps toward regimentation—a system which many European countries suffer under at the present time. We find nothing contrary to this feeling in talking with the people of this section and feel that this is the general attitude of the community.

From the owner of a granite company:

I really didn't think that the new dealers would dare set aside what's left of the people's constitutional rights, but after draining our Treasury they have become snoopers with plans, no doubt, to drain the individual's pocket.

From a dentist:

I believe everyone in your district would appreciate it if you would do all in your power to have the census questions revised so as to eliminate a lot of the objectionable features. I need not go into any detail about this, as anybody who is informed on the matter knows that the procedure is outrageous.

From a farmer's wife:

In 5 years my taxes for schools were raised from \$12.49 to \$22.18, my State and county taxes from \$18 to \$31.18. So, if they send these people around, there will be that much more. If they want money, why not get out with a pick and shovel and earn it.

From a man and wife:

We have been acting as adults for too many years to feel that we need a paternal Government to look into our affairs in such detail as this census proposes to do.

Self-respect is still one of the fundamentals that will save the American form of government if people are not forced to lose it.

Another:

We have no objections to a population census, but believe that the \$8,000,000 could be used to better advantage by a Government already deep in the red.

Another:

The new census is one of the most discreditable steps ever taken by a democratic government. It is unbelievable.

Another:

We are opposed to this special census and the accompanying expense. Let's not pass the debt on to the next fellow but assume our full share in an economy that will reduce the load.

Mr. Chairman, these protests come from law-abiding American citizens and their views are worthy of the attention of their Representatives.

Mr. CALDWELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, there are probably several good reasons why this \$2,000,000 ought not to be allowed, but all of these reasons existed less than a year ago when this act passed the House without a record vote.

It is rather amusing to see the Committee on Appropriations criticized on the one hand because they refuse to allow items to carry out the purposes of legislation approved by the Congress and on the other to be criticized for allowing funds to effectuate the purposes of such acts.

The real reason behind the opposition to this is quite natural and one we can understand—a political reason. I do not believe you need go very deeply to find what prompts the motion.

The wisdom of whether or not these housing questions should be asked is one which was decided by the Advisory Committee on the Census. I think the information sought will probably serve a useful purpose, but whether this be so or not the machinery has been set up, the forms have been printed, the census officials have been instructed to secure the data. I feel this is not the time to stop the appropriation.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. CALDWELL. I yield.

Mr. TABER. The Director of the Census has said that not a single step has been taken, outside of the Census Bureau's getting these blanks together, to go ahead and spend money on this thing.

Mr. CALDWELL. And I may say to the gentleman from New York that I think the Director of the Census is in error, because in the State of Florida I have seen forms relating to this particular census, and the officials of the census have their instructions.

Mr. TABER. Then the gentleman did not tell us the story when he was in front of us? Is that it?

Mr. CALDWELL. The gentleman may draw his own conclusion.

[Here the gavel fell.]

Mr. RABAUT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I call attention to page 79 of the hearings. This reviews the situation. I read this portion of the hearings to you:

Let us review first the history of the Housing Census Act. It originated in the Senate at the last session of Congress, after considerable urging by Senator WAGNER and others for legislation which would permit the Bureau of the Census to take a census of housing.

In a bill which was prepared several years ago, but was not presented for enactment by the administration, the subject of housing was added by the Federal Government to the subjects to be taken in the decennial census by the Census Bureau. At that time it received the approval of the administration and the Bureau of the Budget.

Senator WAGNER introduced the present legislation April 5, 1939 (S. 2240, 76th Cong.). The Committee on Banking and Currency, to which it was referred, reported favorably, and it passed the Senate on June 23. The Census Committee reported it with amendments on July 26, and the Rules Committee recommended a special rule (H. Res. 281) on July 29. Both the rule and the bill were debated in the House on August 4, and the bill passed by a vote of 191 to 145.

The housing statistics which will be obtained under this authorization are needed both by the Government and by business. Such a census has been taken by the principal European countries for many years. England took her first census of housing in 1802, and has compiled very valuable and useful statistics.

We feel that it is a proper function of the Department of Commerce to gather these statistics for the use of other departments, the Home Owners' Loan Corporation, the Federal Housing Administration, the United States Housing Authority, and other governmental agencies interested in housing.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. CALDWELL) there were—ayes 54, noes 52.

Mr. CALDWELL. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. CALDWELL and Mr. TABER.

The Committee again divided; and the tellers reported there were—ayes 59, noes 72.

So the amendment was rejected.

The Clerk read down to line 10, page 52.

Mr. CALDWELL. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore, Mr. RAYBURN, having resumed the chair, Mr. BEAM, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 8319) making appropriations for the Departments of State, Commerce, and Justice, and for the judiciary, for the fiscal year ending June 30, 1941, and for other purposes, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. CALDWELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their own remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida [Mr. CALDWELL]?

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include certain census questions together with a few excerpts from letters.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

Mr. SHORT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri [Mr. SHORT]?

There was no objection.

Mr. MILLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article on the improved employment conditions in Connecticut.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut [Mr. MILLER]?

There was no objection.

Mr. MARTIN of Iowa. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article from the Washington Evening Star and a letter from a constituent.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa [Mr. MARTIN]?

There was no objection.

Mr. McKEOUGH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a resolution adopted at a meeting in Chicago protesting against certain operations in Poland and in Czechoslovakia.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois [Mr. McKEOUGH]?

There was no objection.

Mr. DARDEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech made by the junior Senator from Virginia, HARRY BYRD, at the laying of the keel of the U. S. S. *Alabama*.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia [Mr. DARDEN]?

There was no objection.

Mr. BOREN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a speech made over the N. B. C. last evening by the Honorable Leon C. Phillips, Governor of Oklahoma.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma [Mr. BOREN]?

There was no objection.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 628)

The Chair laid before the House the following message from the President of the United States, which was read and referred to the Committee on Foreign Affairs and ordered printed:

To the Congress of the United States of America:

I commend to the favorable consideration of the Congress the enclosed report from the Secretary of State and the accompanying draft of proposed legislation to amend section 26 (e) of the act of February 23, 1931, as amended by the act of April 24, 1939, the purpose of which is to insert additional language which has been found, in administering the aforesaid section 26 (e) as now established, to be necessary in order to carry out fully the purposes of this law.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, February 7, 1940.

COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, over a period of some little time the chairman of the Committee on Un-American Activities, the gentleman from Texas [Mr. DIES], has been contributing articles to Liberty magazine. During a period when there is no committee in existence he, of course, has a perfect right to write articles or to say anything that he pleases, as has every other American citizen. I suppose all of us have that right as a general matter, but no member of this committee can dissociate himself from the committee in the public mind. At the present time, moreover,

the committee is functioning, and one of the things that it has been stated the committee would undertake is an investigation of matters on the west coast and in California.

I will be glad to get to the bottom of any difficulties that there may be in my own State as well as in any other State, but in the current issue of *Liberty* magazine is an article written by the chairman of the Committee on Un-American Activities with reference to the situation in California. The committee very properly, I think, did not make public the report of the investigators on the west-coast matters for the reason that no hearings had yet been held regarding them. I do not propose to address myself to the substance of that article or to what is stated therein, but it appears to me that inevitably the very appearance of such an article and the expressions in that article of the chairman's point of view as to what he thinks about the situation puts the investigation in an extremely difficult situation, and makes it very hard for the course of the investigation not to be colored by opinions and statements already made and matter more or less of record.

There is at issue here the whole question of proper conduct of an investigation and therefore of the work of the committee, about which I have spoken before. It seems to me the job of the committee is to take evidence, establish facts in its hearings and through its investigation, and thereafter make a report. The time for appraisals of any situation seems to me to be after, not before, all the evidence and testimony are in. I would not be true to my own convictions about this matter if I did not protest what has happened.

[Here the gavel fell.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mrs. NORTON, for 2 weeks, on account of illness.

To Mr. BLOOM (at the request of Mr. IZAC), indefinitely, on account of illness.

To Mr. MITCHELL, for 4 days, on account of illness in family.

ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro tempore:

H. R. 8067. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1940, and for other purposes.

The Speaker pro tempore announced his signature to an enrolled bill of the Senate of the following title:

S. 1157. An act for the relief of Roy D. Cook, a minor.

ADJOURNMENT

Mr. RABAUT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 19 minutes p. m.) the House adjourned until tomorrow, Thursday, February 8, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting on Thursday, February 8, 1940, at 10 a. m., before the Petroleum Subcommittee of the Committee on Interstate and Foreign Commerce. State regulatory bodies will be heard first.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matters named:

Tuesday, February 13, 1940:

H. R. 1780, to amend section 7 of the act of June 19, 1886, as amended (U. S. C., 1934 ed., Supp. III, title 46, sec. 319), relative to penalties on certain undocumented vessels and cargoes engaging in the coastwise trade or the fisheries, and for other purposes.

H. R. 5837, to amend section 221 of the Shipping Act, barring certain aliens from participating in the benefits thereof.

H. R. 6770, to amend Revised Statutes 4311 (U. S. C. 251).

H. R. 7694, to amend section 4311 of the Revised Statutes of the United States.

H. R. 8180, to require that not less than 75 percent of the crew of any fishing vessel of the United States be citizens of the United States.

Tuesday, February 20, 1940:

H. R. 4079, to amend sections 4353 and 4355 of the Revised Statutes of the United States.

H. R. 6751, to repeal certain laws with respect to manifests and vessel permits.

H. R. 5788, to amend the present law relating to the delivery of ships' manifests to collector of customs by excluding Sundays and holidays from the time within which such delivery may be made by the master.

H. R. 5789, to amend the present law relating to the delivery of ships' manifests to collectors of customs by excluding Sundays and holidays from the time within which such delivery may be made by the master.

Friday, February 23, 1940:

H. R. 7639, to provide for the examination of civilian nautical schools and for the inspection of vessels used in connection therewith, and for other purposes.

COMMITTEE ON THE JUDICIARY

On Wednesday, February 14, 1940, at 10 a. m., there will be a hearing before the Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary on the bill (H. R. 8016) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto (municipal compositions). The hearing will be held in room 346, House Office Building.

COMMITTEE ON THE CENSUS

Beginning Tuesday, February 27, 1940, the Committee on the Census will hold hearings on the reapportionment of Representatives in Congress.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 7926. A bill to amend the District of Columbia Unemployment Compensation Act to provide for unemployment compensation in the District of Columbia; with amendment (Rept. No. 1577). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRANT of Alabama: Committee on World War Veterans' Legislation. S. 1088. An act to authorize the Administrator of Veterans' Affairs to exchange certain property located at Veterans' Administration facility, Tuskegee, Ala., title to which is now vested in the United States, for certain property of the Tuskegee Normal and Industrial Institute; without amendment (Rept. No. 1578). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANKIN: Committee on World War Veterans' Legislation. S. 2866. An act to provide for allowance of expenses incurred by Veterans' Administration beneficiaries and their attendants in authorized travel for examination and treatment; without amendment (Rept. No. 1579). Referred to the Committee of the Whole House on the state of the Union.

Mr. VAN ZANDT: Committee on World War Veterans' Legislation. S. 2867. An act to authorize the Administrator of Veterans' Affairs to transfer by quitclaim deed to the Pennsylvania Railroad Co., for right-of-way purposes, a small strip of land at Veterans' Administration facility, Coatesville, Pa.; without amendment (Rept. No. 1580). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 8340) for the relief of Eugene E. Lee; and the same was referred to the Committee on Military Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURDICK:

H. R. 8348. A bill to maintain farm homes in the United States and provide power to consume goods and provide opportunity for the employment of the idle, and for other purposes; to the Committee on Agriculture.

By Mr. O'TOOLE:

H. R. 8349. A bill to amend section 272 of the Judicial Code (28 U. S. C., par. 394) in relation to forbidding corporations and voluntary associations from practicing law before courts, quasi judicial or administrative bodies; to the Committee on the Judiciary.

By Mr. ROMJUE:

H. R. 8350. A bill permitting official mail of the Pan American Sanitary Bureau to be transmitted in penalty envelopes; to the Committee on the Post Office and Post Roads.

By Mr. BOLAND:

H. R. 8351. A bill authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. CELLER:

H. R. 8352. A bill adding section 41-A to the judicial code concerning the importation, transportation, and disposition of property acquired through confiscatory decrees; to the Committee on the Judiciary.

By Mr. HENDRICKS:

H. R. 8353. A bill to change the designation of the Fort Marion National Monument, in the State of Florida, and for other purposes; to the Committee on the Public Lands.

By Mr. PIERCE:

H. R. 8354. A bill to provide for complaint, assistance to farmers, and intervention by the Secretary of Agriculture in proceedings before the United States Maritime Commission relating to the transportation of farm products; to the Committee on Agriculture.

By Mr. RANKIN:

H. R. 8355 (by request). A bill to provide greater uniformity of entitlement to, and adjudication of, certain benefits for certain classification of veterans, and their dependents, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. TAYLOR:

H. R. 8356. A bill for the exchange of lands adjacent to the San Juan National Forest and the Rio Grande National Forest in Colorado; to the Committee on the Public Lands.

By Mr. KELLER:

H. R. 8357. A bill to amend the act entitled "Mount Rushmore Memorial Act of 1938"; to the Committee on the Library.

By Mr. O'LEARY:

H. R. 8358. A bill for the protection of the American merchant marine, and other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. LUCE:

H. J. Res. 448. Joint resolution authorizing the Joint Committee on the Library to procure an oil portrait of Charles Moore; to the Committee on the Library.

By Mr. BOLAND:

H. J. Res. 449. Joint resolution for the relief of the anguished, stricken, and starving population of war-torn and martyred Poland; to the Committee on Foreign Affairs.

By Mr. JARMAN:

H. Res. 379. Resolution authorizing the printing of the Rules and Manual of the House of Representatives; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred to as follows:

By Mr. ALLEN of Pennsylvania:

H. R. 8359. A bill for the relief of Thomas Martin; to the Committee on Claims.

By Mr. BOLAND:

H. R. 8360. A bill granting a pension to Cuthbert W. Chesterfield; to the Committee on Invalid Pensions.

By Mr. CLUETT:

H. R. 8361. A bill granting an increase of pension to Georgiana Stevens; to the Committee on Pensions.

By Mr. EVANS:

H. R. 8362. A bill for the relief of Istvan Gyergyai; to the Committee on Immigration and Naturalization.

By Mr. GROSS:

H. R. 8363. A bill for the relief of Eugene Miller; to the Committee on Military Affairs.

By Mr. JOHNSON of West Virginia:

H. R. 8364. A bill for the relief of Glenn Richard Smith; to the Committee on Claims.

By Mr. MURDOCK of Utah:

H. R. 8365. A bill for the relief of Cooley Memorial Hospital, Murland W. Fish, M. D., Juanita B. Stone, and May Jeppson; to the Committee on Claims.

By Mr. WELCH:

H. R. 8366. A bill granting a pension to Katherine Mueller; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6405. By Mr. ANDREWS: Resolution adopted by the Polish Relief Committee of Niagara Falls, N. Y., and resolution from the St. Francis Society branch of Polish Union of America, of Niagara Falls, N. Y., favoring House Joint Resolution 412; to the Committee on Foreign Affairs.

6406. By Mr. BRADLEY of Michigan: Petition of Oscar J. Weisler, of East Jordan; Jake Klvester, of Ellsworth; and sundry others of the State of Michigan; to the Committee on Ways and Means.

6407. By Mr. CHIPERFIELD: Petition of sundry citizens of Kewanee, Ill., urging that shipment of war materials to Japan be stopped; to the Committee on Foreign Affairs.

6408. By Mr. COLLINS: Concurrent resolution submitted by the Mississippi State Legislature, memorializing the President and the Congress of the United States to provide a way by which the counties of the State of Mississippi may be reimbursed by the Federal Government for losses of revenue because of Government-owned lands having been withdrawn from tax liability; to the Committee on the Public Lands.

6409. By Mr. HOUSTON: Petition of 57 residents of Wichita, Kans., and vicinity, urging enactment of the Patman chain-store tax bill; to the Committee on Ways and Means.

6410. By Mr. MARTIN J. KENNEDY: Petition of the Brooklyn Concourse Association of Homing Pigeon Flyers, Middle Village, Long Island, N. Y., urging support of House bill 7813, a bill to guarantee protection to the valuable homing pigeon against hunters, etc.; to the Committee on Agriculture.

6411. Also, petition of the National Federation of Federal Employees, Washington, D. C., concerning House bill 960; to the Committee on the Civil Service.

6412. Also, petition of the Society of American Foresters, Oneonta, N. Y., urging increased Federal appropriation for the control of white-pine blister rust; also expressing opposition to the proposed transfer of the administration of the

national forests to the Department of the Interior; to the Committee on Appropriations.

6413. Also, petition of Mary R. Dorsett and others, of New York City, urging support of the referendum before conscription for foreign wars; to the Committee on Foreign Affairs.

6414. Also, petition of the Air Line Pilots Association, Chicago, Ill., urging passage of Senate bill 2735, providing for the issuance of pilot's license No. 1 to Orville Wright; to the Committee on Interstate and Foreign Commerce.

6415. Also, petition of the Pacific Northwest Business Association, Seattle, Wash., urging support of the four-point plan of Admiral Yarnell of the United States Navy (retired) for the settlement of the Far East situation; to the Committee on Foreign Affairs.

6416. Also, petition of the Bureau of Transportation and Public Service of the New Bedford Board of Commerce, New Bedford, Mass., urging support of House Resolution 360, providing for an investigation of the St. Lawrence-Great Lakes Deep Waterway; to the Committee on Interstate and Foreign Commerce.

6417. Also, petition of the Michigan Alkali Co., Detroit, Mich., urging support of House Resolution 360, providing for an investigation of the St. Lawrence-Great Lakes Deep Waterway; to the Committee on Interstate and Foreign Commerce.

6418. Also, petition of the Valdez Chamber of Commerce, Valdez, Alaska, concerning the report of Harry J. Slattery, Under Secretary, Department of the Interior, Washington, D. C.; to the Committee on Insular Affairs.

6419. By Mr. KEOGH: Petition of the National Federation of Federal Employees, Washington, D. C., favoring the passage of House bill 960; to the Committee on the Civil Service.

6420. By Mr. PFEIFER: Petition of the Empire State Automobile Merchants Association, Inc., Albany, N. Y., concerning the Wagner National Labor Relations Act; to the Committee on Labor.

6421. Also, petition of the National Federation of Federal Employees, favoring the passage of House bill 960, the Ramspeck bill; to the Committee on the Civil Service.

6422. By Mr. RANKIN: Petition of the Legislature of Mississippi; to the Committee on Ways and Means.

6423. By Mr. THOMAS of New Jersey: Concurrent resolution introduced and adopted by the House of Assembly and concurred in by the Senate of the State of New Jersey, January 15, 1940, memorializing the House of Representatives to continue the Dies committee investigating un-American practices, feeling that the work of this committee is vitally important to the protection and perpetuation of the spirit of true American patriotism; to the Committee on Rules.

6424. By Mr. WELCH: Resolution passed by the Water Project Authority of the State of California, setting forth the necessity for, and urging an increase in, the appropriation for Central Valley project for the next fiscal year; to the Committee on Appropriations.

6425. Also, resolution passed by the Board of Supervisors of the city and county of San Francisco, requesting support of the California delegation in making available essential appropriation to effect early culmination of Central Valley project; to the Committee on Appropriations.